The

Journal of the Assembly

OF THE

SIXTY-THIRD SESSION

OF THE

LEGISLATURE OF THE STATE OF NEVADA

1985

BEGUN ON MONDAY, THE TWENTY-FIRST DAY OF JANUARY, AND ENDED ON TUESDAY, THE FOURTH DAY OF JUNE

VOLUME 1

THE FIRST DAY—ONE HUNDRED AND FIFTEENTH DAY

SEE VOLUME 2 FOR INDEX

SPO, Carson City, Nevada, 1986

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ASSEMBLY LEGISLATIVE CALENDAR

(The Assembly actually met for a total of 96 days, though the session lasted through 135 calendar days; the table below is numbered by calendar days.)

Calendar Day	*Date*	*Page Number*
1	January 21, 1985	1
2	January 22, 1985	16
3	January 23, 1985	18
4	January 24, 1985	30
5	January 25, 1985	34
8	January 28, 1985	37
9	January 29, 1985	41
10	January 30, 1985	49
11	January 31, 1985	53
12	February 1, 1985	56
15	February 4, 1985	63
16	February 5, 1985	75
17	February 6, 1985	82
18	February 7, 1985	91
19	February 8, 1985	100
22	February 11, 1985	108
23	February 12, 1985	119
24	February 13, 1985	124
25	February 14, 1985	130
26	February 15, 1985	141
29	February 18, 1985	147
30	February 19, 1985	158
31	February 20, 1985	168
36	February 25, 1985	182
37	February 26, 1985	189
38	February 27, 1985	204
39	February 28, 1985	216
40	March 1, 1985	239
43	March 4, 1985	249
44	March 5, 1985	261
45	March 6, 1985	271
46	March 7, 1985	277
47	March 8, 1985	287
50	March 11, 1985	298
51	March 12, 1985	310
52	March 13, 1985	317
53	March 14, 1985	327
54	March 15, 1985	336
57	March 18, 1985	345
58	March 19, 1985	353
59	March 20, 1985	364
60	March 21, 1985	379
61	March 22, 1985	389
64	March 25, 1985	395
65	March 26, 1985	404
66	March 27, 1985	413
67	March 28, 1985	425
68	March 29, 1985	432

Calendar Day	*Date*	*Page Number*
71	April 1, 1985	437
72	April 2, 1985	452
73	April 3, 1985	460
74	April 4, 1985	474
79	April 9, 1985	504
80	April 10, 1985	515
81	April 11, 1985	523
82	April 12, 1985	537
85	April 15, 1985	562
86	April 16, 1985	577
87	April 17, 1985	586
88	April 18, 1985	599
89	April 19, 1985	606
92	April 22, 1985	616
93	April 23, 1985	632
94	April 24, 1985	641
95	April 25, 1985	658
96	April 26, 1985	673
99	April 29, 1985	688
100	April 30, 1985	701
101	May 1, 1985	710
102	May 2, 1985	721
103	May 3, 1985	730
106	May 6, 1985	749
107	May 7, 1985	770
108	May 8, 1985	787
109	May 9, 1985	825
110	May 10, 1985	851
113	May 13, 1985	886
114	May 14, 1985	914
115	May 15, 1985	946
116	May 16, 1985	967
117	May 17, 1985	994
120	May 20, 1985	1028
121	May 21, 1985	1063
122	May 22, 1985	1094
123	May 23, 1985	1119
124	May 24, 1985	1147
125	May 25, 1985	1172
127	May 27, 1985	1205
128	May 28, 1985	1229
129	May 29, 1985	1339
130	May 30, 1985	1397
131	May 31, 1985	1426
132	June 1, 1985	1495
133	June 2, 1985	1568
134	June 3, 1985	1641
135	June 4, 1985	1696

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....Adjusts southern boundary of Airport Authority of Lander County. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Getto. 11, 16, 82, 95, 105,* 365, 373, 425, 426, 517, 538, 585.

2....Authorizes establishment of veterans' cemetery. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Banner, Thompson and Williams. 18, 31.

3....Allows nonlawyers to represent parties in claims for industrial insurance before a hearing officer. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Banner and Thompson. 18, 32, 216, 243, 265,* 365, 386.

4....Requires interest on pecuniary legacy not promptly distributed. Fiscal Note: Effect on Local Government: No. Effect on State or Industrial Insurance: No. Committee on Judiciary. 19, 32.

5....Provides for uniform speed limit in school zones. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Stone. 19, 32, 158, 174, 198, 199,* 750, 757, 785.

6....Adopts revised article 8 of Uniform Commercial Code. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Sader. 19, 32, 239, 251, 265,* 365, 386.

7....Adopts uniform act on transfers to minors. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Sader. 19, 32, 239, 251, 266,* 365, 386.

8....Adopts Uniform Determination of Death Act. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Sader. 19, 32, 158, 174, 186,* 404, 423.

9....Corrects obsolete reference to former Nevada Art Gallery, Inc. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Swain, Nicholas and Stone. 19, 32, 53, 61, 70,* 159, 181.

10....Authorizes local governments to displace or limit competition to provide adequately for certain public services. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Jeffrey. 30, 34.

11....Makes various changes in law concerning mining and related activities. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Natural Resources, Agriculture and Mining. 30, 34, 404, 417, 461, 501, 502,* 513, 578, 579, 580, 591, 594,* 1231, 1233, 1395.

12....Makes various changes in law concerning appropriation of water for mining. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Natural Resources, Agriculture and Mining. 31, 34.

13....Authorizes certain retired public employees and legislators to be covered by certain insurance programs provided for public employees. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 31, 35, 438, 454, 502, 507,* 887, 919, 965.

14....Permits continuance of coverage of dependents under group insurance of public employees after retirement. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 31, 35, 56, 70, 79,* 328, 343.

15....Permits all state agencies to use the services of the state printing and records division of the department of general services. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 31, 35, 53, 61, 70,* 288, 306.

16....Removes limit on amount of money in motor pool fund. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 31, 35, 53, 61, 70,* 141, 157.

17....Makes various changes to law governing state purchasing. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 31, 35, 82, 95, 116, 117,* 317, 322, 334.

18....Changes method of taxing cigarettes. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Taxation. 31, 35, 130, 143, 164, 187,* 563, 585.

No. *Summary, Introducer and Page Reference*

19....Increases amount of municipal securities state may purchase and authorizes additional employee. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Contains Appropriation. Committee on Government Affairs. 34, 39, 732, 757, 820,* 1427, 1442, 1448, 1496, 1498, 1553, 1570, 1695.

20....Authorizes commission on mineral resources to employ independent legal counsel for certain hearings. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Natural Resources, Agriculture and Mining. 35, 39.

21....Exempts firemen from service as jurors. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 35, 39, 75, 88, 91, 138.

22....Authorizes issuance of additional bonds for dam on South Fork of Humboldt River and makes appropriations. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Bilyeu, Marvel, Francis, Joerg, Jeffrey, Thompson, Horne, McGaughey, Stone, Ham, Craddock, Sader, Collins, Arberry, Roberts, Spriggs, Swain, Zimmer, Rader, Lambert, Banner, Kerns, Bogaert, Williams, Sedway, Little, Fairchild, Malone, Bergevin, DuBois, Price, Beyer, Nicholas, Humke, Coffin, Schofield, Tebbs, Thomas, Nevin, Dini, Getto and O'Donnell. 37, 42, 310, 319, 343, 347, 348,* 1502, 1508, 1695.

23....Authorizes county clerk to appoint deputy clerk for justice's court. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 37, 42, 159, 174, 199, 212, 246,* 365, 386.

24....Eliminates requirement for service of certified copy of complaint in certain actions. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 38, 42, 75, 88, 96,* 389, 402.

25....Removes provisions which unconstitutionally delegate legislative authority. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 38, 42, 100, 115, 127,* 563, 564, 585.

26....Substitutes "hearing" for "trial" as term for the proceeding held on appeal from justice's court. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 38, 42, 75, 88, 96,* 389, 402.

27....Clarifies provision allowing dismissal for delay in prosecution. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 38, 42, 75, 88, 96,* 389, 402.

28....Clarifies provisions concerning liability of wife for desertion or failure to support. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 38, 42, 75, 88, 96, 97,* 389, 402.

29....Removes provisions superseded by Nevada Rules of Appellate Procedure. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 38, 43, 75, 88, 97,* 389, 402.

30....Increases standard of evidence required for termination of parental rights. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 38, 43, 82, 95, 105,* 404, 423.

31....Adds procedure regarding award of damages for violation of certain statutes by landlord of mobile home park. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 38, 43.

32....Preserves exemption of homestead for surviving spouse as to his separate property. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 38, 43, 82, 95, 105,* 433, 434, 451.

33....Removes conflict in penalties for use of credit card with intent to defraud. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 38, 43, 91, 103, 120,* 538, 558, 887, 897, 1081, 1120, 1553, 1570.

34....Removes inadvertent penalty for every oath or affirmation. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 39, 43, 82, 96, 105,* 404, 423.

35....Clarifies extent of jurisdiction of municipal courts in criminal cases. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 39, 43, 159, 177, 199,* 404, 423.

36....Ratifies technical corrections made to NRS and Statutes of Nevada 1983. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 39, 43, 82, 96, 106,* 432, 451.

37....Distinguishes prohibited act from denial of right. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 39, 43, 82, 96, 106,* 461, 462, 502.

No. *Summary, Introducer and Page Reference*

38....Changes designation of "security officer" to "police" in provisions governing public schools. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 39, 43.

39....Allows collection of advance for travel paid before employee terminates employment. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 39, 44, 63, 79, 88,* 389, 402.

40....Makes various changes regarding regulation of hazardous waste and cleaning of sites of contamination. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Schofield, Jeffrey, Thompson, Banner, Kerns and Getto. 39, 44, 277, 292, 632, 652,* 1029, 1091.

41....Regulates disposal of liquid wastes by injection through a well. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Schofield, Dini, Jeffrey, Thompson, Banner, Getto and Kerns. 40, 44, 277, 293, 632, 652,* 1029, 1091.

42....Limits civil liability of fire departments and law enforcement agencies. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Kerns, Dini, Getto, Bergevin, Stone, Jeffrey, Schofield, Francis, Marvel, Bilyeu and Nicholas. 41, 50.

43....Requires continuing education for renewal or restoration of license issued by the state board of cosmetology and limits service on board. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Health and Welfare. 41, 50.

44....Makes various changes in law relating to motorcycles. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Stone, Malone, Joerg, Bergevin, Kerns, Nicholas, Lambert, Thomas, Bilyeu, Banner, Rader, Price, DuBois, Humke, Dini, Bogaert, McGaughey, Zimmer, Marvel, Fairchild, Ham, Schofield, Horne and Nevin. 41, 50, 119, 126, 142, 156.*

45....Directs department of transportation to designate U.S. 95 as Veterans' Highway. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Malone, Getto, Banner, McGaughey, O'Donnell, Marvel, DuBois, Fairchild, Rader and Little. 42, 50, 158, 178, 199,* 1384, 1493.

46....Requires establishment of polling places in certain residential developments for elderly. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Malone, Horne, Collins, Zimmer, McGaughey, O'Donnell, DuBois, Spriggs, Rader and Fairchild. 42, 50, 432, 441, 471.*

47....Makes various changes in provisions governing persons displaced or affected by exercise of power of eminent domain. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Banner. 42, 50.

48....Makes various changes to provisions concerning chiropractors and providers of health care for industrial insurance, and limits colonic irrigations. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 44, 50.

49....Treats special cases and precludes certain increases in revenues of local governments. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 46, 50, 97, 994, 997, 1011, 1071,* 1427, 1451, 1640.

50....Makes various changes in provisions governing procedures for employment of teachers and administrators by public schools. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 46, 51, 897, 900, 901, 949, 969, 990,* 1206, 1337.

51....Sets limits on factfinding in collective bargaining by public employees. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 46, 51.

52....Modifies list of subjects of mandatory collective bargaining for local governments. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 46, 51.

53....Extends period of suspension and adds grounds for disciplining certificated employees of public schools. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 46, 51.

54....Recognizes provision for comptroller in smaller counties. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 46, 51, 91, 104, 117,* 996, 1061.

55....Removes obsolete references to section 3 of article 11 of Nevada constitution. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 46, 51, 91, 105, 117,* 504, 521.

56....Reconciles limits upon revenue local government may receive from certain taxes. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 46, 51, 91, 105, 117,* 563, 585.

No. *Summary, Introducer and Page Reference*

57....Provides basic authorization for payment of travel expenses of state personnel. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 46, 51, 113, 120, 138,* 538, 555, 576.

58....Prohibits holder of office to file for another office if its term begins before his present term expires unless he resigns present office. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Elections. 47, 51, 239, 251, 274 *.

59....Repeals Tahoe Regional Planning Compact. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Bergevin, Nicholas, Humke, Joerg, Stone, Bogaert, Marvel, Zimmer, Getto, Thomas, Spriggs, Malone, Bilyeu, Francis, Kerns, McGaughey, Ham, Fairchild, Lambert, Rader, DuBois, Collins and Roberts. 47, 51, 189, 207, 221, 224, 236.*

60....Clarifies provisions dealing with the enforcement of statutes and regulations governing public utilities. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Transportation. 49, 54.

61....Allows varied standards for emissions from mobile internal combustion engines. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Natural Resources, Agriculture and Mining. 49, 54, 453, 467, 508,* 1029, 1091.

62....Removes conflict and clarifies ambiguity in provisions relating to legal holidays. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Education. 49, 54, 413, 427, 449, 450.*

63....Requires prompt notification of parent or other person responsible for child of child's truancy. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Committee on Education. 49, 54, 852, 853, 876, 877, 1098, 1102, 1104, 1106, 1119, 1127.*

64....Makes appropriation for construction of school of engineering at University of Nevada, Las Vegas. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Francis, Bilyeu, Marvel, Joerg, Thomas, Tebbs, Arberry, Horne, Schofield, Jeffrey, Dini, Thompson, Nicholas, Humke, Craddock, Zimmer, Roberts, Sader, Ham, Getto, O'Donnell, Fairchild, Banner, Rader, Williams, Bogaert, McGaughey, Kerns, Stone, DuBois, Price, Bergevin, Malone, Sedway, Swain and Nevin. 50, 54.

65....Integrates recent amendments into other provisions relating to cancer. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Health and Welfare. 53, 60, 240, 251, 266,* 365, 386.

66....Changes class of nurses who may petition court for involuntary admission of patient alleged to be mentally ill. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Health and Welfare. 53, 60, 240, 251, 266,* 365, 386.

67....Exempts small auditoriums from certain regulations for safety. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 53, 61, 82, 96, 106,* 1029, 1091.

68....Clarifies requirement that political subdivisions comply with local building codes. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 53, 61, 82, 96, 106,* 288, 306.

69....Extends early retirement provisions to certain employees of department of prisons and juvenile correctional institutions. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Government Affairs. 54, 61.

70....Limits veterans' rights to reemployment by the state. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 54, 61.

71....Allows certain political subdivisions to sell real property for industrial development at private sale and enlarges use of certain revenue bonds. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 54, 61, 310, 320, 461, 502, 508, 530.*

72....Removes internal conflict in statute on appropriation of water. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Getto. 57, 64, 249, 264, 282, 321, 325, 343, 348,* 617, 639.

73....Extends statute of limitations for suits to require compliance with law governing meetings of public bodies. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 57, 64, 204, 219, 243, 244, 266,* 438, 458.

74....Clarifies and expands duties of department of parole and probation. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Effect less than $2,000. Committee on Judiciary. 57, 64, 112, 120, 127,* 432, 451.

75....Supplies constitutional requisites for control of vagrancy. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 58, 64, 710, 725, 765,* 915, 965.

No. *Summary, Introducer and Page Reference*

76....Permits foreign peace officers to arrest and carry firearms or concealed weapons while on duty. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 58, 64, 112, 120, 127,* 538, 559, 576.

77....Precludes filing or enforcement of mechanic's lien against property of state or political subdivision. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 58, 64.

78....Requires joinder of all tortfeasors in action involving comparative negligence and limits liability of each defendant. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 58, 65.

79....Limits liability of state and political subdivisions for certain dangerous conditions and limits venue of certain actions against state. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 58, 65.

80....Permits peace officer, fireman or emergency medical attendant to recover damages for injury inflicted by public. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 58, 65, 131, 145, 165,* 438, 458.

81....Imposes additional restrictions on possession of certain dangerous weapons. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 58, 65, 147, 163, 187, 190, 201, 208, 243, 272, 275, 283,* 731, 735, 768.

82....Extends scope and venue of attorney general's prosecution of prisoners and removes appellate cases of counties from his records. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 58, 65, 159, 178, 199, 200,* 389, 402.

83....Authorizes attorney general to prosecute county officers and employees under certain circumstances. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Judiciary. 59, 65, 287, 301, 323,* 1590, 1596, 1709.

84....Extends subpena power of attorney general. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 59, 65.

85....Limits requirement to segregate and assign offender convicted of driving while intoxicated in prison. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 59, 65, 159, 178, 200, 201, 246, 247,* 1148, 1152, 1228.

86....Creates public guardian for certain mentally ill or mentally retarded persons in office of state public defender. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Judiciary. 59, 65.

87....Differentiates between receiving and obtaining dangerous drugs. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 59, 65, 159, 179, 201,* 432, 451.

88....Establishes program to provide instruction for pupils who lack basic educational skills. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Committee on Education. 59, 66.

89....Provides for diagnosis and correction of learning problems of pupils with specific disabilities in learning. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Committee on Education. 59, 66, 377.

90....Allows all special investigators for attorney general and district attorneys to retire early. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Government Affairs. 59, 66.

91....Repeals law relating to reemployment of veterans. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 60, 66, 141, 149, 180,* 414, 430.

92....Raises age for limited employment in classified service. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 60, 66, 113, 120, 127,* 328, 343.

93....Prohibits deputy attorneys general from being paid for overtime and limits compensatory time. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 60, 66.

94....Transfers investigation division of department of motor vehicles to office of attorney general. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 60, 66, 68.

95....Provides threshold for special distribution of taxes collected from generating facilities. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Committee on Taxation. 60, 66, 413, 427, 438, 547, 573.*

96....Requires centrally assessed property under construction to be valued by Nevada tax commission. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Committee on Taxation. 60, 66, 995, 997, 1012, 1072,* 1449, 1451, 1640.

No. *Summary, Introducer and Page Reference*

97....Makes various changes regarding exemptions from property tax and real property transfer tax. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Committee on Taxation. 60, 66, 683, 692, 787, 844, 908,* 1120, 1171.

98....Authorizes attorney general to enforce provisions prohibiting deceptive trade practices. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 61, 67, 68, 721, 737, 1121, 1122, 1155,* 1384, 1493.

99....Declares Martin Luther King, Jr.'s birthday legal holiday. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Collins, Arberry, Ham, Francis, Thomas, Swain, Sader, Coffin, Williams, Sedway, Bergevin, Malone, Banner, Price and Stone. 62, 67, 606, 621, 652, 653.*

100....Removes temptation for Nevada state board of optometry to recover costs of disciplinary hearing. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 62, 67, 130, 145, 156,* 288, 306.

101....Clarifies language referring to secured interests in real estate and boats. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 62, 67, 147, 164, 180,* 538, 558, 576.

102....Eliminates duplication between discretionary and mandatory grounds for refusing to license private investigators. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 62, 67, 130, 145, 166,* 288, 306.

103....Makes supplemental appropriation to desert research institute for seeding clouds. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Dini, Bergevin, Getto, Marvel and Bilyeu. 64, 76, 112, 113, 117,* 192, 213.

104....Extends privilege to disabled veterans to park in spaces reserved for handicapped. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Banner, Coffin and Thompson. 64, 76, 158, 179, 201, 219, 236, 241, 263, 268, 269, 278, 294, 295,* 711, 728.

105....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. Committee on Health and Welfare. 69, 76.

106....Provides minimum allocation for support of law libraries in certain counties. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 70, 76, 261, 273, 295,* 538, 576.

107....Revises provisions concerning fees for certain licenses, permits and tags issued by department of wildlife. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Natural Resources, Agriculture and Mining. 70, 77, 886, 920, 933, 934, 1229, 1247, 1249, 1376, 1390,* 1472, 1640.

108....Requires conviction based on presence of 0.10 percent of alcohol in blood before revocation of driver's license. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 75, 84.

109....Transfers responsibility for certifying employers who provide industrial insurance for their employees. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Labor and Management. 76, 84.

110....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. 76, 84, 395, 409, 750, 782, 844,* 1095, 1097, 1145.

111....Changes title of state industrial attorney and modifies procedure for appeal of contested claim. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Executive Budget. Committee on Labor and Management. 76, 85, 633, 644, 681,* 887, 896, 944.

112....Makes changes in provisions regarding fees and charges for treatment of industrial injuries. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Labor and Management. 76, 85, 577, 589, 612, 628,* 722, 748.

113....Authorizes establishment of programs to require certain recipients of welfare to work as condition of receiving benefits. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. DuBois, Malone, Kerns, Beyer, Roberts, Bogaert, Stone, Zimmer, Getto, Marvel, Nicholas, Bergevin, Francis, Humke, Ham, Joerg, Tebbs, Fairchild, Rader, Coffin, Little, McGaughey and O'Donnell. 78, 85.

114....Revises requirement for payment of interest on money withheld from contractors on public works. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 78, 85, 345, 357, 385,* 607, 631.

115....Requires fees collected by state engineer to be placed in fund for water research. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Nevin, Bogaert and Beyer. 78, 85.

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116....Broadens restrictions on domestic outlets that reduce consumption of water. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Nevin, Bogaert and Beyer. 78, 85, 364, 382, 398.*

117....Requires advance notice by governor of appointed holidays to local governments. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 78, 85, 353, 372, 392, 398, 429, 430, 438, 455, 457.*

118....Permits public bodies to hold closed meetings for conferences with attorney. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 78, 85, 87, 651, 662, 663, 674, 696.*

119....Provides for addition to livestock inspection fund of interest earned on money in fund. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Ways and Means. 78, 85, 291, 302, 313, 432, 451.

120....Transfers to state responsibility for medical care of persons arrested who are found incompetent. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Ways and Means. 78, 85, 377.

121....Repeals prohibition against payment of teachers' salaries in advance. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Dini. 79, 86, 168, 186, 201, 209,* 432, 451.

122....Reduces filing fee for candidate for trustee of county school district. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Dini. 79, 86, 537, 568, 594, 595,* 852, 913.

123....Allows counties to impose optional tax on motor vehicle fuel throughout county. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Taxation. 79, 86, 731, 758, 779, 781, 844, 845,* 1064, 1117.

124....Requires more frequent apportionment of property taxes. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Committee on Taxation. 79, 86.

125....Removes limitation on local government's power to determine fees for licenses and permits and changes distribution of supplemental city-county relief tax. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Taxation. 79, 86.

126....Eliminates tentative budgets for local governments. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Taxation. 79, 86.

127....Adds definitions and provides increased penalties and remedies against employers. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Committee on Labor and Management. 80, 86, 353, 372, 392, 397, 408, 420,* 711, 728.

128....Requires permit and imposes fee for transport of high-level radioactive waste. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Schofield, Dini, Jeffrey, Sader, Coffin and Craddock. 80, 86, 1627, 1639.*

129....Adds terms and conditions of employment for employees of county school districts. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Committee on Education. 83, 92.

130....Makes appropriation for programs of vocational education. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Committee on Education. 83, 92.

131....Requires establishment of school for vocational education by certain school districts and changes terminology in statutes. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Committee on Education. 83, 92, 673, 694, 707,* 1029, 1091.

132....Establishes minimum qualifications for admittance to certain branches of University of Nevada. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Education. 83, 92.

133....Makes various changes regarding pupils. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Committee on Education. 83, 92, 452, 467, 887, 935, 936,* 943.*

134....Establishes minimum educational qualification for school administrators. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Education. 83, 92, 287, 302, 323, 334,* 337, 343, 349.*

135....Makes appropriation to state board for vocational education for allocation to county school districts. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Committee on Education. 83, 92.

136....Increases salaries of teachers. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Committee on Education. 83, 93.

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137....Authorizes commission on economic development to grant money to postsecondary educational institutions to develop programs for vocational education. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Education. 84, 93, 542, 568, 579,* 750, 785.

138....Requires passage of certain tests by prospective teachers and changes procedure for evaluation. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Education. 84, 93.

139....Creates program for financial assistance to certain persons who will teach in Nevada. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Education. 84, 93.

140....Limits permissible uses of revenues derived from property tax. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Price and Bergevin. 84, 93.

141....Changes time within which employer is required to pay employee who resigns. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Labor and Management. 87, 93, 328, 339, 358,* 587, 604.

142....Denies unemployment benefits to person who leaves work for reason unrelated to conditions of employment. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Health and Welfare. 87, 93, 826, 855, 1120, 1155, 1244, 1247, 1249, 1400,* 1407.

143....Broadens access to stocks of drugs maintained at licensed extended care facilities. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Health and Welfare. 87, 93, 1208, 1216, 1221, 1348,* 1356.

144....Permits privately owned health and care facility to refuse to accept some persons as patients. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Health and Welfare. 87, 93.

145....Provides for taxation of property at market value locally determined. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Committee on Taxation. 87, 93.

146....Authorizes incorporated cities and towns to retain and sell unclaimed property. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Commerce. 88, 94.

147....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, DuBois, Thomas, Schofield, Collins, Thompson, Fairchild, Sedway, Tebbs, Williams and Kerns. 92, 101.

148....Authorizes sale of certain bonds from escheated estates and execution of bond of indemnity. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Ways and Means. 94, 101, 239, 252, 266,* 365, 386.

149....Amends powers of cities regarding annexation of territory and formation of general improvement districts. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Ways and Means. 94, 101, 287, 302, 323,* 461, 512, 521.

150....Prohibits assessment for community's antenna by general improvement district against real property with antenna for transmissions via satellite. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 94, 101.

151....Makes various changes in provisions relating to workmen's compensation. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Labor and Management. 94, 102, 317, 332, 349, 350.*

152....Extends coverage of industrial insurance system and makes various changes in administration of the system. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Committee on Labor and Management. 95, 102, 532, 542, 579,* 711, 728.

153....Regulates picketing during strike. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Labor and Management. 95, 102, 915, 916, 930, 932, 1212, 1216, 1220, 1232, 1247, 1248, 1357, 1363,* 1364, 1424, 1540, 1695.

154....Eliminates estimate for quarterly payments of taxes by insurers. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 97, 102, 241, 252, 275, 343, 350,* 475, 513.

155....Makes various changes regarding industrial insurance provided by self-insured employers. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 97, 102, 158, 180, 201, 209,* 564, 576, 595,* 722, 748.

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156....Makes various changes relating to insurers. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 98, 102, 563, 583, 603,* 722, 748.

157....Makes various changes relating to licensing as an insurance agent, broker, administrator or adjuster. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 98, 102, 452, 468, 508,* 607, 631.

158....Makes various changes relating to surplus lines brokers. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 98, 102, 220, 243, 516, 530, 573, 574,* 728.

159....Makes various changes relating to group insurance and notices concerning insurance. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 98, 102, 310, 321, 343, 474, 506, 916, 929, 981,* 1339, 1376, 1493.

160....Makes appropriation for adult education. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Committee on Education. 101, 114.

161....Makes appropriation for vocational education. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Committee on Education. 101, 114, 851, 891.

162....Allows additional subjects on proficiency examinations for pupils. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Education. 101, 114, 460, 481, 509.*

163....Authorizes state board of education to require superintendent to hold master's degree. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Education. 101, 114, 790, 829, 909,* 1095, 1145.

164....Repeals prospective changes to various fees for gaming licensees. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Taxation. 101, 114, 1475, 1481, 1482, 1497, 1499,* 1501, 1575, 1585, 1625, 1626, 1702, 1704.

165....Requires fingerprinting and investigation of any person providing care for children and other dependent persons. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. DuBois, Thompson, Beyer, Ham, Stone, Malone, Sedway, Coffin, Fairchild, Rader, Swain and Tebbs. 103, 114.

166....Establishes right of certain persons to visit child after separation by parents or upon relinquishment or termination of parental rights. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. DuBois, Ham, Thompson, Beyer, Joerg, Stone, Collins, Malone, Marvel, Sedway, Coffin, Little, Swain, Fairchild, Rader and Horne. 103, 114, 204, 219, 253,* 702, 704, 719.

167....Makes various changes in provisions regulating contests or exhibitions of unarmed combat. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 103, 114, 249, 265, 275, 283,* 1120, 1149, 1228.

168....Changes jurisdiction of state fire marshal and extends existence of board of fire safety. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Executive Budget. Committee on Government Affairs. 103, 114, 287, 302, 323, 324,* 453, 472.

169....Makes various changes in organization of districts for control of floods. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. McGaughey, Thompson, Schofield, Bilyeu, Bergevin, Banner, Horne, Williams, Kerns, Zimmer, Ham, Coffin, DuBois, Arberry, Little, Collins, Francis, Rader, Tebbs, Roberts, Malone, Sedway, Price, Bogaert, Humke, Dini, Jeffrey, Nevin, O'Donnell, Lambert, Spriggs, Craddock, Joerg, Getto, Swain, Stone, Sader, Nicholas, Thomas, Beyer and Marvel. 103, 115, 851, 852, 868, 875, 914, 916, 942, 995, 997, 1004,* 1398, 1436, 1567.

170....Enlarges kinds of health and care facilities for which certain revenue bonds may be issued. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Swain, Nicholas, Stone, Nevin, Malone, Sader, Coffin, Ham, Jeffrey, Collins, Arberry, Tebbs, DuBois, Lambert, Price, Schofield, McGaughey, Sedway, Dini, Kerns, Beyer and Thompson. 106, 115.

171....Prohibits certain political activities by county clerks and deputy registrars. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Swain, Sader, Ham, Coffin, Arberry, Nevin, Tebbs, DuBois, Lambert, Stone, Price, Craddock, Schofield, McGaughey, Sedway, Dini, Jeffrey, Kerns, Beyer, Thompson, O'Donnell and Nicholas. 107, 115, 287, 303, 324.*

172....Exempts certain motor vehicles from requirement for special fuel user's license and provisions regulating motor carriers. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Economic Development and Tourism. 107, 115, 331, 339, 721, 744,* 1231, 1233, 1449, 1695.

173....Enlarges eligibilty for challenging person intending to vote. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. DuBois and Fairchild. 113, 119, 336, 346, 375, 376.*

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174....Provides penalty for furnishing transportation within state to promote prostitution. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Judiciary. 113, 119, 239, 252, 263.

175....Requires railroad to inspect brands to identify livestock killed by operation of railroad. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Natural Resources, Agriculture and Mining. 113, 119.

176....Establishes threshold to advertise for sealed bids on construction projects of state and raises threshold on construction at University of Nevada. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 113, 120, 168, 186, 201, 209,* 365, 386.

177....Permits director of department of personnel to make administrative changes in classification plan without approval of personnel commission. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 113, 120, 189, 208, 246,* 414, 421, 430.

178....Increases period of advance notice of increase in rent for dwelling. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Francis, Williams, Thompson and Collins. 121, 125.

179....Requires landlord to credit interest on deposits paid by tenants. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Francis, Williams, Thompson, Collins and Bogaert. 121, 126.

180....Limits state highways to those owned and maintained or designated by department of transportation. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Committee on Transportation. 122, 126, 189, 208, 241, 247,* 1540, 1695.

181....Authorizes director of department of transportation to close or restrict use of highways for economic purposes. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Transportation. 122, 126, 204, 220, 253,* 771, 824.

182....Authorizes local boards which license occupations to administer oaths, pay witnesses and appoint hearing officers. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 122, 126, 730, 759, 820,* 1427, 1439, 1567.

183....Redesignates certain facilities for treatment and care and expands scope of regulation by state board of health. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Health and Welfare. 125, 132, 994, 1007, 1019, 1072,* 1449, 1453, 1640.

184....Regulates public health sanitarians. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Committee on Health and Welfare. 125, 132, 1244, 1245, 1253, 1400,* 1407.

185....Allows award of attorney's fees to defendant if claim is unjustified. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 125, 132, 239, 252, 275, 283,* 453, 472.

186....Creates central repository for Nevada records of criminal history. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Swain, Rader, Arberry, Ham, Roberts, Joerg, Zimmer, Malone, Sader, O'Donnell, Williams, Little and Stone. 125, 132, 271, 282, 788, 845, 909,* 1064, 1117.

187....Authorizes punitive damages in action by certain seller of farm products against unlicensed buyer. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Natural Resources, Agriculture and Mining. 129, 132, 368, 383, 392, 398, 422, 429, 430,* 607, 631.

188....Permits interception of certain oral and wire communications without court order. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 131, 143, 516, 535, 542, 578, 587, 596.*

189....Requires employment agencies to provide applicant with copy of contract. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Labor and Management. 131, 143, 379, 392, 398.*

190....Directs extension of agreement for interstate rendition of fugitive juveniles. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Nevin. 131, 143, 216, 244, 253,* 453, 472.

191....Requires attorney general to act as attorney for Nevada Tahoe regional planning agency. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Nicholas, Dini and Bergevin. 131, 143.

192....Prohibits board of regents of University of Nevada from imposing fees on students to support athletics. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. DuBois and Sedway. 138, 143.

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193....Reduces required frequency of meetings and authorizes members to call special meetings of commission on tourism. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Economic Development and Tourism. 139, 143, 463, 481, 509,* 702, 719.

194....Makes various changes in provisions governing assessment of property. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Taxation. 142, 148, 537, 568, 572, 731, 765,* 1095, 1097, 1145.

195....Provides for admissibility of certain evidentiary tests relating to driving while intoxicated. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Judiciary. 142, 148, 770, 793, 794.

196....Permits industrial insurer to accept determination made by Veterans' Administration of extent of claimant's disability. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 142, 148.

197....Amends charter of Carson City. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 142, 149, 204, 220, 253, 275, 283,* 587, 613, 631.

198....Makes various changes in Nevada Code of Military Justice. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Humke. 145, 149, 537, 572, 579.*

199....Revises provisions for protection of children from abuse or neglect. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Humke, Stone, Coffin, Zimmer, Rader, Williams, Ham, Swain, Tebbs, Roberts, Beyer, DuBois, Price, Thomas, Nevin, Getto, Jeffrey, Dini, Thompson, Nicholas, Collins, Bergevin, Sedway, Marvel, Malone, Bogaert, McGaughey, Kerns, Francis, Lambert, Banner, Fairchild, Horne and Arberry. 145, 149, 474, 475, 483, 501, 577, 578, 580, 603,* 1173, 1174, 1228.

200....Provides basic definition of "person" for Nevada Revised Statutes. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 148, 162, 261, 274, 283, 284,* 438, 455, 457, 502, 509, 622, 630,* 642, 671.

201....Provides for enforcement and judicial notice of administrative regulations. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 148, 162, 261, 274, 284,* 453, 456, 461, 471, 509,* 538, 576.

202....Eliminates duplicative statutes concerning municipal courts. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 148, 162, 261, 274, 284, 390, 398,* 887, 894, 944.

203....Provides alternate form of organization for nonprofit corporation to which public hospital is conveyed. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 148, 163, 311, 322, 332,* 771, 824.

204....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. Nevin. 148, 163, 425, 435, 456, 462, 472,* 852, 884, 913.

205....Creates children's trust account and committee for protection of children to aid in prevention of abuse or neglect of children. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Humke, Lambert, Nicholas, Bogaert and Collins. 156, 163, 516, 535, 539, 564, 573, 595,* 722, 748.

206....Prohibits unauthorized use of insigne or emblem of public officer or peace officer. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 156, 163.

207....Requires certification of peace officers by peace officers' standards and training committee. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Judiciary. 156, 163, 606, 622, 1068, 1074, 1079, 1080, 1172, 1206,* 1384, 1493.

208....Extends aid to victims of crime to children who have been abused or neglected. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Health and Welfare. 156, 163.

209....Makes various changes in provisions regulating agriculture. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Natural Resources, Agriculture and Mining. 157, 163, 562, 583, 603,* 789, 823, 850.

210....Clarifies obligation of parents of child receiving assistance to support child and authorizes withholding of income of parent who is delinquent in paying support of child. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. DuBois, Zimmer, Banner, O'Donnell, Rader, Lambert, Nicholas, Collins, Stone, Spriggs, Tebbs, Arberry, Horne and Malone. 160, 170.

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211....Changes composition and certain powers of board for child care and requires investigation of criminal record of persons providing child care. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Humke, Swain, Zimmer, Kerns, Roberts and Stone. 160, 170, 523, 542, 547, 718, 726, 765, 827, 849, 894, 919, 970, 990, 1034, 1035,* 1206, 1337.

212....Revises law governing investment in fixed assets by credit unions and authority for foreign credit unions to transact business and provides criteria for insurance on deposits. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 160, 170, 343, 346, 376,* 1029, 1069, 1117.

213....Changes form of renewal licenses and certificates of collection agencies. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 160, 170, 342, 347, 359,* 538, 560, 576.

214....Increases limits on fees charged by debt adjusters. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 160, 170, 342, 347, 359,* 475, 513.

215....Limits use of "trust" in business name to person regulated as trust company. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 60, 170, 342, 347, 359,* 475, 513.

216....Authorizes department of transportation to designate locations to provide information to traveling public and to establish free telephone system for making hotel reservations. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. McGaughey and Malone. 160, 171, 607, 624, 732, 765,* 1029, 1091.

217....Prohibits manufacture of knife which is built into belt buckle or carrying such knife concealed. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Humke. 160, 171, 413, 427, 450, 456, 607, 628, 653,* 887, 916, 939, 981,* 1029, 1091.

218....Repeals duplicative requirement of registration of public securities. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 161, 171, 216, 244, 267,* 432, 451.

219....Strengthens remedies of buyer of defective motor vehicle. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Transportation. 161, 171.

220....Revises provisions relating to enforcement of laws concerning motor vehicles. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Transportation. 161, 171, 298, 312, 333.*

221....Extends authority for regulation of motor carriers. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Transportation. 161, 171, 298, 313, 333,* 1064, 1117, 1145.

222....Extends provisions for binding arbitration between local government and firemen. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Stone, Nevin, Thompson, Williams, Roberts, Zimmer, O'Donnell, Arberry, Little, Sader, Malone, Rader, Swain, Kerns, Banner, Schofield, Collins, Price, Spriggs, DuBois, McGaughey, Jeffrey, Francis, Coffin, Dini, Craddock, Bogaert and Sedway. 161, 171, 632, 646, 667,* 852, 913.

223....Revises fees for use of highways by motor vehicles. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Transportation. 161, 171.

224....Allows employees to report tips to increase coverage of industrial insurance. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Labor and Management. 161, 171, 886, 920, 981, 982,* 1206, 1337.

225....Requires that the protection of abused or neglected children be given priority over the preservation of the family. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Health and Welfare. 161, 171.

226....Extends duty to report suspected abuse or neglect of children. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Health and Welfare. 161, 172.

227....Requires certain counties to provide services to both neglected and abused children. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Committee on Health and Welfare. 162, 172.

228....Raises salary of superintendent of public instruction. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Ways and Means. 164, 172, 239, 253, 267,* 379, 384, 395, 402, 667, 674, 708.

229....Requires arrest in cases of domestic violence. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. DuBois, Nevin, Swain, Zimmer, Stone, Beyer, Price, Little, Williams, Malone, Collins and O'Donnell. 166, 172, 673, 695, 747, 760, 821, 879,* 1384, 1440, 1448, 1540, 1551, 1591, 1592, 1625, 1683, 1696.

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230....Changes name of state watchmen. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 169, 185, 327, 342, 350,* 453, 456, 461, 471, 509,* 538, 576.

231....Requires convicted defendant to pay cost of investigation and prosecution. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Tebbs, Stone, Horne, O'Donnell, Coffin, Fairchild, Craddock, Williams, Rader, Little, Francis, Roberts, Nevin, Ham, Joerg, Thomas and Zimmer. 169, 185.

232....Removes restrictions on crews used to operate trains. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Labor and Management. 173, 185, 327, 342, 350,* 1173, 1174, 1228.

233....Requires landlord of mobile home parks to offer lease for 2 years to tenants. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 173, 185.

234....Permits collection of wildlife in Comstock historic district to be maintained under certain circumstances. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Dini. 173, 185, 461, 481, 510,* 674, 699.

235....Excludes certain public officers from membership on planning commission. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Dini. 173, 185, 261, 263, 267,* 296, 306.

236....Permits certain district attorneys to engage in private practice of law. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Dini. 173, 185, 337, 347, 354, 376,* 1590, 1596, 1709.

237....Requires members of board of trustees of Airport Authority of Washoe County to be elected. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Stone, Nevin, O'Donnell, Kerns, Beyer and Thompson. 183, 196.

238....Makes appropriation to state gaming control board for payment of certain investigative costs. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Committee on Ways and Means. 183, 196, 474, 507, 517, 530, 531,* 789, 850.

239....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. 183, 196, 277, 293, 304,* 538, 576.

240....Makes appropriation to contingency fund. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Committee on Ways and Means. 183, 196, 1065, 1074, 1081, 1101,* 1230, 1395.

241....Directs acceptance of gift by and makes appropriations to department of prisons. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Committee on Ways and Means. 183, 196, 577, 589, 603,* 722, 752, 826, 1252, 1384, 1493.

242....Makes supplemental appropriations to Nevada athletic commission, southern Nevada children's home bureau and southern Nevada adult mental health services. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Committee on Ways and Means. 183, 196, 460, 481, 517, 531,* 722, 753, 826, 918, 947, 1027.

243....Makes appropriation to emergency fund. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Committee on Ways and Means. 183, 196, 277, 293, 304,* 432, 451.

244....Makes appropriation for bill drafts for executive agencies and judiciary for 63rd session. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Committee on Ways and Means. 183, 196, 732, 762, 821,* 915, 965.

245....Increases allowances for subsistence and transportation for state officers and employees. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Ways and Means. 183, 197.

246....Adopts revised Uniform Limited Partnership Act. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Sader and Stone. 184, 197, 460, 540, 551, 788, 845,* 1120, 1150, 1203.

247....Reduces vote required to authorize short-term financing by local government. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 184, 197, 261, 274, 284,* 432, 451.

248....Changes composition of committee on group insurance and removes authority to approve certain payroll deductions. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 184, 197, 523, 579 *.

249....Provides additional method for determining sales price used in computation of tax on occasional sale of used vehicles. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Committee on Taxation. 184, 197.

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250....Changes distribution of excess receipts from supplemental city-county relief tax. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Committee on Taxation. 184, 197, 942, 955, 999,* 1205, 1337.

251....Establishes program for state trout stamps and for construction of fish hatchery. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Natural Resources, Agriculture and Mining. 184, 197, 1217, 1219, 1227, 1348,* 1356, 1570, 1572, 1709.

252....Allows exercise of business judgment in good faith by gaming licensees. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 184, 197.

253....Permits civil action for shoplifting as small claim in justice's court and facilitates use of photograph in place of physical evidence. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 184, 197, 658, 678, 707,* 1029, 1047, 1091.

254....Limits employment of certain former members and employees of public service commission. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. DuBois, Stone, Collins, Williams, Rader, O'Donnell, Ham, Nicholas, McGaughey, Humke, Roberts, Francis and Fairchild. 186, 197.

255....Requires legislative commission to conduct independent organizational analysis of executive department. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. DuBois, Sedway, Nicholas, Coffin, Malone, Stone, Ham, Roberts, Fairchild, Tebbs, Thomas, Nevin, Humke, Beyer and Kerns. 192, 205, 1552, 1560, 1563, 1568, 1576.*

256....Requires names of all candidates for uncontested nominations to be listed on sample ballot for primary election. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. O'Donnell, DuBois, Rader, Banner, Arberry, Dini, Horne, McGaughey, Zimmer, Roberts, Fairchild, Ham, Coffin, Kerns, Thompson, Schofield, Price, Stone, Francis, Spriggs, Little, Joerg, Lambert, Tebbs, Sedway, Swain, Thomas, Nevin, Malone, Bergevin and Marvel. 193, 206, 787, 829, 909.*

257....Makes various changes in provisions regulating abortion. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. O'Donnell, Bilyeu, Joerg, Malone, Ham, Tebbs, Banner, Horne, Stone, Thompson, Price, Bogaert, Zimmer, Arberry, Spriggs, Rader, Little, Fairchild, McGaughey, Coffin, Francis, DuBois, Getto, Beyer, Roberts, Thomas and Kerns. 193, 206, 277, 293, 313, 314.*

258....Makes appropriation to department of motor vehicles for expenses relating to construction of training facility. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Nevin, Schofield, Stone, Craddock, Dini, Nicholas, Coffin, Price, Swain, Little, Lambert, Spriggs, Banner, Roberts, Rader, Getto, Bergevin, Malone, Francis, Thompson, Jeffrey, Sedway, Williams, McGaughey, Collins, Horne, Tebbs, Arberry, Zimmer, Humke, DuBois, Thomas, Fairchild, Kerns, Bogaert, O'Donnell, Ham, Sader, Joerg, Beyer and Bilyeu. 193, 206, 379, 392, 398, 399,* 578, 597.

259....Expands eligibility for compensation for victims of crime. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Swain, Malone, Stone, Nevin, Sader, Coffin, Rader, Arberry, Ham, Zimmer, Roberts, Little, O'Donnell, Williams, Spriggs, Tebbs, Price, Craddock, Schofield, Thompson, McGaughey, Sedway, Dini, Jeffrey, Kerns, Beyer, DuBois, Lambert, Bogaert, Nicholas, Thomas, Humke, Bergevin, Marvel, Getto and Fairchild. 194, 206, 504, 517, 535.

260....Expands coverage for compensation for victims of sexual assault or sexual abuse. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Swain, Malone, Stone, Nevin, Sader, Coffin, Rader, Arberry, Ham, Zimmer, Roberts, Little, O'Donnell, Williams, Spriggs, Francis, Price, Craddock, Schofield, Thompson, McGaughey, Sedway, Jeffrey, Kerns, Beyer, DuBois, Lambert, Joerg, Bogaert, Nicholas, Thomas, Humke, Bergevin and Fairchild. 194, 206, 701, 714.

261....Makes various changes relating to victims of crimes. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Swain, Malone, Stone, Nevin, Sader, Rader, Arberry, Ham, Zimmer, O'Donnell, Roberts, Little, Williams, Tebbs, Price, Craddock, Schofield, Thompson, McGaughey, Sedway, Jeffrey, Dini, Kerns, Beyer, DuBois, Lambert, Francis, Joerg, Bogaert, Nicholas, Thomas, Bergevin, Getto and Fairchild. 194, 206, 460, 481, 1507, 1518, 1568, 1580,* 1675.

262....Requires training of peace officers in victims' rights. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Swain, Malone, Stone, Nevin, Sader, Coffin, Collins, Ham, Rader, Arberry, Zimmer, Roberts, O'Donnell, Williams, Horne, Tebbs, Price, Craddock, Schofield, Thompson, McGaughey, Sedway, Dini, Jeffrey, Kerns, Beyer, Lambert, Nicholas, Thomas, Humke, Bergevin, Getto and Fairchild. 194, 206, 452, 468.

263....Requires notice to victim of crime of release or escape of offender. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Swain, Malone, Stone, Nevin, Sader, Coffin, Ham, Collins, Rader, Arberry, Zimmer, Little, O'Donnell, Roberts, Williams,

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Spriggs, Francis, Horne, Tebbs, Price, Craddock, Schofield, McGaughey, Sedway, Dini, Jeffrey, Kerns, Beyer, DuBois, Lambert, Joerg, Bogaert, Nicholas, Thomas, Humke, Bergevin, Marvel, Getto and Fairchild. 194, 206, 504, 517, 535, 547.

264....Revises requirements for emergency awards for victims of crime. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Swain, Malone, Stone, Nevin, Sader, Coffin, Rader, Arberry, Ham, Zimmer, Roberts, O'Donnell, Williams, Spriggs, Tebbs, Price, Craddock, Schofield, Thompson, McGaughey, Sedway, Jeffrey, Dini, Kerns, Beyer, DuBois, Lambert, Bogaert, Nicholas, Thomas, Humke, Bergevin, Marvel, Getto and Fairchild. 195, 206, 452, 468.

265....Revises procedure for awarding compensation to victims of crime. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Swain, Malone, Stone, Nevin, Sader, Coffin, Rader, Arberry, Ham, Zimmer, Roberts, Little, O'Donnell, Williams, Tebbs, Price, Schofield, Thompson, McGaughey, Sedway, Dini, Jeffrey, Kerns, Beyer, DuBois, Lambert, Joerg, Francis, Bogaert, Nicholas, Thomas, Humke, Bergevin, Marvel, Getto and Fairchild. 195, 206, 504, 517, 535, 548.

266....Authorizes dissemination of information concerning compensation for victims of crime. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Swain, Malone, Stone, Nevin, Sader, Coffin, Rader, Arberry, Ham, Zimmer, Roberts, O'Donnell, Williams, Spriggs, Francis, Horne, Tebbs, Price, Craddock, Schofield, Thompson, McGaughey, Sedway, Jeffrey, Kerns, Dini, Beyer, DuBois, Lambert, Joerg, Nicholas, Thomas, Humke, Bergevin, Marvel, Getto and Fairchild. 195, 207, 452, 469.

267....Exempts compensation for victims of crime from execution and related remedies for collection of debts. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Swain, Malone, Stone, Nevin, Sader, Coffin, Ham, Rader, Arberry, O'Donnell, Williams, Tebbs, Price, Craddock, Schofield, Thompson, McGaughey, Sedway, Jeffrey, Dini, Kerns, Beyer, DuBois, Lambert, Nicholas, Thomas, Humke, Bergevin, Marvel, Getto and Fairchild. 195, 207.

268....Expands rights of victims in litigation against offenders. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Swain, Malone, Stone, Nevin, Sader, Coffin, Rader, Arberry, Ham, Zimmer, Roberts, Williams, O'Donnell, Spriggs, Horne, Tebbs, Price, Craddock, Schofield, Thompson, McGaughey, Sedway, Dini, Jeffrey, Kerns, Beyer, Lambert, Francis, Joerg, Bogaert, Nicholas, Thomas, Humke, Bergevin, Marvel, Getto and Fairchild. 195, 207, 452, 469, 510,* 511,* 1120, 1151, 1203.

269....Permits withdrawal of employee's contributions to public employees' retirement system made by employer and corrects calculation of reduction or adjustment of employee's salary. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Committee on Government Affairs. 205, 218.

270....Changes composition and certain procedures of public employees' retirement board. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 205, 218.

271....Restricts communications by members and employees of public employees' retirement board and requires separate evaluation of each fund. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 205, 218.

272....Repeals mandatory payment by employer of public employee's contribution to retirement system. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 205, 218.

273....Clarifies obligation of parents of child receiving assistance to support child and authorizes withholding of income of parent who is delinquent in paying support of child. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Swain and Stone. 212, 218.

274....Authorizes use of videotaped deposition and testimony of certain witnesses in criminal case. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Swain. 212, 218, 703, 715, 744,* 1339, 1342, 1493.

275....Clarifies and reconciles provisions for governmental contracting. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 212, 218, 311, 322, 333,* 504, 521.

276....Makes various changes in law concerning recording of documents. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Banner. 217, 241, 432, 442, 578, 595, 666, 670, 697, 718,* 1449, 1452, 1640.

277....Reduces amount of judgment for medical malpractice by amount of payment from collateral sources. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 217, 241.

278....Creates Washoe County Metropolitan Water District and replaces former Authority. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 217, 241.

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279....Creates board for financing of water projects. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Dini and Getto. 217, 241, 656, 663.

280....Appropriates money to pay initial costs of design of dam on Walker River in Hoye Canyon in Douglas County. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Dini. 217, 241.

281....Empowers state to guarantee payment of interest on municipal obligations for certain projects related to water. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Dini. 217, 242.

282....Makes various changes concerning state communications system. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Transportation. 221, 242, 633, 646, 682,* 887, 944.

283....Prohibits driving motor vehicle while in possession of open container of intoxicating liquor. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 221, 242, 674, 695, 749, 783.*

284....Limits special penalty for driving while license is revoked after conviction of driving while intoxicated. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 221, 242.

285....Confines pickets and private patrolmen to certain areas during strike. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. DuBois, Collins, Ham, Price, Rader, Zimmer, Kerns and Nevin. 221, 242, 1427, 1446, 1463, 1698.

286....Increases penalty for possession of pornography involving children and requires registration as sex offender. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Humke, Beyer, Stone, Roberts, Nicholas, Horne, Sader, Coffin, Spriggs, Zimmer, DuBois, Ham, Tebbs, Thomas, Joerg and Williams. 221, 242, 701, 716, 745,* 1120, 1151, 1203.

287....Makes appropriation to state gaming control board for certain special equipment. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Committee on Ways and Means. 237, 242, 633, 647, 667,* 751, 785.

288....Makes appropriation to department of human resources for audits. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Committee on Ways and Means. 237, 242, 577, 589, 604,* 702, 719.

289....Creates committee to study feasibility of constructing reservoir in Carson River basin. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Committee on Natural Resources, Agriculture and Mining. 237, 242, 917, 934, 1094, 1125,* 1427, 1567.

290....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 Natural Resources, Agriculture and Mining. 237, 242, 633, 647, 667,* 887, 897, 968, 969, 1382, 1427, 1695.

291....Proposes to eliminate exemption of ophthalmic devices from taxes on retail sales. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Committee on Taxation. 240, 250, 995, 997, 1016, 1072,* 1438.

292....Removes requirement for appointment of county assessor as agent for department of motor vehicles in certain counties. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Executive Budget. Committee on Taxation. 240, 250, 607, 624, 653,* 1029, 1091.

293....Extends immunity from tort liability for care rendered during emergency to certain persons compensated for rendering such care. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 240, 250.

294....Limits time for appellate review of judgments of death. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 240, 250, 311, 322, 333,* 587, 604.

295....Provides for partial use of proceeds from tax on revenues from rental of transient lodging for grants to certain political subdivisions. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Nicholas, Humke, Thompson and Jeffrey. 240, 250, 730, 737, 743, 783.*

296....Authorizes governor to execute Interstate Compact for Education. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Committee on Education. 245, 251, 1184, 1189, 1196, 1244, 1245.*

297....Makes appropriation to department of museums and history for equipment for certain museums. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Thomas, Zimmer, Swain, Arberry, Nevin, Tebbs, Schofield, Jeffrey, Joerg, Beyer, Thompson, Roberts, Humke, Craddock, Coffin, Spriggs, Collins, Stone, DuBois, Francis, Kerns, McGaughey, Bogaert, Williams, Little, Fairchild, Rader, Lambert, O'Donnell, Banner and Bergevin. 247, 251, 658, 679, 697,* 771, 824.

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298....Increases monetary limit of jurisdiction of justices' and municipal courts. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 250, 263, 353, 372, 392, 399,* 702, 705, 751, 1676, 1687.

299....Increases fee peace officer receives as witness in civil action and establishes fee for his attendance at deposition. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Committee on Judiciary. 262, 272.

300....Broadens circumstances under which water meter may be installed and requires installation under certain circumstances. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Nevin, Bogaert and Beyer. 262, 272, 432, 443, 461, 651, 656, 668,* 852, 913.

301....Expands definition of "police officer" in provisions relating to occupational diseases. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Judiciary. 262, 272, 404, 419, 420, 996, 1035,* 1230, 1395.

302....Makes various changes concerning private investigator's licensing board. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 262, 272, 633, 647, 649, 995, 1007, 1026, 1027, 1031, 1045,* 1384, 1403, 1493.

303....Proposes to exempt prosthetic devices from taxes on retail sales. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Sedway, Schofield, Jeffrey, DuBois, Thomas, Williams, Thompson, Joerg, Arberry, Sader, Zimmer, Horne, Stone, Banner, O'Donnell, Little, Malone, Francis, Bogaert, Tebbs, Craddock, Dini, Price, Swain, Humke and Coffin. 262, 273.

304....Enlarges definition of sexual exploitation in law prohibiting child abuse. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Humke, Stone, Swain, Ham, Arberry, Sader, Rader, Malone and Roberts. 269, 273.

305....Prohibits public funding of abortion unless necessary to preserve life or health of pregnant women. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. DuBois, Beyer, Ham, Rader, Malone, Thomas, Bergevin and Zimmer. 269, 273.

306....Requires premium rates for industrial insurance to be determined by nature of employer's work and provides method by which employer may appeal his rate. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. DuBois, Beyer, Malone, Humke, Ham, Rader, Thomas and Zimmer. 269, 273.

307....Permits change in composition of county central committee of political party after county convention. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Elections. 271, 281, 461, 482, 510,* 702, 719.

308....Creates state arboreta at branches of University of Nevada. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Education. 272, 281, 659, 679, 697,* 852, 913.

309....Increases penalties for obscene or threatening telephone calls or letters by prisoners. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Judiciary. 272, 281, 438, 455, 502, 510.*

310....Enlarges scope of reporting of lobbyists' activities and prohibits contingent compensation. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 272, 281, 897, 900, 1229, 1247, 1251, 1400, 1401,* 1407.

311....Protects agricultural activities from civil or criminal liability as nuisance. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Natural Resources, Agriculture and Mining. 273, 281, 518, 535, 548, 574,* 1095, 1145.

312....Expands program for restitution to victims by prisoners. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. DuBois, Nicholas, Thomas, Sedway, Getto, Beyer, Malone, Rader, Lambert, Stone, Fairchild, Bergevin, Little, Zimmer, Thompson and Roberts. 279, 288, 722, 741, 1345, 1350, 1353, 1402, 1404,* 1472, 1695.

313....Makes various changes to traffic laws regarding funeral processions and to death certificate in case of cremation. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Transportation. 279, 288, 535, 548, 580,* 1173, 1176, 1228.

314....Permits waiver of requirement that decision in contested case before state agency include certain items. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 279, 289, 364, 383, 399,* 504, 521.

315....Permits transfer of certain criminal actions to township in which defendant resides. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Malone. 279, 289.

316....Changes composition of advisory council for department of industrial relations. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Labor and Management. 279, 289, 1046, 1047, 1054, 1101,* 1569, 1709.

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317....Changes composition and increases number of members of board of directors of state industrial insurance system. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Labor and Management. 280, 289.

318....Makes various changes in law concerning proof of financial responsibility and reporting of accidents. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 280, 289, 721, 742, 765,* 1148, 1153, 1228.

319....Enacts Interstate Compact on Placement of Children. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Health and Welfare. 280, 289, 460, 482, 510, 511,* 722, 748.

320....Expands factors for consideration for release without bail and determination of amount of bail. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. McGaughey, Bilyeu, Dini, Jeffrey, Francis, Ham, Sedway, Price, Rader, Fairchild, Arberry, Roberts, Horne, Collins, Thompson, Williams, Banner, Bogaert, Nevin, Coffin, O'Donnell, Malone, Lambert, Spriggs, Craddock, Bergevin, Joerg, Getto, Swain, Zimmer, Kerns and Beyer. 280, 289, 516, 535, 549, 580,* 968, 1027.

321....Makes appropriation to division of water resources for purchase of vehicles and microfilming of records. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Committee on Ways and Means. 285, 289, 379, 392, 399,* 401, 617, 639.

322....Makes appropriation to University of Nevada System for clinic. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Committee on Ways and Means. 286, 289, 1094, 1102, 1111, 1155,* 1398, 1442, 1448, 1496, 1498, 1554, 1570, 1695.

323....Changes date public employees may first participate in group insurance. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 286, 289, 364, 383, 392, 399, 408, 420,* 722, 735, 768.

324....Prohibits parking of unregistered motor vehicle on public road. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Transportation. 286, 290.

325....Authorizes assignment of proceeds of taxes on transient lodging to general improvement district for recreational facilities. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 288, 300, 345, 358, 376,* 587, 604, 614.

326....Facilitates use of computers to register voters. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Elections. 288, 300, 461, 482, 517, 531,* 674, 699.

327....Provides for interstate banking among designated western states and eventual unlimited interstate banking. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 288, 301.

328....Permits members of class to bring action to abate nuisance and provides for punitive damages. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 294, 301.

329....Permits industrial insurer to recover overpayments and makes various other changes. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Labor and Management. 294, 301, 516, 535, 550, 578, 969, 989, 1035,* 1398, 1430, 1448, 1496, 1500, 1572, 1575, 1590, 1618, 1669, 1675.

330....Makes appropriation to mental hygiene and mental retardation division for equipment and improvements. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Jeffrey, Dini, Schofield and Thompson. 295, 301, 1030, 1047, 1054, 1101,* 1427, 1443, 1448, 1496, 1498, 1573, 1590, 1709.

331....Authorizes certain town boards to initiate annexations. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 300, 312, 364, 383, 392, 400,* 947, 993.

332....Dispenses with municipal election for office sought by single candidate. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 300, 312, 886, 894, 898, 916, 941, 948, 952,* 1384, 1493.

333....Changes name of state printing and records division to state printing and micrographics division. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 300, 312, 364, 383, 400,* 563, 585, 597.

334....Repeals section of NRS to conform with Local Government Purchasing Act and amends charter of Yerington. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Dini. 300, 312, 395, 411, 419, 547, 574,* 751, 785.

335....Prohibits sale of beverage in can with certain removable tab. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Swain. 306, 312.

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336....Makes various changes relating to insurance and indemnification for public employees. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 306, 312, 453, 468, 511,* 674, 699.

337....Permits officers of Drug Enforcement Administration to arrest for offenses involving controlled substances. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. DuBois, Nevin, Stone, Price, Little, Bergevin, Bogaert, Roberts, Thompson, Ham, Zimmer, Beyer, Fairchild, O'Donnell, Rader and Lambert. 306, 312, 897, 921, 982,* 1148, 1203.

338....Changes penalty for causing death by selling controlled substance. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. DuBois, Thomas, Sedway, Stone, Collins, Malone, Price, Little, Bergevin, Bogaert, Roberts, Craddock, Nicholas, Thompson, Tebbs, Horne, Ham, Zimmer, Nevin, Beyer, Fairchild, Rader, O'Donnell and Lambert. 306, 312, 825, 856, 936,* 1339, 1342, 1493.

339....Adds to list of confidential records of state gaming control board and Nevada gaming commission. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 311, 318, 1028, 1047, 1054, 1102,* 1681, 1682.

340....Reallocates administrative assessment upon person guilty of misdemeanor and prescribes for certain courts how allocation is to be used. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 314, 318, 674, 695, 732, 766,* 1064, 1071, 1117.

341....Simplifies reorganization of corporation under federal order after bankruptcy and requires notification of secretary of state of certain matters. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 314, 318, 930, 957, 999,* 1339, 1343, 1493.

342....Removes substantive provisions from definitions in laws concerning nurses. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Health and Welfare. 314, 318.

343....Prohibits regulation of prices or rents by local government. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 314, 318.

344....Permits man and woman who cohabit to petition for adoption of child. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 318, 329.

345....Authorizes use of hearing officers in contested cases. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 318, 329.

346....Creates division of mechanical safety in department of industrial relations and regulates boilers, pressure vessels and mechanized conveyances. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Stone, Ham, Sader, O'Donnell, Malone, Arberry, Rader, Williams, Joerg, Francis, Jeffrey, Beyer, Coffin, Getto, Dini, Swain, Zimmer, Sedway, Tebbs, Collins, Thomas, DuBois, Thompson, Humke, McGaughey, Nevin, Lambert, Kerns, Fairchild, Price, Nicholas and Craddock. 318, 329, 897, 921.

347....Clarifies criteria for mental illness and its treatment and changes composition of advisory board for mental hygiene and mental retardation. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Malone. 318, 330.

348....Increases penalty for certain offenses involving credit cards. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Judiciary. 319, 330, 995, 1007, 1023, 1072,* 1449, 1456, 1640.

349....Requires financial institution to release information in aid of execution of judgment for money. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 319, 330.

350....Increases benefits for certain persons retired from public employment with more than 20 years of service. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Committee on Government Affairs. 319, 330.

351....Expands category of employees permitted to make reimbursements in lieu of contributions to employment compensation fund. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Labor and Management. 322, 330.

352....Credits employer's account in unemployment compensation fund with interest earned and increases quarterly contribution if benefits charged exceed contributions paid. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Labor and Management. 322, 330.

353....Changes basis for computing tips as wages for purpose of unemployment compensation. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Labor and Management. 322, 330, 937, 957, 999,* 1206, 1337.

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354....Requires waiting period before claimant may receive compensation for unemployment and narrows requirements for eligibility. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Labor and Management. 322, 330.

355....Providing disqualification for certain persons seeking unemployment compensation. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Labor and Management. 322, 330, 750, 775, 845,* 996, 1061.

356....Limits use of animals for research and prohibits interference with research. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Getto, Bilyeu, Dini, Banner, Jeffrey, Marvel, Humke, Bergevin, Bogaert, Zimmer, Thomas, Spriggs, Craddock, Joerg, O'Donnell, Roberts, Beyer and Nicholas. 325, 330.

357....Requires designated spaces for public parking for handicapped and establishes minimum number of spaces required. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Roberts, Humke, Sader, Horne, Swain, Nevin, Little, McGaughey, O'Donnell, Rader, DuBois, Price, Malone, Beyer, Arberry, Sedway, Collins and Stone. 325, 331.

358....Provides in skeleton form for removal of power to adopt regulations by department of motor vehicles. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Stone and Thompson. 328, 337.

359....Eliminates requirement of notice of availability of plan for sharing risks when insurance canceled for failure to pay premiums. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 328, 337, 475, 507, 517, 531,* 711, 728.

360....Authorizes local governments to act together with other local governments in purchasing insurance or establishing self-insurance. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Government Affairs. 328, 337, 599, 610, 701, 718,* 887, 896, 944.

361....Requires disclosure of certain defects on sale of used motor vehicle. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Thompson, Williams, Nevin, Banner, Sedway, Jeffrey, DuBois, Craddock, Price, Coffin, Stone, Arberry, Sader and Swain. 329, 337.

362....Specifies minimum age of person with whom criminal summons may be left. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Thompson, Nicholas, Banner, Jeffrey, Schofield, Price, Coffin, Stone, Williams, Arberry, Swain and Getto. 329, 338, 460, 482, 517, 530, 539, 554, 580,* 771, 824.

363....Makes various changes regarding required security for motor vehicles. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Fairchild, Francis, Stone, Little, Beyer, Nicholas, Horne, Roberts, Schofield, Dini, Ham, Thomas, Zimmer, Nevin, Tebbs, Coffin, DuBois, Price, Bergevin, Malone, Sedway, Marvel, Rader, Lambert, O'Donnell, Getto, Kerns, Bogaert, Williams, Thompson and Sader. 329, 338, 771, 794, 796, 1147, 1185, 1245,* 1590, 1709.

364....Postpones in certain counties close of registration before election. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Sader, Coffin, Stone, Swain, Ham, Beyer, Dini, Bilyeu, Arberry and Nevin. 331, 338, 995, 997, 1017, 1069, 1155, 1163, 1206, 1207,* 1569, 1695.

365....Provides for reregistration of voter by mail after cancellation. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Sader, Coffin, Stone, Lambert, Swain, Beyer, Dini, Bilyeu, Arberry, Horne, Thompson and Nevin. 331, 338.

366....Authorizes voter to request absent ballot by telephone. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Sader, Coffin, Stone, Swain, Ham, Dini, Bilyeu, Arberry, Horne and Nevin. 331, 338.

367....Authorizes registration of voters by mail. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Sader, Coffin, Stone, Swain, Beyer, Dini, Arberry, Thompson and Nevin. 331, 338.

368....Proposes to exempt equipment used in farming from taxes on retail sales. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Committee on Taxation. 331, 338.

369....Removes uneconomic requirements from water quality standards. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Natural Resources, Agriculture and Mining. 331, 338.

370....Exempts certain wholesale dealers of alcoholic beverages from regulation as food and drink establishments. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Health and Welfare. 332, 338, 606, 624, 638,* 1029, 1091.

371....Repeals certain provisions concerning taxing occasional sales of motor vehicles and credit for trading in vehicle. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Nevin, Schofield, Dini, Sedway, Stone, Humke, Getto, Coffin, Beyer, Tebbs, Jeffrey,

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Rader, Zimmer, Ham, Banner, Lambert, Little, Williams, Collins, McGaughey, Malone, Kerns, Horne, Arberry, Sader, Spriggs, Craddock, Roberts, Thompson, Price, Swain, O'Donnell, Bilyeu and Fairchild. 334, 338.

372....Makes appropriations to White Pine Historical Railroad Foundation and department of museums and history. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Getto, Rader, Ham, Francis, Price, Craddock, Spriggs, Thomas, McGaughey, Nevin, Humke, Roberts, Lambert, Thompson, Stone, Fairchild, Bilyeu, O'Donnell, Horne, Swain, Williams, Dini and Banner. 351, 357, 607, 624, 638,* 1427, 1458, 1640.

373....Extends authority of taxicab authority to vehicles which provide transportation to and from airports. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Transportation. 354, 365, 1403, 1407, 1419, 1422.

374....Allows private insurers to provide industrial insurance. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Commerce. 354, 365, 788, 830, 853, 883,* 1384, 1545, 1695.

375....Requires recipients of compensation for unemployment to report regularly. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Labor and Management. 355, 365.

376....Repeals provisions governing rates of wages for employment on public works. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Labor and Management. 355, 365.

377....Expands circumstances in which labor commissioner must hold hearing on prevailing wage. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Labor and Management. 355, 365, 851, 854, 877, 936,* 943.*

378....Removes restrictions on use of service charges for utilities by landlord of mobile home park. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 355, 365.

379....Increases penalties for deceptive trade practices and prohibits certain practices. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Committee on Commerce. 355, 366, 979, 1007, 1068, 1159, 1164, 1183, 1185,* 1580, 1594, 1709.

380....Exempts certain brewers from limitations on wholesaling and retailing. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 355, 366.

381....Increases penalty for causing death or substantial bodily harm while driving under influence of intoxicating liquor or controlled substance. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Stone. 355, 366, 750, 775, 845, 846,* 1029, 1091.

382....Creates disputable presumption that registered owner of vehicle was driver of vehicle. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 355, 366.

383....Requires service of notices of eviction by constable or sheriff. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 355, 366.

384....Creates panels for conciliation to hear certain malpractice claims. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 356, 366.

385....Increases fees for constables. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 356, 366.

386....Prohibits commercial use of aborted embryo or fetus. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Ham, Rader, Little, O'Donnell, Roberts, Tebbs, Zimmer and Fairchild. 356, 366, 1094, 1102, 1112, 1156,* 1502, 1695.

387....Requires members of commission on mineral resources to have extensive experience in various fields. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Natural Resources, Agriculture and Mining. 356, 366, 854, 892, 937,* 1384, 1464, 1640.

388....Excludes adult riders of motorcycles from requirement to wear protective headgear and other protective devices. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Stone, Nevin, Joerg, Malone, Ham, Rader, Zimmer, Roberts, Little, Tebbs, DuBois, McGaughey, Bilyeu, Fairchild, Bogaert, Lambert, Kerns, Price, Thomas, Humke, Horne, Craddock, Beyer, Marvel and Nicholas. 356, 366, 721, 742, 766.*

389....Enlarges permissible uses of revenue bonds. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Joerg, Thomas, Rader, Bilyeu, Francis, Getto, Bergevin, Ham, Malone, Marvel, Roberts, O'Donnell, Price, Humke, Zimmer, Lambert, Williams, Fairchild, Craddock, Bogaert, Coffin, Collins, Little, Tebbs, Nevin, DuBois, Beyer, Jeffrey, Stone, Arberry, Sedway, Schofield, Thompson, Kerns, Nicholas, Horne, McGaughey, Banner, Spriggs, Sader, Swain and Dini. 356, 367, 432, 444, 471,* 1427, 1432, 1448, 1496, 1500, 1512, 1540, 1695.

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390....Authorizes certain changes concerning maximum speed limit and requires safety belts to be used under certain conditions. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Thomas and Rader. 361, 367, 825, 844, 849, 857, 861, 917, 920, 942,* 1569, 1695.

391....Limits tinting of windows and allows display of material in corner of driver's side of windshield of certain motor vehicles. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Nevin, Stone, Swain and Thomas. 361, 367, 750, 775, 969, 978, 1035,* 1038, 1069, 1079.*

392....Makes various changes regarding fiscal notes. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Lambert, Kerns, McGaughey, Horne, Bergevin, Spriggs, Zimmer, Ham, Banner, Joerg, Arberry, Swain, O'Donnell, Rader, Beyer, Roberts, Williams, DuBois, Bilyeu, Fairchild, Craddock, Thompson, Bogaert and Marvel. 368, 381, 788, 831, 1208, 1216, 1220, 1348,* 1356.

393....Broadens scope of hearing for revocation of driver's license for driving while intoxicated. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 368, 381, 659, 679, 697.*

394....Limits venue and requires additional information for summary proceeding for divorce. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 369, 381, 461, 483, 511.*

395....Provides mechanics' lien on land for landscaping or installing system of irrigation. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 369, 381, 461, 483, 512,* 722, 748.

396....Allows award of attorney's fees to prevailing party in all civil cases. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 369, 381.

397....Prohibits excise tax on sale of liquor by wholesale dealers to military installations. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Committee on Taxation. 369, 381, 515, 535, 550, 574,* 750, 785.

398....Requires members of Nevada tax commission to have experience in field of mining. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 369, 381, 432, 448, 457.*

399....Limits use of tinted or obstructed windows in motor vehicles. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Malone. 369, 381.

400....Creates commission on mental health and mental retardation. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Francis, Bergevin, Bilyeu, Kerns, Nevin, Horne, Joerg, Schofield, O'Donnell, Price, McGaughey, Ham, Beyer, Nicholas, Spriggs, Stone, Rader, Bogaert, Thomas, Tebbs, Williams, Collins, Sedway, DuBois, Malone, Craddock, Zimmer, Getto, Coffin, Arberry, Little, Humke, Lambert, Roberts and Swain. 369, 381, 836, 837, 843, 967, 969, 985, 989, 1160, 1164, 1173, 1183, 1185,* 1540, 1544, 1695.

401....Establishes trade practices for memberships in athletic clubs and organizations for buying goods and services at discount. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Williams, Stone, Sedway, Malone, Jeffrey, Thompson, Sader, Zimmer, Ham, Joerg, Francis, Banner, Lambert, Rader, Bilyeu, Bogaert, Bergevin, Coffin, Kerns, Arberry, Tebbs, Craddock and Beyer. 369, 381, 771, 796, 880,* 1095, 1098, 1145.

402....Makes various changes in law relating to wildlife. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Natural Resources, Agriculture and Mining. 369, 382, 1110, 1123, 1157, 1189, 1245,* 1427, 1567.

403....Provides deputy director for department of minerals. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Natural Resources, Agriculture and Mining. 370, 382, 854, 892, 937,* 1206, 1337.

404....Increases fine for illegally parking in space designated for handicapped. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Roberts, Francis, Little, Bogaert, Arberry, Bergevin, Collins, Schofield, Nevin, O'Donnell, Lambert, Rader, McGaughey, Price, Malone, Stone and Beyer. 370, 382, 414, 428, 439, 547, 574, 575,* 1618, 1624, 1709.

405....Requires service of sentence by person convicted of taking property from infirm person. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Malone. 377, 382, 632, 649, 682, 785, 821,* 1618, 1624, 1709.

406....Increases benefits for retired public employees proportionate to increase in cost of living. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Malone. 377, 382.

407....Allows testator to choose whether court has continuing jurisdiction over accounting of testamentary trust. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 380, 391.

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408....Provides for periodic payments of certain damages recovered in malpractice action against providers of health care. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 380, 391.

409....Limits amount of contingent fees of attorneys. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 380, 391.

410....Broadens investments for annuities for employees of public schools. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 380, 391, 578, 589, 612, 629,* 1029, 1091.

411....Makes various changes relating to state controller's duties. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 380, 391, 537, 572, 1217, 1219, 1221, 1348,* 1356, 1569, 1695.

412....Creates commission to oversee state department of conservation and natural resources and abolishes state conservation commission and state environmental commission. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Government Affairs. 380, 391.

413....Creates office of state climatologist. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Nicholas, Beyer, DuBois, Ham, Sader and Thompson. 380, 391, 516, 535, 550, 580, 595,* 887, 944.

414....Requires parity in coverage and premiums between insurance covering property in owned and rented dwellings. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 385, 391.

415....Adds member of general public to state board of architecture and clarifies requirement for presence of certified architect in office of business engaging in practice of architecture. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Beyer. 392, 397, 721, 742, 766, 821,* 1148, 1176, 1228.

416....Adds requirement of filing nominating petition for declaration of candidacy. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Roberts and Little. 396, 407.

417....Makes appropriation to division of state parks for capital improvements. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Committee on Ways and Means. 396, 407, 1094, 1102, 1112, 1156,* 1427, 1567.

418....Makes appropriation for vehicles and special equipment for division of state parks. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Committee on Ways and Means. 396, 407, 1065, 1074, 1081, 1102,* 1230, 1395.

419....Requires additional information on list of registered voters. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 396, 407, 1674, 1681, 1682, 1686, 1689, 1694,* 1708.

420....Requires commissioner of insurance to publish guide to insurance for motor vehicles. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Price. 396, 407, 1213, 1216, 1222, 1349,* 1356.

421....Requires detailed specification in deeds of appurtenant water rights. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Natural Resources, Agriculture and Mining. 402, 407.

422....Provides for separate funds for medical assistance to indigent persons and for levy of tax ad valorem to support these funds. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Committee on Taxation. 405, 415, 1345, 1350, 1366, 1446,* 1448, 1540, 1695.

423....Revises procedures for hearings before Nevada gaming commission. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 405, 415.

424....Requires manufacturer of certain trucks and vans to affix suggested price. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Transportation. 405, 415, 1213, 1216, 1223, 1232, 1247, 1342, 1355,* 1356, 1540, 1695.

425....Authorizes biennial audit of federal subsidies. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Dini and Bilyeu. 405, 415, 474, 507, 517, 532,* 702, 719.

426....Extends power of state welfare administrator to investigate fraud and provides additional penalties for bribery and fraud. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Sedway, Price, Thompson, DuBois, Nevin, Jeffrey, Coffin and Dini. 405, 415, 967, 1008, 1035, 1036,* 1206, 1337.

427....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, Williams, Price, Thompson, Nevin, Dini, Jeffrey and Arberry. 405, 415.

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428....Provides for certain preference for architect or contractor who paid state and local taxes. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Sedway, Williams, Dini, Jeffrey, Coffin and Arberry. 406, 415.

429....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, Williams, Price, Thompson, Nevin, Jeffrey, Coffin and Arberry. 406, 415.

430....Requires certain public utilities to provide loans to customers to pay cost of making residential improvements which will conserve energy. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Sedway, Williams, Price, Thompson, Nevin, Dini, Jeffrey, Coffin and Arberry. 406, 415.

431....Requires publication of list of all requests for legislative bills. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Price, Bilyeu, Craddock, Thompson, Arberry, Banner, Bergevin, Beyer, Bogaert, Coffin, Collins, Dini, DuBois, Fairchild, Francis, Getto, Horne, Humke, Jeffrey, Joerg, Kerns, Lambert, Little, McGaughey, Malone, Nevin, Nicholas, O'Donnell, Rader, Roberts, Sader, Sedway, Spriggs, Stone, Swain, Thomas, Williams and Zimmer. 406, 415, 754, 776, 846, 909.*

432....Makes appropriation to youth services division for grants to agencies for establishment of programs for prevention of delinquency. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Committee on Ways and Means. 406, 416.

433....Changes composition of governing body of Tahoe regional planning agency. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Nicholas and Bergevin. 409, 416, 774, 796, 852, 883,* 996, 1061.

434....Changes provisions for subpenas, licensing and bonds of contractors. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 409, 416, 946, 972, 1036,* 1230, 1395.

435....Redefines duties of various officers and divisions of legislative counsel bureau. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Legislative Functions. 411, 416, 688, 707, 718,* 1173, 1178, 1228.

436....Permits voting for persons not listed on ballot. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Committee on Elections. 414, 426.

437....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. 414, 426, 788, 833, 880,* 968, 1027.

438....Makes appropriation for veterans' cemetery in southern Nevada. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Banner, Thompson and Williams. 414, 426.

439....Requires attorney general to assist district attorney in suppression of violent gangs. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Malone. 420, 426.

440....Makes various changes in provisions regarding Nevada Code of Military Justice. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Judiciary. 420, 426, 967, 1008, 1036.*

441....Makes various changes in laws relating to National Guard. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Humke, Schofield, Rader, Lambert, O'Donnell, Joerg, Ham, Zimmer, Nevin, Swain, Tebbs, Arberry, Spriggs, Coffin, Craddock, Roberts, Horne, Nicholas, Beyer, Dini, Jeffrey, Thompson, Francis, Stone, DuBois, Kerns, Collins, McGaughey, Price, Bogaert, Bergevin, Williams, Malone, Sedway, Getto, Fairchild, Marvel, Little and Thomas. 422, 426, 606, 624, 653,* 915, 920, 965.

442....Requires inspection of vehicles transporting radioactive waste to area for disposal. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Schofield, Dini, Jeffrey, Nicholas, Getto, Thompson and Horne. 422, 426.

443....Requires dismissal of appeal of decision in justice's court if defendant fails to reset. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 430, 433, 825, 861, 937,* 1148, 1203.

444....Prescribes procedure for assessment and collection of special livestock and sheep taxes. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Committee on Taxation. 430, 433, 750, 777, 846,* 1029, 1091.

445....Prohibits examination by polygraph as condition of employment or retention in employment. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Thompson, Banner, Price, Nevin, Collins and Williams. 433, 440.

446....Permits county to use part of its motor vehicle fuel tax for improvement of facilities and programs for boating. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Schofield, Thompson, Price, Banner, Jeffrey and Horne. 436, 440, 599, 611, 638,* 750, 785.

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447....Provides civil and criminal remedies for theft of energy. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 439, 453, 674, 696, 706, 879, 909, 949, 969, 985,* 1339, 1344, 1493.

448....Allows shareholders of public utilities to share in benefit of selling economical energy. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 439, 453.

449....Requires landlord of mobile home park to pay for damage caused by him to certain utility lines. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 440, 453.

450....Requires insurer to pay costs for certain services provided for injured employees. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Jeffrey, Schofield, Bilyeu, Joerg, Dini, Thompson, Williams, Nevin and Swain. 440, 454, 661, 679, 698,* 852, 913.

451....Provides procedures and criteria for instruction of pupils at home and excuses persons of superior intelligence from attendance in public schools. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Education. 449, 454.

452....Extends requirement for meetings to be open to certain nonprofit organizations. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Price, Coffin, Bogaert, Williams, McGaughey, Thomas and Jeffrey. 449, 454.

453....Authorizes recovery of costs and attorney's fees if claim protesting property tax is sustained in any part on judicial review. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Committee on Taxation. 449, 454.

454....Transfers responsibility for notice of registration of foreign orders of support to prosecuting attorney. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 453, 466.

455....Allows private persons access to public computer systems. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. O'Donnell. 456, 466.

456....Authorizes withholding of income of parent who is delinquent in paying support of child and clarifies obligation of parents of child receiving assistance to support child. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Committee on Judiciary. 456, 467, 1229, 1245, 1249.

457....Exempts health and care facilities from requirement of automatic closing of doors under certain circumstances. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Health and Welfare. 457, 467, 600, 612, 638, 639,* 1064, 1117.

458....Requires full and correct matching of certain information before driver of motor vehicle is arrested for prior offense. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Committee on Transportation. 457, 467, 722, 742, 766,* 1384, 1493.

459....Permits earlier retirement for police officers and firemen upon payment of additional cost of benefits. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Price, Arberry, Sedway, Thompson, Collins, Coffin, Schofield, Bogaert, Little, Fairchild, Williams, Stone, Thomas, Jeffrey, Swain, Zimmer, Tebbs, Sader, O'Donnell, DuBois, Craddock, Humke, McGaughey, Beyer, Dini, Nicholas, Banner, Ham, Getto, Rader, Lambert, Spriggs and Bilyeu. 464, 479.

460....Provides procedures and criteria for selection of architects and engineers for state public works. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Sedway, Nevin, Marvel, Williams, DuBois, Jeffrey, Humke, Getto, Thomas, Beyer, Coffin, Nicholas, Tebbs and Dini. 465, 479, 1173, 1174, 1189, 1197, 1501, 1508, 1514, 1580, 1588, 1598.*

461....Allows architects to practice with landscape architects. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Stone. 465, 479, 599, 612, 629,* 731, 768.

462....Requires specifications for certain public works to be prepared by landscape architects. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Stone. 465, 479.

463....Requires elections to choose state officers of political party to be held in odd-numbered years. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Elections. 465, 479, 586, 602, 612, 629.*

464....Makes various changes in provisions concerning qualification as political party. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Elections. 465, 479.

465....Relaxes requirement to preserve registration of voter. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Elections. 465, 479.

466....Increases punishment for theft from vending machines. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Bogaert, Kerns, McGaughey, Nevin, Schofield, Joerg, Little, Horne and Malone. 465, 479, 722, 742, 767,* 915, 965.

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467....Requires concurrence of state board of examiners for disposal of state land in Eldorado Valley or Fort Mohave Valley. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Natural Resources, Agriculture and Mining. 465, 479.

468....Revises qualifications for membership on town boards. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Dini and Spriggs. 466, 479, 599, 612, 629, 630,* 887, 944.

469....Makes appropriation to University of Nevada System for data processing and special equipment. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Committee on Ways and Means. 466, 480, 1209, 1245,* 1449, 1567.

470....Limits circumstances under which water may be appropriated to water livestock. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Natural Resources, Agriculture and Mining. 466, 480.

471....Requires supplier of certain alcoholic beverages to sell to wholesaler at price no higher than that charged in other states. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Sedway and Bergevin. 466, 480, 1000, 1007, 1024, 1036,* 1173, 1228.

472....Revises fees and taxes for use of highways. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Transportation. 466, 480.

473....Changes classification of motor carriers of passengers and limits definition of broker. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Transportation. 466, 480.

474....Makes appropriation for experimental educational program for rural schools. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Getto, Beyer and Marvel. 476, 505, 586, 602, 659, 682, 683,* 771, 824.

475....Makes various changes relating to licensing of real estate brokers and salesmen. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 476, 505, 1064, 1074, 1081, 1125,* 1384, 1404, 1493.

476....Removes requirement for filing of annual report concerning trust accounts maintained by dealers of manufactured homes, mobile homes and commercial coaches. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 477, 505, 721, 742, 783,* 968, 1027.

477....Revises provisions concerning appointment and term of office of executive director of department of taxation. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Joerg, Bilyeu, Stone, Bergevin, Marvel, Thomas, Tebbs, Getto, Francis, Zimmer, Ham, Horne, O'Donnell, Kerns, Fairchild, Malone, Rader, Roberts, Bogaert, Humke, DuBois, Beyer, Collins, Nicholas and Lambert. 477, 505, 1028, 1047, 1056, 1073.*

478....Eliminates test of urine to determine alcoholic content of driver's blood. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 480, 505, 659, 679, 698,* 1029, 1091.

479....Makes various changes regarding prosecution of persons who drive under influence of intoxicating liquor or controlled substances. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 480, 505, 825, 1213, 1216, 1220, 1349,* 1356.

480....Establishes requirements for evidentiary test of breath to determine percentage of alcohol in blood. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 481, 505, 825, 938,* 1427, 1441, 1567.

481....Makes appropriation to audit contingency account in legislative fund and extends reversion of prior appropriation. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Committee on Ways and Means. 504, 516, 688, 707, 719,* 789, 850.

482....Increases and changes allocation of special filing fee for legal aid to indigent or elderly persons. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 505, 516, 722, 742, 783,* 996, 1061.

483....Allows insured to choose type of practitioner to provide care of eyes. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Health and Welfare. 506, 517, 674, 680.

484....Allows political subdivisions to adopt certain regulations concerning liquefied petroleum gas. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Rader, Coffin, Tebbs, Ham, Zimmer, Little, Roberts and DuBois. 516, 532, 750, 778, 846,* 996, 1061.

485....Revises provisions concerning use of domestic wells for underground water. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Natural Resources, Agriculture and Mining. 517, 532, 1450, 1472, 1474, 1497, 1499,* 1501.

486....Authorizes use of proceeds of tax for public mass transportation for construction and maintenance of public roads. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Taxation. 521, 533, 731, 762, 822,* 1029, 1091.

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487....Allocates part of account for aid to victims of domestic violence to victims of rape. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Committee on Ways and Means. 521, 533, 732, 763, 783, 784,* 1029, 1091.

488....Provides for flexibility in proceedings to partition real property. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 521, 533, 825, 864, 910,* 1064, 1117.

489....Removes restriction on residency of real estate brokers and salesmen and requires nonresident licensees to name agent for service of summons. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Nicholas. 521, 533, 917, 958, 997, 1040, 1046, 1102.*

490....Requires hot springs to be fenced under certain circumstances. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 523, 540.

491....Authorizes competitive rates for natural gas supplied to commercial and industrial users. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 524, 540, 946, 948, 962, 963, 995, 997, 1004,* 1206, 1337.

492....Requires use of certain warning devices on certain vehicles. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Transportation. 524, 540, 887, 924, 982, 983,* 1449, 1457, 1640.

493....Provides for special license plates for certain public officers. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Effect less than $2,000. Committee on Transportation. 524, 540, 701, 717, 727,* 1173, 1228.

494....Proposes to impose full sales or use tax upon material fabricated by contractor. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Jeffrey, Thomas, Price, Sedway, Swain, Sader, Williams, Zimmer, Schofield, Kerns, Stone, Rader, Thompson, Tebbs, Arberry, Coffin, Craddock, Dini and Joerg. 524, 540, 763, 822,* 1064, 1118.

495....Prohibits admission to or retention in University of Nevada if not registered for selective service. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Bogaert, Bergevin, Kerns, Thompson, Little and Fairchild. 524, 540, 770, 819, 880, 948, 953, 1002, 1005, 1040, 1042.

496....Provides for appointment of guardian without order of court by parent in military service. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Humke, Roberts, Getto, Tebbs, Lambert and O'Donnell. 524, 540, 897, 926, 983,* 1339, 1344, 1493.

497....Eliminates special rate for state's use of sewerage system. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Thomas, Joerg, Zimmer, Ham, Schofield, Dini, Beyer, Jeffrey, Horne, Arberry, Tebbs, Spriggs, Craddock, Nevin, Swain, Bergevin, Getto, Francis, Williams, DuBois, Thompson, Fairchild, Sedway, Bogaert, Kerns, Little, Banner, O'Donnell, Lambert, Collins, Malone and Rader. 524, 541, 1426, 1446, 1464, 1497, 1499,* 1501, 1569, 1695.

498....Imposes fee for reinstatement of certain drivers' licenses to defray cost of testing for alcohol or controlled substance in blood. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 533, 541.

499....Creates statutory duration for obligation to support child. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 534, 541, 825, 864, 938,* 1148, 1203.

500....Authorizing renewal of judgments. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 534, 541, 731, 764, 784,* 996, 1061.

501....Requires birth certificate for initial admission to public school or transfer from another district. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Swain, Sedway, Sader, Ham, Price, Rader, Nevin, Lambert, Beyer, Bogaert, Arberry, Horne and McGaughey. 534, 541, 852, 853, 875.

502....Proposes to impose tax on retail sales on governmental contractors and impose use tax on certain sales in other states. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Zimmer, Jeffrey, Coffin, Collins, Lambert, Roberts, O'Donnell, Arberry, Tebbs, Spriggs, Horne, Humke, Thomas and Joerg. 534, 541, 658, 679, 707,* 1120, 1153, 1384, 1410, 1573, 1590, 1709.

503....Requires time price differential on retail installment contracts be limited to declining balance. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Zimmer, DuBois, Stone, Coffin, Lambert, Roberts, Collins, O'Donnell, Tebbs, Jeffrey, Spriggs, Horne, Humke and Thomas. 534, 541, 915, 959, 983,* 1148, 1203.

504....Makes various changes in provisions governing residential tenancy. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 534, 541, 971, 1008, 1073,* 1339, 1494.

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505....Removes community antenna television companies from regulation by public service commission of Nevada. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 534, 541, 1381, 1392, 1402, 1404, 1405,* 1407, 1540, 1695.

506....Prohibits smoking in grocery stores. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 535, 541.

507....Establishes threshold amount for administrative investigation of disputed winnings from gambling. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 535, 542, 788, 833, 888, 1031, 1045, 1103,* 1398, 1441, 1448, 1540, 1551, 1668, 1675.

508....Extends jurisdiction of police department of University of Nevada System. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 538, 565.

509....Removes requirement for notification when registration is canceled for failure to vote. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Elections. 538, 566.

510....Reduces number of signatures required to qualify as political party. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Elections. 538, 566, 710, 725, 1498.

511....Requires earlier close of registration of voters conducted by deputy registrars. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Elections. 539, 566.

512....Excepts from restrictions on local government's expenditures or obligations certain transactions concerning federal grants and installment purchase agreements. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 539, 566, 632, 650, 669,* 852, 913.

513....Extends period of lien on judgment of justice's court. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Stone. 539, 566, 749, 779, 822,* 996, 1061.

514....Requires attendants in ambulances to be trained in basic care and redefines ambulance. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Nicholas. 542, 566, 710, 725, 731, 996, 1003, 1074,* 1502, 1503, 1695.

515....Allocates portion of casino entertainment tax for certain local cultural activities. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Thomas, Jeffrey, Tebbs, Sedway, Dini, Beyer, Nicholas, Humke, Getto, DuBois, Coffin and Nevin. 555, 566, 851, 893, 915, 941,* 1427, 1567.

516....Removes reference to corruption in provision proscribing perjury. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 564, 582, 788, 834, 910,* 1064, 1117.

517....Clarifies procedures for writs of habeas corpus. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 564, 582, 1183, 1189, 1199, 1246,* 1427, 1567.

518....Increases penalty for theft of device for protection from fire. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Bogaert, Little, Lambert, Williams, O'Donnell, Fairchild, Rader, Ham, Joerg, Horne, Zimmer, Arberry, McGaughey, Kerns, Marvel, Sedway, Price, DuBois, Beyer, Thompson, Nicholas, Craddock, Humke, Roberts, Schofield, Dini, Getto, Jeffrey, Thomas and Nevin. 565, 582, 787, 834, 880,* 1029, 1091.

519....Authorizes conditional transfer of state land to Carson City for mobile home park for certain persons. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Joerg and Thomas. 565, 582.

520....Creates agency and program to provide benefits to persons who are disabled and unemployed. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Malone and Arberry. 565, 582.

521....Removes requirement that voter receive ballot stub after voting. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Malone. 565, 582.

522....Increases salaries of certain public employees retroactively. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Executive Budget. Sedway, Dini, Jeffrey, Schofield, Thompson, Sader, Swain, Williams, Craddock, Price, Arberry, Nevin, Coffin, Banner, DuBois, Rader and Tebbs. 565, 582.

523....Removes requirement, in definition of vagrancy, that prowling be in nighttime. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 567, 582, 749, 779, 822,* 996, 1031, 1044, 1103,* 1148, 1228.

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524....Supplements existing provisions for cases involving missing children and extends limitation on prosecution for abuse of child. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Humke, Roberts, Beyer, Stone, Nicholas, Lambert, Kerns and Sader. 567, 582, 1028, 1034, 1049, 1347, 1350, 1353, 1402, 1405,* 1407, 1569, 1695.

525....Prohibits naming public building after living person. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Fairchild, Little, Bogaert, O'Donnell, Ham, Joerg, Horne, Francis, McGaughey, Kerns, Marvel, Sedway, DuBois, Beyer, Thompson, Craddock, Humke, Roberts, Sader, Getto, Thomas and Nevin. 568, 583.

526....Provides for forfeiture of legislators' retirement benefits upon conviction of certain crimes. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Fairchild, Little, Thomas, Bogaert, Rader, Ham, Swain, McGaughey, Price, DuBois, Beyer, Stone, Craddock, Humke, Roberts and Getto. 568, 583.

527....Increases benefits for certain persons retired from public employment with more than 20 years of service. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 581, 588.

528....Provides assistance for tuition to veterans in certain circumstances. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Fairchild, Schofield, Price, Little, Arberry, McGaughey, Roberts, O'Donnell, Thomas, Stone, Williams, Rader, Collins, Ham, Zimmer, Lambert and Francis. 581, 588.

529....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. 587, 600.

530....Changes date of primary election. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Elections. 587, 600.

531....Requires application of principle of comparative fault in actions concerning defective products. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 587, 600.

532....Makes appropriation from state highway fund to department of motor vehicles for deposit in motor vehicle revolving account. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Committee on Ways and Means. 588, 601, 1065, 1074, 1083, 1103,* 1230, 1395.

533....Requires department of human resources to provide essential personal care to certain disabled persons. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Health and Welfare. 588, 601, 1365, 1376, 1378, 1398, 1402, 1406,* 1407, 1540, 1544, 1695.

534....Provides salary for certain members of state health coordinating council. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Health and Welfare. 588, 601.

535....Provides special provisions for paternity where surrogate mother is used. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Health and Welfare. 588, 601.

536....Authorizes special license plates for persons who are deaf. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. O'Donnell, Roberts, McGaughey, Zimmer, Rader, Lambert, Fairchild, Little, Williams, Bogaert, Getto, Kerns, Francis, Joerg, Dini, Jeffrey, Ham, Thomas, Schofield, Nevin, Arberry, Swain, Tebbs, Spriggs, Coffin, Humke, Nicholas, Thompson, Beyer, Stone, DuBois, Collins, Price, Bergevin, Malone, Sedway, Marvel, Sader and Bilyeu. 596, 601, 701, 717, 727.*

537....Reduces fee for registration of motor vehicles for members of Nevada National Guard. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Humke. 597, 601.

538....Authorizes certain unclaimed property to be donated to genealogical libraries. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Malone. 597, 601, 788, 834, 910,* 1120, 1151, 1203.

539....Includes Nevada Arbitration Association on list of arbitration services used to resolve disputes. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 600, 609, 688, 707, 719,* 1449, 1452, 1640.

540....Provides for increases in salaries of employees of the state. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Committee on Ways and Means. 600, 609, 1472, 1481, 1483, 1497, 1500,* 1501, 1569, 1695.

541....Reduces scope of administrative assessment for misdemeanor. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Committee on Ways and Means. 600, 609.

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542....Authorizes local governments to agree not to apply to real property regulations subsequently adopted governing development of that property. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 602, 609, 826, 864, 938,* 1569, 1695.

543....Requires use, in certain public accommodations, of ashtrays which draw in and retain smoke. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 602, 609.

544....Makes appropriation to establish program for taxation of certain motor vehicles according to gross weight. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Committee on Transportation. 602, 610.

545....Exempts motor vehicles owned by American Red Cross from fee for registration. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Transportation. 602, 610.

546....Amends charter of City of North Las Vegas. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Price and Little. 604, 610, 749, 779, 846,* 1148, 1228.

547....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 and Dini. 604, 610.

548....Transfers responsibility for safety in mines to department of minerals. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Natural Resources, Agriculture and Mining. 608, 618, 1117, 1119.

549....Abolishes state analytical laboratory and transfers functions to bureau of mines and geology. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Natural Resources, Agriculture and Mining. 608, 618, 854, 879, 1065, 1074, 1083, 1103,* 1339, 1494.

550....Provides for handling of absent ballots before election day. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Elections. 608, 618, 915, 917, 932, 969, 999, 1005, 1074,* 1427, 1567.

551....Prohibits sale of cigarettes which contain certain amount of cloves. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Stone, Beyer, Lambert, Coffin, DuBois, Swain, Malone, Joerg, Sader, Thompson, Marvel, Roberts, Ham, Williams, Arberry, Zimmer, Nicholas and Humke. 608, 618, 770, 819, 880,* 1095, 1145.

552....Revises qualifications for adjutant general and assistant adjutants general of Nevada National Guard. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 608, 618.

553....Retains tax on soft drinks. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Taxation. 610, 618.

554....Temporarily extends increased rate of tax on insurance premiums and delays provision for special distribution of taxes collected from generating facilities. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Taxation. 610, 618, 1555, 1560, 1564, 1627, 1641, 1642, 1666,* 1675, 1688.

555....Retains increased rate of tax on cigarettes and tax on other tobacco, and increases tax contingent upon expiration of part of federal tax. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Taxation. 610, 618, 1475, 1481, 1489, 1497, 1500,* 1501, 1575, 1586, 1625, 1626, 1703, 1704.

556....Retains increased rates of tax on alcoholic beverages. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Taxation. 610, 619, 1475, 1481, 1491, 1497, 1500,* 1501, 1575, 1586, 1625, 1626, 1703, 1705.

557....Excuses bank from liability for prematurely charging postdated check against customer's account. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 614, 619, 1000, 1007, 1024, 1036.*

558....Makes various changes regarding board of contractors and changes title of its secretary. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 614, 619, 1000, 1007, 1024, 1037, 1103, 1104,* 1339, 1425.

559....Prohibits acceleration of note upon sale of property secured by deed of trust if grantor remains liable. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 614, 619.

560....Requires preparation of statute regulating financial institutions. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Committee on Commerce. 614, 619.

561....Prohibits removal of shopping carts and regulates services to retrieve them. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 617, 635, 829, 865, 910,* 1148, 1152, 1228.

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562....Exempts clergymen from provisions concerning industrial insurance. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Stone. 617, 635, 968, 1009, 1075,* 1339, 1494.

563....Establishes conditions for display of enrolled Nevada constitution. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Beyer, Thompson, Dini, Sader, Nicholas, Getto, Joerg, Bogaert, Lambert, Craddock, Swain, Humke, Tebbs, Arberry and Nevin. 617, 635.

564....Provides for special license plates for members of search and rescue organizations. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Effect less than $2,000. Beyer, Nevin, Malone, Francis, Joerg, Rader, Lambert, Bilyeu, Arberry, McGaughey and Dini. 617, 635, 754, 779, 847.*

565....Confers powers of peace officer upon city jailers. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Nevin. 617, 635, 1365, 1414, 1429, 1446, 1447,* 1448, 1590, 1709.

566....Requires number on drivers' licenses to be unique. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Jeffrey, Schofield, Dini, Beyer, Thompson, Stone, Kerns, Francis, Collins, Price, DuBois, Bergevin, Malone, Sedway, Marvel, Williams, Bogaert, McGaughey, Joerg, Sader, Thomas, Horne, Zimmer, Nevin, Arberry, Tebbs, Swain, Spriggs, Coffin, Craddock, Rader, Lambert and O'Donnell. 628, 635, 887, 926, 983.*

567....Authorizes blind persons to operate vending stands in state parks on parity with others. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Government Affairs. 634, 643, 730, 734, 743, 767, 948, 952, 997, 1342, 1352, 1402, 1405,* 1407, 1590, 1592, 1641, 1669, 1677, 1680.

568....Increases range of assumed wages of volunteer firemen for contributions for retirement. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 634, 643, 750, 779, 847,* 1029, 1091.

569....Establishes responsibility of self-insured employer for acts of person administering plan. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Labor and Management. 634, 643, 826, 866, 911,* 1120, 1152, 1203.

570....Provides for regulation of administrator of plan for self-insurance. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Labor and Management. 634, 643.

571....Specifies that agreements for apprenticeship approved by Department of Labor do not require approval of state council. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Labor and Management. 634, 643.

572....Provides various penalties for failure to pay subcontractors or contractors. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Committee on Labor and Management. 634, 643.

573....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. Committee on Natural Resources, Agriculture and Mining. 634, 643.

574....Requires director of emergency management to inform owners of residential property of availability of insurance against loss caused by floods. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. DuBois, Rader, Lambert, O'Donnell, Banner, McGaughey, Collins, Kerns, Stone, Roberts, Craddock, Coffin, Price and Little. 639, 643.

575....Requires additional information on list of registered voters and requires counties, if possible, to record list on tape for computers. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Committee on Elections. 642, 661, 886, 896, 900, 949.*

576....Advances date of primary election. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Elections. 642, 661.

577....Prohibits prostitution throughout state. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Zimmer, Humke, Horne, Roberts, Tebbs, Ham, O'Donnell, Rader, Lambert, DuBois, Beyer, Little, Bogaert, Collins, Bergevin and Spriggs. 642, 661.

578....Provides additional grounds for suspension of pupils in public schools. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Little, Malone, Beyer, Rader, McGaughey, Roberts, Fairchild, Lambert, O'Donnell, Getto, Thomas, Tebbs, Horne, Dini, Humke, Coffin, Spriggs, DuBois, Bogaert, Kerns, Francis and Joerg. 642, 662, 1183, 1189, 1202, 1206, 1213, 1216.*

579....Provides for increases in compensation for certain claimants for death or disablement caused by industrial injury or occupational disease. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Labor and Management. 661, 678, 1229, 1245, 1254, 1401,* 1407, 1472, 1640.

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580....Makes various changes relating to the regulation of motor carriers. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 661, 678, 914, 959, 1000, 1075,* 1339, 1494.

581....Allows pharmacists to dispense generic drug unless physician forbids. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Humke. 671, 678, 1244, 1245, 1255, 1341, 1345, 1400, 1402, 1406,* 1407, 1540, 1695.

582....Establishes program to identify and meet educational needs of pupils in public schools. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Committee on Education. 675, 689, 953, 963, 964.

583....Authorizes issuance of public securities at variable rates of interest and provides for external guarantees of repayment. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 675, 689, 946, 972, 1037,* 1569, 1695.

584....Authorizes compound interest on public securities and removes obsolete reference to Weekly Bond Buyer. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 675, 689, 946, 973, 1037,* 1384, 1494.

585....Increases permitted penalty on delinquent assessments for local improvements and clarifies procedure for setting rate of interest on deferred assessments. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 675, 689, 770, 819, 847,* 1569, 1597, 1598, 1626, 1639,* 1669, 1709.

586....Authorizes redemption of short-term financing before maturity. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 675, 689, 770, 819, 847,* 1569, 1695.

587....Authorizes private sale of bonds for local improvement. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 675, 690, 787, 834, 881,* 1569, 1695.

588....Authorizes local governments to displace or limit competition to provide adequately for certain public services. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 675, 690, 915, 959, 1001,* 1427, 1567.

589....Clarifies permissible increase of salary of trustee of general improvement district. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 676, 690, 787, 834, 881.*

590....Limits amount and types of damages in actions for personal injury or wrongful death. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Horne, Thomas and Tebbs. 676, 690.

591....Authorizes person born outside United States to prove age by driver's license issued by another state. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Dini, Jeffrey, Thompson, Stone, Schofield, Nevin, Rader, Arberry, Banner, Beyer and Malone. 676, 690, 825, 866, 911,* 1173, 1228.

592....Increases penalty for certain violations by landlord or tenant. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Williams and Francis. 676, 690.

593....Confirms exclusion of professional employees of state university from additional payment for continuous service. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Ways and Means. 677, 690, 887, 928, 983,* 1095, 1145.

594....Increases amount of security required as proof of financial responsibility after conviction of owner of motor vehicle of certain offenses. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Health and Welfare. 677, 690, 854, 894, 916, 943.

595....Authorizes licensing of fire departments and firemen for emergency medical services. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Health and Welfare. 677, 690, 994, 1007, 1024, 1075,* 1449, 1455, 1640.

596....Requires impoundment of vehicle when person arrested for driving under influence of intoxicating liquor or controlled substance. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Price, Stone, Bergevin and Sedway. 680, 690.

597....Permits barbershop to share main entrance with cosmetological establishment. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 685, 691, 947, 973, 1037, 1038,* 1059, 1071.

598....Allows indefinite term for installment loan. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 685, 691, 1095, 1109, 1125,* 1427, 1439, 1567.

599....Provides for full reimbursement by manufacturer for repairs on motor vehicle under express warranty. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 685, 691, 1154, 1164, 1166, 1207,* 1540, 1544, 1695.

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600....Changes times for mediation and factfinding in collective bargaining by local governments. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Stone. 689, 703, 995, 1007, 1025, 1075,* 1384, 1494.

601....Requires that one member of commissions on economic development and on tourism be resident of small county. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Getto, Bergevin, Dini, Spriggs, Marvel and Bilyeu. 691, 703, 1090, 1099, 1156,* 1590, 1709.

602....Prohibits unauthorized interception of community antenna television. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 696, 703, 1064, 1074, 1084, 1126,* 1540, 1572, 1709.

603....Broadens permissible deferral of compensation by public employees. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 702, 712, 946, 974, 1038,* 1384, 1494.

604....Further defines safe operation of motorcycle. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Transportation. 702, 712, 1163, 1164, 1166, 1207,* 1495, 1695.

605....Requires issuance of special tags for hunting certain deer and increases penalty for violating provisions governing guides. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Committee on Natural Resources, Agriculture and Mining. 703, 712, 1080, 1099, 1156,* 1502, 1551, 1695.

606....Revises various provisions concerning redevelopment agencies and tax increment areas. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Committee on Taxation. 706, 712, 1147, 1164, 1167.

607....Creates commission to regulate transportation of passengers. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Transportation. 706, 712.

608....Requires reimbursement of employee for certain expenses if employer or insurer contests claim for industrial insurance. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Nevin, Jeffrey, Sedway, Coffin, Thompson, Schofield, Stone, Banner, Craddock, Arberry, Rader, Williams, Swain, Collins, McGaughey and Bilyeu. 706, 712, 1244, 1245, 1256, 1342, 1352, 1353,* 1356, 1590, 1597, 1709.

609....Authorizes state fire marshal to charge fees. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 706, 712, 826, 866, 911, 1097, 1126,* 1427, 1567.

610....Permits admission into evidence in criminal proceeding of young child's statement concerning sexual conduct. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 711, 723, 965, 976, 1038, 1138, 1139, 1157, 1158,* 1472, 1695.

611....Increases certain fees charged by sheriffs. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Stone. 711, 724.

612....Revises requirement concerning service of writs of garnishment in actions involving state as garnishee defendant. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 711, 724, 914, 960, 984,* 1148, 1203.

613....Requires reimbursement for certain expenses to transport mentally ill person for emergency admission. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Judiciary. 711, 724.

614....Raises monetary threshold for distinguishing degrees of crime. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 711, 724.

615....Authorizes training of junior operator as cosmetician. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Health and Welfare. 712, 724, 732.

616....Provides for appointment of marshal for each judicial district whose population is 250,000 or more. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Schofield. 719, 723, 734.

617....Allows person to inspect records concerning his employment or referrals for employment. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Roberts, Francis, Lambert, Zimmer, Thomas, Ham, Joerg, Getto, O'Donnell, Rader, Fairchild, Marvel, Little, Sedway, Williams, Malone, Bogaert, Price, McGaughey, DuBois, Kerns, Stone, Beyer, Thompson, Nicholas, Horne, Arberry, Tebbs, Coffin and Bilyeu. 723, 734, 1030, 1047, 1056, 1075, 1076,* 1339, 1494.

618....Repeals tax on shares of banking corporations contingent upon constitutional amendment exempting shares from taxation. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Taxation. 723, 734, 942, 960, 984,* 1230, 1395.

619....Prohibits campaign contributions to legislator while legislature is in session. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Rader, Fairchild, DuBois, Lambert, Horne and Tebbs. 723, 734.

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620....Eliminates requirement that sentence of death be reviewed to determine if penalty is disproportionate to penalty imposed in similar cases. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Horne, Bilyeu, Stone, Joerg, Zimmer, Dini, Thomas, Getto, Banner, Marvel, Roberts, Humke, Bergevin, Rader, McGaughey, Francis, Malone, Tebbs, Lambert, Kerns, Price, Bogaert, Thompson, Beyer, Spriggs, Little, Fairchild, Ham, Nicholas, Craddock, Coffin, Nevin, DuBois, O'Donnell, Williams and Jeffrey. 728, 734, 1026, 1034, 1104,* 1384, 1494.

621....Requires certain equipment at gasoline service stations. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Rader, O'Donnell, Williams, DuBois, Lambert and Ham. 733, 755.

622....Revises provisions relating to resolution of grievances between landlords and tenants of mobile home parks. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 733, 755.

623....Makes appropriation to New Dawn Technical Institute. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Committee on Ways and Means. 733, 755, 1094, 1102, 1113, 1157.*

624....Makes appropriation to commission on economic development to attract construction of atomic particle accelerator. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Committee on Ways and Means. 733, 756, 788, 834, 881,* 1029, 1048, 1091.

625....Provides for loans for improvement of rangeland, creates revolving fund for those loans and makes appropriation. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Committee on Ways and Means. 733, 756.

626....Changes title of public defender. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Health and Welfare. 733, 756.

627....Changes requirements for distribution of reserve fund for supplemental city-county relief tax. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Committee on Taxation. 733, 756, 995, 997, 1017, 1076,* 1449, 1462, 1540, 1551, 1584, 1618, 1677, 1680.

628....Imposes civil penalty on person who unlawfully possesses, sells or participates in sale of certain controlled substances. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Bogaert, Stone, Williams, Little, Joerg, Beyer and Nevin. 733, 756, 1120, 1136, 1143, 1230, 1349,* 1356, 1357, 1590, 1596, 1642, 1669, 1678, 1687, 1698, 1702.

629....Prohibits certain recoveries by subcontractor or by materialman on contractor's bond. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 747, 756.

630....Authorizes sharing of facilities by barbershop and cosmetological establishment and imposition of administrative fines by state barbers' health and sanitation board. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 747, 756, 1063, 1074, 1083, 1096, 1119, 1347, 1350, 1354, 1402, 1405,* 1407.

631....Requires insurance for driver of motor vehicle instead of vehicle. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 747, 756.

632....Permits substitution of additional academic education for experience required of certified public accountant. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 747, 756.

633....Providing schedules of repayment of appropriations to certain special funds. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Ways and Means. 754, 773, 1030, 1047, 1056, 1104,* 1384, 1442, 1448, 1496, 1498, 1573, 1590, 1709.

634....Makes various changes relating to private corporations. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 754, 773, 1028, 1047, 1056, 1105,* 1449, 1456, 1640.

635....Limits liability of lender for defective construction by borrower. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 755, 773, 1154, 1164, 1168, 1207.*

636....Removes requirement that limited partners of gaming licensees be individually licensed. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 771, 791, 1000, 1007, 1025, 1038, 1039.*

637....Limits use of eight peremptory challenges of jurors in criminal cases. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 772, 791.

638....Prohibits use of sulfites in food except wine. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Stone. 772, 791.

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639....Provides special decals for license plates issued for antique vehicles. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Getto. 772, 791.

640....Increases salaries of classified employees of the State of Nevada. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Thomas. 772, 792.

641....Permits, for industrial insurance, self-insurance by groups. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 772, 792.

642....Increases rate of interest on unpaid accounts at county hospital and allows board of trustees to enter into certain agreements concerning real or personal property. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Health and Welfare. 774, 792, 1120, 1157,* 1449, 1455, 1640.

643....Enlarges class of counties which need not match grants for economic development. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Economic Development and Tourism. 774, 792, 1148, 1164, 1168, 1207,* 1569, 1695.

644....Broadens authority of peace officers to tow and impound motor vehicles in connection with traffic violations. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 774, 792.

645....Specifies crimes conviction of which results in prohibition against possession of a firearm. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 774, 792.

646....Requires publication and distribution of proposed changes to contracts reached through collective bargaining. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Rader, Roberts, Ham, Francis, Horne, Thomas, Nicholas, McGaughey, DuBois, Little, Fairchild, O'Donnell, Zimmer, Tebbs, Spriggs, Humke, Joerg, Bogaert, Marvel, Bergevin, Lambert and Bilyeu. 775, 792, 1227, 1236, 1401,* 1407, 1540, 1695.

647....Makes various changes in provisions relating to practitioners of healing arts. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 790, 828, 1341, 1350, 1368, 1402, 1404, 1405, 1406,* 1407, 1590, 1593, 1642, 1669, 1678, 1687.

648....Provides for recovery of expenses of defending indigents. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 790, 828.

649....Prohibits agencies for law enforcement from using aircraft in enforcement of traffic laws. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 791, 828.

650....Requires submission to voters of proposal to issue bonds for purchase of land in Tahoe Basin. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Nicholas, Bergevin, Dini, Humke, Ham, Joerg, Thomas, Swain, Tebbs, Sader, Horne, Schofield, Beyer, Thompson, Collins, Price, Stone, Malone, Sedway, Williams, McGaughey, Lambert, Zimmer, Fairchild, Little, Bogaert, Kerns, Francis, Spriggs, Coffin, Craddock, Roberts, Jeffrey, Getto, Rader, Marvel, DuBois and Bilyeu. 791, 828, 1065, 1074, 1083, 1105,* 1675.

651....Enforces right of noncustodial parent to visits with child. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 823, 828, 1164, 1169, 1209,* 1540, 1544, 1695.

652....Extends authority of peace officers to make arrests. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Dini and Stone. 827, 854, 1120, 1157, 1213, 1219, 1350,* 1356, 1540, 1695.

653....Restricts operation of slot machine routes. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Stone. 827, 854, 1235, 1245, 1248, 1387, 1391, 1402, 1406,* 1407, 1472, 1695.

654....Authorizes city or county to establish zoning districts for treatment works for waste water. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Roberts and Francis. 827, 854.

655....Allows registration of certain foreign corporations with Nevada gaming commission. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Stone. 837, 855, 1229, 1245, 1257, 1401,* 1407, 1472, 1640.

656....Forbids harassment of official police dog. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 843, 855.

657....Extends date for setting tax rates for local governments. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Taxation. 843, 855, 942, 948, 952,* 1064, 1071, 1117.

658....Exempts older motor vehicles from regulations for control of emissions into air. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Transportation. 843, 855.

No. *Summary, Introducer and Page Reference*

659....Revises provisions concerning veterans' exemptions from property taxes. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. DuBois, Stone, Price, Collins, Thompson, Jeffrey, Fairchild, Bergevin, Malone, Nicholas, Spriggs, Coffin, Humke, Kerns, Nevin, Arberry, Banner, O'Donnell, Rader, Lambert, McGaughey, Bogaert, Williams, Zimmer and Thomas. 844, 855.

660....Makes appropriation to commission on economic development for certain local projects and requires transfer of certain money to state general fund. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Committee on Ways and Means. 853, 890, 1097, 1109, 1126,* 1449, 1457, 1695.

661....Makes appropriations to increase salaries of classified employees of state retroactively. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Executive Budget. Committee on Ways and Means. 853, 890.

662....Makes appropriation to school districts to increase salaries retroactively. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Executive Budget. Committee on Ways and Means. 853, 890.

663....Makes appropriations to increase salaries of employees of University of Nevada System retroactively. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Executive Budget. Committee on Ways and Means. 853, 890.

664....Requires public schools to allow inspection of instructional material by certain persons and prohibits psychological or psychiatric testing of pupils without prior consent. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Committee on Education. 853, 890, 1189, 1201, 1246.*

665....Makes appropriation for establishment and operation of centers for development of small businesses. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Committee on Economic Development and Tourism. 853, 890, 1208, 1209, 1216, 1223, 1251,* 1449, 1567.

666....Requires levy of additional taxes on property for support of public libraries. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Taxation. 879, 891.

667....Authorizes credit against license fee for gaming licensees who invest in economic development. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Economic Development and Tourism. 898, 908.

668....Authorizes credit against license fee for gaming licensees who invest in advanced technology. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Economic Development and Tourism. 898, 908.

669....Makes appropriation for purchase of railroad equipment for Nevada state museum. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Committee on Economic Development and Tourism. 918, 932.

670....Grants judges immunity from civil action. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 918, 932.

671....Requires that depreciation of improvements to real property be based upon life of improvement for purpose of property tax. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Committee on Taxation. 918, 932.

672....Requires administration of certain programs by commission on economic development. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Economic Development and Tourism. 947, 953.

673....Limits use of dogs and cats for research and prohibits interference with research. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Committee on Natural Resources, Agriculture and Mining. 947, 954.

674....Exempts constitutional officers from submitting budgets through governor. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 947, 954.

675....Changes composition of Nevada Tahoe regional planning agency. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Bergevin and Nicholas. 947, 954, 995, 1007, 1025, 1039,* 1206, 1337.

676....Exempts tents and movable cabins from regulation as hotels. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Health and Welfare. 955, 965, 1208, 1246.*

677....Proposes to allow retailers to deduct uncollectible debts from gross receipts for purposes of taxes on retail sales. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Committee on Health and Welfare. 955, 965.

No. *Summary, Introducer and Page Reference*

678....Authorizes payment of tax on purchase of certain capital goods in installments. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Arberry. 965, 1565, 1566, 1568, 1570, 1579, 1588, 1598,* 1669, 1709.

679....Requires ownership of real property in general improvement district as qualification for eligibility to vote in district's elections. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Health and Welfare. 971, 979.

680....Authorizes examination of professional engineer in area of specialty. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Health and Welfare. 971, 980, 1217, 1219, 1227, 1351,* 1356, 1427, 1567.

681....Prohibits delivery of baby by anyone other than licensed physician or professional nurse. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Health and Welfare. 971, 980.

682....Levies tax ad valorem to pay interest and principal on state bonds. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Taxation. 971, 980.

683....Establishes program to reduce pupil-teacher ratio in public schools. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Committee on Education. 972, 980.

684....Creates position in department of education to coordinate use of libraries. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. McGaughey, Beyer and Horne. 979, 980, 1154, 1164, 1169, 1209.*

685....Enlarges privilege of legislator as attorney or party to litigation during session. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Stone. 990, 992, 1094, 1109, 1126.*

686....Makes appropriations for support of Tahoe regional planning agency. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Committee on Ways and Means. 991, 992, 1411, 1446,* 1448, 1495, 1640.

687....Provides uniform rate of pay for members of certain boards and other similar bodies. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Government Affairs. 991, 992, 1120, 1125.

688....Proposes to exempt purchase of aircraft by domestic airline from taxes on retail sales. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Committee on Taxation. 991, 992, 1063, 1074, 1084, 1126, 1157, 1158, 1159,* 1427, 1567.

689....Invalidates agreements by physicians not to compete. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Health and Welfare. 991, 992.

690....Provides additional requirements for governmental audits. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Roberts, Little, McGaughey, Horne, Stone, DuBois, Collins, Bogaert, Francis, Malone, Fairchild, Rader, Lambert, O'Donnell, Joerg, Ham, Zimmer, Tebbs, Spriggs, Humke and Bilyeu. 991, 992.

691....Includes manager of homeowners' association in definition of real estate broker. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Stone. 991, 992.

692....Authorizes production of gold medallions. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Bogaert, O'Donnell, Schofield, Rader, Thomas and Getto. 998, 1020.

693....Establishes responsibility for repair, removal and relocation of facilities of public utility caused by public works. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 998, 1021.

694....Provides for enforcement by police of traffic laws within planned unit developments. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Roberts. 998, 1021, 1164, 1169, 1210.*

695....Makes equipment used to cheat in gambling subject to forfeiture. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Stone. 1006, 1021, 1120, 1157,* 1427, 1567.

696....Establishes screening panels to review claims of malpractice against physicians and hospitals. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 1006, 1021, 1130, 1131, 1139, 1143, 1173, 1189, 1190, 1206, 1210,* 1502, 1503, 1695.

No. *Summary, Introducer and Page Reference*

697....Licenses and regulates manufacture, fitting, installation and repair of dentures. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 1007, 1021.

698....Authorizes formation of and regulates captive insurance companies. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 1007, 1021.

699....Prohibits refusal of service to person in wheelchair accompanied by specially trained dog. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Nicholas and Thompson. 1007, 1021, 1208, 1246.*

700....Allows earlier retirement for all members of public employees' retirement system. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Arberry. 1031, 1050.

701....Provides central registry for fictitious names of enterprises. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Bogaert. 1031, 1050.

702....Provides for retrocession of all jurisdiction over land occupied by Ely Shoshone Tribe. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Getto. 1031, 1050, 1120, 1158,* 1569, 1695.

703....Exempts certain gratuities, service charges and entertainment from casino entertainment tax. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Taxation. 1032, 1050, 1212, 1216, 1223, 1351,* 1356, 1427, 1567.

704....Creates commission on public broadcasting in governor's office. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Health and Welfare. 1032, 1050.

705....Provides for separate board for recreation and tourism for certain general improvement districts. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Health and Welfare. 1032, 1050.

706....Partially revises boundary between Carson City and Washoe County and adds territory to Carson City. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 1032, 1050.

707....Makes various changes in provisions governing bonds and other obligations of irrigation districts. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Getto, Dini and Marvel. 1032, 1050, 1392, 1401,* 1407, 1540, 1695.

708....Regulates and licenses commercial use of asbestos. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Government Affairs. 1032, 1050.

709....Encourages Washoe and Douglas counties and Carson City to submit advisory question to voters on winter Olympics at Reno and Lake Tahoe. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Bogaert, Stone, Beyer, Humke, Nicholas, Kerns, Lambert, Swain, Nevin, Sader, Thomas, Bergevin, Joerg, Dini and Marvel. 1032, 1051, 1426, 1446, 1448,* 1590, 1709.

710....Makes various changes in regulation of professional engineers. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Arberry. 1033, 1051, 1120, 1158,* 1384, 1494.

711....Requires employers to provide information about hazardous chemicals. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Zimmer. 1046, 1051.

712....Authorizes state forester firewarden to regulate vegetation around structures. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Natural Resources, Agriculture and Mining. 1046, 1051, 1345, 1350, 1369, 1402, 1406,* 1407, 1569, 1695.

713....Makes various changes in provisions governing bail. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 1065, 1090.

714....Transfers state hygienic laboratory to University of Nevada. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Ways and Means. 1065, 1090.

715....Makes appropriation for operational audit of department of transportation. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Committee on Ways and Means. 1096, 1110, 1236, 1245, 1259, 1402,* 1407, 1681.

716....Provides for appointment of deputy clerk of district court. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 1096, 1110.

717....Limits loans for undeveloped land and prohibits acquisition of real property by savings and loan associations. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 1101, 1110.

718....Provides penalty for refusal to pool interests in oil and gas. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Natural Resources, Agriculture and Mining. 1117, 1345, 1351, 1356,* 1427, 1567.

No. *Summary, Introducer and Page Reference*

719....Authorizes clerk of supreme court to appoint more than one deputy. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 1122, 1144, 1230, 1351, 1352,* 1356, 1427, 1567.

720....Directs legislative commission to study gaming and programs for encouraging research and development. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Committee on Economic Development and Tourism. 1131, 1144, 1571, 1587, 1588, 1606.*

721....Authorizes legislative commission to direct legislative auditor to investigate performance of state agencies. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Sedway, Dini, Coffin, Jeffrey, Schofield, Sader, Thompson, Craddock, Arberry, Swain, Nevin, Banner, Williams and Price. 1166.

722....Revises calculation used to determine maximum revenue which local government may receive from certain taxes. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Taxation. 1170.

723....Makes appropriation for design and construction of prisons. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Committee on Ways and Means. 1183, 1193.

724....Revises procedure for calculation of basic support for public schools where enrollment declines. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Ways and Means. 1219, 1345, 1351, 1355,* 1356, 1540, 1543, 1551, 1695.

725....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. 1350, 1364, 1397, 1446, 1447,* 1448, 1495, 1640.

726....Apportions state distributive school fund for biennium 1985-1987, makes an appropriation and authorizes certain expenditures. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Committee on Ways and Means. 1445, 1459, 1495, 1508, 1568, 1575, 1576,* 1617, 1709.

727....Permits holder of franchise for sale of motor vehicles to designate successor in interest for franchise agreement. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Transportation. 1451, 1459, 1502, 1508, 1515,* 1675.

728....Makes appropriation to legislative fund. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Committee on Ways and Means. 1689, 1694,* 1702.

729....Restores authority of judge to dismiss count charging habitual criminality. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Stone. 1705,* 1708.

VETOED ASSEMBLY BILLS OF THE 62nd SESSION

No. *Summary, Introducer and Page Reference*

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. 7, 12, 44.

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 enact legislation designating additional areas as wilderness. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Natural Resources, Agriculture and Mining. 30, 35, 599, 612, 626, 654,* 1029, 1060, 1091.

2....Amends constitution to prohibit taxation of property for benefit of state general fund. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Price, Zimmer, Francis and Schofield. 56, 67.

3....Proposes constitutional amendment to allow state to finance small businesses. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Dini, Thompson, Jeffrey, Schofield, Price, Craddock, Williams, Sader, Nevin, Sedway, Coffin, Arberry, Getto, Thomas, Humke, Collins, DuBois, Joerg, Francis, Spriggs, Banner, Little and McGaughey. 77, 86.

4....Urges the Federal Government to mitigate adverse effects of facility for disposal of high-level radioactive waste. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Natural Resources, Agriculture and Mining. 80, 86, 1403, 1410, 1422, 1429, 1446, 1447,* 1570, 1695.

5....Urges Federal Government to assume financial responsibility for facility for disposal of high-level radioactive waste. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Natural Resources, Agriculture and Mining. 80, 86, 1403, 1410, 1423, 1429, 1446, 1447,* 1570, 1695.

6....Urges Congress to pursue alternative system of strategic defense. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Bogaert, Collins, Horne, Fairchild, Spriggs, Getto, Nicholas, Zimmer, Rader, Little, Bergevin, Ham, Banner, Schofield, Roberts, McGaughey, Stone, Francis, Joerg, Thomas, DuBois, Tebbs, Beyer, Dini, Marvel, Humke, Malone and Kerns. 97, 102, 182, 198, 209, 211,* 1173, 1178, 1228.

7....Urges Congress not to allow the location of a repository for high-level nuclear waste in Nevada. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Williams, Joerg, Thompson, Lambert, Sader, Stone, Sedway, Bogaert, Dini, Francis, Nevin, Rader, Swain, Fairchild, Nicholas, Malone, Thomas, Tebbs, Roberts, DuBois, Collins, Zimmer, Bilyeu, Coffin, Schofield, Kerns and McGaughey. 113, 120, 121.

8....Proposes to amend constitution to permit operation of lottery by state for specific purposes. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Nevin. 169, 185.

9....Proposes constitutional amendment to allow interest on penal fines to be used to compensate victims of crime. (C-105) Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Swain, Malone, Stone, Nevin, Sader, Coffin, Collins, Ham, Rader, Arberry, Zimmer, O'Donnell, Williams, Roberts, Spriggs, Tebbs, Price, Craddock, Schofield, Thompson, McGaughey, Sedway, Dini, Jeffrey, Kerns, Beyer, Lambert, Bogaert, Nicholas, Thomas, Humke, Bergevin and Fairchild. 190, 207, 437, 455, 463.

10....Urges Congress to provide money for compensation for victims of crime. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Swain, Malone, Stone, Nevin, Sader, Coffin, Ham, Collins, Rader, Arberry, Zimmer, O'Donnell, Williams, Roberts, Francis, Price, Craddock, Schofield, Thompson, McGaughey, Sedway, Dini, Kerns, Beyer, Lambert, Joerg, Bogaert, Nicholas, Thomas, Humke, Bergevin, Marvel, Getto and Fairchild. 191, 207.

11....Proposes constitutional amendment requiring legislature to fund expenditures required of local governments. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. DuBois, Getto, Nicholas, Thomas, Beyer, O'Donnell, Rader, Lambert, Fairchild and Bergevin. 278, 290.

12....Proposes to amend Nevada constitution by requiring amendments to constitution proposed by initiative petition to be submitted to legislature. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. DuBois, Coffin, Dini, Stone, Collins, Thomas, Tebbs, Getto, Nicholas, Spriggs, Lambert, Rader, Beyer, Zimmer, Roberts, Malone and Bogaert. 359, 367.

No. *Summary, Introducer and Page Reference*

13....Urges Congress to repeal certain portions of Public Utility Regulatory Policies Act. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Sedway, Williams, Price, Thompson, DuBois, Nevin, Jeffrey, Dini and Coffin. 405, 416, 523, 551, 575,* 711, 728.

14....Urges Congress to designate naval air station at Fallon for landing of space shuttle. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Getto and Dini. 430, 434.

15....Proposes to amend constitution to allow legislature to establish exemption for property on which declaration of homestead has been recorded from property taxes. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Price, Nevin, Williams and Little. 463, 480.

16....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, Schofield, Craddock, Nicholas, Fairchild, Nevin, Kerns, McGaughey, Humke, Little, Price, Sedway, Collins, Ham, Rader, Banner, Thompson, Williams, O'Donnell, DuBois, Arberry and Roberts. 475, 506, 1569, 1576, 1580, 1581.*

17....Proposes to amend Nevada constitution by requiring legislative session in even-numbered years limited to budget. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Price, Bogaert, Nevin, Collins, Arberry, Craddock, McGaughey, Rader and Roberts. 476, 506, 1569, 1576, 1581.*

18....Proposes constitutional amendment to prohibit tax on income of corporations and other enterprises earned outside of Nevada. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Bogaert, Rader, Kerns, Dini, Arberry, Nevin, Swain, O'Donnell and Marvel. 533, 542.

19....Urges Congress to provide strict control of wild horses and burros. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Getto, Marvel, Bilyeu and Bergevin. 542.

20....Proposes constitutional amendment to limit duration of increases in certain taxes. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Price, Collins, DuBois, McGaughey, Little, Fairchild and Williams. 676, 691.

21....Proposes constitutional amendment providing for appointment of regents of University of Nevada by governor. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Education. 677, 691, 851, 894, 938.*

22....Proposes constitutional amendment authorizing imposition of estate tax with specified limit. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Taxation. 684, 691, 1569, 1576, 1581,* 1625, 1709.

23....Requests Congress to grant trial exemption from national speed limit. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Transportation. 702, 713, 825, 866, 911,* 1570, 1695.

24....Proposes constitutional amendment to exclude purchase of local securities from application of limit on state's debt. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 746, 756.

25....Urges Congress to impose controls on importation of minerals and mineral products. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Natural Resources, Agriculture and Mining. 850, 855, 996, 1007, 1025, 1039, 1040,* 1570, 1695.

26....Urges Congress to create a commission on prevention of suicide among youth. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Health and Welfare. 888, 905, 1099, 1109, 1127,* 1427, 1567.

27....Proposes constitutional amendment to allow exemption from taxation for real property whose development is prohibited. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Nicholas, Bergevin and Humke. 970, 980, 1055, 1056, 1059, 1105,* 1231, 1395.

28....Urges Congress to repeal Federal Reserve Act. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Collins, Ham, Thomas, Getto, O'Donnell, Rader, Marvel, Fairchild, Little, Bogaert, McGaughey, DuBois, Francis, Dini, Beyer, Horne, Tebbs, Arberry and Bergevin. 990, 992, 1099, 1109, 1127.*

29....Urges Navy to broaden scope of review of certain proposed actions concerning its water rights at Fallon, Nevada. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Natural Resources, Agriculture and Mining. 997, 1021, 1154, 1186,* 1427, 1567.

30....Urges Environmental Protection Agency to approve use of pesticide Compound 1080. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Natural Resources, Agriculture and Mining. 1031, 1051, 1430, 1446, 1448,* 1570, 1709.

No. *Summary, Introducer and Page Reference*

31....Urges Federal Government to stop supplying money and aid to and allowing trade with communist countries. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Little, Fairchild, Ham, Thomas, Rader, Bergevin, Malone, Bogaert, Collins, Francis, Beyer, Dini, Horne, Joerg, Roberts, Coffin and Bilyeu. 1053, 1060, 1552, 1582, 1584.*

32....Urges Congress to enact legislation prohibiting transfer of certain technical information and equipment to Union of Soviet Socialist Republics and its allies. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Little, Fairchild, Lambert, Getto, O'Donnell, Rader, Ham, Thomas, Zimmer, Tebbs, Spriggs, Coffin, Roberts, Dini, Thompson, Nicholas, Horne, Beyer, Francis, Kerns, Price, Bogaert, Malone, Marvel, Humke and Joerg. 1052, 1060.

33....Proposes constitutional amendment to limit revenue of state. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Coffin, Dini, Jeffrey, Thompson, Sader, Price, Williams, Banner, Nevin, Arberry, Swain, Craddock and Schofield. 1217, 1219.

ASSEMBLY JOINT RESOLUTIONS OF THE 62nd SESSION

No. *Summary, Introducer and Page Reference*

16....Proposes constitutional amendment to provide that the 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. 7, 9, 16.

ASSEMBLY CONCURRENT RESOLUTIONS

No. *Summary, Introducer and Page Reference*

1....Supports Winter Olympics at Lake Tahoe. Bogaert, Bergevin, Joerg, Nicholas, Coffin, DuBois, Lambert, Dini, Thompson, Ham, Nevin, Zimmer, Swain, Tebbs, Spriggs, Banner, Rader, O'Donnell, Fairchild, Marvel, Sedway, Malone, Price, Little, Kerns, Jeffrey, Williams, Beyer, Schofield, Collins, Francis, Horne, Humke, Craddock, Sader, Roberts, Getto, Stone, Arberry, Bilyeu, McGaughey and Thomas. 18, 37, 52.

2....Directs legislative commission to study private operation of correctional facilities. Malone. 19, 32, 75.

3....Urges superintendent of public instruction to determine correlation between methods of diagnosis and correction for pupils who have dyslexia or other specific disabilities in learning. Committee on Education. 57, 67, 124, 311, 325.

4....Urges support for organizations and institutions which conduct research in area of dyslexia and other specific disabilities in learning. Committee on Education. 57, 67, 124, 311, 325.

5....Urges school districts to increase use of pupils as tutors in classroom to assist pupils who have disabilities in learning. Committee on Education. 57, 67, 168, 169, 395, 411.

6....Commends various persons, organizations and enterprises who responded to crash of aircraft. Humke, Bogaert, Nicholas, Stone, Beyer, Sader, Nevin, Swain, Lambert and Kerns. 68, 82, 98.

7....Amends Senate Concurrent Resolution No. 45 of 62nd session to require restriction on diversion of water from certain counties to expire no later than adjournment of 63rd session. Nevin, Bogaert and Beyer. 77, 87, 563, 582, 750, 785.

8....Urges school districts in smaller counties to cooperate for provision of vocational education. Committee on Education. 84, 94, 673, 674, 1064, 1117.

9....Directs legislative commission to study regulatory authority of department of motor vehicles. Stone. 91, 103.

10....Memorializes late Fred Fulstone. Dini, Getto, Bergevin, Marvel and Bilyeu. 128, 141, 157.

11....Urges counties to designate persons to provide services to children who are victims of crimes or witnesses in criminal proceedings. Swain. 163, 172, 437, 439, 600, 614.

12....Provides for adjournment of legislature for 4 days. Committee on Legislative Functions. 169, 182, 201.

13....Urges cooperation of agencies which assist victims of crime. Swain, Malone, Stone, Nevin, Sader, Coffin, Ham, Collins, Rader, Arberry, Zimmer, Little, O'Donnell, Roberts, Williams, Spriggs, Francis, Horne, Tebbs, Price, Craddock, Schofield, Thompson, McGaughey, Sedway, Jeffrey, Kerns, Beyer, DuBois, Lambert, Joerg, Bogaert, Nicholas, Thomas, Humke, Bergevin, Marvel, Getto and Fairchild. 191, 207, 437, 439, 600, 614.

14....Urges sheriffs and police departments to train officers to provide assistance to victims of crime. Swain, Malone, Stone, Coffin, Sader, Rader, Ham, Arberry, Zimmer, O'Donnell, Roberts, Williams, Spriggs, Francis, Horne, Tebbs, Price, Craddock, Schofield, Thompson, McGaughey, Sedway, Jeffrey, Kerns, Beyer, DuBois, Lambert, Joerg, Bogaert, Nicholas, Thomas, Humke, Bergevin, Marvel, Getto and Fairchild. 191, 207, 437, 439, 600, 614.

No. *Summary, Introducer and Page Reference*

15....Urges supreme court to study use of televised testimony of children in district courts. Swain. 212, 218, 437, 439, 600, 614.

16....Encourages supreme court to provide for videotaping of depositions of abused children. DuBois, Williams, Stone, Collins, Ham, Price, Malone, Rader, Kerns, Zimmer, Schofield, Sedway, O'Donnell, Humke, Bogaert, Nevin, Lambert, Spriggs, Nicholas, Beyer, Coffin, Thomas, Marvel, Tebbs, Fairchild, Horne, Joerg, Francis, Bergevin, McGaughey and Little. 221, 243, 437, 439, 600, 614.

17....Commends parent-teacher associations and designates March 11, 1985, as Nevada PTA Day. Thompson, Schofield, Fairchild, Rader, Lambert, O'Donnell, Williams, McGaughey, Banner, Bogaert, Getto, Kerns, Francis, Dini, Ham, Jeffrey, Thomas, Horne, Zimmer, Sader, Arberry, Nevin, Swain, Spriggs, Coffin, Tebbs, Craddock, Roberts, Humke, Nicholas, Beyer, Stone, Collins, DuBois, Price, Bergevin, Malone, Sedway, Marvel, Joerg and Bilyeu. 299, 317, 334.

18....Designates March 11, 1985, as Day of Recognition for the Virginia & Truckee Railroad Museum. Thomas and Joerg. 299, 311, 325.

19....Directs legislative commission to study laws regarding adjudication of vested water rights and appropriation of public waters. Thomas. 351, 357.

20....Designates March 22, 1985, as Nevada National Guard Day. Humke, Swain, Nevin, Thomas, Ham, Joerg, Getto, Banner, O'Donnell, Lambert, Rader, Fairchild, Little, Williams, Bogaert, McGaughey, Kerns, Francis, Dini, Jeffrey, Schofield, Horne, Sader, Arberry, Tebbs, Coffin, Spriggs, Craddock, Roberts, Nicholas, Thompson, Beyer, Stone, DuBois, Collins, Price, Bergevin, Malone, Sedway, Marvel, Bilyeu and Zimmer. 390, 404, 423.

21....Provides for adjournment of legislature for 4 days. Committee on Legislative Functions. 464, 475, 513.

22....Urges Tahoe Regional Planning Agency not to use interest earned on special fees for general expenses. Nicholas and Bergevin. 464, 480, 730, 731, 887, 944.

23....Directs interim study of election laws. Committee on Elections. 642, 662, 788, 789, 1591, 1709.

24....Memorializes late assemblyman Harley Heber Leavitt. Thompson, Schofield, Banner, Tebbs, Kerns, Roberts, Ham, Rader, Fairchild, Lambert, O'Donnell, Getto, Dini, Beyer, Collins, Thomas, Zimmer, Swain, Bogaert, McGaughey, Price, Bergevin, Marvel, Malone, Sedway, DuBois, Stone, Nicholas, Humke, Craddock, Coffin, Spriggs, Sader, Arberry, Horne, Francis, Little, Jeffrey, Bilyeu, Nevin, Williams and Joerg. 659, 702, 719.

25....Urges production of informational programs by public broadcasters in Nevada. Nicholas and Coffin. 677, 691, 1064.

26....Directs legislative commission to study education in rural Nevada. Committee on Education. 714, 724.

27....Urges Clark County School District to mix sixth grade with other grades in elementary schools. McGaughey and Arberry. 757, 773.

28....Urges commission on economic development to give preference to smaller counties in granting assistance for economic development. Committee on Economic Development and Tourism. 789, 828, 999, 1000, 1591, 1709.

29....Declares week of May 19, 1985, as Nevada Tourism Week. Committee on Economic Development and Tourism. 789, 852, 913.

30....Requests public employees' retirement board to investigate investment opportunities located in Nevada. Committee on Economic Development and Tourism. 827, 855.

31....Directs legislative commission to study methods of distributing revenues from taxation of large electrical power plants. Committee on Legislative Functions. 844, 855, 1502, 1510, 1515, 1591, 1709.

32....Directs legislative commission to study establishment of state lottery. Committee on Judiciary. 888, 906.

33....Directs legislative commission to study use of bail and alternative forms of release pending trial in criminal cases. Committee on Judiciary. 888, 906.

34....Expresses appreciation to Union Pacific Railroad for gift of track near Boulder City. Committee on Economic Development and Tourism. 898, 1698.

35....Directs legislative commission to study functions and placement of investigation division of department of motor vehicles. Committee on Government Affairs. 915, 933, 1502, 1510, 1515, 1591, 1709.

36....Directs legislative commission to study fees and taxes which produce revenue for construction and maintenance of highways. Committee on Transportation. 916, 933, 1502, 1510, 1515, 1591, 1709.

37....Directs legislative commission to study adequacy of state's standard of need for aid to families with dependent children. Committee on Ways and Means. 930, 937.

38....Urges improvement and expansion of local bus service in Clark County. Williams, Malone, Rader, Banner, Jeffrey, Francis, Thompson, Zimmer, Craddock, Ham, Arberry, Coffin and DuBois. 971, 980, 1120, 1121, 1472, 1695.

No. *Summary, Introducer and Page Reference*

39....Directs legislative commission to study potential uses of Washoe Lake. Bogaert, Kerns, Price, Humke, Jeffrey and Roberts. 990, 992, 1502, 1510, 1515, 1625, 1709.

40....Directs legislative commission to study public service commission of Nevada. Ham. 997, 1021, 1172, 1173, 1591, 1709.

41....Directs legislative commission to study effect of statute requiring approval by department of human resources of certain medical projects. Committee on Health and Welfare. 1006, 1021, 1502, 1510, 1515, 1591, 1709.

42....Instructs director of legislative counsel bureau to grant paid leave to employees. Price, Collins, Bergevin, Stone, DuBois, Fairchild, Little, Rader, Lambert, O'Donnell, Williams, Banner, Bogaert, Getto, Kerns, McGaughey, Francis, Dini, Beyer, Jeffrey, Thompson, Nicholas, Schofield, Humke, Sader, Craddock, Arberry, Spriggs, Coffin, Swain, Nevin, Tebbs, Zimmer, Thomas, Ham, Joerg, Malone, Marvel, Bilyeu, Roberts and Horne. 1020, 1022, 1229, 1235, 1340, 1472, 1695.

43....Directs legislative commission to study means to eliminate duplication of governmental services between Clark County and its largest city. Committee on Government Affairs. 1030, 1051, 1073, 1560, 1563, 1570, 1625, 1709.

44....Provides compensation of clergy for services rendered to assembly and senate. Committee on Ways and Means. 1064, 1120, 1171.

45....Directs legislative commission to study methods used by department of transportation to acquire land for highways. Committee on Judiciary. 1081, 1090, 1587, 1589, 1687.

46....Encourages school districts to continue and expand teaching of arts in public schools. Committee on Education. 1081, 1090, 1427, 1444, 1449.

47....Directs legislative commission to study plan to require recipients of welfare to perform certain work. Committee on Legislative Functions. 1110, 1111.

48....Admonishes board of regents of University of Nevada to prohibit students' admission to or retention in university if student has not registered for selective service. Bogaert, Bergevin, Kerns, Beyer, Little, Fairchild and McGaughey. 1123, 1144.

49....Amends Joint Rules to limit requests for bills and to require that request for interim study be submitted by standing committee. Committee on Legislative Functions. 1184, 1193, 1444, 1498, 1501.

50....Thanks Kennecott Corporation for proposed donation of Nevada Northern Railroad. Committee on Economic Development and Tourism. 1184, 1231, 1395.

51....Declares week of May 26 as Nevada Thunderbird Week. Price, Nevin, Jeffrey, Sader, Dini, DuBois, Coffin, O'Donnell, Getto, Swain, Tebbs, Arberry, Zimmer, Horne, Ham, Joerg, Francis, Kerns, Bogaert, Williams, Little, Lambert, Fairchild, Marvel, Malone, Collins, Beyer, Thompson, Nicholas, Humke, Roberts, Craddock, Spriggs, Bergevin, McGaughey, Stone, Thomas and Rader. 1196, 1231, 1395.

52....Directs legislative commission to study feasibility of minting gold and silver medallions. Committee on Legislative Functions. 1218, 1219, 1502, 1510, 1515, 1591, 1709.

53....Directs legislative commission to study insurance against medical malpractice. Committee on Legislative Functions. 1235, 1336, 1502, 1510, 1515, 1591, 1709.

54....Directs legislative commission to study feasibility of insuring driver instead of motor vehicle. Committee on Legislative Functions. 1244, 1336, 1502, 1510, 1515, 1591, 1709.

55....Directs legislative commission to study addition of territory to Clark County. Committee on Legislative Functions. 1350, 1364.

56....Admonishes Clark County and Las Vegas to settle differences on treatment of waste water. Committee on Government Affairs. 1450, 1459, 1502, 1510, 1515, 1591, 1709.

57....Directs legislative commission to study planned growth in Clark County. Committee on Legislative Functions. 1497, 1501, 1587, 1589, 1687.

58....Commends state printing and micrographics division of department of general services. Bilyeu, Joerg, Francis, Kerns, Dini, Jeffrey, Rader, Lambert, O'Donnell, Banner, Getto, Ham, Thomas, Zimmer, Nevin, Swain, Tebbs, Spriggs, Arberry, Coffin, Craddock, Horne, Roberts, Humke, Schofield, Nicholas, Thompson, Beyer, Stone, DuBois, Collins, McGaughey, Price, Bogaert, Bergevin, Williams, Malone, Little, Marvel, Sader, Fairchild and Sedway. 1497, 1625, 1709.

59....Directs legislative commission to appoint committee to study plan to improve education in this state. Beyer. 1511, 1539, 1587, 1589.

60....Directs legislative commission to study problems concerning acquisition of water on federal land in Nevada under state and federal law. Committee on Legislative Functions. 1552, 1565, 1587, 1589.

61....Directs legislative commission to study care provided by state to persons who are mentally ill and mentally retarded. Committee on Government Affairs. 1552, 1566, 1587, 1589.

62....Directs legislative commission to study problems relating to establishment of central registry for fictitious names of enterprises. Committee on Legislative Functions. 1552, 1566, 1587, 1589.

ASSEMBLY RESOLUTIONS

No. *Summary, Introducer and Page Reference*

1....Adopts standing rules of assembly for 63rd session. Francis. 7, 28.

2....Provide allowances to members of assembly for periodicals, stamps, stationery and communications. Bogaert. 10, 28.

3....Provides for appointment of assembly attaches. Bogaert. 10, 28.

4....Provides for appointment of additional attache for assembly. Committee on Legislative Functions. 63, 88.

5....Provides for appointment of additional attaches for assembly. Committee on Legislative Functions. 142, 166.

6....Provides for appointment of additional attache for assembly. Committee on Legislative Functions. 191, 237.

7....Provides for appointment of additional attache for assembly. Committee on Legislative Functions. 438, 472.

8....Commends attaches of Assembly. Bogaert, Bilyeu, Rader, Lambert, O'Donnell, Getto, Joerg, Ham, Thomas, Zimmer, Nevin, Swain, Tebbs, Arberry, Sader, Horne, Schofield, Jeffrey, Dini, Francis, Kerns, McGaughey, Williams, Little, Fairchild, Banner, Marvel, Malone, Bergevin, Price, Collins, DuBois, Stone, Beyer, Thompson, Nicholas, Humke, Roberts, Craddock, Coffin, Spriggs and Sedway. 1428, 1695.

9....Designates certain assemblymen as regular and alternate members of legislative commission. Bilyeu and Dini. 1511, 1695.

LISTING OF SENATE BILLS

(For summaries of Senate Bills see Senate Journal.)

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27....278, 280, 290, 1209, 1216, 1225, 1341, 1432, 1480, 1497, 1516,* 1540, 1570, 1695.
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90....159, 162, 173, 277, 294, 304,* 325.
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105....433, 441, 632, 651, 669,* 699.
106....438, 440, 454, 616, 637, 654,* 685.
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108....433, 441, 632, 651, 669,* 699.
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117....642, 643, 662, 730, 764, 784,* 850.
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127....405, 406, 416, 937, 960, 1001, 1002, 1005,* 1064, 1091.
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129....271, 272, 281, 452, 470, 512,* 587, 597.
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147....947, 948, 954, 1230, 1245, 1262, 1408,* 1675.
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152....288, 301, 345, 358, 377,* 392.
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154....578, 581, 588, 731, 764, 784,* 850.
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161....354, 356, 367, 658, 680, 698,* 719.
162....438, 440, 454, 1063, 1074, 1083, 1106,* 1171.
163....642, 643, 662, 1430, 1446, 1448, 1466, 1497, 1517,* 1540, 1591, 1709.
164....711, 712, 724, 1063, 1074, 1083, 1106,* 1171.
167....311, 319, 658, 680, 698,* 719.
168....271, 272, 281, 886, 928, 950,* 1027.
170....395, 397, 408, 616, 637, 655,* 685.
171....354, 356, 367, 633, 651, 670,* 699.
173....607, 608, 619, 1030, 1047, 1057, 1107,* 1173, 1228.
174....354, 357, 367, 788, 836, 912,* 1121, 1145.
175....365, 370, 382, 722, 743, 767,* 824.
176....688, 689, 704, 887, 928, 950,* 1027.
177....750, 755, 773, 968, 1011, 1041,* 1117.
178....538, 539, 566, 658, 680, 698, 699,* 719.
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182....354, 357, 367, 658, 680, 699,* 719.
183....789, 791, 828, 1080, 1100, 1131,* 1231, 1232, 1252, 1379,* 1494.

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198....538, 539, 566, 1068, 1074, 1083, 1107,* 1171.
199....750, 755, 773, 1397, 1476,* 1695.
201....607, 608, 620, 771, 820, 848,* 913.
202....888, 889, 906, 946, 978, 1002,* 1061.
204....607, 608, 620, 710, 726, 767, 768,* 887, 913.
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ELECTED OFFICERS OF THE NEVADA STATE ASSEMBLY

Sixty-third Session, 1985

Title	*Name*	*Mailing Address*
Speaker	Byron (Bill) Bilyeu	P.O. Box 511, Elko 89801
Speaker pro Tempore	Charles W. Joerg	444 W. Washington Street, Carson City 89701
Chief Clerk	Mouryne B. Landing	P.O. Box 138, Carson City 89702

PERSONNEL OF THE NEVADA STATE ASSEMBLY

Sixty-third Session, 1985

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)	444 W. Washington Street, Carson City 89701
Clark, No. 1	Fairchild, Jerry J. (R)	6085 Serene Drive, Las Vegas, 89130
Clark, No. 2	DuBois, John B. (R)	2047 Westwind Road, Las Vegas 89102
Clark, No. 3	Horne, O. Charles (R)	721 Langtry Drive, Las Vegas 89107
Clark, No. 4	Malone, Mike (R)	508 Estella Avenue, Las Vegas 89107
Clark, No. 5	O'Donnell, Bill R. (R)	2995 S. Jones Boulevard, Las Vegas 89103
Clark, No. 6	Collins, Eugene (Gene) (D)	1101 Eleanor Avenue, Las Vegas 89106
Clark, No. 7	Arberry, Morse, Jr. (D)	425 Lass Circle, North Las Vegas 89030
Clark, No. 8	Zimmer, Barbara A. (R)	4068 Crete Lane, Las Vegas 89102
Clark, No. 9	Coffin, Bob (D)	1721 E. Lewis Avenue, Las Vegas 89101
Clark, No. 10	Williams, Myrna T. (D)	3441 Sioux Way, Las Vegas 89109
Clark, No. 11	Banner, James J. (D)	2223 Popular Avenue, Las Vegas 89101
Clark, No. 12	Schofield, James W. (D)	1740 Howard Avenue, Las Vegas 89104
Clark, No. 13	McGaughey, James W. (R)	215 E. Ford Avenue, Las Vegas 89123
Clark, No. 14	Rader, Art (R)	1350 Challenge Lane, Las Vegas 89110
Clark, No. 15	Sedway, Marvin M. (D)	3121 Maryland Parkway, Suite 408, Las Vegas 89109
Clark, No. 16	Ham, Jane F. (R)	6637 Surrey Street, Las Vegas, 89119

District	*Name and Party*	*Mailing Address*
Clark, No. 17	Price, Robert E. (D)	1809 Renada Circle, North Las Vegas 89030
Clark, No. 18	Roberts, Gary Lee (D)	3400 Death Valley Drive, Las Vegas 89122
Clark, No. 19	Little, Patricia L. (D)	3504 Flower 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	Jeffery, John E. (Jack) (D)	340 E. Chaparral Drive, Henderson 89015
Clark, No. 41	Francis, Steven C. (R)	5248 Tamarus No. C, Las Vegas 89119
Clark, No. 42	Tebbs, Terry (R)	3834 Don Carlos, 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	Spriggs, Gaylyn J. (R)	P.O. Box 826, Hawthorne 89415
Humboldt, Pershing, Lander (part), Washoe (part), No. 34	Marvel, John W. (R)	P.O. Box 1270, 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. Drawer CC, Incline Village 89450
Washoe, No. 24	Beyer, Erik (R)	1274 St. Alberts Drive, Reno 89503
Washoe, No. 25	Kerns, Bob L. (R)	1955 La Fond Drive, Reno 89509
Washoe, No. 26	Humke, David E. (R)	P.O. Box 70656, Reno 89570
Washoe, No. 27	Bogaert, Bruce R. (R)	2900 Vassar Street, Reno 89502
Washoe, No. 28	Swain, Courtenay C. (D)	131 Mark Twain Avenue, Reno 89509
Washoe, No. 29	Lambert, Joan A. (R)	55 Bitterbrush Road, Reno 89523
Washoe, No. 30	Stone, James A. (R)	413 Pyramid 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 Highway, Fallon 89406

ATTACHÉS OF THE NEVADA STATE ASSEMBLY

Sixty-third Session, 1985

Name	*Title*	*City*
Carol L. Moore	Assistant Chief Clerk	Carson City
Joan E. Anderson	History Clerk	Sparks
Amy L. Phelps	Journal Clerk	Carson City
Linda J. Corbett	Minute Clerk	Carson City
R. J. Clason	Sergeant-at-Arms	Zephyr Cove
Todd Westergard	Assistant Sergeant-at-Arms	Carson City
Gus K. West	Assistant Sergeant-at-Arms	Las Vegas
Christy Canatsey	Page	Carson City
Greg Gardella	Page	Reno
Ramona Jones	Page	Carson City
Pat Hatch	Supervisor of Stenographers	Reno
Nancy Young Brown	Committee Stenographer	Carson City
Darlene Cain	Committee Stenographer	Carson City
Jeanne Church	Committee Stenographer	Reno
Sandra Baxter Hines	Committee Stenographer	Carson City
Clare Jones	Committee Stenographer	Carson City
Jean Kvam	Committee Stenographer	Carson City
Gloria Lohner	Committee Stenographer	Minden
Janet Murino	Committee Stenographer	Reno
Carole Jean McGraw	Committee Stenographer	Carson City
Marjorie D. Robertson	Committee Stenographer	Carson City
Deborah Redican	Committee Stenographer	Carson City
Janine Sagues	Committee Stenographer	Carson City
Judy Sappenfield	Committee Stenographer	Virginia City
Priscilla Taylor	Committee Stenographer	Zephyr Cove
Colleen White	Committee Stenographer	Carson City
Deborah A. Zuspan	Committee Stenographer	Carson City
Erma Hewitson	Data Entry Operator	Incline Village
Heather T. Anderson	Reproduction Operator	Dayton
Sharon Brown	Stenographer	Minden
Jeannie Davis	Stenographer	Carson City
Jody Dunn	Stenographer	Carson City
Elaine Fisher	Stenographer	Carson City
Ila J. Glaze	Stenographer	Carson City
Kay Graves	Stenographer	Carson City
Verna Napier	Stenographer	Carson City
Yhvona Martin	Stenographer	Carson City
Gladys Nemeth	Stenographer	Reno
Christine W. Shaw	Stenographer	Carson City
Charise Selover	Stenographer	Carson City
Gina Kangas	Office Assistant	Carson City
Maxine Morrison	Supervisor of Message Center	Carson City
Terry Carmona	Message Center Clerk	Carson City
Diane Kerrigan	Message Center Clerk	Carson City
Evelyn Larkin	Message Center Clerk	Minden
Joan Polichio	Message Center Clerk	Carson City
Evelyn Shewan	Message Center Clerk	Carson City
Henry E. Gardner	Supervisor of Bill Distribution Center	Carson City
Charles L. Daniels	Bill Distribution Clerk	Carson City

Name	*Title*	*City*
William L. Marks	Bill Distribution Clerk	Virginia City
Wilfred Wick	Bill Distribution Clerk	Carson City
Lavelle Johnson	Supervisor of Bill Clerks	Carson City
Sally Dunfield	Supervisor of Bill Clerks	Carson City
Morse R. Burley	Bill Clerk	Carson City
Silvia Campbell	Bill Clerk	Genoa
Mary Carel	Bill Clerk	Carson City
Edward Cordisco, Jr.	Bill Clerk	Carson City
Nancy Dickson	Bill Clerk	Carson City
Charlene Ethridge	Bill Clerk	Carson City
Martha Laird	Bill Clerk	Carson City
Jack Loy	Bill Clerk	Carson City
Jane Mathis	Bill Clerk	Carson City
Shanna Pozzi	Bill Clerk	Carson City
Jane S. Ternau	Bill Clerk	Carson City
Harold B. Wright	Bill Clerk	Carson City

Journal

OF THE

ASSEMBLY OF THE STATE OF NEVADA

SIXTY-THIRD SESSION

THE FIRST DAY

CARSON CITY (Monday), January 21, 1985

Pursuant to the provisions of the Constitution and Statutes, the Assembly was called to order by Secretary of State Wm. D. Swackhamer at 12 noon.

Prayer by the Chaplain, Assemblyman-elect Chuck Horne.

Our Father in Heaven as we gather together to convene this 63rd Session of the Assembly of the State of Nevada we are mindful and grateful for the heritage which we have which has brought us together under a system of laws and order of government that Thou has blessed us with. We are mindful of those that have gone before. We pray that Thy blessings and spirit will be upon all of those here assembled, those that have stewardship as representatives of the citizens of this great state. We seek Thy direction and guidance recognizing that we come from a diversity of philosophy and upbringing but with Thy blessings we can mold together in good order a session that will be of benefit to the growth and prosperity of this great state. We are again so very grateful for the blessings that we have. May we conduct ourselves in such a manner as to warrant Thy further benevolence. We do so in the name of Jesus Christ. AMEN.

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 Arberry, Banner, Bergevin, Beyer, Bilyeu, Bogaert, Coffin, Collins, Dini, DuBois, Fairchild, Francis, Getto, Ham, Horne, Humke, Jeffrey, Joerg, Kerns, Lambert, Little, McGaughey, Malone, Marvel, Nevin, Nicholas, O'Donnell, Price, Rader, Roberts, Sader, Schofield, Sedway, Spriggs, Stone, Swain, Tebbs, Thomas, Thompson, Williams and Zimmer.

Mr. Secretary of State appointed Assemblymen Bogaert, Bilyeu, Francis, Joerg, Dini, Jeffrey and Sader as a temporary Committee on Legislative Functions.

Assembly in recess at 12:05 p.m.

ASSEMBLY IN SESSION

At 12:25 p.m.
Mr. Secretary of State 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 41 persons have been and are duly elected and qualified Members of the Assembly of the 63rd Session of the Legislature of the State of Nevada: Assemblymen Arberry, Banner, Bergevin, Beyer, Bilyeu, Bogaert, Coffin, Collins, Dini, DuBois, Fairchild, Francis, Getto, Ham, Horne, Humke, Jeffrey, Joerg, Kerns, Lambert, Little, McGaughey, Malone, Marvel, Nevin, Nicholas, O'Donnell, Price, Rader, Roberts, Sader, Schofield, Sedway, Spriggs, Stone, Swain, Tebbs, Thomas, Thompson, Williams and Zimmer.

BRUCE R. BOGAERT, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Bogaert moved the adoption of the report.
Motion carried unanimously.

Mr. Secretary of State appointed Assemblymen Malone and Sader as a committee to escort Chief Justice Charles E. Springer of the Supreme Court of the State of Nevada to the rostrum to administer the oaths of office to the Assemblymen.

Chief Justice Springer administered the oaths of office to the Assemblymen.

Assemblyman DuBois moved that Chief Justice Springer 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 Arberry, Banner, Bergevin, Beyer, Bilyeu, Bogaert, Coffin, Collins, Dini, DuBois, Fairchild, Francis, Getto, Ham, Horne, Humke, Jeffrey, Joerg, Kerns, Lambert, Little, McGaughey, Malone, Marvel, Nevin, Nicholas, O'Donnell, Price, Rader, Roberts, Sader, Schofield, Sedway, Spriggs, Stone, Swain, Tebbs, Thomas, Thompson, Williams and Zimmer.

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 Getto nominated Assemblyman Bilyeu for Speaker.

Remarks by Assemblyman Getto.

Assemblyman Thomas moved that nominations be closed.

Motion carried unanimously.

Mr. Secretary of State declared Assemblyman Bilyeu to be Speaker of the Assembly.

Mr. Secretary of State appointed Assemblymen Joerg and Jeffrey as a committee to escort Mr. Speaker to the rostrum.

Mr. Speaker presiding.

Assemblyman Nicholas 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 Thompson and Zimmer 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 Francis requested that Mr. Speaker's remarks be entered in the Journal.

This is probably one of the most nervous moments of my life. My remarks will be brief. I am very pleased to see the Chief Justice of the Nevada Supreme Court not only administer the oath but explain the oath—to go behind the mere words. If each of us in this chamber takes that oath of office to heart then we will serve the people of the State of Nevada well. It is popular these days, I guess, to blame many of the ills of the world on government and certainly members who serve in government are not too well regarded. I know that this assembled body has the capability and the individuals within it have the capability to make the 63rd Session of the Nevada Assembly restore some of that confidence the public has lost. I would say to each of you, and I pledge to you, that I will work hard and hope that you will work hard. If each of us keeps in mind that the only special interest that really counts in the State of Nevada are the people of the State of Nevada, then we will have done what we elected to do. Thank you very much.

Mr. Speaker declared that nominations were in order for Speaker pro Tempore.

Assemblyman Bergevin nominated Assemblyman Joerg for Speaker pro Tempore.

Assemblyman Beyer moved that nominations be closed.

Motion carried unanimously.

Mr. Speaker declared Assemblyman Joerg to be Speaker pro Tempore of the Assembly.

Remarks by Mr. Speaker pro Tempore.

Mr. Speaker declared that nominations were in order for Chief Clerk.

Assemblyman Bogaert nominated Mrs. Mouryne B. Landing to be Chief Clerk.

Assemblyman Banner moved that nominations be closed.

Motion carried unanimously.

Mr. Speaker declared Mrs. Mouryne B. Landing to be the Chief Clerk of the Assembly.

Mr. Speaker appointed Assemblymen Nicholas, Humke and Dini as a committee to inform the Senate that the Assembly was organized and ready for business.

Mr. Speaker appointed Assemblymen Joerg, Stone and Collins as a committee to inform the Governor that the Assembly was organized and ready for business.

Assemblyman Kerns 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: Thomas Gardner, Martin Griffith, Brendan Riley, John Roll, ASSOCIATED PRESS; Mel Steninger, Rex Steninger, ELKO DAILY FREE PRESS; Stephanie Hanna, Mark Lenz, ELKO INDEPENDENT; Sandi Wright, Gary Lowe, Tom Wixon, Steve Falcone, Joyce Hollister, Joe Lowell, GARDNERVILLE RECORD-COURIER; Gwen Bogh, Sharon Donaldson, HUMBOLDT SUN; Mark Fierro, Kevin Ross, KLAS-TV, LAS VEGAS; Gordon Chinn, Dick Dewitt, Phil Cook, Bruce Leshan, Gary Teixoto, KCRL-TV, RENO; Ray Gardner, Stu Rider, KELK-RADIO, ELKO; Rhonda McBride, KOH-RADIO, RENO; Tom Ainsworth, Patrice Bingham, Greg Koelsgen, KOLO-RADIO, RENO; Tom Ainsworth, Larry Blitstein, Scott Froid, Robyn Sherman, Karen Zupon, Dean Vallas, Charles Weiner, KOLO-TV RENO; Howard Cadot, Craig Swope, KPTL-RADIO, CARSON CITY; Michael Hagarty, Jeff Maglish, KTNV-TV, LAS VEGAS; Chris Carter, Dennis Myers, Taryn Huestis, Craig Cannon, Chip Baker, Terry Russell, Andy Culpepper, Tony Koveleski, John Tyson, Elizabeth Vargas, Sharon Spangler, Bill Brown, KTVN-TV, RENO; Darwin Morgan, Rich Smith, KVBC-TV, LAS VEGAS; John Hayes, Clyde Weiss, DONREY NEWS BUREAU; Lisa Riley, LAS VEGAS REVIEW-JOURNAL; Mary O'Driscoll, LAS VEGAS SUN; Patt Quinn-Davis, Myles Eshelman, Mary Greeley, Donald Ham, Marianna Haun, Dorothy Kosich, Sue Morrow, Lisa Smith, Anne Pifine, NEVADA APPEAL, CARSON CITY; Roseannne DeCristoforo, NEVADA STATE RECORDER; Christine Dufour, Chris Fotheringham, Dave Trussell, Kim Zaski, NORTH LAKE TAHOE BONANZA; Travis T. Hipp, RAWHIDE REALITIES REVIEW-RADIO, CARSON CITY; Guy Shipler, SACRAMENTO BEE; Lee Adler, Larry Henry, Rodney Foo, Steve Papinchek, Kate Santich, Jim Sloan, RENO GAZETTE-JOURNAL; Linda Bowen, David Hoffman, TAHOE DAILY TRIBUNE; Geoff Dornan, Ruth Mills, SPARKS TRIBUNE; Beth Davidson, Jon Paul Davidson, TRIVIDEO TELEPRODUCTION; Gwen Buffington, Cy Ryan, Russ Nielson, UNITED PRESS INTERNATIONAL; Bob Patrick, Donald S. Williams, PRODUCTION COMPANY-NEWS SERVICE DIVISION, LAS VEGAS.

Motion carried.

A committee from the Senate composed of Senators Mello, Vergiels and O'Connell appeared before the bar of the Assembly and announced that the Senate was organized and ready for business.

Assemblyman Nicholas reported that his committee had informed the Senate that the Assembly was organized and ready for business.

Assemblyman Joerg reported that his committee had informed the Governor that the Assembly 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 for the purpose of hearing The Honorable Dan Flammer, Mayor of Carson City.

Assembly in recess at 1:07 p.m.

ASSEMBLY IN SESSION

At 1:11 p.m.
Mr. Speaker presiding.
Quorum present.

MESSAGES FROM THE SECRETARY OF STATE

STATE OF NEVADA

DEPARTMENT OF STATE

CARSON CITY, NEVADA, January 21, 1985

HONORABLE BYRON BILYEU, *Speaker of the Nevada Assembly,* Legislative Building, Carson City, Nevada 89710

DEAR MR. SPEAKER:

In accordance with NRS 293.427, I delivered herewith a statement of contest and supporting material regarding Assembly Seat No. 20.

If this office can be of further assistance in this matter please contact me.

Very truly yours,

WM. D. SWACKHAMER
Secretary of State

Mr. Speaker announced the following Select committee assignment, the first-named member of the committee being the chairman: Select Committee on Credentials—

Assemblymen Dini, Arberry, Banner, Coffin, Collins, Jeffrey, Little, Nevin, Price, Roberts, Sader, Schofield, Sedway, Swain, Thompson and Williams.

Mr. Speaker instructed the Chief Clerk to deliver the appropriate documents pertaining to the Contest of Election between Robert G. Craddock and Jack Regan, which were transmitted to the Assembly by the Secretary of State with his letter of January 21, 1985 to the Select Committee on Credentials.

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 2:51 p.m.

Mr. Speaker presiding.

Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Credentials has had under consideration the contest filed against the election of Mr. Robert Craddock; has heard the statements of (1) the contestant and his counsel, (2) Mr. George Ullom, the registrar of voters of Clark County, and (3) Mr. Craddock; and recommends that Mr.Craddock be seated as the elected assemblyman from District No. 20.

JOSEPH E. DINI, JR., *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Dini moved the adoption of the report.

Motion carried unanimously.

Mr. Speaker appointed Assemblymen Malone and Sader as a committee to escort Chief Justice Charles E. Springer to the rostrum to administer the oath of office to the Assemblyman.

Chief Justice Springer administered the oath of office to the Assemblyman.

Assemblyman DuBois moved that Chief Justice Springer 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 Arberry, Banner, Bergevin, Beyer, Bogaert, Coffin, Collins, Craddock, Dini, DuBois, Fairchild, Francis, Getto, Ham, Horne, Humke, Jeffrey, Joerg, Kerns, Lambert, Little, McGaughey, Malone, Marvel, Nevin, Nicholas, O'Donnell, Price, Rader, Roberts, Sader, Schofield, Sedway, Spriggs, Stone, Swain, Tebbs, Thomas, Thompson, Williams, Zimmer and Mr. Speaker.

MESSAGES FROM THE GOVERNOR

STATE OF NEVADA

EXECUTIVE CHAMBER

CARSON CITY, NEVADA, January 21, 1985

ASSEMBLYMAN BYRON BILYEU, *Speaker of the Nevada Assembly,* Legislative Building, Carson City, Nevada 89710

DEAR ASSEMBLYMAN BILYEU:

I would be pleased to address the 63rd Legislature in joint session to deliver my State of the State message on January 23rd, 1985, at 7:00 p.m.

Sincerely,

RICHARD H. BRYAN
Governor of Nevada

MESSAGES FROM THE SECRETARY OF STATE

STATE OF NEVADA

DEPARTMENT OF STATE

CARSON CITY, NEVADA, January 21, 1985

HONORABLE BYRON BILYEU, *Speaker of the Nevada State Assembly,* Assembly Chamber, Legislative Building, Carson City, Nevada 89710

DEAR MR. SPEAKER:

In compliance with the laws of the State of Nevada, I return herewith Assembly Joint Resolution No. 16 of the 62nd session for the consideration of the houses.

Very truly yours,

WM. D. SWACKHAMER
Secretary of State

STATE OF NEVADA

DEPARTMENT OF STATE

CARSON CITY, NEVADA, January 21, 1985

HONORABLE BYRON BILYEU, *Speaker of the Nevada State Assembly*, Assembly Chamber, Legislative Building, Carson City, Nevada 89710

DEAR MR. SPEAKER:

In compliance with Nevada law, please find enclosed Assembly Bill 86 of the 62nd session, which was vetoed by Governor Bryan.

The Governor's veto message is also enclosed.

Very truly yours,

WM. D. SWACKHAMER
Secretary of State

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, January 21, 1985

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.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblyman Francis:

Assembly Resolution No. 1—Adopting standing rules of the assembly for the 63rd session of the legislature.

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, That the Assembly Standing Rules as amended by the 62nd session are adopted, with the following changes, as the Standing Rules of the Assembly for the 63rd session of the legislature:

1. Rule 6 is hereby repealed and its number reserved for future use.
2. Rule 40 is hereby amended to read as follows:

40

Standing Committees.

The standing committees of the Assembly [shall be] *are* as follows:

1. Ways and Means, thirteen members.
2. Judiciary, [eleven] *thirteen* members.
3. Taxation, eleven members.
4. Elections, seven members.
5. Education, [seven] *nine* members.
6. Legislative Functions, [nine] *seven* members.

7. Natural Resources, [Environment and] Agriculture [,] *and Mining,* seven members.
8. Labor and Management, nine members.
9. Transportation, [eleven] *nine* members.
10. Commerce, thirteen members.
11. Economic Development [,] *and* Tourism , [and Mining,] nine members.
12. Health and Welfare, [nine] *seven* members.
13. Government Affairs, [eleven] *thirteen* members.

3. Rule 41 is hereby amended to read as follows:

41

Appointment of Committees.

Except as *otherwise* provided in [Assembly Standing Rules 23 and 101,] *Rule 23,* all committees [shall] *must* be appointed by the Speaker, unless otherwise directed by the Assembly. The Speaker shall designate the chairman *and vice-chairman* of each committee. [The Chairman shall appoint one member as vice-chairman with the permission of the Speaker.]

4. Rule 44 is hereby amended to read as follows:

44

Committee on Legislative Functions.

The Committee on Legislative Functions has jurisdiction over matters relating to personnel. It shall recommend by resolution the appointment of all attachés and employees of the Assembly not otherwise provided for by law. It [shall have authority to] *may* suspend *or remove* any such attaché or employee for incompetency or dereliction of duty . [, pending final action by the Assembly.] It shall function as the Committee on Rules and as the Committee on Credentials of the Assembly.

5. Rules 101 and 107 are hereby repealed and their numbers reserved for future use.
6. Rule 108 is hereby added to read as follows:

After a bill or resolution is introduced, unless the Assembly acts upon it without referral, it must lie on the Chief Clerk's desk until the next legislative day before it may be referred to a committee.

7. Rule 120 is hereby amended to read as follows:

120

Order of Business.

The [Order of Business shall] *order of business must* be as follows:

1. Roll Call.
2. Reading and Approval of Journal.
3. Presentation of Petitions.
4. Reports of Standing Committees.
5. Reports of Select Committees.
6. Messages from the Governor.
7. Messages from the Senate.
8. Motions, Resolutions and Notices.
9. Introduction [,] *and* First Reading [and Reference.] *of Legislative Measures.*
10. *Reference of Measures to Committees.*
11. Consent Calendar.

[11.] *12.* Second Reading and Amendment.
[12.] *13.* General File and Third Reading.
[13.] *14.* Unfinished Business of Preceding Day.
[14.] *15.* Special Orders of the Day.
[15.] *16.* Remarks from the Floor, limited to ten minutes.

Assemblyman Francis moved the adoption of the resolution.

Remarks by Assemblymen Coffin, Francis and Dini.

Resolution adopted.

Assemblyman Joerg moved that the Standing Rules of the Senate and Assembly of the Sixty-second Session, as amended, be adopted by the Assembly of the Sixty-third Session.

Motion carried unanimously.

By the Committee on Judiciary:

Assembly Joint Resolution No. 16 of the 62nd 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, limiting the appointment of justices and judges to the commission, 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] *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;

(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.*

6. Before adopting, amending or repealing any such rule, the commission or 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 the commission takes action or the entry of the court's order embodying its action.

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 made after the public hearing 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.

By Assemblyman Bogaert:

Assembly Resolution No. 2—Providing allowances to the leaders and other members of the assembly for periodicals, stamps, stationery and communications.

Assemblyman Francis moved the adoption of the resolution.

Resolution adopted.

By Assemblyman Bogaert:

Assembly Resolution No. 3—Providing for the appointment of attachés.

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, That the following persons are elected as attachés of the assembly for the 63rd session of the legislature of the State of Nevada: Carol L. Moore, Joan Anderson, Amy Phelps, Linda Corbett, R. J.

Clason, Gus K. West, Todd Westergard, Christy Canatsey, Greg Gardella, Ramona Yeary Jones, Maxine Morrison, Terry Carmona, Gina Kangas, Diane Kerrigan, Evelyn Larkin, Evelyn Shewan, Henry E. Gardner, Charles L. Daniels, William Marks, Wilfred J. Wick, Lavelle Johnson, Sally Dunfield, Nancy Dickson, Morse Burley, Sylvia Campbell, Mary Carel, Ed Cordisco, Charlene Ethridge, Martha Laird, Jack Loy, Jane Mathis, Shanna Pozzi, Jane Ternau, Harold B. Wright, Pat Hatch, Erma Hewitson, Heather Anderson, Nancy Brown, Darlene Cain, Jeanne Church, Sandra Hines, Grace Jay, Jean Kvam, Gloria Lohner, C. J. McGraw, Janet Murino, Deborah Redican, Marjorie Robertson, Judy Sappenfield, Colleen White, Deborah Zuspan, Jeanie Davis, Jody Dunn, Elaine Fisher, Ila Glaze, Kay Graves, Verna Koerting, Yhvona Martin, Gladys Nemeth, Charise Selover and Christine Shaw.

Assemblyman Joerg moved the adoption of the resolution.

Resolution adopted.

INTRODUCTION AND FIRST READING OF LEGISLATION

By Assemblyman Getto:

Assembly Bill No. 1— An Act to amend an act entitled "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," approved May 23, 1983.

Senate Bill No. 1.

Assemblyman Francis 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.

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—

DuBois, Thomas, Bogaert, Fairchild, Francis, Kerns, Tebbs, Collins, Jeffrey, Schofield, Sedway, Thompson, Williams.

ECONOMIC DEVELOPMENT AND TOURISM—

Humke, Tebbs, Fairchild, Lambert, Rader, Arberry, Craddock, Price, Roberts.

EDUCATION—

Beyer, Malone, Ham, Lambert, McGaughey, Arberry, Craddock, Sedway, Swain.

ELECTIONS—

Ham, Lambert, DuBois, Stone, Coffin, Sader, Swain.

GOVERNMENT AFFAIRS—

Bergevin, Kerns, Bogaert, Horne, Lambert, McGaughey, Spriggs, Banner, Collins, Craddock, Price, Schofield, Thompson.

HEALTH AND WELFARE—
Nicholas, Humke, Fairchild, O'Donnell, Banner, Little, Nevin.

JUDICIARY—
Stone, Joerg, Ham, Malone, O'Donnell, Rader, Zimmer, Arberry, Little, Roberts, Sader, Swain, Williams.

LABOR AND MANAGEMENT—
Zimmer, Francis, Bogaert, Horne, O'Donnell, Jeffrey, Nevin, Thompson, Williams.

LEGISLATIVE FUNCTIONS—
Bogaert, Bilyeu, Francis, Joerg, Dini, Jeffrey, Sader.

NATURAL RESOURCES, AGRICULTURE AND MINING—
Getto, Spriggs, Marvel, Nicholas, Dini, Little, Schofield.

TAXATION—
Joerg, Horne, Bergevin, Francis, Spriggs, Zimmer, Coffin, Collins, Price, Roberts, Williams.

TRANSPORTATION—
Malone, McGaughey, Beyer, Rader, Stone, Banner, Dini, Nevin, Price.

WAYS AND MEANS—
Marvel, Thomas, Beyer, DuBois, Getto, Humke, Nicholas, Tebbs, Coffin, Dini, Jeffrey, Nevin, Sedway.

MAJORITY FLOOR LEADER—
Steven C. Francis.

ASSISTANT MAJORITY FLOOR LEADER—
Bob L. Kerns.

MINORITY FLOOR LEADER—
Joseph E. Dini, Jr.

ASSISTANT MINORITY FLOOR LEADER—
John E. (Jack) Jeffrey.

GENERAL FILE AND THIRD READING

Senate Bill No. 1.

Bill read third time.

Roll call on Senate Bill No. 1:

YEAS—42.

NAYS—None.

Senate Bill No. 1 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Francis moved that vetoed Assembly Bill No. 86 of the 62nd Session be made a Special Order of Business for Tuesday, January 29, 1985, at 11:15 a.m.

Motion carried.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Horne, the privilege of the floor of the Assembly Chamber for this day was extended to Mesdames Jan Horne, Jeff Whittle, Mr. Jeff Whittle, Mr. Chris Horne, Misses Leslie Horne and Denise Horne.

On request of Assemblyman Humke, the privilege of the floor of the Assembly Chamber for this day was extended to Mesdames Wilma Humke and Carol Humke, Misses Jennifer Humke and Elizabeth Humke.

On request of Assemblyman Swain, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. K. Gregory, Brandon Gregory, Ryan Townley Swain, Mr. and Mrs. Galen Denio, Misses Maria Ruth Denio, Elena Ann Denio and Gloria Jean Denio.

On request of Assemblyman Kerns, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Ruth Kerns.

On request of Assemblyman Nicholas, the privilege of the floor of the Assembly Chamber for this day was extended to Mesdames Kay Lee Nicholas and Isabel Poppenhagen, Ms. Annie Bidart, Ms. Pam Heffner and Miss Lisa Nicholas.

On request of Assemblyman Nevin, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Cindy Creighton Nevin and Mr. Thomas Hadlock.

On request of Assemblyman Schofield, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. James W. Schofield.

On request of Assemblyman Thomas, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Ingrid Thomas, Misses Lise-Marie Thomas and Erika Doring.

On request of Assemblyman Bergevin, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Luetta Bergevin.

On request of Assemblyman Marvel, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Willie Marvel and Ms. Sharon Andreasen.

On request of Assemblyman Dini, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Jeanne Dini, Messrs. David Dini and Greg Huniewill.

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, Miss Lisa Beyer, Mrs. E. Vaughn Abbott, Ms. Wanda Abbott, Mrs. Janet Murino and Mr. Scott Bogatz.

On request of Assemblyman Collins, the privilege of the floor of the Assembly Chamber for this day was extended to Mesdames Ruby Collins and Maxie Robinson and Ms. Ruth Shelby.

On request of Assemblyman Sedway, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Kim Sedway and Ms. Cherlin Cantor.

On request of Assemblyman Malone, the privilege of the floor of the Assembly Chamber for this day was extended to Mesdames Victoria Tankavich and Terri Malone, Ms. Grace Jay and Ms. Danae Robjohn.

On request of Assemblyman Little, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Sheryl Jeannette Frazier.

On request of Assemblyman Bogaert, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Candy Bogaert, Ms. Violet Gaugh, Messrs. Forrest Encoe, John Encoe, Ms. September Encoe and Mr. Brad Littlefield.

On request of Assemblyman Arberry, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Carol I. Arberry.

On request of Assemblyman Banner, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Alice Banner, Ms. Nancy Banner and Lynne Volpi.

On request of Assemblyman DuBois, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Judith DuBois.

On request of Assemblyman Fairchild, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Jean Fairchild, Messrs. Jerrid Fairchild, Jesse Fairchild and Ms. Jacquelyn Fairchild.

On request of Assemblyman Ham, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Marilyn Gubler and Mr. Mark Dorsten.

On request of Assemblyman Joerg, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Sandra Joerg, Ms. Stacie Joerg and Mr. Alan Joerg.

On request of Assemblyman O'Donnell, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Mary O'Donnell, Misses Meagan O'Donnell, Colleen O'Donnell, Mr. Patrick O'Donnell and Ms. Lisa Graitge.

On request of Assemblyman Stone, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Gayle Stone, Ms. Heather Stone, Ms. Dolly Williams and Mr. Chuck Williams.

On request of Assemblyman Lambert, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Greg Lambert, Ken Lambert, Rick Lambert, Mr. Cliff Rich and Mrs. Del Rich.

On request of Assemblyman McGaughey, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. James Wm. McGaughey, III and Ms. Genny Hamlin.

On request of Assemblyman Williams, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. David Williams and Ms. Renee Diamond.

On request of Assemblyman Zimmer, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Sally Vitkus.

Assemblyman Francis moved that the Assembly adjourn until Tuesday, January 21, 1985 at 11 a.m.

Motion carried.

Assembly adjourned at 3:29 p.m.

Approved: BYRON L. BILYEU
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE SECOND DAY

CARSON CITY (Tuesday), January 22, 1985

Assembly called to order at 11:04 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, Father Sam Caldwell.

Almighty God, we give You thanks for the privilege of being here to serve the people of this beautiful part of Your creation—our beloved State of Nevada. Help us always to make decisions that are moral, just and equitable to all those who we have been elected to serve. Help us always to do those things which are in accordance with Your divine law. Help us always to be the masters of ourselves so that we can be servants to others. Finally, we pray that You keep us mindful that we are here, not to be served, but to serve those who have entrusted us with great responsibility. We ask this in the name of Him who gave us the example of true servanthood, Jesus Christ, our Lord. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Francis 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.

REFERENCE OF MEASURES TO COMMITTEES

Assembly Bill No. 1.

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

Motion carried.

Assembly Joint Resolution No. 16 of the 62nd Session.

Assemblyman Stone moved that the resolution be referred to the Committee on Judiciary.

Motion carried.

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 Mrs. Ruth Hazard.

On request of Assemblyman Beyer, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Julie Draper.

On request of Assemblyman Joerg, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Jim Thompson.

On request of Assemblyman Zimmer, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Bryan Schulz.

On request of Assemblyman Marvel, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Willie Marvel.

On request of Assemblyman Getto, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Michele Prlich.

On request of Assemblyman Swain, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Leslie Fritz.

On request of Assemblyman Price, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Michael Richardson.

On request of Assemblyman Kerns, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Mark Weisberger.

On request of Assemblyman Bogaert, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Bradford T. Littlefield, Ms. Janine Hansen Triggs and Mr. Frank J. Frushon.

Assemblyman Francis moved that the Assembly adjourn until Wednesday, January 23, 1985 at 11 a.m.

Motion carried.

Assembly adjourned at 11:14 a.m.

Approved:

BYRON L. BILYEU
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE THIRD DAY

CARSON CITY (Wednesday), January 23, 1985

Assembly called to order at 11:04 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, Father Sam Caldwell.

Almighty God, source of all this is, we pray that You grant us the courage to change those things that should be changed and can be changed; grant us the graciousness to accept those things which should not, or cannot, be changed; and grant us the wisdom to know the difference. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Francis moved that further reading of the Journal be dispensed with, and the Speaker and Chief Clerk be authorized to make the necessary corrections and additions.

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen Bogaert, Bergevin, Joerg, Nicholas, Coffin, DuBois, Lambert, Dini, Thompson, Ham, Nevin, Zimmer, Swain, Tebbs, Spriggs, Banner, Rader, O'Donnell, Fairchild, Marvel, Sedway, Malone, Price, Little, Kerns, Jeffrey, Williams, Beyer, Schofield, Collins, Francis, Horne, Humke, Craddock, Sader, Roberts, Getto, Stone, Arberry, Bilyeu, McGaughey and Thomas:

Assembly Concurrent Resolution No. 1—Expressing support for the Reno/Tahoe Winter Games Organizing Committee, Inc. in its efforts to bring the Winter Olympics to Lake Tahoe.

Assemblyman Bogaert moved the adoption of the resolution.

Remarks by Assemblyman Bogaert.

Resolution adopted.

INTRODUCTION AND FIRST READING OF LEGISLATION

By Assemblymen Banner, Thompson and Williams:

Assembly Bill No. 2—An Act relating to a veterans' cemetery; authorizing the deputy commissioner for veteran affairs to establish, operate and maintain a veterans' cemetery; specifying eligibility requirements for burial; creating an account for the veterans' cemetery; and providing other matters properly relating thereto.

By Assemblymen Banner and Thompson:

Assembly Bill No. 3—An Act relating to industrial insurance; allowing nonlawyers to represent parties before a hearing officer; and providing other matters properly relating thereto.

By the Committee on Judiciary:

Assembly Bill No. 4—An Act relating to estates of decedents; requiring payment of interest on pecuniary legacy which is not distributed by a certain date; and providing other matters properly relating thereto.

By Assemblyman Stone:

Assembly Bill No. 5—An Act relating to motor vehicles; 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.

By Assemblyman Sader:

Assembly Bill No. 6—An Act relating to the Uniform Commercial Code; adopting revisions to article 8 concerning investment securities which are not represented by certificates; and providing other matters properly relating thereto.

By Assemblyman Sader:

Assembly Bill No. 7—An Act relating to transfers to minors; adopting the uniform act on such transfers; and providing other matters properly relating thereto.

By Assemblyman Sader:

Assembly Bill No. 8—An Act relating to the determination of death; adopting a uniform act; and providing other matters properly relating thereto.

By Assemblymen Swain, Nicholas and Stone:

Assembly Bill No. 9—An Act relating to taxes ad valorem; correcting an obsolete reference to the former Nevada Art Gallery, Inc.; and providing other matters properly relating thereto.

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblyman Malone:

Assembly Concurrent Resolution No. 2—Directing the legislative commission to study the feasibility of contracting with private corporations to operate prisons, jails and other correctional facilities.

Assemblyman Francis moved that the Assembly recess until 6:40 p.m.

Motion carried.

Assembly in recess at 11:24 a.m.

ASSEMBLY IN SESSION

At 6:46 p.m.

Mr. Speaker presiding.

Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

Mr. Speaker appointed Assemblymen Malone and Schofield 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 Marvel and Banner to escort the President pro Tempore of the Senate to the rostrum.

Mr. Speaker appointed a Committee on Escort consisting of Assemblymen Getto and Price to escort the President of the Senate to the rostrum.

Assemblyman Malone 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 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 6:52 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.

The President of the Senate appointed a Committee on Escort consisting of Senator Neal and Assemblyman DuBois 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 Hickey and Assemblyman Tebbs 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 Charles E. Springer, Justice E. M. Gunderson, Justice John C. Mowbray, Justice Thomas L. Steffan and Justice C. Clifton Young 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 Speaker of the Assembly 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 SIXTY-THIRD SESSION, 1985

January 23, 1985

Mr. President, Mr. Speaker, Distinguished Members of the Legislature, My Fellow Nevadans:

Tonight marks a departure from the usual "State of the State" speech. Like any Governor, and especially as a former colleague of yours, I am deeply honored to be here with you.

I am not, however, going to take a lot of your time this evening reciting all of the accomplishments of my administration, although I am proud of what we, together, have helped Nevada achieve in economic development, tourism, and in restoring the State's sound financial condition.

Instead, tonight I'm going to concentrate on the goals which we together must attain in order to fulfill our commitment to future generations of Nevadans.

At the outset I want to set the stage by stating my view of our relationship and how I view our respective roles.

My job is to be Governor, to manage the Executive Branch of state government, to run its day-to-day affairs, to make recommendations to you, and to ask you to enact necessary legislation.

I realize that's elementary, but I think it needs restating if only to clarify what it is not. As Governor, I cannot pass laws, set tax rates or make appropriations. Those are your jobs.

However, I strongly believe that the proposals I present this evening are in the best interests of our State.

The budget I submit is the product of long, hard, painful hours of work. I pledge to work with you as you deliberate upon it.

In the heat of debate, the respect we have for each other and our roles in the legislative process may be obscured. The right to disagree is, of course, a fundamental part of our job.

And it's also part of the job of lobbyists and the press. Each may be critical of us and each other. Special interests will ask for more, more than they can hope to get and more than the State can give.

All those charges and counter-charges will be duly and appropriately reported, but what Nevadans really care about are the results.

I've weighed very carefully, as every Governor must, what we can and should do. I am determined to achieve all we can.

Let me then turn to my first priority—our children, their protection, and their education.

PROTECTING OUR CHILDREN

Nevada's future can only be as bright as its children's future. And these hopes for a bright future must not be dimmed by the alarming increase of child abuse and neglect.

Since 1976 Nevada has experienced an increase of more than 400 percent in reports of the maltreatment of children.

Under existing law the definitions of child abuse and neglect are vague and court hearings are frequently delayed.

I am proposing a comprehensive child protection act. This proposal has been carefully developed over the past 18 months by my administration in cooperation with other professionals in the field of child abuse and neglect. This legislation strikes a balance between the legitimate rights of parents and the protection of children.

It will for the first time consolidate in one agency the responsibility for coordinating and monitoring child protection services throughout the State. It also streamlines the judicial process to require a hearing within 72 hours after a child is placed in protective custody.

In addition, I am proposing the establishment of a statewide, toll-free, twenty-four hour a day hotline to receive reports of child abuse and neglect.

1985 is the International Year of the Child. Let Nevada's response be the enactment of this vital legislation to protect our families.

EDUCATING OUR CHILDREN

If we fail to prepare our children for the growing challenges of an increasingly complex world, we will be unable to sustain our present level of prosperity or to fully enjoy the benefits of the new technology of the future.

The competition that today's students will face in their adult careers is international in scope. Our educational system in Nevada, good as it is, must be capable of responding to this new challenge.

It is for that reason I commend to your attention the report of the Governor's Commission on Educational Excellence. Included among its recommendations are increased graduation requirements for students, competency testing for new teachers and to ensure that our tax dollars are being spent wisely, a performance report card for each school in Nevada.

Nevada is fortunate to have outstanding teachers—for it is in the classroom where the spark of learning is ignited. I am recommending that Nevada's teachers receive an 11 percent salary increase in the first year biennium and an additional 4 percent in the second year. And for the first time in history, the budget which I am submitting will make these salary increases retroactive to January 1, 1985. For the average teacher this will mean a one-time check of aproximately $1,250.

Important as these increases are they are but the first step in a long-range plan to make the salaries for Nevada's teachers rank in the top 10 in the Nation. As a further step I urge your support once again for the Estate Tax Credit Amendment to our Constitution introduced by Senator Mello. If approved by you and a vote of our citizens, it will provide additional long-term funding for education.

My budget also includes a $10 million appropriation to upgrade local school district's equipment, including the purchase of computers and vocational equipment, and $6 million in each year of the biennium for program development. These funds could be used to increase graduation requirements, purchase textbooks, or reduce student teacher ratios.

In recognizing the State's responsibility to provide financial support for the educational needs of Nevada's special children, those with learning disabilities, the physically handicapped, the mentally retarded, and the academically talented I am recommending a 23.9 percent increase in funding for special education, the largest percentage in nearly 10 years and the largest dollar increase since the program was established.

THE UNIVERSITY OF NEVADA SYSTEM

We all share a common aspiration in providing a secure economic future for ourselves and our families. Broadening our economic base and diversifying our economy are public policy imperatives which this administration is committed to pursue. Linked inextricably to this goal is our University System, our two University campuses—the community college system and the Desert Research Institute.

Our success in claiming for Nevada a fair share of this new technology will be dependent upon how we assign our priorities within the University System.

Tonight, I ask your support for the funding of a $15 million new school of engineering at UNLV.

To strengthen existing engineering programs in the University System, I am submitting for your approval the entire University system-wide request for engineering and technical education—including $7 million for new equipment and reduced student faculty ratios which directly influence the quality of education.

By your approval of these requests you help to send a powerful message that Nevada is committed to achieving excellence in engineering education and in satisfying all accreditation requirements.

In addition, I am requesting that salaries for all University System personnel be increased by 11 percent in the first year of the biennium and 4 percent in the second. In another historic first I am recommending that these salary increases be made retroactive until January 1, 1985. I have also included merit salary increases for faculty members for the first time.

Recognizing the vital role commmunity colleges play in Nevada's educational future, I am recommending construction of major additions at Truckee Meadows Community College in Reno and the Northern Nevada Community College in Elko.

I also propose funding of $493,136 for the Desert Research Institute to monitor urban air pollution and maintain weather modification equipment.

These recommendations, important as they are, constitute but a single step in our educational journey. Continued improvement in our student-faculty ratios and enhanced faculty compensation are important elements of our educational plan for the decades ahead.

Nevada schools, elementary, secondary, and higher education, represent our single largest investment of public funds. In 1984 we allocated 54 percent of the general fund to support all levels of education. I am recommending an additional $114.4 million over the next two years. The result is a 25 percent increase over existing funding levels. Of the new general fund money contained in this budget, 75 cents of each one dollar is invested in education.

This budget dedicates nearly 59 percent of all general fund expenditures to education, clearly reflecting my priority.

ECONOMIC DEVELOPMENT

One of the remarkable success stories over the past two years, which I would like to share with you, has been our achievements in economic diversification. It is a goal which has galvanized Nevada's support—north and south, east and west, rural and urban, Democrat, Republican and Independent alike.

Your response to my recommendation for restructuring our Economic Development agency, including a broad statutory mandate and significant new funding, has played a key role. Local economic development authorities, working in concert with the newly reorganized Economic Development Commission, have enjoyed the most successful year in Nevada history—66 new or expanded industries which will generate more than 8,000 new jobs for Nevada's workers with an annual payroll of over $100 million. These primary jobs will account for another 20,000 new jobs throughout the State's economy.

Nowhere has the public-private partnership in our quest for new business been better exemplified than in the 1984 special session to change Nevada's banking law. In less than a year from the date of your legislative action, Citicorp will have completed the first phase of its capital construction program and will have made substantial progress on its commitment of 1,000 new jobs for our economy.

In Northern Nevada, internationally recognized companies such as Porsche and Salomon Ski have relocated in the Truckee Meadows, attracted here in part by their faith in the working relationship forged by men and women in the public and private sectors who share a common vision for the future of our State.

Rural Nevada's efforts to attract new industry have been strengthened by the assistance of the professional staff of the Economic Development Commission, providing technical assistance to local communities, and by the infusion of $207,000 in grants, a 430 percent increase over the previous biennium!

One of our biggest successes in economic development has been the promotion of motion picture and television productions in Nevada. We have grown from $5.6 million in production dollars spent in Nevada in 1983 to more than $20 million already spent in the current fiscal year. This month, there are five productions on location in Nevada. We look for continued growth and the opening of actual production facilities in Nevada.

Our efforts at the State level to attract new industry are not part of an isolated effort. Rather they are part of a coordinated effort—conducted through the Interagency Coordinating Council. I am much in your debt for your passage of this carefully crafted piece of legislation in 1983. As a testament to its effectiveness I cite the experience of the past year.

Opportunities abound for us in Nevada and, as Senator Laxalt recently advised, a state office in our Nation's Capital would greatly enhance Nevada's prospects for capturing millions of dollars in government grants and contracts, as well as providing access to key defense industries and the international business community. Heeding the experience of our Senior Senator, and believing as he does that such an office will assist us in bringing our economic development message to the East Coast, I am recommending the establishment of a Nevada state office in Washington, D.C.

Nevada has yet to realize the full potential of our Nation's expanding trade ties with countries in the Pacific Rim. As an incentive to encourage Nevada firms to enter export markets, I ask your support for an Export Finance Bill sponsored by Senator Wilson which would enable the State to issue bonds to finance exports by Nevada companies, thereby enabling many smaller companies to enter this growing area.

To pave the way for new business or old business which must make large purchases of capital equipment I am recommending an extended interest free sales and use tax payment schedule for large purchases of capital equipment. This will reduce the startup cost to businesses without appreciably reducing state or local revenues from sales taxes.

Last year the State issued $200 million in state housing bonds making affordable single family housing a reality for 2,600 Nevada families. The bonding authority must be enlarged in order for this program to continue.

GAMING CONTROL

Gaming continues to be Nevada's primary industry. It accounts for 44 percent of the money needed to provide the essential services of state government and employs directly or indirectly 239,000 of our citizens. Its stringent regulation must be of paramount concern for all Nevadans.

We have made great strides in the past two years, both in gaining the trust and confidence of other law enforcement agencies and in taking bold and decisive action in revoking the gaming licenses of those who violate our regulations and bring discredit to our principal industry and our State. I applaud those actions.

Tonight I renew my proposal of the last session calling for a cooling off period for state gaming regulators. This concept was first advocated by Governor O'Callaghan more than a decade ago, when I, like you, sat as a member of this legislative chamber. It is long overdue.

This measure would prevent members of the Gaming Control Board and Gaming Commission from securing employment in the gaming industry for a period of one year from the expiration of their term of office. Its enactment would eliminate any appearance of impropriety and would protect other law enforcement agencies from the possibility that sensitive information be the subject of private disclosure.

Our support for strong gaming control must be more than rhetoric; it must be backed by action. In order for the Gaming Control Board to effectively do its job, it must have an adequate staff. I am proposing 57 new positions devoted to enforcement, investigation and audit. In order to finance these additional positions, I propose a modest administrative fee to be levied on gaming licensees. This is a minimal burden for the industry to bear in order to protect and to ensure the future health of gaming regulation.

Experience over the past year has revealed a serious defect in our regulatory scheme that must be corrected. Under present law, a gaming licensee whose license has been revoked and a state supervisor appointed continues to receive all of the profits from the casino operation until the casino is sold or otherwise closed by the Gaming Commission.

To allow a revoked licensee whose conduct has been so egregious as to justify the ultimate sanction of the Gaming Commission—the revocation of the gaming license—to continue to receive the profits of the casino operation is to permit an unjust enrichment for

the gaming violator. Those profits should and must be forfeited, and a statute is needed to ensure that violators will not share in the profits of the casino operation.

TOURISM

As the Vice Chairman of the National Governor's Association Committee on Tourism, I am pleased to report to you that the effort we began in 1983 to enhance our tourism industry is paying dramatic dividends. Visitor travel is up. Sales, gaming and room tax collections are strong.

When I assumed office two years ago, Nevada spent less than any state in the nation promoting tourism. With your support, today we spend $1 million annually—money generated from room tax collections, not Nevada taxpayers.

A new statewide campaign is effectively telling the story of "Gaming and So Much More." Through the creation of five state promotional regions, we are reaching history buffs, skiers, fisherman, hunters and outdoor enthusiasts. Since the campaign began, inquiries by travelers interested in visiting Nevada have increased by more than 400 percent.

To continue our assistance to rural tourism markets, I am proposing an increase in tourism grant funds to $300,000 in each year of the biennium. These funds have supported special local events and played a vital role in securing new Nevada attractions such as the National High School Rodeo Finals in Winnemucca.

To preserve a special part of our Nevada heritage for future generations to enjoy, I am recommending $265,000 for track installation and restoration of railcars and other improvements at the V & T Museum in Carson City.

A year-long celebration commemorating the 50th anniversary of the Division of State Parks promises special events in each of our 21 state parks this year. I am recommending $3.3 million in park improvements for the biennium. I would like to invite all Nevadans to visit our parks in 1985 and take advantage of the scenic beauty and recreation that Nevada has to offer.

TAHOE REGIONAL PLANNING AGENCY

We are stewards of a national treasure—Lake Tahoe, and our stewardship may again be challenged in 1985.

The Tahoe Regional Planning Agency continues to be fraught with controversy and frustrated by litigation. Nevada and California made an initial commitment to preserving Lake Tahoe's splendor by endorsing the original bi-state compact under the leadership of Governor Laxalt and Governor Reagan. I intend to fulfill that commitment. I will oppose any efforts to withdraw Nevada from the compact.

Lake Tahoe must be protected for future generations, and Nevadans should lead the way. It contributes significantly to our tourism industry and provides unparalleled recreational opportunities for Nevada families.

In our commitment to preserve Lake Tahoe for generations to come, we must not be unmindful of those who own property in environmentally sensitive areas no longer capable of development. Basic fairness dictates that these property owners should be compensated. I urge you to again support the issuance of bonds for the purchase of environmentally sensitive lands in the Lake Tahoe Basin.

HEALTH CARE COST CONTAINMENT

Every Nevadan, young or old, rich or poor, should have access to quality health care at a reasonable cost. Today, the threat of financial ruin because of rising medical costs has become as frightening as the specter of serious illness itself. The need for a coordinated approach to the health care crisis led me to direct a Cost Containment Team to identify programs and develop specific proposals to moderate health care costs.

Tonight, I am proposing neither a band-aid approach nor a cure-all, but a definitive program to control health care costs. These proposals are designed to foster competitive incentives to reduce costs while retaining essential regulatory control and assuring quality health care.

Highlights of this program include:

—Consolidating containment efforts into a single state program;

—Changing the method of payment for health care to reward efficient providers;

—Prohibiting health care providers from obtaining patient referrals by improper financial inducements;

—Assisting employers to effectively use cost containment measures;

—Expanding fraud control efforts; and,

—Requiring all insurance companies to include cost containment practices in their policies.

I also suggest the 1985 legislature evaluate recommendations to contain the cost of medical malpractice insurance.

I believe this program will help contain health care costs in Nevada. In order to ensure that result, I propose that the health planning responsibilities of the State Health Coordinating Council be expanded to include a key role in containing medical costs.

If the private sector initiatives fail, the State Health Coordinating Council will have the authority to activate a hospital rate setting commission no later than July 1, 1987, which would have broad authority to review and approve hospital charges.

The challenge has now been sounded. If the forces of the free market are effective in containing hospital costs, additional regulatory control can be avoided. Should the free marketplace fail in this commitment, a rate setting commission will come into existence to protect all Nevadans, especially those most vulnerable, Nevada's seniors.

BUDGET OVERVIEW

On the occasion of our meeting together two years ago our State was reeling from the effects of a recession. Revenues were plunging and as we struggled together in the early months of the session, our overriding concern was, "will the State be able to meet its financial obligations?"

Happily those days are behind us. The state of the State is good. The budget I submit this evening I believe is the right budget for our State; it is fair and it is balanced. We are in better financial shape today for two reasons: The national economic recovery and because we curtailed state agency's spending, doing more with less. The last point merits additional comment. Without the dedication and cooperation of our state employees, these savings would not have been realized. The men and women in state government—administrators and rank and file employees alike—are owed a debt of gratitude by all of us for their efforts. Now it is time to reward those efforts. I am recommending a retroactive salary increase of 11 percent for state employees, and an additional 4 percent cost of living adjustment, in the second year of the biennium.

The budget also includes:

—$436,320 for a state criminal history repository;

—$25,000 to establish an anti-racketeering revolving fund in the Attorney General's Office;

—A $25,000 grant for each year of the biennium for the artists in residence program;

—A thirty-two bed psychiatric unit in southern Nevada;

—A $160,000 in flow-through funding to maintain deaf resource centers in Reno and Las Vegas, plus establishment of a deaf resources coordinator position in the Bureau of Vocational Rehabilitation;

—An increase in funding for ADC;

—A $250,000 one time appropriation dedicated to the renovation and furnishing of senior citizens centers in the State;

—An expanded state planning function;

—Funding for additional correctional facilities and equipment;

—An endowment of $2.5 million for the National Judicial College;

—$80,000 for initial development of a veterans cemetery in southern Nevada;

—$350,000 for the biennium for local library grants, a 22 percent increase, emphasizing rural service needs and public access to academic libraries.

I propose no increases in our general fund tax levy. In order to meet our obligation to education and other essential state services it will be necessary, however, for you to maintain each of the revenue measures which are scheduled to sunset at the end of the fiscal year. Failure to do so will mean a loss of revenue to the general fund over the biennium of over $62 million.

Because we live in a time of economic uncertainty we must proceed with prudence and restraint. The fiscally responsible course is to maintain an unappropriated cash reserve in excess of $46 million. I urge you to do so.

NUCLEAR WASTE

We are approaching a critical time in the Federal Government's efforts to locate a high-level radioactive waste repository in our State. Just last month, the Department of Energy named Yucca Mountain in southern Nevada as one of the three top choices for a nuclear dump. Almost simultaneously, the Department of Energy took steps to block Nevada's efforts to collect the independent information we need to test the validity of the Federal Government's conclusions about the safety of this unprecedented undertaking.

Should Nevada be designated as the repository for these lethal wastes, shipments will stream into Nevada from every point on the compass. Apart from the obvious public health and safety concerns, the impact of a high level nuclear waste dump on our State's economy, particularly our tourist industry, is uncertain at best. It could prove disastrous. It makes little sense to commit millions of dollars to promote our State as a tourist destination and location for new businesses if, at the same time, we allow these efforts to be compromised by the Federal Government's drive to brand Nevada as the country's nuclear wasteland.

If Nevada is to avoid this nuclear stigma we must unite in our opposition to it. Tonight, I reaffirm my opposition to a nuclear dump in our State and call upon those in positions of leadership who have taken a contrary view to reconsider their position in the best interest of the health, safety, and economic well being of all Nevadans. The position we take today has the potential to affect Nevadans for centuries.

CONCLUSION

We have assembled tonight in Carson City for a common purpose, to act with foresight and with the best interest of all Nevadans guiding our thoughts and actions. I have presented to you a balanced and responsible budget.

However, as Governor I have broader obligations to our State than merely presenting specific proposals. I have an obligation to provide leadership and direction in good times and in times of crisis. The greatest obligation is perhaps the hardest to define. It is derived not so much from the office I am honored to occupy as it is from my great love of the State in which you and I are privileged to live. Permit me a few concluding moments to share that obligation with you.

It is an obligation to articulate the hopes and aspirations I have for Nevada's future so that the promise of Nevada today—becomes the reality of tomorrow.

True to our heritage, Nevadans are pioneering people, less concerned with boundaries which are limits, than with frontiers which are stepping-stones to the future. The legacy you and I inherited from the great Nevadans who preceded us must be enhanced by us for the Nevadans who will follow. I seek your counsel and offer you an open-minded spirit of cooperation. I wish you well as you face the arduous task of the coming months.

The past two years have been challenging for our State. They have been successful years. We have triumphed over economic and natural adversities. We have strengthened our economy. The Nevadans I meet throughout our State are proud and confident in their futures.

Nevada is a unique state. We can preserve our tradition while we embrace and welcome the opportunities of the future for our children. To do that:

We must ensure an excellent education for all Nevada's youth.

We must ensure our senior citizens dignity and security in their golden years.

We must protect our clean environment and the scenic grandeur Nevadans of the past have enjoyed.

And finally, we must ensure hope and opportunity for all Nevadans.

These are simple but powerful dreams that I have for our State's future. Together, we must strive to achieve them.

Thank you very much.

Senator Bilbray 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 Francis.
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 Gibson moved that the Joint Session be dissolved.
Seconded by Assemblyman Joerg.
Motion carried unanimously.

Joint Session dissolved at 7:43 p.m.

ASSEMBLY IN SESSION

At 7:45 p.m.
Mr. Speaker presiding.
Quorum present.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Senate Bill No. 1; Assembly Resolutions Nos. 1, 2, 3.

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. Harry Schlegelmilch.

On request of Assemblyman Price, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Mary Lou Hickey.

On request of Assemblyman Bergevin, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. G. James Murphy.

On request of Assemblyman Dini, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Marie Wilhelm, Messrs. Gene Wilhelm, Frank Roller, Ms. Laurna Roller, Mesdames Jeanne Dini and Laverna Marwin.

On request of Assemblyman Lambert, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Dale Darney,

James Clarkson, Gregory Lambert, Mrs. Lynn Darney and Ms. Shirley Giron.

On request of Assemblyman Schofield, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Billie Lee Schofield and Mr. Bob O'Connell.

Assemblyman Francis moved that the Assembly adjourn until Thursday, January 24, 1985 at 11 a.m.

Motion carried.

Assembly adjourned at 7:46 p.m.

Approved: BYRON L. BILYEU
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE FOURTH DAY

CARSON CITY (Thursday), January 24, 1985

Assembly called to order at 11:01 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, Father Sam Caldwell.

O Lord God, guide, we pray, all those to whom has been committed the government of this nation, this state, and our local communities—especially Ronald, our President, Richard, our Governor, and especially the Assemblymen and Assemblywomen gathered here from throughout our State of Nevada. Grant them at this time, and throughout their deliberations, special gifts of wisdom and understanding, of counsel and strength; that upholding what is right, and following what is true, they may obey Your Holy Will, and fulfill Your Divine purpose. We ask this in Your most Holy Name, O God our creator, our redeemer, and our source of strength. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Francis moved that further reading of the Journal be dispensed with, and the Speaker and Chief Clerk be authorized to make the necessary corrections and additions.

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

By the Committee on Natural Resources, Agriculture and Mining:

Assembly Joint Resolution No. 1—Urging the Congress not to enact legislation designating additional land in Nevada for inclusion in the National Wilderness Preservation System or as buffer zones.

INTRODUCTION AND FIRST READING OF LEGISLATION

By Assemblyman Jeffrey:

Assembly Bill No. 10—An Act relating to local governments; authorizing those governments to replace economic competition in certain areas of public services with regulated anticompetitive services; and providing other matters properly relating thereto.

By the Committee on Natural Resources, Agriculture and Mining:

Assembly Bill No. 11—An Act relating to mining and related activities; requiring the department of minerals to standardize all forms for claims and the maps of the counties; repealing obsolete provisions; lengthening the hours of work permitted in mines and related facilities; standardizing the requirements for filing claims; revising the requirements for the size and character of monuments; and providing other matters properly relating thereto.

By the Committee on Natural Resources, Agriculture and Mining:

Assembly Bill No. 12—An Act relating to the appropriation of water for mining; limiting the time for the state engineer to act on applications for the appropriation of water for mining purposes; authorizing the state engineer to issue temporary permits for exploratory mining operations; allowing wells for small mining operations to be drilled without a permit; and providing other matters properly relating thereto.

By the Committee on Government Affairs:

Assembly Bill No. 13—An Act relating to public employees; authorizing retired employees to reinstate certain insurance held before retirement; and providing other matters properly relating thereto.

By the Committee on Government Affairs:

Assembly Bill No. 14—An Act relating to public employees; permitting the continuance of coverage of dependents under group insurance; and providing other matters properly relating thereto.

By the Committee on Government Affairs:

Assembly Bill No. 15—An Act relating to state printing; extending the availability of the services of the state printing and records division to all state agencies; and providing other matters properly relating thereto.

By the Committee on Government Affairs:

Assembly Bill No. 16—An Act relating to the state motor pool; removing the limit on the maximum amount of money in the fund; and providing other matters properly relating thereto.

By the Committee on Government Affairs:

Assembly Bill No. 17—An Act relating to state purchasing; providing for the extension of contracts and the withdrawal of bids; raising the limit on the local purchasing of heavy equipment; clarifying the appeal procedure for unsuccessful bidders; authorizing the chief of the division to develop plans of operation for federal surplus property; and providing other matters properly relating thereto.

By the Committee on Taxation:

Assembly Bill No. 18—An Act relating to the taxes on cigarettes; changing the basis of the tax from packages to individual cigarettes; retaining the existing rate; and providing other matters properly relating thereto.

REFERENCE OF MEASURES TO COMMITTEES

Assembly Bill No. 2.

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

Motion carried.

Assembly Bill No. 3.

Assemblyman Banner moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

Assembly Bill No. 4.

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

Motion carried.

Assembly Bill No. 5.

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

Motion carried.

Assembly Bill No. 6.

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

Motion carried.

Assembly Bill No. 7.

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

Motion carried.

Assembly Bill No. 8.

Assemblyman Sader moved that the bill be referred to the Concurrent Committees on Health and Welfare and Judiciary.

Motion carried.

Assembly Bill No. 9.

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

Motion carried.

Assembly Concurrent Resolution No. 2.

Assemblyman Malone moved that the resolution be referred to the Committee on Judiciary.

Motion carried.

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. Robert Elliott.

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

On request of Assemblyman Price, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Mike Richerson.

On request of Assemblyman Humke, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Wilma Humke.

Assemblyman Francis moved that the Assembly adjourn until Friday, January 25, 1985 at 11 a.m.

Motion carried.

Assembly adjourned at 11:18 a.m.

Approved: BYRON L. BILYEU
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE FIFTH DAY

CARSON CITY (Friday), January 25, 1985

Assembly called to order at 11:06 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, Father Sam Caldwell.

Almighty God, our Heavenly Father, help us in our deliberations in the weeks and months ahead to maintain a spirit of dignity, a sense of humor and an atmosphere of trust. Enable us always to place self-confidence over self-interest, humility over pride, and principle over partisanship. Help us to accomplish those things collectively that we cannot accomplish individually, yet to be gracious enough to accept those things individually on which we cannot agree collectively. Grant to all who return to their respective districts this weekend, a safe journey, a pleasant rest, and a joyful return to our capital city. Grant us Your most Holy blessing, now and always. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Francis 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 AND FIRST READING OF LEGISLATION

By the Committee on Government Affairs:

Assembly Bill No. 19—An Act relating to public securities; increasing the amount of municipal securities the state may purchase; and providing other matters properly relating thereto.

REFERENCE OF MEASURES TO COMMITTEES

Assembly Bill No. 10.

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

Motion carried.

Assembly Bill No. 11.

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

Motion carried.

Assembly Bill No. 12.

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

Motion carried.

Assembly Bill No. 13.

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

Motion carried.

Assembly Bill No. 14.

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

Motion carried.

Assembly Bill No. 15.

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

Motion carried.

Assembly Bill No. 16.

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

Motion carried.

Assembly Bill No. 17.

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

Motion carried.

Assembly Bill No. 18.

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

Motion carried.

Assembly Joint Resolution No. 1.

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

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 11:15 a.m.

ASSEMBLY IN SESSION

At 11:28 a.m.

Mr. Speaker presiding.

Quorum present.

INTRODUCTION AND FIRST READING OF LEGISLATION

By the Committee on Natural Resources, Agriculture and Mining:

Assembly Bill No. 20—An Act relating to the department of minerals; authorizing the commission on mineral resources to employ independent legal counsel to act as counsel for the department in certain hearings; and providing other matters properly relating thereto.

By the Committee on Judiciary:

Assembly Bill No. 21—An Act relating to juries; exempting firemen from service as jurors; and providing other matters properly relating thereto.

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 Messrs. Humberto Morales Guzman and Mauricio Navarrete.

Assemblyman Francis moved that the Assembly adjourn until Monday, January 28, 1985 at 11 a.m.

Motion carried.

Assembly adjourned at 11:29 a.m.

Approved:

BYRON L. BILYEU
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE EIGHTH DAY

CARSON CITY (Monday), January 28, 1985

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 Arnold.

Our Heavenly Father, help us use this day to reach worthy personal goals, to serve our fellowman effectively, and to glorify You completely. Give these, our lawmakers wisdom, courage and an abundant sense of humor. In the name of our Lord and Saviour, Jesus Christ, I pray. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Francis 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 25, 1985

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. 1.

MARY JO MONGELLI
Assistant Secretary of the Senate

INTRODUCTION AND FIRST READING OF LEGISLATION

By Assemblymen Bilyeu, Marvel, Francis, Joerg, Jeffrey, Thompson, Horne, McGaughey, Stone, Ham, Craddock, Sader, Collins, Arberry, Roberts, Spriggs, Swain, Zimmer, Rader, Lambert, Banner, Kerns, Bogaert, Williams, Sedway, Little, Fairchild, Malone, Bergevin, DuBois, Price, Beyer, Nicholas, Humke, Coffin, Schofield, Tebbs, Thomas, Nevin, Dini, Getto and O'Donnell:

Assembly Bill No. 22—An Act relating to natural resources; authorizing the issuance of additional bonds for construction of a dam on the South Fork of the Humboldt River; and providing other matters properly relating thereto.

By the Committee on Judiciary:

Assembly Bill No. 23—An Act relating to justices' courts; authorizing the county clerk to appoint a deputy clerk for a justice's court; and providing other matters properly relating thereto.

By the Committee on Judiciary:

Assembly Bill No. 24—An Act relating to civil procedure; eliminating the requirement for service of a certified copy of a complaint in certain actions; and providing other matters properly relating thereto.

By the Committee on Judiciary:

Assembly Bill No. 25—An Act relating to the delegation of legislative authority; removing unconstitutional provisions; and providing other matters properly relating thereto.

By the Committee on Judiciary:

Assembly Bill No. 26—An Act relating to criminal procedure; substituting the term "hearing" in place of "trial" as the correct characterization of the proceeding held in the district court on an appeal from the justice's court; and providing other matters properly relating thereto.

By the Committee on Judiciary:

Assembly Bill No. 27—An Act relating to criminal procedure; clarifying the provision which allows dismissal of a criminal action for delay in prosecution; and providing other matters properly relating thereto.

By the Committee on Judiciary:

Assembly Bill No. 28—An Act relating to families; clarifying how the wife may be held liable for desertion and failure to support her husband or children; and providing other matters properly relating thereto.

By the Committee on Judiciary:

Assembly Bill No. 29—An Act relating to criminal procedure; removing the statutory provisions which have been superseded by the provisions of the Nevada Rules of Appellate Procedure; and providing other matters properly relating thereto.

By the Committee on Judiciary:

Assembly Bill No. 30—An Act relating to termination of parental rights; increasing the standard of evidence required; and providing other matters properly relating thereto.

By the Committee on Judiciary:

Assembly Bill No. 31—An Act relating to mobile home parks; adding a procedure for recovery of the civil penalty imposed for violation of certain statutes by a landlord; and providing other matters properly relating thereto.

By the Committee on Judiciary:

Assembly Bill No. 32—An Act relating to homesteads; preserving the exemption for a surviving spouse as to his separate property; and providing other matters properly relating thereto.

By the Committee on Judiciary:

Assembly Bill No. 33—An Act relating to credit cards; removing an inconsistent penalty for the possession of a credit card without the consent of the cardholder and with the intent to defraud; and providing other matters properly relating thereto.

By the Committee on Judiciary:

Assembly Bill No. 34—An Act relating to perjury; removing an inadvertent penalty for every oath or affirmation; and providing other matters properly relating thereto.

By the Committee on Judiciary:

Assembly Bill No. 35—An Act relating to municipal courts; clarifying the extent of jurisdiction in criminal cases; and providing other matters properly relating thereto.

By the Committee on Judiciary:

Assembly Bill No. 36—An Act relating to statutes; ratifying technical corrections made to various chapters of NRS and to multiple amendments of sections of NRS; correcting the effective date of and repealing certain related provisions in Statutes of Nevada 1983; and providing other matters properly relating thereto.

By the Committee on Judiciary:

Assembly Bill No. 37—An Act relating to crimes; distinguishing a prohibited act from the denial of a right; and providing other matters properly relating thereto.

By the Committee on Judiciary:

Assembly Bill No. 38—An Act relating to public schools; changing any designation of "security officer" to "police"; and providing other matters properly relating thereto.

By the Committee on Government Affairs:

Assembly Bill No. 39—An Act relating to state employees; allowing the repayment of an advance for travel which was paid before the termination of an employee; and providing other matters properly relating thereto.

REFERENCE OF MEASURES TO COMMITTEES

Assembly Bill No. 19.

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

Motion carried.

Assembly Bill No. 20.

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

Motion carried.

Assembly Bill No. 21.

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

Motion carried.

INTRODUCTION AND FIRST READING OF LEGISLATION

By Assemblymen Schofield, Jeffrey, Thompson, Banner, Kerns and Getto:

Assembly Bill No. 40—An Act relating to hazardous waste; requiring a

manifest for its transportation; allowing the use of certain money for cleaning certain sites of contamination; requiring reimbursement of the money; reducing the requirement of confidentiality; providing penalties; and providing other matters properly relating thereto.

By Assemblymen Schofield, Dini, Jeffrey, Thompson, Banner, Getto and Kerns:

Assembly Bill No. 41—An Act relating to underground water; regulating the disposal of liquid wastes by injection through a well; providing for a system of permits; and providing other matters properly relating thereto.

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. Bill Cassell.

On request of Assemblyman Thompson, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Ross Shadle.

On request of Assemblyman Bogaert, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Betty Flyge.

On request of Assemblyman Williams, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Clifford Diamond.

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. Carl Wolf.

On request of Assemblyman Horne, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Bill Hudspeth.

On request of Assemblyman Kerns, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Larry Pizorno.

On request of Assemblyman Malone, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Danae M. Rabjohn.

Assemblyman Francis moved that the Assembly adjourn until Tuesday, January 29, 1985 at 11 a.m.

Motion carried.

Assembly adjourned at 11:23 a.m.

Approved: BYRON L. BILYEU
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE NINTH DAY

CARSON CITY (Tuesday), January 29, 1985

Assembly called to order at 11:03 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, The Reverend Terry Arnold.

Our Heavenly Father, help us to attempt to understand more than to be understood. Help us try to love more than we need to be loved. Help us to give more than we receive. Help us to lead by following You. Help us to speak only after listening to You. Help us to make decisions that honor You. In the name of our Lord and Saviour, Jesus Christ, I pray.

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Francis 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 AND FIRST READING OF LEGISLATION

By Assemblymen Kerns, Dini, Getto, Bergevin, Stone, Jeffrey, Schofield, Francis, Marvel, Bilyeu and Nicholas:

Assembly Bill No. 42—An Act relating to governmental liability; limiting the civil liability of fire departments and their chiefs; limiting the civil liability of law enforcement agencies; and providing other matters properly relating thereto.

By the Committee on Health and Welfare:

Assembly Bill No. 43—An Act relating to cosmetology; requiring continuing education for the renewal or restoration of a license; limiting service on the state board of cosmetology; and providing other matters properly relating thereto.

By Assemblymen Stone, Malone, Joerg, Bergevin, Kerns, Nicholas, Lambert, Thomas, Bilyeu, Banner, Rader, Price, DuBois, Humke, Dini, Bogaert, McGaughey, Zimmer, Marvel, Fairchild, Ham, Schofield, Horne and Nevin:

Assembly Bill No. 44—An Act relating to motorcycles; requiring a sticker on the license plate of certain motorcycles; limiting the requirement for protective headgear; requiring the successful completion of a course in traffic safety under certain circumstances; and providing other matters properly relating thereto.

By Assemblymen Malone, Getto, Banner, McGaughey, O'Donnell, Marvel, DuBois, Fairchild, Rader and Little:

Assembly Bill No. 45—An Act relating to highways; directing the department of transportation to designate U.S. 95 as Veterans' Highway; and providing other matters properly relating thereto.

By Assemblymen Malone, Horne, Collins, Zimmer, McGaughey, O'Donnell, DuBois, Spriggs, Rader and Fairchild:

Assembly Bill No. 46—An Act relating to elections; requiring the establishment of precincts in certain residential developments for the elderly; and providing other matters properly relating thereto.

By Assemblyman Banner (by request):

Assembly Bill No. 47—An Act relating to eminent domain; making various changes in the provisions governing persons displaced or affected thereby; and providing other matters properly relating thereto.

REFERENCE OF MEASURES TO COMMITTEES

Assembly Bill No. 22.

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

Motion carried.

Assembly Bill No. 23.

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

Motion carried.

Assembly Bill No. 24.

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

Motion carried.

Assembly Bill No. 25.

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

Motion carried.

Assembly Bill No. 26.

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

Motion carried.

Assembly Bill No. 27.

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

Motion carried.

Assembly Bill No. 28.

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

Motion carried.

Assembly Bill No. 29.

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

Motion carried.

Assembly Bill No. 30.

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

Motion carried.

Assembly Bill No. 31.

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

Motion carried.

Assembly Bill No. 32.

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

Motion carried.

Assembly Bill No. 33.

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

Motion carried.

Assembly Bill No. 34.

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

Motion carried.

Assembly Bill No. 35.

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

Motion carried.

Assembly Bill No. 36.

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

Motion carried.

Assembly Bill No. 37.

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

Motion carried.

Assembly Bill No. 38.

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

Motion carried.

Assembly Bill No. 39.

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

Motion carried.

Assembly Bill No. 40.

Assemblyman Schofield moved that the bill be referred to the Concurrent Committees on Natural Resources, Agriculture and Mining and Ways and Means.

Motion carried.

Assembly Bill No. 41.

Assemblyman Schofield moved that the bill be referred to the Concurrent Committees on Natural Resources, Agriculture and Mining and Ways and Means.

Motion carried.

INTRODUCTION AND FIRST READING OF LEGISLATION

By the Committee on Commerce:

Assembly Bill No. 48—An Act relating to chiropractic; adding to the requirements for continuing education; requiring the examination for licenses to be confidential; limiting colonic irrigations; allowing chiropractors and other practitioners of the healing arts to treat injured employees and deletes requirement that an injured employee select his physician from the panel of physicians; and providing other matters properly relating thereto.

SPECIAL ORDERS OF THE DAY

VETO MESSAGES OF THE GOVERNOR

The hour of 11:15 a.m. having arrived, vetoed Assembly Bill No. 86 of the Sixty-second Session was considered.

Vetoed Assembly Bill No. 86 of the Sixty-second Session.

Bill read.

Governor's message stating his objections read.

STATE OF NEVADA
EXECUTIVE CHAMBER

CARSON CITY, NEVADA, June 2, 1983

THE HONORABLE WM. D. SWACKHAMER, *Secretary of State*, State Capitol, Carson City, Nevada 89710

DEAR MR. SWACKHAMER:

I am hereby forwarding to your office for filing within the constitutional time limit, and without my approval, Assembly Bill 86 entitled:

"An act relating to the Tahoe regional planning agency; creating a legislative committee to oversee the agency; and providing other matters properly relating thereto."

Assembly Bill 86 would create a new legislative body to review the performance of the Tahoe Regional Planning Agency. Although legislative oversight of state agencies in general provides a necessary and beneficial contribution to the functioning of state government, the Tahoe Regional Planning Agency is not a typical administrative agency, and after careful consideration I have elected to exercise my right of veto over this legislation.

The TRPA and the regional compact which created it represent the product of long negotiations between California and Nevada, acted upon by each state's legislature, and finally ratified by the United States Congress. The nature of the agency mandates that it must function through consideration of regional concerns, directed toward preserving the national treasure of Lake Tahoe. I am not convinced that a legislative committee, by nature considering only one state's interest, would necessarily assist the agency in achieving its laudable goal.

I do not perceive that the compact contemplates direct legislative oversight by a member state, and the bi-state nature of the agency indicates that such unilateral action may be inconsistent with its structure and purpose. I am also concerned that the precedent this legislation sets may be inappropriate. Nevada is a participant in various multi-state compacts, including the Western Interstate Corrections Compact, the Columbia Interstate Compact, and the Western Regional Higher Education Compact. None of these are monitored by a permanent legislative committee.

The philosophy which underlies the creation of multi-state compacts reflects a recognition that the several states need to address certain regional concerns through regional administrative structures. Because any substantive changes ultimately proposed in an interstate compact would require not only action by our legislature, but by other party states and the U.S. Congress as well, a permanent legislative oversight committee appears inappropriate when applied to the compacts in which Nevada participates as a member state.

Other aspects of Assembly Bill 86 also cause me concern. The proposed legislative review is not in the customary form of an interim study which analyzes an issue or an agency and reports its findings to the following legislature. Rather, it creates a standing legislative oversight committee of indefinite duration. This, in effect, creates an additional permanent layer of government at a time when existing fiscal resources are extremely limited. I am not convinced such an action is in the taxpayer's best interest as it may create duplicative responsibilities.

The statutory structure of the Nevada delegation to TRPA provides for adequate representation of the interests of Nevada citizens. Members are chosen by the Board of County Commissioners of Washoe and Douglas Counties, and the Board of Supervisors of Carson City. The Secretary of State or his designee is a permanent member as is the Director of the State Department of Conservation and Natural Resources or his designee. The Governor also appoints one member. These six representatives then choose the final Nevada member. It appears that this carefully crafted structure assures an appropriate variety of representative Nevada viewpoints, and assures adequate opportunity for public input. I believe that the creation of an additional governmental structure could add little substance to the diversity of viewpoints already represented.

For these reasons, I have concluded that Assembly Bill 86 is not in the best interest of the citizens of Nevada and I have elected to exercise my power to veto over the legislation.

Sincerely,

RICHARD H. BRYAN
Governor of Nevada

The question was put: "Shall the bill pass, notwithstanding the objections of the Governor?"

Remarks by Assemblymen Nicholas, Dini, Bergevin, Sedway, DuBois, Roberts, Getto, Humke, Price, Stone, and Craddock.

The roll was called, and the Assembly sustained the veto of the Governor by the following vote:

Yeas—27.

NAYS—Arberry, Banner, Coffin, Collins, Craddock, Dini, Jeffrey, Nevin, Price, Sader, Schofield, Sedway, Swain, Thompson, Williams—15.

INTRODUCTION AND FIRST READING OF LEGISLATION

By the Committee on Commerce:

Assembly Bill No. 49—An Act relating to local governmental finance; providing specially for local governments if the tax rate is reduced to zero; and providing other matters properly relating thereto.

By the Committee on Government Affairs:

Assembly Bill No. 50—An Act relating to public schools; expanding the probationary period for teachers and administrators to 3 years; providing 3-year contracts for certain postprobationary employees; making various changes in the procedures for reemployment; and providing other matters properly relating thereto.

By the Committee on Government Affairs:

Assembly Bill No. 51—An Act relating to collective bargaining by public employees; changing the limits on the basis for a factfinder's recommendations; precluding compulsion to make the findings of fact binding; and providing other matters properly relating thereto.

By the Committee on Government Affairs:

Assembly Bill No. 52—An Act relating to public employment; modifying the list of subjects of mandatory collective bargaining for local governments; and providing other matters properly relating thereto.

By the Committee on Government Affairs:

Assembly Bill No. 53—An Act relating to public schools; extending period of suspension for certificated employees; adding grounds for which an employee may be disciplined; and providing other matters properly relating thereto.

By the Committee on Government Affairs:

Assembly Bill No. 54—An Act relating to county auditors; recognizing the provision for comptrollers in smaller counties; and providing other matters properly relating thereto.

By the Committee on Government Affairs:

Assembly Bill No. 55—An Act relating to public investments; removing obsolete references to section 3 of article 11 of the constitution of the State of Nevada; and providing other matters properly relating thereto.

By the Committee on Government Affairs:

Assembly Bill No. 56—An Act relating to local governmental finance; reconciling the limits upon revenue from taxes ad valorem and supplemental city-county relief tax; and providing other matters properly relating thereto.

By the Committee on Government Affairs:

Assembly Bill No. 57—An Act relating to state government; providing a single basic authorization for the payment of expenses for transportation, meals, lodging and related items incurred by state officers and employees; removing unnecessary internal references to chapter 284 of NRS; and providing other matters properly relating thereto.

By the Committee on Elections:

Assembly Bill No. 58—An Act relating to elections; prohibiting the holder of a state or local office from filing for another office if its term of office begins before his term ends; and providing other matters properly relating thereto.

By Assemblymen Bergevin, Nicholas, Humke, Joerg, Stone, Bogaert, Marvel, Zimmer, Getto, Thomas, Spriggs, Malone, Bilyeu, Francis, Kerns, McGaughey, Ham, Fairchild, Lambert, Rader, DuBois, Collins and Roberts:

Assembly Bill No. 59—An Act relating to the Tahoe Regional Planning Compact; repealing NRS 277.190, 277.200, 277.210 and 277.220; and providing other matters properly relating thereto.

REMARKS FROM THE FLOOR

Mr. Speaker requested that Assemblyman Dini's remarks be entered in the Journal.

WHO WOULD DO IT

"Once upon a time there were four people named Everybody, Somebody, Nobody and Anybody.

"When there was an important job to be done, Everybody was sure that Somebody would do it.

"Anybody could have done it, but Nobody did it.

"When Nobody did it, Everybody got angry because it was Everybody's job. Everybody thought that Somebody would do it, but Nobody realized that Nobody would do it.

"So it ended up that Everybody blamed Somebody when Nobody did what Anybody could have done in the first place." Author Unknown

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. Jim King.

On request of Assemblyman Joerg, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Irene Dickman and Mr. H. Neil Smead.

On request of Assemblyman Thompson, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Ross Shadle.

On request of Assemblyman Collins, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Linda Cooper.

On request of Assemblyman Schofield, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Jeanne Adams.

Assemblyman Francis moved that the Assembly adjourn until Wednesday, January 30, 1985 at 11 a.m.

Motion carried.

Assembly adjourned at 12:09 p.m.

Approved: BYRON L. BILYEU
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE TENTH DAY

CARSON CITY (Wednesday), January 30, 1985

Assembly called to order at 11:02 a.m.
Mr. Speaker presiding.
Roll called.
All present.
Prayer by the Chaplain, The Reverend Terry Arnold.

Our Father in Heaven, we are mindful of the Apostle Paul's encouragement to Timothy that You have not given us a spirit of timidity but a spirit of power, love and self-control. Help us to exercise our power wisely, our love joyfully and our self-control completely. In the name of our Lord and Saviour, Jesus Christ, I pray. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Francis 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 AND FIRST READING OF LEGISLATION

By the Committee on Transportation:
Assembly Bill No. 60—An Act relating to public utilities; clarifying certain provisions dealing with the enforcement of statutes and regulations governing public utilities; removing the duplication and correcting the organization of certain provisions; and providing other matters properly relating thereto.

By the Committee on Natural Resources, Agriculture and Mining:
Assembly Bill No. 61—An Act relating to air pollution; allowing varied standards for emissions from mobile internal combustion engines; and providing other matters properly relating thereto.

By the Committee on Education:
Assembly Bill No. 62—An Act relating to legal holidays; removing a conflict and clarifying an ambiguity; and providing other matters properly relating thereto.

By the Committee on Education:
Assembly Bill No. 63—An Act relating to truancy; requiring prompt notification of a parent or other person responsible for a child; and providing other matters properly relating thereto.

By Assemblymen Francis, Bilyeu, Marvel, Joerg, Thomas, Tebbs, Arberry, Horne, Schofield, Jeffrey, Dini, Thompson, Nicholas, Humke, Craddock, Zimmer, Roberts, Sader, Ham, Getto, O'Donnell, Fairchild,

Banner, Rader, Williams, Bogaert, McGaughey, Kerns, Stone, DuBois, Price, Bergevin, Malone, Sedway, Swain and Nevin:

Assembly Bill No. 64—An Act relating to a school of engineering at the University of Nevada, Las Vegas; making an appropriation for the construction of this school; specifying certain powers, duties and requirements of the state public works board respecting this project; authorizing the board of regents to accept private donations for the construction or operation of the school; and providing other matters properly relating thereto.

REFERENCE OF MEASURES TO COMMITTEES

Assembly Bill No. 42.

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

Motion carried.

Assembly Bill No. 43.

Assemblyman Nicholas moved that the bill be referred to the Committee on Commerce.

Motion carried.

Assembly Bill No. 44.

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

Motion carried.

Assembly Bill No. 45.

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

Motion carried.

Assembly Bill No. 46.

Assemblyman Malone moved that the bill be referred to the Committee on Elections.

Motion carried.

Assembly Bill No. 47.

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

Motion carried.

Assembly Bill No. 48.

Assemblyman DuBois moved that the bill be referred to the Committee on Commerce.

Motion carried.

Assembly Bill No. 49.

Assemblyman DuBois moved that the bill be referred to the Committee on Commerce.

Motion carried.

Assembly Bill No. 50.

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

Motion carried.

Assembly Bill No. 51.

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

Motion carried.

Assembly Bill No. 52.

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

Motion carried.

Assembly Bill No. 53.

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

Motion carried.

Assembly Bill No. 54.

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

Motion carried.

Assembly Bill No. 55.

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

Motion carried.

Assembly Bill No. 56.

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

Motion carried.

Assembly Bill No. 57.

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

Motion carried.

Assembly Bill No. 58.

Assemblyman Ham moved that the bill be referred to the Committee on Elections.

Motion carried.

Assembly Bill No. 59.

Assemblyman Bergevin 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 Concurrent Resolution No. 1.

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. Lonie Chaney.

On request of Assemblyman Nicholas, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Dena Hewitson.

On request of Assemblyman Price, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. John Wagasky and Ralph Millette.

Assemblyman Francis moved that the Assembly adjourn until Thursday, January 31, 1985 at 11 a.m.

Motion carried.

Assembly adjourned at 11:20 a.m.

Approved: BYRON L. BILYEU
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE ELEVENTH DAY

CARSON CITY (Thursday), January 31, 1985

Assembly called to order at 11:01 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, The Reverend Terry Arnold.

Our Father, in the Scriptures we learn Ezra set his heart to study, practice and teach Your law. Guide us to study our own laws thoroughly. Help these, our lawmakers to make our laws wisely. And empower us to teach our children to obey these laws proudly. In the name of our Lord and Saviour, Jesus Christ, I pray. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Francis 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. 9, 15, 16, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

LOUIS W. BERGEVIN, *Chairman*

INTRODUCTION AND FIRST READING OF LEGISLATION

By the Committee on Health and Welfare:

Assembly Bill No. 65—An Act relating to cancer; integrating recent amendments into previously existing provisions; and providing other matters properly relating thereto.

By the Committee on Health and Welfare:

Assembly Bill No. 66—An Act relating to mental health; changing the class of nurses who may petition a court for the involuntary admission of a person alleged to be mentally ill; and providing other matters properly relating thereto.

By the Committee on Government Affairs:

Assembly Bill No. 67—An Act relating to fire; exempting small auditoriums from certain regulations on fire; and providing other matters properly relating thereto.

By the Committee on Government Affairs:

Assembly Bill No. 68—An Act relating to the regulation of building; clarifying the requirement that political subdivisions comply with local building codes; and providing other matters properly relating thereto.

By the Committee on Government Affairs:

Assembly Bill No. 69—An Act relating to public employees' retirement; extending the provisions for early retirement to certain employees of the department of prisons and juvenile correctional institutions; and providing other matters properly relating thereto.

By the Committee on Government Affairs:

Assembly Bill No. 70—An Act relating to veterans; limiting their right to reemployment in the classified service of the state; and providing other matters properly relating thereto.

By the Committee on Government Affairs:

Assembly Bill No. 71—An Act relating to industrial development; allowing a county or a city to sell real property for industrial development without a public auction or the use of a broker after notice of intent to sell and a public hearing; enlarging the uses of certain county and state revenue bonds to include the restoration of historic structures; and providing other matters properly relating thereto.

REFERENCE OF MEASURES TO COMMITTEES

Assembly Bill No. 60.

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

Motion carried.

Assembly Bill No. 61.

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

Motion carried.

Assembly Bill No. 62.

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

Motion carried.

Assembly Bill No. 63.

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

Motion carried.

Assembly Bill No. 64.

Assemblyman Francis moved that the bill be referred to the Concurrent Committees on Education and Ways and Means.

Motion carried.

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 Ms. Maxine Anderson and Sharon Andreasen.

On request of Assemblyman Stone, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Margaret Flint.

On request of Assemblyman Kerns, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Donna Drler and Mr. Jack Keeper.

Assemblyman Francis moved that the Assembly adjourn until Friday, February 1, 1985 at 11 a.m.

Motion carried.

Assembly adjourned at 11:10 a.m.

Approved: BYRON L. BILYEU
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE TWELFTH DAY

CARSON CITY (Friday), February 1, 1985

Assembly called to order at 11:02 a.m.

Mr. Speaker presiding.

Roll called.

All present except Assemblyman McGaughey, who was excused.

Prayer by the Chaplain, The Reverend Terry Arnold.

Dear Heavenly Father, Your Word commands us to "Bear one another's burdens, and thus fulfill the law of Christ." Help us to bear our own burdens with courage and our neighbor's burdens with joy, remembering that when these burdens become too heavy that we can give them to You. In the name of our Lord and Saviour, Jesus Christ, I pray. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Francis 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. 14, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

LOUIS W. BERGEVIN, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, January 31, 1985

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Senate Bills Nos. 2, 3.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen Price, Zimmer, Francis and Schofield:

Assembly Joint Resolution No. 2—Proposing to amend section 2 of article 9 of the constitution of the State of Nevada, relating to finance and state debt, to prohibit the legislature from levying an ad valorem tax on property for the benefit of the state general fund and prohibiting the use of revenue derived from an ad valorem tax on property to replace money which would otherwise be appropriated from the state general fund.

RESOLVED BY THE ASSEMBLY AND THE SENATE OF THE STATE OF NEVADA, JOINTLY, That section 2 of article 9 of the constitution of the State of Nevada be amended to read as follows:

Sec. 2. The legislature shall provide by law for [an annual tax] *taxes* sufficient to defray the estimated expenses of the state for each fiscal year; and whenever the expenses of any year shall exceed the income, the legislature shall provide for [levying a tax] *taxes* sufficient, with other sources of income, to pay the deficiency, as well as the estimated expenses of such ensuing year or two years. *The legislature shall not levy an ad valorem tax on property for the benefit of the state general fund or provide for the use of revenue derived from an ad valorem tax on property to replace money which would otherwise be appropriated from the state general fund.* Any moneys paid for the purpose of providing compensation for industrial accidents and occupational diseases, and for administrative expenses incidental thereto, and for the purpose of funding and administering a public employees' retirement system, shall be segregated in proper accounts in the state treasury, and such moneys shall never be used for any other purposes, and they are hereby declared to be trust funds for the uses and purposes herein specified.

By the Committee on Education:

Assembly Concurrent Resolution No. 3—Urging the superintendent of public instruction to conduct research to determine whether the methods used to diagnose problems resulting from dyslexia and other specific disabilities in learning correlate with the methods used to correct such problems.

By the Committee on Education:

Assembly Concurrent Resolution No. 4—Urging additional public and private support for nonprofit corporations and institutions of higher learning in this state which conduct research and develop programs to assist pupils who have dyslexia or other specific disabilities in learning.

By the Committee on Education:

Assembly Concurrent Resolution No. 5—Urging school districts to increase the use of pupils as tutors in the classroom to assist pupils who have disabilities in learning.

Assemblyman Kerns 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: Joanne M. Lisosky, Stuart Murtland, KNPB CHANNEL 5, Barbara Hermand, Thomas Kinsey, NEVADA LEGISLATIVE NEWS SERVICE.

Motion carried.

INTRODUCTION AND FIRST READING OF LEGISLATION

By Assemblyman Getto:

Assembly Bill No. 72—An Act relating to the appropriation of water; removing an implication that notice of application must be published more than once; and providing other matters properly relating thereto.

By the Committee on Judiciary:

Assembly Bill No. 73—An Act relating to meetings of public bodies; revising the criminal penalty; adding a civil penalty; and providing other matters properly relating thereto.

By the Committee on Judiciary:

Assembly Bill No. 74—An Act relating to criminal procedure; clarifying the role of the department of parole and probation in making presentence

investigations and reports; authorizing the chief parole and probation officer to apply for the return of a prisoner from another state; and providing other matters properly relating thereto.

By the Committee on Judiciary:

Assembly Bill No. 75—An Act relating to vagrancy; supplying upper limits for the punishment of a second or subsequent violation; and providing other matters properly relating thereto.

By the Committee on Judiciary:

Assembly Bill No. 76—An Act relating to peace officers; extending the power of arrest to a federal officer or agent and police officer employed by an Indian tribe; extending the right to carry firearms or concealed weapons while on duty; and providing other matters properly relating thereto.

By the Committee on Judiciary:

Assembly Bill No. 77—An Act relating to mechanic's liens; precluding the filing or enforcement against property of the state or a political subdivision; and providing other matters properly relating thereto.

By the Committee on Judiciary:

Assembly Bill No. 78—An Act relating to tort; requiring joinder of all tortfeasors in an action involving comparative negligence; limiting the liability of each defendant to his own negligence; and providing other matters properly relating thereto.

By the Committee on Judiciary:

Assembly Bill No. 79—An Act relating to tort; limiting further the liability of public entities, officers and employees for negligence with respect to dangerous conditions; limiting the venue of an action against the state for injury to or wrongful death of a person or injury to personal property; and providing other matters properly relating thereto.

By the Committee on Judiciary:

Assembly Bill No. 80—An Act relating to public employees; permitting recovery of damages by a peace officer, fireman or emergency medical attendant for injuries inflicted by the public; and providing other matters properly relating thereto.

By the Committee on Judiciary:

Assembly Bill No. 81—An Act relating to dangerous weapons; imposing additional restrictions on the possession of certain weapons; permitting a pardoned felon to possess a firearm; and providing other matters properly relating thereto.

By the Committee on Judiciary:

Assembly Bill No. 82—An Act relating to the attorney general; extending the scope and venue of prosecutions of prisoners; removing records of appellate cases in which a county is a party from his records; and providing other matters properly relating thereto.

By the Committee on Judiciary:

Assembly Bill No. 83—An Act relating to county officers and employees; authorizing the attorney general to investigate and prosecute criminal offenses committed by county officers and employees under certain circumstances; and providing other matters properly relating thereto.

By the Committee on Judiciary:

Assembly Bill No. 84—An Act relating to the attorney general; extending his power to issue subpenas to administrative investigations; and providing other matters properly relating thereto.

By the Committee on Judiciary:

Assembly Bill No. 85—An Act relating to driving while intoxicated; limiting the requirement to segregate and assign offenders in prison; and providing other matters properly relating thereto.

By the Committee on Judiciary:

Assembly Bill No. 86—An Act relating to a public guardian; creating the office under the state public defender for certain mentally ill or mentally retarded persons; and providing other matters properly relating thereto.

By the Committee on Judiciary:

Assembly Bill No. 87—An Act relating to dangerous drugs; differentiating between obtaining drugs by deceit and possessing drugs so obtained; and providing other matters properly relating thereto.

By the Committee on Education:

Assembly Bill No. 88—An Act relating to public schools; establishing a program to provide instruction for pupils who lack basic educational skills; increasing the minimum number of days required in a school term; requiring certificated personnel to complete training in the area of specific disabilities in learning; and providing other matters properly relating thereto.

By the Committee on Education:

Assembly Bill No. 89—An Act relating to public schools; authorizing the establishment of a center for the collection and dissemination of information relating to specific disabilities in learning; requiring the testing of pupils for these disabilities before suspension or expulsion from school; authorizing the superintendent of public instruction to require the use of certain diagnostic and remedial methods for these disabilities in school districts; and providing other matters properly relating thereto.

By the Committee on Government Affairs:

Assembly Bill No. 90—An Act relating to special investigators for the attorney general and district attorneys; extending to those hired after July 1, 1977, the special provisions for the retirement of police officers; and providing other matters properly relating thereto.

By the Committee on Government Affairs:

Assembly Bill No. 91—An Act relating to veterans; repealing the provisions of NRS relating to reemployment; and providing other matters properly relating thereto.

By the Committee on Government Affairs:

Assembly Bill No. 92—An Act relating to state employees; raising the age for limited employment in the classified service; and providing other matters properly relating thereto.

By the Committee on Government Affairs:

Assembly Bill No. 93—An Act relating to deputy attorneys general; prohibiting payment to them for overtime and limiting compensatory time; and providing other matters properly relating thereto.

By the Committee on Government Affairs:

Assembly Bill No. 94—An Act relating to the investigation of crime; transferring the investigation division of the department of motor vehicles to the office of the attorney general; renaming the division; and providing other matters properly relating thereto.

By the Committee on Taxation:

Assembly Bill No. 95—An Act relating to taxation; providing a threshold for special distribution from generating facilities; and providing other matters properly relating thereto.

By the Committee on Taxation:

Assembly Bill No. 96—An Act relating to property tax; requiring centrally assessed property under constitution to be valued by the Nevada tax commission; and providing other matters properly relating thereto.

By the Committee on Taxation:

Assembly Bill No. 97—An Act relating to taxation; changing the methods and procedures used in the assessment of property; increasing the minimum assessment on real property; providing for the assessment of time shares; and providing other matters properly relating thereto.

Senate Bill No. 2.

Bill read first time.

Senate Bill No. 3.

Bill read first time.

REFERENCE OF MEASURES TO COMMITTEES

Assembly Bill No. 65.

Assemblyman Nicholas moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

Assembly Bill No. 66.

Assemblyman Nicholas moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

Assembly Bill No. 67.

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

Motion carried.

Assembly Bill No. 68.

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

Motion carried.

Assembly Bill No. 69.

Assemblyman Bergevin moved that the bill be referred to the Concurrent Committees on Government Affairs and Ways and Means.

Motion carried.

Assembly Bill No. 70.

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

Motion carried.

Assembly Bill No. 71.

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

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 9.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 15.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 16.

Bill read second time, ordered engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Mr. Speaker announced that there will be a Joint Session of the Senate and Assembly, Monday, February 11, 1985, 11 a.m., for the purpose of hearing The Honorable Barbara Vucanovich, United States Representative for Nevada.

INTRODUCTION AND FIRST READING OF LEGISLATION

By the Committee on Commerce:

Assembly Bill No. 98—An Act relating to regulation of trade practices; transferring the consumer affairs division from the department of commerce to the office of the attorney general; renaming the division; and providing other matters properly relating thereto.

By Assemblymen Collins, Arberry, Ham, Francis, Thomas, Swain, Sader, Coffin, Williams, Sedway, Bergevin, Malone, Banner, Price and Stone:

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.

By the Committee on Commerce:

Assembly Bill No. 100—An Act relating to optometry; removing temptation for the Nevada state board of optometry to recover its costs of a disciplinary hearing; and providing other matters properly relating thereto.

By the Committee on Commerce:

Assembly Bill No. 101—An Act relating to secured interests in property; clarifying the duty of the court in entering a deficiency judgment; clarifying the priority of secured interests in a boat; and providing other matters properly relating thereto.

By the Committee on Commerce:

Assembly Bill No. 102—An Act relating to the licensing by the private investigator's licensing board; eliminating duplication between discretionary and mandatory grounds for refusing a license; and providing other matters properly relating thereto.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Zimmer, the privilege of the floor of the Assembly Chamber for this day was extended to Col. Harold Steiner.

On request of Assemblyman Ham, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Peggy Wutke.

On request of Assemblyman O'Donnell, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Doris Steiner.

On request of Assemblyman Swain, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Larry Jensen.

Assemblyman Francis moved that the Assembly adjourn until Monday, February 4, 1985 at 11 a.m.

Motion carried.

Assembly adjourned at 11:34 a.m.

Approved:

BYRON L. BILYEU
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE FIFTEENTH DAY

CARSON CITY (Monday), February 4, 1985

Assembly called to order at 11:03 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, Father Jerry Hanley.

Heavenly Father, let us choose to begin anew, letting go of old thoughts, feelings and attitudes that may have kept our good from us. May we think new thoughts and ponder new values and seek new light to find new ways to express our God-given gifts. Let our moments be seen as precious, never to come again and may we see ourselves as precious—Your wonder made flesh. God bless our day, our families and those we serve. Bless especially those who mourn this day in our state. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Francis 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. 39, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

LOUIS W. BERGEVIN, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, February 1, 1985

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Senate Bills Nos. 7, 11.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

By the Committee on Legislative Functions:

Assembly Resolution No. 4—Providing for the appointment of an additional attaché.

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, That Joan Polichio is elected as an additional attaché of the assembly for the 63rd session of the legislature of the State of Nevada.

Assemblyman Bogaert moved the adoption of the resolution.

Resolution adopted.

INTRODUCTION AND FIRST READING OF LEGISLATION

By Assemblymen Dini, Bergevin, Getto, Marvel and Bilyeu:

Assembly Bill No. 103—An Act making a supplemental appropriation to the desert research institute of the University of Nevada System for payment of the expenses related to its program for seeding clouds; and providing other matters properly relating thereto.

By Assemblymen Banner, Coffin and Thompson:

Assembly Bill No. 104—An Act relating to disabled veterans; extending to them the privilege to park in spaces reserved for the handicapped; and providing other matters properly relating thereto.

Senate Bill No. 7.

Bill read first time.

Senate Bill No. 11.

Bill read first time.

REFERENCE OF MEASURES TO COMMITTEES

Assembly Bill No. 72.

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

Motion carried.

Assembly Bill No. 73.

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

Motion carried.

Assembly Bill No. 74.

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

Motion carried.

Assembly Bill No. 75.

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

Motion carried.

Assembly Bill No. 76.

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

Motion carried.

Assembly Bill No. 77.

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

Motion carried.

Assembly Bill No. 78.

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

Motion carried.

Assembly Bill No. 79.

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

Motion carried.

Assembly Bill No. 80.

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

Motion carried.

Assembly Bill No. 81.

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

Motion carried.

Assembly Bill No. 82.

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

Motion carried.

Assembly Bill No. 83.

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

Motion carried.

Assembly Bill No. 84.

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

Motion carried.

Assembly Bill No. 85.

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

Motion carried.

Assembly Bill No. 86.

Assemblyman Francis moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

Assembly Bill No. 87.

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

Motion carried.

Assembly Bill No. 88.

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

Motion carried.

Assembly Bill No. 89.

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

Motion carried.

Assembly Bill No. 90.

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

Motion carried.

Assembly Bill No. 91.

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

Motion carried.

Assembly Bill No. 92.

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

Motion carried.

Assembly Bill No. 93.

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

Motion carried.

Assembly Bill No. 94.

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

Motion carried.

Assembly Bill No. 95.

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

Motion carried.

Assembly Bill No. 96.

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

Motion carried.

Assembly Bill No. 97.

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

Motion carried.

Assembly Bill No. 98.

Assemblyman Francis moved that the bill be referred to the Committee on Commerce.

Motion carried.

Assembly Bill No. 99.

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

Motion carried.

Assembly Bill No. 100.

Assemblyman Francis moved that the bill be referred to the Committee on Commerce.

Motion carried.

Assembly Bill No. 101.

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

Motion carried.

Assembly Bill No. 102.

Assemblyman Francis moved that the bill be referred to the Committee on Commerce.

Motion carried.

Assembly Joint Resolution No. 2.

Assemblyman Price moved that the resolution be referred to the Committee on Taxation.

Motion carried.

Assembly Concurrent Resolution No. 3.

Assemblyman Francis moved that the resolution be referred to the Committee on Education.

Motion carried.

Assembly Concurrent Resolution No. 4.

Assemblyman Francis moved that the resolution be referred to the Committee on Education.

Motion carried.

Assembly Concurrent Resolution No. 5.

Assemblyman Francis moved that the resolution be referred to the Committee on Education.

Motion carried.

Senate Bill No. 2.

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

Motion carried.

Senate Bill No. 3.

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

Motion carried.

Assemblyman Dini 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.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Francis moved that the vote whereby Assembly Bill No. 94 was referred to the Committee on Government Affairs be rescinded.

Motion carried.

Assemblyman Francis moved that Assembly Bill No. 94 be referred to the Concurrent Committees on Government Affairs and Ways and Means.

Motion carried.

Assemblyman Francis moved that the vote whereby Assembly Bill No. 98 was referred to the Committee on Commerce be rescinded.

Motion carried.

Assemblyman Francis moved that Assembly Bill No. 98 be referred to the Concurrent Committees on Commerce and Ways and Means.

Motion carried.

By Assemblymen Humke, Bogaert, Nicholas, Stone, Beyer, Sader, Nevin, Swain, Lambert and Kerns:

Assembly Concurrent Resolution No. 6—Commending various persons, organizations and enterprises who responded to the crash of an aircraft in Reno on January 21, 1985.

WHEREAS, The crash of an aircraft owned by Galaxy Airlines in Reno on January 21, 1985, and its tragic consequences, created a grave emergency requiring immediate action; and

WHEREAS, In response to that tragedy, many citizens in the community and various businesses and organizations promptly came forward to offer their services where they were most needed; and

WHEREAS, Because of the generosity, hard work, dedication and self-sacrifice of these citizens, businessmen, and members of the organizations, the aftermath of this tragedy was handled in a safe, efficient and cooperative manner; now, therefore, be it

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, THE SENATE CONCURRING, That this legislature commends and extends its appreciation to all the citizens and various businesses and organizations who assisted in this emergency, including:

1. The Washoe County Sheriff's Office.
2. The Washoe County Sheriff's Hasty Team.
3. The Washoe County Sheriff's Mounted Posse.

4. The Washoe County Sheriff's Reserve Deputies.
5. The Washoe County Sheriff's Search and Rescue.
6. The Reno Police Department.
7. The Nevada Highway Patrol.
8. The Truckee Meadows Fire Protection District.
9. The Reno Fire Department.
10. The Airport Fire Department.
11. Care Flight.
12. Medic 1—Advanced Emergency Services.
13. Washoe Medical Center.
14. St. Mary's Hospital.
15. Aids Ambulance.
16. Medic Air.
17. The Washoe County Office of Emergency Management.
18. The Washoe County Coroner's Office.
19. The Washoe County Fairgrounds.
20. The Washoe County Health Department.
21. The Washoe County Manager's Office.
22. The Washoe Medical Center Social Services Department.
23. The Washoe County Road Department.
24. The Federal Aviation Administration.
25. The National Transportation Safety Board.
26. The City of Reno Road Department.
27. The Nevada Department of Transportation.
28. Sierra Pacific Power Company.
29. Nevada Bell.
30. Sani-Hut.
31. Bonanza Produce.
32. Western Nevada Supply.
33. Commercial Hardware.
34. Desert Mountain Oil Company.
35. Personal Development Consultants.
36. The Air National Guard.
37. The Nevada National Guard.
38. The Washoe County Commission.
39. The Reno City Council.
40. The Federal Bureau of Investigation.
41. McDonald's.
42. Carl's, Jr.
43. The American Red Cross.
44. The Salvation Army.
45. The Combined Dispatch Center.
46. The Washoe Jeep Squadron.
47. Model Dairy.
48. Mr. Donut.
49. Peppermill Corporation.
50. University of Nevada-Reno Search and Rescue.

Assemblyman Humke moved the adoption of the resolution.

Remarks by Assemblymen Humke and Stone.

Resolution adopted.

INTRODUCTION AND FIRST READING OF LEGISLATION

By the Committee on Health and Welfare:

Assembly Bill No. 105—An Act relating to public health; removing the authority of the state board of health to set fees for licensing and inspections

by the health division of the department of human resources; and providing other matters properly relating thereto.

By the Committee on Judiciary:

Assembly Bill No. 106—An Act relating to law libraries; providing for special fees in civil actions for the support of a law library in certain counties; and providing other matters properly relating thereto.

SECOND READING AND AMENDMENT

Assembly Bill No. 14.

Bill read second time, ordered engrossed and to third reading.

GENERAL FILE AND THIRD READING

Assembly Bill No. 9.

Bill read third time.

Remarks by Assemblyman Swain.

Roll call on Assembly Bill No. 9:

YEAS—42.

NAYS—None.

Assembly Bill No. 9 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 15.

Bill read third time.

Remarks by Assemblyman Lambert.

Roll call on Assembly Bill No. 15:

YEAS—42.

NAYS—None.

Assembly Bill No. 15 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 16.

Bill read third time.

Remarks by Assemblyman Spriggs.

Roll call on Assembly Bill No. 16:

YEAS—42.

NAYS—None.

Assembly Bill No. 16 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

INTRODUCTION AND FIRST READING OF LEGISLATION

By the Committee on Natural Resources, Agriculture and Mining:

Assembly Bill No. 107—An Act relating to wildlife; increasing fees for

certain licenses, permits and tags; providing fees for certain licenses; authorizing the inspection of certain records and documents of a license agent; and providing other matters properly relating thereto.

REMARKS FROM THE FLOOR

Assemblyman Francis requested that Assemblyman Bogaert's remarks be entered in the Journal.

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 the Boy Scouts of America have designated February 4, 1985, as Boy Scout Day in commemoration of the 75th anniversary of the founding of the Boy Scouts of America.

Today representative boy scouts are visiting the offices of all branches of government of the State of Nevada. 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. Therefore, February 4, 1985, is declared to be Nevada Boy Scout Day, and we heartily commend the Boy Scouts of America for their interest in our government.

Assemblyman Francis requested that Assemblyman O'Donnell's remarks be entered in the Journal.

Mr. Speaker, I would like the State of Nevada and this body to recognize and commend Stephenie Cranson for her heroic efforts in saving her brother's life. She recently jumped into a swimming pool with her arm in a cast and saved her brother's life. This act should be an example to other children and members of the community. Stephenie, I would like to commend you for your courage.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Williams, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Chad Jenkins.

On request of Assemblyman Malone, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Jared Porter and Ted Nissen.

On request of Assemblyman Nevin, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Lane Mills.

On request of Assemblyman Marvel, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Scott Garrow, Cameron Kent, Chris Maddox, Toby Melvert and Neil Talbot.

On request of Assemblyman Sader, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Casey Gish.

On request of Assemblyman Thomas, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Josh Griffin.

On request of Assemblyman Ham, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Tony Lockard.

On request of Assemblyman Humke, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Kris Sorensen and Clay McDonald.

On request of Assemblyman Banner, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Mark Castleton.

On request of Assemblyman McGaughey, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Benjamin Knight, Curt Ainsworth, Jason Marchant and Jimmy McGaughey.

On request of Assemblyman Nicholas, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Joe Crandall.

On request of Assemblyman Beyer, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Steven Beyer and Rob Rice.

On request of Assemblyman Joerg, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Tom Whitney and Scott Peterson.

On request of Assemblyman Sedway, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. John Brasher and Jonathan Thompson.

On request of Assemblyman Thompson, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Reed Howe.

On request of Assemblyman Francis, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Eric Thompson.

On request of Assemblyman Rader, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Jody Jaramillo.

On request of Assemblyman Jeffrey, the privilege of the floor of the Assembly Chamber for this day was extended to Heath McMullen.

On request of Assemblyman DuBois, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Preston Foster.

On request of Assemblyman Collins, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Mike Andrews.

On request of Assemblyman Getto, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Ted Schoenfeld, Kenneth Weigel and Tom Young.

On request of Assemblyman Bergevin, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Ross Elton.

On request of Assemblyman Bogaert, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Mark Knight, Aaron Browne, Doug Nelson, Joel Brugger, Robert Sperry, Darry Hanks, Glen Harper, James Carpenter, Jeff Rose, Jim Holt, Marcus Mendive, Matthew Setty, Mike Stuart, Steve Witkowski, Todd Loughney, Adam Sorensen, Bruce Cheney, Chris Townsen, David Hicks, David Inmon, Keith Robertson, Ken Earl, Lance Hutchingson, Mat Gray, Lance Lattin, Russell Hayes, Tim Meyer, Timothy Ray, Tony Myers, Dusty Funk, Brent Jones,

Allen Zaudke, Carl Redding, Darren Thomas, Doug Vaughan, Ed Horvath, Jim Arriola, Justine Saunders, Keith Bunker, Larry Graves, Matthew Hunt, Micah Potter, Robbie Cullins, Steve Christensen, Tim Dougan, Tim Jackson, Tom Ellis, Dan Schevermann, Mark Gardner, Alan Campbell, Brandon Grover, Bryan Manning, Chris Howe, David Chamberlain, Douglas Hall, Erik Fierce, Frank Frost, Robert Drake, Keith Jensen, Ross Elton, Russell Baker, Colin Kelly, David Berry, Eric Thompson, Jason Knight, Michael Andrews, Seth Fitzgerald, Steve Willgerd, Tom Whitney, Joe McCoy, Michael Wambolt, Patrick Casalez, Art Smith, John Collier, Pete Crudo, Bob Johnson, Erick Murray, Fred Willyerd, George Bunker, Ken Kliwer, Roy Anderson, Steve Nelson, Steve Christensen, Tom Pucket, Scott Callison, Brent Jones, Rynn Riley, Chris Thompson, Tom Young and Timothy Jackson.

On request of Assemblyman Price, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Kevin Keck.

On request of Assemblyman O'Donnell, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Dal Anderson.

On request of Assemblyman Stone, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Jake Knight.

On request of Assemblyman Horne, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Steven Vicars.

On request of Assemblyman Coffin, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Jathain Spor.

On request of Assemblyman Schofield, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Richie Gast.

On request of Assemblyman Dini, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Mark LeCave.

On request of Assemblyman Kerns, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Daniel Scheuermann.

On request of Assemblyman Little, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Alan Campbell.

On request of Assemblyman Fairchild, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Gavin McIntire.

On request of Assemblyman Roberts, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Chris Thompson.

On request of Assemblyman Lambert, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Mark Gardner.

On request of Mr. Speaker, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Fos Armstrong, Ms. Nancy Martin, Messrs. Phil Noche, Steve English and students from Carlin High School, Elko, Nevada: Mickey Alegria, Chad Baum, Jon Cartwright, Molly

Hopper, Debbie Mock, Elizabeth Trimbach, Debbie Skinner, Usami Uchida, Tammy Burroughs, Monica Christensen, Colleen Howard, Tim Randall, JoAnn Yraguen, Karyn Bates, Dorene Neierhoff, Steve Transmeier, Sarita Berhow, Brad Campbell, Mike Ferro, Lee Simpkins, Bill Willis, Dalana Micheli, Jeff Wright, Odin Bundy, Amy Carr, Paul Hilbun, Walter Long, Terri Summers, Oliver Hines, David Gates and James Crooks.

Assemblyman Francis moved that the Assembly adjourn until Tuesday, February 5, 1985 at 11 a.m.

Motion carried.

Assembly adjourned at 11:55 a.m.

Approved:

BYRON L. BILYEU
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE SIXTEENTH DAY

CARSON CITY (Tuesday), February 5, 1985

Assembly called to order at 11:02 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, Father Jerry Hanley.

Our Father, there was time when the mountains around us seldom heard a human voice. Since the beginning, many have come and gone; power has faded and been reborn and the sheer emptiness of it has been shown from generation to generation. What has lasted in the end was love and integrity. Let us remember that we, too, will pass by this way and face You someday. Let us be remembered for how we understood, listened, forgave and cared for life, for how we laid down our life for Your values for each other, for how we built on the best of those before us and how we forgave and learned from the worst. Bless this Assembly, their families, their words and their actions, that Your will be done through them and that we will be better throughout this beautiful state because they have been here. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Francis 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 Concurrent Resolution No. 2, has had the same under consideration, and begs leave to report the same back with the recommendation: Be adopted, and re-refer to the Committee on Legislative Functions.

JAMES STONE, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which were referred Assembly Bills Nos. 21, 24, 26, 27, 28, 29, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JAMES STONE, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Stone moved that Assembly Concurrent Resolution No. 2 be re-referred to the Committee on Legislative Functions.

Motion carried.

INTRODUCTION AND FIRST READING OF LEGISLATION

By the Committee on Judiciary:

Assembly Bill No. 108—An Act relating to a driver's license; requiring a conviction based on the presence of 0.10 percent or more by weight of

alcohol in the blood of the driver before revocation of his license; and providing other matters properly relating thereto.

By the Committee on Labor and Management:

Assembly Bill No. 109—An Act relating to industrial insurance; transferring the responsibility for certifying self-insured employers from the commissioner of insurance to the administrator of the division of industrial insurance regulation; and providing other matters properly relating thereto.

By the Committee on Labor and Management:

Assembly Bill No. 110—An Act relating to industrial insurance; making insurers' files available for inspection by the administrator of the division of industrial insurance regulation; expanding the duties of the administrator; clarifying the provisions of the law concerning the payment of the costs of administering the program of workmen's compensation; and providing other matters properly relating thereto.

By the Committee on Labor and Management:

Assembly Bill No. 111—An Act relating to industrial insurance; changing the title of the state industrial attorney; permitting the use of additional factors in calculating the compensation for a permanent partial disability; modifying the procedure for the appeal of a contested claim; and providing other matters properly relating thereto.

By the Committee on Labor and Management:

Assembly Bill No. 112—An Act relating to industrial insurance; prohibiting a provider of health care from charging an injured employee who is referred to him for treatment; changing the method by which fees and charges for accident benefits are established; and providing other matters properly relating thereto.

REFERENCE OF MEASURES TO COMMITTEES

Assembly Bill No. 103.

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

Motion carried.

Assembly Bill No. 104.

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

Motion carried.

Assembly Bill No. 105.

Assemblyman Francis moved that the bill be referred to the Concurrent Committees on Health and Welfare and Ways and Means.

Motion carried.

Assembly Bill No. 106.

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

Motion carried.

Assembly Bill No. 107.

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

Motion carried.

Senate Bill No. 7.

Assemblyman Francis moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 11.

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

Motion carried.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, February 5, 1985

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. 15.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen Dini, Thompson, Jeffrey, Schofield, Price, Craddock, Williams, Sader, Nevin, Sedway, Coffin, Arberry, Getto, Thomas, Humke, Collins, DuBois, Joerg, Francis, Spriggs, Banner, Little and McGaughey:

Assembly Joint Resolution No. 3—Proposing to amend section 9 of article 8 of the constitution of the State of Nevada, to allow the state to finance small businesses if it will provide additional employment in this state.

RESOLVED BY THE ASSEMBLY AND SENATE OF THE STATE OF NEVADA, JOINTLY, That section 9 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] *:*

1. Corporations formed for educational or charitable purposes [.] *; or*

2. To provide additional employment in this state.

By Assemblymen Nevin, Bogaert and Beyer:

Assembly Concurrent Resolution No. 7—Amending Senate Concurrent Resolution No. 45 of the 62nd session to require the restriction on the diversion of water from certain counties to expire on adjournment of the 63rd session.

Senate Concurrent Resolution No. 15.

Assemblyman Francis moved the adoption of the resolution.

Remarks by Assemblymen Nicholas and Thomas.

Resolution adopted.

INTRODUCTION AND FIRST READING OF LEGISLATION

By Assemblymen DuBois, Malone, Kerns, Beyer, Roberts, Bogaert, Stone, Zimmer, Getto, Marvel, Nicholas, Bergevin, Francis, Humke, Ham, Joerg, Tebbs, Fairchild, Rader, Coffin, Little, McGaughey and O'Donnell:

Assembly Bill No. 113—An Act relating to welfare; requiring certain counties and authorizing others to establish a program to require persons to perform work as a condition of receiving aid to dependent children; authorizing the director of the department of human resources to require performance of work as a condition of receiving food stamps; providing coverage of industrial insurance for person performing such work; and providing other matters properly relating thereto.

By the Committee on Government Affairs:

Assembly Bill No. 114—An Act relating to public works; deleting the requirement for payment of interest on money withheld from contractors on public works; and providing other matters properly relating thereto.

By Assemblymen Nevin, Bogaert and Beyer:

Assembly Bill No. 115—An Act relating to the state engineer; requiring fees collected to be placed in the fund for water research; restricting expenditures from the fund; and providing other matters properly relating thereto.

By Assemblymen Nevin, Bogaert and Beyer:

Assembly Bill No. 116—An Act relating to the consumption of water; broadening the restrictions on domestic outlets; and providing other matters properly relating thereto.

By the Committee on Government Affairs:

Assembly Bill No. 117—An Act relating to holidays; requiring the governor to proclaim a legal holiday before the start of the fiscal year; allowing local governments to exempt themselves from such a holiday; and providing other matters properly relating thereto.

By the Committee on Judiciary:

Assembly Bill No. 118—An Act relating to the requirement for open and public meetings; providing an exception for conferences between the public body and its attorney; and providing other matters properly relating thereto.

By the Committee on Ways and Means:

Assembly Bill No. 119—An Act relating to the livestock inspection fund; providing for addition to the fund of any interest earned on money in the fund; and providing other matters properly relating thereto.

By the Committee on Ways and Means:

Assembly Bill No. 120—An Act relating to persons arrested for commission of public offenses; requiring the state to assume the responsibility for medical care of certain persons found incompetent to stand trial; and providing other matters properly relating thereto.

By Assemblyman Dini:

Assembly Bill No. 121—An Act relating to public schools; repealing the prohibition against payment of salaries in advance; and providing other matters properly relating thereto.

By Assemblyman Dini:

Assembly Bill No. 122—An Act relating to elections; eliminating the filing fee for a candidate for trustee of a county school district; and providing other matters properly relating thereto.

By the Committee on Taxation:

Assembly Bill No. 123—An Act relating to the tax on motor vehicle fuel; allowing an incorporated city and the unincorporated area of the county to act independently in imposing the tax; and providing other matters properly relating thereto.

By the Committee on Taxation:

Assembly Bill No. 124—An Act relating to the property tax; requiring the county treasurer to make a monthly apportionment and distribution of the tax to other local governments; and providing other matters properly relating thereto.

By the Committee on Taxation:

Assembly Bill No. 125—An Act relating to local governments; removing the limitation on local governmental power to determine fees for licenses and permits; changing the distribution of the money in the reserve fund for the supplemental city-county relief tax; and providing other matters properly relating thereto.

By the Committee on Taxation:

Assembly Bill No. 126—An Act relating to local governments; eliminating tentative budgets; and providing other matters properly relating thereto.

SECOND READING AND AMENDMENT

Assembly Bill No. 39.

Bill read second time, ordered engrossed and to third reading.

GENERAL FILE AND THIRD READING

Assembly Bill No. 14.

Bill read third time.

Remarks by Assemblyman Banner.

Roll call on Assembly Bill No. 14:

YEAS—42.

NAYS—None.

Assembly Bill No. 14 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assemblyman Zimmer moved that the Assembly recess subject to the call of the Chair.

Motion carried.

Assembly in recess at 11:26 a.m.

ASSEMBLY IN SESSION

At 11:33 a.m.

Mr. Speaker presiding.

Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

By the Committee on Natural Resources, Agriculture and Mining:

Assembly Joint Resolution No. 4—Urging the Congress and the President of the United States to take all measures necessary to mitigate the adverse effects of a facility for the disposal of high-level radioactive waste in this state.

By the Committee on Natural Resources, Agriculture and Mining:

Assembly Joint Resolution No. 5—Urging the Federal Government to assume the total financial responsibility for the mitigation of all adverse effects of any facility for the disposal of high-level radioactive waste in this state.

INTRODUCTION AND FIRST READING OF LEGISLATION

By the Committee on Labor and Management:

Assembly Bill No. 127—An Act relating to labor; adding definitions; providing increased penalties and remedies against employers; and providing other matters properly relating thereto.

By Assemblymen Schofield, Dini, Jeffrey, Sader, Coffin and Craddock:

Assembly Bill No. 128—An Act relating to high-level radioactive waste; requiring persons who transport the waste in this state to obtain a permit and pay a fee; and providing other matters properly relating thereto.

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. Bill Price.

On request of Assemblyman Williams, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Kelly Holmes.

On request of Assemblyman Joerg, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Sandra Joerg and Ms. Ruth Ailes.

On request of Assemblyman Spriggs, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Ruby Freer.

On request of Assemblyman Collins, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Ted Cuveston and Alis Harris.

On request of Assemblyman Beyer, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Fred Horlacher.

On request of Assemblyman Humke, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Jan Lockard.

On request of Mr. Speaker, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Tatsu Kishimoto.

Assemblyman Francis moved that the Assembly adjourn until Wednesday, February 6, 1985 at 11 a.m.

Motion carried.

Assembly adjourned at 11:39 a.m.

Approved:

BYRON L. BILYEU
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE SEVENTEENTH DAY

CARSON CITY (Wednesday), February 6, 1985

Assembly called to order at 11:05 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, Father Benito Afuang.

I would like to ask the Assembly to remember the young man who was shot accidently last Sunday. He is being buried at this very moment. Merciful Father, we ask Your mercy on all of us gathered here to hear Your word and act on it. Eternal Father, we ask You to rekindle the American dream in all of us so that we may be faithful to our destiny. Almighty Father, we ask You for inner peace so that we can be peaceful with one another and with the whole world. Heavenly Father, we ask You to guide us to the eternal mountains where Your kingdom reigns. Loving Father, we commend our lives to Your eternal love so that same love can overflow from us. All these we pray. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Francis 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. 17, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

LOUIS W. BERGEVIN, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which were referred Assembly Bills Nos. 1, 67, 68, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

LOUIS W. BERGEVIN, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which were referred Assembly Bills Nos. 30, 32, 34, 36, 37, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JAMES STONE, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, February 5, 1985

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.

MARY JO MONGELLI
Assistant Secretary of the Senate

INTRODUCTION AND FIRST READING OF LEGISLATION

By the Committee on Education:

Assembly Bill No. 129—An Act relating to public employees; adding certain subjects for mandatory bargaining; requiring time for the professional development of teachers; requiring the reporting of a criminal act under certain circumstances; providing a penalty; and providing other matters properly relating thereto.

By the Committee on Education:

Assembly Bill No. 130—An Act making an appropriation to the state distributive school fund for programs of vocational education; and providing other matters properly relating thereto.

By the Committee on Education:

Assembly Bill No. 131—An Act relating to vocational education; requiring the boards of trustees of certain school districts to establish schools for vocational education; changing the statutory terminology; and providing other matters properly relating thereto.

By the Committee on Education:

Assembly Bill No. 132—An Act relating to the University of Nevada; establishing minimum qualifications for admission to the Reno and Las Vegas branches; and providing other matters properly relating thereto.

By the Committee on Education:

Assembly Bill No. 133—An Act relating to pupils; requiring the establishment of kindergartens; changing the minimum age of attendance for a handicapped minor; changing the ages of compulsory attendance; making the teacher solely responsible for the decision to promote or retain; and providing other matters properly relating thereto.

By the Committee on Education:

Assembly Bill No. 134—An Act relating to education; establishing the minimum educational qualification for a special certificate authorizing the performance of administrative services; and providing other matters properly relating thereto.

By the Committee on Education:

Assembly Bill No. 135—An Act making an appropriation to the state board for vocational education for allocation to county school districts for the purchase of equipment for vocational education; and providing other matters properly relating thereto.

By the Committee on Education:

Assembly Bill No. 136—An Act relating to public schools; establishing the minimum number of incremental increases required on a schedule for salaries; setting a minimum salary for certain school years; requiring commensurate increases on the schedules of salaries for certain school years; and providing other matters properly relating thereto.

By the Committee on Education:

Assembly Bill No. 137—An Act relating to vocational education; authorizing the commission on economic development to grant money to post-secondary educational institutions to develop programs designed to teach skills needed for new or existing businesses; and providing other matters properly relating thereto.

By the Committee on Education:

Assembly Bill No. 138—An Act relating to education; requiring prospective teachers to pass certain tests before they may be certified; changing the procedure for evaluating the performance of persons holding a certificate issued by the superintendent of public instruction; and providing other matters properly relating thereto.

By the Committee on Education:

Assembly Bill No. 139—An Act relating to education; creating a program of financial assistance for certain persons who will teach in Nevada; imposing related duties on the state board of education; and providing other matters properly relating thereto.

By Assemblymen Price and Bergevin:

Assembly Bill No. 140—An Act relating to property tax; limiting the permissible uses of revenues derived from an ad valorem property tax; and providing other matters properly relating thereto.

MOTIONS, RESOLUTIONS AND NOTICES

By the Committee on Education:

Assembly Concurrent Resolution No. 8—Urging the school districts in the smaller counties to cooperate with each other to establish regional programs for vocational education.

REFERENCE OF MEASURES TO COMMITTEES

Assembly Bill No. 108.

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

Motion carried.

Assembly Bill No. 109.

Assemblyman Francis moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

Assembly Bill No. 110.

Assemblyman Francis moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

Assembly Bill No. 111.

Assemblyman Francis moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

Assembly Bill No. 112.

Assemblyman Francis moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

Assembly Bill No. 113.

Assemblyman DuBois moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

Assembly Bill No. 114.

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

Motion carried.

Assembly Bill No. 115.

Assemblyman Nevin moved that the bill be referred to the Concurrent Committees on Government Affairs and Ways and Means.

Motion carried.

Assembly Bill No. 116.

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

Motion carried.

Assembly Bill No. 117.

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

Motion carried.

Assembly Bill No. 118.

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

Motion carried.

Assembly Bill No. 119.

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

Motion carried.

Assembly Bill No. 120.

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

Motion carried.

Assembly Bill No. 121.

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

Motion carried.

Assembly Bill No. 122.

Assemblyman Dini moved that the bill be referred to the Committee on Elections.

Motion carried.

Assembly Bill No. 123.

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

Motion carried.

Assembly Bill No. 124.

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

Motion carried.

Assembly Bill No. 125.

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

Motion carried.

Assembly Bill No. 126.

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

Motion carried.

Assembly Bill No. 127.

Assemblyman Francis moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

Assembly Bill No. 128.

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

Motion carried.

Assembly Joint Resolution No. 3.

Assemblyman Dini moved that the resolution be referred to the Committee on Economic Development and Tourism.

Motion carried.

Assembly Joint Resolution No. 4.

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

Motion carried.

Assembly Joint Resolution No. 5.

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

Motion carried.

Assembly Concurrent Resolution No. 7.

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

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Stone moved that the vote whereby Assembly Bill No. 118 was referred to the Committee on Judiciary be rescinded.

Motion carried.

Assemblyman Stone moved that Assembly Bill No. 118 be referred to the Committee on Government Affairs.

Motion carried.

INTRODUCTION AND FIRST READING OF LEGISLATION

By the Committee on Labor and Management:

Assembly Bill No. 141—An Act relating to labor; changing the time within which an employer is required to pay an employee who resigns; and providing other matters properly relating thereto.

By the Committee on Health and Welfare:

Assembly Bill No. 142—An Act relating to labor; prohibiting an employee in a licensed occupation who does not hold the required license from collecting benefits on account of industrial insurance and unemployment; and providing other matters properly relating thereto.

By the Committee on Health and Welfare:

Assembly Bill No. 143—An Act relating to pharmacy; providing for access by licensed practical nurses and pharmacists to drugs maintained at licensed extended care facilities; providing that those drugs remain the property of the pharmacy furnishing them; providing for monthly inventory by a pharmacist; and providing other matters properly relating thereto.

By the Committee on Health and Welfare:

Assembly Bill No. 144—An Act relating to health and care facilities; permitting a privately owned facility to refuse to accept as a patient any person within the category of patients it is licensed to serve; and providing other matters properly relating thereto.

By the Committee on Taxation:

Assembly Bill No. 145—An Act relating to the taxation of property; providing ultimately for the fullest feasible use of market value; gradually increasing the proportion borne by improvements; extending the discretion of county assessors; and providing other matters properly relating thereto.

SECOND READING AND AMENDMENT

Assembly Bill No. 21.
Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 24.
Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 26.
Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 27.
Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 28.
Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 29.
Bill read second time, ordered engrossed and to third reading.

GENERAL FILE AND THIRD READING

Assembly Bill No. 39.
Bill read third time.
Remarks by Assemblymen Bergevin, Nicholas and Stone.
Roll call on Assembly Bill No. 39:

YEAS—42.
NAYS—None.

Assembly Bill No. 39 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Mr. Speaker announced that there will be a Joint Session of the Senate and Assembly, Thursday, February 14, 1985, 11 a.m., for the purpose of hearing The Honorable Paul Laxalt, United States Senator for Nevada; and that there will be a Joint Session of the Senate and Assembly Monday, February 18, 1985, 11 a.m., for the purpose of hearing The Honorable Harry Reid, United States Representative for Nevada.

INTRODUCTION AND FIRST READING OF LEGISLATION

By the Committee on Commerce:
Assembly Bill No. 146—An Act relating to unclaimed property; authorizing incorporated cities and towns to retain and sell unclaimed property; and providing other matters properly relating thereto.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Resolution No. 4.

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 Brother Ignatius Foster, Messrs. Richard Fusick, John Linton and students from Bishop Manogue High School, Robert Acordagoitia, Dean Adamek, Lisa Ault, Sean Bailey, John Barsanti, Eric Baryol, Eric Blackwell, Jodi Burke, Samantha Burris, Pat Cashell, Alyson Chapman, Pat Corkery, Tim Crites, Julie Davis, Angela Dobson, Frank Evans, Cyd Ewald, Pat Fay, Dean Ferguson, Pat Flynn, Carrie Ford, Thomas Fraide, John Garcia, Russell Gardner, Kenneth Grimes, Amy Hagadorn, Steve Hummel, Tracene Janda, Aaron Johnson, Caren Jordan, Marc Jouin, Michael Kearns, James Kelley, Keith Kossol, Rowena Libang, Nicole Lieberman, Sharon Long, Gina Mahoney, Pam Man, Tim Meade, Michelle Miller, Dino Moler, Steven Mullins, Paul Nielsen, Bryan O'Neal, Heidi Often, Alayne Oppio, Jacqueline Pasa, Sean Petronzi, Robin Phillips, Karie Richards, Jill Sinn, James Speth, David Staley, Jeff Steckline, Maria Stempeck, Linda Sullivan, Staci Teixeira, Patty Umanna, Debra Vanwicklen, David Vial and Tana Zinino.

On request of Assemblyman Beyer, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Olen Wilford.

On request of Assemblyman Dini, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Dwight Millard.

On request of Assemblyman Swain, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Sue Furgerson.

On request of Assemblyman Thompson, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Don Chism.

On request of Assemblyman Joerg, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Gary Liebard.

On request of Assemblyman Nevin, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Ed Meagher.

On request of Assemblyman Stone, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Alan Ramsey.

On request of Assemblyman Schofield, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Richard Plaster.

On request of Assemblyman Nicholas, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Richard Heikka.

On request of Assemblyman Bogaert, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Dennis Johnson.

Assemblyman Francis moved that the Assembly adjourn until Thursday, February 7, 1985 at 11 a.m.

Motion carried.

Assembly adjourned at 11:48 a.m.

Approved: BYRON L. BILYEU
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE EIGHTEENTH DAY

CARSON CITY (Thursday), February 7, 1985

Assembly called to order at 11:03 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, Father Benito Afuang.

God Almighty, we turn to You for guidance and direction in our task of legislation for the common good of all Nevadans. God merciful, we turn to You for mercy and forgiveness in our private and public lives. God the provider, we turn to You for help and daily bread that we can continue to live in prosperity and peace with one another. God our love, we turn to You for strength of heart and character so that we do not succumb to despair and darkness. God our Father, we turn to You for leadership and visions so that we build our state into Your kingdom. All these we pray. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Francis 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. 54, 55, 56, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

LOUIS W. BERGEVIN, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which was referred Assembly 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.

JAMES STONE, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblyman Stone:

Assembly Concurrent Resolution No. 9—Directing the legislative commission to study the regulatory authority of the department of motor vehicles.

Assemblyman Kerns moved that Assembly Bill No. 21 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Kerns.

Motion carried.

INTRODUCTION AND FIRST READING OF LEGISLATION

By Assemblymen Bogaert, DuBois, Thomas, Schofield, Collins, Thompson, Fairchild, Sedway, Tebbs, Williams and Kerns:

Assembly Bill No. 147—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.

REFERENCE OF MEASURES TO COMMITTEES

Assembly Bill No. 129.

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

Motion carried.

Assemblyman Sedway moved that the Assembly recess subject to the call of the Chair.

Motion carried.

Assembly in recess at 11:08 a.m.

ASSEMBLY IN SESSION

At 11:16 a.m.

Mr. Speaker presiding.

Quorum present.

REFERENCE OF MEASURES TO COMMITTEES

Assembly Bill No. 130.

Assemblyman Francis moved that the bill be referred to the Concurrent Committees on Education and Ways and Means.

Motion carried.

Assembly Bill No. 131.

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

Motion carried.

Assembly Bill No. 132.

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

Motion carried.

Assembly Bill No. 133.

Assemblyman Francis moved that the bill be referred to the Concurrent Committees on Education and Ways and Means.

Motion carried.

Assembly Bill No. 134.

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

Motion carried.

Assembly Bill No. 135.

Assemblyman Francis moved that the bill be referred to the Concurrent Committees on Education and Ways and Means.

Motion carried.

Assembly Bill No. 136.

Assemblyman Francis moved that the bill be referred to the Concurrent Committees on Education and Ways and Means.

Motion carried.

Assembly Bill No. 137.

Assemblyman Francis moved that the bill be referred to the Concurrent Committees on Economic Development and Tourism and Ways and Means.

Motion carried.

Assembly Bill No. 138.

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

Motion carried.

Assembly Bill No. 139.

Assemblyman Francis moved that the bill be referred to the Concurrent Committees on Education and Ways and Means.

Motion carried.

Assembly Bill No. 140.

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

Motion carried.

Assembly Bill No. 141.

Assemblyman Francis moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

Assembly Bill No. 142.

Assemblyman Francis moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

Assembly Bill No. 143.

Assemblyman Francis moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

Assembly Bill No. 144.

Assemblyman Francis moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

Assembly Bill No. 145.

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

Motion carried.

Assembly Bill No. 146.

Assemblyman Francis moved that the bill be referred to the Concurrent Committees on Commerce and Ways and Means.

Motion carried.

Assembly Concurrent Resolution No. 8.

Assemblyman Francis moved that the resolution be referred to the Committee on Education.

Motion carried.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, February 7, 1985

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.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Senate Concurrent Resolution No. 16.

Assemblyman Francis moved the adoption of the resolution.

Remarks by Assemblyman Nicholas.

Resolution adopted.

INTRODUCTION AND FIRST READING OF LEGISLATION

By the Committee on Ways and Means:

Assembly Bill No. 148—An Act relating to escheated property; authorizing the state treasurer to sell certain bonds and execute a bond of indemnity for the sale of the bonds; and providing other matters properly relating thereto.

By the Committee on Ways and Means:

Assembly Bill No. 149—An Act relating to cities; requiring the inclusion of portions of state highways and railroads in territory annexed by certain cities; allowing the governing body of an incorporated city or unincorporated town to consent to the formation of a general improvement district which includes property within 7 miles of that city or town; and providing other matters properly relating thereto.

By the Committee on Government Affairs:

Assembly Bill No. 150—An Act relating to general improvement districts; prohibits assessment for the community's television antenna on property with an antenna for transmissions via satellite; and providing other matters properly relating thereto.

By the Committee on Labor and Management:

Assembly Bill No. 151—An Act relating to workmen's compensation; applying the provisions relating to industrial insurance to the provisions relating to occupational diseases; increasing the maximum reportable wage;

extending coverage to certain corporate officers; and providing other matters properly relating thereto.

By the Committee on Labor and Management:

Assembly Bill No. 152—An Act relating to industrial insurance; requiring the advance payment of premiums for persons licensed to sell real estate; extending coverage to persons in certain training programs and certain employees of the University of Nevada; making various changes in the administration of the system; and providing other matters properly relating thereto.

By the Committee on Labor and Management:

Assembly Bill No. 153—An Act relating to industrial insurance; making certain records of the system available to certain governmental agencies; expanding authority of the manager to take depositions; authorizing a cross-appeal in contested claims; and providing other matters properly relating thereto.

SECOND READING AND AMENDMENT

Assembly Bill No. 1.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 17.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 4.

Amend section 1, page 1, line 5, by deleting "contract," and inserting "contract . [,".

Amend section 1, page 1, by deleting line 6 and inserting: "tracts may be let for more than 1 year for the purchase".

Amend section 1, page 1, line 16, after the bracket by inserting: "*The original terms of such a contract may be extended from year to year*".

Amend sec. 2, page 2, by deleting lines 11 through 13 and inserting:

"3. *The chief may allow a bidder to withdraw his bid without penalty if:*

(a) The chief believes that an obvious clerical error has been made by the bidder which would cause the bidder financial hardship; and

(b) The contract has not yet been awarded.".

Amend the title of the bill, third line, by deleting "appeal procedure for" and inserting: "procedure for appeal by".

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. 30.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 32.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 34.
Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 36.
Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 37.
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.

GENERAL FILE AND THIRD READING

Assembly Bill No. 24.
Bill read third time.
Remarks by Assemblyman Little.
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. 26.
Bill read third time.
Remarks by Assemblyman Arberry.
Roll call on Assembly Bill No. 26:

YEAS—42.
NAYS—None.

Assembly Bill No. 26 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 27.
Bill read third time.
Remarks by Assemblyman Williams.
Roll call on Assembly Bill No. 27:

YEAS—40.
NAYS—Price, Thomas—2.

Assembly Bill No. 27 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 O'Donnell.

Roll call on Assembly Bill No. 28:

YEAS—41.

NAYS—Spriggs.

Assembly Bill No. 28 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 29.

Bill read third time.

Remarks by Assemblyman Rader.

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.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Commerce, to which was referred Assembly Bill No. 49, has had the same under consideration, and begs leave to report the same back with the recommendation: Re-refer to the Committee on Taxation.

JOHN DUBOIS, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman DuBois moved that Assembly Bill No. 49 be re-referred to the Committee on Taxation.

Motion carried.

By Assemblymen Bogaert, Collins, Horne, Fairchild, Spriggs, Getto, Nicholas, Zimmer, Rader, Little, Bergevin, Ham, Banner, Schofield, Roberts, McGaughey, Stone, Francis, Joerg, Thomas, DuBois, Tebbs, Beyer, Dini, Marvel, Humke, Malone and Kerns:

Assembly Joint Resolution No. 6—Urging Congress to pursue the "High Frontier" concept for defense from the threat of intercontinental missiles.

INTRODUCTION AND FIRST READING OF LEGISLATION

By the Committee on Commerce:

Assembly Bill No. 154—An Act relating to taxation of insurers; increasing the penalty for late payment of the tax on premiums; eliminating estimated payments of the tax due each quarter; and providing other matters properly relating thereto.

By the Committee on Commerce:

Assembly Bill No. 155—An Act relating to industrial insurance; making various administrative changes regarding the regulation of self-insured employers; requiring notice to commissioner of any change in the ownership or control of a self-insured employer; authorizing the imposition of an

administrative fine for failure to pay a claim; defining insolvency for employers; and providing other matters properly relating thereto.

By the Committee on Commerce:

Assembly Bill No. 156—An Act relating to insurers; increasing the required capitalization of certain insurers; clarifying the responsibility of the commissioner of insurance to serve process; authorizing regulation of plans providing welfare benefits; and providing other matters properly relating thereto.

By the Committee on Commerce:

Assembly Bill No. 157—An Act relating to insurance; expanding the definition of "administrator"; authorizing the commissioner of insurance to specify the permitted functions of an administrator; increasing the commissioner's power to investigate corporate licensees; making various changes relating to licensing; and providing other matters properly relating thereto.

By the Committee on Commerce:

Assembly Bill No. 158—An Act relating to surplus lines brokers; requiring applicants for a license and licensees to file a bond; requiring quarterly reports and payment of taxes from certain brokers; amending and clarifying provisions relating to payment of taxes; and providing other matters properly relating thereto.

By the Committee on Commerce:

Assembly Bill No. 159—An Act relating to insurance; prohibiting the delivery of group annuities to certain groups; providing for coordination of benefits for group insurance; requiring certain notices to employees concerning group insurance; modifying provisions for giving certain notices; and providing other matters properly relating thereto.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Concurrent Resolution No. 6; Senate Concurrent Resolution No. 15.

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. Ryan Sheltra.

On request of Assemblyman Williams, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Diane Howard.

On request of Assemblyman Lambert, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Ted Lancaster.

On request of Assemblyman Price, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Pati Reinkemeyer and Mr. Al Levy.

Assemblyman Francis moved that the Assembly adjourn until Friday, February 8, 1985 at 11 a.m.

Motion carried.

Assembly adjourned at 11:59 a.m.

Approved:

BYRON L. BILYEU
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE NINETEENTH DAY

CARSON CITY (Friday), February 8, 1985

Assembly called to order at 11:02 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, Father Dave Casaleggio.

Father, we ask Your presence to be known to us in a very special way. We ask that You allow the work that is done here today to be done in an atmosphere of fairness, an atmosphere of love, and most importantly in an atmosphere of justice. We ask that whatever is done be done with the remembrance that life is sacred and that You give dignity to who we are and that we are called as leaders to live that out in all that we do. We ask this as we do all things in the name of Mary's Son, our Lord and our Brother, Jesus Christ. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Francis 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. 25, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JAMES STONE, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, February 7, 1985

To the Honorable the Assembly:

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

Also, I have the honor to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 17.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Senate Concurrent Resolution No. 17.

Assemblyman Collins moved that the resolution be placed on the Chief Clerk's desk.

Motion carried.

INTRODUCTION AND FIRST READING OF LEGISLATION

By the Committee on Education:

Assembly Bill No. 160—An Act making an appropriation for the support of programs of adult education; and providing other matters properly relating thereto.

By the Committee on Education:

Assembly Bill No. 161—An Act making appropriations for additional funding and equipment for programs of vocational education; and providing other matters properly relating thereto.

By the Committee on Education:

Assembly Bill No. 162—An Act relating to education; allowing the state board of education to prescribe additional subjects for proficiency examinations; and providing other matters properly relating thereto.

By the Committee on Education:

Assembly Bill No. 163—An Act relating to superintendents of schools; authorizing the state board of education to require the superintendent to hold a master's degree; and providing other matters properly relating thereto.

By the Committee on Taxation:

Assembly Bill No. 164—An Act relating to gaming; repealing prospective changes to various fees for licensees; continuing existing practices for the collection of fees for licenses; and providing other matters properly relating thereto.

Senate Bill No. 43.

Bill read first time.

REFERENCE OF MEASURES TO COMMITTEES

Assembly Bill No. 147.

Assemblyman Bogaert moved that the bill be referred to the Committee on Commerce.

Motion carried.

Assembly Bill No. 148.

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

Motion carried.

Assembly Bill No. 149.

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

Motion carried.

Assembly Bill No. 150.

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

Motion carried.

Assembly Bill No. 151.

Assemblyman Francis moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

Assembly Bill No. 152.

Assemblyman Francis moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

Assembly Bill No. 153.

Assemblyman Francis moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

Assembly Bill No. 154.

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

Motion carried.

Assembly Bill No. 155.

Assemblyman Francis moved that the bill be referred to the Committee on Commerce.

Motion carried.

Assembly Bill No. 156.

Assemblyman Francis moved that the bill be referred to the Committee on Commerce.

Motion carried.

Assembly Bill No. 157.

Assemblyman Francis moved that the bill be referred to the Committee on Commerce.

Motion carried.

Assembly Bill No. 158.

Assemblyman Francis moved that the bill be referred to the Concurrent Committees on Commerce and Taxation.

Motion carried.

Assembly Bill No. 159.

Assemblyman Francis moved that the bill be referred to the Committee on Commerce.

Motion carried.

Assembly Joint Resolution No. 6.

Assemblyman Bogaert moved that the resolution be referred to the Committee on Government Affairs.

Motion carried.

Assembly Concurrent Resolution No. 9.

Assemblyman Stone moved that the resolution be referred to the Concurrent Committees on Transportation and Legislative Functions.

Motion carried.

INTRODUCTION AND FIRST READING OF LEGISLATION

By Assemblymen DuBois, Thompson, Beyer, Ham, Stone, Malone, Sedway, Coffin, Fairchild, Rader, Swain and Tebbs:

Assembly Bill No. 165—An Act relating to facilities for the care of children and other dependent persons; requiring fingerprinting and an investigation of the background of any person who owns, operates or is employed by the facility; and providing other matters properly relating thereto.

By Assemblymen DuBois, Ham, Thompson, Beyer, Joerg, Stone, Collins, Malone, Marvel, Sedway, Coffin, Little, Swain, Fairchild, Rader and Horne:

Assembly Bill No. 166—An Act relating to children; establishing right of grandparents and others to visit child after separation by the parents of the child; and providing other matters properly relating thereto.

By the Committee on Judiciary:

Assembly Bill No. 167—An Act relating to sports; authorizing the Nevada athletic commission to regulate contests or exhibitions of forms of Oriental unarmed self-defense; making the appointment of chief inspectors in certain counties discretionary; requiring a broadcasting network for television to file with the commission a copy of any contract entered into for the rights to broadcast certain sporting events; and providing other matters properly relating thereto.

By the Committee on Government Affairs:

Assembly Bill No. 168—An Act relating to fire protection; removing the regulation of explosives from the jurisdiction of the state fire marshal; reorganizing and extending the existence of the board of fire safety; and providing other matters properly relating thereto.

By Assemblymen McGaughey, Thompson, Schofield, Bilyeu, Bergevin, Banner, Horne, Williams, Kerns, Zimmer, Ham, Coffin, DuBois, Arberry, Little, Collins, Francis, Rader, Tebbs, Roberts, Malone, Sedway, Price, Bogaert, Humke, Dini, Jeffrey, Nevin, O'Donnell, Lambert, Spriggs, Craddock, Joerg, Getto, Swain, Stone, Sader, Nicholas, Thomas, Beyer and Marvel:

Assembly Bill No. 169—An Act relating to the control of floods; granting additional powers to a district for that purpose; changing the composition of the board of directors; authorizing the levy of an assessment to pay for certain improvements; and providing other matters properly relating thereto.

SECOND READING AND AMENDMENT

Assembly Bill No. 33.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 9.

Amend section 1, pages 1 and 2, by deleting lines 1 through 18 on page 1 and lines 1 through 7 on page 2 and inserting:

"Section 1. NRS 205.760 is hereby amended to read as follows:

205.760 1. Any person who, with intent to defraud [:

(a) Uses a credit card for the purpose of obtaining] , *obtains* money, goods, property, services or anything of value [where such credit card was obtained or retained in violation of NRS 205.690 to 205.750, inclusive, or where such person knows the credit card] :

(a) By using a credit card which he knows is forged, expired or revoked; or

(b) [Obtains money, goods, property, services or anything else of value by] *By* representing, without the consent of the cardholder, that he is the authorized holder of a specified card or that he is the holder of a card where such card has not in fact been issued,

[is guilty of a public offense and shall be punished as provided in subsection 2.

2. Where the amount of money or the value of the goods, property, services or other things of value so obtained in any 6-month period is:

(a) $100 or more, the violator]

shall be punished by imprisonment in the state prison for not less than 1 year nor more than 10 years, or by a fine of not more than $10,000, or by both fine and imprisonment.

[(b) Less than $100, the violator shall be punished for a misdemeanor.

3.] 2. A person is presumed to have knowledge of the revocation of a credit card 4 days after notice of the revocation has been mailed to him by registered or certified mail, return receipt requested, at the address set forth on the credit card or at his last known address. If the address is more than 500 miles from the place of mailing, notice [shall] *must* be sent by airmail. If the address is located outside the United States, Puerto Rico, the Virgin Islands, the Canal Zone and Canada, notice [shall be] *is* presumed to have been received 10 days after [such] mailing.".

Amend the title of the bill to read:

"An Act relating to credit cards; removing an inconsistent penalty for use with intent to defraud; and providing other matters properly relating thereto.".

Amend the summary of the bill by deleting "possession" and inserting: "use".

Assemblyman O'Donnell moved the adoption of the amendment.

Remarks by Assemblyman O'Donnell.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 54.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 55.
Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 56.
Bill read second time, ordered engrossed and to third reading.

GENERAL FILE AND THIRD READING

Assembly Bill No. 1.
Bill read third time.
Remarks by Assemblyman McGaughey.
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. 30.
Bill read third time.
Remarks by Assemblyman Swain.
Roll call on Assembly Bill No. 30:

YEAS—42.
NAYS—None.

Assembly Bill No. 30 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 Williams.
Roll call on Assembly Bill No. 32:

YEAS—42.
NAYS—None.

Assembly Bill No. 32 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 34.
Bill read third time.
Remarks by Assemblyman Little.
Roll call on Assembly Bill No. 34:

YEAS—41.
NAYS—Price.

Assembly Bill No. 34 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 36.
Bill read third time.
Remarks by Assemblyman Stone.
Roll call on Assembly Bill No. 36:
YEAS—42.
NAYS—None.

Assembly Bill No. 36 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 37.
Bill read third time.
Remarks by Assemblymen Zimmer, Collins, Stone, Price and DuBois.
Roll call on Assembly Bill No. 37:
YEAS—40.
NAYS—Collins, Price—2.

Assembly Bill No. 37 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 67.
Bill read third time.
Remarks by Assemblyman Horne.
Roll call on Assembly Bill No. 67:
YEAS—38.
NAYS—Jeffrey, Nevin, Sedway, Stone—4.

Assembly Bill No. 67 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 68.
Bill read third time.
Remarks by Assemblyman Collins.
Roll call on Assembly Bill No. 68:
YEAS—42.
NAYS—None.

Assembly Bill No. 68 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

INTRODUCTION AND FIRST READING OF LEGISLATION

By Assemblymen Swain, Nicholas, Stone, Nevin, Malone, Sader, Coffin, Ham, Jeffrey, Collins, Arberry, Tebbs, DuBois, Lambert, Price, Schofield, McGaughey, Sedway, Dini, Kerns, Beyer and Thompson:

Assembly Bill No. 170—An Act relating to revenue bonds; enlarging kinds of health and care facilities for which these bonds may be issued by a county; and providing other matters properly relating thereto.

By Assemblymen Swain, Sader, Ham, Coffin, Arberry, Nevin, Tebbs, DuBois, Lambert, Stone, Price, Craddock, Schofield, McGaughey, Sedway, Dini, Jeffrey, Kerns, Beyer, Thompson, O'Donnell and Nicholas:

Assembly Bill No. 171—An Act relating to elections; prohibiting certain political activities by a county clerk and a deputy registrar; prohibiting a deputy registrar from delegating his duties; and providing other matters properly relating thereto.

By the Committee on Economic Development and Tourism:

Assembly Bill No. 172—An Act relating to motor vehicles; exempting vehicles used for certain events relating to exhibitions and entertainment from the licensing requirements for special fuel users and the provisions regulating motor carriers; and providing other matters properly relating thereto.

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. Marian Addison and Mr. J. Douglas Addison.

On request of Assemblyman Thompson, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Dorothy Kidd and Linda Travis.

On request of Assemblyman Swain, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Darci Mathews.

On request of Assemblyman Malone, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Bill Morris.

Assemblyman Francis moved that the Assembly adjourn until Monday, February 11, 1985 at 11 a.m.

Motion carried.

Assembly adjourned at 11:45 a.m.

Approved:

BYRON L. BILYEU
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE TWENTY-SECOND DAY

CARSON CITY (Monday), February 11, 1985

Assembly called to order at 11:01 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, The Reverend Erwin Bollinger.

Almighty God, our Father, you promised to give us light. So as we meet together this beautifully scenic day, we claim that promise. Bless each of these elected assembled that Your light through them will result in sensitivity, courage, progress and decisions. In the Master's name we pray. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Francis 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 Bogaert and Coffin as a committee to invite the Senate to meet in Joint Session with the Assembly to hear an address by Representative Barbara Vucanovich.

The President pro Tempore of the Senate and Members of the Senate appeared before the bar of the Assembly.

Mr. Speaker invited the 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 11:10 a.m.

President pro Tempore 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 pro Tempore of the Senate appointed a Committee on Escort consisting of Senator Redelsperger and Assemblyman Kerns 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 Speaker of the Assembly welcomed the Representative and invited her to deliver her message.

The Representative delivered her message as follows:

MESSAGE TO THE LEGISLATURE OF NEVADA
SIXTY-THIRD SESSION, 1985

Thank you. I think it is very fitting that I have a soap box. I'm delighted. You may not know, but I am standing on a box back here. It's good to be back, and it's good to be home, and it is good to speak to such a distinguished audience. I must say that it is nice to speak to an audience at all, distinguished or otherwise, because it's very different in our House. The Chambers are usually empty unless we have a vote. I have heard people say that it is a place where a Congressman gets up to speak, says nothing, nobody listens, and then everybody disagrees. It's delightful and that's what happens.

You know, so much of what we do in Washington has such a direct impact on state and local government that I would like to share with you a little bit of what I hear, what's being said, and what's possibly going to be done back there. I know that I don't need to tell you that more and more members of Congress are considering sponsoring and voting for legislation which will ultimately mean reduced Federal Government spending and involvement in local affairs.

You know, two years ago I came here after my first election to the House, and at that time I talked about the problems facing our country. I talked about the federal budget, the deficit problem, and getting the economy moving again, about entitlements, and the troubles we were facing with the Social Security system. A lot has changed in the past two years, but unfortunately some things remain the same. The budget is still a problem, although we are seeing that Congress is really ready to get serious about spending restraint. The deficit is still there, but the trend is now toward smaller, not larger deficits. The growth in entitlement spending has been contained, but not without a lot of wrangling. The Social Security system has been rescued by a presidential commission. But, the real bright spot is the economy. While we've dealt with a lot of other problems successfully, nothing can outshine the economic performance this nation has turned in over the past two years. But, you all know that—you all know the State Treasury is in better shape now than it was awhile ago—and that unemployment is down and growth is up.

So, why is it the federal deficit still remains so large? Why can't we, in Washington, make the tough decisions necessary to get a handle on spending, just as you have here in Nevada?

Well, the answer has to do with a couple of other things that I talked about two years ago: Special interests and demographics. Stated simply, demographic changes in the population of this nation, combined with the openended approach Congress has taken with respect to entitlement programs, have created a tremendous amount of legislated and institutionalized pressure to increase spending regularly.

That's really quite a mouthful, but that is the problem. All the wrangling that's now taking place in Washington over how to control the budget centers about the simple fact that laws are written so that spending increases are automatic. That's why cutting the budget is so difficult because it doesn't take any legislation to spend more but it takes an act of Congress to cut. I think that's the wrong way to approach the whole question of budget management, and that's one big reason why I really admire President Reagan for having the courage to send a spending freeze budget proposal to Congress this year. But, I can tell you it's very easy to be a statesman and to talk about the real need to cut spending in very broad and general terms. Nobody gets hurt when you talk about holding overall spending for 1986 to 1985 levels.

And, for us here in Nevada, there are some easy targets for spending cuts when we get specific in our discussions. I can easily vote for elimination of things like tobacco

subsidies, or putting a moratorium on filling the strategic petroleum reserve, or even terminating the job corps. And, it doesn't hurt at all when I consider voting to end Amtrak subsidies, or funding for the Appalachian Regional Commission, or reducing funding for urban mass transit assistance. And, I can even vote for some marginal things like reducing postal subsidies, limiting the growth in Medicaid, eliminating direct loans for the export/import bank, and possibly raising recreation area user fees, and reforming administrative practices in agencies.

But, all that statesmanship and rhetoric can carry me only so far, because included in that same budget freezing proposal are a few things that I don't want to see cut. Things like eliminating general revenue sharing, terminating urban development action grants, reducing community development loan guarantees and the EDA; or how about closing down the Small Business Administration; or ending subsidies that allow small towns to keep at least minimal air carrier services; or significantly cutting back the REA. I can tell you I would have a very difficult time voting to cut or eliminate some of these programs, because I know how valuable they are to our state and our communities. And, you know, that's part of the reason we're having so much difficulty getting this budget under control, because for every item I'm willing to cut, somebody else will oppose me just as actively as I will oppose cuts to some of the programs I mentioned. I know that sounds a lot like the tradeoffs you make here, in the Nevada State Legislature.

Well, I have to tell you something. I know cutting back things like urban development action grants and revenue sharing will cause serious financial repercussions in our state, and I assure you that I won't support those kinds of cuts. But, my opposition can't guarantee that they won't be passed. Because you see, all the little concerns can't match the seriousness of the one, major, overriding concern that is the federal deficit.

As an illustration, the report of the President's Council of Economic Advisors warned that failure to reduce federal deficits would undermine our economy, and they recommended either more cuts or higher taxes to combat the red ink. That's why this budget is likely to be a very, very lean one; one that will impact every sector of our economy and all of the corresponding interest groups, whether individual members of Congress like it or not.

And, that is also why this budget will work towards returning power to state and local governments. You see, we're going to make you work; we're going to tap your expertise as we go about this process of reversing the trend of higher spending that is so firmly established in Washington. Getting that job done will cost everyone something, but in the long term, the return of authority to state and local lawmakers and the realization that government simply cannot be everything to everyone will create a sustained prosperity for Nevadans and everyone else in our country. I think that's something to look forward to and it's a goal worth working towards. And, as long as we all know it's coming, I'm sure we can prepare for it, and succeed.

Before I wrap this up, I'd like to talk about something that is a little bit closer to home. Something that has a lot of people very agitated and very angry. I'm talking about Nevada's selection as one of the three possible sites for a high level nuclear waste repository.

I am sure that you are all aware that the Governor and I have a fundamental difference of opinion on this subject. It really doesn't involve my position on whether or not we should support the site being in Nevada. Personally, I haven't made up my mind what position to take on this issue. Our difference of opinion has to do with the process of selection. You see, I support the process that is now taking place to determine whether Yucca Mountain is an acceptable site, and whether or not Nevadans want it to be located here.

I know the Governor and many others in our state do not share my interest in assessing the views of Nevada's citizens. Many people have already decided what we think before we've had the opportunity to air our concerns and engage in public discussion. Nevadans may eventually tell us that the site should be opposed, but the only way we're going to clearly understand the wishes of all our people is to reserve judgment until the hearing process has been completed, and Nevadans have had an opportunity to evaluate available

data and tell their elected officials how they feel. There's a very important reason for taking these hearings seriously and using the information that we gain to make our final decision—and, frankly it has to do with politics. More accurately, it has to do with keeping this important decision out of the political arena until the facts are known. By stating positions now, we are potentially distorting not only the hearing process, but the results of that process. We need clear, honest facts presented to Nevada's citizens without interference from politicians and, frankly from groups from other parts of the country.

Right now, we're not getting that. So, what I'd like to do for a very few minutes is to talk in unemotional and non-political terms about the realities of this whole situation and about the decision we are being asked to make. You know, frankly, Nevada is no stranger to nuclear energy. Since 1950, when President Truman selected the Nevada test site as America's nuclear proving ground, 630 nuclear tests have taken place there. In addition to the test site, just a few miles up the road is Nevada's other major nuclear client: The low level radioactive waste management facility. At this facility, we have some eight million cubic feet of waste stored in trenches. But these two places don't hold a candle to the high level repository project now being considered, either in terms of the controversy it generates or the potential impact it may have on our state and the citizens of Amargosa Valley. There are certainly downsides to this project, and we absolutely should not minimize them or fail to consider them in making a final decision on whether or not to oppose this project.

The draft environmental assessment produced by the U.S. Department of Energy lists several potential problem areas associated with construction and operation of the facility. Local air quality may suffer due to dust and dirt kicked up in the construction process, and yes, we'll disturb 900 acres of vegetation and wildlife habitat. In addition, there could be archeological sites in the area that would be damaged by the operation, and we would lose the use of that land. There would be an impact on local government as well. Traffic would increase, schools might become crowded, and other government services might be hard pressed, at least temporarily, to meet demands. But, none of these problems seems terribly difficult to deal with.

Essentially, we're talking about problems that accompany growth and the construction of new industrial facilities. In almost any other context, we would consider these kinds of problems minimal, and we certainly would not consider them significant enough to derail a major project. I have heard some politicians claiming that the repository would be harmful to tourism in the state. Maybe so, but I personally have to believe that since nuclear testing has been going on at the test site for the past thirty-five years or so, as I said 630 tests, I am more inclined to think that gaming in Atlantic City and not nuclear testing and storing have had and will continue to have the greater impact.

Nevada was selected for site characterization because we meet the criteria, we have the labor force available, and our state has in the past demonstrated a willingness to work with the Federal Government on any number of issues. I know there's a good reason for that. You see, we know firsthand that government installations, like any major industry, represent a two way street. We might not always like to see factories going up or new installations being built on our countryside, but we know that an economic and social benefit will result.

Maybe that's what's missing in this whole discussion. Rather than dwell on things we don't like about this project, let's think for a moment about the benefit to Nevada from having the site located here. Just think for a minute what 8500 jobs during the construction phase would mean to Southern Nevada. And, think what 5900 long term jobs would mean during the operation of the site. If that's not enough, think about what a peak annual payroll of somewhere between $131 and $157 million per year would do to help small businesses, and retailers, and local government revenues.

These figures and these jobs would go largely to labor from Southern Nevada. Relatively few people would be imported to run this site, and all kinds of local firms would be used for subcontracting and purchasing. That means new businesses, bigger businesses, and even more jobs.

More than anything else, this project represents a decision that will impact a local area,

not our entire state, and accordingly we should pay attention to what the citizens of Lathrop Wells, Beatty, and the entire valley have to say. I've talked with them, I get letters from them, and I listen to them; and what most of the locals say doesn't seem to sound very much like what I hear from people in other parts of Nevada.

Now, the information I have just presented is by no means complete. But, it does give you an overview of just how big a decision this is and how much information is involved. As I said earlier, I don't even have a position on the site coming here. That's because all the data isn't in yet, and because I don't really think Nevadans have rendered their decision yet. We need this hearing process, we need to have our citizens come to a decision, and we need to pay extra attention to all of those people who live in Amargosa Valley. But, what we don't need is to hear only the voices of politicians and their press secretaries, and to this point, that's mainly what we've heard.

There have been some editorials written in the state's newspapers raising issues of concern. That's as it should be. The more questions asked, and the more the press is able to keep our citizens apprised of the facts, the more we can have control over the selection process. You and I, as legislators, should share in this examination phase, and if we try and short circuit the process, we may miss an opportunity to protect our state.

I've talked a long time. But, I want to leave you with one thought. I'd like you to consider what I'm saying: Keep an open mind with regard to the repository until all the information is in and the hearing process is complete. If we decide we don't want this facility, then we as a state can issue a notice of disapproval. If we do that, I'll do everything in my power to assure that Congress does not override that notice. But, until then, let's keep our powder dry, let's listen, learn, and then take up a position.

Thank you for the opportunity to share my thoughts with you today.

Senator Rhoads 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.

The Committee on Escort escorted the Representative to the bar of the Assembly.

Assemblyman Arberry moved that the Joint Session be dissolved.

Motion carried.

Joint Session dissolved at 11:34 a.m.

ASSEMBLY IN SESSION

At 11:37 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. 103, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN MARVEL, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which were referred Assembly Bills Nos. 74, 76, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JAMES STONE, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, 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: Do pass.

LOUIS W. BERGEVIN, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Assembly 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.

LOUIS W. BERGEVIN, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Marvel moved that all rules be suspended, reading so far had considered second reading, rules further suspended, Assembly Bill No. 103 considered engrossed, declared an emergency measure under the Constitution and placed on third reading and final passage.

Motion carried unanimously.

By Assemblymen Williams, Joerg, Thompson, Lambert, Sader, Stone, Sedway, Bogaert, Dini, Francis, Nevin, Rader, Swain, Fairchild, Nicholas, Malone, Thomas, Tebbs, Roberts, DuBois, Collins, Zimmer, Bilyeu, Coffin, Schofield, Kerns and McGaughey:

Assembly Joint Resolution No. 7—Urging Congress not to allow the location of a repository for high-level nuclear waste in Nevada.

INTRODUCTION AND FIRST READING OF LEGISLATION

By Assemblymen DuBois and Fairchild:

Assembly Bill No. 173—An Act relating to elections; authorizing a candidate for office to designate any registered voter to challenge a person intending to vote in certain precincts; and providing other matters properly relating thereto.

By the Committee on Judiciary:

Assembly Bill No. 174—An Act relating to pandering; providing a penalty for furnishing transportation within this state to promote prostitution; and providing other matters properly relating thereto.

By the Committee on Natural Resources, Agriculture and Mining:

Assembly Bill No. 175—An Act relating to railroads; requiring the inspection of brands of livestock killed by the operation of railroads; and providing other matters properly relating thereto.

By the Committee on Government Affairs:

Assembly Bill No. 176—An Act relating to public works; establishing the threshold to advertise for sealed bids on construction projects for the state; raising the threshold on construction for the University of Nevada; and providing other matters properly relating thereto.

By the Committee on Government Affairs:

Assembly Bill No. 177—An Act relating to state employees; permitting

the director of the department of personnel to make administrative changes in the classification plan for positions in the classified service without the approval of the personnel commission; and providing other matters properly relating thereto.

REFERENCE OF MEASURES TO COMMITTEES

Assembly Bill No. 160.

Assemblyman Francis moved that the bill be referred to the Concurrent Committees on Education and Ways and Means.

Motion carried.

Assembly Bill No. 161.

Assemblyman Francis moved that the bill be referred to the Concurrent Committees on Education and Ways and Means.

Motion carried.

Assembly Bill No. 162.

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

Motion carried.

Assembly Bill No. 163.

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

Motion carried.

Assembly Bill No. 164.

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

Motion carried.

Assembly Bill No. 165.

Assemblyman DuBois moved that the bill be referred to the Concurrent Committees on Health and Welfare and Judiciary.

Motion carried.

Assembly Bill No. 166.

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

Motion carried.

Assembly Bill No. 167.

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

Motion carried.

Assembly Bill No. 168.

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

Motion carried.

Assembly Bill No. 169.

Assemblyman McGaughey moved that the bill be referred to the Concurrent Committees on Government Affairs and Taxation.

Motion carried.

Assembly Bill No. 170.

Assemblyman Swain moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

Assembly Bill No. 171.

Assemblyman Swain moved that the bill be referred to the Committee on Elections.

Motion carried.

Assembly Bill No. 172.

Assemblyman Francis moved that the bill be referred to the Concurrent Committees on Economic Development and Tourism and Transportation.

Motion carried.

Senate Bill No. 43.

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

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 25.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 13.

Amend sec. 5, page 3, line 30, by inserting after "*published*" the words "*and supplemented*".

Amend the bill as a whole by renumbering sections 6 and 7 as sections 7 and 8 and adding a new section designated section 6, following section 5, to read as follows:

"Sec. 6. NRS 616.605 is hereby amended to read as follows:

616.605 1. Every employee, in the employ of an employer within the provisions of this chapter, who is injured by an accident arising out of and in the course of employment is entitled to receive the compensation provided for permanent partial disability. As used in this section "disability" and "impairment of the whole man" are equivalent terms.

2. The insurer shall select a physician from a group of rating physicians designated by the administrator, to determine the percentage of disability in accordance with the American Medical [Association publication, "Guides] *Association's Guides* to the Evaluation of Permanent [Impairment," as it exists on the date most recently specified by regulation of the department.] *Impairment in the form most recently published and supplemented before*

January 1, 1985. The department may supplement this publication by adopting regulations for a supplemental guide.

3. No factors other than the degree of physical impairment of the whole man may be considered in calculating the entitlement to compensation for a permanent partial disability.

4. Each 1 percent of impairment of the whole man must be compensated by a monthly payment of 0.5 percent of the claimant's average monthly wage for injuries sustained before July 1, 1981, and 0.6 percent for injuries sustained on or after July 1, 1981. Compensation must commence on the date of the injury or the day following the termination of temporary disability compensation, if any, whichever is 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,] *1987,* until the claimant is 70 years of age, whichever is later.

5. Compensation benefits may be paid annually to claimants who will be receiving less than $100 a month.

6. Where there is a previous disability, as the loss of one eye, one hand, one foot, or any other previous permanent disability, the percentage of disability for a subsequent injury must be determined by computing the percentage of the entire disability and deducting therefrom the percentage of the previous disability as it existed at the time of the subsequent injury.

7. The department may adopt schedules for rating permanent disabilities resulting from injuries sustained before July 1, 1973, and reasonable regulations to carry out the provisions of this section.

8. The increase in compensation and benefits effected by the amendment of this section is not retroactive for accidents which occurred before July 1, 1973.

9. This section does not entitle any person to double payments for the death of a workman and a continuation of payments for a permanent partial disability, or to a greater sum in the aggregate than if the injury had been fatal.''.

Assemblyman Sader moved the adoption of the amendment.

Remarks by Assemblyman Sader.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

GENERAL FILE AND THIRD READING

Assembly Bill No. 17.

Bill read third time.

Remarks by Assemblyman Bergevin.
Roll call on Assembly Bill No. 17:
YEAS—42.
NAYS—None.

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. 54.
Bill read third time.
Remarks by Assemblyman Thompson.
Roll call on Assembly Bill No. 54:
YEAS—42.
NAYS—None.

Assembly Bill No. 54 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 55.
Bill read third time.
Remarks by Assemblyman Price.
Roll call on Assembly Bill No. 55:
YEAS—42.
NAYS—None.

Assembly Bill No. 55 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 56.
Bill read third time.
Remarks by Assemblyman Schofield.
Roll call on Assembly Bill No. 56:
YEAS—42.
NAYS—None.

Assembly Bill No. 56 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 Dini.
Roll call on Assembly Bill No. 103:
YEAS—42.
NAYS—None.

Assembly Bill No. 103 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 Assemblyman Swain, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Chester Richardson.

On request of Assemblyman O'Donnell, the privilege of the floor of the Assembly Chamber for this day was extended to Sister Kathleen and Mr. Russ Weil.

On request of Assemblyman Dini, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Ed Murkovich and students from Virginia City High School: Bruce Taylor, Todd Tuenemoen, Michael Culley, Amy Karrasch, Corinne Coures, JoAnn Petrini, Sheila Palmer, Mike Conners, Gregory Tibbets, Robert Young, Gary Hames, Robert Miller, Todd Pecorado and Ken Roberts.

Assemblyman Francis moved that the Assembly adjourn until Tuesday, February 12, 1985 at 11 a.m.

Motion carried.

Assembly adjourned at 12:03 p.m.

Approved:

BYRON L. BILYEU
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE TWENTY-THIRD DAY

CARSON CITY (Tuesday), February 12, 1985

Assembly called to order at 11 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, The Reverend Erwin Bollinger.

O God, on this birthday and anniversary of the great emancipator, may we resolve to seek Your mind, as did he; to preserve Your freedom, as did he; and to embrace liberty for all, as did he. May this government, state and nation remain a government of, by and for the people and never perish from the earth. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Francis 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. 3, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

LOUIS W. BERGEVIN, *Chairman*

Mr. Speaker:

Your Committee on Transportation, to which was 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.

MIKE MALONE, *Chairman*

REFERENCE OF MEASURES TO COMMITTEES

Assembly Bill No. 173.

Assemblyman DuBois moved that the bill be referred to the Committee on Elections.

Motion carried.

Assembly Bill No. 174.

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

Motion carried.

Assembly Bill No. 175.

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

Motion carried.

Assembly Bill No. 176.

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

Motion carried.

Assembly Bill No. 177.

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

Motion carried.

Assembly Joint Resolution No. 7.

Assemblyman Williams moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 57.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 20.

Amend sec. 6, page 3, line 34, by deleting the period and inserting: "[.] ;".

Amend sec. 6, page 3, line 36, by deleting the period and inserting: "[.] ; *or*".

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. 74.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 76.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 92.

Bill read second time, ordered engrossed and to third reading.

GENERAL FILE AND THIRD READING

Assembly Bill No. 33.

Bill read third time.

Remarks by Assemblyman Sader.

Roll call on Assembly Bill No. 33:

YEAS—42.

NAYS—None.

Assembly Bill No. 33 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

INTRODUCTION AND FIRST READING OF LEGISLATION

By Assemblymen Francis, Williams, Thompson and Collins:

Assembly Bill No. 178—An Act relating to landlords and tenants; increasing the period within which notice must be given for an increase in rent for a dwelling; and providing other matters properly relating thereto.

By Assemblymen Francis, Williams, Thompson, Collins and Bogaert:

Assembly Bill No. 179—An Act relating to landlord and tenant; requiring certain landlords to pay interest on deposits of tenants; creating a cause of action for tenants to recover treble any amount which is not paid as required; and providing other matters properly relating thereto.

MOTIONS, RESOLUTIONS AND NOTICES

Mr. Speaker announced that there will be a Joint Recess of the Senate and Assembly, Tuesday, February 19, 1985, 11 a.m., for the purpose of hearing Clarence M. Bacon, National Commander of the American Legion.

Assemblyman Francis 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 11:19 a.m.

Mr. Speaker presiding.

Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Francis moved that the vote whereby Assembly Joint Resolution No. 7 was referred to the Committee on Legislative Functions be rescinded.

Motion carried.

Assemblyman Francis moved that Assembly Joint Resolution No. 7 be referrred to the Committee on Natural Resources, Agriculture and Mining.

Motion carried.

Assemblyman Collins moved that Senate Concurrent Resolution No. 17 be taken from the Chief Clerk's desk.

Motion carried.

Senate Concurrent Resolution No. 17.

Assemblyman Collins moved the adoption of the resolution.

Remarks by Assemblyman Collins.

Assemblyman Francis requested that Assemblyman Collins' remarks be entered in the Journal.

The history of Black persons in Nevada is both long and interesting. The first Blacks to travel through Nevada probably accompanied the expeditions of two early white explorers, Jedediah Smith and John C. Fremont. These expeditions spanned the period of 1826 to 1846, and included several Blacks: John Peter Ranne, Polette Labross, Saunders

Jackson, James Duff, Tamas Towns and Jacob Dodson. In his book, *"Good Times Coming?"—Black Nevadans in the Nineteenth Century,* author Elmer R. Rusco provides the following account of Jacob Dodson: "Fremont saw and named Pyramid Lake on his 1843-1844 expedition. In reporting the members of this expedition, he listed Jacob Dodson, a free young colored man of Washington city, who volunteered to accompany the expedition, and performed his duty manfully throughout the voyage. Dodson was eighteen and, according to Allan Nevins, 'devoted to the Benton family'. Fremont was the son-in-law of Missouri Senator Thomas Hart Benton, and it is probable that Dodson had been a servant in the Benton family before he joined Fremont. In describing the writing of the report of this expedition at home in Washington, D.C., Fremont reported that 'Jacob kept up the camp habit and very early brought me coffee'. However, Dodson was not just a personal servant; he participated fully in the work of the expedition. According to Fremont, he was chosen from the main party for various side trips, such as the canoe trips from the Dalles on the Columbia River to Vancouver and back. During the difficult winter crossing of the Sierra Nevada range, Dodson rescued a member of the party who had become delirious. Fremont did not mention Jacob Dodson in describing his return to the United States on the second expedition and did not give a list of the members of the third expedition (in 1864) when he and his men participated in the conquest of California; however, Dodson probably was with Fremont on these trips. If not, he must have stayed in California after the first trip because he was one of the two men who rode with Fremont on a daring ride from Los Angeles to Monterey and back in 1847; the three men managed to ride more than eight hundred miles in a little more than eight days.Western historian Hubert Howe Bancroft justly speaks of Dodson as a 'skillful vaquero' ".

Probably the most famous of the early Blacks who traveled through Nevada was James P. Beckwourth. Beckwourth was a "mountain man" and explorer in the early west who probably spent a considerable amount of time in the area now known as Nevada.

Resolution adopted.

INTRODUCTION AND FIRST READING OF LEGISLATION

By the Committee on Transportation:

Assembly Bill No. 180—An Act relating to highways; restricting state highways to those owned and maintained or designated by the department of transportation; permitting the department to designate others as state routes; and providing other matters properly relating thereto.

By the Committee on Transportation:

Assembly Bill No. 181—An Act relating to highways; authorizing the director of the department of transportation to close or restrict the use of highways in the interest of economic development or tourism; and providing other matters properly relating thereto.

By the Committee on Government Affairs:

Assembly Bill No. 182—An Act relating to the licensing of occupations; authorizing the regulatory boards in each county to issue subpenas; and providing other matters properly relating thereto.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Senate Concurrent Resolution No. 16.

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. Dennis Rose and the fifth grade class from Fremont School: Mike Tobey, Mike Cogner, Robert Rojas, Mike Kerley, Jason Dingle, Jason Meckley, Aimee Humphrey, Cathy Wells, Brandi Schaar, Julia Belknap, Billy Wendt, Chris Moore, Lance Schroeder, Jesse Wadhams, Joyce Porter, Stacie Grimms, Amber Ontiveros, Babette Brophy, Tim Miles, J. J. Morton, Shannon Hall, Angel Onate, Nikol Fish, Tara Goodson and Anita Green.

Assemblyman Francis moved that the Assembly adjourn until Wednesday, February 13, 1985 at 11 a.m., and that it do so in memory of Abraham Lincoln.

Motion carried.

Assembly adjourned at 11:27 a.m.

Approved:

BYRON L. BILYEU
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE TWENTY-FOURTH DAY

CARSON CITY (Wednesday), February 13, 1985

Assembly called to order at 11:01 a.m.

Mr. Speaker pro Tempore presiding.

Roll called.

All present.

Prayer by the Chaplain, The Reverend Erwin Bollinger.

O Lord God, as we thank You for our creation and preservation, may we show forth our praise, not only with our lips, but with our lives. So help us to serve You and the people of this state, faithfully with keen insight and constant courage. In the Master's Name. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Francis 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 Education, to which were referred Assembly Concurrent Resolutions Nos. 3, 4, has had the same under consideration, and begs leave to report the same back with the recommendation: Be adopted.

ERIK BEYER, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, February 12, 1985

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Senate Bills Nos. 24, 30, 31, 54, 58, 60.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bill No. 51.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Assembly Concurrent Resolution No. 3.

Assemblyman Craddock moved the adoption of the resolution.

Remarks by Assemblyman Craddock.

Resolution adopted.

Assembly Concurrent Resolution No. 4.

Assemblyman Arberry moved the adoption of the resolution.

Remarks by Assemblyman Arberry.

Resolution adopted.

INTRODUCTION AND FIRST READING OF LEGISLATION

By the Committee on Health and Welfare:

Assembly Bill No. 183—An Act relating to facilities for treatment and care; redesignating certain facilities; expanding the scope of regulation by the state board of health; and providing other matters properly relating thereto.

By the Committee on Health and Welfare:

Assembly Bill No. 184—An Act relating to public health sanitarians; requiring their registration; regulating their practice; creating the board for registration of public health sanitarians; specifying its powers and duties; providing a penalty; containing an appropriation; and providing other matters properly relating thereto.

By the Committee on Judiciary:

Assembly Bill No. 185—An Act relating to attorney's fees; allowing an award to the defendant if a claim is meritless or vexatious; and providing other matters properly relating thereto.

By Assemblymen Swain, Rader, Arberry, Ham, Roberts, Joerg, Zimmer, Malone, Sader, O'Donnell, Williams, Little and Stone:

Assembly Bill No. 186—An Act relating to records of criminal history; creating a central repository within the department of motor vehicles; requiring submission to the repository of records by certain agencies; and providing other matters properly relating thereto.

Senate Bill No. 24.
Bill read first time.

Senate Bill No. 30.
Bill read first time.

Senate Bill No. 31.
Bill read first time.

Senate Bill No. 51.
Bill read first time.

Senate Bill No. 54.
Bill read first time.

Senate Bill No. 58.
Bill read first time.

Senate Bill No. 60.
Bill read first time.

REFERENCE OF MEASURES TO COMMITTEES

Assembly Bill No. 178.

Assemblyman Francis moved that the bill be referred to the Committee on Commerce.

Motion carried.

Assembly Bill No. 179.

Assemblyman Francis moved that the bill be referred to the Committee on Commerce.

Motion carried.

Assembly Bill No. 180.

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

Motion carried.

Assembly Bill No. 181.

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

Motion carried.

Assembly Bill No. 182.

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

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 44.

Bill read second time.

The following amendment was proposed by the Committee on Transportation:

Amendment No. 26.

Amend section 1, page 1, line 12, by deleting "*who is*" and inserting "*who:*".

Amend section 1, page 1, by deleting lines 13 through 16 and inserting:

"*(a) Is less than 21 years of age; or*

(b) Has less than 1 year of licensed experience in operating a motorcycle,

the registered owner of the motorcycle shall obtain from the department a red sticker for the license plate of the motorcycle which displays the month and year the registration expires. Such a sticker indicates that the motorcycle may be operated by such an operator.".

Amend sec. 2, page 3, by deleting lines 3 through 6 and inserting:

"7. When any driver has accumulated three or more demerit points, but less than 12, the department shall notify him of this fact. If, after the department mails this notice, the driver presents proof".

Amend sec. 2, page 3, line 23, by deleting "When" and inserting:

"[When] *Except as otherwise provided in section 3 of this act, when*".

Amend sec. 2, page 3, line 31, by deleting "20" and inserting "[20] *60*".

Amend sec. 3, pages 3 and 4, by deleting lines 42 through 46 on page 3 and lines 1 through 8 on page 4 and inserting:

"*When any person who holds a license to operate a motorcycle accumulates in a period of 12 months more than 12 demerits involving his operation of a motorcycle, the department shall suspend his license to operate a*

motorcycle until he completes successfully a 21-hour course of instruction which has been approved by the department.".

Amend the title of the bill, first line, after "requiring a" by inserting "special".

Assemblyman Stone moved the adoption of the amendment.

Remarks by Assemblyman Stone.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 3.

Bill read second time and ordered to third reading.

GENERAL FILE AND THIRD READING

Assembly Bill No. 25.

Bill read third time.

Remarks by Assemblyman Sader.

Roll call on Assembly Bill No. 25:

YEAS—42.

NAYS—None.

Assembly Bill No. 25 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 74.

Bill read third time.

Remarks by Assemblyman Arberry.

Roll call on Assembly Bill No. 74:

YEAS—42.

NAYS—None.

Assembly Bill No. 74 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 76.

Bill read third time.

Remarks by Assemblymen Swain, Dini, Stone, Coffin and Nevin.

Roll call on Assembly Bill No. 76:

YEAS—36.

NAYS—Bergevin, Coffin, Collins, Dini, Humke, Nicholas—6.

Assembly Bill No. 76 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 92.

Bill read third time.

Remarks by Assemblyman Bergevin.

Roll call on Assembly Bill No. 92:

YEAS—42.

NAYS—None.

Assembly Bill No. 92 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen Dini, Getto, Bergevin, Marvel and Bilyeu:

Assembly Concurrent Resolution No. 10—Memorializing the late Fred Fulstone.

WHEREAS, On January 8, 1985, the people of the State of Nevada lost a man who gave unselfishly of himself throughout his life; and

WHEREAS, Fred Fulstone was born on May 4, 1889, in Genoa and had lived in Smith Valley since 1902; and

WHEREAS, Fred Fulstone was a farmer and a rancher and a charter member of the Smith Valley Rotary Club; and

WHEREAS, Fred Fulstone was cofounder and past director of the Walker River Irrigation District and served on numerous agricultural and livestock boards during his life; and

WHEREAS, Fred Fulstone married Mary Ruth Hill, known to friends as "Dr. Mary," on July 16, 1919, and the couple had been married 65 years; and

WHEREAS, He is survived by his wife; sons Fred Jr. and Richard, of Smith Valley and David of Yerington; daughters Eleanor Killebrew of South Lake Tahoe and Jeanne Corfee of California; 12 grandchildren and six great-grandchildren; now, therefore, be it

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, THE SENATE CONCURRING, That the members of the legislative body express their sincere condolences to the family of the late Fred Fulstone; and be it further

RESOLVED, That a copy of this resolution be prepared and transmitted forthwith by the legislative counsel to Mary Fulstone.

Assemblyman Dini moved the adoption of the resolution.

Remarks by Assemblymen Dini and Getto.

Assemblyman Francis requested that the following remarks be entered in the Journal.

ASSEMBLYMAN DINI:

I don't think words can express the great loss we had when Fred Fulstone passed away. He was a real pioneer in western Nevada. He was born in Genoa in the late 1800's. He had vast holdings in Nevada and California. He was in the sheep and cattle business and general farming. He built a tremendous empire. He controlled thousands of acres of land under the forest service, BLM and land he personally owned through his corporation. His family is a legend in Lyon County in the Smith Valley area. His wife is known as the doctor that delivered more babies in the state's history than any other doctor. She just quit practicing about four years ago in her 80's. It's a deep loss to many of us in the Chamber that signed this resolution and I know that others would like to express themselves.

ASSEMBLYMAN GETTO:

I would like to say very briefly that I knew Fred Fulstone and his family. I think it is fitting today that we pay honor and respect to a man that I would consider one of the great men. He was born in this state in its early beginning and developed vast holdings. The family that he raised is a tremendous contribution to this state. I recall Fred's two daughters were twins and were one of the first "Toni" twins—they received national recognition. A few years ago I had the privilege of talking to both Fred and Mary and I realized at that time the tremendous health and vigor these people had. Fred was in his 90's and Dr. Mary in her late 80's and they were both clear-minded and were of strong

character. I thought what a blessing to have a long life and good health. I think this resolution is very fitting.

Resolution adopted.

INTRODUCTION AND FIRST READING OF LEGISLATION

By the Committee on Natural Resources, Agriculture and Mining:

Assembly Bill No. 187—An Act relating to farm products; authorizing punitive damages in action by certain seller of farm products against unlicensed buyer; and providing other matters properly relating thereto.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Fairchild, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Randy Day.

On request of Assemblyman Malone, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Ann Doyle, Shirley Galardi, Kathy Hammond, Messrs. Rex Newell and Jack Galardi.

On request of Assemblyman Price, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Michael Dyal.

On request of Assemblyman Nicholas, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Roberta Gang and Dr. Anton Sohn.

Assemblyman Francis moved that the Assembly adjourn until Thursday, February 14, 1985 at 10:50 a.m.

Motion carried.

Assembly adjourned at 11:46 a.m.

Approved: BYRON L. BILYEU
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE TWENTY-FIFTH DAY

CARSON CITY (Thursday), February 14, 1985

Assembly called to order at 10:50 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, The Reverend Roy Parker.

Our Father of Heaven and Earth. It is with deep gratification and thankfulness that we come to You this morning. You have been so good to this nation, and to each of us. Truly You do love us even better than we love ourselves. Help us to show that love to someone else today. We recognize our dependency upon You, Lord, for Your Word tells us that we can do nothing without Your help, but with Your help we can do whatever we put our hand to. We, therefore, ask that Your guidance be upon this body of lawmakers this day, and that their decisions will be pleasing to You and beneficial to all of us.

Help us to recognize You and exalt You in the way that we should. A government that does not look to You for help is one that invites calamity, turmoil, and indecision; but one that does look to You is one that is blessed with proper answers and right choices. Thank You for Your help.

Your Word states that those that rule a people must be just and fair and rule in the fear and respect of God. When this is done, the results are like a spring day. May our request be granted as we have stated in the Name of Jesus Christ our Lord and Saviour.

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Francis 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. 18, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

CHARLES W. JOERG, *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which was referred Assembly Bill No. 100, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN DUBOIS, *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which was referred Assembly Bill No. 102, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN DUBOIS, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which was referred Assembly Bill No. 80, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JAMES STONE, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, February 13, 1985

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Senate Bills Nos. 74, 77.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Mr. Speaker appointed Assemblymen Bergevin and Collins as a committee to invite the Senate to meet in Joint Session with the Assembly to hear an address by Senator Laxalt.

INTRODUCTION AND FIRST READING OF LEGISLATION

By the Committee on Judiciary:

Assembly Bill No. 188—An Act relating to the interception of communications; permitting the interception of oral and wire communications with the consent of one of the parties to the conversation; and providing other matters properly relating thereto.

By the Committee on Labor and Management:

Assembly Bill No. 189—An Act relating to employment agencies; requiring the agency to provide the applicant with a copy of his contract; and providing other matters properly relating thereto.

By Assemblyman Nevin:

Assembly Bill No. 190—An Act relating to the Interstate Compact on Juveniles; directing the execution of an amendment which allows the requisition of certain fugitive juveniles; and providing other matters properly relating thereto.

By Assemblymen Nicholas, Dini and Bergevin:

Assembly Bill No. 191—An Act relating to the Nevada Tahoe regional planning agency; requiring the attorney general to act as attorney; and providing other matters properly relating thereto.

Senate Bill No. 74.

Bill read first time.

Senate Bill No. 77.

Bill read first time.

REFERENCE OF MEASURES TO COMMITTEES

Assembly Bill No. 183.

Assemblyman Francis moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

Assembly Bill No. 184.

Assemblyman Francis moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

Assembly Bill No. 185.

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

Motion carried.

Assembly Bill No. 186.

Assemblyman Swain moved that the bill be referred to the Concurrent Committees on Judiciary and Ways and Means.

Motion carried.

Assembly Bill No. 187.

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

Motion carried.

Senate Bill No. 24.

Assemblyman Francis moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 30.

Assemblyman Francis moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 31.

Assemblyman Francis moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 51.

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

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

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 11:05 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 Joerg 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 Speaker of the Assembly welcomed the Senator and invited him to deliver his message.

The Senator delivered his message as follows:

MESSAGE TO THE LEGISLATURE OF NEVADA
SIXTY-THIRD SESSION, 1985

Thank you very much, Mr. Speaker. It gives me great joy to have you introduce me as speaker. Mr. President, Senator Wilson, members of the Court, my colleagues and my fellow Nevadans.

I couldn't help but think driving down from Tahoe today—a huge wave of nostalgia hit me—driving past the Ormsby House, the Sacramento Bee's favorite hotel, on down the street to this beautiful Chamber, the old capitol building, the Court House, and my law office. I thought how much of my life has been invested within a few hundred yards of this place. I couldn't help but reflect, either, that my first appearance as a direct participant in this type of Joint Session was back in 1962. I look over this Chamber at all these various colleagues and I rather imagine there weren't too many of us around then. I must say they have been good years and I couldn't help but reflect when that wave hit me that perhaps somebody is trying to tell me something.

I'm going to speak briefly about what is going on in the national scene and then I'm going to turn to our problems here. As far as Washington is concerned, it is business much the same. We face much of the same basic problems that you do; budget problems, huge budget problems. We face a tax bill and we face serious international problems.

I have a suspicion that Congress is going to have a very successful session. It is principally because we have a President who had a very successful election. If there is anything that Washington or any political environment respects, it is political clout derived from a massive victory. I couldn't help but think today again of the significance of that; not only in Washington and throughout the country but throughout the world.

When we were in Taiwan shortly after the election, I had occasion to visit with the President of Taiwan. When I concluded the business I had to take care of on behalf of our

President, I prepared to leave (you don't take the time of heads of state disparagingly). He asked me if I would mind staying on for a moment or two longer. I said "Of course not, Mr. President." He said he would like to discuss this election with me. I said, "Of course." Do you know what his first question was? "Why didn't you pump more money into Minnesota?" It leads me to believe that political junkies are the same the world over.

We are going to have a significant budget victory. I don't know what form it is going to take. It is going to come not only from the enormous mandate that this President has but also because of a bipartisan recognition that we had better do something and do it quickly. We can't suffer these gigantic budget deficits much longer. We are going to end up with a package this year, I hope, that will result in at least a $50 billion decrease from our present levels with trend lines going down to 88 or 89 where we are going to achieve a 2 percent of GNP level which is enough. I think that is good news for the Republic.

You are going to get a tax bill as well. What form it will take I don't know either. There is a blueprint out there that scared the daylights out of our constituents everywhere and certainly here in this state. But it is only that—it is only a proposal and it is being heard and discussed throughout the country. I imagine within the next few weeks that we will have a final version that the President himself will embrace and will consider. I think as Americans that it is good because it is generational in character. It is the first time, literally in a generation, that we have addressed the difficulties in our tax code, gearing principally to complexity and fairness. No one would seriously contend that over a long period of time, in both Democrat and Republican administrations, we have added and added to that tax code to the point now that it is almost incomprehensible. You need a battery of accountants and lawyers to try to tell you what it is all about. They guess a lot, also. It is plainly apparent that there are huge disparagements equity-wise within the code. We will attempt to address this whole approach so that eventually we will have a fair code. Eventually we are going to have a lowered rate for individuals. I think that is as it should be. If we have learned one thing these last four years with this President and his California hand at the helm, it is the fact that if you leave the people alone and let them do their own thing—take that tax and regulation straight jacket away—that they can do it far better than the Federal Government or anybody else. Nevada has done well under the new budget considering it's budget slashing time. You are not going to do well, if my estimation is correct, on revenue sharing. Because very frankly we don't have any revenue to share in Washington, D.C. and we haven't in a long while. When you look at the facts and figures throughout the country, most states and local subdivisions are far better off financially than we are. That represents in our picture around $5 billion and I suspect it is going off. I hope it doesn't go off in this current year, though. Because having been here on a state level I know how difficult that would be to adjust. But for those of you who are doing the planning, fiscally for this state, I think you can plan fairly reasonably that revenue sharing will not be forthcoming after this fiscal year. We did very well in terms of additional money for Nellis. I noticed in the Las Vegas paper this morning there was a headline, I think trying to castigate me for appropriating funds through a subcommittee for the Pentagon on a secret project named "Stealth". Yes, I can't give you the details because it is classified, but that is the case—we have activity there and we should be proud of it. In addition to that we are going to have several million dollars in Nellis for capital construction. We have done very well in connection with the test site. We have done very well with the Colorado River in respect to the additional facilities there. We are going to do very well in connection with Fallon. I think overall we have done significantly well.

There is one little item in that budget that I hope we can hold. It is probably more significant than all the rest. We have $750,000 in that budget principally through the efforts of Bob Broadbent, "Mr. Water" himself, to do undergound studies on deep aquifers in central Nevada. During the MX period we had a lot of work done and many of you are familiar with that, indicating that we may have a huge repository of literally millions of acres of feet of water in central Nevada. We have never had the kind of prospecting done until the MX period to look into that. We are going to do that. I can't imagine what that would do for this state. It would make the Comstock Lode appear inconsequential. It truly would. I think that is a most exciting prospect. All of us who have

traveled this land and seen that little patch of 15 or 20 acres (and have some industrious person drawing up that water) and see that oasis out there know the prospect that this can have for our state. Once we become a garden state, believe me, a lot of our economic problems will quickly disappear. We also have been able to save the money for FEMA and Stewart. That has not been all that easy because there has been a lot of Eastern pressure to have that facility totally in Pennsylvania where they have the Eastern facility now. We were able to accomplish that as a unified delegation with a lot of help and cooperation from the people here. I was somewhat chagrined to say the least when our budget man, Dave Stockman, appeared to be deleting it this year. I didn't mind fighting the battle on the House side but to have it come from Dave, I thought was a bit much. In any case, we were finally able to tell him of the merits of this project and he finally consented to put it in and deleted the line item. That is of enormous consequence to this state and to this part of the state. It is the type of Federal activity we should have more of. We are going to have millions of dollars in capital construction and we are going to have a huge operating payroll. In addition to that, we are going to be doing some mighty fine work in terms of educating people in these emergency areas. So budget-wise we have done exceedingly well and I'm pleased and proud that it has gone that well.

Internationally, the name of game as all of you know are the "talks". I'm upbeat about those talks. I share the President's optimism. I'm sure that all of you do as well. All of us hope and pray that something comes. But let us not be unrealistic about the difficulty of the task. I was concerned about the euphoria that the media depicted after Geneva making it appear that all we would need is a couple of meetings and pretty quickly we would have an agreement. It just doesn't work that way with the Soviets. It is going to be long and hard and difficult and we are going to have patience like we have never exercised before. The Soviets in previous negotiations have always depended upon our impatience. They are constantly sitting at that table, more often than not, stonewalling us and nothing happens. We get disturbed when we see one part of a serial and have to wait until the following evening to see the rest. That is the psychology of American people in connection with life generally and it applies pretty much to our negotiators. But it is going to happen. We are going to have an agreement. I'm convinced of that. We are going to have an agreement principally because the Soviets have finally concluded that it is to their interest to have an agreement. They know we are serious now in our defense buildup; they know we want an agreement; they know that we want to remove that terrible nuclear cloud from all of civilization; they know our allies are in place and respect us now; and more importantly than all of that, they know the American people are solidly behind this whole effort. Ironically enough they came back to the table because of SDI. That is why they came back. We are now in the process of reshaping our whole defense doctrine. As you know it has been for many years mutually assured destruction, that an exchange nuclear-wise was so horrible that no one would think in terms of a first strike. We are changing that now and we are examining the prospect of defending ourselves.

That was roundly debated, if you will remember, in the ABM debates and defeated in the Senate by one lousy vote. Since that time our strategic doctrine has been simply that. Now a strategic defense initiative is introduced whereby a concept and technology to intercept that first strike and be successful at it. I have a hunch that it terrorized our Soviet friends beyond belief. They recognize above all else that we have enormous technological capabilities. I think it is very refreshing to know they came back to the table—they came back in their own self interest. That combined with our resolve from here will result, I hope, before too long and hopefully before the Reagan administration concludes, in a meaningful agreement. Let's all pray that that happens.

Let's talk about some local matters for a moment or two. I have been admonished by more people than I care to know not to talk about them but I'm going to anyhow. For instance, a noncontroversial subject like the TRPA. I understand you had a hearing on TRPA this morning. Anybody looking for a new scheduler? For me to be scheduled here on the heels of a TRPA hearing—I'm not going to intrude on your prerogatives; I've been there. I know that is your call. But I'm going to give you a little historical background about Tahoe and TRPA. Shortly after Ron Reagan and I were elected governors we had a

number of people come to us and indicate we had very serious problems in connection with Tahoe. We examined it and had several meetings. We finally came to the fateful conclusion as conservatives that we should have a bistate compact. That wasn't easy for us because, believe me, that wasn't one of the favorite positions of the John Birch Society—metropolitan type government. But we finally came to the conclusion that we needed that. We had to save Tahoe and have these multiple sets of governments up there lend themselves to that type of cooperation. That was not an easy call for me either. I felt that in terms of what was happening to Tahoe and in terms of the potential that it be forever contaminated that Nevada was fairly clean on the issue. We had preserved our side pretty well. It wasn't due to any steadfast governmental policy. I can remember practicing law around here and even as Lieutenant Governor you didn't give that kind of thought to Tahoe. It was due principally to the fact that we had large landowners up there who were real preservationists; like the Bliss family at Glenbrook and George Whittell. George held most of the Nevada side in his personal title until we finally set off (and I represented him at the time) the Incline development, which is probably one of the finer developments anywhere. As I say, we were fairly clean on the issue and California with all its "breast beating" at the time, pointing fingers at Nevada, I thought was the height of hypocrisy. In any case, we went ahead and did the drill. The concept basically was this. Yes, we would form a bistate compact that would sit over the top of everything. That agency would be entrusted with basic policy and guidelines. Those guidelines would be interpreted and implemented on a local level so that we would have a healthy balance between an umbrella advisory group on top and doing the job on a local level pursuant to the needs and philosophy of the local level. We thought that was a reasonable balance. Now I have watched each succeeding year that concept being chipped away. Yes, one of our avowed goals I must say in the late 1960's was that Tahoe was not going to be raped. But I'll tell you another avowed goal was that thousands of private landowners at Tahoe weren't going to be raped either. So here we are many many years later and as I read it now a virtual moratorium at Tahoe. Nothing is happening. I suppose that gives great joy to some. But it is not fair and it is not balanced. I would suggest that eighteen years of trying to arrive at a decent solution is long enough. I'm not trying to impose any kind of resolution; I'm not trying to give you any kind of veiled threat about eventual Federal Government takeover, which could happen; I'm just simply saying that we certainly have to have in both of these states enough reasonable good-willed people to put a package together that will serve the interests of Tahoe in the future and also serve the individual landowner. Certainly that is within our grasp and capability. I hope that you address yourselves very seriously to that problem. We need to get off this stalemate which doesn't serve anybody well and get the job done.

Lastly, let me talk to you briefly about the nuclear waste problem.You know, this kind of emotional issue lends itself too often to political posturing and "knee jerk" reaction. That isn't the way to address problems. It's okay for the media but we don't have that kind of pleasure. I have found over the years that today's quick fix headline may well be tomorrow's political epitaph. Think about that. I can remember when MX came and it was first considered. We had a lot of people in this state embrace it politically. It was motherhood. I thought to myself that a lot of people might regret that call. A lot of people did. They didn't know what the ball game was about. They had no conception what MX meant to Nevada. They were thinking purely in terms of dollars and cents. Greed surfaced. They didn't think in terms of gutting the whole central part of the state for a project that strategically in the national interest made no sense. Finally, after the process was completed those were the decisions that were made. I was proud to have played a part in killing that project for Nevada.

So now we have the nuclear problem. I hear from various quarters it will discourage tourism. I don't buy that at all. I can remember the early days of above-ground testing when tourists in Las Vegas were fighting their way to go out and watch those explosions. No one can tell me that tourists in Nevada are not going to come to Las Vegas because

we're depositing and storing nuclear waste at Yucca Mountain or anywhere else. That just doesn't sell. Talk about contamination of ground water—believe me if they are talking about contamination of ground water you can be assured if there is any evidence at all that ground water is being contaminated, we are going to be there opposing it ourselves. Howard Hughes used to bug me all the time about the testing there. He said you are going to foul up the ground water for generations to come. He would make me run to my experts to dispel that. The fact of the matter is that this is an explosive, complex and very sophisticated problem. There is a strong economic argument to be made. I think Barbara Vucanovich made it clear the other day. There is some downside admittedly, but there is also an enormous upside representing billions of dollars to the economy. Now, I for one would never make that kind of tradeoff in the face of a showing that environmentally we might be hurt. All I'm telling you is this—keep your powder dry. If you are not publicly committed, wait for this thing to unravel. Don't come out in opposition to a plan which has not been advanced yet. That is essentially where we are. I had the DOE people in just before I came out. Most of the people who are doing the hard work are the residents of Las Vegas. Are they going to come out with a plan that is going to threaten their lives or the lives of their families or friends? Certainly not. They are looking for answers. I think we finally have to decide if it comes here—if we get that kind of honor—and if we are finally selected on a rifle shot basis, we have to weigh the response as to whether or not we are going to object to it and then the governor at the time could veto it. Under the law, he has the right to veto and the Congress can override that veto by a two-thirds vote. We have to weigh that. We have to weigh all the considerations—economic, environmental and, yes, the national interest. You know we can't, on the one hand, as we are now doing, push strongly to have space reactors tested at the test site, which is live activity, and on the other hand, say no under any conditions that we are not going to store. That is a little inconsistent. You can't have your cake and eat it, too. Nevada cannot be postured, for any reason, as an outlaw state. We have too many problems along that line already. Historically, we have done a tremendous job from the standpoint of sheer patriotism in being part of the Federal family. These are the considerations that will bring to bear in those closing several weeks or months and that is way out; it is not imminent.

There is all kinds of work that has to be done before a final determination can be made. I say stay cool. If you have gone public I guess you have had it one way or the other. But for the rest of you, stay cool. I think it is the responsible thing to do. This represents pretty much what we are finding around this state. Let me tell you this. When I reflect on the many years I have been in this position, either sitting in Bob Cashell's chair, being governor of your state, or participating in the many special sessions or joint sessions of this type, I think we are all fortunate. We really are fortunate in serving this state. When I watch the pain and anguish in a lot of states I travel to, in terms of local legislators and people in the Congress, it's tough duty. We have a spirit in this state—we have our divisions—but we are tolerant and fair.

I'm very proud as your senator to serve with you. Thank you for your kind attention. You've been great. I've enjoyed this thoroughly. God bless.

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 Zimmer moved that the Joint Session be dissolved.

Motion carried.

Joint Session dissolved at 11:37 a.m.

ASSEMBLY IN SESSION

At 11:39 a.m.

Mr. Speaker pro Tempore presiding.

Quorum present.

INTRODUCTION AND FIRST READING OF LEGISLATION

By Assemblymen DuBois and Sedway:

Assembly Bill No. 192—An Act relating to the University of Nevada; prohibiting board of regents from imposing a fee on students to support athletics; and providing other matters properly relating thereto.

REFERENCE OF MEASURES TO COMMITTEES

Senate Bill No. 54.

Assemblyman Francis moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 58.

Assemblyman Francis moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 60.

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

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Stone moved that Assembly Bill No. 21 be taken from the Chief Clerk's desk and re-referred to the Committee on Judiciary.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 57.

Bill read third time.

Remarks by Assemblyman Bergevin.

Roll call on Assembly Bill No. 57:

YEAS—42.

NAYS—None.

Assembly Bill No. 57 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 3.

Bill read third time.

Remarks by Assemblyman Bergevin.

Roll call on Senate Bill No. 3:
YEAS—42.
NAYS—None.

Senate Bill No. 3 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.
Bill ordered transmitted to the Senate.

INTRODUCTION AND FIRST READING OF LEGISLATION

By the Committee on Economic Development and Tourism:
Assembly Bill No. 193—An Act relating to the commission on tourism; reducing the required frequency of its meetings; authorizing special meetings at the call of a majority of the commission; and providing other matters properly relating thereto.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Senate Concurrent Resolution No. 17.

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. Bob Huggins.

On request of Assemblyman Coffin, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Ray Vega.

On request of Assemblyman Fairchild, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. John Robarts.

On request of Assemblyman Joerg, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Tom Wiesner and Ms. Lynn Wiesner.

On request of Assemblyman Malone, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Pricilla Taylor, Lori Kruse, Linda Connors, Doris Kramer, Messrs. Jim Germain, Ray King, Bennett Collins, Fred Wilson, Owen Goodwin and Bernie Pollack.

On request of Assemblyman Schofield, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Margaret J. Black and Mr. Manny Beals.

On request of Assemblyman Thompson, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Larry Travis.

On request of Assemblyman Collins, the privilege of the floor of the Assembly Chamber for this day was extended to Reverends Ted Cuveston, Jesse Scott, E. B. Johnson, Walter L. Lanier and Mr. Otis Harris.

On request of Assemblyman Humke, the privilege of the floor of the

Assembly Chamber for this day was extended to Ms. Stephanie Styler and Marilyn Gubler.

Assemblyman Francis moved that the Assembly adjourn until Friday, February 15, 1985 at 11 a.m.

Motion carried.

Assembly adjourned at 11:58 a.m.

Approved: BYRON L. BILYEU
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE TWENTY-SIXTH DAY

CARSON CITY (Friday), February 15, 1985

Assembly called to order at 11:01 a.m.

Mr. Speaker presiding.

Roll called.

All present except Assemblymen Collins and Fairchild, who were excused.

Prayer by the Chaplain, The Reverend Roy Parker.

Father of Heaven and earth, we invoke Your guidance and blessings upon this, the Nevada State Assembly, to guide them in the decisions that they face here today. When the righteous rule over a people, they are blessed. The power that our rulers have comes from You, for Your Word tells us that there is no power but of God; we ask that it be used in a way that would please You and benefit us. No man is an island unto himself. No man sins unto himself. Anything that any one of us might do affects someone else. So Lord, we ask that as one nation under God, we seek Your wisdom in arriving at a proper solution that ends uncertainty or dispute concerning these important matters that this body of lawmakers face here today. Thank You for the freedom that we enjoy and allow us to remain free and give us the resistance that we need to dispel any force that would strip us of any part of our freedom. Cause us to look to You and depend upon You as our source of help, and for all of these favors and others, we thank You in the name of Your Son, Jesus our Lord and Saviour. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Francis 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. 91, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

LOUIS W. BERGEVIN, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, February 14, 1985

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bill No. 16.

Also, I have the honor to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 10.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Bills Nos. 10, 76.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bill No. 9.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

By the Committee on Legislative Functions:

Assembly Resolution No. 5—Providing for the appointment of additional attachés.

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, That Priscilla C. Taylor and Sharon L. Brown are elected as additional attachés of the assembly for the 63rd session of the legislature of the State of Nevada.

Assemblyman Bogaert moved the adoption of the resolution.

Resolution adopted.

Assemblyman Stone moved that Assembly Bill No. 44 be taken from the General File and placed on the General File for the next legislative day.

Motion carried.

INTRODUCTION AND FIRST READING OF LEGISLATION

By the Committee on Taxation:

Assembly Bill No. 194—An Act relating to the assessment of property; altering the use of factors between reappraisals; requiring that certain maps of land contain information on the measurement of areas; and providing other matters properly relating thereto.

By the Committee on Judiciary:

Assembly Bill No. 195—An Act relating to motor vehicles; increasing the penalty for homicide resulting from driving while under the influence of intoxicating liquor or a controlled substance; and providing other matters properly relating thereto.

By the Committee on Government Affairs:

Assembly Bill No. 196—An Act relating to industrial insurance; permitting an insurer to accept the determination made by a physician employed by the Veterans' Administration of the extent of an employee's disability; and providing other matters properly relating thereto.

By the Committee on Government Affairs:

Assembly Bill No. 197—An Act relating to Carson City; making various amendments to its charter; and providing other matters properly relating thereto.

Senate Bill No. 9.

Bill read first time.

Senate Bill No. 10.

Bill read first time.

Senate Bill No. 76.

Bill read first time.

REFERENCE OF MEASURES TO COMMITTEES

Assembly Bill No. 188.

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

Motion carried.

Assembly Bill No. 189.

Assemblyman Francis moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

Assembly Bill No. 190.

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

Motion carried.

Assembly Bill No. 191.

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

Motion carried.

Assembly Bill No. 192.

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

Motion carried.

Assembly Bill No. 193.

Assemblyman Francis moved that the bill be referred to the Committee on Economic Development and Tourism.

Motion carried.

Senate Bill No. 74.

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

Motion carried.

Senate Bill No. 77.

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

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 18.

Bill read second time.

The following amendment was proposed by the Committee on Taxation:

Amendment No. 33.

Amend section 1, page 1, line 4, by deleting the period and inserting: "*, but not less than 15 cents for each package.*".

Amend the bill as a whole by renumbering sections 2, 3 and 4 as sections 3, 4 and 5 respectively and inserting a new section designated section 2, following section 1, to read as follows:

"Sec. 2. NRS 370.165 is hereby amended to read as follows:

370.165 There is hereby levied a tax upon the purchase or possession of cigarettes by a consumer in the State of Nevada at the rate of [7.5] *5* mills per cigarette but not less than [15] *10* cents for each package. The tax may be represented and precollected by the affixing of a revenue stamp or other approved evidence of payment to each package, packet or container in which cigarettes are sold. The tax must be precollected by the wholesale or retail dealer, and must be recovered from the consumer by adding the amount of the tax to the selling price. Each person who sells cigarettes at retail shall prominently display on his premises a notice that the tax is included in the selling price and is payable under the provisions of this chapter.".

Amend sec. 3, page 2, line 28, by inserting after "*cigarette*" the phrase: "*, but not less than 5 cents for each package,*".

Amend sec. 4, page 3, line 26, by deleting the period and inserting: "*, but not less than 15 cents for each package,*".

Amend the bill as a whole by renumbering section 5 as section 7 and inserting a new section designated section 6, following section 5 (as renumbered), to read as follows:

"Sec. 6. 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 [7.5] *5* mills per cigarette, but not less than [15] *10* cents for each 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. 5, page 3, line 31, by deleting "14.3, 14.5" and inserting "14.3".

Amend sec. 5, page 3, line 32, by deleting "1948, 1949" and inserting "1948".

Amend sec. 6, page 3, by deleting lines 34 and 35 and inserting:

"Sec. 8. 1. This act becomes effective upon passage and approval to authorize the department of taxation to prepare to collect the tax at the rates authorized.

2. Sections 1, 3, 4 and 5 of this act become effective for all other purposes 90 days after passage and approval or on June 30, 1985, whichever is earlier.

3. Sections 2 and 6 of this act become effective for all other purposes on July 1, 1985.

4. This section and section 7 of this act become effective for all other purposes upon passage and approval.".

Amend the title of the bill, second line, by deleting: "retaining the existing rate;".

Amend the summary of the bill to read: "Changes method of taxing cigarettes.".

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. 80.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 32.

Amend section 1, page 1, line 2 by deleting: ", 3 and 4" and inserting "and 3".

Amend section 2, page 1, line 3 by deleting: "*, 3 and 4*" and inserting "*and 3*".

Amend section 2, page 1, line 6 by deleting the comma and inserting: "*or certified as an*".

Amend the bill as a whole by deleting section 4.

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. 100.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 102.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 29.

Amend section 1, page 1, by deleting line 17 and inserting:

"(c) [A bad moral character, intemperate habits, or a bad reputation".

Amend section 1, page 1, line 19, by deleting the open bracket.

Amend section 1, page 2, by deleting line 1 and inserting:

"(e)] *Demonstrated untruthfulness or a lack of integrity.*

(d) Been refused a license under this chapter or had a license".

Amend the title of the bill, third line, after "license;" by inserting: "removing mere reputation as a ground for refusal;".

Assemblyman DuBois moved the adoption of the amendment.

Remarks by Assemblyman DuBois.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

INTRODUCTION AND FIRST READING OF LEGISLATION

By Assemblyman Humke (by request):

Assembly Bill No. 198—An Act relating to the National Guard; making

the Nevada Code of Military Justice conform, where applicable, to the Federal Uniform Code of Military Justice; and providing other matters properly relating thereto.

By Assemblymen Humke, Stone, Coffin, Zimmer, Rader, Williams, Ham, Swain, Tebbs, Roberts, Beyer, DuBois, Price, Thomas, Nevin, Getto, Jeffrey, Dini, Thompson, Nicholas, Collins, Bergevin, Sedway, Marvel, Malone, Bogaert, McGaughey, Kerns, Francis, Lambert, Banner, Fairchild, Horne and Arberry:

Assembly Bill No. 199—An Act relating to children; revising provisions for protection from abuse or neglect; and providing other matters properly relating thereto.

REMARKS FROM THE FLOOR

Assemblyman Sedway requested that Assemblyman Thomas' remarks be entered in the Journal.

First of all I would like to thank my distinguished colleagues for that marvelous rendition and Mr. O'Donnell; that was just super. I thought it was awfully nice of Senator Paul to come to my birthday party. However, I do have one minor complaint to register against the speaker. He has been spreading the rumor around for some time that I participated in the Revolutionary War. I want you to know for a fact that George Washington was slightly before my time. However, I did know Abe fairly well. As I look at the picture of Abe up there, it kind of reminds me of Marvin Sedway with hair. On second thought, maybe Abe's name was Abraham Lincolnberg.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman McGaughey, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Karen Hayes and Mr. Jimmy McGaughey.

Assemblyman Francis moved that the Assembly adjourn until Monday, February 18, 1985 at 11 a.m.

Motion carried.

Assembly adjourned at 11:22 a.m.

Approved:

BYRON L. BILYEU
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE TWENTY-NINTH DAY

CARSON CITY (Monday), February 18, 1985

Assembly called to order at 11 a.m.

Mr. Speaker presiding.

Roll called.

All present except Assemblyman Dini, who was excused.

Prayer by the Chaplain, The Reverend Gene Gentry.

Lord God, You have chosen the leaders of the State of Nevada. I thank you for each one with their differing views on various issues. As they struggle today and throughout the week with various decisions, enable each member present to express clearly relevant information and perspectives. Enable each member present to listen with openness and willingness to consider options which can lead to the best decisions for this state, this nation and this world. Give each man and woman who is participating in the decision-making process today a clear mind so that workable solutions can be found and implemented. Once those decisions are arrived at, give the courage and strength to carry out the implementation even though those who have selfish interests put on pressure to hinder that implementation. We pray that Your spirit will guide throughout the debates, discussions and votes of the day. May all that which is decided today be in the best interest of the majority of Your people. We ask all of this in the name of Jesus, the Christ. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Francis 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 Little and McGaughey as a committee to invite the Senate to meet in Joint Session with the Assembly to hear an address by Representative Harry Reid.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Judiciary, to which were referred Assembly Bill No. 101, Senate Bill No. 11, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JAMES STONE, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which was referred Assembly Bill No. 81, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JAMES STONE, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which was referred Senate Bill No. 2, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN W. MARVEL, *Chairman*

INTRODUCTION AND FIRST READING OF LEGISLATION

By the Committee on Judiciary:

Assembly Bill No. 200—An Act relating to statutory interpretation; providing a definition of the term "person" applicable to Nevada Revised Statutes as a whole; and providing other matters properly relating thereto.

By the Committee on Judiciary:

Assembly Bill No. 201—An Act relating to administrative regulations; providing for judicial notice of the Nevada Administrative Code; providing for the enforcement of regulations; and providing other matters properly relating thereto.

By the Committee on Judiciary:

Assembly Bill No. 202—An Act relating to municipal courts; eliminating duplicative statutes; consolidating related provisions; and providing other matters properly relating thereto.

By the Committee on Government Affairs:

Assembly Bill No. 203—An Act relating to public hospitals; providing an alternate form of organization for a nonprofit corporation to which a public hospital is conveyed; and providing other matters properly relating thereto.

By Assemblyman Nevin:

Assembly Bill No. 204—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.

REFERENCE OF MEASURES TO COMMITTEES

Assembly Bill No. 194.

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

Motion carried.

Assembly Bill No. 195.

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

Motion carried.

Assembly Bill No. 196.

Assemblyman Francis moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

Assembly Bill No. 197.

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

Motion carried.

Assembly Bill No. 198.

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

Motion carried.

Assembly Bill No. 199.

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

Motion carried.

Senate Bill No. 9.

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

Motion carried.

Senate Bill No. 10.

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

Motion carried.

Senate Bill No. 76.

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

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 91.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 39.

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 418.030 is hereby amended to read as follows:

418.030 [1. If any employer fails or refuses to comply with the provisions of subsections 2 and 3 of NRS 418.010, the district court of the judicial district where the employer maintains a place of business, shall have power, upon the filing of a motion, petition or other appropriate pleading by the person entitled to the benefits of the provisions of this chapter:

(a) Specifically, to require the employer to comply with the provisions; and

(b) As an incident thereto, to compensate the person for any loss of wages or benefits suffered by reason of the employer's unlawful action.

2. The court shall order a speedy hearing in the case and shall advance it on the calendar.

3. Upon application to] *A person who claims to be entitled to the benefits of the provisions of 38 U.S.C. §§ 2021 to 2026, inclusive, may apply for the assistance of* the district attorney for the county in which the *claimant's* employer maintains a place of business . [, by any person claiming to be entitled to the benefits of the provisions of this chapter, the] *The* district attorney, if reasonably satisfied that the person applying is entitled to [such] *the* benefits, shall appear and act as attorney for that person in the amicable adjustment of the claim, or in the [filing] *:*

1. Filing of any motion, petition or other appropriate pleading [, and the prosecution] *; and*

2. *Prosecution* thereof to require specific compliance by the employer with the provisions of [this chapter.

4. No fees or court costs shall be taxed against the person so applying for such benefits.] *38 U.S.C. §§ 2021 to 2026, inclusive.*".

Amend section 1, page 1, line 1, by deleting "418.030,".

Amend the title of the bill, line 2, by deleting the semicolon and inserting: "which are superseded by federal statutes; requiring district attorneys to assist in the prosecution of certain related claims;".

Assemblyman Bergevin moved the adoption of the amendment.

Remarks by Assemblyman Bergevin.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

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 11:16 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 Dini, who was excused.

The President of the Senate appointed a Committee on Escort consisting of Senator Bilbray and Assemblyman Fairchild 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:

MESSAGE TO THE LEGISLATURE OF NEVADA

SIXTY-THIRD SESSION, 1985

Mr. President, Mr. Speaker, my fellow legislators, friends and guests.

At about 8 o'clock on a very cold Russian night in mid-January of this year I left the United States Embassy. The purpose of my departure was to visit a family in Moscow, the capital of the Soviet Union. Now, if anyone today made that announcement here in Carson City or in Washington, D.C., saying that you are going to visit a family that lives in the capital, it would be so routine as to be meaningless. However, my decision to make such a visit to the Soviet Union is worthy of discussion today. I traveled to the Soviet Union on a fact-finding trip with other members of the House Foreign Affairs Committee. I remember when we first left our Embassy. We made every effort to give the impression that we were returning to our hotel. However, we were detected immediately by the KGB agents. This is easy to do in Russia since the intersections are frequented by the military whose main job is to keep the limousines of high Soviet officials moving and to use their sophisticated electronics to spy on whomever they are told to observe.

After arriving at our destination, the driver stopped our car. In front of us was a car that had stopped first to drop off a man who then proceeded to do what looked like window shopping to the casual observer. This was rather odd, however, considering the 15 degree below zero temperatures and the fact that there were no stores open at this time of night. I'll always remember in my mind's eye, just as it would occur in the movies, a KGB agent stood watching us from across the street as we entered this apartment complex. Our every move was being monitored. At that moment and today, I recall some of the Soviet's security reminders we were briefed about before we went into the country—all telephone calls are monitored by the Soviets, assume that all rooms have electronic eavesdropping devices and that all conversations will be monitored, assume that all rooms are being monitored by electronic photography, even in the dark, everything left in your room will be searched in your absence. These are a few of the precautionary statements we were given.

One family I visited was living in a very small apartment. We sat at their table to share a most unusual meal. The food was meager and bland but there was no doubt it was fixed with great love. While in Russia, I met with three families of Refuseniks, Christian and Jew. You see, in the Soviet Union they treat any religion, Christian or Jew, equally . . . very badly. These families were trying to leave the Soviet Union. They wanted to exercise their God-given rights of life, liberty and the pursuit of happiness. For their desire to live and practice their religion, they had been physically, emotionally and economically abused.

Having experienced this exchange, I realize how fortunate I am to be able to address the Nevada State Legislature. I need not worry about the rights of citizens to assemble, or to practice their religion or to speak out, to criticize. These are rights we take for granted and we shouldn't. Today I can criticize, compliment, advise and argue without fear of governmental harassment. For this I declare my happiness and testify as to my gratefulness for those who have made sacrifices to guarantee that our country remains the bastion of liberty that it is. We must recognize their sacrifice as a guarantee that our governmental process be preserved.

I have fond memories of the Nevada Legislature. When I served in the Assembly, we met in the Capitol. As President of the Senate, I had the good fortune to preside the year this building was opened. We in Nevada have great opportunity. We have a good tax base, sparse population, good climate with hearty people who are not afraid to work. Two years ago when I spoke before you our state was economically in the throes of a real disaster. Fires at two major resorts, general economic stagnation at the federal level, labor strife, Atlantic City and over-building were just a few of the obstacles that we have overcome to have a state now brimming with economic potential. We who serve the people as their elected representatives have a solemn obligation to assure that our governmental programs and laws advance this great state toward the realization of that potential.

I would like to discuss a few ways, I feel, can help us move closer to that goal. In 1971 and 1973 Governor O'Callaghan and I stressed the need for a "cooling off" period for gaming regulators. The legislature failed to adopt our suggested law. While I was chairman of the Gaming Commission, Governor O'Callaghan and I made this same proposal to the State Gaming Policy Committee...a proposal that gaming regulators wait a minimum of one year before going to work in the gaming industry. The Gaming Policy Committee agreed. In all these years neither the State Legislature nor the Gaming Commission has acted affirmatively on this proposal. This lack of action has been detrimental to our state. It is clearer than ever before that we must not only do away with what is bad but what appears to be bad. Throughout the nation, at all levels of government...whether it be in the halls of Congress or the state legislatures or the thousands of city halls, people talk adversely about Nevada regulators; found to be enforcing the law one day and working for those they have been enforcing the next. As one Nevada newspaper columnist put it recently, "the gaming agency has become a training school for casino executives." All of this has caused the present regulatory mechanism in our state to be held up to unnecessary ridicule. To maintain the integrity of our gaming enforcement apparatus you must put a stop to this practice. To do less is to sell Nevada cheaply.

While still talking about gaming, I think it would be well for the state to have a long-range plan about the future of gaming. As an example, you might want to look at the future of restricted licenses. At least this deserves some careful, deliberate consideration, either through a legislative interim study or perhaps through an analytical process of the Gaming Policy Committee.

In addition to preserving the integrity of our state's number one industry, we must all be committed to greater diversification of our economic base. I've enjoyed these past two years with the State Economic Development Commission. Also the Nevada Development Authority has been heavily involved in Washington. Two years ago I recommended to Nevada state officials and to Nevada Development Authority representatives that the state should have full-time personnel in Washington to represent the state's interest in the nation's capitol. Therefore, I was delighted to see that Governor Bryan in his state-of-the-state address has recommended a State of Nevada office in Washington, D.C. This will give the state greater presence and allow Carson City to work more closely with the Nevada congressional delegation, thus enhancing Nevada's prospects for acquiring its share of the government grants and contracts that are available. As a member of the Committee on Science and Technology, I am impressed with Nevada's great potential for high-tech development. Last year I brought to Nevada that committee's chairman, Don Fuqua from Florida. He was impressed with the potential for development existing in our state. He stressed that we would be a top contender for economic progress diversification, namely in the high-tech areas, when we establish a first-rate engineering school at UNLV. Do not let this vital ingredient to Nevada's future get lost. The presence of this engineering school would mean an accelerated growth rate for the entire state. It would create a broader tax base for years to come. I applaud and congratulate those legislators from outside Clark County for the non-regional support for this facility. It is similar to the 1969 approval of the University of Nevada Medical School in Reno which was only accomplished by the help of the southern Nevada legislators.

As you know, I was one of the first to speak out against the high level nuclear waste depository. My feelings have not changed. Nuclear waste is not compatible with tourism.

This is not a partisian issue. We should spend our time on those federal projects that would be good for Nevada—the super conducting super collider—$3 billion worth of construction, 3,000 men during the construction phase and 3,000 during the maintenance stage. In fact, there is a Las Vegas based company on the site selection process for that facility. Let's direct our attention toward this. Or, maybe even the SP100—or, of course, both. The space reactor, a multi-billion dollar project—already now in place we have $300 million worth of equipment that could be converted to use in this project.

I agree with Senator Laxalt on the need to advocate, push, lobby and fight for the $750,000 to study deep aquifers. With more water Nevada would be unstoppable. Senator Laxalt and I also agree on the necessity of the Federal Emergency Management Facility at Stewart. It was a team effort to get it. I'm proud of our teamwork. It took us both.

The discussion going on in the country today and specifically in Nevada that addresses education is essential. The debate between Assemblyman Sedway and Senator Ryan has done a great deal to focus attention on this vital issue. I especially salute the governor for his pursuit of education excellence. I hope that this state's most important resource, our children, are given a chance to be as good as they can be by providing for them the best education possible. We can start by providing our teachers with the proper tools. We all know that a teacher's working condition is a child's learning condition. I might add, teachers should be adequately paid for the service they render. None has played a more vital role in the lives of my own children than their teachers. Nevada's outstanding teachers deserve the best and we should provide for that. Each of you knows the importance of a single vote.

This past November many elections were decided, as several here know, by a handful of votes. The importance of a single vote cannot be overstressed. Aristotle and even the founders of our nation believed that liberty and equality will be best obtained when all persons share in the government to the utmost.

One way of doing this is by removing the impediments to voter registration. We have too many preconditions to voter registration. There are many possibilities. One, sponsored by Senator Foley, would allow for registration at the time a person applied for a driver's license. The National Census Bureau reports that in the November 1984 election, Nevada had the lowest voter registration and consequently the lowest voter turnout of any state in the nation. This is embarrassing. Is it fair to make the ability to vote so difficult? No. To claim we govern by the will of the people is perhaps not accurate. Remember, we are the last, we are the bottom in registration. In our sister state of California, post-card registration is used and it works. It favors no political party which is evidenced by the election of a Republican governor in a predominently Democratic state. There are other alternatives. Whatever method is chosen it is clear it must provide easier opportunities to register to vote. Without this first step in the voting process, we cannot hope to guarantee more active voter participation and thus election day turnout.

In another important area we must make a concerted effort to pass an estate tax that will bring into Nevada coffers money that is now going needlessly to the Federal Government. We have to make it perfectly clear that this is not a new or additional tax. Senator Bilbray has worked hard to make this point clear. It would only tax the states to the extent the Federal Government allows credit for taxes paid to the state. Simply stated, if it doesn't come to Carson City, it goes to Washington.

Thank you for allowing me to offer some advice. I have offered it based on privilege, the privilege of one with past service in both houses of this legislature. I am fortunate that in 1982 the opportunity to represent Nevada at the federal level was extended to me. As your congressman, I've worked and supported legislation that I consider beneficial for the state and this nation. During my first term I cosponsored several bills that are critical to Nevada and the nation—the pay-as-you-go budget deficit reduction proposal; the Fair Tax Act, to bring equity back into the tax system; the Defense Department's Spare Parts Procurement Act; and the Missing Children Act.

I returned to Washington just a few weeks ago determined to resolve some of the lingering problems with the budget, taxes, excessive and wasteful defense department spending and so much more. I have already introduced the Taxpayers Bill of Rights, to

define more clearly the Internal Revenue Service procedures in order to protect taxpayers against IRS abuses. Rest assured there are abuses. We have about 25,000 dealers in Clark County alone. These dealers are literally being treated as second-class citizens. Whether we agree or disagree with whether they should have paid their taxes is no longer the issue. The issue is, they owe the money so let's not be mercenary in how that tax is collected. People are losing their homes and jobs. I think we have to look very closely at how the IRS is treating the dealers because after the dealers, it's you and me.

My bill, the Taxpayer's Bill of Rights, would do a number of things. First of all, it would put the taxpayer on even par with the tax collector. It would do some things such as allow no promotions in the Internal Revenue Service based on how much money a tax collector collects. It would provide an office of an ombudsman. It would demand that as soon as the tax collector meets the taxpayer that a discussion and, in effect, a "Miranda" type civil warning is given to these people so they understand what is going on. All conversations between the taxpayer and tax collector would be recorded. Now you know if you win, you lose. You can't afford to appeal a tax case because if you win you still have to pay your accountant's fees and tax fees. Most people pay even if they feel they don't owe the money. My bill would allow the awarding of attorney's fees and accountant's fees to the prevailing party, that is against the IRS.

I've reintroduced a bill to provide money for southern Nevada flood control so that life-stealing floods do not continue to batter southern Nevada. My effort in Washington will be greatly enhanced by the legislative action being proposed to you by Assemblymen Jim McGaughey and Danny Thompson. I congratulate you for introducing a comprehensive flood control plan. One that provides for both a master plan and the necessary funding mechanism to pay for it.

I've introduced a congressional resolution to prevent Canada from imposing burdensome taxes on travel literature coming from the United States and from Nevada. This policy directly impairs the free-flow of travel and tourism information to Canadian tourists who come to this country more than any other foreign travelers.

I'm also working to introduce a wilderness bill that is compatible with the concerns of the general public, as well as those of special interest groups that have voiced concern over this issue. We are the last of the 50 states to have a wilderness bill. We will have one whether we participate in it or not. We cannot let outsiders do this for us. We must be involved in creating a wilderness bill for the State of Nevada.

You can rest assured that I'm watching very closely the Bureau of Land Management Forest Service Exchange. I will proceed with caution and not haste. I'm testifying in Washington this week on this issue.

We are working for the release of more highway funds. While protecting the formula that has governed the disbursement of these monies for many years, the eastern states are trying to take away the so-called "three-r" formula. This change, in effect, would base money given to the states on population, not mileage; which, of course, would be very detrimental to Nevada.

In terms of federal spending, I think it is important to realize that we spend more than $1 million each year on rent for federal buildings in southern Nevada alone. I plan to introduce legislation to build a new federal complex in southern Nevada thus saving money and providing streamlined efficiency for federal operations in this state.

My Science and Technology Subcommittee on Transportation, Aviation and Materials will hold hearings this week starting on Wednesday dealing with the 55-mile-per-hour speed limit. We are the first committee to hold hearings on all the bills. We will decide and recommend whether the 55-mile-per-hour speed limit should be modified. Senator Hecht and Congresswoman Vucanovich will testify before me during these hearings.

Just as I did last session, I will continue to protect Nevada when it comes to military overstepping. We have learned the hard way that the military has a very large appetite. Area 51 and the controversial 90,000 acres that aroused so much concern last year, the Fallon Air Naval corridor, the supersonic range in northeast Nevada—all of these have the same features, taking without asking. The law now is that the military cannot take more

than 10,000 acres of land without congressional approval. But, what about more than 10,000 acres of air space? That is what they have been trying and doing in many instances. That is why I am preparing a bill to prevent the military from doing so without authority.

Still remaining are the problems with and the need for tax reform. We need to develop legislation for tax simplification. I spoke about this before I went to Washington and I haven't stopped. I'm happy that President Reagan now agrees and said so in his State of the Union Address. The climate has never been better for tax reform and tax simplification. Hand in hand we must continue a fair deficit reduction solution. You as legislators should be aware that the money problems in Washington are not the fault of Congress alone. Let me illustrate. The President, during the past two weeks, has given us a budget that is $200 billion in the red. During the four years that President Reagan has been president, the Congress of the United States has appropriated less than two-tenths of one percent more than he has asked. In fact, last year Congress appropriated approximately $15 billion less than he asked. As an example, on my Foreign Affairs Committee the administration asked for $14 billion—we gave him $12 billion. It is good to understand, as I've mentioned, that the sole problem of the money situation in Washington is not the Congress.

Being aware of this, I'm reminded as I remind you that you cannot try to do too much. Because, in so doing you favor the following verse: "I'm the legislative draftsman, I compose the country's laws, and of half the litigation, I'm undoubtedly the cause. I employ a kind of english much is hard to understand. Though the purists do not like, all the lawyers think it's grand."

I have great confidence in the legislative process. I feel assured that each of you will do your best to guide Nevada through this most interesting time. Nevada's citizens deserve the best. They have a great heritage. This heritage must be protected and built upon. Today is George Washington's birthday. We celebrate it as his birthday. As George Washington said almost 200 years ago: "If, in the opinion of the people, the distribution or modification of powers be in any particular wrong, let it be corrected by an amendment in the way the law and constitution designates. But, let there be no change by usurpation for though this, in one instance, may be the instrument of good, it is the customary weapon by which free governments are destroyed." The philosophy, my friends, of the George Washingtons, our forefathers of this great country, separates us from the atheistic, communistic nonlegislative leaders of the Soviet Union. We have great power conferred upon us by the people. We must use this power wisely.

Senator Townsend 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 Williams moved that the Joint Session be dissolved.

Motion carried.

Joint Session dissolved at 11:46 a.m.

ASSEMBLY IN SESSION

At 11:52 a.m.

Mr. Speaker presiding.

Quorum present.

GENERAL FILE AND THIRD READING

Assembly Bill No. 44.

Bill read third time.

Remarks by Assemblymen Stone, Getto and Sedway.

Roll call on Assembly Bill No. 44:

YEAS—31.

NAYS—Coffin, Collins, Francis, Getto, O'Donnell, Sader, Sedway, Swain, Thompson, Williams—10.

Absent—Dini.

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. 100.

Bill read third time.

Remarks by Assemblyman Williams.

Roll call on Assembly Bill No. 100:

YEAS—40.

NAYS—None.

Absent—Dini.

Not voting—Sedway.

Assembly Bill No. 100 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

INTRODUCTION AND FIRST READING OF LEGISLATION

By Assemblymen Humke, Lambert, Nicholas, Bogaert and Collins:

Assembly Bill No. 205—An Act relating to children; establishing the children's trust account for the prevention of abuse or neglect; creating the committee for protection of children to award money from the account; increasing the fees charged for marriage licenses and certificates of birth; and providing other matters properly relating thereto.

By the Committee on Judiciary:

Assembly Bill No. 206—An Act relating to impersonation of officers; prohibiting the unauthorized use of the insigne or emblem of a public officer or peace officer; providing penalties; and providing other matters properly relating thereto.

By the Committee on Judiciary:

Assembly Bill No. 207—An Act relating to peace officers; requiring all peace officers to be certified by the peace officers' standards and training committee; authorizing per diem allowances and travel expenses for the members of the committee; increasing the size of the committee; and providing other matters properly relating thereto.

By the Committee on Health and Welfare:

Assembly Bill No. 208—An Act relating to aid to certain victims of

crimes; extending compensation to children who have been abused or neglected; and providing other matters properly relating thereto.

By the Committee on Natural Resources, Agriculture and Mining:

Assembly Bill No. 209—An Act relating to agriculture; authorizing the department of agriculture to regulate aquatic agriculture; changing the number required for a quorum of the state board of agriculture; making various changes in the provisions regulating seeds; and providing other matters properly relating thereto.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bill No. 16, Senate Bill No. 3, Assembly Concurrent Resolution No. 10.

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 Messrs. Timothy R. Quillin and David Kirby.

On request of Assemblyman Bogaert, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Michelle M. Mazzone, Susan Reed and California Assemblyman Norman S. Waters.

On request of Assemblyman Craddock, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Erich Manley, Joseph Koch and Mrs. Hazel Koch.

On request of Assemblyman Humke, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Keith Lockard.

On request of Assemblyman Price, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Rosemary Bearden, Kris Lewis and Mr. Max Bearden.

Assemblyman Francis moved that the Assembly adjourn until Tuesday, February 19, 1985 at 11 a.m.

Motion carried.

Assembly adjourned at 12:11 p.m.

Approved.

BYRON L. BILYEU
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE THIRTIETH DAY

CARSON CITY (Tuesday), February 19, 1985

Assembly called to order at 11 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, The Reverend Gene Gentry.

Lord, we thank You for this day when we can consider business which will influence the future of this state and this world in which we live. Much of that business these days is being done in small committees. As the members of this legislative body go about the task which they have been called to do, we ask that Your will gives them clear and open minds. We pray that they will share openly the information they have so that the best legislation possible can be formed. Help us not to be too influenced by selfish interests as we consider that which is best for the majority. As we listen to Mr. Bacon this morning, help us to gain insights which will make us better persons as we walk the paths of life. These things we ask in Jesus' Name. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Francis 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 Assembly Bills Nos. 5, 45, 104, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

MIKE MALONE, *Chairman*

Mr. Speaker:

Your Committee on Commerce, 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 do pass as amended.

JOHN DUBOIS, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Health and Welfare, to which was referred Assembly Bill No. 8, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

DAVID D. NICHOLAS, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Judiciary, to which was referred Assembly Bill No. 8, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JAMES STONE, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which were referred Assembly Bills Nos. 23, 35, 82, 85, 87, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JAMES STONE, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, February 18, 1985

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bill No. 9.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Bills Nos. 63, 78, 82, 90.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 33, 34, 38, 61.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Joint Resolution No. 11 of the 62nd Session.

MARY JO MONGELLI
Assistant Secretary of the Senate

SENATE CHAMBER, Carson City, February 19, 1985

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Senate Bill No. 158.

Also, I have the honor to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 19.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Senate Joint Resolution No. 11 of the 62nd Session.
Resolution read first time.

Senate Concurrent Resolution No. 19.
Assemblyman Swain moved the adoption of the resolution.
Remarks by Assemblyman Swain.
Resolution adopted.

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. Clarence M. Bacon, National Commander of the American Legion.

Assembly in recess at 11:09 a.m.

ASSEMBLY IN SESSION

At 11:39 a.m.
Mr. Speaker presiding.
Quorum present.

INTRODUCTION AND FIRST READING OF LEGISLATION

By Assemblymen DuBois, Zimmer, Banner, O'Donnell, Rader, Lambert, Nicholas, Collins, Stone, Spriggs, Tebbs, Arberry, Horne and Malone:

Assembly Bill No. 210—An Act relating to children; clarifying the obligation of parents to support a dependent child receiving public assistance; authorizing the withholding of income of a parent who is delinquent in paying support of a child; and providing other matters properly relating thereto.

By Assemblymen Humke, Swain, Zimmer, Kerns, Roberts and Stone:

Assembly Bill No. 211—An Act relating to the care of children; changing the composition of the board for child care; authorizing the board to waive compliance with regulations by certain child care facilities; extending the authorization for a provisional license for a facility; requiring investigation of the criminal record of any person who owns, operates or is employed by a facility; and providing other matters properly relating thereto.

By the Committee on Commerce:

Assembly Bill No. 212—An Act relating to credit unions; limiting the amount a credit union may invest in fixed assets; establishing additional requirements for a certificate of authority for a foreign credit union to transact business in this state; and providing other matters properly relating thereto.

By the Committee on Commerce:

Assembly Bill No. 213—An Act relating to collection agencies; eliminating the word "renewal" from renewal licenses and certificates; and providing other matters properly relating thereto.

By the Committee on Commerce:

Assembly Bill No. 214—An Act relating to debt adjusters; increasing the limits on fees; and providing other matters properly relating thereto.

By the Committee on Commerce:

Assembly Bill No. 215—An Act relating to trust companies; limiting use of the term "trust" to a person regulated by the division of financial institutions as a trust company; and providing other matters properly relating thereto.

By Assemblymen McGaughey and Malone:

Assembly Bill No. 216—An Act relating to highways; authorizing the department of transportation to designate locations for the erection of signs and centers that provide information to members of the traveling public; authorizing the department to establish a free telephone system for motorists to make reservations at hotels, motels and campgrounds; making an appropriation; and providing other matters properly relating thereto.

By Assemblyman Humke (by request):

Assembly Bill No. 217—An Act relating to dangerous 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.

By the Committee on Government Affairs:

Assembly Bill No. 218—An Act relating to public securities; repealing the requirement of registration which is duplicative of federal law; and providing other matters properly relating thereto.

By the Committee on Transportation:

Assembly Bill No. 219—An Act relating to motor vehicles; strengthening the remedies of a buyer for defects; and providing other matters properly relating thereto.

By the Committee on Transportation:

Assembly Bill No. 220—An Act relating to motor vehicles; revising the procedure for administrative and judicial review of certain orders revoking drivers' licenses; extending the penalties for operating oversized vehicles; and providing other matters properly relating thereto.

By the Committee on Transportation:

Assembly Bill No. 221—An Act relating to motor carriers; extending the authority for regulation of the transportation of hazardous material and of drivers and vehicles; and providing other matters properly relating thereto.

By Assemblymen Stone, Nevin, Thompson, Williams, Roberts, Zimmer, O'Donnell, Arberry, Little, Sader, Malone, Rader, Swain, Kerns, Banner, Schofield, Collins, Price, Spriggs, DuBois, McGaughey, Jeffrey, Francis, Coffin, Dini, Craddock, Bogaert and Sedway:

Assembly Bill No. 222—An Act relating to collective bargaining by local governments; extending the provisions for binding arbitration for firemen; and providing other matters properly relating thereto.

By the Committee on Transportation:

Assembly Bill No. 223—An Act relating to motor vehicles; revising the fees required to be paid for the use of the highways in this state; and providing other matters properly relating thereto.

By the Committee on Labor and Management:

Assembly Bill No. 224—An Act relating to industrial insurance; allowing employees to report tips to their employers to increase coverage; and providing other matters properly relating thereto.

By the Committee on Health and Welfare:

Assembly Bill No. 225—An Act relating to children; requiring that the protection of the child be given priority over the preservation of the family in any proceeding or in providing any service regarding abuse or neglect; and providing other matters properly relating thereto.

By the Committee on Health and Welfare:

Assembly Bill No. 226—An Act relating to abuse or neglect of a child; extending the duty to report; increasing the penalty for failure to report; providing a penalty for preventing the making of a report; and providing other matters properly relating thereto.

By the Committee on Health and Welfare:

Assembly Bill No. 227—An Act relating to abused or neglected children; requiring certain counties to provide services to both abused and neglected children within the limits of the money appropriated by the legislature or allocated by the county; and providing other matters properly relating thereto.

Senate Bill No. 33.
Bill read first time.

Senate Bill No. 34.
Bill read first time.

Senate Bill No. 38.
Bill read first time.

Senate Bill No. 61.
Bill read first time.

Senate Bill No. 63.
Bill read first time.

Senate Bill No. 78.
Bill read first time.

Senate Bill No. 82.
Bill read first time.

Senate Bill No. 90.
Bill read first time.

Senate Bill No. 158.
Bill read first time.

Assemblyman Francis moved that all rules be suspended and that the bill be referred to the Committee on Government Affairs.

Motion carried unanimously.

REFERENCE OF MEASURES TO COMMITTEES

Assembly Bill No. 200.

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

Motion carried.

Assembly Bill No. 201.

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

Motion carried.

Assembly Bill No. 202.

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

Motion carried.

Assembly Bill No. 203.

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

Motion carried.

Assembly Bill No. 204.

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

Motion carried.

Assembly Bill No. 205.

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

Motion carried.

Assembly Bill No. 206.

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

Motion carried.

Assembly Bill No. 207.

Assemblyman Francis moved that the bill be referred to the Concurrent Committees on Judiciary and Ways and Means.

Motion carried.

Assembly Bill No. 208.

Assemblyman Francis moved that the bill be referred to the Concurrent Committees on Judiciary and Ways and Means.

Motion carried.

Assembly Bill No. 209.

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

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblyman Swain:

Assembly Concurrent Resolution No. 11—Urging the counties to designate persons to provide services to children who are victims of crimes or witnesses in criminal proceedings.

SECOND READING AND AMENDMENT

Assembly Bill No. 81.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 47.

Amend sec. 2, page 2, by deleting lines 7 and 8 and inserting:

"(1) Any explosive] *any:*".

Amend sec. 2, page 3, by deleting line 5.

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. 101.

Bill read second time, ordered engrossed and to third reading.

Senate Bill No. 2.

Bill read second time and ordered to third reading.

Senate Bill No. 11.

Bill read second time and ordered to third reading.

INTRODUCTION AND FIRST READING OF LEGISLATION

By the Committee on Ways and Means:

Assembly Bill No. 228—An Act relating to salary in unclassified service; raising the salary of the superintendent of public instruction; and providing other matters properly relating thereto.

GENERAL FILE AND THIRD READING

Assembly Bill No. 18.

Bill read third time.

The following amendment was proposed by the Committee on Taxation:

Amendment No. 52.

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 370.260 is hereby amended to read as follows:

370.260 1. All taxes and license fees imposed by the provisions of NRS 370.001 to 370.430, inclusive, 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 2.5 mills per cigarette, but not less than 5 cents for each package, 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.".

Amend sec. 7, page 4, line 7, by deleting "14.3" and inserting "14.3, 14.5".

Amend sec. 7, page 4, line 8, by deleting "1948" and inserting "1948, 1949".

Amend sec. 8, page 4, line 15, by deleting "2" and inserting "2, 4.5".

Assemblyman Joerg moved the adoption of the amendment.

Remarks by Assemblyman Joerg.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 80.

Bill read third time.

Remarks by Assemblyman Malone.

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.

Assembly Bill No. 102.

Bill read third time.

Remarks by Assemblyman DuBois.

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, as amended.

Bill ordered transmitted to the Senate.

INTRODUCTION AND FIRST READING OF LEGISLATION

By Assemblymen DuBois, Nevin, Swain, Zimmer, Stone, Beyer, Price, Little, Williams, Malone, Collins and O'Donnell:

Assembly Bill No. 229—An Act relating to domestic violence; allowing a peace officer to make an arrest without a warrant; and providing other matters properly relating thereto.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

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

REMARKS FROM THE FLOOR

Assemblyman Francis requested that Assemblyman Dini's remarks be entered in the Journal.

Nevada, my Nevada, a desert and a sky. A thousand miles of sagebrush upon a field of gold. A thousand miles of silence, a charm that's never old. Nevada, my Nevada, an endless inland sea of alkali and sagebrush and winds forever free. Out of thy desert vastness, out of thy deathly dust, there comes a lure that grips the heart and kills the wanderlust. A lure of lengthening shadows of sunsets in the west, of winds forever sighing, that soothe the soul to rest.

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 Ms. Bee Lippold, Terry Hendrick and members of the National Honor Society from Carson City High School: Dave Saarem, Patty Young, Mark Manoukian, Brett Barlow, Greg Marangi, Tom Ward, Misako Hayakawn, Fei Wan Hei, Mark MacLeod, Mary Works, Scott King, Scott Christianson, Sandy Utley, Karla Joast, Dan Bernard, Noelle Sevilir, Jan Shepard, Paula Savenelli and Pat Shaughnesy.

On request of Assemblyman Malone, the privilege of the floor of the Assembly Chamber for this day was extended to Miss Kimberly Taylor and Mr. Ron Taylor.

On request of Assemblyman Getto, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Zel Lowman, Mr. James Lowman and Mrs. Marcia Lowman.

On request of Assemblyman DuBois, the privilege of the floor of the Assembly Chamber for this day was extended to Misses Dawn Lowman and Jillian Lowman.

On request of Assemblyman Coffin, the privilege of the floor of the Assembly Chamber for this day was extended to Dr. Charles Vanda and Mrs. M. J. Harvey.

Assemblyman Francis moved that the Assembly adjourn until Wednesday, February 20, 1985 at 10:30 a.m.

Motion carried.

Assembly adjourned at 12:09 p.m.

Approved: BYRON L. BILYEU
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE THIRTY-FIRST DAY

CARSON CITY (Wednesday), February 20, 1985

Assembly called to order at 10:33 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, Assemblyman James Schofield.

Our Heavenly Father, we come before Thee at the opening of this session on the brink of preparing to go into a recess to allow a few days rest and meetings that are necessary in the work we are doing. We ask Thee to guide and watch over each of us as we go through the business at hand this morning, then to our homes and to those that are traveling to Washington. Guide and watch over each and every one of us so that we may return on Monday and continue the work that You have guided us in doing. We ask these many blessings in the name of Thy Son, Jesus Christ. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Francis 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 Education, to which was referred Assembly Concurrent Resolution No. 5, has had the same under consideration, and begs leave to report the same back with the recommendation: Be adopted.

ERIK BEYER, *Chairman*

Mr. Speaker:

Your Committee on Education, to which was referred Assembly Bill No. 121, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

ERIK BEYER, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Senate 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.

LOUIS W. BERGEVIN, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, 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: Do pass.

LOUIS W. BERGEVIN, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, February 19, 1985

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. 23, 50, 80, 89.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Joint Resolution No. 2.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Assembly Concurrent Resolution No. 5.

Assemblyman Francis moved the adoption of the resolution.

Resolution adopted.

By the Committee on Legislative Functions:

Assembly Concurrent Resolution No. 12—Expressing the mutual consent of the assembly and senate to an adjournment from Wednesday, February 20, to Monday, February 25, 1985.

Assemblyman Bogaert moved the adoption of the resolution.

Remarks by Assemblyman Bogaert.

Resolution adopted.

Assemblyman Bogaert moved that all rules be suspended and that Assembly Concurrent Resolution No. 12 be immediately transmitted to the Senate.

Motion carried unanimously.

By Assemblyman Nevin:

Assembly Joint Resolution No. 8—Proposing to amend the constitution of the State of Nevada to permit the operation of a lottery 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: 24. No lottery shall]

Sec. 24. 1. Except as provided in subsection 2, no lottery may be authorized by this State, nor [shall the sale of] *may* lottery tickets be [allowed.] *sold.*

2. The State of Nevada may operate a lottery, but the proceeds of the lottery must be used only to benefit older residents and for educational purposes.

Senate Joint Resolution No. 2.

Resolution read first time.

INTRODUCTION AND FIRST READING OF LEGISLATION

By the Committee on Judiciary:

Assembly Bill No. 230—An Act relating to the state watchmen; changing their name; and providing other matters properly relating thereto.

By Assemblymen Tebbs, Stone, Horne, O'Donnell, Coffin, Fairchild, Craddock, Williams, Rader, Little, Francis, Roberts, Nevin, Ham, Joerg, Thomas and Zimmer:

Assembly Bill No. 231—An Act relating to public offenses; requiring a convicted defendant to pay the cost of investigating the offense and prosecuting him; and providing other matters properly relating thereto.

Senate Bill No. 23.

Bill read first time.

Senate Bill No. 50.
Bill read first time.

Senate Bill No. 80.
Bill read first time.

Senate Bill No. 89.
Bill read first time.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Francis moved that Senate Bill No. 158 be placed on the Second Reading File.
Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Ways and Means, to which was referred Senate Bill No. 60, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN MARVEL, *Chairman*

REFERENCE OF MEASURES TO COMMITTEES

Assembly Bill No. 210.
Assemblyman DuBois moved that the bill be referred to the Committee on Judiciary.
Motion carried.

Assembly Bill No. 211.
Assemblyman Humke moved that the bill be referred to the Committee on Judiciary.
Motion carried.

Assembly Bill No. 212.
Assemblyman Francis moved that the bill be referred to the Committee on Commerce.
Motion carried.

Assembly Bill No. 213.
Assemblyman Francis moved that the bill be referred to the Committee on Commerce.
Motion carried.

Assembly Bill No. 214.
Assemblyman Francis moved that the bill be referred to the Committee on Commerce.
Motion carried.

Assembly Bill No. 215.
Assemblyman Francis moved that the bill be referred to the Committee on Commerce.
Motion carried.

Assembly Bill No. 216.

Assemblyman McGaughey moved that the bill be referred to the Concurrent Committees on Transportation and Ways and Means.

Motion carried.

Assembly Bill No. 217.

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

Motion carried.

Assembly Bill No. 218.

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

Motion carried.

Assembly Bill No. 219.

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

Motion carried.

Assembly Bill No. 220.

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

Motion carried.

Assembly Bill No. 221.

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

Motion carried.

Assembly Bill No. 222.

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

Motion carried.

Assembly Bill No. 223.

Assemblyman Francis moved that the bill be referred to the Concurrent Committees on Transportation and Taxation.

Motion carried.

Assembly Bill No. 224.

Assemblyman Francis moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

Assembly Bill No. 225.

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

Motion carried.

Assembly Bill No. 226.

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

Motion carried.

Assembly Bill No. 227.

Assemblyman Francis moved that the bill be referred to the Concurrent Committees on Judiciary and Ways and Means.

Motion carried.

Assembly Bill No. 228.

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

Motion carried.

Assembly Bill No. 229.

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

Motion carried.

Assembly Concurrent Resolution No. 11.

Assemblyman Swain moved that the resolution be referred to the Committee on Judiciary.

Motion carried.

Senate Bill No. 33.

Assemblyman Francis moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 34.

Assemblyman Francis moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 38.

Assemblyman Francis moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 61.

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

Motion carried.

Senate Bill No. 63.

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

Motion carried.

Senate Bill No. 78.

Assemblyman Francis moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

Senate Bill No. 82.

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

Motion carried.

Senate Bill No. 90.

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

Motion carried.

Senate Joint Resolution No. 11 of the 62nd Session.

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

Motion carried.

INTRODUCTION AND FIRST READING OF LEGISLATION

By the Committee on Labor and Management:

Assembly Bill No. 232—An Act relating to railroads; removing the restrictions on crews used to operate trains; and providing other matters properly relating thereto.

By the Committee on Commerce:

Assembly Bill No. 233—An Act relating to mobile home parks; requiring a landlord to offer a lease for 2 years to tenants; and providing other matters properly relating thereto.

By Assemblyman Dini:

Assembly Bill No. 234—An Act relating to the Comstock historic district; permitting a collection of wildlife to be maintained in a commercial establishment under certain circumstances; and providing other matters properly relating thereto.

By Assemblyman Dini:

Assembly Bill No. 235—An Act relating to planning commissions; excluding members of the governing body of a city or county from the commission; and providing other matters properly relating thereto.

By Assemblyman Dini:

Assembly Bill No. 236—An Act relating to district attorneys; permitting the private practice of law in certain counties; and providing other matters properly relating thereto.

SECOND READING AND AMENDMENT

Assembly Bill No. 5.

Bill read second time.

The following amendment was proposed by the Committee on Transportation:

Amendment No. 44.

Amend sec. 2, page 1, by inserting between lines 9 and 10:

"*3. Each such governing body and the department shall provide signs for each school zone which it respectively designates.*".

Amend the bill as a whole by deleting sections 6 through 8.

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. 8.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 23.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 12.

Amend section 1, page 1, line 2, by deleting "The" and inserting: "[The] *Except as otherwise provided in subsection 5, the*".

Amend section 1, page 1, line 18, by deleting "Where" and inserting: "[Where] *Except as otherwise provided in subsection 5, where*".

Amend section 1, page 2, by inserting between line 5 and line 6:

"*5. In a county whose population is 250,000 or more, the board of county commissioners may appoint a deputy clerk for a justice's court upon the recommendation of the justice of the peace. If there is more than one justice of the peace serving in any township, the board may appoint one or more additional deputy clerks.*".

Amend section 1, page 2, line 6, by deleting "*5.*" and inserting "*6.*".

Amend the bill as a whole by renumbering section 2 as section 10 and adding new sections designated as sections 2 through 9, following section 1, to read as follows:

"Sec. 2. NRS 4.410 is hereby amended to read as follows:

4.410 1. If the person designated to transcribe the proceedings is:

(a) Regularly employed as a public employee, he is not entitled to additional compensation for preparing the transcript.

(b) Not regularly employed as a public employee and not a certified shorthand reporter, he is entitled to such compensation for preparing the transcript as the board of county commissioners determines.

(c) A certified shorthand reporter, he is entitled to the same fees for preparing the transcript as in the district court.

2. The fees for transcripts and copies must be paid by the party ordering

them. In a civil case the preparation of the transcript need not commence until the fees have been deposited with the *deputy* clerk of the court.

Sec. 3. NRS 6.160 is hereby amended to read as follows:

6.160 The county clerk in cases in the district court and the *deputy* clerk of the justice's court in *cases in the* justice's court [cases] shall keep a payroll, enrolling thereon *the* names of all jurors, the number of days in attendance and the actual number of miles traveled by the shortest and most practical route in going to and returning from the place where the court is held, and at the conclusion of a trial [:

1. May give] *may:*

1. Give a statement of the amounts due to the jurors to the county auditor, who shall draw warrants upon the county treasurer for the payment thereof; or

2. [May make] *Make* an immediate [cash payment, notwithstanding the provisions of NRS 354.170,] *payment in cash* of the amount owing to each juror [. Such payments shall] ,

these payments must be made from and to the extent allowed by the fees collected from the demanding party, pursuant to the provisions of NRS 6.150, and from and to the extent allowed by [such] *any* other fees which have been collected pursuant to law. The clerk shall [take] *obtain* from each juror so paid a receipt signed by him and indicating the date of payment, *the* date [or dates] of service and the amount paid. A duplicate of this receipt [shall] *must* be immediately delivered to the appropriate county auditor, county recorder or county comptroller.

Sec. 4. NRS 50.235 is hereby amended to read as follows:

50.235 1. The county clerk in cases in the district court and the *deputy* clerk of the justice's court in cases in the justice's court shall keep a payroll, enrolling thereon all names of witnesses in criminal cases, the number of days in attendance and the actual number of miles traveled by the shortest and most practical route in going to and returning from the place where the court is held, and at the conclusion of the trial shall:

(a) Give a statement of the amounts due to [such] *those* witnesses, to the county auditor, who shall draw warrants upon the county treasurer for the payment thereof; or

(b) Make an immediate [cash] payment *in cash* of the amount owing to each witness. The clerk shall [take] *obtain* from each witness so paid a receipt signed by him and indicating the date of payment, *the* date [or dates] of service and the amount paid. A duplicate of [such receipt shall] *this receipt must* be immediately delivered to the appropriate county auditor, county recorder or county comptroller.

2. In criminal cases, [where] *if* witnesses are subpenaed from without the county, or, being residents of another state, voluntarily appear as witnesses [,] at the request of the district attorney and the board of county commissioners of the county in which the court is held, they [shall] *must* be allowed [their] *the* actual and necessary [traveling] expenses *for traveling*

incurred by them in going to and returning from the place where the court is held, and such sum per diem, not exceeding $3, as may be fixed by the district judge, who shall certify the [same] *amount* to the county clerk in cases in *the* district court, or by the justice of the peace, who shall certify the [same] *amount* to the *deputy* clerk of the justice's court *, if one is appointed,* in cases in the justice's court, for entry upon the payroll [hereinbefore required.] *described in subsection 1.*

Sec. 5. NRS 178.544 is hereby amended to read as follows:

178.544 1. Whenever a person is admitted to bail in a justice's court and the bail is put in by a written undertaking, [the justice of the peace admitting that person to bail, or] the *deputy* clerk of the justice's court [if there is one,] shall record:

(a) The name of the defendant;

(b) The names of the sureties;

(c) The amount of the bond;

(d) The name of the court;

(e) The [case number;] *number of the case;* and

(f) Such other information as is reasonably necessary to complete the record.

2. When the bond is exonerated or forfeited, [the justice of the peace declaring the exoneration or forfeiture, or] the *deputy* clerk of the justice's court [if there is one,] shall record:

(a) The date of the exoneration or forfeiture;

(b) The book and page of the minute order declaring the exoneration or forfeiture; and

(c) The date of notice to the district attorney of any forfeiture of the bond.

Sec. 6. NRS 178.548 is hereby amended to read as follows:

178.548 The county clerk, [the justice of the peace or] the *deputy* clerk of the justice's court, [if there is one,] or the clerk of the supreme court shall notify the district attorney of the appropriate county, in writing *,* promptly upon the receipt of information indicating that a bail bond has been forfeited.

Sec. 7. NRS 178.606 is hereby amended to read as follows:

178.606 A docket [shall] *must* be kept by [the justice, or by] the *deputy* clerk of the justice's court, [if there be one,] in which he shall enter each action, and the minutes of the proceedings of the court therein.

Sec. 8. NRS 239.110 is hereby amended to read as follows:

239.110 1. The clerk of the supreme court, a county clerk, *deputy* clerk of a justice's court or clerk of a municipal court may destroy all documents, records, instruments, books, papers, depositions and transcripts in any action or proceeding in the supreme court, district court, justice's court or municipal court, respectively, or otherwise filed in his office pursuant to law, including transcripts of coroners' inquests and depositions, if the records of the clerk do not show that the action or proceeding is pending on appeal or review in any court, except that:

(a) [When] *If* the written consent of the district attorney is first obtained,

transcripts of preliminary hearings may be destroyed as provided in this section; and

(b) Minutes of the supreme court, district court, justice's court or municipal court, affidavits supporting applications for marriage licenses, after [such] *those* licenses have been issued, and certificates of fictitious names of businesses may be destroyed immediately subject to the provisions of subsections 2 and 3.

2. The clerk shall maintain for the use of the public a microphotographic film print or copy of each document, record, instrument, book, paper, deposition or transcript so destroyed, if the print or copy is placed and kept in a sealed container under certificate of the clerk and properly indexed. This print or copy shall be deemed to be the original.

3. The clerk shall promptly seal and store at least one original negative of each microphotographic film in such manner and place as *may* reasonably [to] ensure its preservation indefinitely against loss, theft, defacement or destruction.

4. The supreme court may provide by rule for the destruction, without prior microfilming, of such other documents of the several courts of this state as are held in the offices of the clerks but which:

(a) No longer serve any legal, financial or administrative purpose; and

(b) Do not have any historical value.

5. The court administrator may request the division to advise and assist the supreme court in its establishment of the rules.

Sec. 9. NRS 354.170 is hereby amended to read as follows:

354.170 Except as provided in NRS 50.235 [,] *or 6.160,* in every case in which the district court or district judge is authorized by law to order any money to be paid out of the county treasury, [such order shall] *this order must* be first presented to the county auditor, who shall number and register the [same, and he shall] *order and* issue his warrant on any fund in the county treasury not otherwise specially appropriated or set apart.".

Assemblyman Malone moved the adoption of the amendment.

Remarks by Assemblymen Malone, Dini and Stone.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 35.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 35.

Amend section 1, page 1 by deleting line 7, and inserting:

"(c) [Of proceedings respecting vagrants and disorderly persons.] *For the collection of any amounts due their respective cities in a proprietary capacity.*".

Amend the title of the bill, second line, by deleting "cases;" and inserting: "cases and extending it in civil cases;".

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. 45.

Bill read second time.

The following amendment was proposed by the Committee on Transportation:

Amendment No. 46.

Amend section 1, page 1, by deleting line 2 and inserting: "designate United States Highway No. 95 including Alternate Highway No. 95, as located in".

Amend section 1, page 1, line 3, by deleting "as Veterans' " and inserting: ", as Veterans' Memorial".

Amend the title of the bill, second line, after "Veterans' " by inserting "Memorial".

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. 82.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 54.

Amend section 1, page 1, line 2, by deleting "case" and inserting "[case] *:*

(a) Civil case".

Amend section 1, page 1, by deleting line 4 and inserting: "[may be a party, or of any case on appeal to which a county".

Amend section 1, page 1, line 6, after the bracket by inserting: "*is a party; and*

(b) Criminal case for which he is the principal prosecuting attorney.".

Amend sec. 2, page 1, line 18, by deleting "court] *:*" and inserting: "court in Carson City] *:*".

Amend sec. 2, page 2, line 3, by deleting: "in Carson City *or*".

Amend the title of the bill by deleting the second and third lines and inserting: "of prisoners; narrowing the requirement that he keep records of certain cases; 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. 85.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 55.

Amend section 1, page 1, by deleting lines 16 through 18 and inserting: "more than $5,000. [A person so imprisoned must be segregated insofar as practicable] *Unless a person at the time he is so imprisoned:*

(a) Has been previously convicted of a felony other than:

(1) A violation of this section; or

(2) A third or subsequent violation within 7 years of NRS 484.3792; or

(b) Has a history of violent criminal conduct which is otherwise provable to the court,

he must, insofar as practicable, be segregated from".

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. 87.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 56.

Amend section 1, page 1, line 13, by deleting "*receives*" and inserting "*: (a) Receives*".

Amend section 1, page 1, line 16, by inserting an open bracket before "is".

Amend section 1, page 1, by deleting lines 17 and 18 and inserting:

"4. Any person who knowingly fills] *; or*

(b) Fills a prescription which is not genuine ,

shall be punished by imprisonment in the state prison for not less".

Amend the title of the bill, second line, after "obtained;" by inserting: "increasing certain related penalties;".

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. 104.

Bill read second time.

The following amendment was proposed by the Committee on Transportation:

Amendment No. 48.

Amend sec. 2, page 2, line 16, by deleting "$25." and inserting: "[$25.] *$100.*".

Amend the title of the bill, second line, after "handicapped;" by inserting: "increasing the penalty for illegally parking in certain spaces;".

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. 155.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 49.

Amend sec. 2, page 1, line 7, after "*certification.*" by inserting: "*The commission, upon request, may declare as confidential any documents which are submitted in support of a request for such an extension.*".

Amend sec. 5, page 2, line 27, after "*security.*" by inserting: "*The employer shall comply with such a requirement within 30 days after receiving notice from the commissioner.*".

Assemblyman DuBois moved the adoption of the amendment.

Remarks by Assemblyman DuBois.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 158.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 60.

Amend sec. 18, page 5, lines 15 and 16, by deleting: "[county library] *county or consolidated library*" and inserting "county library".

Assemblyman Bergevin moved the adoption of the amendment.

Remarks by Assemblyman Bergevin.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

GENERAL FILE AND THIRD READING

Assembly Bill No. 91.

Bill read third time.

Remarks by Assemblyman Bergevin.

Roll call on Assembly Bill No. 91:

YEAS—42.

NAYS—None.

Assembly Bill No. 91 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 Arberry.

Roll call on Assembly Bill No. 101:

YEAS—42.

NAYS—None.

Assembly Bill No. 101 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 2.
Bill read third time.
Remarks by Assemblyman Getto.
Roll call on Senate Bill No. 2:

YEAS—38.
NAYS—Little, O'Donnell, Rader, Stone—4.

Senate Bill No. 2 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 11.
Bill read third time.
Remarks by Assemblymen Roberts, DuBois, Stone, Price and Bogaert.
Roll call on Senate Bill No. 11:

YEAS—39.
NAYS—DuBois, Fairchild, Little—3.

Senate Bill No. 11 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. 9.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Lambert, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Don Finley.

Assemblyman Francis moved that the Assembly adjourn until Monday, February 25, 1985 at 11 a.m.

Motion carried.

Assembly adjourned at 11:24 a.m.

Approved: BYRON L. BILYEU
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE THIRTY-SIXTH DAY

CARSON CITY (Monday), February 25, 1985

Assembly called to order at 11:02 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, The Reverend Bruce Murray.

Our Heavenly Father, we come to You today in the name of Your Son and our Lord and Savior, Jesus Christ. We thank You, Father, for the privilege of addressing our needs to You and we are confident that You will hear us and grant us the petitions we request. We ask first of all that You will grant wisdom and understanding to those who are in positions of authority. We pray for the President and our country, that You will protect him and give him wisdom and strength to fulfill his duty as our leader. We pray that You will surround him with advisors and counselors who will give him Godly counsel and that the decisions he makes will be upright in Your sight. We pray for the governor of our state, our senators, our assemblymen and for those in positions of authority. I ask that You will grant unto them wisdom and discretion and knowledge to fulfill the task of governing the people of this state. Your word says that the heart of the king is in the hand of the Lord and You turn it whichever way You desire. I believe that the heart of each of these leaders are in Your hand and that their decisions are divinely directed of the Lord. Grant these requests I pray in the name of the Lord Jesus Christ. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Francis 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 Joint Resolution No. 6, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

LOUIS W. BERGEVIN, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, February 20, 1985

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. 12.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Bills Nos. 37, 66, 92.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Joint Resolution No. 3 of the 62nd Session.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Senate Joint Resolution No. 3 of the 62nd Session.

Resolution read first time.

INTRODUCTION AND FIRST READING OF LEGISLATION

By Assemblymen Stone, Nevin, O'Donnell, Kerns, Beyer and Thompson:

Assembly Bill No. 237—An Act relating to the Airport Authority of Washoe County; requiring the members of the board of trustees to be elected; and providing other matters properly relating thereto.

By the Committee on Ways and Means:

Assembly Bill No. 238—An Act making an appropriation to the state gaming control board for the payment of the costs incurred in the investigation of certain representatives of gaming employees; and providing other matters properly relating thereto.

By the Committee on Ways and Means:

Assembly Bill No. 239—An Act making an appropriation to the reserve for statutory contingency fund; and providing other matters properly relating thereto.

By the Committee on Ways and Means:

Assembly Bill No. 240—An Act making an appropriation to the contingency fund; and providing other matters properly relating thereto.

By the Committee on Ways and Means:

Assembly Bill No. 241—An Act making a supplemental appropriation to the department of prisons for an unpaid assessment and an overexpenditure; and providing other matters properly relating thereto.

By the Committee on Ways and Means:

Assembly Bill No. 242—An Act making a supplemental appropriation to the Nevada athletic commission for travel expenses; making a supplemental appropriation to the southern Nevada children's home bureau of the youth services division of the department of human resources for medical expenses; and providing other matters properly relating thereto.

By the Committee on Ways and Means:

Assembly Bill No. 243—An Act making an appropriation to the emergency fund; and providing other matters properly relating thereto.

By the Committee on Ways and Means:

Assembly Bill No. 244—An Act making an appropriation to the department of administration for bill drafts for executive agencies and the judicial department for the 63rd session of the Nevada legislature; and providing other matters properly relating thereto.

By the Committee on Ways and Means:

Assembly Bill No. 245—An Act relating to state officers and employees; increasing the allowances for subsistence and transportation; and providing other matters properly relating thereto.

By Assemblymen Sader and Stone:

Assembly Bill No. 246—An Act relating to limited partnerships; adopting the revised version of the Uniform Limited Partnership Act; and providing other matters properly relating thereto.

By the Committee on Government Affairs:

Assembly Bill No. 247—An Act relating to short-term financing; reducing the vote required by the governing body of a local government to authorize such financing; and providing other matters properly relating thereto.

By the Committee on Government Affairs:

Assembly Bill No. 248—An Act relating to state employees; changing the composition of the committee on group insurance; removing the authority of the committee to approve certain payroll deductions; and providing other matters properly relating thereto.

By the Committee on Taxation:

Assembly Bill No. 249—An Act relating to taxation; providing an additional method for determining the sales price used in the computation of the tax on the occasional sale of a used vehicle; and providing other matters properly relating thereto.

By the Committee on Taxation:

Assembly Bill No. 250—An Act relating to local governmental finance; providing for the direct apportionment of the revenue from the supplemental city-county relief tax; and providing other matters properly relating thereto.

By the Committee on Natural Resources, Agriculture and Mining:

Assembly Bill No. 251—An Act relating to wildlife; establishing a program for the sale of state trout stamps; providing a penalty; providing for the issuance of general obligation bonds for a new fish hatchery; and providing other matters properly relating thereto.

By the Committee on Judiciary:

Assembly Bill No. 252—An Act relating to gaming; providing that the regulations of the Nevada gaming commission must not unnecessarily interfere with the exercise of business judgment in good faith by licensees; and providing other matters properly relating thereto.

By the Committee on Judiciary:

Assembly Bill No. 253—An Act relating to shoplifting; permitting a civil action to be brought as a small claim in justice's court; facilitating the use of a photograph as a substitute for the physical evidence; and providing other matters properly relating thereto.

Senate Bill No. 37.

Bill read first time.

Senate Bill No. 66.

Bill read first time.

Senate Bill No. 92.

Bill read first time.

REFERENCE OF MEASURES TO COMMITTEES

Assembly Bill No. 230.

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

Motion carried.

Assembly Bill No. 231.

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

Motion carried.

Assembly Bill No. 232.

Assemblyman Francis moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

Assembly Bill No. 233.

Assemblyman Francis moved that the bill be referred to the Committee on Commerce.

Motion carried.

Assembly Bill No. 234.

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

Motion carried.

Assembly Bill No. 235.

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

Motion carried.

Assembly Bill No. 236.

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

Motion carried.

Assembly Joint Resolution No. 8.

Assemblyman Nevin moved that the resolution be referred to the Committee on Judiciary.

Motion carried.

Senate Bill No. 23.

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

Motion carried.

Senate Bill No. 50.

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

Motion carried.

Senate Bill No. 80.

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

Motion carried.

Senate Bill No. 89.

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

Motion carried.

Senate Joint Resolution No. 2.

Assemblyman Francis moved that the resolution be referred to the Committee on Taxation.

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Francis moved that Senate Bill No. 158 be placed on the General File.

Motion carried.

INTRODUCTION AND FIRST READING OF LEGISLATION

By Assemblymen DuBois, Stone, Collins, Williams, Rader, O'Donnell, Ham, Nicholas, McGaughey, Humke, Roberts, Francis and Fairchild:

Assembly Bill No. 254—An Act relating to the public service commission; limiting the employment of former members and employees in the unclassified service; and providing other matters properly relating thereto.

SECOND READING AND AMENDMENT

Assembly Bill No. 121.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 176.

Bill read second time, ordered engrossed and to third reading.

Senate Bill No. 60.

Bill read second time and ordered to third reading.

GENERAL FILE AND THIRD READING

Assembly Bill No. 8.

Bill read third time.

Remarks by Assemblymen Sader and Schofield.

Roll call on Assembly Bill No. 8:

YEAS—41.

NAYS—Collins.

Assembly Bill No. 8 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 Assemblymen Joerg and DuBois.
Roll call on Assembly Bill No. 18:
YEAS—41.
NAYS—Fairchild.

Assembly Bill No. 18 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 81.
Bill read third time.
Remarks by Assemblymen Stone, Swain, Schofield and Bergevin.
Assemblyman Stone moved that Assembly Bill No. 81 be taken from the General File and placed on the Chief Clerk's desk.
Remarks by Assemblyman Stone.
Motion carried.

Senate Bill No. 158.
Bill read third time.
Remarks by Assemblymen Craddock, Jeffrey, DuBois and Bergevin.
Assemblyman Jeffrey moved that Senate Bill No. 158 be taken from the General File and placed on the Chief Clerk's desk.
Motion lost on a division of the house.
Remarks by Assemblyman Craddock.

Assemblyman Craddock moved that the Assembly recess subject to the call of the Chair.
Motion carried.

Assembly in recess at 11:41 a.m.

ASSEMBLY IN SESSION

At 11:48 a.m.
Mr. Speaker presiding.
Quorum present.

Assemblyman Bergevin moved that Senate Bill No. 158 be taken from the General File and placed on the Chief Clerk's desk.
Remarks by Assemblyman Bergevin.
Motion carried.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Senate Concurrent Resolution No. 19.

REMARKS FROM THE FLOOR

Assemblyman Francis requested that Assemblyman Horne's remarks be entered in the Journal.

ASSEMBLYMAN HORNE:

Our notable today, Mr. Speaker, is Benjamin Franklin. I dare say by the tenor of his remarks I suspect that it was made in a circumstance where they were about to vote on such things as the helmet law, seat belts and cooling off periods and other matters relating thereto. He happens to say: "They that can give up essential liberty to obtain a little temporary safety deserve neither liberty nor safety".

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. Sally Zamora.

On request of Assemblyman Humke, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. David Charlton.

On request of Assemblyman Bogaert, the privilege of the floor of the Assembly Chamber for this day was extended to General Daniel O. Graham.

On request of Assemblyman Williams, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Charles Perry.

Assemblyman Francis moved that the Assembly adjourn until Tuesday, February 26, 1985 at 11 a.m.

Motion carried.

Assembly adjourned at 11:59 a.m.

Approved: BYRON L. BILYEU
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE THIRTY-SEVENTH DAY

CARSON CITY (Tuesday), February 26, 1985

Assembly called to order at 11:03 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, The Reverend Bruce Murray.

Father, in Jesus' name, I give thanks for our country and its government. I hold up in prayer before You the men and women who are in positions of authority. I pray and intercede for the president, the congressmen, the senators and the judges of our land, as well as those here in our state; the policemen, as well as the governors and mayors, and for all the school teachers and administrators across our land, in both public and private schools and for all those who are in authority over us in any way. Father, I ask You to protect these men and women to make their hearts and ears attentive to Godly counsel so that they may do that which is right in Your sight. I also pray that integrity and honesty will surround them so that the decisions they make will benefit those of us who follow their leadership. Your Word declares that "blessed is the nation whose God is the Lord". I thank You that we are one nation under God with liberty and justice for all. It is written in Your Word that the heart of the king is in the hand of the Lord and You turn it whichever way You desire. I pray that the hearts of each of these leaders will be in Your hand, and that their decisions will be divinely directed. Thank You, Father, for hearing our prayer. In the name of the Lord Jesus Christ. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Francis 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. 180, has had the same under consideration, and begs leave to report the same back with recommendation: Do pass.

MIKE MALONE, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Assembly Bill No. 177, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

LOUIS W. BERGEVIN, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which were referred Assembly Bill No. 59; Senate Bill No. 63, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

LOUIS W. BERGEVIN, *Chairman*

Mr. Speaker:

Your Committee on Commerce, 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.

JOHN DUBOIS, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which was referred Senate Bill No. 51, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JAMES STONE, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, February 25, 1985

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. 69, 88.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Francis moved that Senate Bill No. 158 be taken from the Chief Clerk's desk and placed at the top of the General File.

Motion carried.

Assemblyman Francis moved that Senate Bill No. 60 be taken from its position on the General File and placed at the top of the General File.

Motion carried.

Assemblyman Stone moved that Assembly Bill No. 81 be taken from the Chief Clerk's desk and placed on the General File.

Remarks by Assemblyman Stone.

Motion carried.

By Assemblymen Swain, Malone, Stone, Nevin, Sader, Coffin, Collins, Ham, Rader, Arberry, Zimmer, O'Donnell, Williams, Roberts, Spriggs, Tebbs, Price, Craddock, Schofield, Thompson, McGaughey, Sedway, Dini, Jeffrey, Kerns, Beyer, Lambert, Bogaert, Nicholas, Thomas, Humke, Bergevin and Fairchild:

Assembly Joint Resolution No. 9—Proposing to amend the Nevada constitution to allow the use of interest earned on penal fines for compensation for victims of crime.

RESOLVED BY THE ASSEMBLY AND THE SENATE OF THE STATE OF NEVADA, JOINTLY, That section 3 of article 11 of the constitution of the State of Nevada be amended to read as follows:

Sec. 3. *1.* All lands, including the sixteenth and thirty-sixth sections in any township donated for the benefit of public schools in the act of the Thirty-eighth Congress, to enable the people of Nevada Territory to form a state government, the thirty thousand acres of public lands granted by an act of Congress, approved July second, A.D. eighteen hundred and sixty-two, for each senator and representative in Congress, and all proceeds of lands that have been or may hereafter be granted or appropriated by the United States to this state, and also the five hundred thousand acres of land granted to the new states under

the act of Congress distributing the proceeds of the public lands among the several states of the union, approved A.D. eighteen hundred and forty-one; *provided,* that Congress make provision for or authorize such diversion to be made for the purpose herein contained; all estates that may escheat to the state; all of such per centum as may be granted by Congress on the sale of lands; [all fines collected under the penal laws of the state;] all property given or bequeathed to the state for educational purposes, and all proceeds derived from any or all of said sources shall be and the same are hereby solemnly pledged for educational purposes, and shall not be transferred to any other funds for other uses; and the interest thereon shall, from time to time, be apportioned among the several counties as the legislature may provide by law; and the legislature shall provide for the sale of floating land warrants to cover the aforesaid lands, and for the investment of all proceeds derived from any of the above-mentioned sources; *provided,* that the interest only of the aforesaid proceeds shall be used for educational purposes, and any surplus interest shall be added to the principal sum; *and provided further,* that such portion of said interest as may be necessary may be appropriated for the support of the state university.

2. *All fines collected under the penal laws of this state are hereby solemnly pledged for the purposes of education and compensation of victims of crime. The interest only on such fines may be used in accordance with a formula established by the legislature for dividing the interest between the authorized purposes. The legislature shall apportion the interest used for education among the several counties.*

By Assemblymen Swain, Malone, Stone, Nevin, Sader, Coffin, Ham, Collins, Rader, Arberry, Zimmer, O'Donnell, Williams, Roberts, Francis, Price, Craddock, Schofield, Thompson, McGaughey, Sedway, Dini, Kerns, Beyer, Lambert, Joerg, Bogaert, Nicholas, Thomas, Humke, Bergevin, Marvel, Getto and Fairchild:

Assembly Joint Resolution No. 10—Urging the Congress of the United States to enact promptly legislation which would make money available to the states for compensation and assistance for victims of crime.

By Assemblymen Swain, Malone, Stone, Nevin, Sader, Coffin, Ham, Collins, Rader, Arberry, Zimmer, Little, O'Donnell, Roberts, Williams, Spriggs, Francis, Horne, Tebbs, Price, Craddock, Schofield, Thompson, McGaughey, Sedway, Jeffrey, Kerns, Beyer, DuBois, Lambert, Joerg, Bogaert, Nicholas, Thomas, Humke, Bergevin, Marvel, Getto and Fairchild:

Assembly Concurrent Resolution No. 13—Urging agencies which assist victims of crime and persons who frequently come into contact with victims to cooperate with each other and to inform victims of the state's programs for compensating victims.

By Assemblymen Swain, Malone, Stone, Coffin, Sader, Rader, Ham, Arberry, Zimmer, O'Donnell, Roberts, Williams, Spriggs, Francis, Horne, Tebbs, Price, Craddock, Schofield, Thompson, McGaughey, Sedway, Jeffrey, Kerns, Beyer, DuBois, Lambert, Joerg, Bogaert, Nicholas, Thomas, Humke, Bergevin, Marvel, Getto and Fairchild:

Assembly Concurrent Resolution No. 14—Urging sheriffs and police departments to train their officers to provide assistance to victims of crime.

By the Committee on Legislative Functions:

Assembly Resolution No. 6—Providing for the appointment of an additional attaché.

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, That Janine Sagues is elected as an additional attaché of the assembly for the 63rd session of the legislature of the State of Nevada.

Assemblyman Bogaert moved the adoption of the resolution.

Resolution adopted.

GENERAL FILE AND THIRD READING

Senate Bill No. 60.

Bill read third time.

Remarks by Assemblymen Francis, Tebbs, DuBois, Nicholas, Thomas, Stone and Coffin.

Roll call on Senate Bill No. 60:

YEAS—42.

NAYS—None.

Senate Bill No. 60 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 Assemblymen Craddock and Jeffrey.

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, as amended.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Francis moved that all rules be suspended and that Senate Bills Nos. 60 and 158 be immediately transmitted to the Senate.

Motion carried unanimously.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, February 26, 1985

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bill No. 103.

MARY JO MONGELLI
Assistant Secretary of the Senate

INTRODUCTION AND FIRST READING OF LEGISLATION

By Assemblymen DuBois, Sedway, Nicholas, Coffin, Malone, Stone, Ham, Roberts, Fairchild, Tebbs, Thomas, Nevin, Humke, Beyer and Kerns:

Assembly Bill No. 255—An Act relating to the executive department;

requiring the legislative commission to conduct an independent organizational analysis for the legislature; and providing other matters properly relating thereto.

By Assemblymen O'Donnell, DuBois, Rader, Banner, Arberry, Dini, Horne, McGaughey, Zimmer, Roberts, Fairchild, Ham, Coffin, Kerns, Thompson, Schofield, Price, Stone, Francis, Spriggs, Little, Joerg, Lambert, Tebbs, Sedway, Swain, Thomas, Nevin, Malone, Bergevin and Marvel:

Assembly Bill No. 256—An Act relating to elections; requiring the names of all candidates to be listed on the ballot for the primary election even if a particular office is not contested; and providing other matters properly relating thereto.

By Assemblymen O'Donnell, Bilyeu, Joerg, Malone, Ham, Tebbs, Banner, Horne, Stone, Thompson, Price, Bogaert, Zimmer, Arberry, Spriggs, Rader, Little, Fairchild, McGaughey, Coffin, Francis, DuBois, Getto, Beyer, Roberts, Thomas and Kerns:

Assembly Bill No. 257—An Act relating to abortions; making various changes in the provisions regulating abortions; providing additional grounds for divorce and annulment; and providing other matters properly relating thereto.

By Assemblymen Nevin, Schofield, Stone, Craddock, Dini, Nicholas, Coffin, Price, Swain, Little, Lambert, Spriggs, Banner, Roberts, Rader, Getto, Bergevin, Malone, Francis, Thompson, Jeffrey, Sedway, Williams, McGaughey, Collins, Horne, Tebbs, Arberry, Zimmer, Humke, DuBois, Thomas, Fairchild, Kerns, Bogaert, O'Donnell, Ham, Sader, Joerg, Beyer and Bilyeu:

Assembly Bill No. 258—An Act making an appropriation from the state highway fund to the department of motor vehicles for the payment of expenses relating to the construction of a facility for training peace officers; and providing other matters properly relating thereto.

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

Assembly in recess at 11:31 a.m.

ASSEMBLY IN SESSION

At 11:32 a.m.

Mr. Speaker pro Tempore presiding.

Quorum present.

INTRODUCTION AND FIRST READING OF LEGISLATION

By Assemblymen Swain, Malone, Stone, Nevin, Sader, Coffin, Rader, Arberry, Ham, Zimmer, Roberts, Little, O'Donnell, Williams, Spriggs,

Tebbs, Price, Craddock, Schofield, Thompson, McGaughey, Sedway, Dini, Jeffrey, Kerns, Beyer, DuBois, Lambert, Bogaert, Nicholas, Thomas, Humke, Bergevin, Marvel, Getto and Fairchild:

Assembly Bill No. 259—An Act relating to compensation for victims of crime; expanding eligibility for compensation; providing for reduction of the compensation to the extent of the victim's responsibility; extending the limit on the time for application by certain minors; and providing other matters properly relating thereto.

By Assemblymen Swain, Malone, Stone, Nevin, Sader, Coffin, Rader, Arberry, Ham, Zimmer, Roberts, Little, O'Donnell, Williams, Spriggs, Francis, Price, Craddock, Schofield, Thompson, McGaughey, Sedway, Jeffrey, Kerns, Beyer, DuBois, Lambert, Joerg, Bogaert, Nicholas, Thomas, Humke, Bergevin and Fairchild:

Assembly Bill No. 260—An Act relating to victims of sexual assault or sexual abuse; expanding eligibility for compensation and treatment; authorizing depositions on video tape of victims of sexual abuse; defining emergency medical care for victims of sexual assault; and providing other matters properly relating thereto.

By Assemblymen Swain, Malone, Stone, Nevin, Sader, Rader, Arberry, Ham, Zimmer, O'Donnell, Roberts, Little, Williams, Tebbs, Price, Craddock, Schofield, Thompson, McGaughey, Sedway, Jeffrey, Dini, Kerns, Beyer, DuBois, Lambert, Francis, Joerg, Bogaert, Nicholas, Thomas, Bergevin, Getto and Fairchild:

Assembly Bill No. 261—An Act relating to compensation for victims of crime; increasing authorized awards; providing additional sources of income for the fund for the compensation of victims of crime; making an appropriation; and providing other matters properly relating thereto.

By Assemblymen Swain, Malone, Stone, Nevin, Sader, Coffin, Collins, Ham, Rader, Arberry, Zimmer, Roberts, O'Donnell, Williams, Horne, Tebbs, Price, Craddock, Schofield, Thompson, McGaughey, Sedway, Dini, Jeffrey, Kerns, Beyer, Lambert, Nicholas, Thomas, Humke, Bergevin, Getto and Fairchild:

Assembly Bill No. 262—An Act relating to peace officers' standards and training; requiring training concerning rights of victims; requiring allocation of additional amounts of money to peace officers' standards and training committee; and providing other matters properly relating thereto.

By Assemblymen Swain, Malone, Stone, Nevin, Sader, Coffin, Ham, Collins, Rader, Arberry, Zimmer, Little, O'Donnell, Roberts, Williams, Spriggs, Francis, Horne, Tebbs, Price, Craddock, Schofield, McGaughey, Sedway, Dini, Jeffrey, Kerns, Beyer, DuBois, Lambert, Joerg, Bogaert, Nicholas, Thomas, Humke, Bergevin, Marvel, Getto and Fairchild:

Assembly Bill No. 263—An Act relating to victims of crime; requiring notification of victim upon release or escape of offender; and providing other matters properly relating thereto.

By Assemblymen Swain, Malone, Stone, Nevin, Sader, Coffin, Rader, Arberry, Ham, Zimmer, Roberts, O'Donnell, Williams, Spriggs, Tebbs, Price, Craddock, Schofield, Thompson, McGaughey, Sedway, Jeffrey, Dini, Kerns, Beyer, DuBois, Lambert, Bogaert, Nicholas, Thomas, Humke, Bergevin, Marvel, Getto and Fairchild:

Assembly Bill No. 264—An Act relating to compensation for victims of crime; revising requirements for granting emergency awards; authorizing limited emergency awards for nonresidents; and providing other matters properly relating thereto.

By Assemblymen Swain, Malone, Stone, Nevin, Sader, Coffin, Rader, Arberry, Ham, Zimmer, Roberts, Little, O'Donnell, Williams, Tebbs, Price, Schofield, Thompson, McGaughey, Sedway, Dini, Jeffrey, Kerns, Beyer, DuBois, Lambert, Joerg, Francis, Bogaert, Nicholas, Thomas, Humke, Bergevin, Marvel, Getto and Fairchild:

Assembly Bill No. 265—An Act relating to compensation for victims of crime; requiring appeals officer to hear appeal from decision of hearing officer; requiring the amounts received from collateral sources to be deducted from the victim's expenses instead of from the amount of compensation; and providing other matters properly relating thereto.

By Assemblymen Swain, Malone, Stone, Nevin, Sader, Coffin, Rader, Arberry, Ham, Zimmer, Roberts, O'Donnell, Williams, Spriggs, Francis, Horne, Tebbs, Price, Craddock, Schofield, Thompson, McGaughey, Sedway, Jeffrey, Kerns, Dini, Beyer, DuBois, Lambert, Joerg, Nicholas, Thomas, Humke, Bergevin, Marvel, Getto and Fairchild:

Assembly Bill No. 266—An Act relating to victims of crime; requiring the chief of the hearings division of the department of administration to disseminate information concerning benefits available to victims; and providing other matters properly relating thereto.

By Assemblymen Swain, Malone, Stone, Nevin, Sader, Coffin, Ham, Rader, Arberry, O'Donnell, Williams, Tebbs, Price, Craddock, Schofield, Thompson, McGaughey, Sedway, Jeffrey, Dini, Kerns, Beyer, DuBois, Lambert, Nicholas, Thomas, Humke, Bergevin, Marvel, Getto, and Fairchild:

Assembly Bill No. 267—An Act relating to compensation for victims of crime; exempting compensation from execution and related remedies for the collection of debts; and providing other matters properly relating thereto.

By Assemblymen Swain, Malone, Stone, Nevin, Sader, Coffin, Rader, Arberry, Ham, Zimmer, Roberts, Williams, O'Donnell, Spriggs, Horne, Tebbs, Price, Craddock, Schofield, Thompson, McGaughey, Sedway, Dini, Jeffrey, Kerns, Beyer, Lambert, Francis, Joerg, Bogaert, Nicholas, Thomas, Humke, Bergevin, Marvel, Getto and Fairchild:

Assembly Bill No. 268—An Act relating to victims of crime; requiring actions against offenders by victims to be brought to trial within 90 days; providing that judgment of conviction is conclusive evidence in action by

victim; prohibiting actions against victims by offenders; and providing other matters properly relating thereto.

Senate Bill No. 69.
Bill read first time.

Senate Bill No. 88.
Bill read first time.

REFERENCE OF MEASURES TO COMMITTEES

Assembly Bill No. 237.
Assemblyman Stone moved that the bill be referred to the Committee on Government Affairs.
Motion carried.

Assembly Bill No. 238.
Assemblyman Francis moved that the bill be referred to the Committee on Ways and Means.
Motion carried.

Assembly Bill No. 239.
Assemblyman Francis moved that the bill be referred to the Committee on Ways and Means.
Motion carried.

Assembly Bill No. 240.
Assemblyman Francis moved that the bill be referred to the Committee on Ways and Means.
Motion carried.

Assembly Bill No. 241.
Assemblyman Francis moved that the bill be referred to the Committee on Ways and Means.
Motion carried.

Assembly Bill No. 242.
Assemblyman Francis moved that the bill be referred to the Committee on Ways and Means.
Motion carried.

Assembly Bill No. 243.
Assemblyman Francis moved that the bill be referred to the Committee on Ways and Means.
Motion carried.

Assembly Bill No. 244.
Assemblyman Francis moved that the bill be referred to the Committee on Ways and Means.
Motion carried.

Assembly Bill No. 245.

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

Motion carried.

Assembly Bill No. 246.

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

Motion carried.

Assembly Bill No. 247.

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

Motion carried.

Assembly Bill No. 248.

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

Motion carried.

Assembly Bill No. 249.

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

Motion carried.

Assembly Bill No. 250.

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

Motion carried.

Assembly Bill No. 251.

Assemblyman Francis moved that the bill be referred to the Concurrent Committees on Natural Resources, Agriculture and Mining and Ways and Means.

Motion carried.

Assembly Bill No. 252.

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

Motion carried.

Assembly Bill No. 253.

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

Motion carried.

Assembly Bill No. 254.

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

Motion carried.

Senate Bill No. 37.

Assemblyman Francis moved that the bill be referred to the Concurrent Committees on Government Affairs and Ways and Means.

Motion carried.

Senate Bill No. 66.

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

Motion carried.

Senate Bill No. 92.

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

Motion carried.

Senate Joint Resolution No. 3 of the 62nd Session.

Assemblyman Francis moved that the resolution be referred to the Committee on Taxation.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Joint Resolution No. 6.

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 11:42 a.m.

ASSEMBLY IN SESSION

At 11:43 a.m.

Mr. Speaker presiding.

Quorum present.

GENERAL FILE AND THIRD READING

Assembly Bill No. 5.

Bill read third time.

Remarks by Assemblymen Stone, Schofield, Nicholas, Coffin, DuBois and Nevin.

Assemblyman Nicholas requested that the following remarks be entered in the Journal.

ASSEMBLYMAN NICHOLAS:

You know, Mr. Stone, when we are dealing with school zones and we are dealing with my district we are also dealing with the old problem of Highway 395 and the Brown School. I assume that this particular bill would not impact on that situation where a major highway goes right by a school and therefore speed restrictions would cause a slowdown in a major highway traffic.

ASSEMBLYMAN STONE:

That is covered, Mr. Nicholas, in the section where it states "unless it is not safe to designate that as a school zone". The situation which you have described is an example of

an area that would not be safely designated as a school zone. They don't have to designate any area as a school zone where it would be unsafe.

ASSEMBLYMAN NICHOLAS:

It would appear to alleviate the situation. Is it possible for me, Mr. Stone, to request an intent from the committee in terms of that particular location. That would assuage the feelings of many of my constituents.

ASSEMBLYMAN STONE:

It was not the committee's nor my intent, not only in your area, but in other areas in the state where major highways do go by schools to have speed zones of 15 miles per hour—it would not be a safe thing to do. It is specifically addressed in the bill.

ASSEMBLYMAN NICHOLAS:

May I then, Mr. Speaker, simply request that the remarks of Mr. Stone and myself be placed in the record today if only to represent a record involving that situation.

Roll call on Assembly Bill No. 5:

YEAS—42.

NAYS—None.

Assembly Bill No. 5 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 23.

Bill read third time.

Remarks by Assemblymen Malone, Price and Stone.

Assemblyman Stone moved that Assembly Bill No. 23 be taken from the General File and placed on the Chief Clerk's desk.

Motion carried.

Assembly Bill No. 35.

Bill read third time.

Remarks by Assemblyman Stone.

Roll call on Assembly Bill No. 35:

YEAS—42.

NAYS—None.

Assembly Bill No. 35 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 45.

Bill read third time.

Remarks by Assemblyman Malone.

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, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 82.

Bill read third time.

Remarks by Assemblyman Little.

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, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 85.

Bill read third time.

Remarks by Assemblymen Stone, Getto and Ham.

Assemblyman Francis requested that the following remarks be entered in the Journal.

ASSEMBLYMAN HAM:

I speak in opposition of A.B. 85. The intent of this bill is in the event that a person with a violent habitual criminal background is arrested and convicted of a felony drunk driving offense, that person shall be placed in a medium security prison. I agree with the intent of this bill and I agree that some felony drunk driving offenders may also be violent criminals. However, when we passed the drunk driving bill in 1983, it was clearly our intent not to place drunk driving offenders in medium and maximum security prisons where they would be in danger from the hard core criminals. I am not saying that a felony drunk driving offense is not the worst kind of crime judging from the damage done to the innocent victim. But the drunk driver is not a criminal in the ordinary sense of the word, such as a murderer, rapist or a robber. He does not intend to do harm. A repeat drunk driving offender is most likely an alcoholic—a sick person in need of treatment. I am not aware of any state operated alcoholic treatment facility that is available for sentencing of these offenders. In any case, our law says that convicted drunk drivers must be sent to a prison; but, where practicable, to a minimum security prison. This bill allows only one previous felony drunk driving conviction. It serves no purpose to place a felony drunk driver in prison. They receive no treatment for alcohol dependency there. They are not able to repay their victims. When they return to society, if they survive the prison experience, they will still be alcoholics and will probably be alcoholic criminals having learned to survive in the prison environment. I know of what I speak because my son was convicted of a felony drunk driving offense. He spent nine weeks at the Southern Desert Correctional Center at Indian Springs before he was sent to the Honor Camp at Pioche. While he was at Indian Springs, I know of at least one death of a prisoner. You have all read of the recent riots at that facility in which several prisoners were injured. You can all say "so what, they are criminals and deserve whatever they get." But all criminals, no matter what the crime, are wards of the state and we are responsible for their safety. That is why we wrote into the drunk driving law that drunk driving offenders are to be segregated from the hard core prisoners. Since this bill was not amended to exempt the offender with no criminal background, other than felony drunk driving, I will vote no.

ASSEMBLYMAN GETTO:

I, too, have some concerns with this bill; especially after sitting through a Ways and Means meeting this morning and listening to the testimony of the officials from the Nevada State Prison. I was made aware that the category of inmates even in the medium security prisons will change drastically within the next three or four years. As we screen the nonviolent type inmates and put them in honor camps and restitution centers, we will have more hard core inmates in the medium security prisons. I agree with Assemblyman Jane Ham that even a third time felony drunk driver is not a criminal but a sick person. I also agree that it was not the intent of the legislation last session to make criminals out of these people. I guarantee you that if you place one of these people in a prison and keep him there for three or four years, he will come out a criminal.

Assemblyman Getto moved that Assembly Bill No. 85 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Getto.

Motion carried on a division of the House.

Assembly Bill No. 87.

Bill read third time.

Remarks by Assemblyman Arberry.

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.

Assembly Bill No. 104.

Bill read third time.

Assemblyman Malone moved that Assembly Bill No. 104 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblymen Nicholas and Malone.

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Francis moved that Assembly Bills Nos. 121, 155, 176, 81 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 Senate Bills Nos. 2, 11, 60; Assembly Concurrent Resolution No. 12.

REMARKS FROM THE FLOOR

Assemblyman Francis requested that Assemblyman Williams' remarks be entered in the Journal.

ASSEMBLYMAN WILLIAMS:

Today we are indeed honored to have members of the Junior League with us. Junior League is a national organization and has had members of such distinction as Eleanor Roosevelt, Sandra Day O'Connor, Nevada's first lady, Bonnie Bryan, Senators Helen Foley and Sue Wagner, Clark County Commissioner, Thalia Dondero, Reno City Councilwoman, Janice Pine, Clark County School Board member, Shirley Holst, Washoe County School Board of Trustees member, Kay Loudon and Vivienne Morris who is a member of the State Board of Education. The Senate has declared that February 26 be Junior League Day in the State of Nevada. I ask that we concur with this in recognition of the unselfish contributions of the women of Junior League.

WHEREAS, The Junior League of Las Vegas and the Junior League of Reno are affiliates of the International Association of Junior Leagues; and

WHEREAS, The purpose of the Junior League is to promote participation and involvement by its members in educational and charitable community projects; and

WHEREAS, Membership of the Junior League has included Eleanor Roosevelt, Sandra Day O'Connor; Nevada's first lady, Bonnie Bryan, as well as several elected officials currently serving Nevada including State Treasurer, Patty Cafferata, State Senators Helen Foley and Sue Wagner; Chairman of the Board of County Commissioners of Clark County, Thalia Dondero; Reno City Councilwoman, Janice Pine, Clark County School Board Member, Shirley Holst; Washoe County District Board of Trustees member, Kay Loudon; and Vivienne Morris, member of the State Board of Education; and

WHEREAS, On February 26, 1985, members of the Junior Leagues of both Las Vegas and Reno will meet with members of the Nevada Legislature in Carson City; now, therefore, be it DECLARED BY THE SENATE OF THE STATE OF NEVADA, THE ASSEMBLY CONCURRING, that members of the Junior Leagues of Nevada be commended for their unselfish contributions to the people of Nevada and to the nation; be it further declared that February 26, 1985, is declared as Junior League Day.

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. Lynn Lee.

On request of Assemblyman Humke, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Mary Ann Kidder.

On request of Assemblyman Little, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Beth Campbell.

On request of Assemblyman Banner, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Romietta Hawkins.

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

On request of Assemblyman Beyer, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Dee Dodgion.

On request of Assemblyman DuBois, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Loreta Gumbler.

On request of Assemblyman Stone, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Vicki McKenzie.

On request of Assemblyman Schofield, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Debbie deBeauchamp.

On request of Assemblyman Jeffrey, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Donalene Ravitch.

On request of Assemblyman Ham, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Gay Abrums.

On request of Assemblyman Williams, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Dinah Groce.

On request of Assemblyman Collins, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Judy Sylvain and Anna Fayle.

On request of Assemblyman Thompson, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. JoAnn Kelly.

On request of Assemblyman Tebbs, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Karen Diamond.

On request of Assemblyman Nicholas, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Camie Stosic.

On request of Assemblyman Price, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Susan Brooks.

On request of Assemblyman Thomas, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Margaret Graham and students from St. Theresa's School in Carson City: Louis Kaman, William Burns, Emily Evans, Maryshia Okreglak, Lisa Paoli, Graham Rogney, Aaron Rimbey, Chad Mellow, Marc Keesee, Tinna Bobula, Meredith Curry, Melissa Supera, Dana deVaney, Michon Mason, Andrea Fontana, Darren Chavez, Josh Lynn, David Kitchen, Brian Putzer, Willie Puchert, David Perock, Frances Mathews, Sonta Gasper, Paul Bierman, Traci Sullivan, Erika Doring and Theresa Gasper.

On request of Assemblyman Malone, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Elaine Frazier.

Assemblyman Francis moved that the Assembly adjourn until Wednesday, February 27, 1985 at 11 a.m.

Motion carried.

Assembly adjourned at 12:11 p.m.

Approved:

BYRON L. BILYEU
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE THIRTY-EIGHTH DAY

CARSON CITY (Wednesday), February 27, 1985

Assembly called to order at 11:03 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, The Reverend Bruce Henderson.

Our Father, we thank You for this great day! We thank You for the warmth of Your sunshine and the beauty of Your creation in our state. We pray for Your beauty and Your love to shine on this assembly and the decisions made here. May Your warmth fill all of our lives as we try to serve others and not ourselves. We pray this in the name of Jesus who came to give us Your beauty and love, now and forever. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Francis 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. 73, 166, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JAMES STONE, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, 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: Amend, and do pass as amended.

LOUIS W. BERGEVIN, *Chairman*

Mr. Speaker:

Your Committee on Transportation, to which was referred Assembly Bill No. 181, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

MIKE MALONE, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, February 26, 1985

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Senate Bills Nos. 79, 111.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bill No. 112.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Joint Resolutions Nos. 1, 7.

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. 158.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Senate Joint Resolution No. 1.
Resolution read first time.

Senate Joint Resolution No. 7.
Resolution read first time.

INTRODUCTION AND FIRST READING OF LEGISLATION

By the Committee on Government Affairs:

Assembly Bill No. 269—An Act relating to public employees' retirement; providing for withdrawal by an employee of all the employee's contributions made on his behalf by the employer; correcting the calculation of the reduction or adjustment of an employee's salary when the employer contributes on his behalf; and providing other matters properly relating thereto.

By the Committee on Government Affairs:

Assembly Bill No. 270—An Act relating to public employees' retirement; requiring applications for the loan of money in the funds to be a public record; changing the composition of the board; and providing other matters properly relating thereto.

By the Committee on Government Affairs:

Assembly Bill No. 271—An Act relating to public employees' retirement; requiring members of the board and employees of the system to reveal their communications with applicants for loans; requiring separate actuarial evaluation of each fund; and providing other matters properly relating thereto.

By the Committee on Government Affairs:

Assembly Bill No. 272—An Act relating to public employees' retirement; repealing requirement that employer pay employee's portion of contribution to the public employees' retirement system; and providing other matters properly relating thereto.

Senate Bill No. 79.
Bill read first time.

Senate Bill No. 111.
Bill read first time.

Senate Bill No. 112.
Bill read first time.

REFERENCE OF MEASURES TO COMMITTEES

Assembly Bill No. 255.

Assemblyman DuBois moved that the bill be referred to the Concurrent Committees on Legislative Functions and Ways and Means.

Motion carried.

Assembly Bill No. 256.

Assemblyman O'Donnell moved that the bill be referred to the Committee on Elections.

Motion carried.

Assembly Bill No. 257.

Assemblyman O'Donnell moved that the bill be referred to the Committee on Judiciary.

Motion carried.

Assembly Bill No. 258.

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

Motion carried.

Assembly Bill No. 259.

Assemblyman Swain moved that the bill be referred to the Concurrent Committees on Judiciary and Ways and Means.

Motion carried.

Assembly Bill No. 260.

Assemblyman Swain moved that the bill be referred to the Concurrent Committees on Judiciary and Ways and Means.

Motion carried.

Assembly Bill No. 261.

Assemblyman Swain moved that the bill be referred to the Concurrent Committees on Judiciary and Ways and Means.

Motion carried.

Assembly Bill No. 262.

Assemblyman Swain moved that the bill be referred to the Concurrent Committees on Judiciary and Ways and Means.

Motion carried.

Assembly Bill No. 263.

Assemblyman Swain moved that the bill be referred to the Concurrent Committees on Judiciary and Ways and Means.

Motion carried.

Assembly Bill No. 264.

Assemblyman Swain moved that the bill be referred to the Concurrent Committees on Judiciary and Ways and Means.

Motion carried.

Assembly Bill No. 265.

Assemblyman Swain moved that the bill be referred to the Concurrent Committees on Judiciary and Ways and Means.

Motion carried.

Assembly Bill No. 266.

Assemblyman Swain moved that the bill be referred to the Concurrent Committees on Judiciary and Ways and Means.

Motion carried.

Assembly Bill No. 267.

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

Motion carried.

Assembly Bill No. 268.

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

Motion carried.

Assembly Joint Resolution No. 9.

Assemblyman Swain moved that the resolution be referred to the Committee on Judiciary.

Motion carried.

Assembly Joint Resolution No. 10.

Assemblyman Swain moved that the resolution be referred to the Committee on Judiciary.

Motion carried.

Assembly Concurrent Resolution No. 13.

Assemblyman Swain moved that the resolution be referred to the Committee on Judiciary.

Motion carried.

Assembly Concurrent Resolution No. 14.

Assemblyman Swain moved that the resolution be referred to the Committee on Judiciary.

Motion carried.

Senate Bill No. 69.

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

Motion carried.

Senate Bill No. 88.

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

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 59.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 177.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 83.

Amend section 1, page 1, by deleting lines 16 through 19 and inserting: "approval by the commission [.] , *except that the director may make a minor change in a classification without the prior approval of the commission if:*

(a) The change does not affect the salary, minimum qualifications or title of the position;

(b) The director, at least 10 working days before the effective date of the proposed change:

(1) Mails written notice of the proposal to any head of an employees' organization who requests notice of such proposals; and

(2) Posts a written notice of the proposal in each of the principal offices of the department of personnel; and

(c) The director does not receive any written objections to the proposal before its effective date.".

Amend the title of the bill, third line, after "without the" by inserting "prior".

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. 180.

Bill read second time.

Assemblyman Thomas moved that Assembly Bill No. 180 be placed on the Chief Clerk's desk.

Remarks by Assemblyman Thomas.

Motion carried.

Bill ordered engrossed and to the Chief Clerk's desk.

Senate Bill No. 30.

Bill read second time and ordered to third reading.

Senate Bill No. 51.

Bill read second time and ordered to third reading.

Senate Bill No. 63.

Bill read second time and ordered to third reading.

GENERAL FILE AND THIRD READING

Assembly Bill No. 81.

Bill read third time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 93.

Amend the title of the bill by deleting the second line and inserting: "sion of certain weapons; and".

Amend the summary of the bill to read as follows: "Imposes additional restrictions on possession of certain dangerous weapons. (BDR 16-609)".

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. 121.

Bill read third time.

Remarks by Assemblyman Beyer.

Roll call on Assembly Bill No. 121:

YEAS—42.

NAYS—None.

Assembly Bill No. 121 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 Fairchild, Joerg and DuBois.

Assemblyman DuBois moved that Assembly Bill No. 155 be taken from the General File and placed on the Chief Clerk's desk.

Motion carried.

Assembly Bill No. 176.

Bill read third time.

Remarks by Assemblyman Bogaert.

Roll call on Assembly Bill No. 176:

YEAS—42.

NAYS—None.

Assembly Bill No. 176 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Joint Resolution No. 6.

Resolution read third time.

Remarks by Assemblymen Bogaert, Coffin, Nicholas, DuBois, Collins, Horne, Sedway, Sader and Jeffrey.

Assemblyman Arberry requested that the following remarks be entered in the Journal.

ASSEMBLYMAN BOGAERT:

I think most of you are aware of this resolution from the literature and the fact that General Graham was here on Monday to testify. As an elected body representing the people of the State of Nevada this resolution encourages Congress to pursue the concept of High Frontier, or as it has been known, "Star Wars". In all my adult life I have been faced with the idea that the only recourse we have in the event of a nuclear war is that we, as well as the enemy, will suffer. That has been uneasy to live with. I am excited and enthusiastic about the fact that we finally have a proposed defensive system that appears workable. The system proposes use of a non-nuclear defense system that would diffuse

incoming nuclear bombs with less radiation than is currently in the earth's atmosphere. Finally, we have a way to approach this that will once and for all give us a little peace of mind and a defensive system that will cause us to decrease our stockpile of nuclear bombs that could destroy us many times over. I'm very excited about this concept. In commmittee, we heard interesting testimony and only one member opposed it. After our congressional delegation went on record supporting this, I received a personal letter from Chic Hecht and I quote in part, "It is vitally important that we aggressively pursue this new concept that moves us from the archaic mutually assured destruction position to that of mutually assured survival".

ASSEMBLYMAN COFFIN:

I rise in opposition to A.J.R. 6. I do it for reasons that would be appropriate to call in the question of any measure which has a cost, as we do in this body when we look at our bills that contain an expense or fiscal note. So do our representatives of the Congress of the United States. I think it is reckless to call upon our representatives in Congress to support a specific proposal such as this. We typically memorialize them to pass upon something of a moral or philosophical nature. No one knows how much this proposed High Frontier system will actually cost. General Graham said it would cost $30 billion. Analysts for the House of Representatives say it could cost as much as $400 to $800 billion. I really think it is irresponsible for us to ask Congress to spend money on programs which really have the potential for driving us toward future bankruptcy. The defense establishment will love this. I don't mean our Armed Forces—I mean the contractors that make the money off these projects. I would rather see the money go for people in the Armed Forces. We should have learned this lesson in Vietnam. All the $20 million fighters with their very expensive consoles could not replace a battalion of motivated men on the ground. I think we are losing our desire for close combat preferring push-button warfare on computer consoles. Many of you here today have served in our Armed Forces and know what I mean by that. Mr. Speaker, you were a Marine. In fact, 19 of the 42 people in this body have served in the Armed Forces, 10 in war time. What is more important from your own personal experience?

I believe in going on with the research in High Frontier. Let's continue to explore all these possibilities for the future. Even in space, without qualified people, the machines won't work. We hear reports of our fleets suffering shortages of men and materials. Our Air Force has fighter planes which are not combat ready. Our Army buys "Star Wars" type tanks that do not shoot straight. Mr. Speaker, we have heard a lot of talk about our country falling to Communism. I submit to you that our country will fall to Communism first from bankruptcy before invasion from outer space.

In the past, this Assembly has memorialized Congress on a number of things. One of them in particular is balancing our federal budget. In fact, in the last four sessions, seven measures have been introduced in the Assembly and Senate requiring Congress to balance the budget. Many of the people here in this room who have signed on this measure have also signed or voted for measures to require Congress to balance its budget—just as we do in the state. I don't think in good conscience that we could send a message to Congress which calls for them to pass what, in my opinion and the opinion of many others, is a budget-busting measure. Right now Congress is studying budget proposals which will jeopardize school nutrition programs and increase defense spending. I suggest we leave Congress alone to do its job. There are those that would tell Congress how to do their job. Maybe they ought to run for it themselves.

ASSEMBLYMAN NICHOLAS:

I, too, am concerned involving the costs of anything that we are involved with on the national level regarding defense. However, I would suggest to you that I would hope that good judgment would be displayed here in the utilization of funds in order to implement these directions. Perhaps more importantly, as one of the ten veterans in this body that has served during war time, I would suggest to you that I seldom find a better way of

communicating a message to those who would perhaps not be our friends in the future than this methodology which costs little blood and, with some thought, perhaps will not cost too much money. It would represent a deterrent that we very badly need. I would like to suggest that we, despite the fact that we have to have some compunctions involving expenditures, substantially support this issue.

ASSEMBLYMAN DUBOIS:

In response to Mr. Coffin's remarks, all I can say is I would rather be bankrupt than dead.

ASSEMBLYMAN COLLINS:

I rise in support of this bill for many reasons. I would hate to think that this body could look at one another and put a price tag on our lives. I would hope the day would never come when we put materialistic value before an individual's life. I would like to know how many mothers can rest at night knowing that we are not concerned about defending ourselves against an attack from another nation.

ASSEMBLYMAN HORNE:

I would like to say to Mr. Coffin, under his own definition, that this resolution certainly meets the criteria. It represents a significant change in philosophy. We are urging a change from a very "mad" philosophy to one which extends hope to all of humanity.

ASSEMBLYMAN SEDWAY:

I rise to speak against this resolution in support of Assemblyman Coffin with a quote from Benjamin Franklin who said, "What is popular may not be right and what is right may not be popular".

ASSEMBLYMAN BOGAERT:

In answer to Mr. Coffin, it is estimated that this project would cost about one and one-half percent of our national defense budget per year through the implementation of the program. This is not our total national budget—only our national defense budget. As far as costs, as we all know, if the federal government says it will cost a certain amount it wouldn't mean anything anyway. They always run higher than predicted. Concerning tanks, I agree with Mr. Coffin. That was a "donnybrook". But our space program, on the other hand, has been an almost total success. The side benefits we have derived from our space program have been immense. We are going to spend money on defense anyway and so are our enemies so I suggest we get on with it.

ASSEMBLYMAN SADER:

Mr. Speaker, you need to catch a plane and we need to do other things in the Nevada Legislature which precisely illustrates why we should not have these kinds of resolutions in the first place. We are not ministers of foreign affairs here. We should be dealing with the affairs of the Nevada Legislature.

ASSEMBLYMAN JEFFREY:

I, too, rise in opposition. I have no problem with the concept of "Star Wars" but there is no question in my mind that there are a great number of details that need to be worked out, especially the funding. What kind of programs are going to suffer if this project is implemented. I don't think a one page resolution answers any of those questions.

Roll call on Assembly Joint Resolution No. 6:

YEAS—32.

NAYS—Arberry, Banner, Coffin, Jeffrey, Nevin, Sader, Sedway, Swain, Williams—9.

Absent—Craddock.

Assembly Joint Resolution No. 6 having received a constitutional majority, Mr. Speaker declared it passed.

Resolution 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 11:47 a.m.

ASSEMBLY IN SESSION

At 11:48 a.m.

Mr. Speaker pro Tempore presiding.

Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblyman Swain:

Assembly Concurrent Resolution No. 15—Urging the supreme court of this state to study the use of television for the testimony of children for proceedings in district courts.

INTRODUCTION AND FIRST READING OF LEGISLATION

By Assemblymen Swain and Stone:

Assembly Bill No. 273—An Act relating to children; clarifying the obligation of parents to support a dependent child receiving public assistance; authorizing the withholding of income of a parent who is delinquent in paying support of a child; and providing other matters properly relating thereto.

By Assemblyman Swain:

Assembly Bill No. 274—An Act relating to criminal procedure; authorizing the use of a videotaped deposition of a child who is a witness in a criminal case; and providing other matters properly relating thereto.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Malone moved that Assembly Bill No. 23 be taken from the Chief Clerk's desk and placed on the General File.

Remarks by Assemblyman Malone.

Motion carried.

INTRODUCTION AND FIRST READING OF LEGISLATION

By the Committee on Government Affairs:

Assembly Bill No. 275—An Act relating to local government; simplifying joinder in contracts with suppliers; unifying and extending the commission to study governmental purchasing; increasing the threshold for certain bonds on public works; and providing other matters properly relating thereto.

GENERAL FILE AND THIRD READING

Assembly Bill No. 23.

Bill read third time.

The following amendment was proposed by Assemblyman Malone:

Amendment No. 104.

Amend section 1, page 1, line 7, by inserting an open bracket before "appointed".

Amend section 1, page 1, line 8, by inserting a closed bracket after "subsection 1".

Amend section 1, page 1, line 11, by inserting after the period: "*The county clerk is not personally liable, on his official bond or otherwise, for the acts of a deputy clerk appointed pursuant to this section.*".

Assemblyman Malone moved the adoption of the amendment.

Remarks by Assemblyman Malone.

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. 103, Senate Bill No. 158.

REMARKS FROM THE FLOOR

Assemblyman Humke requested that the following be entered in the Journal.

GFWC—NEVADA FEDERATION OF WOMEN'S CLUBS' CHILD ABUSE AND NEGLECT COALITION RESOLUTIONS:

WHEREAS, The children of Nevada are our state's most precious asset; and

WHEREAS, The mental and emotional well-being as well as the safety and security of these children are being threatened daily because of abuse and neglect; and

WHEREAS, Nevada ranks fourth in the rate of child abuse and neglect cases reported by our states; and

WHEREAS, Five percent of all deaths in children under eighteen years of age are caused by abuse; and

WHEREAS, Abuse is the greatest single cause of death in infants six to twelve months of age; and

WHEREAS, Abused children become abusing parents in the majority; and

WHEREAS, Results of abuse and neglect are demonstrated by the statistics which show that eighty-two percent of our prison inmates were victims of abuse; and

WHEREAS, Concerned citizens, numerous organizations, public and private agencies and volunteer groups from all over our State of Nevada have gathered to show strength and express urgency that the problem must be given immediate attention; and

WHEREAS, The GFWC—Nevada Federation of Women's Clubs has taken a leadership role in working with all groups statewide to help in identifying needs and concerns relating to child abuse and neglect; therefore be it

RESOLVED, That the Nevada State Legislature declare Wednesday, the twenty-seventh of February, nineteen hundred and eighty-five as CHILD ABUSE AND NEGLECT AWARENESS DAY IN THE STATE OF NEVADA; and

RESOLVED, That the Nevada State Legislature recognize the seriousness of this issue and give priority attention to the legislative proposals for dealing with the various problems on child abuse and neglect before the Senate and the Assembly during this 63rd Session of the Legislature.

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 Messrs. Matt DePree and Bill Hills.

On request of Assemblyman Zimmer, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Kathy Stewart.

On request of Assemblyman Arberry, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Gloria Pearson.

On request of Assemblyman Sader, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. S. Westbrook and students from Reed High School: Bradley Bartram, Luzriminda Benitez, Michael Berg, Blaine Best, Kelly Burton, Ed Castillo, Robert Cobb, Jr., Robert Crockett, Deborah Delatorre, Sherrie Eppler, Aaron Faigin, Ricky Hoeg, Kristen Hantoon, Edward Jacobson, Mark Jordan, James Klein, Charles Lightner, Tony Lopez, Lori Luki, Michelle McClelland, Deborah Posadas, Danielle Reiser, Deborah Rizzo, Carol Schultz, Stephen Sims, Saevor Skulason, David Wells, Dixil Langus, Tammy Koppel and Jim Jacobs.

On request of Assemblyman Swain, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Blanche Zucker and Susan Klink.

On request of Assemblyman Collins, the privilege of the floor of the Assembly Chamber for this day was extended to Dr. William Pearson.

On request of Assemblyman Stone, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Sharon Jacobson and Mr. Kevin Johnson.

On request of Assemblyman Fairchild, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Joanna Wares, Linda Smith and Renata Cirri.

On request of Assemblyman Dini, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. George Workman.

On request of Assemblyman Beyer, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Amanda Kamm and Gwen Atkins.

On request of Assemblyman Malone, the privilege of the floor of the Assembly Chamber for this day was extended to Mesdames Marilyn Essex, Golda Tobler, Mary M. Shaw, Joanne Herbert, Blanche Zucker and Paula Mendenhall.

On request of Assemblyman Humke, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Candace Hunter, Marc J. Fowler, Kristina Johnson and Connie Dagitz.

On request of Assemblyman Thompson, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. James Smalley and Ms. Alice Eubank.

On request of Assemblyman Marvel, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Carol Williams and fifth grade students from Fremont Elementary School, Carson City, Nevada: Bob Andreasen, Allen Bean, Danny Clinger, Jonathan Coen, Shawn Galuska, Joseph Martini, Chad Miller, Mike Montrose, Don Neuenswander, Dusty Rand, David Sharp, Dave Thompson, Sean Torok, Jennifer Brown, Karri Brown, Jackie Chezem, Heather Edwards, Kimberly Fisk, Chelsea Helsel, Christeena Hunt, Macie McCurdy, Nicky Mund, Jessica Sferrazza, Heather Towne, April Upchurch and Becky Pack.

On request of Assemblyman Coffin, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Anna Fayle.

Assemblyman Kerns moved that the Assembly adjourn until Thursday, February 28, 1985 at 11 a.m.

Motion carried.

Assembly adjourned at 12:04 p.m.

Approved:

BYRON L. BILYEU
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE THIRTY-NINTH DAY

CARSON CITY (Thursday), February 28, 1985

Assembly called to order at 11 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, The Reverend Bruce Henderson.

Oh, Lord, there are so many things we could pray today. Yet, we offer only two. Father, thank You. Thank You. And, Father, help us. Help us. It is through Jesus that we offer this simple prayer. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Francis 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. 218, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

LOUIS W. BERGEVIN, *Chairman*

Mr. Speaker:

Your Committee on Labor and Management to which was referred Assembly Bill No. 3, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

BARBARA ZIMMER, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which were referred Assembly Bill No. 190; Senate Bills Nos. 74, 76, 77, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JAMES STONE, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, February 27, 1985

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Senate Bills Nos. 13, 115.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bill No. 97.

MARY JO MONGELLI
Assistant Secretary of the Senate

INTRODUCTION AND FIRST READING OF LEGISLATION

By Assemblyman Banner (by request):

Assembly Bill No. 276—An Act relating to the recording of documents; establishing a fee for searches of marriage records of more than 1 year; simplifying indexing; allowing for new techniques; standardizing the size of maps; and providing other matters properly relating thereto.

By the Committee on Judiciary:

Assembly Bill No. 277—An Act relating to medical malpractice; reducing the judgment by the amount of payments from collateral sources; and providing other matters properly relating thereto.

By the Committee on Government Affairs:

Assembly Bill No. 278—An Act relating to the use of water in certain areas of Washoe County; creating the Washoe County Metropolitan Water District which replaces the former Authority; providing for the distribution of water within the district; authorizing the district to purchase, acquire and construct the facilities necessary to provide water to customers within the district; and providing other matters properly relating thereto.

By Assemblymen Dini and Getto:

Assembly Bill No. 279—An Act relating to financing of water projects; creating a board; providing for its organization, powers and duties; providing for the issuance of bonds; and providing other matters properly relating thereto.

By Assemblyman Dini:

Assembly Bill No. 280—An Act relating to natural resources; authorizing the director of the state department of conservation and natural resources to enter into a contract with the Walker River Irrigation District for the design of a dam on the Walker River in Hoye Canyon in Douglas County; making an appropriation; and providing other matters properly relating thereto.

By Assemblyman Dini:

Assembly Bill No. 281—An Act relating to public borrowing; providing for the guarantee by the state of the payment of interest on bonds issued by a local government to finance certain projects related to water; authorizing the issuance of bonds; and providing other matters properly relating thereto.

Senate Bill No. 13.
Bill read first time.

Senate Bill No. 97.
Bill read first time.

Senate Bill No. 115.
Bill read first time.

REFERENCE OF MEASURES TO COMMITTEES

Assembly Bill No. 269.

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

Motion carried.

Assembly Bill No. 270.

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

Motion carried.

Assembly Bill No. 271.

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

Motion carried.

Assembly Bill No. 272.

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

Motion carried.

Assembly Bill No. 273.

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

Motion carried.

Assembly Bill No. 274.

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

Motion carried.

Assembly Bill No. 275.

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

Motion carried.

Assembly Concurrent Resolution No. 15.

Assemblyman Swain moved that the resolution be referred to the Committee on Judiciary.

Motion carried.

Senate Bill No. 79.

Assemblyman Francis moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

Senate Bill No. 111.

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

Motion carried.

Senate Bill No. 112.

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

Motion carried.

Senate Joint Resolution No. 1.

Assemblyman Francis moved that the resolution be referred to the Committee on Taxation.

Motion carried.

Senate Joint Resolution No. 7.

Assemblyman Francis 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 11:10 a.m.

ASSEMBLY IN SESSION

At 11:22 a.m.

Mr. Speaker presiding.

Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Commerce, to which were referred Senate Bills Nos. 24, 58, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN DUBOIS, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Stone moved that Assembly Bill No. 73 be taken from the Second Reading File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Stone.

Motion carried.

Assemblyman Malone moved that Assembly Bill No. 104 be taken from the Chief Clerk's desk and placed on the General File.

Remarks by Assemblyman Malone.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 166.

Bill read second time.

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 43.

Amend section 1, page 1, line 19, by deleting "also terminates" and inserting: "[also terminates] *does not terminate*".

Amend section 1, page 1, by deleting line 21 and inserting: "[and bars any granting of such rights to those persons.] *unless the court finds that visits by those persons would no longer be in the best interests of the child.*".

Amend the title of the bill, second line, after "child;" by inserting: "authorizing under certain circumstances the continuation of the visiting rights of a parent's relative after the parent's rights are terminated;".

Amendment No. 84.

Amend section 1, page 1, by inserting after line 21:

"*4. For the purposes of this section, "separation" means a legal separation or any other separation of a married couple if the couple has lived separate and apart for 30 days or more and has no present intention of resuming a marital relationship.*".

Assemblyman Ham moved the adoption of the amendments.

Remarks by Assemblyman Ham.

Amendments adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 181.

Bill read second time.

The following amendment was proposed by the Committee on Transportation:

Amendment No. 100.

Amend section 1, page 1, line 10, by deleting the comma and inserting "*or*".

Assemblyman Malone moved the adoption of the amendment.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 197.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 101.

Amend the bill as a whole by deleting section 10, and renumbering sections 11 and 12 as sections 10 and 11 respectively.

Assemblyman Bergevin moved the adoption of the amendment.

Remarks by Assemblyman Bergevin.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Concurrent Committee on Commerce, 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.

JOHN DUBOIS, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen DuBois, Williams, Stone, Collins, Ham, Price, Malone, Rader, Kerns, Zimmer, Schofield, Sedway, O'Donnell, Humke, Bogaert, Nevin, Lambert, Spriggs, Nicholas, Beyer, Coffin, Thomas, Marvel, Tebbs, Fairchild, Horne, Joerg, Francis, Bergevin, McGaughey and Little:

Assembly Concurrent Resolution No. 16—Encouraging the supreme court to provide for videotaping of depositions of children who are victims of abuse.

INTRODUCTION AND FIRST READING OF LEGISLATION

By the Committee on Transportation:

Assembly Bill No. 282—An Act relating to the state communications system; revising a special provision relating to services provided by a telephone company; clarifying and revising provisions concerning administration of the system; and providing other matters properly relating thereto.

By the Committee on Judiciary:

Assembly Bill No. 283—An Act relating to traffic violations; prohibiting possession of an open container of an intoxicating liquor, while driving, if a minor is present in the motor vehicle; providing a penalty; and providing other matters properly relating thereto.

By the Committee on Judiciary:

Assembly Bill No. 284—An Act relating to driving while intoxicated; limiting the special penalty for driving while a license is revoked; and providing other matters properly relating thereto.

By Assemblymen DuBois, Collins, Ham, Price, Rader, Zimmer, Kerns and Nevin:

Assembly Bill No. 285—An Act relating to labor; confining pickets and private patrolmen to certain areas during a strike; providing a penalty; and providing other matters properly relating thereto.

By Assemblymen Humke, Beyer, Stone, Roberts, Nicholas, Horne, Sader, Coffin, Spriggs, Zimmer, DuBois, Ham, Tebbs, Thomas, Joerg and Williams:

Assembly Bill No. 286—An Act relating to pornography involving children; increasing the penalty for possession of pornography involving children; requiring persons convicted of certain crimes to register as sex offenders; and providing other matters properly relating thereto.

GENERAL FILE AND THIRD READING

Assembly Bill No. 59.

Bill read third time.

The following amendment was proposed by Assemblyman Schofield:

Amendment No. 103.

Amend the bill as a whole by renumbering sections 2 through 4 as sections

5 through 7 and adding new sections designated sections 2 through 4, following section 1, to read as follows:

"Sec. 2. Chapter 278 of NRS is hereby amended by adding thereto a new section to read as follows:

The agency may enter into such agreements as it considers necessary for the coordination of planning and enforcement of the regional plan with the agency of the State of California having comparable authority in California's portion of the Tahoe Basin.

Sec. 3. NRS 278.782 is hereby amended to read as follows:

278.782 As used in NRS 278.780 to 278.828, inclusive, *and section 1 of this act,* unless the context otherwise requires, the words and terms defined in NRS 278.784 to 278.791, inclusive, have the meanings ascribed to them in those sections.

Sec. 4. 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 the executive officer. The governing body may also, within the limits of available funds, employ such other staff 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 [may, upon request,] *shall* act as the attorney for the agency.".

Amend sec. 3, page 2, line 5, by deleting "effective" and inserting: ", following the effective date of subsection 1,".

Amend the bill as a whole by adding a new section designated section 8, following section 4, to read as follows:

"Sec. 8. 1. This section and sections 2, 3, 4, 5 and 7 of this act become effective upon passage and approval.

2. Sections 1 and 6 of this act become effective on April 17, 1987.".

Assemblyman Schofield moved the adoption of the amendment.

Remarks by Assemblymen Schofield, Bergevin, Price and Nicholas.

Assemblyman Coffin requested that the following remarks be entered in the Journal.

ASSEMBLYMAN SCHOFIELD:

Amendment No. 103 is a very extensive amendment. I ask the Speaker and the rest of the body to refer back to the bill as I go through the amendment. This amendment repeals and renumbers sections 2 through 4 which become sections 5 through 7. The purpose of this particular amendment sets up and puts into position the NTRPA upon passage and approval. Section 1 of this act would be placed within the scope of the initial bill. Page two contains a trigger mechanism whereby the attorney general shall act as the attorney for the NTRPA agency. The purpose of this amendment is to approach an alternative that, I think, is a responsible move for this legislature on behalf of the problems at Lake Tahoe.

The bill would totally dissolve the compact. The amendment will dissolve the compact,

also, but the addition of section 8 allows for the dissolution to be effective on April 17, 1987. The purpose of this is to allow the long planning effort on the part of the TRPA an opportunity to be able to place that plan in operation. The Government Affairs Committee heard extensive testimony and the committee voted 9 to 4 in favor. On the floor, I am requesting that each of you at least keep an open mind to the TRPA, the NTRPA and this proposed amendment. I urge each and every one of you to search your mind in regards to this amendment. It will provide an alternative. It has taken 15 years to get to this point and I would hate not to have a mechanism like this in place.

Further, I have requested an Assembly joint resolution that would, in fact, set up a study committee over the next two years which would take some of the problems we face and report back to the 1987 session. This will also put into position a trigger mechanism that will tell the TRPA and California that we are concerned over what happens over the next two years. In 1983 there was a trigger mechanism that self destructed. However, the 1983 session straightened that out. This will give us an opportunity in the 1987 session to properly determine whether the TRPA worked and did what they should for the property owners who have been suppressed and also the environmentalists who seek to preserve the beauty of Lake Tahoe.

We each of us here have that responsibility by legislation as was noted in the 1980 special session. We have a two pronged issue here. The lake belongs to all people, not just the people who live around it. I think it is very important that we allow the TRPA some additional time with, I hate to use the word oversight, but some overseeing. I realize this is a complex issue. I'm just asking you to have an open mind in regards to this amendment. I think it could be very effective and have a tremendous impact. I urge you to pass out of this house an amended bill that could be workable.

ASSEMBLYMAN BERGEVIN:

I rise in opposition to Amendment No. 103. This would do no more than prolong for another two years the tyranny at Lake Tahoe in regards to about 12,000 property owners that are currently unable to build. There is nothing in this bill that guarantees that the legislature two years down the road will not repeal this whole act. A bill has already been introduced to cause the attorney general to be the attorney for the NTRPA. This amendment is unnecessary in this respect.

The language in Section 2, "the agency may enter agreements and consider necessary . . ." is the exact wording I have in the bill on the NTRPA on my desk which I have felt was not necessary until A.B. 59 was concluded. I urge that we roundly defeat this amendment.

ASSEMBLYMAN PRICE:

I want to speak specifically to your timeframe because in my opinion that is the most important aspect of the proposed amendment. It is difficult to speak on the amendment without relating to the regional pact itself. During the six terms that I have been here I've served on various committees that held hearings on the TRPA.

It has been an obvious problem and a controversial subject since its inception. The TRPA was started because of a problem. We heard that from Senator Laxalt. Before the TRPA there was a problem and that is why it was conceived. It was changed in the 1980 special session. There was, as we will hear later, a deadline proposed whereby a plan was to be developed in 18 months. Actually, it took a couple of years. At no time, to my knowledge, since 1977 did we, in fact, threaten to pull out of the TRPA.

Today I think if we are going to act responsibly, and even though it has been 18 years and has worn on our patience, we should set a deadline. This amendment provides for the deadline to be the third Friday in April two years from now. I support the interim study committee to take a look at the operation during the next two years. If that committee's recommendation would be for us to pull out of the TRPA, I would support their suggestion. I don't think we should pull out without saying we want you to shape up and we want to see some measured improvements, some measured benefits. Of which, by the way, I think there have been some benefits. I think that would be the proper way to go

about this. It is uncertain what would happen. Even Senator Laxalt talked about the possibility of the Federal Government coming in. Because of the two year period and the notice that will be given I favor the amendment and the bill.

ASSEMBLYMAN NICHOLAS:

I wish to reserve the majority of my remarks for the bill. I would like to suggest to you now that the central theme of this amendment, which may have been laudible several years ago, is less laudible today. One of the histories that we have found in following the gyrations of the TRPA is essentially the history of "put off, bury, put aside, forget". I really believe for this issue now is the time to discuss it. I do not suggest that all the things incorporated in the amendment are not worthy of consideration. However, there will be other covers that will cover the directions to be taken. At this point I would call for action on this amendment and then full debate on the issue itself.

Amendment lost.

Remarks by Assemblymen Bergevin, Dini, Nicholas, Schofield, Horne and Jeffrey.

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

Assembly in recess at 12:24 p.m.

ASSEMBLY IN SESSION

At 12:25 p.m.

Mr. Speaker pro Tempore presiding.

Quorum present.

Remarks by Assemblymen McGaughey, Craddock and Francis.

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 12:31 p.m.

ASSEMBLY IN SESSION

At 12:32 p.m.

Mr. Speaker presiding.

Quorum present.

Remarks by Assemblymen Thompson, Humke, Price, Getto, Thomas, Roberts and Swain.

Assemblymen Nicholas, Banner and O'Donnell moved the previous question.

Motion carried.

The question being on the passage of Assembly Bill No. 59.

Motion carried.

Assemblyman Coffin requested that the following remarks be entered in the Journal.

ASSEMBLYMAN BERGEVIN:

We've heard a lot of talk here in trying to adopt an amendment that really addressed the bill. I think we have to find that 15 years of tyranny at Lake Tahoe is probably enough for

anyone to stand. I would challenge any member of this Assembly to show me one positive thing that the TRPA has done for Lake Tahoe since its existence. If we had depended on the TRPA to sewer Lake Tahoe, I dare say you would not let your kids swim in Lake Tahoe because it would have never been accomplished. This was accomplished by private enterprise and the county governments surrounding Lake Tahoe. TRPA had absolutely nothing to do with it. As Mr. Nicholas said, they have taken everything out of context as to the wishes of this legislature.

I quote article 5 of NRS 277.200, "Within 18 months after the effective date of the amendment of this compact the agency shall adopt environmental threshold carrying capacities for the region". This was not done in the proper amount of time. I find it rather humorous that we were to say they shall pay taxes by a certain date, I'm sure the government would have been down on their head with every ounce of energy they have. But when we say they shall do something with TRPA, nobody seems to have the guts to get up and do what is right.

I would also like to read you comments from the special session when I asked Senator Wilson what would happen if we did not adopt these amendments on the dates we specified in the legislation, "Lou, the bottom line is the two state delegations cannot get an agreement on the functional provisions of the compact including, not just the thresholds, but the regional plan an ordinance. I think, then, that we recognize that the bi-state experiment is a failure and consider liquidating it". Obviously, it has been a tremendous failure. We are at the present in the throes of a lawsuit by the attorney general of the state of California; whom I believe should have been suing in the Supreme Court and the League to Save Lake Tahoe. You have on your desk this morning a letter from the League to Save Lake Tahoe. One of the paragraphs states, "In the view of the 3,000 member League to Save Lake Tahoe there is only one issue, the best kind of government for Lake Tahoe". I would submit that probably 60 to 80 percent of those members own a home at Lake Tahoe already and do not want their privacy invaded by anyone else building a home.

I would also call your attention to the fact that there are 12,000 lots at Lake Tahoe in approved subdivisions whose owners are paying taxes and sewer fees on those lots but unable to build. This is tyranny of the worst kind. I urge the adoption of this bill.

ASSEMBLYMAN DINI:

Introduction

Lake Tahoe is the magnificent body of water which Samuel Clemens (Mark Twain) proclaimed "the fairest picture the whole earth affords." It straddles the state line between Nevada and California like a shining jewel. But I do not need to revisit the beauties of Lake Tahoe and the Tahoe Basin for you. Anyone sitting in this body who has not experienced the beauty of Lake Tahoe shouldn't be considering a vote on the measure before us today.

Precisely because Lake Tahoe straddles the state boundary, governing development in the area has presented some unique challenges. The same water flows in both states. The same air exists in both states—air is not a respecter of political boundaries. The same traffic flows in both states. And thus, what people do to the air and water quality and traffic in one state directly affects the corresponding factors in the other political jurisdiction.

When I entered the Nevada Legislature in 1967, the body was seeking a solution to the bistate nature of the issues at Lake Tahoe. I guess I am the only one remaining in this body, outside of possibly Virgil Getto, who worked on the beginning of this program.

The point I make is that some of us have a number of years invested in this activity. I personally am not ready to "throw in the towel," "call it quits," and start with a new approach.

History and Intent

I want to give you some background about the Tahoe Regional Planning Agency, the TRPA. And please bear with me. I have a few very important points to make.

After our deliberations in the mid-1960's, the Bi-State Compact establishing the TRPA

was ratified in 1969. The intent then, as it still is today, was to create a body which would preserve the environmental qualities at the lake and still protect private property rights. This is no small mandate and there has been pushing and shoving on both sides of this effort from the beginning.

Under the 1969 compact, the TRPA developed plans and ordinances, and the agency undertook the responsibility of project review. However, several provisions within the compact fostered contention between the two states. In the mid-1970's, California began to finance the California-TRPA to do planning and project review on its side of the basin. California's financial support and participation in the bistate agency were curtailed. In effect they tried to go it alone with their own in-state regional body—just like we are being asked to do here today. And it did not work.

Attempts to Revise the Compact

Between 1975 and 1979, each state unilaterally attempted to prepare compact revisions which would be acceptable. Nevada enacted a proposal in 1975, California developed amendments in 1976, and Nevada proposed a different set of amendments in 1977. In each case, these proposals were rejected.

Between 1977 and 1979, representatives of Nevada, Governor O'Callaghan and California Governor Brown began working on draft proposals to revise the Tahoe Regional Planning Compact. Prior to the 1979 Nevada Legislative Session, a special committee of 13 Nevada legislators was appointed to work with their counterparts in California in preparing revisions to the compact. The governors' draft proposal formed the starting point for the legislative negotiations. This was the first real attempt by legislators from both sides of the state line to come together and jointly work out a product.

Nevada's special legislative committee was no small-time body. I, as the outgoing speaker of the assembly, had the privilege (and sometimes the despair) of chairing the group. The incoming speaker, Paul May, was a member. Senator Jim Gibson, the Senate Majority Leader, served on the committee, as did Senator "Spike" Wilson, the Assistant Majority Leader. Senator Keith Ashworth, another ex-speaker, served along with the ranking minority senator from the area, Senator Jacobsen. Senator Joe Neal, the Chairman of the Natural Resources Committee which would process the bill from that house, was joined on the committee by Assembly Minority Leader Bob Weise, Assemblyman Sue Wagner, and Assemblyman Don Mello, who was chairman of the Committee on Ways and Means and also chairman of the Legislative Commission at the time.

The members of the special committee "rolled up their sleeves" and really worked at the problem.

During the 1979 Legislative Session, the committee met 18 times for a total of 58 hours on this one subject. The Nevada committee met with California legislators for negotiations on eight additional occasions. Thirteen redrafts of different portions of the compact exchanged sides of the state line during this 4-month period. And, the proposal was also processed through hearings before committees of both houses.

As Nevada's Legislative Session pressed toward adjournment, several substantive points had not attained final agreement. On the closing day of the Session in 1979, Nevada enacted Assembly Bill 503 without having obtained California's agreement on these points. The California Legislature rejected the Nevada bill. The frustrations and disappointment of long hours of negotiations without reward were great.

Revision of the Bi-State Compact in 1980

However, in late 1979, after some of the emotions surrounding the situation had subsided, a sentiment developed for seeing if the investments of time and energy made during the past year could be preserved.

The paramount need to develop a workable bistate compact for the Tahoe Basin remained, and the fact that significant strides had been made in that direction was evident. Senator Wilson and I began meeting with California Senator John Garamendi and Assemblyman Victor Calvo. The initial sessions were tentative in character, simply trying to decide whether additional discussions would be productive and the most positive format for future efforts.

Nevada Governor List was kept apprised of our activities from this early point. As part of the initial decision to reopen negotiations, Governor List took a position that he would call a special legislative session for revision of the compact under three conditions. He agreed that he would call the special session if the legislators from both states reached agreement, the California legislators passed the measure, and California Governor Brown signed the bill.

When it appeared that the discussions might be productive, "Spike" and I explained our activities to the Legislative Commission and received sanction to continue in an unofficial capacity. Drafts of the revisions being considered by the negotiators were distributed to all 60 Nevada legislators on two occasions for their review and comments. The Governor and his staff also reviewed the proposals and lent their support on a continuing basis.

The legislators and their support staffs met seven times and communicated in three "conference calls" during this 1980 period. Nevada representatives participated in nine "in-house meetings" with people who could provide information and recommendations. Three major work sessions for staff from the two states were also held. Fifteen different drafts of language exchanged hands during this process. I also went to Washington with Governor List and met with 13 representatives of Federal agencies involved.

In August of 1980, the California Legislature enacted the revisions to the Tahoe Regional Planning Compact. Governor Brown signed the bill, and Governor List called a Special Session of the Nevada Legislature to consider the measure. On September 12, 1980, an all-day hearing was held before the entire Nevada Legislature sitting as a special committee of the Legislative Commission. The following day, the Nevada Legislature enacted the revisions to the compact, and the bill was signed by the Governor.

Congress subsequently passed a bill to ratify the amended compact, and the President signed the measure on December 19, 1980.

The point I make again is that we Nevadans have a great investment in the Tahoe Regional Planning Compact. Its provisions were developed through years of hard work. It is not just a little law to set aside lightly.

Major Issues Through the Years

We have been faced with a large number of seemingly "unsolvable" issues as we have worked on the Tahoe situation through the years. Several components of the original 1969 compact resulted in serious controversy.

First was the dual majority voting rule—the compact required a majority vote of the board members from each state in order to take action on a matter. If the agency did not take an action within 60 days, the proposal under consideration was "deemed approved." In effect, if either state's representatives did not vote to stop a given project, it was "deemed approved" after a 60-day waiting period.

Second, the structure of the governing body proved extremely controversial.

A third major issue was location and control of gaming—gaming was a permitted use in some areas, and the dual majority voting rule ensured that three Nevada representatives could allow increased gaming without the agreement of the other Nevada members or the California representatives. Procedures were also established for reviewing major expansion of gaming floorspace within casinos.

The major point I want to make here is that a great number of seemingly "unsolvable" issues have been resolved through the years of hard work and negotiation.

Major Activities of TRPA Since 1980

So, what has happened with the TRPA since the compact was redrafted in 1980?

I would submit to you that a tremendous amount of work has been undertaken since 1980. And, I would make the understatement that this work has been surrounded by just a bit of controversy.

Just try to get a 14-member board representing diverse interests and backgrounds to agree on anything! And add to this situation pressure from state agencies, Federal mandates and interest groups from both sides of every issue. When we completed revision

of the compact, we acknowledged that the governing board had the unenviable task of making it work in the real world. And, they have had their work cut out for them.

Let me briefly outline the major actions since 1980.

One of the initial tasks was revision of the regional "208" water quality management plan. The two states had employed different approaches to water quality management in the past, and these differences had to be reconciled. Revision of the "208" plan was the first time that restrictions on construction of single-family residences really became a major issue.

The Bi-State Compact also called for adoption of environmental threshold carrying capacities. The standards were to define the carrying capacities of the basin and form the basis for future planning. After a great deal of debate, the record indicates that the environmental threshold carrying capacities were adopted on August 26, 1982.

The TRPA then began working on revision of the master plan for the region. Any of you who have worked around local governments know the amount of effort and dispute that are associated with revision of a local master plan. Well, multiply that by 10 or 20 times, and you will see the magnitude of the effort on a regional basis in an area like the Tahoe Basin.

The process of attempting to develop a concensus of support for the new regional plan was tremendously controversial. The deadline came and went. A lawsuit was filed against the agency for missing the deadline. Another lawsuit claimed violation of the open meeting law when some members of the board were discussing ways to try to overcome the obstacles. The major issue again was construction of single-family residences in "high hazard" and "stream environment" zones.

However, after much debate, on April 16, 1984, the Board unanimously voted to approve a new regional plan. I personally was not pleased with the restrictions placed upon single-family residences. But the conclusion remains that the Board did fight through the obstacles and adopt the new plan unanimously. An independent assessment of the TRPA'S program was recently commissioned by the local governments in the Basin. The nationally renowned "Urban Land Institute" was retained to perform the analysis. They concluded that the TRPA should be retained as the best approach for managing the Basin.

The point I want to make with this discussion is that the TRPA has worked hard and has functioned since 1980. The Agency has resolved another batch of the "unsolvable" issues. It is the "best game in town."

Recent Litigation

On the same day that the new regional plan was adopted, the California Attorney General and the League to Save Lake Tahoe filed suit against the TRPA claiming that the plan and its associated ordinances do not adequately protect the environment within the Basin. Their major concern is construction of single-family residences in "high hazard" and "stream environment" zones.

Soon afterward, the Tahoe-Sierra Preservation Council filed suits against the TRPA and the states of California and Nevada in Federal District Courts in the two states. These suits, listing 779 Tahoe property owners as plaintiffs, contend that the regional plan's limitations on development are unduly severe and that the review process restricts the property owners' right to appeal TRPA decisions.

So, after the new plan was adopted, lawsuits challenging its adequacy were filed by people who contend it does not sufficiently protect the environment and by property owners who contend that it unduly restricts their development opportunities.

Let me say that it appalls me to see the State of California suing itself. And it bothers me to see that both sides of the issue feel it necessary to enter litigation against a plan that the large Board adopted unanimously.

But, let's cut through to the heart of this thing. Both sides are primarily concerned about one issue—construction of single-family residences. Neither one is arguing too much about transportation planning, air quality, multi-family structures, gaming expansion or even commercial development. The basics of these issues have been resolved for the most part. We are left with one single major "unsolvable" issue at Lake Tahoe. That is

the quantity and location of future single-family residences in the Basin. It is a major issue, and I do not mean to minimize its significance—both to the lot owners and to the conservationists. But it is only one issue!

Through the years we have resolved 20 or 30 major "unsolvable" issues ranging from voting structure to gaming control to transportation districts. I cannot believe we are considering abolishing the program when we are down to one final major obstacle.

The Urban Land Institute acknowledged this as a major issue. But, rather than recommending abolishment of the Agency, they conclude that "this problem could and should be solved."

And steps are being taken to work toward this resolution.

The Federal Santini-Burton Law has provided many lot owners in sensitive areas a way of recovering their money. The $85 million California bond program for purchase of sensitive lands is also scheduled to become active this year.

The TRPA Board has also been working to settle the court cases. The goal is to reach a settlement which retains the basic structure of the adopted regional plan and allows building during the upcoming construction season. Tentative proposals would allow virtually the same number of single-family residences to be built over the next 5 years as are provided for in the regional plan. Applications which are already within the process would receive first priority. And, a proposal is being discussed which would allow owners of lots in sensitive areas to trade for developable lots on a two for one basis. In order to keep the lot values in sensitive areas up, the owner could trade his development right on a site for the rights to develop two lots in a nonsensitive area. Again, the Urban Land Institute endorsed this approach as part of the way to resolve the issue.

But, what is the major point here? The major point is that we have reached the position where we are down to a single, but "unsolvable" issue. We have resolved the other "unsolvables," and this single issue can also be solved.

Ramifications of Abolishing TRPA

I want to take just another minute to talk about what happens if we pull out of the bistate compact.

I will not give you "hard-and-fast" horror stories about what will happen if we pull out of the bistate effort. However, there are a magnitude of uncertainties involved. First of all, the Nevada TRPA would have to staff up before they could do any planning, change any ordinances or review any projects. Putting together the relatively large staff which would be necessary would take a considerable time.

By Nevada Law, the adopted plan and the previous ordinances of the TRPA would become effective for the Nevada TRPA. The status of the current litigation is uncertain. But, it is relatively assured that suits would be filed against the NTRPA immediately, and injunctions would be issued stopping all activity at the Lake until the new body "gets its act together." The new agency would immediately be in the same or worse court problems than the bistate agency has.

There is also a reasonably good chance that California would file suit against the new agency based upon the interstate nature of the environmental issues. They would seek original jurisdiction in the United States Supreme Court, and we would be tied up with absolutely no activity in the Basin for years while the Supreme Court tries to find time to resolve the turmoil.

The status of Federally approved plans like the "208" Water Quality Plan would be uncertain, and the courts would immediately be asked to determine if their earlier rulings concerning the bistate agency apply to the Nevada regional body.

I am not suggesting that the world would cave in if we pull out of the bistate compact, but there are tremendous uncertainties. And one thing appears clear to me, a pullout would lengthen the whole process greatly, and we would have to fight many of the old battles all over again, whether in court or in the legislative halls.

We have reached a point where the issues have come to a joining. The resolution is as eminent as it is ever going to get. Pulling out of the bistate effort and starting over will only take us backward. We will give up the gains that have brought us over a 20-year period to the point of resolving the final major issue facing the Tahoe Basin.

Excerpt from letter from Senator Laxalt—"I have long felt that the bi-state cooperative approach to preserving scenic resources of the Lake Tahoe Basin was the most effective and appropriate approach to this very difficult problem. I am not convinced than an alternative to the bi-state approach would be any more effective or acceptable and could involve much more restrictive federal involvement."

Recap of Major Points and Conclusion

Let me recap my major points for you in a concise manner.

First, we have a lot invested in the Tahoe Regional Planning Compact. It has not come easily, but through years of hard work and negotiation.

Second, a great number of seemingly "unsolvable" issues have been resolved through the years.

Third, the TRPA itself has made significant planning strides in the face of constant controversy.

Fourth, and possibly most significant, we are down to the point of having only one major, apparently "unsolvable" issue left to tackle, and this single issue can also be solved.

If we pull out of the bi-state compact, we will move back into the maze and confusion. We have resolved too many issues to admit defeat and let our inability to "hang in there" cause us to lose the chance to overcome this last major obstacle.

During the 1980 Special Session, the senior Republican Senator and Statesman, Carl Dodge, made a couple of statements which are relevant here as well. He pointed out that the senior legislators had been working on Tahoe questions every session since their original elections. He outlined in some depth how that even the senior legislators from outside Northern Nevada knew the history and the issues like a familiar story.

I, too, as a senior legislator, want you exceptionally bright and dedicated younger representatives to be aware of what has gone on before you.

The Bi-State TRPA Compact is not just another little law to set aside lightly.

Thank you.

ASSEMBLYMAN NICHOLAS:

Thank you very much, Mr. Speaker. To you and through you, my compliments to the distinguished minority leader for his bibliographic description of the high jinx that have taken place up in our Tahoe Basin, as he told us about the creation of the complex machine known as the TRPA. You know, often you need to watch a machine try to work before you decide whether it is doing its job and when it works badly, I believe it is time to seek other alternatives. Anyone traveling through the Tahoe Basin can tell the difference between most of California and most of Nevada. It's not just the border locations that tell you that. Nevada construction is newer, and generally of higher quality,with more architectural controls in evidence. Nevada's basin residents are fewer and often higher socioeconomic groups. Nevada's side of the Lake contains a higher proportion of lands open to the public; Nevada's runoff problems are fewer; more mitigation is in evidence. Suits directed against the TRPA, with only a few exceptions, deal with mostly California problems, and the opinions of California judges impact on the whole basin, regardless of whether the problems lie strictly in California. It is time now to distrust, discuss and address the problem of those areas that both California and Nevada need to address, but it is also necessary to address those areas that are the property of the individual states, and to look at those problems that are strictly the area of influence of local government. TRPA, on the other hand rides roughshod over municipal, county, and state borders in most areas of influence without being representative of those areas. This bill, for almost the first time, addresses those differences. We need to bring these issues into the open and to frankly address them. Now what is being done under the TRPA guise, saving the Lake, something all basic residents in the basin wish to do, with almost no exceptions, has not been fair and may not even be totally constitutional. Now we need to seek actively a more equitable way. A.B. 59 is just such a way. It may be an end product, but I judge it to be only a beginning, an approach to the problem of giving equal consideration to both Lake Tahoe and to the people living in and visiting the Tahoe Basin. Thank you very much.

ASSEMBLYMAN SCHOFIELD:

Thank you Mr. Speaker. I just want to say that I think that many of the comments that Mr. Nicholas made are factual. There is a large problem up there. My problem with passing a bill out like this is totally dissolving yourself from a compact and not having something in its place or a direction to go; or questions answered concerning the litigations that are involved, questions like the one that came up this morning for instance. I am not sure what the answer is, but can, in fact, the State of Nevada unilaterally pull out of this compact. There are two particular facets of legal opinions on this, I'm sure, and would this, in fact, take us back into a court problem; would it, in fact, have to go back to be ratified by Congress. These questions are the ones that bother me concerning this particular problem. I think the fact that we do not have a direction to go in pulling out of this is a problem. I have always been a firm believer that you could sit down and negotiate or discuss something if you have two people that have problems, and somehow or another, maybe it won't be the best of both worlds for each of you, but it might be something that can be acceptable to each of you that you can live with. The TRPA, in my opinion again, is on the brink of being able to make that kind of approach. So I rise in total opposition, as far as Assembly Bill 59 is concerned, to pulling out of the compact without having any other direction. I urge every one of you to search your mind and come up with the vote that you feel is most appropriate to take care of the people and their particular product, which is Lake Tahoe.

ASSEMBLYMAN HORNE:

Thank you Mr. Speaker, distinguished colleagues. We have heard considerable rhetoric with regard to the subject before us. We have heard about acting responsibly; we have heard from one of our senior colleagues about what he feels is the major issue at hand. I would like to suggest to all of us and bring pointedly to our minds the major issue, the primary issue that confronts us here. And I would like to do that, if I may, by bringing to us some counsel from John Adams, one of our founders, who had a message for each of us: "Posterity, you will never know how much it cost the present generation to preserve your freedom. I hope you will make good use of it. If you do not, I shall repent it in Heaven that I ever took half the pains to preserve it." Ladies and gentlemen, we received a preponderance of testimony in the Government Affairs Committee with regard to the realities of what has taken place over the past fifteen or so years, in an effort to and under the guise of saving a national treasure. That testimony and its ramifications indicated to me and many of my colleagues that, in fact, we have had over that period of time, a situation of undisputed demagoguery and despotism. We never received one bit of testimony from a member of that board, the TRPA, nor to my knowledge did any of them even attend those hearings to tell us how they were going to improve. But we received great evidences of misuse of authority, of restraint, of guaranteed rights and privileges. The issue before us is not whether or not we want to save Lake Tahoe. I don't think there is anyone here that does not desire that end. The real issue is, can we continue to allow the perpetration of that despotism upon the citizens of our state, whom we are sworn to uphold and protect. Each of us stood in these Chambers and took an oath of office. We swore on that oath that we uphold the principles of the Constitution of this great country and the Constitution of this great state. May I suggest to you that a vote against A.B. 59 on this day flies in the face of that oath. On this rationale, it is a vote to continue that tyranny. It is a vote to allow that board that has continued over the past years that type of approach to our citizenry and has made absolutely no indication of change or desired improvement. So, my colleagues, will you consider, as you ponder in your heart, the real issue that we have before us, and in all good conscience make your vote in that perspective. For if you don't, you have disenfranchised your constituents and the citizens of this state. Thank you very much.

ASSEMBLYMAN JEFFREY:

Mr. Speaker, I have served in six regular sessions and one special session of this legislature that has dealt with issues concerning TRPA. In fact, I look forward to the

session when we are not dealing with TRPA, when the compact is working as it should be and when the local people that should be making those decisions are making them, and we are not trying to do it for them in this body. As an individual, I too am concerned about property rights, and as a construction worker, I would like to see development at the Lake or anywhere else in the state. I think that this is one time that I have to come down on the side of the environmentalists over the developers. The problem that I see, the overall concern is that, whether any of us like it or not, Lake Tahoe is viewed as a national treasure. I am much more concerned about the possible Federal intervention than I am the disputes that have been going on within TRPA though the years that I have been here, and through, hopefully, not much more time to come. The first session or two that I heard this issue, I was like some others that I won't name, but I think I shared the same sentiment. I felt that this was an issue that those of us in Clark County were probably better left out of. In fact, I was a member of the committee that Mr. Price talked about that passed a bill out of committee to abolish the TRPA. That was short-lived. I bought the argument that the overriding concern was the individual property rights, and I still feel that way. But I think we need to consider what may happen if we do pull out. First of all, I am not sure that we can; I have a tendency to agree with Mr. Schofield on that point. But if the Feds do intervene at the Lake, I am concerned what will happen to the people that have an investment there at the present time. If you believe that the Feds are going to be fair with the property owners at Lake Tahoe, you might talk to some of the people in Las Vegas that have been recently displaced by the freeway and learn some of the condemnation procedures that take place. I am also concerned about gaming interests, jobs and revenue that may be displaced in Northern Nevada and in the state as a whole. I know of one case in Clark County years ago, where there was one piece of property on Lake Mead that was in private ownership. The Feds took care of that in pretty short order, to see to it that there could be no gambling in that national reservation. I don't think that there's going to be much appetite for gambling in a national park. In my view the compact makes sense. It provides for orderly development and, I think, it is incumbent upon us to do what we can to see that the compact does work the way it was drafted.

ASSEMBLYMAN MCGAUGHEY:

Thank you Mr. Speaker pro Tem and to my colleagues. The Tahoe Regional Planning Agency has been used as a tool by the few that live there, and it has trampled and ignored the property rights of the many. Property rights are fundamental to the fabric of our nation and the citizens of Nevada. The Tahoe Regional Planning Agency hasn't worked since its inception eighteen years ago; it is not working today, and I don't believe that it will ever work. The citizens of the State of Nevada are fully capable of managing the land in the State of Nevada and preserving the beauty of Lake Tahoe. We have heard today that if we pull out of the TRPA, all these great terrible things are going to happen to us, and I don't believe that. If I am reading what has been said, we are implying that the people of Nevada are unable to take care of our own state, our own property, and that the State of Nevada is not concerned with the beauty of Lake Tahoe, and I don't agree with that. I think that the people who live there, the people who own land there, and the rest of us are concerned about preserving Lake Tahoe, and the people of this state can well take care of it. We don't need California filing suits or other interested people filing suits to keep us from moving forward. I think it is time, or past the time, to get rid of an agency that is absolutely dictatorial in the way it treats the people, and if it can't work in eighteen years, when is it ever going to work. If you had a business that was losing money for eighteen years, wouldn't you close the doors and shut it down? Anything that is unproductive, it is time, today, to do something about it, and to delay the decision to a future legislature, I think, is trying to pass our responsibilities on to the future. What is wrong with us standing today and doing something in the best interest of our state and the Tahoe Basin? Thank you.

ASSEMBLYMAN CRADDOCK:

Thank you Mr. Speaker. I am, too, acutely sensitive to the rights of the property owners in the Tahoe Basin. Over the years, right or wrong, I have been convinced that, if left to operate alone, local government could and likely would create an ecological imbalance in

the basin. If that should happen, the property owners could not possibly enjoy what they had envisioned when they bought their property. We should be thankful today that we have an equal but separate partner on this monumental problem of resolving the issues at Lake Tahoe; that's the judicial branch. Before we can justifiably say that property rights have been denied, we must first consider the fact that due process is also a constitutional requirement that has not been met, that is also a constitutional right in my understanding. If we can get by that hurdle to where we feel that due process has in fact been met, then I will recognize that possibly property rights have been transgressed upon, but I feel that is prerequisite to recognizing any violation of property rights. Thank you.

ASSEMBLYMAN FRANCIS:

Thank you Mr. Speaker pro Tem. I will make my remarks brief. Before the session began, I had an open mind on the TRPA. I, like everyone else in this Chamber, received literature from The League to Save Lake Tahoe, and I came to Carson City with an open mind; I wanted to find out more about the situation. Through the proceedings of A.B. 59, I found out what was going on. I listened objectively with interest as an observer in the committee hearings; I've listened to many of my colleagues' pros and cons. And what I found out is, yes, there is another side to this issue. One group of that side that calls itself The League to Steal Lake Tahoe for themselves. It has become clear to me that what has happened to the property owners at Lake Tahoe is a real American tragedy. Ideals and values that are so fundamental to our country, and rights of property ownership have been foresaken here for some reason. It is more than obvious to me that the TRPA has overstepped its authority. For a state like Nevada and its citizens, which are so proud of their independence and lifestyle, to allow this agency in California to abuse our citizens, is wrong; I think it's immoral and it is time to stop it. I think we need to support the constitutional rights of the citizens of our state and support this measure. Thank you.

ASSEMBLYMAN THOMPSON:

Thank you Mr. Speaker pro Tem. As a member of Government Affairs, I too, along with Mr. Horne, listened to lengthy discussions on this issue. It is unfortunate that the bond issue failed last time and that these people's property couldn't have been bought out, but I think that the bottom line of the whole thing is the preservation of Lake Tahoe. I think that none of the property owners there would purposely do anything to harm the lake; however, I think overdevelopment would. I am for property rights; I think that's one of the dearest things to most people here. I certainly don't, and I don't think anyone in this building knows the answer to the problem at the lake, and I think that is a big part of this bill. If we pull out today and at some point in the future we decide that the only way we can restore the preservation of the lake is to come back into a bi-state compact, then what are we going to come back to. I would agree with Mr. Schofield's idea of an interim study committee on this matter. There have been problems at the lake and I can sympathize with Mr. Bergevin and Mr. Nicholas. I think they have been honest in their endeavors to do something about the problem, but I personally don't feel the pullout is right at this time. I would favor a study committee to see if there is something we can do with California. I don't think there is any doubt that Nevada has done a better job of managing the lake, but I just don't think the pullout is the answer at this time.

ASSEMBLYMAN HUMKE:

Thank you Mr. Speaker, to you and through you to this body, I rise to speak in favor of A.B. 59. When the TRPA was functioning, it usually did so in an arbitrary and capricious manner, but the TRPA is an agency which is no longer functioning as a governmental entity under a bi-state agreement. Instead, the federal courts effectively control that basin. Mr. Dini and others have outlined through a long history, a long history of cooperation, where Nevada has usually gone the extra mile. The time has come for the State of Nevada to pay attention to its own citizens from the basin, to allow those citizens in this state to move forward in the responsible way that I know they will move. Thank you.

ASSEMBLYMAN PRICE:

Thank you Mr. Speaker. I agree with Mr. Thompson's comment that the purpose of the

TRPA, and we are both on the same side by the way, was not only to save Lake Tahoe, but it was also to protect the rights and the value of the property of the people around Lake Tahoe; to keep it from becoming some type of a future ghetto that was overbuilt, with air that you could not breathe and water you could not drink. Over the years I have listened to both sides, and I have to admit, like Mr. Jeffrey, I tended to feel that it was a northern problem even though I recognized that the lake is one of the most beautiful and certainly a treasure, as it has been called. In the final analysis, when we come together meeting as a state legislature, we do try and represent the best interests of our state and not just of, in my case, North Las Vegas or Clark County, or whatever. So occasionally we are forced into making decisions with impacts that are much larger than just the area we represent. Yesterday I spoke with the executive director of the Keep Lake Tahoe Blue organization, who are the people who filed the lawsuit immediately following the adoption of the plan, and their intentions, I am sure, are good, but it gets exasperating for the TRPA, but so did the other side file a lawsuit. I said, could you outline for me some things that would be positive that the compact has done. I believe the positive accomplishments that are listed here are probably over the last four years; I am not sure that it goes all the way back to fifteen years, because you have to remember that the whole ballgame changed in 1980 when we reorganized the whole thing. They have developed a plan that was adopted, even though it was not within the eighteen months that we set by statute, that set environmental thresholds. They have spent some $15 million in erosion control projects on Kingsbury Grade, Aspen Valley, Fairview Drive, Spooner erosion, etc. The list indicates that there has been $10 million of matching local money to state funding, etc. over the years, and they have quite a list of accomplishments. On the back page, if this says what I think it says, in my opinion it gives me reason to think about what might happen if there is a pull-out and if somehow development does go unrestricted. It says here "reduced Lake Tahoe's build up from 800,000 homes and commercial businesses, under the then local zoning, to 150,000 projects." I am not sure what I think that lake would look like if we had 800,000 commercial and residential properties, in addition to what is already there, but it would give me some concern. There has been a lot of talk about property rights, and I, like Jack, as most of you know, am an electrician who has spent my entire life working in construction, except for the last two or three years, since I started trying to sell real estate. As a realtor I have a great interest in property rights and in people's rights, and as a legislator, I try to look at both sides of an issue fairly. Now anyone, builder or otherwise, that tries to lead us to believe that simply because you own a piece of property you can do anything you want to with it, and if you can't, your constitutional rights are being denied, is way off base. You could not go to Second and Fremont in downtown Las Vegas and put up a little house, because building, planning and zoning will not allow you to do it. You can holler about your rights as a property owner all the way to the Supreme Court of the United States, but you are not going to build a little house in downtown Las Vegas. For those of you that are from Las Vegas, in that area you may remember that it is pretty hard to build a psychiatric hospital next to a grade school. Those people that wanted to build that psychiatric hospital had a lot more going for them than some of us. An individual or a corporation or a developer or, unfortunately, sometimes just some of the plain ordinary people buy or inherit a piece of property that they can develop (I've heard some real horror stories up at Lake Tahoe, and I really feel for those people). But, just because you own that piece of property, does not necessarily guarantee that you will make a profit by selling it later on, or that you will be able to put your child through school by selling it, or in some cases even, you can build just a summertime home. Now another thing, although I don't think that we need to wait to resolve this problem until every last lawsuit is resolved, the truth is, there have been no lawsuits that have followed the due process through the courts all the way to the final resolve, which unfortunately sometimes may be a Supreme Court somewhere. But we are being asked to come into the middle of some of these lawsuits, while I don't really mind if I have to, but I would prefer the type of limits talked about in the amendment that is behind us. I think that if we have this machine that we have had for eighteen years that we completely overhauled four years ago, if that

machine is not working to the capacity that it should be, but if it has been working, then perhaps we should take it in and have it repaired rather than throwing it away. With all of those millions of dollars and all of those millions of hours that people have put in trying to make this unique pact work, maybe, just maybe, we should take it in for an overhaul.

ASSEMBLYMAN GETTO:

Yes, Mr. Speaker. I will be brief too, because we have all been sitting a long time. I am one of the legislators that sat with Mr. Dini over the years, through the trials and tribulations of the problems of Lake Tahoe. I sat here at the Special Session in 1980, and I am sure Mr. Dini recalls the letter of intent. We were all concerned at that, about the property rights of the individual lot owners, which was one of the prime concerns of that special session. Many of us voted reluctantly to go into a bi-state compact having feared to build and enjoy that lot and now finding themselves hopelessly entangled in the problems of the TRPA. Assemblyman Price made the statement that if it doesn't work, let's repair it. Mr. Price, you can't repair it. It's a bi-state compact and we would have to go back to square one to repair it. What we have we have to live with or pull out. I firmly believe that that is the route to go. I would also like to state that I have a possible conflict of interest in this bill. But I'm going to vote for it anyway because I'm going to vote for the other 11,999 people up there.

ASSEMBLYMAN THOMAS:

I, too, rise in support of AB 59. As I listen to this dialogue today I can't help but be somewhat amused by how roles somehow get reversed. My Democratic colleagues, generally speaking, don't fear federal intervention in most areas. A lot of federal programs that have been instigated in the last 25 years have certainly been instigated by Democratic administrations. We Republicans, on the other hand, traditionally resist every possible encroachment of the "feds". If the Federal Government does intervene in Lake Tahoe, what is the first thing they will likely do? They will probably either allow people to develop their land or they would probably buy those lots. If they bought the lots, they would probably pay a more fair price than has been offered to date. The second thing they would probably do is lower the level of the lake about 3 feet which would produce about 300,000 acre feet of water which would go down the Truckee. I don't think that would make the Paiute Indians too unhappy. I don't think it would make our agricultural interests too unhappy. I think even Carson City might be eligible for a little bit of that water because we are after all a lakeside community. Lowering the lake would produce hundreds of feet of beach all around the lake. That beach would be open to the public and I can't think of any of my Democratic colleagues in here who would be opposed to having all that public beach. I guess I'm confused, Mr. Speaker, where does an alien go to register?

ASSEMBLYMAN ROBERTS:

Mr. Price, I would like you to know that in Las Vegas it is zoned and you can build on it. We did have an opportunity to have an oversight committee. As a matter of fact, it was the first thing we voted on. It obviously failed. If we had the oversight committee, I don't think we would be in the position we are in now. The TRPA hasn't provided any tax relief. They haven't provided any fair compensation for property owners. This is not just big developers, it is "mom and pop" who have invested in a country home or someplace to retire. They don't have that opportunity at this time. It has definitely hurt the construction industry, the union members, and the casino employees who cannot live in the area because of lack of housing. We also have to remember that the folks from Clark County defeated a $20 million bond for TRPA. So far as I'm concerned Clark County has spoken and I ask this body to support AB 59.

ASSEMBLYMAN HORNE:

My colleague, Mr. Price, spoke of a type of restriction. None of us is naive enough to think that those are the types of restrictions that are being perpetrated at Lake Tahoe. His comment to me after visting Elk Point was that he could see no reason why those people were being restricted from building at that particular site. I have a message for Mr. Price

and Mr. Craddock from Thomas Jefferson: "It is very dangerous doctrine to consider the judges as the ultimate arbiters of all constitutional questions. It is one which would place us under the despotism of an oligarchy".

ASSEMBLYMAN BERGEVIN:

I would like to comment on Mr. Price's comparison of building a house in downtown Las Vegas versus Lake Tahoe. The places we are talking about in Lake Tahoe are approved subdivisions by an elected body of county government which approved these lots for construction many years ago. These people are presently paying sewer and utility fees and taxes on the full cash value of those properties as dictated by the county assessor. Still TRPA tells them they cannnot build. There is not any realm of looking at one versus the other. Secondly, there has been a question raised as to the legality of the NTRPA. Mr. Daykin has assured me that we are on absolute legally sound ground in what we are doing.

ASSEMBLYMAN PRICE:

My point was this. Obviously, I recognize the difference between a planning commission and a zone change. But the point is beyond that. If this legislature creates an agency who has the power to determine when and to what level of standards you must meet to build, and they exercise that power, it is not necessarily unconstitutional. Those before us purposely created that power because we perceived that there was a problem at the lake. The final result is the same. You do, in fact, have to meet certain criteria before you can build. That is further complicated by the litigation that has been filed. The TRPA has been working on that litigation.

Last week I took one of my days off and sat in on six hours of hearings on negotiations betweeen the attorneys representing California and the League to Save Lake Tahoe and the TRPA. I found it extremely interesting. I could see there were a lot of people there trying their best, as we are trying to do our best, to do the job as they see it. In the case of TRPA, I believe their general understanding is that they are supposed to try and preserve that lake as an excellent environment to live in along with protecting to a high degree the rights of the people who own property and the developers. I know that is a tough position to be in.

I rose because I was mentioned twice and I wanted you to recognize that I know the difference between a zoning and a planning commission in a city or county. My point was that we can create agencies who have broad powers over our ability to build on the property that we own.

ASSEMBLYMAN SWAIN:

I am informed that I have a technical conflict because I do own property at Lake Tahoe. I would just like to tell you that I do own property and will be voting against this bill and it would not benefit me in any way.

Conflicts of interest declared by Assemblymen Getto and Swain.

Roll call on Assembly Bill No. 59:

YEAS—28.

NAYS—Arberry, Banner, Coffin, Craddock, Dini, Jeffrey, Nevin, Price, Sader, Schofield, Sedway, Swain, Thompson, Williams—14.

Assembly Bill No. 59 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Francis moved that Senate Bills Nos. 30, 51, 63 and Assembly Bill No. 104 be taken from the General File and placed on the General File for the next legislative day.

Motion carried.

INTRODUCTION AND FIRST READING OF LEGISLATION

By the Committee on Ways and Means:

Assembly Bill No. 287—An Act making an appropriation to the state gaming control board for the purchase of additional equipment for its computer system, its investigative staff and its systems for fire detection and security; and providing other matters properly relating thereto.

By the Committee on Ways and Means:

Assembly Bill No. 288—An Act making an appropriation to the department of human resources for audits; and providing other matters properly relating thereto.

By the Committee on Natural Resources, Agriculture and Mining:

Assembly Bill No. 289—An Act making an appropriation to the department of conservation and natural resources for a study of the feasibility of constructing a dam on the Carson River at Brunswick Canyon; and providing other matters properly relating thereto.

By the Committee on Natural Resources, Agriculture and Mining:

Assembly Bill No. 290—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.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Resolution No. 6.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Zimmer, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Lynn Moore.

On request of Assemblyman Lambert, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Mildred Goodman and Mr. Sam Goodman.

On request of Assemblyman McGaughey, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Marilyn Johnson.

On request of Assemblyman Humke, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Yani Dickens.

On request of Assemblyman Dini, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Janice Morgan, Joyce Phipps, Vicki Brende, Mr. John Barker and students from Yerington Elementary School: JoAnn Gometz, David Hagen, Caddie Morgan, Alice Phipps, Nathan Rodriguez and Burk Schoreder; Yerington Intermediate School: Chucky Booth, Jenny Booth, Cary Chism, Teressa Hagen, Ed Hunt,

Randy MacGill, Matt Moore, Jonas Prida, Jerry Snyder, John Thompson and Craig Woodward. The following students are from Dayton Elementary School: Chris Arnold, Matt Arnold, Aaron Fabbri, Sarah Fabbri, Damon Jacobsen, Tony Medeiros, Luisanna Rodriguez, Winston Seymour, Nicole Wathen, Mike Wilhelm and Jody Dallas. The following students are from Silver Springs Elementary School: Kenneth Depaoli, Advidnna Lepe, Leon Gill and Stacy Land. The following students are from Fernley Elementary School: Chris Reed, Jesse Price, Shavi Looney, Joshua Teeter and Aaron Mayzes.

On request of Assemblyman Ham, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. June Gatov.

On request of Assemblyman Malone, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Shirley Jones.

On request of Assemblyman Fairchild, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Doris Steiner.

On request of Assemblyman Williams, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Sandie Durgin.

On request of Assemblyman O'Donnell, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Ruth Verplank.

On request of Assemblyman Bogaert, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Debbie Tonyan and students from Vaughan Middle School, Reno, Nevada: Charity Ballard, Stacy Carlson, Russ Christian, Cathy Dolence, Amber Dunca, Gini Franchini, Melissa Garin, Shannon Gifford, Jerry Goigg, Julie Hanks, Beth Hastings, Tony Jarmin, Derek Lewis, Bob Lucas, Kelly Mackie, Aesha Martin, Melissa McClure, Dasha Norton, Katie Parsons, Christine Paoulsen, Heather Reed, Farded Sayyah, Daryn Snyder, Sonja Steiner, Stephanie Triolo, Saoraros Vongngarm, Jennifer Ward, Roman West, Jason Orton, Diana Nelson-Cox, Rose Howsley and Marie Salla.

Assemblyman Francis moved that the Assembly adjourn until Friday, March 1, 1985 at 11 a.m.

Motion carried.

Assembly adjourned at 1:02 p.m.

Approved:

BYRON L. BILYEU
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE FORTIETH DAY

CARSON CITY (Friday), March 1, 1985

Assembly called to order at 11:04 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, Assemblyman Bruce R. Bogaert.

Oh God, Heavenly Father, King of the Universe, please be with us this day and every day as we attempt to do Your work to the best of our ability. Please guide us and assist us to understand our fellow legislators better. To have compassion and an understanding of their needs as they, too, attempt to do Your work. Also, Dear God, we ask for understanding for our loved ones for the commitment we have made and the oath we have taken in Your name to better serve this state. These things we ask in Your name, Oh Lord. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Kerns 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. 6, 7, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JAMES STONE, *Chairman*

Mr. Speaker:

Your Committee on Elections, to which was referred Assembly Bill No. 58, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JANE HAM, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which were referred Assembly Bills Nos. 174, 185, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JAMES STONE, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which were referred Assembly Bills Nos. 148, 228, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN MARVEL, *Chairman*

Mr. Speaker:

Your Committee on Health and Welfare, to which were referred Assembly Bills Nos.

65, 66, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

DAVID D. NICHOLAS, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, February 28, 1985

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Senate Bill No. 57.

MARY JO MONGELLI
Assistant Secretary of the Senate

INTRODUCTION AND FIRST READING OF LEGISLATION

By the Committee on Taxation:

Assembly Bill No. 291—An Act relating to taxes on retail sales; providing for submission to the voters of the question whether the Sales and Use Tax of 1955 should be amended to provide an exemption from the tax for ophthalmic devices furnished by dispensing opticians; creating similar exemptions from certain analogous taxes; and providing other matters properly relating thereto.

By the Committee on Taxation:

Assembly Bill No. 292—An Act relating to motor vehicles; removing the requirement for appointment of the county assessor as an agent for the department of motor vehicles in certain counties; and providing other matters properly relating thereto.

By the Committee on Judiciary:

Assembly Bill No. 293—An Act relating to the liability of persons rendering care during an emergency; extending immunity from liability in tort to physicians and nurses who are compensated for rendering such care; and providing other matters properly relating thereto.

By the Committee on Judiciary:

Assembly Bill No. 294—An Act relating to judgments of death; limiting the time for appellate review of such a judgment; and providing other matters properly relating thereto.

By Assemblymen Nicholas, Humke, Thompson and Jeffrey:

Assembly Bill No. 295—An Act relating to tourism; restricting the award of grants by the commission on tourism to certain political subdivisions; and providing other matters properly relating thereto.

Senate Bill No. 57.

Bill read first time.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Dini moved that Senate Bill No. 63 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Dini.
Motion carried.

Assemblyman Malone moved that Assembly Bill No. 104 be taken from the General File and placed on the Chief Clerk's desk.
Remarks by Assemblyman Malone.
Motion carried.

Assemblyman Thomas moved that Assembly Bill No. 180 be taken from the Chief Clerk's desk and placed on the General File.
Remarks by Assemblyman Thomas.
Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Taxation, to which was referred Assembly Bill No. 154, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

CHARLES W. JOERG, *Chairman*

REFERENCE OF MEASURES TO COMMITTEES

Assembly Bill No. 276.
Assemblyman Banner moved that the bill be referred to the Committee on Government Affairs.
Motion carried.

Assembly Bill No. 277.
Assemblyman Kerns moved that the bill be referred to the Committee on Judiciary.
Motion carried.

Assembly Bill No. 278.
Assemblyman Kerns moved that the bill be referred to the Committee on Government Affairs.
Motion carried.

Assembly Bill No. 279.
Assemblyman Dini moved that the bill be referred to the Concurrent Committees on Natural Resources, Agriculture and Mining and Ways and Means.
Motion carried.

Assembly Bill No. 280.
Assemblyman Dini moved that the bill be referred to the Concurrent Committees on Natural Resources, Agriculture and Mining and Ways and Means.
Motion carried.

Assembly Bill No. 281.

Assemblyman Dini moved that the bill be referred to the Concurrent Committees on Natural Resources, Agriculture and Mining and Ways and Means.

Motion carried.

Assembly Bill No. 282.

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

Motion carried.

Assembly Bill No. 283.

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

Motion carried.

Assembly Bill No. 284.

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

Motion carried.

Assembly Bill No. 285.

Assemblyman DuBois moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

Assembly Bill No. 286.

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

Motion carried.

Assembly Bill No. 287.

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

Motion carried.

Assembly Bill No. 288.

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

Motion carried.

Assembly Bill No. 289.

Assemblyman Kerns moved that the bill be referred to the Concurrent Committees on Natural Resources, Agriculture and Mining and Ways and Means.

Motion carried.

Assembly Bill No. 290.

Assemblyman Kerns moved that the bill be referred to the Concurrent Committees on Natural Resources, Agriculture and Mining and Ways and Means.

Motion carried.

Assembly Concurrent Resolution No. 16.

Assemblyman DuBois moved that the resolution be referred to the Committee on Judiciary.

Motion carried.

Senate Bill No. 13.

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

Motion carried.

Senate Bill No. 97.

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

Motion carried.

Senate Bill No. 115.

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

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Stone moved that Assembly Bill No. 81 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Stone.

Motion carried.

Assemblyman Stone moved that Assembly Bill No. 73 be taken from the Chief Clerk's desk and placed on the Second Reading File.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 3.

Bill read second time.

The following amendment was proposed by the Committee on Labor and Management:

Amendment No. 74.

Amend the bill as a whole by deleting section 1 and renumbering section 2 as section 1.

Amend sec. 2, page 1, line 19, by deleting "*interested party*" and inserting: "*insurer or employer*".

Amend the bill as a whole by renumbering section 3 as section 2.

Amend the title of the bill, first line, by deleting "parties" and inserting: "insurers and employers".

Assemblyman O'Donnell moved the adoption of the amendment.

Remarks by Assemblyman O'Donnell.

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 Commerce:
Amendment No. 42.
Amend sec. 4, page 3, line 3, by deleting "*$50*" and inserting "*$1,000*".
Assemblyman DuBois moved the adoption of the amendment.
Remarks by Assemblyman DuBois.
Amendment adopted.
Bill ordered reprinted, engrossed and to the Concurrent Committee on Taxation.

Assembly Bill No. 190.
Bill read second time, ordered 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. 110.
Amend section 1, page 1, line 1, by deleting "is" and inserting: ", 350.612 and 396.8535 are".
Amend the title of the bill, first and second lines, by deleting: "requirement of registration which is" and inserting: "requirements of registration which are".
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. 24.
Bill read second time and ordered to third reading.

Senate Bill No. 58.
Bill read second time and ordered to third reading.

Senate Bill No. 74.
Bill read second time and ordered to third reading.

Senate Bill No. 76.
Bill read second time and ordered to third reading.

Senate Bill No. 77.
Bill read second time and ordered to third reading.

Assembly Bill No. 73.
Bill read second time.
The following amendment was proposed by the Committee on Judiciary:
Amendment No. 85.
Amend the bill as a whole by deleting sections 1 and 3 and renumbering section 2 as section 1.
Amend sec. 2, page 2, line 11, before "or to" by inserting an open bracket.

Amend sec. 2, page 2, line 12, after "void" by inserting a closed bracket.

Amend sec. 2, page 2, line 14, after "chapter." by inserting: "*Any such suit brought to have an action declared void must be commenced within 60 days after the action objected to was taken.*".

Amend the title of the bill, first and second lines, by deleting: "revising the criminal penalty; adding a civil penalty;" and inserting: "extending the statute of limitations for suits to require statutory compliance;".

Amend the summary of the bill to read: "Extends statute of limitations for suits to require compliance with law governing meetings of public bodies. (BDR 19-571)".

Assemblyman Stone moved the adoption of the amendment.

Remarks by Assemblyman Stone.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, March 1, 1985

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Senate Bill No. 186.

MARY JO MONGELLI
Assistant Secretary of the Senate

INTRODUCTION AND FIRST READING OF LEGISLATION

By the Committee on Education:

Assembly Bill No. 296—An Act relating to education; authorizing the governor to execute the Interstate Compact for Education; making an appropriation; and providing other matters properly relating thereto.

Senate Bill No. 186.

Assemblyman Bogaert 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 Bogaert.

Motion carried unanimously.

Assemblyman Stone moved that the Assembly recess subject to the call of the Chair.

Motion carried.

Assembly in recess at 11:33 a.m.

ASSEMBLY IN SESSION

At 11:38 a.m.

Mr. Speaker presiding.

Quorum present.

GENERAL FILE AND THIRD READING

Assembly Bill No. 23.
Bill read third time.
Remarks by Assemblymen Malone, Horne and Stone.
Roll call on Assembly Bill No. 23:

YEAS—42.
NAYS—None.

Assembly Bill No. 23 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 177.
Bill read third time.
Remarks by Assemblyman Schofield.
Roll call on Assembly Bill No. 177:

YEAS—42.
NAYS—None.

Assembly Bill No. 177 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Getto moved that Assembly Bill No. 85 be taken from the Chief Clerk's desk and placed on the General File.
Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 30.
Bill read third time.
Remarks by Assemblymen Thomas, Horne, Nevin, DuBois, Francis, Price and Jeffrey.
Roll call on Senate Bill No. 30:

YEAS—40.
NAYS—Humke, Nicholas—2.

Senate Bill No. 30 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 51.
Bill read third time.
Remarks by Assemblyman Little.
Roll call on Senate Bill No. 51:

YEAS—42.
NAYS—None.

Senate Bill No. 51 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 180.

Bill read third time.

Remarks by Assemblyman Malone.

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.

Bill ordered transmitted to the Senate.

Senate Bill No. 186.

Bill read third time.

Remarks by Assemblymen Bogaert, Dini, Sader and Coffin.

Assemblyman Coffin moved that Senate Bill No. 186 be taken from the General File and referred to the Committee on Ways and Means.

Motion carried.

Assembly Bill No. 85.

Bill read third time.

Remarks by Assemblymen Sader, Getto, Craddock, Stone and Collins.

Roll call on Assembly Bill No. 85:

YEAS—41.

NAYS—Collins.

Assembly Bill No. 85 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

INTRODUCTION AND FIRST READING OF LEGISLATION

By Assemblymen Thomas, Zimmer, Swain, Arberry, Nevin, Tebbs, Schofield, Jeffrey, Joerg, Beyer, Thompson, Roberts, Humke, Craddock, Coffin, Spriggs, Collins, Stone, DuBois, Francis, Kerns, McGaughey, Bogaert, Williams, Little, Fairchild, Rader, Lambert, O'Donnell, Banner and Bergevin:

Assembly Bill No. 297—An Act making an appropriation to the department of museums and history for purchase of certain equipment for museums in Las Vegas and Carson City; and providing other matters properly relating thereto.

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 Nicholas, the privilege of the floor of the

Assembly Chamber for this day was extended to Ms. Irene McKean and Jean Scribner.

Assemblyman Kerns moved that the Assembly adjourn until Monday, March 4, 1985 at 11 a.m.

Motion carried.

Assembly adjourned at 12:09 p.m.

Approved: BYRON L. BILYEU
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE FORTY-THIRD DAY

CARSON CITY (Monday), March 4, 1985

Assembly called to order at 11:02 a.m.

Mr. Speaker pro Tempore presiding.

Roll called.

All present.

Prayer by the Chaplain, Assemblyman Erik Beyer.

Our Father in Heaven, as we convene this day in this Assembly we give thanks unto Thee for this opportunity to serve the citizens of this great state. Father, we feel it a privilege to be chosen to come here to Carson City and to fill these positions of leadership. As we contemplate decisions today, Father, may our thoughts and minds be clear and may we understand the ramifications of legislation passed in this house upon the citizens of this great state. Bless us with clear minds that we may always be in tune with Thee in this Assembly. Bless us now as we convene this day. We ask this in the name of Thy Son, Jesus Christ. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Francis 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, Agriculture and Mining, to which was referred Assembly Bill No. 72, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

VIRGIL GETTO, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which was referred Senate Bill No. 10, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JAMES STONE, *Chairman*

Mr. Speaker:

Your 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: Do pass.

JAMES STONE, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, March 1, 1985

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Senate Bill No. 100.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 68, 93.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Joint Resolution No. 23 of the 62nd Session.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Senate Joint Resolution No. 23 of the 62nd Session.

Resolution read first time.

INTRODUCTION AND FIRST READING OF LEGISLATION

By the Committee on Judiciary:

Assembly Bill No. 298—An Act relating to justices' and municipal courts; increasing the monetary limit of the jurisdiction of justices' and municipal courts; and providing other matters properly relating thereto.

Senate Bill No. 68.

Bill read first time.

Senate Bill No. 93.

Bill read first time.

Senate Bill No. 100.

Bill read first time.

REFERENCE OF MEASURES TO COMMITTEES

Assembly Bill No. 291.

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

Motion carried.

Assembly Bill No. 292.

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

Motion carried.

Assembly Bill No. 293.

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

Motion carried.

Assembly Bill No. 294.

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

Motion carried.

Assembly Bill No. 295.

Assemblyman Nicholas moved that the bill be referred to the Committee on Economic Development and Tourism.

Motion carried.

Assembly Bill No. 296.

Assemblyman Francis moved that the bill be referred to the Concurrent Committees on Education and Ways and Means.

Motion carried.

Assembly Bill No. 297.

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

Motion carried.

Senate Bill No. 57.

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

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 6.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 7.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 58.

Bill read second time.

The following amendment was proposed by the Committee on Elections:

Amendment No. 30.

Amend section 1, page 1, by deleting lines 5 and 6 and inserting: "*other state or local office unless:*

1. His present term of office expires on or before the day his future term of office would begin if he were elected; or

2. He executes and delivers, to the officer with whom the declaration or acceptance must be filed, an unconditional resignation of his present office effective on the first day of the term of the office for which he is a candidate. Such a resignation must be then forwarded to the officer to whom it would be otherwise delivered if made under other circumstances.".

Amend the title of the bill, second line, by deleting the semicolon and inserting: ", unless he resigns his present office;".

Amend the summary of the bill by deleting the period and inserting: "unless he resigns present office.".

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. 65.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 66.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 148.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 154.

Bill read second time.

The following amendment was proposed by the Committee on Taxation:

Amendment No. 119.

Amend the bill as a whole by deleting section 2, and renumbering section 3 as section 2.

Amend the title of the bill, first and second lines, by deleting: "increasing the penalty for late payment of the tax on premiums;".

Amend the summary of the bill to read as follows: "Eliminates estimate for quarterly payments of taxes by insurers. (BDR 57-347)".

Assemblyman Spriggs moved the adoption of the amendment.

Remarks by Assemblyman Spriggs.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 174.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 70.

Amend section 1, page 1, by deleting lines 2 through 4 and inserting:

"201.340 1. Any person who , *by any means of conveyance,* knowingly transports or causes to be transported [, by any means of conveyance,] into, through or across this state, *or within a county in which prostitution is prohibited,* or who aids or assists in obtaining such transportation".

Amend the title of the bill, second line, by deleting "this state" and inserting "certain counties".

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. 185.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 98.

Amend section 1, page 1, by deleting line 7 and inserting "to [:".

Amend section 1, page 1, lines 9 and 11, by deleting on both lines, the brackets.

Amend section 1, page 1, line 13, by deleting: "[.] *; or*" and inserting: ".] *a prevailing party:*

(a) When he has not recovered more than $20,000; or

(b) Without regard to the recovery sought, when the court finds that the claim, counterclaim, cross-claim or third-party complaint or defense of the

opposing party was brought without reasonable ground or to harass the prevailing party.".

Amend section 1, page 1, by deleting lines 14 through 16.

Amend the title of the bill by deleting the first line and inserting:

"An Act relating to attorney's fees; raising the monetary threshold and allowing an award if a claim is".

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. 228.

Bill read second time, ordered engrossed and to third reading.

GENERAL FILE AND THIRD READING

Assembly Bill No. 166.

Bill read third time.

Remarks by Assemblymen DuBois and Ham.

Roll call on Assembly Bill No. 166:

YEAS—42.

NAYS—None.

Assembly Bill No. 166 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 181.

Bill read third time.

Remarks by Assemblyman Malone.

Roll call on Assembly Bill No. 181:

YEAS—42.

NAYS—None.

Assembly Bill No. 181 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 190.

Bill read third time.

Remarks by Assemblyman Nevin.

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.

Assembly Bill No. 197.

Bill read third time.

The following amendment was proposed by Assemblyman Bergevin:

Amendment No. 136.

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. Section 1.080 of chapter 213, Statutes of Nevada 1969, as added by chapter 690, Statutes of Nevada 1979, at page 1856, is hereby amended to read as follows:

Sec. 1.080 1. The charter committee consists of nine members, appointed as follows:

(a) One by each supervisor.

(b) Two by the mayor.

(c) One by each member of the senate and assembly [delegation representing the residents of] *whose district includes all or part of* Carson City.

2. Each member:

(a) Serves during the term of the officer who appointed him;

(b) Must be a registered voter of Carson City; and

(c) Must reside in Carson City during his term of office.

3. The charter committee shall [:

(a) Prepare recommendations to be presented to the board of supervisors or the legislature concerning all necessary amendments to the Carson City charter.

(b) Perform all functions and do all things necessary to accomplish the purposes for which it is established, including but not limited to holding meetings and public hearings, and obtaining assistance from Carson City officials.] *meet when requested by the board of supervisors to consider amendment of this charter dealing with subjects submitted to the committee by the board.*

4. Any member of the committee may be removed for missing three consecutive regular meetings or for any other cause by the public officer who appointed him. In case of removal, a replacement must be appointed by the officer who appointed the removed member.".

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. 24.

Bill read third time.

Remarks by Assemblymen Tebbs and Price.

Conflict of interest declared by Assemblyman Price.

Roll call on Senate Bill No. 24:

YEAS—42.

NAYS—None.

Senate Bill No. 24 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 58.

Bill read third time.

Remarks by Assemblymen Jeffrey, Arberry, Thomas, DuBois, O'Donnell, Collins, and Rader.

Assemblyman Sedway requested that the following remarks be entered in the Journal.

ASSEMBLYMAN JEFFREY:

S.B. 58 adds the African Development Bank to a list of 12 other investments that are possible investments for insurance companies doing business in the state as well as SIIS. The foreign banks on the list are the Asian Development Bank and the Inter-American Development Bank. The African Development Bank is the leading international financial institution on the continent of Africa. They finance infrastructure projects, industrial and agricultural projects. Each government that has a loan engages its full faith and credit to repay the loan. In 1983, the United States, along with 21 other nations, also joined the African Development Bank as a member. The bank is composed of all African countries excluding South Africa. The United States, Japan and nearly every other industrial country in Europe, excluding most Communist countries, are members. The reason the United States joined was because we have $11 billion in goods that we sell in Africa every year thus increasing the opportunities for American businessmen in Africa.

There has never been a default, rescheduling or rollover of a loan made by this bank. The bank sells bonds at approximately one point above the market rate. They have been successful over the years as far as their investments are concerned. In the various states where they have had legislation introduced, each state has approved insurance companies to do business with this bank. There are some other states that were not approached.

I think the statement made in the Assembly Commerce Committee was one of the overriding concerns that I had and the major reason for the United States to become a member of the African Development Bank was that it was the only financial institution that was driving African countries to a free market economy.

ASSEMBLYMAN ARBERRY:

I have three reasons why we should be in favor of this bill. First, the bill would allow, but in no instance require, an institution to purchase securities from the bank. In other words, the bank's securities would be evaluated in the same way that other investment opportunities would be evaluated; based on the bank's performance, security yields, and credit and worthiness of the institution. This is the basis for which insurance companies or the State Industrial Insurance System must make their decision.

Secondly, authorities to invest in the obligation of the World Bank, Inter-American Development Bank and the Asian Development Bank already exist for insurance companies. The same authorities also exist for the State Industrial Insurance System regarding the World Bank and the Inter-American Development Bank.

Thirdly, the bank, like any other authority investments which were listed in this bill, would assess the insurance companies in the state system based on performance. If the American Development Bank ever stopped being attractive, investment of this bill would not restrict any divestiture.

ASSEMBLYMAN THOMAS:

I rise in opposition of this bill. I think we ought to call attention to the fact that this bill passed a 13 member committee by one vote. Now, it's true the bill does not require anybody to invest in the African Development Bank. It does, however, legitimatize this bank to the extent that SIIS and other insurance companies in the State of Nevada can, for the first time, invest in this bank.

My problem is the fact that members of this bank include Ethiopia, who seems to be more interested in aerobics than feeding their people; Chad, Angola and even our good friend, Colonel Khadafy from Lybia. Somehow I just can't back any kind of legislation that puts us in partnership with people who have persecuted their own people, Jews and

anybody else to a greater extent than anyone else has. That is why I am in opposition to this bill.

ASSEMBLYMAN DUBOIS:

It is true that this passed the committee by the minimum of seven votes but there were two absent during that vote. I rise in support of the bill because in addition to what we export to Africa we also import approximately $27 billion in goods and in minerals, many of which are precious metals that are absolutely necessary for the national security of this country. I think it is a little narrow-minded and parochial on our part to exclude one particular part of the world, this being the only development banking institution that we have not recognized in this state. I think we need to recognize the tremendous need we have, particularly in developing free trade and in developing what we believe in this country, which is a free market system of doing business.

ASSEMBLYMAN THOMAS:

I would like to point out that the United States is the largest backer of the World Bank and the International Monetary Fund. We have loaned money through these agencies to African nations, with the possible exception of Lybia. I don't think we can be called parochial.

ASSEMBLYMAN JEFFREY:

I don't claim to be an expert in foreign affairs but I would like to say that the United States is already a partner in the African Development Bank. I have found over the years that the people that are the easiest prey to Communism are those people without hope. This bank finances infrastructure development and agriculture development that these developing countries need in order to provide food and employment for their people. I see no reason why the State of Nevada should not follow suit with the United States Government in becoming a partner in this operation.

ASSEMBLYMAN O'DONNELL:

We have had some altercations with some of our financial institutions in the past here in the state. I would like to ask if this particular bank is federally insured or is the money that SIIS would invest going to be federally insured?

ASSEMBLYMAN JEFFREY:

I really can't answer that question. I doubt that an African Development Bank would fall under the FDIC in this country. However, the bonds are sold at one point over the market rate and, as I stated previously, they have never had a default. I think in this case, investors are very sophisticated—not "widows and orphans" or individual people investing in a bank. These are insurance companies and other banks that are doing business with the World Bank. They weigh the speculativeness of those investments as they are being made.

ASSEMBLYMAN COLLINS:

I voiced my opposition to this bill in the committee hearing. I am adamantly opposed to this bill because I find it very difficult for us to have "pros and cons" of a bill with less magnitude than the bill to make Martin Luther King, Jr.'s birthday a holiday.

How can we do business with foreign countries, like Lybia, that kill our young men? I refer to the statement Mr. Khadafy made a few days ago to our young men in the Armed Forces, "Desert the Armed Forces and turn on America". I find it very difficult that we should debate the validity of this bill. There are those of us who wish to go on record in support of this and those of us who wish to go on record in opposition. It's difficult to return to our constituents and say, "I voted in favor of the State Industrial Insurance System to loan money to foreign banks that will buy artillery to shoot our young men". On the other hand, if there are those of us who think we will not be judged by our actions, let our actions speak the way in which we vote.

ASSEMBLYMAN ARBERRY:

I am standing on behalf of the African Bank. I would like to make the statement that

since this bank's inception in 1963 there has never been a default on any loan nor has it rescheduled a rollover of any loan. The bank's bond rating is triple A.

ASSEMBLYMAN RADER:

I speak against this bill using the argument my colleague used against the bill proposing the "high frontier" defense system that our business is to address the needs of the state and not to get involved with international banking issues.

ASSEMBLYMAN THOMAS:

Mr. Arberry's statement was correct that the African Bank has never had a default and has an excellent credit rating. I would also like to point out that all of these loans are guaranteed by the United States Government.

ASSEMBLYMAN JEFFREY:

I would like to point out again that the United States Government is already a partner in this bank.

ASSEMBLYMAN DUBOIS:

I fully agree with Mr. Collins in regard to Khadafy and Lybia. However, if in some small way adding the African Development Bank to our list of investments will help all the other nations in Africa in a free market and trade situation, then that will certainly help to contain people like Khadafy which feed upon weak countries.

ASSEMBLYMAN COLLINS:

I ask the question, "What will this bill do for the constituents of the country?" The answer that we receive is not the answer I was seeking. If the bill is not going to do anything for the country and the individuals residing there, passing this bill would not do one thing that cannot be done now.

Assemblymen Roberts, Craddock and DuBois moved the previous question.

Motion carried.

The question being on the passage of Senate Bill No. 58.

Roll call on Senate Bill No. 58:

YEAS—21.

NAYS—Bergevin, Beyer, Collins, Fairchild, Ham, Horne, Humke, Joerg, Kerns, Little, McGaughey, Malone, Marvel, Nicholas, O'Donnell, Rader, Roberts, Tebbs, Thomas, Zimmer, Mr. Speaker—21.

Senate Bill No. 58 having failed to receive a constitutional majority, Mr. Speaker pro Tempore declared it lost.

Senate Bill No. 74.

Bill read third time.

Remarks by Assemblyman Rader.

Roll call on Senate Bill No. 74:

YEAS—42.

NAYS—None.

Senate Bill No. 74 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 76.

Bill read third time.

Remarks by Assemblyman O'Donnell.

Roll call on Senate Bill No. 76:

YEAS—42.

NAYS—None.

Senate Bill No. 76 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 77.

Bill read third time.

Remarks by Assemblyman Arberry.

Roll call on Senate Bill No. 77:

YEAS—42.

NAYS—None.

Senate Bill No. 77 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Kerns gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 58 was this day refused passage.

Assemblyman Dini moved that Senate Bill No. 63 be taken from the Chief Clerk's desk and placed on the General File for the next legislative day.

Motion carried.

REMARKS FROM THE FLOOR

Assemblyman Francis requested that Assemblyman Bilyeu's remarks be entered in the Journal.

MOBILE/MANUFACTURED HOUSING WEEK

Mobile/manufactured housing has developed as a major source of housing in Nevada and the Nation, and one-third of all new homes sold in the United States last year were manufactured.

Many millions of American citizens now live in manufactured homes, and in Nevada a significant portion of the dwelling units are manufactured homes.

Nevada ranks fourth highest among all states in the percentage of manufactured homes. Modern production materials and techniques are producing manufactured homes that are visually compatible with site built homes.

As we enter an era of greatly expanded economic growth and development, it is appropriate that we encourage a housing mode that is becoming more and more necessary to supply the needs of our citizens. Manufactured housing has made great strides in creating this alternative to other forms of housing.

The Nevada Legislature, recognizing the importance of manufactured homes in Nevada, has authorized the temporary installation of a demonstration manufactured home on its legislative mall.

Assemblyman Francis requested that Assemblyman Horne's remarks be entered in the Journal.

We do have some possibly significant words from Thomas Payne: "A thing moderately good is not so good as it ought to be. Moderation in temper is always a virtue, but moderation in principle is always a vice."

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 Ms. Dorothy McDonough, Shelley Noell, Madeline Montgomery, Rose Antonello, Annette Koloskie, Sister Elizabeth Sullivan, Messrs. William C. Langley, Mike Montgomery, Jim Cook and students from St. Viators Catholic School in Las Vegas: Vanessa Aspatore, Sal Ayoob, Priscilla Barnett, Amaya Beristain, Anthony Bonifazio, Patrick Byrnes, Dominick Camberio, Paul Caruso, David Castaneda, Sean Cook, Christy DeMaria, Shannon Drace, Steven Garhdart, Christa Gush, Nashwa Helmi, Steven Keyser, Erik Kirschner, Chad Layne, Catherine Lazaroff, Arunas Leskys, Ellen Martello, Eileen McDonough, Tracy McLaughlin, John Mikolainis, Daniel O'Donnell, Crystal Ortega, Nick Pandelis, Tommy Peters, Hans Prosch, Lucy Rojas, Kevin Wenz, Jennifer Case, Anthony Aiello, Catherine Antonello, Stephanie Bruzzese, Michael Colbert, Denise Diaz, Dennis Elkin, Stefano Fasano, Craig Garhardt, Scott Garnter, Brook Geisendorf, Theresa Hancock, Thomas Keating, Erin Kelly, Betsy Kummer, Nariman Laham, Mauricio Mendoza, Deric Merino, Kelly Montgomery, Damian Murphy, Monika Nagy, James Noelle, Erin Ordowski, Danielle Peot, Albert Rodriguez, Shawn Saenz, Danel Samuels, Shonna Santos, Roy Sears, Tracy Smaldino, Christy Tice, Wendy War, Denae Atkins and Sandra Wilson; and Mr. Jack Myers.

On request of Assemblyman Schofield, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Dorothy Kopecki.

On request of Assemblyman Marvel, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Thelma Sturges, Rosemary McInosh, Doris Potter, Pat McMasters and Gloria Souza.

On request of Assemblyman Francis, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Helen Atkinson.

On request of Assemblyman Stone, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Duane Thomas.

On request of Assemblyman McGaughey, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Jim Seastrand and Ashley Hall.

On request of Assemblyman Roberts, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Althea Myers.

On request of Assemblyman Thompson, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Bruce Woodbury.

On request of Assemblyman Williams, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Yolanda West.

On request of Assemblyman Joerg, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Gerry Joerg.

On request of Assemblyman Swain, the privilege of the floor of the

Assembly Chamber for this day was extended to Ms. Petite Proutsos, Carolyn Hursh, Dorothy Miller and Vernita Pohl.

On request of Assemblyman Bergevin, the privilege of the floor of the Assembly Chamber for this day was extended to Phyllis Hunewill, Jackie Botelho, Carolyn Strosnider, Karla Bowman, DeAnn Rotchy, Nancy Corn, Jean Harrison, Ruth Merriner, Carol Hernandez, Doreen FitzHenry, Lois Hinkel, Gail Ruff, Muriel Batesel, Mary O. Knapp, Sable Shaw, Marge Fenton, June Bolt, Betti Petersen, Millie Arneson, Virginia Rule, Joan Andreas, June Stansberry, Mary Coffey, Jayne Bauer-Hughes, Janice Hoke, Laurie Chappelle, Clare Welch, Ardyth Corona, Marilyn Paoli, Mildred Condurachi, Joan Reid, Edith Good, Ena Racsmaryk, Mary Luster, Billie Brinkman, Velma Stodieck, Jeannie Hadlock, Betty Butler, Chris Dunn, Jean Pici, Sally Landis, Penni McBride, Mari Hilborn, Naidia Dunfield, Faralie Spell, Irene Smith, Peggy Bowker, Janet Carter, Joan Roberts, Janet Cremman, Annette Wimmer, Mykee Becker, Geneva S. Douglas, Joy Comer, Georgia Garrett, Barbara A. Agonia, Starr Lyn Butterfield, Linda C. Peraldo and Jean Ford.

On request of Assemblyman Price, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Joni Wines.

Assemblyman Francis moved that the Assembly adjourn until Tuesday, March 5, 1985 at 11 a.m.

Motion carried.

Assembly adjourned at 12:10 p.m.

Approved: BYRON L. BILYEU
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE FORTY-FOURTH DAY

CARSON CITY (Tuesday), March 5, 1985

Assembly called to order at 11:02 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, Assemblyman Gene Collins.

Father, God, once again we would like to thank You for allowing us to assemble in these halls today, for we know without Your blessing we would not be able to attend this session. Once again, we would like Your blessings as we debate one another, knowing we are trying to do the best job possible—the job we were sent here to do by our different constituents throughout the state. We know that if Your arms are not around us, we will not be able to do this. We ask these blessings in Your Name. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Francis 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. 61, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

MIKE MALONE, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which were referred Assembly Bills Nos. 235, 247; Senate Bill No. 80, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

LOUIS W. BERGEVIN, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which were referred Assembly Bills Nos. 200, 201, 202, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JAMES STONE, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, 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.

JAMES STONE, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which was referred Senate Bill No. 186, has

had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN MARVEL, *Chairman*

Assemblyman Stone moved that the Assembly recess subject to the call of the Chair.

Motion carried.

Assembly in recess at 11:06 a.m.

ASSEMBLY IN SESSION

At 11:10 a.m.

Mr. Speaker presiding.

Quorum present.

INTRODUCTION AND FIRST READING OF LEGISLATION

By the Committee on Judiciary:

Assembly Bill No. 299—An Act relating to fees for witnesses; increasing fee a peace officer receives for attendance in a civil action; establishing a fee for his attendance at a deposition; and providing other matters properly relating thereto.

By Assemblymen Nevin, Bogaert and Beyer:

Assembly Bill No. 300—An Act relating to water meters; requiring ordinance to be enacted by certain cities and towns; requiring approval of that ordinance by the registered voters of the city or town; and providing other matters properly relating thereto.

By the Committee on Judiciary:

Assembly Bill No. 301—An Act relating to occupational diseases; extending the class of persons treated specially as police officers; and providing other matters properly relating thereto.

By the Committee on Judiciary:

Assembly Bill No. 302—An Act relating to the private investigator's licensing board; establishing standards for the regulation of polygraphic examiners; reviewing procedures and fees in connection with the investigation and licensing of persons subject to the authority of the board; increasing the penalties for unauthorized or improper conduct; and providing other matters properly relating thereto.

By Assemblymen Sedway, Schofield, Jeffrey, DuBois, Thomas, Williams, Thompson, Joerg, Arberry, Sader, Zimmer, Horne, Stone, Banner, O'Donnell, Little, Malone, Francis, Bogaert, Tebbs, Craddock, Dini, Price, Swain, Humke and Coffin:

Assembly Bill No. 303—An Act relating to taxes on retail sales; providing for submission to the voters of the question whether the Sales and Use Tax of 1955 should be amended to provide an exemption from the tax for prosthetic devices; creating similar exemptions from certain analogous taxes; and providing other matters properly relating thereto.

REFERENCE OF MEASURES TO COMMITTEES

Assembly Bill No. 298.

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

Motion carried.

Senate Bill No. 68.

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

Motion carried.

Senate Bill No. 93.

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

Motion carried.

Senate Bill No. 100.

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

Motion carried.

Senate Joint Resolution No. 23 of the 62nd Session.

Assemblyman Francis moved that the resolution be referred to the Committee on Judiciary.

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

In compliance with a notice given on a previous day, Assemblyman Joerg moved that the vote whereby Senate Bill No. 58 was refused passage be reconsidered.

Motion carried.

Assemblyman Bergevin moved that all rules be suspended, reading so far had considered second reading, rules further suspended, Assembly Bill No. 235 considered engrossed, declared an emergency measure under the Constitution and placed on third reading and final passage.

Remarks by Assemblyman Bergevin.

Motion carried unanimously.

Assemblyman Malone moved that Assembly Bill No. 174 be placed on the General File.

Assemblyman Dini moved that Assemblyman Malone's motion be amended and that Assembly Bill No. 174 be re-referred to the Committee on Judiciary.

Remarks by Assemblyman Dini.

Assemblyman Dini's motion carried.

Assemblyman Malone's motion carried, as amended.

Assemblyman Malone moved that Assembly Bill No. 104 be taken from the Chief Clerk's desk and placed on the General File.

Motion carried.

Assemblyman DuBois moved that Senate Bill No. 58 be taken from the General File and re-referred to the Committee on Commerce.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 72.

Bill read second time.

The following amendment was proposed by the Committee on Natural Resources, Agriculture and Mining:

Amendment No. 108.

Amend section 1, page 1, line 4, by deleting comma after "published" and inserting: "*for a period of 4 consecutive weeks,*".

Amend section 1, page 1, lines 15 through 17, by deleting all brackets.

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 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 [.] , *and may allow temporary use of the water in constructing a highway or in drilling a well to explore for oil, gas, hot water or minerals.*

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 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.".

Amend the title of the bill to read:

"An Act relating to the appropriation of water; specifying the period of publication for notice of an application; authorizing certain temporary appropriations; and providing other matters properly relating thereto.".

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. 167.

Bill read second time, ordered engrossed and to third reading.

Senate Bill No. 10.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 122.

Amend section 1, page 1, by deleting lines 4 through 6.

Amend section 1, page 1, line 7, by deleting "2. *As*" and inserting: "*weight of the controlled substance as*".

Amend the title of the bill, second line, by deleting: "of the package or the quantity".

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

Assembly Bill No. 3.

Bill read third time.

Remarks by Assemblyman O'Donnell.

Roll call on Assembly Bill No. 3:

YEAS—41.

NAYS—Stone.

Assembly Bill No. 3 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 6.

Bill read third time.

Remarks by Assemblyman Sader.

Roll call on Assembly Bill No. 6:

YEAS—42.

NAYS—None.

Assembly Bill No. 6 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 7.
Bill read third time.
Remarks by Assemblyman Sader.
Roll call on Assembly Bill No. 7:

YEAS—42.
NAYS—None.

Assembly Bill No. 7 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 65.
Bill read third time.
Remarks by Assemblyman Little.
Roll call on Assembly Bill No. 65:

YEAS—42.
NAYS—None.

Assembly Bill No. 65 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 66.
Bill read third time.
Remarks by Assemblyman Nicholas.
Roll call on Assembly Bill No. 66:

YEAS—42.
NAYS—None.

Assembly Bill No. 66 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 73.
Bill read third time.
Remarks by Assemblyman Stone.
Roll call on Assembly Bill No. 73:

YEAS—42.
NAYS—None.

Assembly Bill No. 73 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 148.
Bill read third time.
Remarks by Assemblyman Marvel.
Roll call on Assembly Bill No. 148:

YEAS—42.
NAYS—None.

Assembly Bill No. 148 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 Assemblyman Bergevin.

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. 228.

Bill read third time.

Remarks by Assemblymen Beyer and Stone.

Roll call on Assembly Bill No. 228:

YEAS—39.

NAYS—Horne, Little, Roberts—3.

Assembly Bill No. 228 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 63.

Bill read third time.

Remarks by Assemblymen Bergevin and Dini.

Roll call on Senate Bill No. 63:

YEAS—42.

NAYS—None.

Senate Bill No. 63 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 235.

Bill read third time.

Remarks by Assemblyman Dini.

Roll call on Assembly Bill No. 235:

YEAS—40.

NAYS—Little, Thomas—2.

Assembly Bill No. 235 having received a constitutional majority, Mr. Speaker declared it passed.

Assemblyman Bergevin moved that all rules be suspended and that Assembly Bill No. 235 be immediately transmitted to the Senate.

Motion carried unanimously.

Assembly Bill No. 104.

Bill read third time.

The following amendment was proposed by Assemblyman Malone:

Amendment No. 111.

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 482.377 is hereby amended to read as follows:

482.377 1. A person who qualifies under this section may register one passenger car or light commercial vehicle having a manufacturer's rated carrying capacity of one ton or less, for his own personal use. A veteran of the Armed Forces of the United States who, as a result of his service:

(a) Has suffered a [100-percent service-connected] *total* disability and who receives compensation from the United States for his disability, is entitled to a specially designed license plate inscribed with the words DISABLED VETERAN and three or four consecutive numbers.

(b) Has been captured and held prisoner by a military force of a foreign nation, is entitled to a specially designed license plate inscribed with the words ex-PRISONER OF WAR and three or four consecutive numbers.

2. The department shall issue a specially designed license plate for persons qualified under this section who submit an application on a form prescribed by the department and evidence of disability or former imprisonment required by the department.

3. A vehicle on which license plates issued by the department under the provisions of this section are displayed is exempt from the payment of any parking fees, including those collected through parking meters, charged by the state or any political subdivision or other public body within the state, other than the United States.

4. If during a registration year, the holder of a special plate issued under the provisions of this section disposes of the vehicle to which the plates are affixed, he shall retain the plates and:

(a) Affix them to another vehicle which meets the requirements of this section and report the change to the department in accordance with the procedure set forth for other transfers; or

(b) Within 30 days after removing the plates from the vehicle, return them to the department.

5. If the special plates provided for under this section are lost, stolen or mutilated, the owner of the vehicle may secure a set of replacement license plates from the department for a fee of $2.".

Amend the title of the bill, first line, after "veterans;", by inserting: "clarifying the definition of that status;".

Assemblyman Malone moved the adoption of the amendment.

Remarks by Assemblymen Malone and Banner.

Assemblyman Malone withdrew his motion.

Assemblyman Malone moved that Assembly Bill No. 104 be taken from the General File and re-referred to the Committee on Transportation.

Motion carried.

INTRODUCTION AND FIRST READING OF LEGISLATION

By Assemblymen Humke, Stone, Swain, Ham, Arberry, Sader, Rader, Malone and Roberts:

Assembly Bill No. 304—An Act relating to child abuse; enlarging the definition of sexual exploitation; providing penalties; and providing other matters properly relating thereto.

By Assemblymen DuBois, Beyer, Ham, Rader, Malone, Thomas, Bergevin and Zimmer:

Assembly Bill No. 305—An Act relating to abortion; prohibiting funding by any agency or political subdivision of the state unless necessary to preserve the life or health of a pregnant woman; providing a penalty; and providing other matters properly relating thereto.

By Assemblymen DuBois, Beyer, Malone, Humke, Ham, Rader, Thomas and Zimmer:

Assembly Bill No. 306—An Act relating to industrial insurance; requiring the premium rate of an employer to be determined by the hazards involved in the nature of the employer's business; providing a method by which the employer may appeal his premium rate; and providing other matters properly relating thereto.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Senate Bills Nos. 30, 51.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Stone, the privilege of the floor of the Assembly Chamber for this day was extended to Sister Elizabeth O'Neill, Mesdames Eileen Morrison, Kathy Vona, Ms. Katie Vona, and students from the Church of the Little Flower School, Reno, Nevada: Louise Arden, Christine Arrascada, Casey Bond, Patricia Clark, John Deitz, Carrie Doucette, Sally Easdon, Chris Eckert, Nona Erb, Frank Ferrari, Theresa Fraide, Kathlene Fry, Christopher Frye, Steven Gilkeson, Markham Hamilton, Jill Hammond, Anita Howard, Lori Jones, Yolanda Martinez, Daniel McClure, Leo Ouellette, Linda Paterek, Phil Pearson, Jeremy Pregaman, Denny Quesada, Erin Rix, Amy Roskoski, Jack Roxas, Daniel Ryan, Christopher Sims, Heather Stone, Marysia Terelak, Yolanda Tillis, Joseph Togliatti, Suzie Vona, Renate Wright, Jayme Mayhough and Chris Short.

On request of Assemblyman Nicholas, the privilege of the floor of the

Assembly Chamber for this day was extended to Ms. Nancy Moss and Diane Corawall.

On request of Assemblyman Sader, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Paul C. Leponi.

On request of Assemblyman Dini, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Danny Simpson and Marshall Young.

Assemblyman Francis moved that the Assembly adjourn until Wednesday, March 6, 1985 at 11 a.m.

Motion carried.

Assembly adjourned at 11:56 a.m.

Approved: BYRON L. BILYEU
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE FORTY-FIFTH DAY

CARSON CITY (Wednesday), March 6, 1985

Assembly called to order at 11 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, Assemblyman Gaylyn J. Spriggs.

Thank You, Father, for being with us today. We pray that You will watch over us and guide us, that You will give us the wisdom we need to do our jobs well, that You will give us patience and help us to love one another. We ask that You will be with us always and bless us this day, in Jesus' Name. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Francis 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 Judiciary, to which was referred Assembly Bill No. 186, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JAMES STONE, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which was referred Senate Bill No. 82, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JAMES STONE, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, March 5, 1985

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Senate Bills Nos. 129, 168.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 59, 145.

MARY JO MONGELLI
Assistant Secretary of the Senate

INTRODUCTION AND FIRST READING OF LEGISLATION

By the Committee on Elections:

Assembly Bill No. 307—An Act relating to political parties; permitting change in the composition of a county central committee after its selection; and providing other matters properly relating thereto.

By the Committee on Education:

Assembly Bill No. 308—An Act relating to state arboreta; requiring the board of regents of the University of Nevada to establish one at each branch; and providing other matters properly relating thereto.

By the Committee on Judiciary:

Assembly Bill No. 309—An Act relating to prisoners; increasing the penalty for obscene or threatening telephone calls or letters by a prisoner; and providing other matters properly relating thereto.

By the Committee on Judiciary:

Assembly Bill No. 310—An Act relating to lobbyists; enlarging the scope of reports which a lobbyist must file; prohibiting a lobbyist from making his compensation contingent upon the outcome of legislative action; and providing other matters properly relating thereto.

Senate Bill No. 59.

Bill read first time.

Senate Bill No. 129.

Bill read first time.

Senate Bill No. 145.

Bill read first time.

Senate Bill No. 168.

Bill read first time.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Stone moved that Assembly Bill No. 81 be taken from the Chief Clerk's desk and placed on the General File.

Motion carried.

REFERENCE OF MEASURES TO COMMITTEES

Assembly Bill No. 299.

Assemblyman Francis moved that the bill be referred to the Concurrent Committees on Judiciary and Ways and Means.

Motion carried.

Assembly Bill No. 300.

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

Motion carried.

Assembly Bill No. 301.

Assemblyman Francis moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

Assembly Bill No. 302.

Assemblyman Francis moved that the bill be referred to the Committee on Commerce.

Motion carried.

Assembly Bill No. 303.

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

Motion carried.

Assembly Bill No. 304.

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

Motion carried.

Assembly Bill No. 305.

Assemblyman DuBois moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

Assembly Bill No. 306.

Assemblyman DuBois moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

INTRODUCTION AND FIRST READING OF LEGISLATION

By the Committee on Natural Resources, Agriculture and Mining:

Assembly Bill No. 311—An Act relating to agriculture; limiting the treatment of agricultural activity as a nuisance for the purposes of civil and criminal liability; and providing other matters properly relating thereto.

SECOND READING AND AMENDMENT

Assembly Bill No. 106.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 134.

Amend the bill as a whole by deleting sections 1 through 5 and inserting:

"Section 1. NRS 380.110 is hereby amended to read as follows:

380.110 1. [Any] *Except as otherwise provided in subsection 5, any* ordinance of a board of county commissioners establishing a law library under the provisions of this chapter must require that, from the fees received by the county clerk pursuant to chapter 19 of NRS, a sum established by the ordinance, not exceeding $30 in any case, must be allocated by the county clerk to a fund designated as the law library fund. These allocations may be made from the fees collected by the county clerk for the commencement in or removal to the district court of the county of any civil action, proceeding or appeal, on filing the first paper therein, or from the fees collected by the county clerk for the appearance of any defendant, or any number of defendants, answering jointly or separately, or from both of these sources as may be determined by the ordinance.

2. All money so set aside must be paid by the county clerk to the county treasurer, who shall keep it separate in the law library fund.

3. The board of county commissioners may transfer from the county

general fund to the law library fund such amounts as it determines are necessary for purposes of the law library.

4. Money in the law library fund must be:

(a) Expended for the purchase of law books, journals, periodicals and other publications.

(b) Expended for the establishment and maintenance of the law library.

(c) Drawn therefrom and used and applied only as provided in this chapter.

5. In a county whose population is 250,000 or more, the sum established by the ordinance must be no less than $15 nor more than $30 in any case.".

Amend the title of the bill, first line, by deleting: "for special fees in civil actions" and inserting: "a minimum allocation".

Amend the summary of the bill, first line, by deleting: "special fees in civil actions" and inserting "minimum allocation".

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. 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. 202.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 247.

Bill read second time, ordered engrossed and to third reading.

Senate Bill No. 61.

Bill read second time and ordered to third reading.

Senate Bill No. 80.

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 Ham, Price and Thomas.

Roll call on Assembly Bill No. 58:

YEAS—32.

NAYS—Beyer, Collins, Francis, Humke, Jeffrey, Nicholas, Price, Roberts, Thompson, Williams—10.

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. 154.

Bill read third time.

Remarks by Assemblymen Spriggs, McGaughey, Joerg and Schofield.

Assemblyman Joerg moved that Assembly Bill No. 154 be taken from the General File and placed on the Chief Clerk's desk.

Motion carried.

Assembly Bill No. 167.

Bill read third time.

Remarks by Assemblymen Arberry, Schofield and Stone.

Assemblyman Francis moved that Assembly Bill No. 167 be taken from the General File and placed on the General File for the next legislative day.

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Francis moved that Assembly Bills Nos. 185, 197; Senate Bill No. 186; Assembly Bill No. 81 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 Senate Bills Nos. 24, 74, 76, 77.

REMARKS FROM THE FLOOR

Assemblyman Francis requested that Assemblyman Humke's remarks be entered in the Journal.

We have with us today a number of retailers from around the state. They are here to observe sessions of both houses . . . to sit in on committee hearings and to meet legislators on a one-to-one basis. "Retail Day" was first observed in 1983 and so today's event will mark the second such observance sponsored by the Nevada Retail Association.

The Legislature, I am sure, realizes the importance of a strong retail economy in Nevada if this state is to continue to attract new business and industry. There probably are more people employed in the retail industry in Nevada than in any other industry. I feel visits such as that being made to the Legislature today by retailers of the state are very worthwhile. It's important for retailers to become better acquainted with the legislative process as it affects the future of retail economy.

As one who has worked in the retail community, I would like to commend those people here today, looking us over. I would like to commend retailers of the state who continue to promote and develop Nevada's economy.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Arberry, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Rose McKinney.

On request of Assemblyman Humke, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Ken Gobrecht.

On request of Assemblyman Nicholas, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Randy Nahas.

On request of Mr. Speaker and Assemblyman Kerns, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Cathy Retterer, Mr. Jack Neal and students from Reno High School: Valerie Bayard-De-Volo, Peter Birks, Bob Blanda, Joy Bruce, Michelle Callahan, Kristin Campbell, Devin Cassas, Steve Curry, Christopher Fast, Shawn Furgason, Beth Goodfellow, Heather Hamilton, Jennifer Harrington, Becky Judd, Jon Judd, Leslie Kirkpatrick, Christie Klefman, Edie Krause, Sonja Lieder, Peter Lowden, Ricque Luttges, Linda Martin, Mini Metzker, Deanna Michelini, Miranda Morris, Monica Murray, Liz Nelson, Shannon Newell, Dan Olsen, Jon Pettengill, Tiziana Pittau, Erik Polaha, Milton Parker, Todd Roberts, Trisha Rodgers, Trent Schmidt, Bonnie Schulte, Marty Sims, Larry Sumrall, Tricia Tatu, Brent Webster, Glen Wilson, Louisa Wohletz, Danielle Woddard, Matt Woodhead and Shelly Zunino.

On request of Assemblyman Beyer, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Yvonne Shaw and Valerie Bayard-De-Volo.

Assemblyman Francis moved that the Assembly adjourn until Thursday, March 7, 1985 at 11 a.m.

Motion carried.

Assembly adjourned at 11:38 a.m.

Approved:

BYRON L. BILYEU
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE FORTY-SIXTH DAY

CARSON CITY (Thursday), March 7, 1985

Assembly called to order at 11:01 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, Assemblyman Joseph E. Dini, Jr.

Dear Heavenly Father and great architect of the universe, please bring to us this day happiness and may those ailing and ill return to good health. O, Lord, people matter; especially when we stand in the grandeur of individual integrity for value on which their future hinges. Society hangs on a thread called integrity and it surges with power and vitality when there is moral quality in the people. Lord, the people; not thrones, not crowns but men who dare to be honest and forthright. Give us the grace to love by these principles. In the name of the Father, Son and Holy Ghost. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Francis 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 Ways and Means, to which were referred Assembly Bills Nos. 239, 243; Senate Bills Nos. 23, 50, 90, 112, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN MARVEL, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Natural Resources, Agriculture and Mining, to which were referred Assembly Bills Nos. 40, 41, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

VIRGIL GETTO, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which were referred Senate Bills Nos. 66, 69, 88, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

LOUIS W. BERGEVIN, *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.

JAMES STONE, *Chairman*

Mr. Speaker:

Your Committee on Transportation, to which was re-referred Assembly Bill No. 104, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass, as amended.

MIKE MALONE, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, March 6, 1985

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. 27, 29, 87, 113, 118, 120, 123.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Joint Resolution No. 9.

Also, I have the honor to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 18.

Also, I have the honor to inform your honorable body that the Senate on this day adopted, as amended, Senate Concurrent Resolutions Nos. 6, 7, 8, 9, 10, 11, 12, 14.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen DuBois, Getto, Nicholas, Thomas, Beyer, O'Donnell, Rader, Lambert, Fairchild and Bergevin:

Assembly Joint Resolution No. 11—Proposing to amend the Nevada constitution to require the legislature to fund the expenditures required by it of local governments.

RESOLVED BY THE ASSEMBLY AND SENATE OF THE STATE OF NEVADA, JOINTLY, That article 9 of the constitution of the State of Nevada be amended by adding thereto a new section to read as follows:

Sec. 6. If the legislature requires an additional expenditure by a local government that exceeds 1 percent of its annual budget, for a purpose for which local expenditure was not required on January 1, 1984, it shall provide the necessary revenue therefor.

Senate Joint Resolution No. 9.
Resolution read first time.

Senate Concurrent Resolution No. 6.
Resolution read.

Senate Concurrent Resolution No. 7.
Resolution read.

Senate Concurrent Resolution No. 8.
Resolution read.

Senate Concurrent Resolution No. 9.
Resolution read.

Senate Concurrent Resolution No. 10.
Resolution read.

Senate Concurrent Resolution No. 11.
Resolution read.

Senate Concurrent Resolution No. 12.
Resolution read.

Senate Concurrent Resolution No. 14.
Resolution read.

Senate Concurrent Resolution No. 18.
Resolution read.

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 11:11 a.m.
Mr. Speaker pro Tempore presiding.
Quorum present.

INTRODUCTION AND FIRST READING OF LEGISLATION

By Assemblymen DuBois, Nicholas, Thomas, Sedway, Getto, Beyer, Malone, Rader, Lambert, Stone, Fairchild, Bergevin, Little, Zimmer, Thompson and Roberts:

Assembly Bill No. 312—An Act relating to prisoners; requiring the director of the department of prisons to provide employment; allowing credit against the sentences of certain prisoners for participation in a program of employment; permitting any prisoner to assign his wages to the department as restitution to his victim; and providing other matters properly relating thereto.

By the Committee on Transportation:

Assembly Bill No. 313—An Act relating to funeral processions; revising the traffic laws concerning funeral processions; authorizing the issuance of permits as emergency vehicles for vehicles used to escort funeral processions; and providing other matters properly relating thereto.

By the Committee on Government Affairs:

Assembly Bill No. 314—An Act relating to administrative procedure; permitting waiver of requirement that the decision include findings of fact, conclusions of law and adduced evidence; and providing other matters properly relating thereto.

By Assemblyman Malone:

Assembly Bill No. 315—An Act relating to criminal procedure; authorizing the transfer of an action to the township in which the defendant resides under certain circumstances; and providing other matters properly relating thereto.

By the Committee on Labor and Management:

Assembly Bill No. 316—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.

By the Committee on Labor and Management:

Assembly Bill No. 317—An Act relating to the state industrial insurance system; changing the composition of the board of directors; increasing the number of its members; and providing other matters properly relating thereto.

By the Committee on Commerce:

Assembly Bill No. 318—An Act relating to motor vehicles; making various changes in the law concerning proof of financial responsibility; allowing a person involved in an accident or his insurer to obtain information which was submitted to the department of motor vehicles concerning another person involved in the accident; and providing other matters properly relating thereto.

By the Committee on Health and Welfare:

Assembly Bill No. 319—An Act relating to children; enacting into law the Interstate Compact on the Placement of Children; and providing other matters properly relating thereto.

By Assemblymen McGaughey, Bilyeu, Dini, Jeffrey, Francis, Ham, Sedway, Price, Rader, Fairchild, Arberry, Roberts, Horne, Collins, Thompson, Williams, Banner, Bogaert, Nevin, Coffin, O'Donnell, Malone, Lambert, Spriggs, Craddock, Bergevin, Joerg, Getto, Swain, Zimmer, Kerns and Beyer:

Assembly Bill No. 320—An Act relating to bail; expanding the factors for consideration for release of a person without bail; expanding the factors for the determination of the amount of bail; and providing other matters properly relating thereto.

Senate Bill No. 27.
Bill read first time.

Senate Bill No. 29.
Bill read first time.

Senate Bill No. 87.
Bill read first time.

Senate Bill No. 113.
Bill read first time.

Senate Bill No. 118.
Bill read first time.

Senate Bill No. 120.
Bill read first time.

Senate Bill No. 123.
Bill read first time.

REFERENCE OF MEASURES TO COMMITTEES

Assembly Bill No. 307.
Assemblyman Francis moved that the bill be referred to the Committee on Elections.
Motion carried.

Assembly Bill No. 308.
Assemblyman Francis moved that the bill be referred to the Concurrent Committees on Education and Ways and Means.
Motion carried.

Assembly Bill No. 309.
Assemblyman Francis moved that the bill be referred to the Committee on Judiciary.
Motion carried.

Assembly Bill No. 310.
Assemblyman Francis moved that the bill be referred to the Committee on Legislative Functions.
Motion carried.

Assembly Bill No. 311.
Assemblyman Francis moved that the bill be referred to the Committee on Natural Resources, Agriculture and Mining.
Motion carried.

Senate Bill No. 59.
Assemblyman Francis moved that the bill be referred to the Committee on Judiciary.
Motion carried.

Senate Bill No. 129.
Assemblyman Francis moved that the bill be referred to the Committee on Commerce.
Motion carried.

Senate Bill No. 145.
Assemblyman Francis moved that the bill be referred to the Committee on Commerce.
Motion carried.

Senate Bill No. 168.
Assemblyman Francis moved that the bill be 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 11:18 a.m.

ASSEMBLY IN SESSION

At 11:19 a.m.

Mr. Speaker presiding.

Quorum present.

SECOND READING AND AMENDMENT

Assembly Bill No. 186.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 146.

Amend sec. 3, page 1, line 10, after "vehicles." by inserting: "*If an agency has submitted a record regarding the arrest of a person who is later determined by the agency not to be the person who committed the particular crime, the agency shall, immediately upon making that determination, so notify the division. The division shall delete all references in the central repository relating to that particular arrest.*".

Amend the bill as a whole by renumbering sections 8 through 12 as sections 9 through 13 and adding a new section designated section 8, following section 7, to read as follows:

"Sec. 8. NRS 179A.140 is hereby amended to read as follows:

179A.140 *1.* Agencies of criminal justice may charge a reasonable fee for any Nevada records of criminal history furnished to any person or governmental entity except another agency of criminal justice.

2. All money received or collected by the department of motor vehicles pursuant to this section must be used to defray the cost of operating the central repository.".

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.

Senate Bill No. 82.

Bill read second time and ordered to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Getto moved that Assembly Bill No. 72 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Getto.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 81.
Bill read third time.
Remarks by Assemblymen Stone, Nevin and Collins.
Roll call on Assembly Bill No. 81:
YEAS—42.
NAYS—None.

Assembly Bill No. 81 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 167.
Bill read third time.
Remarks by Assemblyman Arberry.
Roll call on Assembly Bill No. 167:
YEAS—42.
NAYS—None.

Assembly Bill No. 167 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 Assemblymen Stone, Zimmer and Roberts.
Roll call on Assembly Bill No. 185:
YEAS—41.
NAYS—None.
Not voting—Sader.

Assembly Bill No. 185 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 197.
Bill read third time.
Remarks by Assemblyman Bergevin.
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, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 200.
Bill read third time.
Remarks by Assemblymen Stone and Price.

Roll call on Assembly Bill No. 200:

YEAS—41.
NAYS—Little.

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 Swain.

Roll call on Assembly Bill No. 201:

YEAS—41.
NAYS—Horne.

Assembly Bill No. 201 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 202.

Bill read third time.

Remarks by Assemblymen Rader, Price, Stone and Dini.

Assemblyman Dini moved that Assembly Bill No. 202 be taken from the General File and placed on the Chief Clerk's desk.

Motion carried.

Assemblyman Malone moved that the Assembly recess subject to the call of the Chair.

Motion carried.

Assembly in recess at 11:40 a.m.

ASSEMBLY IN SESSION

At 11:44 a.m.

Mr. Speaker presiding.

Quorum present.

GENERAL FILE AND THIRD READING

Assembly Bill No. 247.

Bill read third time.

Remarks by Assemblymen Kerns, Jeffrey and Bergevin.

Roll call on Assembly Bill No. 247:

YEAS—42.
NAYS—None.

Assembly Bill No. 247 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 10.

Bill read third time.

Remarks by Assemblymen Sader and Collins.
Roll call on Senate Bill No. 10:
YEAS—42.
NAYS—None.

Senate Bill No. 10 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Senate Bill No. 61.
Bill read third time.
Remarks by Assemblyman Malone.
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.

Senate Bill No. 80.
Bill read third time.
Remarks by Assemblyman Bogaert.
Roll call on Senate Bill No. 80:
YEAS—42.
NAYS—None.

Senate Bill No. 80 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 186.
Bill read third time.
Remarks by Assemblyman Marvel.
Roll call on Senate Bill No. 186:
YEAS—42.
NAYS—None.

Senate Bill No. 186 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

INTRODUCTION AND FIRST READING OF LEGISLATION

By the Committee on Ways and Means:
Assembly Bill No. 321—An Act making an appropriation to the division of water resources of the state department of conservation and natural resources for microfilming the original records of the state engineer and purchasing certain vehicles for investigations; and providing other matters properly relating thereto.

By the Committee on Ways and Means:

Assembly Bill No. 322—An Act making an appropriation to the University of Nevada System for the support of the clinic established to provide medical services to recipients of Medicaid; and providing other matters properly relating thereto.

By the Committee on Government Affairs:

Assembly Bill No. 323—An Act relating to public employees; changing the date they may first participate in group insurance; and providing other matters properly relating thereto.

By the Committee on Transportation:

Assembly Bill No. 324—An Act relating to motor vehicles; prohibiting the parking of an unregistered motor vehicle on a public road; authorizing any peace officer to seize a motor vehicle under certain circumstances; and providing other matters properly relating thereto.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Senate Bill No. 63.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Roberts, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Julian Wallace and Mrs. Lillian Wallace.

On request of Assemblyman Malone, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Steve Cozine.

On request of Assemblymen Getto and Dini, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. James Wood.

On request of Assemblyman Horne, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Lorraine Bailey.

Assemblyman Francis moved that the Assembly adjourn until Friday, March 8, 1985 at 11 a.m.

Motion carried.

Assembly adjourned at 12:06 p.m.

Approved:

BYRON L. BILYEU
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE FORTY-SEVENTH DAY

CARSON CITY (Friday), March 8, 1985

Assembly called to order at 11:05 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, Assemblyman Jane Ham.

Oh, Lord, our Governor, whose glory is in all the world, we commend this nation to Thy merciful care, that being guided by Thy providence, we may dwell secure in Thy peace. Grant to Ronald, the President of the United States, to Richard, the Governor of this State, and to all in authority wisdom and strength to know and to do Thy will. Fill us with the love of truth and righteousness and make us ever mindful of our calling to serve Thy people. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Francis 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. 149, 168 has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

LOUIS W. BERGEVIN, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which was referred Assembly Bill No. 83, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JAMES STONE, *Chairman*

Mr. Speaker:

Your Committee on Education, 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.

ERIK BEYER, *Chairman*

Mr. Speaker:

Your Committee on Elections, to which was referred Assembly Bill No. 171, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JANE HAM, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, March 7, 1985

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 15, 68, 100, 102.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Bills Nos. 134, 151, 152.

MARY JO MONGELLI
Assistant Secretary of the Senate

INTRODUCTION AND FIRST READING OF LEGISLATION

By the Committee on Government Affairs:

Assembly Bill No. 325—An Act relating to taxes on transient lodging; authorizing small counties to assign the proceeds of certain taxes to a general improvement district which furnishes recreational facilities; prohibiting the revocation of the assignment if the proceeds have been pledged for the repayment of certain obligations; and providing other matters properly relating thereto.

By the Committee on Elections:

Assembly Bill No. 326—An Act relating to elections; facilitating the use of a computer to register voters; and providing other matters properly relating thereto.

By the Committee on Commerce:

Assembly Bill No. 327—An Act relating to depository financial institutions; providing in skeleton form for interstate banking among western states and eventual interstate banking without limitation; adding to the powers and duties of the administrator of financial institutions; and providing other matters properly relating thereto.

Senate Bill No. 134.

Bill read first time.

Senate Bill No. 151.

Bill read first time.

Senate Bill No. 152.

Bill read first time.

REFERENCE OF MEASURES TO COMMITTEES

Assembly Bill No. 312.

Assemblyman DuBois moved that the bill be referred to the Concurrent Committees on Judiciary and Ways and Means.

Motion carried.

Assembly Bill No. 313.

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

Motion carried.

Assembly Bill No. 314.

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

Motion carried.

Assembly Bill No. 315.

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

Motion carried.

Assembly Bill No. 316.

Assemblyman Francis moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

Assembly Bill No. 317.

Assemblyman Francis moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

Assembly Bill No. 318.

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

Motion carried.

Assembly Bill No. 319.

Assemblyman Francis moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

Assembly Bill No. 320.

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

Motion carried.

Assembly Bill No. 321.

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

Motion carried.

Assembly Bill No. 322.

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

Motion carried.

Assembly Bill No. 323.

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

Motion carried.

Assembly Bill No. 324.

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

Motion carried.

Assembly Joint Resolution No. 11.

Assemblyman DuBois moved that the resolution be referred to the Committee on Ways and Means.

Motion carried.

Senate Bill No. 27.

Assemblyman Francis moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 29.

Assemblyman Francis moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 87.

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

Motion carried.

Senate Bill No. 113.

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

Motion carried.

Senate Bill No. 118.

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

Motion carried.

Senate Bill No. 120.

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

Motion carried.

Senate Bill No. 123.

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

Motion carried.

Senate Joint Resolution No. 9.

Assemblyman Francis moved that the resolution be referred to the Committee on Economic Development and Tourism.

Motion carried.

Senate Concurrent Resolution No. 6.

Assemblyman Francis moved that the resolution be referred to the Committee on Education.

Motion carried.

Senate Concurrent Resolution No. 7.

Assemblyman Francis moved that the resolution be referred to the Committee on Education.

Motion carried.

Senate Concurrent Resolution No. 8.

Assemblyman Francis moved that the resolution be referred to the Committee on Education.

Motion carried.

Senate Concurrent Resolution No. 9.

Assemblyman Francis moved that the resolution be referred to the Committee on Education.

Motion carried.

Senate Concurrent Resolution No. 10.

Assemblyman Francis moved that the resolution be referred to the Committee on Education.

Motion carried.

Senate Concurrent Resolution No. 11.

Assemblyman Francis moved that the resolution be referred to the Committee on Education.

Motion carried.

Senate Concurrent Resolution No. 12.

Assemblyman Francis moved that the resolution be referred to the Committee on Education.

Motion carried.

Senate Concurrent Resolution No. 14.

Assemblyman Francis moved that the resolution be referred to the Committee on Education.

Motion carried.

Senate Concurrent Resolution No. 18.

Assemblyman Francis moved that the resolution be referred to the Committee on Education.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Ways and Means, to which was referred Assembly Bill No. 119, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

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JOHN MARVEL, *Chairman*

SECOND READING AND AMENDMENT

Assembly Bill No. 40.

Bill read second time.

The following amendments were proposed by the Committee on Natural Resources, Agriculture and Mining:

Amendment No. 113.

Amend the bill as a whole by renumbering sections 4 through 8 as sections 5 through 9 and adding a new section designated section 4, following section 3, to read as follows:

"Sec. 4. NRS 444.748 is hereby amended to read as follows:

444.748 1. The commission shall adopt regulations for the granting, renewal, modification, suspension, revocation and denial of permits.

2. *If the local government within whose territory a facility for the treatment, storage or disposal of hazardous waste is to be located requires that a special use permit or other authorization be obtained for such a facility or activity, the application to the department for a permit to operate such a facility must show that local authorization has been obtained.*

3. Permits may contain terms and conditions which the department considers necessary and which conform to the provisions of regulations adopted by the commission.

[3.] *4.* Permits may be issued for any period not more than 5 years.

[4.] *5.* The department may suspend or revoke a permit pursuant to the commission's regulations if the holder of the permit fails or refuses to comply with the terms of the permit or a regulation of the commission relating to hazardous waste.".

Amend sec. 5, page 2, line 37, by deleting "secrets," and inserting: "secrets [,] *of any person, including any*".

Amend sec. 5, page 2, by deleting line 38 and inserting: "apparatus , [of any person; or".

Amend sec. 5, page 2, line 42, after "protection" by deleting the period and bracket.

Amend sec. 5, page 2, line 43, after "secret." by deleting the bracket.

Amend sec. 6, page 3, by deleting line 21 and inserting: "[monitoring] device or method *for continuing observation* required by".

Amend sec. 6, page 3, line 26, after "*day*" by inserting: "*the false document remains uncorrected or*".

Amend the title of the bill, third line, after "money;" by inserting: "reinforcing local regulation of certain activities;".

Amendment No. 164.

Amend sec. 3, page 1, line 12, by deleting "*The*" and inserting: "*Except as otherwise provided in subsection 2, the*".

Amend sec. 3, page 1, lines 13 and 14, by deleting "*of:*

(a) The" and inserting "of the".

Amend sec. 3, page 1, line 15, by deleting the semicolon and inserting a period.

Amend sec. 3, page 2, line 1, by deleting "*(b)*" and inserting:

"2. *If the person responsible for spilling hazardous waste does not act promptly and appropriately to clean and decontaminate the affected area properly, and if his inaction presents an imminent and substantial hazard to human health, public safety or the environment, money from the fund may be expended to pay the costs of:*

(a)".

Amend sec. 3, page 2, line 2, by deleting "*(c)*" and inserting "*(b)*".

Amend sec. 3, page 2, line 4, by deleting "*(d)*" and inserting "*(c)*".

Amend sec. 3, page 2, line 7, by deleting "*(e)*" and inserting "*(d)*".

Amend sec. 3, page 2, line 10, by deleting "2." and inserting "*3.*".

Amend sec. 3, page 2, by deleting line 11 and inserting: "*expended pursuant to subsection 2*".

Amend sec. 3, page 2, line 19, by deleting "*3.*" and inserting "*4.*".

Assemblyman Schofield moved the adoption of the amendments.

Remarks by Assemblyman Schofield.

Amendments adopted.

Bill ordered reprinted, engrossed and to the Concurrent Committee on Ways and Means.

Assembly Bill No. 41.

Bill read second time.

The following amendment was proposed by the Committee on Natural Resources, Agriculture and Mining:

Amendment No. 145.

Amend sec. 2, page 1, by deleting lines 3 and 4 and inserting:

"Sec. 2. *"Contaminant" means any physical, chemical, biological or radiological substance or matter which is added to water.*".

Amend sec. 6, page 3, by deleting lines 2 and 3 and inserting: "*to prohibit those injections into underground water, if it supplies or may reasonably be*".

Amend sec. 6, page 3, line 5, by deleting "*and*".

Amend sec. 9, page 5, by deleting line 8 and inserting: "3. *Which would result in the*".

Assemblyman Schofield moved the adoption of the amendment.

Remarks by Assemblyman Schofield.

Amendment adopted.

Bill ordered reprinted, engrossed and to the Concurrent Committee on Ways and Means.

Assembly Bill No. 239.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 243.

Bill read second time, ordered 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. 137.

Amend the bill as a whole by deleting sections 8, 9 and 10 and renumbering section 11 as section 8.

Amend the title of the bill, second line, by deleting: "providing additional grounds for divorce and annulment;".

Amend the summary of the bill to read: "Makes various changes in provisions regulating abortion. (BDR 40-1319)".

Assemblyman O'Donnell moved the adoption of the amendment.

Remarks by Assemblyman O'Donnell.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 23.

Bill read second time and ordered to third reading.

Senate Bill No. 50.

Bill read second time and ordered to third reading.

Senate Bill No. 66.

Bill read second time and ordered to third reading.

Senate Bill No. 69.

Bill read second time and ordered to third reading.

Senate Bill No. 88.

Bill read second time and ordered to third reading.

Senate Bill No. 90.

Bill read second time and ordered to third reading.

Senate Bill No. 112.

Bill read second time and ordered to third reading.

INTRODUCTION AND FIRST READING OF LEGISLATION

By the Committee on Judiciary:

Assembly Bill No. 328—An Act relating to nuisances; allowing members of a class to bring an action on behalf of all members of the class; providing for punitive damages; and providing other matters properly relating thereto.

By the Committee on Labor and Management:

Assembly Bill No. 329—An Act relating to industrial insurance; permitting the system to recover overpayments to claimants; requiring restitution of fraudulently obtained payments; assessing a fine against an employer who makes misrepresentations so the benefits will be denied; and providing other matters properly relating thereto.

GENERAL FILE AND THIRD READING

Assembly Bill No. 104.

Bill read third time.

Remarks by Assemblyman Banner.
Roll call on Assembly Bill No. 104:
YEAS—41.
NAYS—Thomas.

Assembly Bill No. 104 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 106.
Bill read third time.
Remarks by Assemblyman Malone.
Roll call on Assembly Bill No. 106:
YEAS—42.
NAYS—None.

Assembly Bill No. 106 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Senate Bill No. 82.
Bill read third time.
Remarks by Assemblyman Williams.
Roll call on Senate Bill No. 82:
YEAS—42.
NAYS—None.

Senate Bill No. 82 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 11:45 a.m.

ASSEMBLY IN SESSION

At 12:09 p.m.
Mr. Speaker presiding.
Quorum present.

INTRODUCTION AND FIRST READING OF LEGISLATION

By Assemblymen Jeffrey, Dini, Schofield and Thompson:
Assembly Bill No. 330—An Act making an appropriation to the mental hygiene and mental retardation division of the department of human resources for the purchase of equipment for data processing and for the payment of expenses related to the improvement of its facilities; and providing other matters properly relating thereto.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, March 8, 1985

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. 235, and respectfully requests your honorable body to concur in said amendment.

MARY JO MONGELLI
Assistant Secretary of the Senate

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 235.

The following Senate amendment was read:

Amendment No. 171.

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 becomes effective upon passage and approval.".

Assemblyman Dini moved that the Assembly concur in the Senate amendment to Assembly Bill No. 235.

Remarks by Assemblyman Dini.

Motion carried.

Bill ordered reprinted, re-engrossed and enrolled.

REMARKS FROM THE FLOOR

Assemblyman Francis requested that Assemblyman Schofield's remarks be entered in the Journal.

"Sometime, when you're feeling important,
Sometime, when your ego's in bloom,
Sometime, when you take it for granted,
You're the best qualified in the room.
Sometime, when you feel that your going
Would leave an unfillable hole, then
Just follow this simple instruction
And see how it humbles your soul.
Take a bucket and fill it with water;
Put your hand in it up to your wrist;
Pull it out, and the hole that's remaining
Is a measure of just how you'll be missed.
You may splash all you please when you enter;
You can stir up the water galore;
But stop, and you'll find in a minute
That it looks quite the same as before.
The moral in this quaint example
Is to do just the best that you can.
Be proud of yourself, but remember,
There is no indispensable man."

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Fairchild, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Denby Meyer and Dena Hewitson.

On request of Assemblyman Malone, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Terri Malone and Mr. Robert Emde.

On request of Assemblyman Getto, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Al Benedetti.

On request of Assemblyman Lambert, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Vickie Finley.

On request of Assemblyman Humke, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Dennis Cameron, Kenny Cameron, Mrs. Jeanne Cameron and Ms. Katherine Cameron.

On request of Assemblyman Beyer, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. James Richardson.

Assemblyman Francis moved that the Assembly adjourn until Monday, March 11, 1985 at 11 a.m.

Motion carried.

Assembly adjourned at 12:13 p.m.

Approved: BYRON L. BILYEU
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE FIFTIETH DAY

CARSON CITY (Monday), March 11, 1985

Assembly called to order at 11:02 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, Assemblyman Terry Tebbs.

Our Father in Heaven, we come before Thee today to give thanks for the many blessings that we enjoy. We are grateful for the opportunity we have to live in this great state and nation and for the freedoms that we enjoy—freedoms which allow groups such as this to assemble. We are grateful for the opportunity we have as members of this assembly to serve the citizens of Nevada and help us Father to always be mindful that we are here to serve. Bless us with the wisdom to carry out our duties in a responsible manner, always remembering the impact our decisions will have. Father, bless each member of this body with the insight and understanding necessary to bring our many diverse backgrounds and thoughts together in a constructive way, always seeking that which is best for the citizens of Nevada as a whole. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Francis 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. 13, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JAMES STONE, *Chairman*

Mr. Speaker:

Your Committee on Transportation, to which were referred Assembly Bills Nos. 220, 221, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

MIKE MALONE, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, March 8, 1985

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. 156.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen Thompson, Schofield, Fairchild, Rader, Lambert, O'Donnell, Williams, McGaughey, Banner, Bogaert, Getto, Kerns, Francis, Dini, Ham, Jeffrey, Thomas, Horne, Zimmer, Sader, Arberry, Nevin, Swain, Spriggs, Coffin, Tebbs, Craddock, Roberts, Humke, Nicholas, Beyer, Stone, Collins, DuBois, Price, Bergevin, Malone, Sedway, Marvel, Joerg and Bilyeu:

Assembly Concurrent Resolution No. 17—Commending parent-teacher associations and designating March 11, 1985, 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 23,259 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 four 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 March 11, 1985, 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 Thompson moved the adoption of the resolution.

Remarks by Assemblyman Thompson.

Resolution adopted.

By Assemblymen Thomas and Joerg:

Assembly Concurrent Resolution No. 18—Designating March 11, 1985, as the Day of Recognition for the Virginia & Truckee Railroad Museum.

WHEREAS, The Virginia & Truckee Railroad was the first short-line railway in Nevada and carried the commerce of the silver state for 80 years; and

WHEREAS, The Virginia & Truckee Railroad became the most famous mining railway in America and has been celebrated in many history books; and

WHEREAS, Many of the vintage steam locomotives and antique passenger and freight cars of the Virginia & Truckee Railroad were sold to various Hollywood movie studios and won immortality on the silver screen; and

WHEREAS, The Southern Pacific Railroad and the Union Pacific Railroad, two of the original transcontinental railroads built across the western states, have donated valuable railroad equipment to the Virginia & Truckee Railroad Museum; now, therefore, be it

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, THE SENATE CONCURRING, That the legislature of the State of Nevada hereby expresses its gratitude

to the Union Pacific Railroad and to the Southern Pacific Railroad for their assistance in the continued expansion of the Virginia & Truckee Railroad Museum; and be it further

RESOLVED, That Monday, March 11 be designated as a Day of Recognition for the Virginia & Truckee Railroad Museum; and be it further

RESOLVED, That copies of this resolution be transmitted by the legislative counsel to the chief executive officer of the Union Pacific Railroad and the chief executive officer of the Southern Pacific Transportation Company.

Assemblyman Thomas moved the adoption of the resolution.

Remarks by Assemblyman Thomas.

Resolution adopted.

Assemblyman Thomas moved that all rules be suspended and that Assembly Concurrent Resolution No. 18 be immediately transmitted to the Senate.

Motion carried unanimously.

INTRODUCTION AND FIRST READING OF LEGISLATION

By the Committee on Government Affairs:

Assembly Bill No. 331—An Act relating to unincorporated towns; authorizing certain town boards to initiate annexations; and providing other matters properly relating thereto.

By the Committee on Government Affairs:

Assembly Bill No. 332—An Act relating to cities; establishing alternative criteria for annexation in counties whose population is 250,000 or more; and providing other matters properly relating thereto.

By the Committee on Government Affairs:

Assembly Bill No. 333—An Act relating to state printing; changing the name of the state printing and records division to the state printing and micrographics division; and providing other matters properly relating thereto.

By Assemblyman Dini:

Assembly Bill No. 334—An Act relating to cities; repealing a section of NRS to conform with the Local Government Purchasing Act; amending the charter of the City of Yerington; and providing other matters properly relating thereto.

Senate Bill No. 156.

Bill read first time.

REFERENCE OF MEASURES TO COMMITTEES

Assembly Bill No. 325.

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

Motion carried.

Assembly Bill No. 326.

Assemblyman Francis moved that the bill be referred to the Committee on Elections.

Motion carried.

Assembly Bill No. 327.

Assemblyman Francis moved that the bill be referred to the Committee on Commerce.

Motion carried.

Assembly Bill No. 328.

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

Motion carried.

Assembly Bill No. 329.

Assemblyman Francis moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

Assembly Bill No. 330.

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

Motion carried.

Senate Bill No. 134.

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

Motion carried.

Senate Bill No. 151.

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

Motion carried.

Senate Bill No. 152.

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

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 83.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 157.

Amend section 1, page 1, line 8, by deleting "*if the*" and inserting "*if:*".

Amend section 1, page 1, by deleting lines 9 through 13 and inserting:

"*(a) The district attorney of the county has stated in writing to the attorney general that he does not intend to act in the matter; or*

(b) The attorney general has inquired in writing of the district attorney whether he intends to act in the matter and:

(1) The attorney general has not received a written response within 30 days after the district attorney received the inquiry; or

(2) The district attorney responds in writing that he intends to act in the matter, but an information or indictment is not filed within 90 days after the response.".

Amend section 1, page 1, after line 16, by inserting:

"*4. An information or indictment may not be dismissed on the ground that the district attorney or attorney general has not complied with this section.*".

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. 119.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 134.

Bill read second time.

The following amendment was proposed by the Committee on Education:

Amendment No. 158.

Amend section 1, page 1, line 5, by deleting the comma and inserting: "*in school administration.*".

Amend section 1, page 1, by deleting line 6.

Amend section 1, page 1, line 8, by deleting "*1985,*" and inserting "*1987,*".

Amend section 1, page 1, line 9, by deleting the period and inserting: "*in school administration.*".

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. 149.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 160.

Amend sec. 2, page 2, line 32, after "*or*", by inserting: "*the town board of 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. 168.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 153.

Amend sec. 2, page 1, line 16, after "(c) The", by inserting: "*storage and use of explosives in any commercial construction, but not in mining or the control of avalanches.*

(d) The".

Amend sec. 2, page 2, line 9, by deleting "(d)" and inserting "[(d)] *(e)*".

Amend sec. 3, page 3, by deleting line 21 and inserting:

"(b) Use of explosives [by qualified persons for commercial purposes.] *in any commercial construction, but not in mining or the control of avalanches.*".

Amend sec. 3, page 3, line 22, by deleting the bracket.

Amend the title of the bill, first line, after "regulation of" by inserting "certain".

Assemblyman Spriggs moved the adoption of the amendment.

Remarks by Assemblyman Spriggs.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 171.

Bill read second time.

The following amendment was proposed by the Committee on Elections:

Amendment No. 140.

Amend section 1, page 1, line 16, by inserting "*completed*" before "forms".

Amend sec. 2, page 2, by deleting lines 30 through 33 and inserting: "conviction of any offense provided for in subsection 2.] *A county clerk or deputy registrar shall not:*

(a) Solicit a vote for or against a particular question or candidate;

(b) Speak to a voter on the subject of marking his ballot for or against a particular question or candidate; or".

Amend sec. 2, page 2, line 34, by deleting "*Distributes*" and inserting "*Distribute*".

Amend sec. 2, page 2, by deleting lines 37 through 39 and inserting: "*isters the elector.*

4. *Upon the submission to the county clerk by any person of an affidavit alleging that a deputy registrar has violated subsection 3, the county clerk shall require the deputy registrar to return all affidavits of registration which he possesses to the county clerk. The county clerk shall complete an investigation of the allegation within 10 days after the affidavit is submitted. If he determines that there is probable cause to believe the allegation is true, he shall terminate the appointment of the deputy registrar.*".

Assemblyman Swain moved the adoption of the amendment.

Remarks by Assemblymen Swain and Malone.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

GENERAL FILE AND THIRD READING

Assembly Bill No. 239.
Bill read third time.
Remarks by Assemblyman Tebbs.
Roll call on Assembly Bill No. 239:
YEAS—42.
NAYS—None.

Assembly Bill No. 239 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 243.
Bill read third time.
Remarks by Assemblyman Nicholas.
Roll call on Assembly Bill No. 243:
YEAS—42.
NAYS—None.

Assembly Bill No. 243 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 23.
Bill read third time.
Remarks by Assemblyman Thomas.
Roll call on Senate Bill No. 23:
YEAS—42.
NAYS—None.

Senate Bill No. 23 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 50.
Bill read third time.
Remarks by Assemblymen Nevin, O'Donnell and 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. 66.
Bill read third time.
Remarks by Assemblyman Spriggs.
Roll call on Senate Bill No. 66:
YEAS—37.
NAYS—Fairchild, Horne, Lambert, Little, Malone—5.

Senate Bill No. 66 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 69.

Bill read third time.

Remarks by Assemblymen Thompson, Stone, Bergevin and Getto.

Roll call on Senate Bill No. 69:

YEAS—42.

NAYS—None.

Senate Bill No. 69 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 88.

Bill read third time.

Remarks by Assemblyman Schofield.

Roll call on Senate Bill No. 88:

YEAS—42.

NAYS—None.

Senate Bill No. 88 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 90.

Bill read third time.

Remarks by Assemblymen Beyer, DuBois, Marvel, Thomas, Dini and Getto.

Assemblymen Sedway, Banner and Nicholas moved the previous question.

Motion carried.

The question being on the passage of Senate Bill No. 90.

Roll call on Senate Bill No. 90:

YEAS—36.

NAYS—DuBois, Little, Price, Roberts, Thomas, Zimmer—6.

Senate Bill No. 90 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 112.

Bill read third time.

Remarks by Assemblymen Dini, DuBois, Humke, Getto, Stone, Jeffrey, Bogaert, Francis, Horne, Craddock, Sedway, Bergevin and O'Donnell.

Roll call on Senate Bill No. 112:

YEAS—23.

NAYS—Bogaert, DuBois, Fairchild, Horne, Humke, Lambert, Little, Malone, Nevin, Nicholas, O'Donnell, Rader, Roberts, Spriggs, Stone, Tebbs, Thomas, Zimmer—18.

Not voting—Collins.

Senate Bill No. 112 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

INTRODUCTION AND FIRST READING OF LEGISLATION

By Assemblyman Swain:

Assembly Bill No. 335—An Act relating to beverages; prohibiting the sale of cans with certain removable tabs; providing a penalty; and providing other matters properly relating thereto.

By the Committee on Government Affairs:

Assembly Bill No. 336—An Act relating to insurance for public employees; allowing the exclusion of agencies from the state's program of group insurance; clarifying the liability of the state for indemnification of the committee on group insurance; changing the source of payment of certain claims against the state; and providing other matters properly relating thereto.

By Assemblymen DuBois, Nevin, Stone, Price, Little, Bergevin, Bogaert, Roberts, Thompson, Ham, Zimmer, Beyer, Fairchild, O'Donnell, Rader and Lambert:

Assembly Bill No. 337—An Act relating to peace officers; extending the power of arrest to officers and employees of the Drug Enforcement Administration for certain purposes; and providing other matters properly relating thereto.

By Assemblymen DuBois, Thomas, Sedway, Stone, Collins, Malone, Price, Little, Bergevin, Bogaert, Roberts, Craddock, Nicholas, Thompson, Tebbs, Horne, Ham, Zimmer, Nevin, Beyer, Fairchild, Rader, O'Donnell and Lambert:

Assembly Bill No. 338—An Act relating to controlled substances; increasing the penalty to death or life imprisonment without the possibility of parole for selling a controlled substance that causes a death; and providing other matters properly relating thereto.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bills Nos. 15, 68, 100, 102, 235; Senate Bills Nos. 61, 80, 186.

REMARKS FROM THE FLOOR

Assemblyman Francis requested that the following remarks be entered in the Journal.

ASSEMBLYMAN ROBERTS:

I had some sad news over the weekend. A gentleman named William G. Page passed away three weeks ago. I would like this body to acknowledge him. He was a very successful businessman in Las Vegas. He ran the home shows and helped many charities, particularly the one I am the director of, Multiple Sclerosis Patient Services. He was a

young man of 52 and died of a heart attack. I would like it to go on record that this body recognized Mr. Page.

ASSEMBLYMAN HORNE:

A quote from Abraham Lincoln on the subject of education: "Not presuming to dictate any plan or system respecting it, I can only say that I view it as the most important subject which we as a people can be engaged in."

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. Sheila Moulton.

On request of Assemblyman Beyer, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Bob Oliphant.

On request of Assemblyman Horne, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Reatha Conte.

On request of Assemblyman Banner, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Patricia Slack.

On request of Assemblyman Stone, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Carol Gordon.

On request of Assemblyman Ham, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Jane Hail.

On request of Assemblyman Marvel, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Michelle Slagle, Mr. Dave Slagle, Christopher Slagle, Nicholas Slagle, Patrick Slagle and Jacquline Slagle.

On request of Assemblyman Fairchild, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Donna Larson.

On request of Assemblyman Malone, the privilege of the floor of the Assembly Chamber for this day was extended to Mesdames Vickie Lee and Beth Arnold.

On request of Assemblyman Zimmer, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Beatrice Abeyta.

On request of Assemblyman Kerns, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Candace Bennett and Sandie Radford.

On request of Assemblyman Joerg, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Bee Gee Millinich.

On request of Assemblyman Humke, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Gini DiSilvestro.

On request of Assemblyman Nicholas, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Marion Couey.

On request of Assemblyman Little, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Pamela Fortner.

On request of Assemblyman McGaughey, the privilege of the floor of the Assembly Chamber for this day was extended to Dr. Hazel Sherman and Mr. Paul Culley.

On request of Assemblyman Rader, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Tony Anderson.

On request of Assemblyman Thompson, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Rhonda Pulsipher.

On request of Assemblyman Getto, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Vicki Lee.

On request of Assemblyman Williams, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Bill Hindley.

On request of Assemblyman Spriggs, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Dixie Hultenschmidt.

On request of Assemblyman Jeffrey, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Darlyne Planck.

On request of Assemblyman Collins, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Linda Harrison, Messrs. Ray Ross and Sammie Armstrong.

On request of Assemblyman Price, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Susan Pence and Phyllis Fetcho.

On request of Assemblyman Bogaert, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. LaVonne Frost.

On request of Assemblyman Dini, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Jan Honeywell and Mr. Oz Schroder.

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

On request of Assemblyman Schofield, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Martha Boland.

On request of Assemblyman Bergevin, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Charles Robinson.

On request of Assemblyman Coffin, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Bonnie Acuna.

On request of Assemblyman Lambert, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Sharon Carson and Shelly Lescott.

Assemblyman Francis moved that the Assembly adjourn until Tuesday, March 12, 1985 at 11 a.m.

Motion carried.

Assembly adjourned at 12:16 p.m.

Approved: BYRON L. BILYEU
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE FIFTY-FIRST DAY

CARSON CITY (Tuesday), March 12, 1985

Assembly called to order at 11:05 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, Assemblyman John DuBois.

Our Father in Heaven, we stand before Thee at this place and at this hour as chosen representatives of all the people of this state. Each of us sought this responsibility and each of us now holds the trust of these people. It is a sacred trust. We are here as a family of lawmakers, each individually striving to do what is right but working as a family. We ask, Oh Lord, that You nourish our hearts and minds with divine guidance for we are mere humans; fraught with all the frailties, pathos and emotions of the human race. In the days ahead this family will be tested as we grind and grope our way through the maze of human issues—all of our human passions will be laid bare. Guide us, Lord, through this journey. Give us the wisdom to understand the views of our colleagues and the compassion to see our differences. Lift us from our egocentric ways and bind us together as family for no man is an island, entire of itself. We ask for Your guidance, in the name of Jesus Christ, our Lord. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Francis 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 Ways and Means, to which was referred Assembly Bill No. 22, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN MARVEL, *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which was referred Assembly Bill No. 159, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN DUBOIS, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Assembly Bill No. 71, 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.

LOUIS W. BERGEVIN, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which were referred Assembly Bills Nos.

203, 275; Senate Bill No. 111, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

LOUIS W. BERGEVIN, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which was referred Assembly Bill No. 294, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JAMES STONE, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, March 11, 1985

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. 3, 4, 18.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Bill No. 167.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bill No. 116.

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. 10.

MARY JO MONGELLI
Assistant Secretary of the Senate

UNFINISHED BUSINESS

RECEDE FROM ASSEMBLY AMENDMENTS

Assemblyman Stone moved that the Assembly do not recede from its action on Senate Bill No. 10, 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 Sader, Stone and Joerg as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Senate Bill No. 10.

INTRODUCTION AND FIRST READING OF LEGISLATION

By the Committee on Judiciary:

Assembly Bill No. 339—An Act relating to the regulation of gaming; limiting the disclosure of confidential records of the state gaming control board and the Nevada gaming commission; specifying which records are confidential; providing a penalty; and providing other matters properly relating thereto.

Senate Bill No. 116.

Bill read first time.

Senate Bill No. 167.

Bill read first time.

REFERENCE OF MEASURES TO COMMITTEES

Assembly Bill No. 331.

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

Motion carried.

Assembly Bill No. 332.

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

Motion carried.

Assembly Bill No. 333.

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

Motion carried.

Assembly Bill No. 334.

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

Motion carried.

Assembly Bill No. 335.

Assemblyman Swain moved that the bill be referred to the Committee on Commerce.

Motion carried.

Assembly Bill No. 336.

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

Motion carried.

Assembly Bill No. 337.

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

Motion carried.

Assembly Bill No. 338.

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

Motion carried.

Senate Bill No. 156.

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

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 220.

Bill read second time.

The following amendment was proposed by the Committee on Transportation:

Amendment No. 169.

Amend section 1, page 2, line 6, by deleting "[483.520.] *233B.130.*" and inserting "483.520.".

Amend the title of the bill, first and second lines, by deleting "and judicial".

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. 221.

Bill read second time.

The following amendment was proposed by the Committee on Transportation:

Amendment No. 170.

Amend sec. 2, page 2, by deleting line 11.

Amend sec. 2, page 2, line 12, by deleting "*(b)*" and inserting "*(a)*".

Amend sec. 2, page 2, line 15, by deleting "*(c)*" and inserting "*(b)*".

Assemblyman Malone moved the adoption of the amendment.

Remarks by Assemblyman Malone.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 13.

Bill read second time and ordered to third reading.

GENERAL FILE AND THIRD READING

Assembly Bill No. 119.

Bill read third time.

Remarks by Assemblymen Marvel, DuBois and Dini.

Conflicts of interest declared by Assemblymen Marvel, Bergevin and Getto.

Roll call on Assembly Bill No. 119:

YEAS—35.

NAYS—DuBois, Horne, Little, Rader, Roberts, Thomas, Zimmer—7.

Assembly Bill No. 119 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 257.

Bill read third time.

Remarks by Assemblymen O'Donnell, Banner, Horne, Humke, Stone, Schofield, Beyer, Little, Sedway, Price, Getto, Nevin and Collins.

Assemblymen Getto, Jeffrey and Beyer moved the previous question.

Motion carried.

The question being on the passage of Assembly Bill No. 257.

Roll call on Assembly Bill No. 257:

YEAS—33.

NAYS—Banner, Craddock, Kerns, Lambert, Marvel, Nevin, Sedway, Swain, Williams—9.

Assembly Bill No. 257 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

INTRODUCTION AND FIRST READING OF LEGISLATION

By the Committee on Judiciary:

Assembly Bill No. 340—An Act relating to criminal procedure; increasing and reallocating the administrative assessment imposed on a person guilty of a misdemeanor; and providing other matters properly relating thereto.

By the Committee on Judiciary:

Assembly Bill No. 341—An Act relating to corporations; simplifying the procedure for reorganization under an order in federal court after bankruptcy; and providing other matters properly relating thereto.

By the Committee on Health and Welfare:

Assembly Bill No. 342—An Act relating to nurses; removes substantive provisions from definitions of certified registered nurse anesthetist and practice of professional nursing; and providing other matters properly relating thereto.

By the Committee on Commerce:

Assembly Bill No. 343—An Act relating to local governments; prohibiting the regulation of prices or rents by a local government; and providing other matters properly relating thereto.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Senate Bill No. 82.

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. Grant Gerber, Kent Howard, Loyd Sorensen, Ms. Lenore Gerber and Janene Howard.

On request of Assemblyman Nevin, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Toshie Uriu and Mr. Al Pasquale.

On request of Assemblyman Joerg, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. John Sheldon, Mrs. Bernice Sheldon, Mesdames Saveland, Begovich, Bankhead and students from the Liberty Christian Academy, Carson City, Nevada: Rob Allerman, Susan Saveland, Jason Girouard, Kerry Gustavson, Mike Loser, David

Lyons, Stephen Lyons, Butch Parker, Debi Ryan, Mark Stalcup, Ben Wilcox, Theresa Barron, Merry Begovich, Ruth Bradford, Sharon Bradford, Crystal Charlton, Katie Dall, Eric Hamilton, Rob McNeely, Sybelle Fitzgerald, Carrie Merriet, Mandy Rogers, Jeff House, Jenny Katzorke, Donald Gustavson, Brandon Snodgress, Todd Balcon, Jenny Loser, Amy Radabaugh, Aura Booker, Chris Begovich, Ken Saveland, Adam Earhart, Bob Carmack, Tom Radabaugh, Bonnie Katzorke, Craig Erven and Rachel Hall.

On request of Assemblyman Swain, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Doug Smith.

On request of Assemblyman Kerns, the privilege of the floor of the Assembly Chamber for this day was extended to members of the Western Industrial Nevada, EDAWN, Chamber of Commerce, Nevada Manufacturers Association.

On request of Assemblyman Stone, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Laurie Valentine and Anne Stoll.

On request of Assemblyman Bogaert, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Patty Myers, Marilyn Gross and students from Wooster High School: Terry Breedlove, Chris Robinson, Liz Lariviere, Ellen Eckart, Sheila McKay, Erin Chapman, David Sousa, Tracy Shelhamer, Stacie Havniear, Tammy Wade, Barry Thiessen, Ryan Monroe, Bill McGee, Angela Lambert, Kelly Rich, Michelle Dilwith, Michelle Boatman, Tanya McCloud, Mynet McDermott, Jeannie Ciceu, Tami Walton, Galit Vrobel, David Tegtmeyer, Tina Graham, Rachelle Waters, Diana Edington, Marcey Slazas, Anne Stoll, Martha Millett, Darren Kidder, Gina Burgarello, Laurie Valentine, Missy Calvano, Stacey Whitney, Gary Munker, Tanya Tweden, Tracy Tune, Michelle Chavez, Kristen Pico, Monica Erickson, Kevin Leedy and Karen Lee.

On request of Assemblyman Getto, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Myrl Nygren, Mesdames Wilva Blue, Sonya Johnson, Mary Erquiago and Betty Weishanpt.

On request of Assemblyman Humke, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. David Sousa.

On request of Assemblyman Beyer, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Robert A. Trimble, Mrs. Skau, and Fifth Grade students from Elmcrest Elementary School, Reno, Nevada: Daniel P. E. Buchanan, Julie A. Cain, Daren W. Clodio, Clinton Dudley, Malinda A. Francl, Michelle D. Fraser, Caille M. Gash, Blair Harkleroad, Robert L. Jackson, Tanya J. Jackson, Jolynn L. Jarrett, Jessica A. Lenon, Allen J. Mok, Stuart J. Muckel, Franky J. Pileggi, Louis R. Scichilone, Alison M. Semenza, Megan M. Svare, Phillip E. Terry, Laurie Trimble, Julie J. Williams, James R. Wilson, Brian M. Zeme; Mrs.

Greenbach and Sixth Grade students from Elmcrest Elementary School, Reno, Nevada: Jill Bloomster, Corinne E. Capurro, Lisa A. Currie, Hayde "Kamu" Dean, Sarah S. Een, Tammy L. Garthwait, James L. Glover, David A. Jones, Jessica A. Hendrix, Jennifer Kenny, Amy R. Melner, Edwin Patchet, Daniel Rainey, Jerry J. Saiz, Ethan D. Salter, John J. Scott, Paul T. Stevenson, Heidi K. Struve, and Andrew C. Yuan.

Assemblyman Francis moved that the Assembly adjourn until Wednesday, March 13, 1985 at 11 a.m.

Motion carried.

Assembly adjourned at 12 noon.

Approved:

BYRON L. BILYEU
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE FIFTY-SECOND DAY

CARSON CITY (Wednesday), March 13, 1985

Assembly called to order at 11:02 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, Assemblyman Art Rader.

Heavenly Father, we bow our heads in prayer to ask Your help. You created this valley ages ago. You were here when Native Americans flourished in harmony with nature. You were here when our pioneer fathers settled, prospered and built a capital city. Please be with us today, Heavenly Father, as You were for the first meeting of this body a century and twenty-five years ago and as You will be when our posterity meets in this same valley, perhaps in this same chamber a century and twenty-five years hence. Many lawmakers have passed before us—many more will follow. We ask You, giver of all law, to grant us the wisdom to know that our time must also pass and that You would have us use our time not to plot among ourselves but to work for the betterment of our brothers and sisters in this valley and in our great state beyond. Help us, Heavenly Father. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Francis 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. 23 of the 62nd Session, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JAMES STONE, *Chairman*

Mr. Speaker:

Your Committee on Labor and Management, 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 do pass as amended.

BARBARA ZIMMER, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, March 12, 1985

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. 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. 17.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Bill No. 19.

MARY JO MONGELLI
Assistant Secretary of the Senate

INTRODUCTION AND FIRST READING OF LEGISLATION

By the Committee on Judiciary:

Assembly Bill No. 344—An Act relating to adoption; permitting a man and a woman who cohabit to petition for adoption of a child; and providing other matters properly relating thereto.

By the Committee on Judiciary:

Assembly Bill No. 345—An Act relating to administrative procedure; authorizing state agencies to delegate to hearing officers their authority to hold hearings in contested cases and issue subpenas; and providing other matters properly relating thereto.

By Assemblymen Stone, Ham, Sader, O'Donnell, Malone, Arberry, Rader, Williams, Joerg, Francis, Jeffrey, Beyer, Coffin, Getto, Dini, Swain, Zimmer, Sedway, Tebbs, Collins, Thomas, DuBois, Thompson, Humke, McGaughey, Nevin, Lambert, Kerns, Fairchild, Price, Nicholas and Craddock:

Assembly Bill No. 346—An Act relating to mechanical safety; creating the division of mechanical safety in the department of industrial relations; providing for the inspection and regulation of boilers, pressure vessels and mechanized conveyances; providing penalties; and providing other matters properly relating thereto.

By Assemblyman Malone:

Assembly Bill No. 347—An Act relating to mental health; clarifying the criteria for mental illness and its treatment; changing the composition of the advisory board for mental hygiene and mental retardation; and providing other matters properly relating thereto.

Senate Bill No. 19.

Bill read first time.

REFERENCE OF MEASURES TO COMMITTEES

Assembly Bill No. 339.

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

Motion carried.

Assembly Bill No. 340.

Assemblyman Francis moved that the bill be referred to the Concurrent Committees on Judiciary and Ways and Means.

Motion carried.

Assembly Bill No. 341.

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

Motion carried.

Assembly Bill No. 342.

Assemblyman Francis moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

Assembly Bill No. 343.

Assemblyman Francis moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 116.

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

Motion carried.

Senate Bill No. 167.

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

Motion carried.

INTRODUCTION AND FIRST READING OF LEGISLATION

By the Committee on Judiciary:

Assembly Bill No. 348—An Act relating to credit cards; increasing the penalty for certain offenses; and providing other matters properly relating thereto.

By the Committee on Judiciary:

Assembly Bill No. 349—An Act relating to judgments; requiring the release of information from financial institutions in aid of execution of a judgment for money; and providing other matters properly relating thereto.

By the Committee on Government Affairs:

Assembly Bill No. 350—An Act relating to public employees' retirement; removing the restrictions on the accumulation of credit for service after becoming eligible to retire; equalizing the method for determining the rate of benefits for all persons who have retired with more than 20 years of credit for service; and providing other matters properly relating thereto.

SECOND READING AND AMENDMENT

Assembly Bill No. 22.

Bill read second time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 183.

Amend section 1, page 1, line 7, by deleting "proceed" and inserting: "contract with the Elko County Recreation Board".

Assemblyman Marvel moved the adoption of the amendment.

Remarks by Assemblyman Marvel.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 71.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 176.

Amend section 1, page 1, line 17, by deleting "*one*" and inserting "*two*".

Amend section 1, page 2, line 1, by deleting "*property, and*" and inserting: "*property. Except as otherwise provided in NRS 244.288, the board*".

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 244.288 is hereby amended to read as follows:

244.288 1. The board of county commissioners of a county whose population is less than [9,000,] *18,000,* upon making a finding pursuant to a public hearing that a county industrial park is necessary to meet the needs of the county, and that no private enterprise has presented an acceptable proposal for industrial development, may develop a plan and establish requirements for the:

(a) Acquisition, sale or lease of real property by the county for industrial development; and

(b) Design, engineering and construction of industrial developments.

2. The board shall:

(a) Give notice of its intention by publication at least once in a newspaper of general circulation published in the county, or if there is no such newspaper then in a newspaper of general circulation in the county published in the state; and

(b) Hold its public hearing not less than 10 nor more than 20 days after the date of publication of the notice.

3. The board may grant an option to purchase property designated for industrial development. The duration of the option must not exceed 3 years, but afterward the board may extend it year by year. Any attempted assignment of such an option, whether contractual or effected by operation of law, is void. Upon its execution, the option must immediately be recorded by the board with the county recorder.

4. After review by the planning commission, a member of the board or the purchaser or lessee of the property shall present the proposed plan for an industrial development to the board.

5. The board shall, after a public hearing, approve or reject the proposed plan.

6. The board may sell or lease the property for an amount which is less than the appraised value, if the price:

(a) Is established during the development of the plan;

(b) Will cover the repayment of any outstanding obligation of the county on the property; and

(c) Will also cover the reimbursement of the county for any amount of revenue derived from local taxes which was spent to purchase or improve the property.".

Amend sec. 6, page 3, line 25 after "*county*" by inserting a comma.

Amend sec. 6, page 3, line 27, after "*compete*" by inserting "*substantially*".

Amend sec. 6, page 3, line 28, after "*for*" by inserting "*substantially*".

Amend sec. 8, page 4, line 26, after "*restoration*" by inserting "*or preservation*".

Amend sec. 9, page 6, line 3, by deleting: "*electricity and gas, and water*" and inserting "*electricity*".

Amend sec. 11, page 7, line 37, by deleting "*one*" and inserting "*two*".

Amend sec. 15, page 8, line 13, after "*compete*" by inserting "*substantially*".

Amend sec. 15, page 8, line 14, after "*for*" by inserting "*substantially*".

Amend sec. 17, page 8, line 34, after "*restoration*" by inserting "*or preservation*".

Amend the title of the bill, fourth line, after "restoration" by inserting "or preservation".

Assemblyman Price moved the adoption of the amendment.

Remarks by Assemblyman Price.

Amendment adopted.

Assemblyman Bergevin moved that Assembly Bill No. 71 be re-referred to the Committee on Government Affairs.

Motion carried.

Bill ordered reprinted, engrossed and to the Committee on Government Affairs.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman DuBois moved that Assembly Bill No. 159 be taken from the Second Reading File and placed on the Chief Clerk's desk.

Remarks by Assemblyman DuBois.

Motion carried.

Assemblyman Getto moved that Assembly Bill No. 72 be taken from the Chief Clerk's desk and placed on the General File.

Remarks by Assemblyman Getto.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 203.
Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 275.
Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 294.
Bill read second time, ordered engrossed and to third reading.

Senate Bill No. 111.
Bill read second time and ordered to third reading.

INTRODUCTION AND FIRST READING OF LEGISLATION

By the Committee on Labor and Management:
Assembly Bill No. 351—An Act relating to labor; expanding the category of employers permitted to make reimbursements in lieu of contributions to the unemployment compensation fund; and providing other matters properly relating thereto.

By the Committee on Labor and Management:
Assembly Bill No. 352—An Act relating to unemployment compensation; crediting an employer's account with the interest earned during the preceding year; increasing the quarterly contribution if benefits charged in the preceding year were greater than the contributions paid; and providing other matters properly relating thereto.

By the Committee on Labor and Management:
Assembly Bill No. 353—An Act relating to unemployment compensation; changes the basis for computing tips as wages; denying benefits to a person who leaves work for any reason not related to the conditions of his employment; and providing other matters properly relating thereto.

By the Committee on Labor and Management:
Assembly Bill No. 354—An Act relating to compensation for unemployment; requiring a waiting period before a person is eligible for benefits; narrowing the requirements for eligibility; and providing other matters properly relating thereto.

By the Committee on Labor and Management:
Assembly Bill No. 355—An Act relating to unemployment compensation; disqualifying for benefits a person who receives benefits for a temporary total disability; requiring a period of waiting for a person discharged for cause not related to the performance of his work; and providing other matters properly relating thereto.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 17.
The following Senate amendment was read:

Amendment No. 127.

Amend section 2, page 2, line 15, by deleting "*clerical*".

Assemblyman Bergevin moved that the Assembly concur in the Senate amendment to Assembly Bill No. 17.

Remarks by Assemblyman Bergevin.

Motion carried.

Bill ordered enrolled.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Taxation, to which was referred Senate Joint Resolution No. 3 of the 62nd Session, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

CHARLES W. JOERG, *Chairman*

GENERAL FILE AND THIRD READING

Assembly Bill No. 83.

Bill read third time.

Remarks by Assemblymen Ham, Collins and Stone.

Roll call on Assembly Bill No. 83:

YEAS—42.

NAYS—None.

Assembly Bill No. 83 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 134.

Bill read third time.

Remarks by Assemblymen Sedway, Dini, DuBois, Humke, Thomas, Joerg, Little, Williams, Rader and Francis.

Assemblyman Francis moved that Assembly Bill No. 134 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Francis.

Motion carried.

Assembly Bill No. 149.

Bill read third time.

Remarks by Assemblyman Bergevin.

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. 168.

Bill read third time.

Remarks by Assemblyman Spriggs.

Roll call on Assembly Bill No. 168:

YEAS—41.

NAYS—None.

Not voting—Nicholas.

Assembly Bill No. 168 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 171.

Bill read third time.

Remarks by Assemblymen Swain, Malone, Collins, Thomas, DuBois, Stone, Dini, Jeffrey, Zimmer and Thompson.

Assemblyman Malone requested that his remarks be entered in the Journal.

I would like to submit that the concept of this bill is good. The reading of it leaves a little to be desired. On page 2, line 35 "speak to a voter on the subject of marking his ballot". In areas, a multitude of them, such as senior citizen centers, this is going directly against your senior citizen centers where a senior citizen is allowed to go with another senior citizen, or as a matter of fact anyone is allowed to go with another senior citizen down to the voting booth and converse on which person they want to vote for so that person can vote or push the button or poke the hole for the one that is incapacitated. This is done all the time. On line 39 of the same page, "or immediately before or after he registers the elector". Common sense must prevail. However, at times it doesn't. When you put "immediately" in there, immediately could mean now, it could mean five minutes from now, it could mean an hour from now. I know the definition that Mr. Daykin has given. However, not too many people call Mr. Daykin for an opinion when it comes to this, especially around election time. The dictionary does not give the same definition as Mr. Daykin, unfortunately.

Assemblymen Francis, Thompson and Getto moved the previous question.

Motion carried.

The question being on the passage of Assembly Bill No. 171.

Roll call on Assembly Bill No. 171:

YEAS—32.

NAYS—Bogaert, Collins, DuBois, Fairchild, Humke, Little, Malone, Nicholas, O'Donnell, Zimmer—10.

Assembly Bill No. 171 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 13.

Bill read third time.

Remarks by Assemblyman Swain.

Roll call on Senate Bill No. 13:

YEAS—42.

NAYS—None.

Senate Bill No. 13 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 72.

Bill read third time.

The following amendment was proposed by Assemblyman Getto:

Amendment No. 184.

Amend sec. 2, page 2, by deleting lines 16 and 17 and inserting: "*use of the water in constructing a highway or exploring for oil, gas, minerals or geothermal resources.*".

Amend sec. 2, page 2, by deleting lines 27 and 28 and inserting: "3, to allow *temporary* use of water in constructing a highway or [in drilling a well for gas, oil or hot water.] *exploring for oil, gas, minerals or geothermal resources.*".

Assemblyman Getto moved the adoption of the amendment.

Remarks by Assemblyman Getto.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

INTRODUCTION AND FIRST READING OF LEGISLATION

By Assemblymen Getto, Bilyeu, Dini, Banner, Jeffrey, Marvel, Humke, Bergevin, Bogaert, Zimmer, Thomas, Spriggs, Craddock, Joerg, O'Donnell, Roberts, Beyer and Nicholas:

Assembly Bill No. 356—An Act relating to cruelty to animals; limiting the transfer of animals from a public pound to a facility for research; prohibiting interference with research on animals at an approved facility; providing a penalty; and providing other matters properly relating thereto.

By Assemblymen Roberts, Humke, Sader, Horne, Swain, Nevin, Little, McGaughey, O'Donnell, Rader, DuBois, Price, Malone, Beyer, Arberry, Sedway, Collins and Stone:

Assembly Bill No. 357—An Act relating to parking for the handicapped; requiring the designation of spaces for the handicapped in all facilities for public parking; establishing the minimum number of spaces required; and providing other matters properly relating thereto.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Senate Bills Nos. 23, 50, 66, 69, 88, 90, 112; Assembly Concurrent Resolutions Nos. 3, 4, 18.

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. Art Villalobos, Andy NaPier, Gerland Harden, Patrick Murphy, Mrs. Pat Mansfield, Ms. Barbara Ferguson, Lucy Anton, Eleanor Gibson, Molly Bennett, Lisa Northrup, Sherry Tom and Lise Mansfield.

On request of Assemblyman Francis, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Clara West and Tony Chapman.

On request of Assemblyman Beyer, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Eric Stovall.

On request of Mr. Speaker, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Jack Neal and students from Reno High School: Scott Machabee, Mark Liske, Neena Almarez, Kristin Arch, Dana Arken, Heidi Berrum, Matt Duggan, Susan Delaney, Ron Johnson, Karin Kitts, Joni Lukasko, Jim MacDonald, Judi Prutzman, Tricia Tatu, Anja Thelen and Wayne Yarbrough.

On request of Assemblyman Dini, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Ann Connolly and Greta Ruse.

On request of Assemblyman Swain, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Karen Denio, Elena Denio, Gloria Denio; Ms. Bonham, J. Collins and students from Traner Middle School, Reno, Nevada: Marie Agerton, Trena Anderson Angelo Cooper, Kari Copeland, April DeTally, Rosey Dominquez, Ron Griffin, Kevin Jasmin, Jared Jones, Theresa Lawson, David McKee, Art Mitchell, David Newbury, Brandon Quintal, Stormy Powell, Jesse Rimon, Rusty Smith, Sandy Smith, Kim Strong, Jennifer Turvey, Dinh Tran, James Tweet, Shari Wilber and Wendy Wilber.

Assemblyman Francis moved that the Assembly adjourn until Thursday, March 14, 1985 at 11 a.m.

Motion carried.

Assembly adjourned at 12:08 p.m.

Approved:

BYRON L. BILYEU
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE FIFTY-THIRD DAY

CARSON CITY (Thursday), March 14, 1985

Assembly called to order at 11:03 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, Assemblyman Bill O'Donnell.

Our Father, we ask Your blessing on each and every one of us and our guests today. But most of all, bless the people we represent. You have placed us in a position of service and we carry a large responsibility. Without Your help and guidance we could not perform the duties and tasks set before us. Thank You, Lord, for this gift of life and the honor of being a servant of the people we represent. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Francis 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. 100, 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 Judiciary.

MIKE MALONE, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which were referred Assembly Bill No. 230, Senate Bill No. 89, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JAMES STONE, *Chairman*

Mr. Speaker:

Your Committee on Taxation, to which was referred Senate Joint Resolution No. 2, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

CHARLES W. JOERG, *Chairman*

Mr. Speaker:

Your Committee on Labor and Management, 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: Do pass.

BARBARA ZIMMER, *Chairman*

Mr. Speaker:

Your Committee on Labor and Management, 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.

BARBARA ZIMMER, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which was referred Senate Bill No. 120, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN MARVEL, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Malone moved that Senate Bill No. 100 be re-referred to the Committee on Judiciary.

Motion carried.

Assemblyman Francis moved that Assembly Bill No. 134 be taken from the Chief Clerk's desk and placed on the General File.

Motion carried.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, March 13, 1985

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 14, 92.

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 appointed Senators Raggio, Townsend and Foley as a first Committee on Conference concerning Senate Bill No. 10.

MARY JO MONGELLI
Assistant Secretary of the Senate

INTRODUCTION AND FIRST READING OF LEGISLATION

By Assemblymen Stone and Thompson:

Assembly Bill No. 358—An Act relating to the department of motor vehicles; providing in skeleton form for the removal of the department's power to adopt regulations; and providing other matters properly relating thereto.

By the Committee on Commerce:

Assembly Bill No. 359—An Act relating to insurance; eliminating the requirement that an insurer notify the insured of the availability of a plan for sharing risks when the insurer gives notice of a cancellation based on the insured's failure to pay the premium; and providing other matters properly relating thereto.

By the Committee on Government Affairs:

Assembly Bill No. 360—An Act relating to insurance; authorizing local governments to form groups to purchase insurance or to establish a plan of

self-insurance; exempting local governments from the obligation of providing industrial insurance for independent contractors; and providing other matters properly relating thereto.

By Assemblymen Thompson, Williams, Nevin, Banner, Sedway, Jeffrey, DuBois, Craddock, Price, Coffin, Stone, Arberry, Sader and Swain:

Assembly Bill No. 361—An Act relating to motor vehicles; requires the disclosure of certain defects on the sale of a used motor vehicle; and providing other matters properly relating thereto.

By Assemblymen Thompson, Nicholas, Banner, Jeffrey, Schofield, Price, Coffin, Stone, Williams, Arberry, Swain and Getto:

Assembly Bill No. 362—An Act relating to the service of a criminal summons; specifying a minimum age of a person other than the defendant with whom a summons may be left at the defendant's residence; and providing other matters properly relating thereto.

By Assemblymen Fairchild, Francis, Stone, Little, Beyer, Nicholas, Horne, Roberts, Schofield, Dini, Ham, Thomas, Zimmer, Nevin, Tebbs, Coffin, DuBois, Price, Bergevin, Malone, Sedway, Marvel, Rader, Lambert, O'Donnell, Getto, Kerns, Bogaert, Williams, Thompson and Sader:

Assembly Bill No. 363—An Act relating to motor vehicles; requiring proof of insurance or other security for renewal of the registration of a motor vehicle; requiring each insurer to notify the department of motor vehicles upon the termination of coverage; repealing the procedure for verification of insurance by sampling; and providing other matters properly relating thereto.

Senate Bill No. 228.

Bill read first time.

REFERENCE OF MEASURES TO COMMITTEES

Assembly Bill No. 344.

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

Motion carried.

Assembly Bill No. 345.

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

Motion carried.

Assembly Bill No. 346.

Assemblyman Stone moved that the bill be referred to the Concurrent Committees on Government Affairs and Ways and Means.

Motion carried.

Assembly Bill No. 347.

Assemblyman Malone moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

Assembly Bill No. 348.

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

Motion carried.

Assembly Bill No. 349.

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

Motion carried.

Assembly Bill No. 350.

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

Motion carried.

Assembly Bill No. 351.

Assemblyman Francis moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

Assembly Bill No. 352.

Assemblyman Francis moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

Assembly Bill No. 353.

Assemblyman Francis moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

Assembly Bill No. 354.

Assemblyman Francis moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

Assembly Bill No. 355.

Assemblyman Francis moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

Assembly Bill No. 356.

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

Motion carried.

Assembly Bill No. 357.

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

Motion carried.

Senate Bill No. 19.

Assemblyman Francis moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Concurrent Committee on Economic Development and Tourism, to which was referred Assembly Bill No. 172, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

DAVID HUMKE, *Chairman*

INTRODUCTION AND FIRST READING OF LEGISLATION

By Assemblymen Sader, Coffin, Stone, Swain, Ham, Beyer, Dini, Bilyeu, Arberry and Nevin:

Assembly Bill No. 364—An Act relating to elections; postpones the close of registration to the third Saturday before an election; and providing other matters properly relating thereto.

By Assemblymen Sader, Coffin, Stone, Lambert, Swain, Beyer, Dini, Bilyeu, Arberry, Horne, Thompson and Nevin:

Assembly Bill No. 365—An Act relating to elections; providing for reregistration of a voter by mail upon notice of cancellation; and providing other matters properly relating thereto.

By Assemblymen Sader, Coffin, Stone, Swain, Ham, Dini, Bilyeu, Arberry, Horne and Nevin:

Assembly Bill No. 366—An Act relating to elections; authorizing voters to request absent ballots by telephone; and providing other matters properly relating thereto.

By Assemblymen Sader, Coffin, Stone, Swain, Beyer, Dini, Arberry, Thompson and Nevin:

Assembly Bill No. 367—An Act relating to elections; authorizing the registration of voters by mail; and providing other matters properly relating thereto.

By the Committee on Taxation:

Assembly Bill No. 368—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 from the tax the gross receipts from the sale of equipment used in farming and parts for that equipment; contingently creating a similar exemption from certain analogous taxes; and providing other matters properly relating thereto.

By the Committee on Natural Resources, Agriculture and Mining:

Assembly Bill No. 369—An Act relating to water pollution; revising the standards for water quality to remove uneconomic requirements; and providing other matters properly relating thereto.

SECOND READING AND AMENDMENT

Assembly Bill No. 151.

Bill read second time.

The following amendment was proposed by the Committee on Labor and Management:

Amendment No. 177.

Amend sec. 2, page 1, line 3, after "*If a*" and inserting: "*quasi-public or private*".

Amend sec. 6, pages 3 and 4, by deleting lines 15 through 45 on page 3 and lines one through 7 on page 4 and inserting:

"Sec. 6. (Deleted by amendment.)".

Amend sec. 9, page 4, line 13, after "*If a*" by inserting: "*quasi-public or private*".

Amend the title of the bill, second and third lines, by deleting: "increasing the maximum reportable wage;".

Assemblyman Horne moved the adoption of the amendment.

Remarks by Assemblyman Horne.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Joint Resolution No. 3 of the 62nd Session.

Resolution read second time and ordered to third reading.

Senate Joint Resolution No. 23 of the 62nd Session.

Resolution read second time and ordered to third reading.

INTRODUCTION AND FIRST READING OF LEGISLATION

By the Committee on Health and Welfare:

Assembly Bill No. 370—An Act relating to food and drink establishments; exempting certain wholesale dealers of alcoholic beverages from regulation as such an establishment; and providing other matters properly relating thereto.

GENERAL FILE AND THIRD READING

Assembly Bill No. 203.

Bill read third time.

Remarks by Assemblymen Kerns, Nicholas, Nevin, Getto and Sader.

Roll call on Assembly Bill No. 203:

YEAS—41.

NAYS—Nevin.

Assembly Bill No. 203 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 220.

Bill read third time.

Remarks by Assemblymen Malone, Coffin and Stone.

Roll call on Assembly Bill No. 220:

YEAS—41.

NAYS—Coffin.

Assembly Bill No. 220 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 221.

Bill read third time.

Remarks by Assemblyman Malone.

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.

Assembly Bill No. 275.

Bill read third time.

Remarks by Assemblyman Spriggs.

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.

Bill ordered transmitted to the Senate.

Assembly Bill No. 294.

Bill read third time.

Remarks by Assemblyman Stone.

Roll call on Assembly Bill No. 294:

YEAS—42.

NAYS—None.

Assembly Bill No. 294 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 111.

Bill read third time.

Remarks by Assemblymen McGaughey, Sader, Getto, Nevin, Stone, Dini, Collins, Bergevin, Jeffrey, Price, Craddock and Thomas.

Assemblymen Humke, Stone and Nicholas moved the previous question.
Motion carried.

The question being on the passage of Senate Bill No. 111.

Roll call on Senate Bill No. 111:

YEAS—38.

NAYS—Dini, Jeffrey, Nevin, Rader—4.

Senate Bill No. 111 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 134.

Bill read third time.

Remarks by Assemblymen Sedway, Thomas, Beyer, Bergevin, O'Donnell, Kerns, Williams and Little.

Assemblymen Francis, O'Donnell and Getto moved the previous question.
Motion carried.

The question being on the passage of Assembly Bill No. 134.

Roll call on Assembly Bill No. 134:

YEAS—22.

NAYS—Bergevin, Bogaert, Collins, Fairchild, Francis, Horne, Humke, Joerg, Kerns, Little, Marvel, O'Donnell, Rader, Roberts, Spriggs, Stone, Tebbs, Thomas, Zimmer, Mr. Speaker—20.

Assembly Bill No. 134 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

INTRODUCTION AND FIRST READING OF LEGISLATION

By Assemblymen Nevin, Schofield, Dini, Sedway, Stone, Humke, Getto, Coffin, Beyer, Tebbs, Jeffrey, Rader, Zimmer, Ham, Banner, Lambert, Little, Williams, Collins, McGaughey, Malone, Kerns, Horne, Arberry, Sader, Spriggs, Craddock, Roberts, Thompson, Price, Swain, O'Donnell, Bilyeu and Fairchild:

Assembly Bill No. 371—An Act relating to taxes on retail sales; repealing provisions for taxing sales of motor vehicles between persons not dealers and credit for the value of a used vehicle taken in trade; and providing other matters properly relating thereto.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman McGaughey gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 134 was this day passed.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bill No. 17, Assembly Concurrent Resolution No. 17.

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. F. E. "Pete" Waters and Mrs. Connie Waters.

On request of Assemblyman Banner, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Tom Warburton.

On request of Assemblyman Lambert, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Carol Powell.

On request of Assemblyman Swain, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Pam Ryan and Clare Van der Woude.

On request of Assemblyman Schofield, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Jimmy Pettyjohn, Jr., and Steve Wegmann.

Assemblyman Francis moved that the Assembly adjourn until Friday, March 15, 1985 at 10 a.m.

Motion carried.

Assembly adjourned at 12:08 p.m.

Approved: BYRON L. BILYEU
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE FIFTY-FOURTH DAY

CARSON CITY (Friday), March 15, 1985

Assembly called to order at 10:06 a.m.
Mr. Speaker presiding.
Roll called.
All present.

Prayer by the Chaplain, Assemblyman Erik Beyer.

Our Father in Heaven, grateful we are this day to assemble here in this Legislature to be about the business of our state. Father, we are grateful for our pioneer forefathers who came and carved out of the desert this land which we call home, that is Nevada. Grateful, Father, for the snowclad mountains, for the broad valleys, for the ribbons of water that wind their ways through the valleys to feed our fertile lands. Grateful, Father, we are to have come here to this Assembly to provide legislation that would improve the way of life for our citizens of this great state. As we meet together this day, Father, may our minds be clear to understand the issues. May we be grateful for the precious right of debate. Father, may defeat on this floor be turned to victory in building character and personality and strengthen our individual lives. We ask You to bless those that are not with us today who are traveling to Las Vegas for the committee meetings that they may do so in safety, that we may all convene here again on Monday morning. Be with us now, Father, we ask in the name of Thy Son, Jesus Christ. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Francis 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 hearing an Irish ballad sung by Mr. William Marks.

Assembly in recess at 10:11 a.m.

ASSEMBLY IN SESSION

At 10:12 a.m.
Mr. Speaker presiding.
Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Elections, 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: Amend, and do pass as amended.

JANE HAM, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, 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.

JAMES STONE, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, March 14, 1985

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. 65, 91.

MARY JO MONGELLI
Assistant Secretary of the Senate

INTRODUCTION AND FIRST READING OF LEGISLATION

Senate Bill No. 65.

Bill read first time.

Senate Bill No. 91.

Bill read first time.

MOTIONS, RESOLUTIONS AND NOTICES

In compliance with a notice given on a previous day, Assemblyman McGaughey moved that the vote whereby Assembly Bill No. 134 was passed be reconsidered.

Motion carried.

REFERENCE OF MEASURES TO COMMITTEES

Assembly Bill No. 358.

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

Motion carried.

Assembly Bill No. 359.

Assemblyman Francis moved that the bill be referred to the Committee on Commerce.

Motion carried.

Assembly Bill No. 360.

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

Motion carried.

Assembly Bill No. 361.

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

Motion carried.

Assembly Bill No. 362.

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

Motion carried.

Assembly Bill No. 363.

Assemblyman Francis moved that the bill be referred to the Committee on Commerce.

Motion carried.

Assembly Bill No. 364.

Assemblyman Sader moved that the bill be referred to the Committee on Elections.

Motion carried.

Assembly Bill No. 365.

Assemblyman Sader moved that the bill be referred to the Committee on Elections.

Motion carried.

Assembly Bill No. 366.

Assemblyman Sader moved that the bill be referred to the Committee on Elections.

Motion carried.

Assembly Bill No. 367.

Assemblyman Sader moved that the bill be referred to the Committee on Elections.

Motion carried.

Assembly Bill No. 368.

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

Motion carried.

Assembly Bill No. 369.

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

Motion carried.

Assembly Bill No. 370.

Assemblyman Francis moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

Assembly Bill No. 371.

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

Motion carried.

Senate Bill No. 228.

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

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 141.

Bill read second time.

The following amendment was proposed by the Committee on Labor and Management:

Amendment No. 192.

Amend section 1, page 1, line 5, by deleting "*the*" and inserting: "*:*

1. The".

Amend section 1, page 1, line 6, by deleting the period and inserting: "*;*

or

2. Seven days after he resigns or quits,

whichever is earlier.".

Amend sec. 2, page 1, line 16, by deleting "*within*" and inserting: "*:*

(a) Within".

Amend sec. 2, page 1, line 17, by deleting "*due, the*" and inserting: "*due; or*

(b) On the day the wages or compensation are due to an employee who resigns or quits,

the".

Amend sec. 2, page 1, line 18, by deleting "*of discharge*" and inserting: "*he resigned, quit or was discharged*".

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. 172.

Bill read second time.

The following amendment was proposed by the Committee on Economic Development and Tourism:

Amendment No. 191.

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 366.220 is hereby amended to read as follows:

366.220 1. Except as otherwise provided in this chapter, it is unlawful for any special fuel dealer or special fuel user to sell or use special fuel within this state unless the special fuel dealer or special fuel user is the holder of a special fuel dealer's or special fuel user's license issued to him by the department.

2. Any owner or operator of a motor vehicle coming within the provisions of this chapter may apply for a temporary special fuel license which must be purchased from the first available vendor. The fee for [such] *the* license is $20 for each motor vehicle. Such *a* license satisfies the requirements of this chapter and , *except as otherwise provided in subsection 3,* authorizes the operation of the motor vehicle or combination of vehicles upon the highways of this state for a period of 48 consecutive hours. Such *a* license allows *the* purchase of special fuel tax free from a licensed special fuel dealer. Upon request, the department may allow credit for such licenses purchased, if the applicant is licensed as a special fuel user. The application [must be considered] *shall be deemed* received on the date shown by the [post office cancellation mark] *postmark* stamped on the envelope containing [such] *an* application properly addressed to the department.

3. *The department may issue, to the owner or operator of a common motor carrier of passengers as defined in NRS 706.041, a temporary license which authorizes operation for a period of not more than 120 consecutive hours.*

4. The department may adopt regulations relating to the issuance of any special fuel dealer's or special fuel user's license and the collection of fees therefor.".

Amend section 1, page 1, line 17, by deleting: "*Operators of motor vehicles*" and inserting: "*Private motor carriers of property as defined in NRS 706.111 which are*".

Amend section 1, pages 1 and 2, by deleting line 19 on page 1 and lines 1 and 2 on page 2 and inserting "*ity.*".

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. NRS 706.521 is hereby amended to read as follows:

706.521 1. Except as provided in subsection 5, any person has the option, in lieu of causing a motor vehicle to be licensed under NRS 706.011 to 706.791, inclusive, of applying for a [48-hour] temporary license to be issued forthwith upon payment of a fee equal to 10 percent of the license fee provided in NRS 706.506, rounded off to the nearest dollar. The fee for the [48-hour] temporary license may not be less than $6 per motor vehicle nor more than $60.

2. [A 48-hour] *Except as otherwise provided in subsection 6, a* temporary license authorizes operation over the highways of this state for a period of not more than 48 consecutive hours.

3. Any person who has elected to pay license fees exclusively under this section and who has complied with the provisions of NRS 706.266 [shall,] *is entitled,* upon application to the department in such form and detail as the department may require, *to* be issued a proper identifying device. The fee for each device is $4.

4. Upon request, the department may allow credit for the period for

which the licenses were purchased if the applicant is licensed under the provisions of NRS 706.506 to 706.516, inclusive.

5. The provisions of this section do not apply to operators of driveaway-towaway convoy vehicles.

6. The department may issue, to the owner or operator of a common motor carrier of passengers, a temporary license which authorizes operation for a period of not more than 120 consecutive hours.".

Amend sec. 2, page 2, by deleting line 19 and inserting: "other than as provided in paragraph (e), or to".

Amend sec. 2, page 2, line 31, by deleting "*motor vehicle*" and inserting: "*private motor carrier of property which is*".

Amend sec. 2, page 2, line 32, by deleting: "*activity as a dis-*" and inserting "*activity.*".

Amend sec. 2, page 2, by deleting lines 33 through 35.

Amend the bill as a whole by adding a new section designated section 5, following section 2, to read as follows:

"Sec. 5. NRS 706.856 is hereby amended to read as follows:

706.856 1. The owner or operator of a motor vehicle coming within the provisions of NRS 706.801 to 706.861, inclusive, may, in lieu of registering it pursuant to the provisions of NRS 706.836 to 706.851, inclusive, apply for and obtain a [48-hour] temporary registration upon payment of a fee of $6, which fee is in lieu of all other fees and service charges due pursuant to the provisions of NRS 706.801 to 706.861, inclusive.

2. [A 48-hour] *Except as otherwise provided in subsection 6, a* temporary registration authorizes operation over the highways of this state for a period of not more than 48 consecutive hours.

3. Any person exercising this option shall purchase the license at the first available vendor in the State of Nevada. The operator of a motor vehicle obtaining a [48-hour] temporary registration from a vendor elects this option by virtue of the purchase. Any 48-hour period [of time] for which a [48-hour] temporary registration was not purchased must be billed for 48-hour temporary registration on an audit until the vehicle is licensed under NRS 706.836 to 706.851, inclusive.

4. Every person electing to pay fees on a [48-hour temporary registration] *temporary* basis shall keep a written record of every trip made into or through this state and each [48-hour] temporary registration so purchased . [, which] *The* record must be open to inspection by any agent or employee of the commission or the department. The commission and the department may require any person to submit such periodic reports and supporting data as they may deem necessary with respect to trips made into or through this state.

5. Upon request, the department may allow credit for the period for which temporary registrations were purchased if the applicant applies and prorates his vehicle registration.

6. *The department may issue, to the owner or operator of a common motor carrier of passengers, a temporary license which authorizes operation for a period of not more than 120 consecutive hours.*

7. As a condition for exercising the privilege of reciprocity under the provisions of NRS 482.390, the department may:

(a) Require the operator of motor vehicles eligible for reciprocity to file annually an application listing the motor vehicles to be operated in this state;

(b) Issue [identification] *identifying* devices for motor vehicles so listed;

(c) Collect an administrative fee of $4 per motor vehicle identified; and

(d) Collect the [48-hour] *fee for* temporary registration [fee] from the owner or operator of motor vehicles not so identified.".

Amend the title of the bill, third line, after "carriers;", by inserting: "authorizing extended temporary licenses for common motor carriers of passengers;".

Assemblyman Rader moved the adoption of the amendment.

Remarks by Assemblyman Rader.

Amendment adopted.

Bill ordered reprinted, engrossed and to the Concurrent Committee on Transportation.

Assembly Bill No. 230.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 232.

Bill read second time, ordered engrossed and to third reading.

Senate Bill No. 89.

Bill read second time and ordered to third reading.

Senate Bill No. 120.

Bill read second time and ordered to third reading.

Senate Joint Resolution No. 2.

Resolution read second time.

The following amendment was proposed by the Committee on Taxation:

Amendment No. 193.

Amend the resolution, page 1, line 9, by deleting "*substantially*".

Amend the resolution, page 1, line 10, by deleting "*assessment and*".

Assemblyman Horne moved the adoption of the amendment.

Remarks by Assemblymen Horne, Bogaert and Joerg.

Amendment adopted.

Resolution ordered reprinted, re-engrossed and to third reading.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Commerce, to which were referred Assembly Bills Nos. 213, 214, 215, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN DUBOIS, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Francis moved that Assembly Bills Nos. 22, 72; Senate Joint Resolutions Nos. 3 of the 62nd Session, 23 of the 62nd Session; Assembly Bill No. 134 be taken from the General File and placed on the General File for the next legislative day.

Motion carried.

Assemblyman Joerg moved that Assembly Bill No. 154 be taken from the Chief Clerk's desk and placed on the General File for the next legislative day.

Motion carried.

Assemblyman DuBois moved that Assembly Bill No. 159 be taken from the Chief Clerk's desk and re-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 for the purpose of hearing musical renditions by the 1985 Nevada All-State Choir.

Assembly in recess at 10:33 a.m.

ASSEMBLY IN SESSION

At 10:45 a.m.

Mr. Speaker presiding.

Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Commerce, to which was referred Assembly Bill No. 212, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN DUBOIS, *Chairman*

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bills Nos. 14, 92; Senate Bill 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. Stephen Sanders and the 1985 Nevada All-State Choir.

On request of Assemblyman Malone, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Nora Littler, Messrs. Tom Marks, Kevin Richard, Indian L. Robinson, Donald W. McFerrin, Mario C. Monaco, David E. Barnum, Ms. Tammi Spaziani, Lois Prochorchik, Sandy VanBuskirk, Ana Oteiza, Rachel Kessinger, Dena Blondeau, Misses Tammi Rogers, Heather Miles, Mary Dunk and Tammy Bass.

Assemblyman Francis moved that the Assembly adjourn until Monday, March 18, 1985 at 11 a.m.

Motion carried.

Assembly adjourned at 10:48 a.m.

Approved: BYRON L. BILYEU
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE FIFTY-SEVENTH DAY

CARSON CITY (Monday), March 18, 1985

Assembly called to order at 11 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, Assemblyman Bob Thomas.

Oh good and gracious Lord, we ask You for special blessings during this legislative session. Why? Because I'm sure at some time during this session each of us has asked ourselves, "If we had any brains would we be here." Although I'm sure we have, be that as it may, what we may lack in that department, Lord, we more than make up for in loyalty and service to our fellow Nevadans. I think, Oh Lord, even You will agree that an ounce of loyalty and dedication is worth a pound of cleverness. Now we know that what we try to do in this body will not always come out the way we would like it. So, therefore, the most important guidance You could give us is to make sure that when things don't come out exactly the way we would like them that we would not inadvertently hurt anybody. We ask this in the name of Yahweh the Father, Jesus Christ the Lord, AMEN.

Pledge of allegiance to the Flag.

Assemblyman Francis 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 Bill No. 114, 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.

LOUIS W. BERGEVIN, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which were referred Assembly Bill No. 325, Senate Bill No. 152, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

LOUIS W. BERGEVIN, *Chairman*

Mr. Speaker:

Your Committee on Commerce, 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: Do pass.

JOHN DUBOIS, *Chairman*

REFERENCE OF MEASURES TO COMMITTEES

Senate Bill No. 65.

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

Motion carried.

Senate Bill No. 91.

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

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 173.

Bill read second time.

The following amendment was proposed by the Committee on Elections:

Amendment No. 147.

Amend section 1, page 1, line 9, after "*ballot.*" by inserting: "*Such a designation must be in writing, signed by the candidate and presented to the officer in charge of the election board register at the polling place.*".

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. 212.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 159.

Amend the bill as a whole by renumbering section 6 as section 7 and adding a new section designated section 6, following section 5, to read as follows:

"Sec. 6. NRS 678.260 is hereby amended to read as follows:

678.260 The administrator shall:

1. Adopt a regulation establishing the minimum surety bond required of credit unions in relation to the amount of property under their control.

2. Maintain the original application of every credit union in a permanent file.

3. Maintain for at least 6 years, every report filed by a credit union with the division of financial institutions.

4. Except as otherwise provided in NRS 678.800 and 678.810, deposit all fees, charges for expenses, assessments and other money which is collected pursuant to the provisions of this chapter or any regulation [promulgated] *adopted* thereunder, in the state treasury . [to the credit of the appropriate account within the state general fund for the use of the division of financial institutions of the department of commerce. At the end of a fiscal year the unused balance of any amounts collected pursuant to this chapter does not revert to the state general fund.]

5. Prepare copies of articles of incorporation and bylaws consistent with the provisions of this chapter which may be used by persons interested in organizing a credit union.".

Amend the title of the bill, second line, after "assets;" by inserting:

"removing the restriction on the use of certain money deposited in the state general fund;".

Amend the summary of the bill, first line, by deleting "union" and inserting "unions".

Assemblyman DuBois moved the adoption of the amendment.

Remarks by Assemblyman DuBois.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 213.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 214.

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. 236.

Bill read second time, ordered engrossed and to third reading.

GENERAL FILE AND THIRD READING

Assembly Bill No. 22.

Bill read third time.

Remarks by Assemblymen Marvel and Dini.

Assemblyman Joerg requested that the following remarks be entered in the Journal.

ASSEMBLYMAN MARVEL:

A.B. 22 was sponsored by every member of this Assembly. A.B. 22 was passed unanimously from the Ways and Means Committee with a Do Pass recommmendation. The bill is phase two of the South Fork State Park project begun in the 1983 Legislature. In 1983, all 42 Assemblymen and all 21 Senators voted for the project to create the first major water development in the State of Nevada since 1941. The project has received wide-spread support throughout the state. Governor Bryan has publicly praised the project. Roland Westergard, Conservation and Natural Resource Director has said, "South Fork Dam and Park project is the most exciting thing the department is involved in." The project has been hailed as an example of cost sharing between state and local governments.

To start the project, the Elko community contributed $1.2 million. Beginning in 1986 they will pay $250,000 per annum to the State of Nevada as their share of the project. In the 1983 session, authorization was given to acquire the land, do the environmental assessment, and the engineering for construction. The land has been acquired by the State of Nevada, the environmental work has been completed and the engineering and design has been completed. Now all that awaits is the authorization to proceed with the project.

Both the *Las Vegas Sun* and the *Reno Gazette Journal* have endorsed the project. To quote the *Gazette Journal,* "Lawmakers should push ahead with the commitment they made during the 1983 session. Recreational opportunities such as South Fork don't come along very often. When they do, the state has an obligation to take advantage of them . . . this is a project that makes a lot of sense . . . It fits nicely with the state's long range recreational goals and is a solid investment for Nevadans."

In addition to the *Gazette Journal,* the project has won endorsement from the greater

Las Vegas Chamber of Commerce. The project has won endorsement from the Commission on Economic Development, the State Department of Wildlife, and various other groups, commissions, committees and individuals. The *Las Vegas Sun,* in an editorial on January 24, 1985 set forth various reasons why the project should go forward. Some of the reasons are:

1. Hunting and fishing enthusiasts, water sport lovers, campers and hikers . . . either driving through the state or with South Fork as their destination . . . would be attracted to the Silver State's 22nd state park.
2. Creation of a 1,675 acre lake with 11 miles of shoreline would add to the natural appeal of Nevada and might lure other businesses to contribute to the state's diversification efforts by moving here.
3. Development of South Fork would take pressure off the precariously balanced environment of the Ruby Marshes.
4. The state will control the water rights. Waterflow to river users downstream would be assured as would control of excess flow in the event of flooding.

The Sun editorial concludes, "The opportunity for the state to provide water based recreation for future generations may never come again."

As this state diversifies its economy . . . as we diversify our tourism base . . . as we move into the possibility of hi-tech economy in Nevada . . . our recreational opportunities, already stretched to the limits must be expanded. I therefore recommend a unanimous Do Pass on this bill, sponsored by all of the members of this Assembly and unanimously recommended by your Committee on Ways and Means.

ASSEMBLYMAN DINI:

I certainly rise in support of this project. I guess my interest in water in Nevada has been for a good number of years and my involvement in the last two years on the Western States Water Council. As you see the water resources development in other states, we see how we lack here in the State of Nevada in developing our water resources, and how important it is for us now to act and develop this water resource . . . whether it be for tourism, agriculture or domestic use for the future generations of this state. Nevada is a very dry state and short on water. We are going to have to wake up and develop every water resource we have available in this state.

You people living in Clark County do not realize what is involved in this issue. You have Hoover Dam which provides some 300,000 acre feet of water to Clark County. Most of us in Nevada would like to see 300,000 acre feet of water in our district. This is just the beginning of developing our water resources throughout the State of Nevada, including a couple of dams I would like to have in my district. I think the important thing we are doing today is for the future of Nevada and developing this very important resource. I certainly stand 100 percent behind the sponsors.

Roll call on Assembly Bill No. 22:

YEAS—42.

NAYS—None.

Assembly Bill No. 22 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 72.

Bill read third time.

Remarks by Assemblyman Getto.

Roll call on Assembly Bill No. 72:

YEAS—42.

NAYS—None.

Assembly Bill No. 72 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 134.

Bill read third time.

Remarks by Assemblymen McGaughey, Sedway, Beyer, Getto, Stone and Thomas.

Roll call on Assembly Bill No. 134:

YEAS—18.

NAYS—Bergevin, Bogaert, Collins, Fairchild, Francis, Getto, Horne, Humke, Joerg, Kerns, Lambert, Little, McGaughey, Marvel, Nicholas, O'Donnell, Rader, Roberts, Spriggs, Stone, Tebbs, Thomas, Zimmer, Mr. Speaker—24.

Assembly Bill No. 134 having failed to receive a constitutional majority, Mr. Speaker declared it lost.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Zimmer moved that the Assembly declare March 18, 1985, as the recognition day for the Nevada members of the National Assistance League.

Remarks by Assemblyman Zimmer.

Assemblyman Francis requested that Assemblyman Zimmer's remarks be entered in the Journal.

WHEREAS, the National Assistance League founded in Los Angeles in 1919 is the first nonprofit, nonpolitical, nonsectarian organization of women to recognize the potential of volunteers helping those less fortunate to a better more meaningful life; and

WHEREAS, their purpose is to act as a friend at any and all times to men, women and children in need of care, guidance, and assistance, spiritually, materially and physically; and

WHEREAS, their first services were pioneering philosophic projects that have been emulated by public and private agencies alike; and

WHEREAS, there are 71 chapters of Assistance Leagues in the United States and,

WHEREAS, two of these chapters are located in Nevada, one serving the Reno-Sparks area and one serving the Las Vegas area; and

WHEREAS, their philanthropic projects include cultural enrichments such as the children's theatre; family programs such as day care assistance; hearing, vision and speech centers; senior programs such as group activities, home and hospital visits and assistance; and youth programs such as teachers' assistance and clothing needy students, I

HEREBY request that the Assembly declare March 18, 1985, as the recognition day for the Nevada members of the National Assistance League.

I would also like to add that since I was a co-founder of this organization in Las Vegas and a charter member, it is a very dear organization to me.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 151.

Bill read third time.

Remarks by Assemblyman Horne.

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. 154.

Bill read third time.

Remarks by Assemblyman Joerg.

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, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 230.

Bill read third time.

Remarks by Assemblymen Little and Malone.

Roll call on Assembly Bill No. 230:

YEAS—40.

NAYS—Little, Roberts—2.

Assembly Bill No. 230 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 232.

Bill read third time.

Remarks by Assemblymen Zimmer, Bogaert, Rader, Horne, Nevin, Price, O'Donnell and Francis.

Roll call on Assembly Bill No. 232:

YEAS—33.

NAYS—Banner, Dini, Jeffrey, Nevin, Price, Roberts, Sedway, Stone, Thompson—9.

Assembly Bill No. 232 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 89.

Bill read third time.

Remarks by Assemblyman Swain.

Roll call on Senate Bill No. 89:

YEAS—42.

NAYS—None.

Senate Bill No. 89 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 120.

Bill read third time.

Remarks by Assemblymen Nevin, Stone and Marvel.

Roll call on Senate Bill No. 120:

YEAS—37.

NAYS—Little, Malone, Rader, Roberts, Stone—5.

Senate Bill No. 120 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Joint Resolution No. 3 of the 62nd Session.

Resolution read third time.

Remarks by Assemblyman Bergevin.

Roll call on Senate Joint Resolution No. 3 of the 62nd Session:

YEAS—42.

NAYS—None.

Senate Joint Resolution No. 3 of the 62nd Session having received a constitutional majority, Mr. Speaker declared it passed.

Resolution ordered transmitted to the Senate.

Senate Joint Resolution No. 23 of the 62nd Session.

Resolution read third time.

Remarks by Assemblyman Arberry.

Roll call on Senate Joint Resolution No. 23 of the 62nd Session:

YEAS—41.

NAYS—Little.

Senate Joint Resolution No. 23 of the 62nd Session having received a constitutional majority, Mr. Speaker declared it passed.

Resolution ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblyman Thomas:

Assembly Concurrent Resolution No. 19—Directing the legislative commission to study the laws regarding the adjudication of vested water rights and the appropriation of public waters.

INTRODUCTION AND FIRST READING OF LEGISLATION

By Assemblymen Getto, Rader, Ham, Francis, Price, Craddock, Spriggs, Thomas, McGaughey, Nevin, Humke, Roberts, Lambert, Thompson, Stone, Fairchild, Bilyeu, O'Donnell, Horne, Swain, Williams, Dini and Banner:

Assembly Bill No. 372—An Act making an appropriation to the White Pine Historical Railroad Foundation for the support of the railroad; and providing other matters properly relating thereto.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Senate Bill No. 111.

REMARKS FROM THE FLOOR

Assemblyman Francis requested that the following remarks be entered in the Journal.

ASSEMBLYMAN HORNE:

Mr. Lincoln does have a few words to say with regard to our focus of responsibility. He says, "I am a firm believer in the people . . . if given the truth they can be depended upon to meet any crisis. The great point is to bring them the real facts."

ASSEMBLYMAN COFFIN:

There is a man who wrote a great book. We know it as *The Tales of Don Quixote,* Miguel Cervantes, who lived three centuries ago. He said, "I do not say a proverb is amiss, when aptly and reasonably applied, but to be forever discharging them, right or wrong, hit or miss, renders conversation insipid and vulgar." But frankly, I've always loved the one from Ralph Waldo Emerson, one of our countrymen, which he stated upon his death bed, "I hate quotations."

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 Dr. David L. Buckman.

On request of Assemblyman Schofield, the privilege of the floor of the Assembly Chamber for this day was extended to Miss Sherry Chandler.

On request of Assemblyman Dini, the privilege of the floor of the Assembly Chamber for this day was extended to Mesdames June Williams, Sally Lopez, Cindy Hampton, Mary Hampton, Mabel Lippertz, Janie J. Godin, Donna Archer and Helen Deines.

On request of Assemblyman Zimmer, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Nadia Gamlin and Betsy Rhodes.

Assemblyman Francis moved that the Assembly adjourn until Tuesday, March 19, 1985 at 11 a.m.

Motion carried.

Assembly adjourned at 12:20 p.m.

Approved: BYRON L. BILYEU
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE FIFTY-EIGHTH DAY

CARSON CITY (Tuesday), March 19, 1985

Assembly called to order at 11:02 a.m.

Mr. Speaker presiding.

Roll called.

All present except Assemblymen Bergevin and Dini, who were excused.

Prayer by the Chaplain, Assemblyman John DuBois.

In the beginning man stood before the elements, frail and fragile, fighting for survival against nature in the raw. Man looked beyond his earthly existence. He looked beyond to the Heavens and to God for divine guidance. Today, man stands before the elements, frail and fragile, fighting for survival. Not against nature in the raw, but against the crush and burden of his own civilization. We ask, Oh Lord, that You clear our minds, show us the way back to the natural laws of Your universe. We ask for Your direction as elected officials to do for the community of people whatever needs to be done but cannot be done in their separate and individual capacities. Help us find this balance that is right and just for all. We ask this blessing in the name of Jesus Christ our Lord. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Francis 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. 117, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

LOUIS W. BERGEVIN, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, 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.

JAMES STONE, *Chairman*

Mr. Speaker:

Your Committee on Economic Development and Tourism, to which was referred Senate Joint Resolution No. 9, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

DAVID E. HUMKE, *Chairman*

Mr. Speaker:

Your Committee on Labor and Management, to which was referred Assembly 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.

BARBARA ZIMMER, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, March 18, 1985

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Senate Bills Nos. 174, 193, 213, 220.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 125, 161, 171, 181, 182.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Joint Resolution No. 4.

MARY JO MONGELLI
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 for the purpose of hearing musical renditions by the third grade students from Pat Diskin School, Las Vegas, Nevada.

Assembly in recess at 11:08 a.m.

ASSEMBLY IN SESSION

At 11:24 a.m.

Mr. Speaker presiding.

Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

Senate Joint Resolution No. 4.

Resolution read first time.

Assemblyman Joerg moved that Senate Joint Resolution No. 2 be taken from the General File and placed on the General File for the next legislative day.

Remarks by Assemblyman Joerg.

Motion carried.

Assemblyman Stone moved that Assembly Bill No. 236 be taken from the General File and placed on the General File for the next legislative day.

Remarks by Assemblyman Stone.

Motion carried.

INTRODUCTION AND FIRST READING OF LEGISLATION

By the Committee on Transportation:

Assembly Bill No. 373—An Act relating to surface transportation; redesignating the taxicab authority as the authority for surface transportation; expanding its regulatory power to include regulation of other forms of local transportation; and providing other matters properly relating thereto.

By the Committee on Commerce:

Assembly Bill No. 374—An Act relating to industrial insurance; providing for industrial insurance by private insurers; providing for state supervision of rates and advisory organizations; exempting the state industrial insurance

system from administrative requirements applicable to executive agencies generally; providing penalties; and providing other matters properly relating thereto.

By the Committee on Labor and Management:

Assembly Bill No. 375—An Act relating to compensation for unemployment; requiring all recipients to report regularly; and providing other matters properly relating thereto.

By the Committee on Labor and Management:

Assembly Bill No. 376—An Act relating to public works; repealing the provisions governing the rates of wages paid to employees; and providing other matters properly relating thereto.

By the Committee on Labor and Management:

Assembly Bill No. 377—An Act relating to public works; expanding the circumstances in which the labor commissioner must hold a hearing to determine the prevailing wage in a locality; limiting the size of a locality to a county; and providing other matters properly relating thereto.

By the Committee on Commerce:

Assembly Bill No. 378—An Act relating to mobile home parks; removing the restriction on a landlord's use of service charges for utilities; and providing other matters properly relating thereto.

By the Committee on Commerce:

Assembly Bill No. 379—An Act relating to deceptive trade practices; specifying additional deceptive trade practices; increasing penalties for deceptive trade practices; providing penalties; and providing other matters properly relating thereto.

By the Committee on Commerce:

Assembly Bill No. 380—An Act relating to alcoholic beverages; exempting certain brewers from the limitations on wholesaling and retailing; and providing other matters properly relating thereto.

By Assemblyman Stone:

Assembly Bill No. 381—An Act relating to traffic laws; increasing the penalty for causing death or substantial bodily harm while driving under the influence of intoxicating liquor or a controlled substance; and providing other matters properly relating thereto.

By the Committee on Judiciary:

Assembly Bill No. 382—An Act relating to presumptions; creating a disputable presumption that the registered owner of a vehicle was the driver of that vehicle; and providing other matters properly relating thereto.

By the Committee on Judiciary:

Assembly Bill No. 383—An Act relating to eviction; requiring service of notices to be made by a constable or sheriff; and providing other matters properly relating thereto.

By the Committee on Judiciary:

Assembly Bill No. 384—An Act relating to actions for malpractice; providing for panels for conciliation to hear claims of malpractice 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.

By the Committee on Judiciary:

Assembly Bill No. 385—An Act relating to constables; increasing their fees; and providing other matters properly relating thereto.

By Assemblymen Ham, Rader, Little, O'Donnell, Roberts, Tebbs, Zimmer and Fairchild:

Assembly Bill No. 386—An Act relating to abortion; requiring humane disposal of an aborted embryo or fetus; and providing other matters properly relating thereto.

By the Committee on Natural Resources, Agriculture and Mining:

Assembly Bill No. 387—An Act relating to the commission on mineral resources; requiring that the members of the commission have 10 years' experience in various fields; and providing other matters properly relating thereto.

By Assemblymen Stone, Nevin, Joerg, Malone, Ham, Rader, Zimmer, Roberts, Little, Tebbs, DuBois, McGaughey, Bilyeu, Fairchild, Bogaert, Lambert, Kerns, Price, Thomas, Humke, Horne, Craddock, Beyer, Marvel and Nicholas:

Assembly Bill No. 388—An Act relating to motorcycles; excluding adult riders from the requirement to wear protective headgear and other protective devices; and providing other matters properly relating thereto.

By Assemblymen Joerg, Thomas, Rader, Bilyeu, Francis, Getto, Bergevin, Ham, Malone, Marvel, Roberts, O'Donnell, Price, Humke, Zimmer, Lambert, Williams, Fairchild, Craddock, Bogaert, Coffin, Collins, Little, Tebbs, Nevin, DuBois, Beyer, Jeffrey, Stone, Arberry, Sedway, Schofield, Thompson, Kerns, Nicholas, Horne, McGaughey, Banner, Spriggs, Sader, Swain and Dini:

Assembly Bill No. 389—An Act relating to local governments; facilitating borrowing to finance the restoration of a historic structure; and providing other matters properly relating thereto.

Senate Bill No. 125.

Bill read first time.

Senate Bill No. 161.

Bill read first time.

Senate Bill No. 171.

Bill read first time.

Senate Bill No. 174.
Bill read first time.

Senate Bill No. 181.
Bill read first time.

Senate Bill No. 182.
Bill read first time.

Senate Bill No. 193.
Bill read first time.

Senate Bill No. 213.
Bill read first time.

Senate Bill No. 220.
Bill read first time.

REFERENCE OF MEASURES TO COMMITTEES

Assembly Bill No. 372.

Assemblyman Getto moved that the bill be referred to the Concurrent Committees on Economic Development and Tourism and Ways and Means.

Motion carried.

Assembly Concurrent Resolution No. 19.

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

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 114.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 179.

Amend section 1, page 1, line 2, by deleting "[5,] *4,*" and inserting "5,".

Amend section 1, page 1, line 19, by deleting the bracket.

Amend section 1, page 1, line 20, before "the interest" by inserting an open bracket.

Amend section 1, page 2, line 4, by deleting "body." and inserting: "body.] *interest for the quarter on the amount withheld at a rate equal to the rate quoted by at least three financial institutions as the highest rate paid on a certificate of deposit whose duration is approximately 90 days on the first day of the quarter.*".

Amend section 1, page 2, line 5, by deleting "$50," and inserting "[$50,] *$500,*".

Amend section 1, page 2, line 8, by deleting "$50" and inserting "[$50] *$500*".

Amend section 1, page 2, by deleting line 14, and inserting:

"4. Except as provided in subsection 5, the amount withheld".

Amend section 1, page 2, line 18, by deleting "[5.] *4.*" and inserting "5.".

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 "revising".

Amend the summary of the bill, first line, by deleting "Deletes" and inserting "Revises".

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. 325.

Bill read second time, ordered engrossed and to third reading.

Senate Bill No. 7.

Bill read second time and ordered to third reading.

Senate Bill No. 151.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 202.

Amend the bill as a whole by deleting section 21, and renumbering sections 22 through 24 as sections 21 through 23.

Assemblyman Collins moved the adoption of the amendment.

Remarks by Assemblyman Collins.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 152.

Bill read second time and ordered to third reading.

GENERAL FILE AND THIRD READING

Assembly Bill No. 141.

Bill read third time.

Remarks by Assemblymen Francis, Banner, Bogaert, Collins and Zimmer.

Roll call on Assembly Bill No. 141:

YEAS—31.

NAYS—Arberry, Banner, Craddock, Jeffrey, Nevin, Price, Sader, Stone, Thompson—9.

Absent—Bergevin, Dini—2.

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. 213.
Bill read third time.
Remarks by Assemblyman Tebbs.
Roll call on Assembly Bill No. 213:
YEAS—40.
NAYS—None.
Absent—Bergevin, Dini—2.

Assembly Bill No. 213 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 214.
Bill read third time.
Remarks by Assemblyman Fairchild.
Roll call on Assembly Bill No. 214:
YEAS—40.
NAYS—None.
Absent—Bergevin, Dini—2.

Assembly Bill No. 214 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 215.
Bill read third time.
Remarks by Assemblyman Thompson.
Roll call on Assembly Bill No. 215:
YEAS—39.
NAYS—Nicholas.
Absent—Bergevin, Dini—2.

Assembly Bill No. 215 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen DuBois, Coffin, Dini, Stone, Collins, Thomas, Tebbs, Getto, Nicholas, Spriggs, Lambert, Rader, Beyer, Zimmer, Roberts, Malone and Bogaert:

Assembly Joint Resolution No. 12—Proposing to amend section 2 of article 19 of the constitution of the State of Nevada, relating to the procedure for enacting or amending statutes and amending the constitution by initiative petition, by requiring that constitutional amendments be submitted to the legislature.

RESOLVED BY THE ASSEMBLY AND SENATE OF THE STATE OF NEVADA, JOINTLY, That section 2 of article 19 of the constitution of the State of Nevada be amended to read as follows:

Sec. 2. 1. Notwithstanding the provisions of section 1 of article 4 of this constitution, but subject to the limitations of section 6 of this article, the people reserve to

themselves the power to propose, by initiative petition, statutes and amendments to statutes and amendments to this constitution, and to enact or reject them at the polls.

2. An initiative petition [shall] *must* be in the form required by section 3 of this article and [shall] *must* be proposed by a number of registered voters equal to 10 percent or more of the number of voters who voted at the last preceding general election in not less than 75 percent of the counties in the state, but the total number of registered voters signing the initiative petition [shall] *must* be equal to 10 percent or more of the voters who voted in the entire state at the last preceding general election.

3. If the initiative petition proposes a statute or an amendment to a statute, it [shall] *must* be filed with the secretary of state not less than 30 days [prior to] *before* any regular session of the legislature. The secretary of state shall transmit [such] *the* petition to the legislature as soon as the legislature convenes and organizes. The petition [shall take] *takes* precedence over all other measures except appropriation bills, and the statute or amendment to a statute proposed thereby [shall] *must* be enacted or rejected by the legislature without change or amendment within 40 days. If the proposed statute or amendment to a statute is enacted by the legislature and approved by the governor in the same manner as other statutes are enacted, [such] *the* statute or amendment to a statute [shall become] *becomes* law, but [shall be] *is* subject to referendum petition as provided in section 1 of this article. If the statute or amendment to a statute is rejected by the legislature, or if no action is taken thereon within 40 days, the secretary of state shall submit the question of approval or disapproval of such statute or amendment to a statute to a vote of the voters at the next succeeding general election. If a majority of the voters voting on such question at such election votes approval of [such] *the* statute or amendment to a statute, it [shall become] *becomes* law and [take] *takes* effect upon completion of the canvass of votes by the supreme court. An initiative measure so approved by the voters [shall] *may* not be amended, annulled, repealed, set aside or suspended by the legislature within 3 years from the date it takes effect. If a majority of such voters votes disapproval of [such] *the* statute or amendment to a statute, no further action [shall] *may* be taken on [such] *the* petition. If the legislature [reject such] *rejects the* proposed statute or amendment, the governor may recommend to the legislature and the legislature may propose a different measure on the same subject, in which event, after [such] *the* different measure has been approved by the governor, the question of approval or disapproval of each measure [shall] *must* be submitted by the secretary of state to a vote of the voters at the next succeeding general election. If the conflicting provisions submitted to the voters are both approved by a majority of the voters voting on [such] *the* measures, the measure which receives the largest number of affirmative votes [shall thereupon become] *becomes* law.

4. If the initiative petition proposes an amendment to the constitution, it [shall] *must* be filed with the secretary of state not less than [90] *30* days before any regular [general election at which the question of approval or disapproval of such amendment may be voted upon by the voters of the entire state. The secretary of state shall cause to be published] *session of the legislature. The secretary of state shall transmit the petition to the legislature as soon as the legislature convenes and organizes. The petition takes precedence over all other measures except appropriation bills, and the petition must be acted upon by the legislature within 40 days after it convenes. The legislature may:*

(a) Approve the proposed amendment without change except for those changes necessary to conform the proposed amendment with other amendments previously approved;

(b) Return the proposed amendment to the petitioners with its objections;

(c) Reject the proposed amendment and submit its own amendment; or

(d) Take no action on the proposed amendment.

5. If the legislature takes no action on a proposed amendment to the constitution within 40 days, the secretary of state shall submit the question of approval or disapproval of the amendment to the voters at the next succeeding general election. He shall publish in a newspaper of general circulation, on three separate occasions, in each county in the state, together with any explanatory matter which [shall] *must* be placed upon the ballot, the entire text of the proposed amendment. If a majority of the voters voting on [such] *the*

question at [such] *the* election votes disapproval of [such] *the* amendment, no further action [shall] *may* be taken on the petition. If a majority of such voters votes approval of [such] *the* amendment, the secretary of state shall publish and resubmit the question of approval or disapproval to a vote of the voters at the next succeeding general election in the same manner as [such] *the* question was originally submitted. If a majority of such voters votes disapproval of [such] *the* amendment, no further action [shall] *may* be taken on [such] *the* petition. If a majority of such voters votes approval of [such] *the* amendment, it [shall become] *becomes* a part of this constitution upon completion of the canvass of votes by the supreme court. *If the legislature rejects the proposed amendment and submits its own amendment, the secretary of state shall submit the question of approval or disapproval of each amendment to the voters in the same manner as if the legislature had taken no action. If both of the conflicting amendments submitted to the voters are approved by a majority of the voters voting on the amendments, the amendment which receives the largest number of affirmative votes becomes a part of this constitution.*

6. If the legislature approves the proposed amendment to the constitution or the petitioners consent to a modification which meets the objections of the legislature, the secretary of state shall submit the question of approval or disapproval of the amendment to the voters at the next succeeding general election. He shall publish the amendment at the same times and in the same manner prescribed for amendments in subsection 5 of this section. If a majority of the voters voting at that general election approve the amendment, it becomes a part of this constitution upon completion of the canvass of votes by the supreme court.

INTRODUCTION AND FIRST READING OF LEGISLATION

By Assemblymen Thomas and Rader:

Assembly Bill No. 390—An Act relating to motor vehicles; repealing those provisions complying with the national speed limit; increasing the maximum speed limit on highways in Nevada to 70 miles per hour; providing a temporary tax to replace any money withheld by the Federal Government; requiring the attorney general to bring an action challenging any such withholding; and providing other matters properly relating thereto.

By Assemblymen Nevin, Stone, Swain and Thomas:

Assembly Bill No. 391—An Act relating to motor vehicles; limiting the tinting of windows; allowing display of material in the corner of the driver's side of a windshield; and providing other matters properly relating thereto.

REMARKS FROM THE FLOOR

Assemblyman Francis requested that the following remarks be entered in the Journal.

ASSEMBLYMAN WILLIAMS:

A resolution recognizing the role of elected women and designating March 19, 1985, as Nevada Elected Women's Day.

WHEREAS, American women have played an important role in the formation of our Nation, displaying strength of character throughout America's history; and

WHEREAS, Since 1914, when women in Nevada were given the right to participate in the political process, involvement of women in politics has increased significantly; and

WHEREAS, In 1918, Sadie D. Hurst became the first woman elected to the Nevada legislature and there are now 10 women members of the legislature, the greatest number in the history of the state; and

WHEREAS, Nationally, there are over 17,000 women currently holding an elective office with 22 women in the United States House of Representatives, two women in the

United States Senate, two women who serve as state governor and 40 women holding other top statewide elective office; and

WHEREAS, There are now 1,067 women elected to the various state legislatures around the country, up from a total of 991 women legislators in 1983 and now comprising 14.4 percent of all state legislators; and

WHEREAS, Throughout Nevada there are approximately 150 women who are serving in state, county and local elective offices, many of whom have gathered in Carson City today for meetings of the Nevada State School Boards Association and the Nevada Elected Women's Network; and

WHEREAS, The President of the United States and Congress recently designated the week of March 3 through 9, 1985, as National Women's History Week; now, therefore, be it

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, That March 19, 1985, be designated as Nevada Elected Women's Day; and be it further

RESOLVED, That women in Nevada be commended on their contributions as elected officials of the State of Nevada and be encouraged to continue this participation with the competence, enthusiasm and dedication they have exhibited in the past.

ASSEMBLYMAN SWAIN:

We have today amongst our assembled representatives more women than at any other time in the history of Nevada. That makes us feel pretty good. But it should not satisfy us. In fact, if we were to pause and reflect upon the fact that women represent over 53 percent of the voting public of this state we should be embarrassed to have less than 6 percent representation in this body. When I consider this dilemma, I have to ask myself these questions. Is it because women are less qualified? To that I would have to answer a resounding "no". Because who amongst us could say that any sex or any race could do less well than we have already done. Is it because there are fewer of us? No. Any second grader could answer the arithmetic computations on that one. Is it because there are fewer of us that feel capable? Probably yes. But if I answer yes, I would have to turn my back on Jenny Weir who better documented the history of Nevada than any man; and the suffragettes of Nevada who made this proud state one of the first to demand their right to vote; and the women of the Comstock who proved that this state could not exist without the strength and determination of its women.

If I did not believe that women were capable of holding public office in Nevada, I wouldn't be here myself. Nor would I believe that the state itself is capable of existence. I know the contrary to be true and I urge the women of Nevada to reassess their capabilities and their priorities to assess the endeavors of their predecessors and to join us here in this legislative body.

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. Ross Price, Mesdames Mary Merritt, Beverly Rosique, Donna Archambault, Diane Kudryk, Miss Julie Inzer and students from Fritsch Elementary School in Carson City: Danny Roberts, Jeff Sessions, Mark Maxim, Brian Riley, Jim Tierney, Adam Smith, Stacey Dawson, Jeff DeMers, Jacob Bush, John Robertson, Tricia Wilmoth, Jenny Calloway, Dyan Merritt, Jody Garcia, Nikki Geissler, Derene Ogrodowski, Omar Plascencia, Greg Vasquez, Delisa Panamaroff, Jamie Hill, Kathryn Gornik, Regina Angel, Linda Hahn, Becky Stingley, Danielle Reppeteauh, Katie Miles, Heather Ligtenberg, Nicole Archambault, Laura Yonkers, Patrick Newinter and Emily Keller.

On request of Assemblyman McGaughey, the privilege of the floor of the Assembly Chamber for this day was extended to Mesdames Beth Pergola,

Betty Gritton, Sherry Pickens, Brenda Grimes, Jan Mathis, Marsha Morgan, Joanie Davidson and students from Pat Diskin Elementary School in Las Vegas: Christopher Aguilar, Henry Beverly, Allison Broniecki, Justin Davidson, Jeanine DeGregorio, Joylyn Duff, Betra Fraval, Cherylnn Gritton, Corri Huntsman, Melanie Lang, Robyn Mathis, Tara McEneany, Holly McGee, Marcella Morgan, Marissa Ortega, Gerilee Pace, Elena Perez, Robert Pickens, Amy Porray, Timothy Purdy, Kenneth Robb, Scott Sauerwine, John Shore, Atilla Tokay, Gretchen VanHooser, Tyrone Wade, Joel Davis and Jordan Marcks.

On request of Assemblyman Schofield, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Jeanine DiGregorio.

On request of Assemblyman Williams, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Chera Gritton.

On request of Assemblyman Stone, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Melanie Sturtevant.

On request of Assemblyman Malone, the privilege of the floor of the Assembly Chamber for this day was extended to Miss Gretchen VanHooser and Allison Broniecki.

On request of Assemblyman Thompson, the privilege of the floor of the Assembly Chamber for this day was extended to Miss Elena Perez.

On request of Assemblyman Banner, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Justin Davidson.

On request of Assemblyman Marvel, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Jim Squibb, Ms. Coxie Roberts, Georgia Lauritzen, Kathy Thielen, Nancy Wotruba and students from Battle Mountain High School: Tomas Reese, Rodney Thompson, Dawn Dohms, Dale Minnil, Kim Martin, Joe Bequette, Tony Berena, Teresa Sneider, Silver Wilkie, Joy Hinton, Bryan Martin, Lisa Gray, Vicki Holley, Dana Duncan, Donne Capps, Juan Pardo, Todd Esplin, Juan Wynia, Gretchen Hill, Jani Ancho, Todd Mauldin, Chad Louthan, Brent Recer, Collette Mering and Sheryl White.

On request of Assemblyman Price, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. "Butch" Fred Lee Atkinson.

Assemblyman Francis moved that the Assembly adjourn until Wednesday, March 20, 1985 at 11 a.m.

Motion carried.

Assembly adjourned at 12:02 p.m.

Approved:

BYRON L. BILYEU
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE FIFTY-NINTH DAY

CARSON CITY (Wednesday), March 20, 1985

Assembly called to order at 11:05 a.m.

Mr. Speaker presiding.

Roll called.

All present except Assemblyman Dini, who was excused.

Prayer by the Chaplain, Assemblyman Gary Lee Roberts.

Almighty Everlasting God, Creator of the Heaven, Earth and Universe. Help us legislators to be, to think and to act what is right because it is right. Make legislators truthful, honest and honorable in all things. Make legislators intellectually honest for the sake of the right and honor without thought of reward to legislators. Give legislators the ability to be charitable, forgiving and patient with their fellow man. Help legislators to understand their motives, their shortcomings, even though understanding is mine. Amen, Amen, AMEN.

Pledge of allegiance to the Flag.

Assemblyman Francis 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. 323, 331, Senate Bill No. 116, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

LOUIS W. BERGEVIN, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which were referred Assembly Bills Nos. 314, 333, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

LOUIS W. BERGEVIN, *Chairman*

Mr. Speaker:

Your Committee on Natural Resources, Agriculture and Mining, 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.

VIRGIL GETTO, *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which were referred Senate Bills Nos. 34, 54, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN DUBOIS, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, March 19, 1985

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 3, 6, 7, 23, 65, 66, 148, 176.

Also, I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bill 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 Senate Bills Nos. 28, 175.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Joerg moved that Senate Joint Resolution No. 2 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Joerg.

Motion carried.

REFERENCE OF MEASURES TO COMMITTEES

Assembly Bill No. 373.

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

Motion carried.

Assembly Bill No. 374.

Assemblyman Francis moved that the bill be referred to the Committee on Commerce.

Motion carried.

Assembly Bill No. 375.

Assemblyman Francis moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

Assembly Bill No. 376.

Assemblyman Francis moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

Assembly Bill No. 377.

Assemblyman Francis moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

Assembly Bill No. 378.

Assemblyman Francis moved that the bill be referred to the Committee on Commerce.

Motion carried.

Assembly Bill No. 379.

Assemblyman Francis moved that the bill be referred to the Committee on Commerce.

Motion carried.

Assembly Bill No. 380.

Assemblyman Francis moved that the bill be referred to the Concurrent Committees on Economic Development and Tourism and Commerce.

Motion carried.

Assembly Bill No. 381.

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

Motion carried.

Assembly Bill No. 382.

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

Motion carried.

Assembly Bill No. 383.

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

Motion carried.

Assembly Bill No. 384.

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

Motion carried.

Assembly Bill No. 385.

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

Motion carried.

Assembly Bill No. 386.

Assemblyman Ham moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

Assembly Bill No. 387.

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

Motion carried.

Assembly Bill No. 388.

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

Motion carried.

Assembly Bill No. 389.

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

Motion carried.

Assembly Bill No. 390.

Assemblyman Thomas moved that the bill be referred to the Concurrent Committees on Transportation and Taxation.

Motion carried.

Assembly Bill No. 391.

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

Motion carried.

Assembly Joint Resolution No. 12.

Assemblyman DuBois moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

Senate Bill No. 125.

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

Motion carried.

Senate Bill No. 161.

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

Motion carried.

Senate Bill No. 171.

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

Motion carried.

Senate Bill No. 174.

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

Motion carried.

Senate Bill No. 181.

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

Motion carried.

Senate Bill No. 182.

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

Motion carried.

Senate Bill No. 193.

Assemblyman Francis moved that the bill be referred to the Committee on Elections.

Motion carried.

Senate Bill No. 213.

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

Motion carried.

Senate Bill No. 220.

Assemblyman Francis moved that the bill be referred to the Committee on Elections.

Motion carried.

Senate Joint Resolution No. 4.

Assemblyman Francis moved that the resolution be referred to the Committee on Government Affairs.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Judiciary, to which was referred Senate Bill No. 59, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JAMES STONE, *Chairman*

Mr. Speaker:

Your Committee on Natural Resources, Agriculture and Mining, 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.

VIRGIL GETTO, *Chairman*

INTRODUCTION AND FIRST READING OF LEGISLATION

By Assemblymen Lambert, Kerns, McGaughey, Horne, Bergevin, Spriggs, Zimmer, Ham, Banner, Joerg, Arberry, Swain, O'Donnell, Rader, Beyer, Roberts, Williams, DuBois, Bilyeu, Fairchild, Craddock, Thompson, Bogaert and Marvel:

Assembly Bill No. 392—An Act relating to fiscal notes; clarifying the provisions that a fiscal note is required only if the effect on expenditure or revenue is adverse; requiring a new fiscal note if a proposed amendment changes the validity of the original; requiring an economic analysis of all bills and resolutions; and providing other matters properly relating thereto.

By the Committee on Judiciary:

Assembly Bill No. 393—An Act relating to driving while intoxicated; broadening the scope of a hearing by the department of motor vehicles after revocation of a driver's license; and providing other matters properly relating thereto.

By the Committee on Judiciary:

Assembly Bill No. 394—An Act relating to divorce; limiting venue and requiring information on the date and place of the marriage for a summary proceeding; and providing other matters properly relating thereto.

By the Committee on Judiciary:

Assembly Bill No. 395—An Act relating to mechanics' liens; providing a lien on land for landscaping or the installation of a system of irrigation; and providing other matters properly relating thereto.

By the Committee on Judiciary:

Assembly Bill No. 396—An Act relating to civil procedure; awarding attorney's fees to the prevailing party in all cases; and providing other matters properly relating thereto.

By the Committee on Taxation:

Assembly Bill No. 397—An Act relating to intoxicating liquor; prohibiting the imposition of an excise tax on the sale of liquor by wholesale dealers to military installations within this state; and providing other matters properly relating thereto.

By the Committee on Government Affairs:

Assembly Bill No. 398—An Act relating to the Nevada tax commission; requiring one member of the commission to have experience in the field of mining; and providing other matters properly relating thereto.

By Assemblyman Malone:

Assembly Bill No. 399—An Act relating to motor vehicles; limiting the use of tinted or obstructed windows; and providing other matters properly relating thereto.

By Assemblymen Francis, Bergevin, Bilyeu, Kerns, Nevin, Horne, Joerg, Schofield, O'Donnell, Price, McGaughey, Ham, Beyer, Nicholas, Spriggs, Stone, Rader, Bogaert, Thomas, Tebbs, Williams, Collins, Sedway, DuBois, Malone, Craddock, Zimmer, Getto, Coffin, Arberry, Little, Humke, Lambert, Roberts and Swain:

Assembly Bill No. 400—An Act relating to mental health; creating a separate division within the department of human resources; creating a commission to supervise the activities of the division; and providing other matters properly relating thereto.

By Assemblymen Williams, Stone, Sedway, Malone, Jeffrey, Thompson, Sader, Zimmer, Ham, Joerg, Francis, Banner, Lambert, Rader, Bilyeu, Bogaert, Bergevin, Coffin, Kerns, Arberry, Tebbs, Craddock and Beyer:

Assembly Bill No. 401—An Act relating to trade practices; concerning memberships in athletic clubs and organizations for buying goods and services at a discount; and providing other matters properly relating thereto.

By the Committee on Natural Resources, Agriculture and Mining:

Assembly Bill No. 402—An Act relating to wildlife; changing the term of

office for members of the county game management boards; providing penalties; authorizing the issuance of distinguishing plates for exempt vehicles of the department of wildlife; increasing the reward for information leading to the arrest and conviction of persons violating certain laws; and providing other matters properly relating thereto.

By the Committee on Natural Resources, Agriculture and Mining:

Assembly Bill No. 403—An Act relating to the department of minerals; establishing the position of deputy director; and providing other matters properly relating thereto.

By Assemblymen Roberts, Francis, Little, Bogaert, Arberry, Bergevin, Collins, Schofield, Nevin, O'Donnell, Lambert, Rader, McGaughey, Price, Malone, Stone and Beyer:

Assembly Bill No. 404—An Act relating to parking for handicapped persons; requiring a local government to hire an officer to enforce laws and ordinances regulating such parking; increasing the fine for illegally parking in a reserved space; and providing other matters properly relating thereto.

Senate Bill No. 28.

Bill read first time.

Senate Bill No. 175.

Bill read first time.

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 Norm Crosby.

Assembly in recess at 11:30 a.m.

ASSEMBLY IN SESSION

At 11:38 a.m.

Mr. Speaker presiding.

Quorum present.

REMARKS FROM THE FLOOR

Assemblyman Schofield requested that the following remarks be entered in the Journal.

NORM CROSBY:

Ladies and gentlemen, I know you are very busy. I looked at the agenda and there are certainly more interesting things for you to contemplate this morning than listening to visitors. I just wanted to come up and some hello and tell you that it is perspiring, really, to be sitting here with this extinct group. I mean that. It is a very suspicious gathering. For somebody who comes to your state as often as I do—for years now I have been working in Las Vegas for half of the year. I have a home in Las Vegas so I am a semi-residual in Nevada. I work Reno and Tahoe also.

I appreciate your efforts and the example you set for young people who come here to look down on you. I mean that. You cannot imagine the aura, the dignity that I feel sitting in this room. I've been here before. I was here last when Paul Laxalt was governor. I want you to know something. Just sitting here this morning listening to you there is a special

feeling. There is a dignity, an aura of reek in this building that has got to come from you—it wasn't here last time I was here. It makes you proud. It makes you realize that with all the sophistication and the modern computers, the elevators and everything up-to-the-moment, you still have tradition. You can walk four blocks away from all of the busy downtown and be out in the desert and the mountains. It makes you appreciate more our forefathers and foremothers who gave us all this. You can look up into infinity, you can look into space and appreciate pioneer people crawling through the desert and sliding through the mountain passes and scratching themselves on the arroyos and tearing their jeans on the crotchy crevices carrying chandeliers, escalators, elevators and computers so we can have all this stuff today. I mean if you think about it, that's the way those people went. They should be your inspiritation—the pioneer people. They rode wagon trains and buckboards through the mountain passes to come here because they were idiots. They didn't know the expressway comes right from the airport.

I make jokes because I'm a humidor—that is what I do for a living. But I really do appreciate your efforts. I understand what is going on. I have occasion once in a while to visit legislative bodies. I was talking to Lieutenant Governor Cashell just a little while ago through an interpreter. I know we are incohesion on certain points. I think that it is important that you understand what is going on in the world. Not just in Nevada but everywhere. The Supreme Court two days ago—I'm sure you read about it—reversed an incision of a minor court that if a person of a segregated sect now wishes to go to an accredited university that has a bilateral quotient, unless his own ducks are into the first credenza of his division, they won't give him a locker. I mean that is stupid.

Crime is rampant. Len showed me a book of bills that deals with legislation that is coming up before you. You do as much as you can do, all of you. But so what. There are limits. You catch crooks, criminals are caught, apprehended in criminal activity and the judges let them go because they don't have the circumcising evidence. That's dumb. A pickpocket in Los Angeles was caught at the airport; a famous pickpocket—One Finger Louie. That's his name, he only has one finger on his right hand. He only steals bagels and doughnuts. They caught him red-handed but had to let him go because they couldn't put the finger on him. Do you realize, friends, when you go to court in front of jury that you are putting your fate in the hands of 12 people who weren't smart enough to get out of jury duty. That makes you think.

Democracy, the system that you practice, should be an inspiritation to young people. I love young people. I identify with young people—I have a chenille bedspread. I care about the kids. I go to different youth clubs all over the United States and I speak to different youths. I say, "different youths"—you have to say that otherwise they don't listen to you.

I'm not used to being up at this hour. I'm a night person and I appreciate how you sit here everyday and go through these sessions and handle things with such expertise and gentility and complete disconcern. I really mean that. It is a tribute to you. I think Democracy has become so prevalent. Even now all over the world you don't realize how the little waves that you start circulate and spread and become universal. For the first time in the history of the Vatican a democractic step has been taken. For the first time in history a repair job had to be taken care of and they put it up for bids rather than just designating a contracting company to come in and do the work. They are starting to believe in Democracy and free enterprise. Naturally because of the Pope's affiniation, the first contractor had to be a Polish contractor. He came and looked at the job and he told the Pope he could do the job for $900. The Pope asked him to break that down. He said that $300 went for labor, $300 for material and $300 for me. The Pope said that was very fair and we'll get back to you. Because of the location being in Rome, they had to call, of course, an Italian contractor. He came in and looked at the job and said he could do it for $1,800. The Pope asked him where he got that number. He said that $600 goes for labor, $600 for material and $600 for me. The Pope told him they would get back to him. Because they set an example of fairness and Democracy and caring they called New York and flew over a New York contractor, who was formerly from Nevada. The Pope told him that it was only fair to let him know that they already received two bids—a bid of $900

from a Polish contractor and a bid of $1,800 from an Italian contractor. The man from New York said, "I don't even have to see the job, I can do it for $2,700". The Pope asked him to break down the costs. He said, "Certainly, $900 for me, $900 for you and we'll let the Polish guy do it". Thank you very much.

SECOND READING AND AMENDMENT

Assembly Bill No. 117.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 225.

Amend the bill as a whole by deleting section 1, and renumbering section 2 as section 1.

Amend sec. 2, page 2, line 17, by deleting "*April 1*" and inserting "*January 1*".

Amend the title of the bill, second and third lines, by deleting: "allowing local governments to exempt themselves from such a holiday;".

Amend the summary of the bill, by deleting "Limits application" and inserting: "Requires advance notice by governor".

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. 127.

Bill read second time.

The following amendment was proposed by the Committee on Labor and Management:

Amendment No. 203.

Amend sec. 13, page 4, line 15, after "*who*" by inserting "*knowingly*".

Amend sec. 13, page 4, by deleting lines 20 through 22 and inserting: "*the validity of the instrument.*".

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. 298.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 196.

Amend section 1, page 1, by deleting line 8 and inserting:

"If the sum claimed does not exceed [$200] *$1,000*.....[$15.00] *$25.00*".

Amend section 1, page 1, line 9, by deleting "$200" and inserting "[$200] *$1,000*".

Amend section 1, page 1, line 10, by deleting "25.00" and inserting "[25.00] *35.00*".

Assemblyman Zimmer moved the adoption of the amendment.

Remarks by Assemblyman Zimmer.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Joint Resolution No. 9.

Resolution read second time and ordered to third reading.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1.

The following Senate amendment was read:

Amendment No. 81.

Amend the bill as a whole by adding new sections designated sections 2 through 9, following section 1, to read as follows:

"Sec. 2. Section 5 of the above entitled act, being chapter 458, Statutes of Nevada 1983, at page 1209, is hereby amended to read as follows:

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] *trustees* must be elected for terms of 4 years. *The office of trustee is nonpartisan.*

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] *district* 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] *district* one trustee to an initial term which expires when his successor is elected and qualified in the general election held in November of 1984.

4. If the office of any trustee becomes vacant, the authority which appointed his initial predecessor shall appoint his successor for the unexpired term.

Sec. 3. Section 8 of the above entitled act, being chapter 458, Statutes of Nevada 1983, at page 1210, is hereby amended to read as follows:

Sec. 8. 1. The board shall meet regularly at a time and in a place to be designated by the board. Special meetings may be held as often as the needs of the board require, on notice to each board member.

2. A majority of the members shall constitute a quorum at any meeting. Every motion and resolution of the board must be adopted by at least a majority of the members present and constituting the quorum at such meeting.

3. *If any member is absent from three consecutive regular meetings of*

the board, without good cause as determined by the board, his office thereupon becomes vacant.

4. The board shall adopt a seal.

Sec. 4. Section 12 of the above entitled act, being chapter 458, Statutes of Nevada 1983, at page 1212, is hereby amended to read as follows:

Sec. 12. In addition to the other means for providing revenue for the authority, the board [, subject to the approval of] *may require* the board of county commissioners of Lander County [, has power] to levy and collect general (ad valorem) taxes on and against all taxable property within the geographical boundaries of the authority . [, such levy and collection to be made by the board in conjunction with the county and its officers as set forth in this act.]

Sec. 5. Section 13 of the above entitled act, being chapter 458, Statutes of Nevada 1983, at page 1212, is hereby amended to read as follows:

Sec. 13. 1. [To levy and collect taxes, the] *The* board *of trustees* shall determine, in each year, the amount of money necessary to be raised by taxation, taking into consideration other sources of revenue of the authority, and shall [, subject to the approval of the board of county commissioners of Lander County,] fix a rate of levy which, when levied upon every dollar of assessed valuation of taxable property within the geographical boundaries of the authority, and together with other revenues, will raise the amount required by the authority annually to pay the costs of acquiring, operating and maintaining the airport of the authority, *to extend and better it if appropriate,* and promptly to pay in full, when due, all interest on and principal of general obligation bonds and other general obligations of the authority. In the event of accruing defaults or deficiencies, an additional levy may be made as provided in section 14 of this act.

2. The board shall certify to the board of county commissioners of Lander County, at the same time as fixed by law for certifying thereto tax levies, the rate so fixed with directions that at the time and in the manner required by law for levying taxes for county purposes the board of county commissioners shall levy such tax upon the assessed valuation of all taxable property within the geographical boundaries of the authority, in addition to such other taxes as may be levied by the board of county commissioners at the rate so fixed and determined.

Sec. 6. Section 14 of the above entitled act, being chapter 458, Statutes of Nevada 1983, at page 1212, is hereby amended to read as follows:

Sec. 14. 1. The board, in certifying annual levies, shall take into account the maturing general obligation indebtedness for the ensuing year as provided in its contracts, maturing general obligation bonds and interest on such bonds, and deficiencies and defaults of prior years, and shall make ample provision for the payment thereof.

2. If the money produced from these levies, together with other revenues of the authority, are not sufficient punctually to pay the annual installments on such obligations, and interest thereon, and to pay defaults and deficiencies, the board shall [make, with the approval of the board of county

commissioners of Lander County,] *require* such additional levies of taxes *to be made* as may be necessary for such purposes, and, notwithstanding any limitations, the taxes must be made and continue to be levied until the general obligation indebtedness of the authority is fully paid.

Sec. 7. Section 15 of the above entitled act, being chapter 458, Statutes of Nevada 1983, at page 1213, is hereby amended to read as follows:

Sec. 15. 1. [The body having authority to levy taxes within each county shall levy the taxes provided in this act.

2.] All officials charged with the duty of collecting taxes shall collect the taxes at the time and in the same form and manner, and with like interest and penalties, as other taxes are collected and when collected shall pay the same to the authority. The payment of such collections must be made monthly to the treasurer of the authority and paid into the depository thereof to the credit of the authority.

[3.] *2.* All taxes levied under this act, together with interest thereon and penalties for default in payment thereof, and all costs of collecting such taxes, interest and penalties constitute, until paid, a perpetual lien on and against the property taxed; and the lien is on a parity with the tax lien of other general taxes.

Sec. 8. Sections 17 and 28 of the above entitled act, being chapter 458, Statutes of Nevada 1983, at pages 1213 and 1216 respectively, are hereby repealed.

Sec. 9. The title of the above entitled act, being chapter 458, Statutes of Nevada 1983, at page 1208, is hereby amended to read as follows:

An Act creating the Airport Authority of Lander County; [making legislative findings and declarations; defining certain words and terms;] providing for the appointment, *election, removal,* 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.".

Amend the title of the bill after the first "An Act" by inserting: "to amend the title of and".

Assemblyman Bergevin moved that the Assembly do not concur in the Senate amendment to Assembly Bill No. 1.

Remarks by Assemblyman Bergevin.

Motion carried.

Bill ordered transmitted to the Senate.

GENERAL FILE AND THIRD READING

Assembly Bill No. 173.

Bill read third time.

Remarks by Assemblyman DuBois.

Roll call on Assembly Bill No. 173:

YEAS—41.
NAYS—None.
Absent—Dini.

Assembly Bill No. 173 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 212.

Bill read third time.

Remarks by Assemblyman Collins.

Roll call on Assembly Bill No. 173:

YEAS—41.
NAYS—None.
Absent—Dini.

Assembly Bill No. 212 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 236.

Bill read third time.

Remarks by Assemblyman Sader.

Roll call on Assembly Bill No. 236:

YEAS—41.
NAYS—None.
Absent—Dini.

Assembly Bill No. 236 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 325.

Bill read third time.

Remarks by Assemblyman Bergevin.

Roll call on Assembly Bill No. 325:

YEAS—41.
NAYS—None.
Absent—Dini.

Assembly Bill No. 325 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 7.

Bill read third time.

Remarks by Assemblyman Francis.

Roll call on Senate Bill No. 7:

YEAS—41.
NAYS—None.
Absent—Dini.

Senate Bill No. 7 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 152.

Bill read third time.

Remarks by Assemblymen Price, Humke, Coffin, Sader, Bergevin and Craddock.

Roll call on Senate Bill No. 152:

YEAS—34.

NAYS—Fairchild, Humke, Little, Rader, Stone, Zimmer, Mr. Speaker—7.

Absent—Dini.

Senate Bill No. 152 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

INTRODUCTION AND FIRST READING OF LEGISLATION

By Assemblyman Malone:

Assembly Bill No. 405—An Act relating to crimes and punishments; providing in skeleton form for requiring imprisonment for any crime committed against an older person if the offender was previously convicted of any crime; and providing other matters properly relating thereto.

By Assemblyman Malone:

Assembly Bill No. 406—An Act relating to public employees' retirement; providing an increase in benefits proportionate to the increase in the cost of living; and providing other matters properly relating thereto.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Senate Bills Nos. 89, 120; Senate Joint Resolutions Nos. 3 of the 62nd Session, 23 of the 62nd Session.

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. Jack Neal, Mrs. Cathy Retterer and students from Reno High School, Reno, Nevada: Ronnie Avery, Kevin Bell, Craig Blakely, Mike Burgess, John Ebner, Cindy Enewold, Brian Foster, Mindy Herrington, Ted Herzchel, Chad Jones, Laura Lifur, Jason McKenzie, Wendy McLaughlin, Jim Nelson, Becky Reed, Joe Rissone, Matt Sharp, Dan Siegel, Julie Smith, James Spence, Stacy Steven, Caryn Stoess, Kelly Sumrall, David Thornton, Craig Vince, Ken Vogel, Yvonne Allison, Tim Barnard, Dale Bianucci, Shane Brown, Reynolds Cafferata, Margaret Chinn, Scott Elton, Paige Finn, John Halley, Steve Haugen, Laura Helseth, Tim Humes, Katherine Korvin, Joey Kreutzian,

Kirsten Kuenzli, Michael Madole, Steve Molin, Katie Murphy, Rocky Nix, Jennifer Pace, Jeff Sanders, David Stillwagon, Jeff Tomac, Lisa Walker, Randy Wells and Melanie Wiggins.

On request of Assemblyman Swain, the privilege of the floor of the Assembly Chamber for this day was extended to J. Collins and students from Traner Middle School, Reno, Nevada: Robert Ablang, Sajjad Ahmed, Trena Anderson, John Arnold, Mike Baldridge, Reuben Barajas, Ali Bisharat, Kenny Birdsong, Thomas Breunig, Rommie Brown, Stacy Brown, Stan Brown, Denise Challender, Geni Cherry, Scott Christie, Maria Cabada, Mark Coltrin, Brian Davis, Gretchen Deknikker, April DeTally, Jason Duggin, Aaron Grimes, Paul Hanks, Shayne Harmon, David Gross, Laura Griffin, Tony Farren, Eric Harris, Linda Henderson, Melissa Hisel, Jared Jones, Andrew Lamarr, Joe Lassonde, Bobby Ly, Jamie Merritt, Dennis Montgomery, Stacy Oldfield, Jose Ruiz, Brad Smith, Lisa Sperling, Donald Weems and John Woytek.

On request of Assemblyman Spriggs, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. James Hertz.

On request of Assemblyman Nevin, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Carmen (Irene) LaMesa, Messrs. Bobby Chambers, Norm Crosby, Mr. Carmen LaMesa and Ms. Marge Clausen.

On request of Assemblyman Malone, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Delores Rabjohn.

On request of Assemblyman McGaughey, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Pat Bendorf.

Assemblyman Francis moved that the Assembly adjourn until Thursday, March 21, 1985 at 11 a.m.

Motion carried.

Assembly adjourned at 12:11 p.m.

Approved:

BYRON L. BILYEU
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE SIXTIETH DAY

CARSON CITY (Thursday), March 21, 1985

Assembly called to order at 11:03 a.m.

Mr. Speaker presiding.

Roll called.

All present except Assemblyman Dini, who was excused.

Prayer by the Chaplain, Assemblyman Bruce R. Bogaert.

Oh God, Almighty God, be with us today; be with the Dini family. Be with us as we attempt to do Your work. Give us Your guidance and Your direction so as these days go on and more important decisions have to be made for the citizens of this state, that You will show us the way; the way and the best manner possible to do Your work. These things we ask in Your Name, Oh Lord. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Francis 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 Ways and Means, to which were referred Assembly Bills Nos. 258, 321; Senate Bills Nos. 43, 123, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN MARVEL, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which was referred Senate Bill No. 9, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JAMES STONE, *Chairman*

Mr. Speaker:

Your Committee on Labor and Management, to which were referred Assembly Bill No. 189, Senate Bill No. 79, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

BARBARA ZIMMER, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, March 20, 1985

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. 228, 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. 218.

MARY JO MONGELLI
Assistant Secretary of the Senate

INTRODUCTION AND FIRST READING OF LEGISLATION

By the Committee on Judiciary:

Assembly Bill No. 407—An Act relating to accounting by trustees; allowing testator to choose whether the court has continuing jurisdiction over the accounting of a testamentary trust; and providing other matters properly relating thereto.

By the Committee on Judiciary:

Assembly Bill No. 408—An Act relating to medical malpractice; providing for the periodic payments of future damages recovered against providers of health care; and providing other matters properly relating thereto.

By the Committee on Judiciary:

Assembly Bill No. 409—An Act relating to attorneys at law; limiting the amount of contingent fees; and providing other matters properly relating thereto.

By the Committee on Government Affairs:

Assembly Bill No. 410—An Act relating to public schools; allowing broader investments for annuities for employees; and providing other matters properly relating thereto.

By the Committee on Government Affairs:

Assembly Bill No. 411—An Act relating to the state controller; revising the procedure for withholding money for income tax; requiring the delivery of warrants to the state treasurer; increasing the duration of warrants; repealing obsolete provisions; and providing other matters properly relating thereto.

By the Committee on Government Affairs:

Assembly Bill No. 412—An Act relating to natural resources; creating a commission to oversee the state department of conservation and natural resources; abolishing the state environmental commission and the state conservation commission; transferring their powers and duties to other agencies; providing for review of actions taken by the director of the department and the chiefs of each of the divisions of the department; and providing other matters properly relating thereto.

By Assemblymen Nicholas, Beyer, DuBois, Ham, Sader and Thompson:

Assembly Bill No. 413—An Act relating to the state climatologist; creating the office; establishing its qualifications and duties; requiring the University of Nevada to provide him with an office; authorizing his employment by the University of Nevada and as a consultant; and providing other matters properly relating thereto.

Senate Bill No. 218.

Bill read first time.

REFERENCE OF MEASURES TO COMMITTEES

Assembly Bill No. 392.

Assemblyman Lambert moved that the bill be referred to the Concurrent Committees on Legislative Functions and Ways and Means.

Motion carried.

Assembly Bill No. 393.

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

Motion carried.

Assembly Bill No. 394.

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

Motion carried.

Assembly Bill No. 395.

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

Motion carried.

Assembly Bill No. 396.

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

Motion carried.

Assembly Bill No. 397.

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

Motion carried.

Assembly Bill No. 398.

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

Motion carried.

Assembly Bill No. 399.

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

Motion carried.

Assembly Bill No. 400.

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

Motion carried.

Assembly Bill No. 401.

Assemblyman Williams moved that the bill be referred to the Committee on Commerce.

Motion carried.

Assembly Bill No. 402.

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

Motion carried.

Assembly Bill No. 403.

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

Motion carried.

Assembly Bill No. 404.

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

Motion carried.

Assembly Bill No. 405.

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

Motion carried.

Assembly Bill No. 406.

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

Motion carried.

Senate Bill No. 28.

Assemblyman Francis moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 175.

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

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 116.

Bill read second time.

The following amendment was proposed by the Committee on Natural Resources, Agriculture and Mining:

Amendment No. 120.

Amend section 1, page 1, by deleting line three and inserting: "ratus may be installed after July 1, 1978 [:] , *or indoor faucet after January 1, 1986:*".

Amend the bill as a whole by deleting section 2.

Assemblyman Spriggs moved the adoption of the amendment.

Remarks by Assemblyman Spriggs.

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 Bill No. 314.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 229.

Amend section 1, page 2, by deleting lines 4 and 5 and inserting: "*requirement for findings of fact and conclusions of law.*".

Amend the title of the bill, second line, by deleting: "fact, conclusions of law and adduced evidence;" and inserting: "fact and conclusions of law;".

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. 323.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 331.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 333.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 204.

Amend sec. 25, page 11, line 29, by deleting "four" and inserting "such".

Amend sec. 25, page 11, line 30, by deleting the comma and inserting a period.

Amend sec. 25, page 11, by deleting line 31 and inserting: "A set must be provided to and kept respectively:".

Amend sec. 25, page 11, line 38, by deleting "such" and inserting "those".

Amend sec. 25, page 11, between lines 39 and 40, by inserting:

"3. The legislative counsel shall, without charge, provide:

(a) A complete set of the Nevada Administrative Code, upon request, to each person who is on July 1, 1985, or who becomes after that date a member of the legislature; and

(b) To each legislator who has so acquired the code, the replacement or supplementary pages which are issued during his term of office.".

Amend sec. 25, page 11, line 40, by deleting "3." and inserting "4.".

Amend sec. 25, page 11, line 44, by deleting "agency,".

Amend the bill as a whole by adding a new section designated section 43, following section 42, to read as follows:

"Sec. 43. Section 25 of this act becomes effective at 12:01 a.m. on July 1, 1985.".

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. 34.

Bill read second time and ordered to third reading.

Senate Bill No. 54.

Bill read second time and ordered to third reading.

Senate Bill No. 59.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 242.

Amend sec. 128, pages 58 and 59, by deleting lines 38 through 45 on page 58 and lines 1 through 13 on page 59 and inserting: "authority, board or public corporation or entity of the state after July 1, 1973, must provide facilities and features for the physically handicapped so that buildings which are normally used by the public are constructed with entrance ramps, toilet facilities, drinking fountains, doors and public telephones accessible to and usable by the physically handicapped. Such buildings and facilities must conform with the Minimum Federal Guidelines and Requirements for Accessible Design, as issued by the United States Architectural and Transportation Barriers Compliance Board in the Federal Register of January 16, 1981.

[3. Every public building or facility of the state or of a political subdivision, district, authority, board or public corporation or entity of the state which is normally used by the public and which is constructed or opened for occupancy after July 1, 1977, must be provided with at least one toilet facility for males and one toilet facility for females which is accessible to and usable by the physically handicapped and which conforms to the Minimum Federal Guidelines and Requirements for Accessible Design.]".

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. 116.

Bill read second time and ordered to third reading.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 228.

The following Senate amendment was read:

Amendment No. 195.

Amend section 1, page 1, line 5, by deleting "$60,000." and inserting "$55,000.".

Assemblyman Marvel moved that the Assembly do not concur in the Senate amendment to Assembly Bill No. 228.

Remarks by Assemblyman Marvel.

Motion carried.

Bill ordered transmitted to the Senate.

GENERAL FILE AND THIRD READING

Assembly Bill No. 114.

Bill read third time.

Remarks by Assemblyman McGaughey.

Roll call on Assembly Bill No. 114:

YEAS—41.

NAYS—None.

Absent—Dini.

Assembly Bill No. 114 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 151.

Bill read third time.

Remarks by Assemblyman Collins.

Roll call on Senate Bill No. 151:

YEAS—41.

NAYS—None.

Absent—Dini.

Senate Bill No. 151 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Joint Resolution No. 9.

Resolution read third time.

Remarks by Assemblyman Humke.

Roll call on Senate Joint Resolution No. 9:

YEAS—40.

NAYS—Swain.

Absent—Dini.

Senate Joint Resolution No. 9 having received a constitutional majority, Mr. Speaker declared it passed.

Resolution ordered transmitted to the Senate.

INTRODUCTION AND FIRST READING OF LEGISLATION

By the Committee on Commerce:

Assembly Bill No. 414—An Act relating to casualty insurance; requiring

parity between policies covering personal property in a dwelling which is rented and a dwelling which is owned; and providing other matters properly relating thereto.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bills Nos. 3, 6, 7, 23, 65, 66, 148, 176.

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 Mesdames Jan Ross, Kendyl DePaoli, Miss Mary Bedle, Mr. Ross Gregory and students from McQueen High School, Reno, Nevada: Craig D. Adams, Leighann Atkinson, Jose M. Arellano, Dudley Baker, Kerry R. Bozarth, Charlotte J. Balzar, James Bennett, Jonas K. Bergring, Mark J. Bernardi, Vanessa T. Broaten, Debbie L. Ballough, Diane Beyer, Eric Book, Lance Broderdorf, Tyrone W. Brooks, Dean Byrne, Alyson Broderdorf, Frank J. Brooke, John J. Brooke, Joseph K. Brooke, Dianne D. Brown, Robert J. Basso, Valerie D. Backman, Jeff W. Bour, Paul W. Bright, Carrie A. Brimm, Jerry B. Brower, Collenn S. Cheng, Carla R. Clark, Lisa L. Callahan, Kristi L. Canon, Fred M. Copeland, Manny H. Canson, Lois Chacon, Louise Chacon, Jeffrey S. Cochrane, Raegan L. Cole, Barbara M. Chappel, Ana Cadena, Craig Capps, Joy Harasymchuk, Shannon M. Heatherly, Theresa L. Henry, Kelly M. Hurn, Sheila A. Iturriaga, Terri A. Ivens, Eric L. Jensen, Colleen M. Johnson, Micheale A. Jones, Alan L. Jay, Leesa A. Johnston, Jeffrey Jensen, Karola E. Kennedy, Trisha L. Ketchum, Lawrence S. Koons, Kristen J. Kingery, Jill Kaiser, David J. Kozak, Steven Lehn, Jun S. Lonzame, Aaron E. Leblanc, Daniel M. Ledbetter, Matt R. Legarza, Matti T. Lukkari, Michael Lawrence, Aaron Lewis, Marni Maxfield, David S. Micone, Tony A. Midmore, Anne M. Mirch, Cliff Morton, Kimberly A. Munson, Timothy Murphy, Andrea McNeely, Holly A. Mohler, Susan C. Stubbs, Debi N. Schaut, Shin M. Shea, Robert T. Sneed, Ronda L. Sutton, Christopher Svendsen, Peter H. Scott, Michael E. Shafer, Kirk E. Stifle, William Simons, Christine A. Slaughter, Sylvia M. Schuster, Anthony W. Scronce, David O. Skulason, Mike Shea, Kerrie A. Smith, Catherine A. Spinetta, John Savini, Yvette Stoltz, Pam M. Tacchino, Steve C. Trimble, Allan J. Toth, Tolly A. Toth, Maureene A. Thomas, Misty J. Vaughan, William P. Vankeymeulen, Charles J. Webb, Bridgette M. Wood, Betty-Jo Whaley, Joy L. Williamson, Elizabeth J. Woods, Larry B. Wilcox, Katherine Wells, Linda A. Winchell, Mark Zimmerman, Shawna Powell, Derek J. Cecil, Jack C. Davis, Robert O. Davies, Brent Donnelly, Robert Dalrymple, Robert F. Dieleman, Shari L. Draper, Brian J. Desjardin, Lee

Eisenbarth, Dawn O. Edmon, Catherine D. Estipona, Craig Flynn, Darren R. Foote, Michael T. Fitzpatrick, Tracy M. Faulstich, Kendee L. Franklin, Jose L. Fernandez, Lisa M. Fisher, Laura L. Freeman, Suzanne Foss, Irene Gustafson, Barry M. Giles, Tamra Goswick, Rodney P. Galvin, Mikel Greninger, John E. Grime, Bruce P. Gamino, Tracy M. Gorder, Kristina D. Haynes, Emily Harper, Tony R. Hernandez, Joel Hester, Steven Higginbotham, Patricia L. Hadlock, Patricia M. Herman, Robin L. Morley, Sarah J. McMeen, Nennette Mendoza, David A. Moore, Eric N. Moore, Michelle McKinnon, Kathleen McGee, Paul Martinez, Matthew Mitchell, Renee M. Manfredi, John L. McLaury, Tiffany J. Melcher, Gary J. Maguire, Christine Maxwell, Kristen Metzger, Johnathan B. Mitchell, Bao P. Nguyen, Richard E. Nemitz, Chris F. Nolte, J. B. Nelson, Tom N. Ortiz, Christina L. O'Hanlon, Laurie M. Papp, Allan Peters, Paula M. Poirier, Michael D. Pachnik, Ronald P. Pardini, Pamela K. Pepper, Brian S. Potter, K. Tony Pereira, Peter G. Queyrel, Brent R. Ruybalid, Mathew D. Ryssmann, Terry K. Rauh, Joaquin R. Roces, Kelly L. Ryan, Sharon L. Rigdon, Johnathon B. Rubin, Susan A. Crittenden, Michelle L. Dodge, Monica J. Fultz, Pamela M. Gupta, Kristen D. Haberman, Kate D. Morgan, Dona M. Peters, David O. Skulason, Josette L. Veasley, Michael Wallace and Pat Prest.

On request of Assemblyman Getto, the privilege of the floor of the Assembly Chamber for this day was extended to Mesdames Eve Penrose, Helen Hawkins, Ione Minister, Nora Van Norman, Linda Cummings, Avis Hall, Vi Adams, Katherine Lague, Peggy Myles, Nevada Lambert and Yolanda Endersby.

On request of Assemblyman Marvel, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Winnie Beck and Mr. Alan Beck.

On request of Assemblyman Swain, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Renata Cirri.

On request of Assemblyman Price, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Irene L. Vogel and Shirley Staunton Rappaport.

On request of Assemblyman Kerns, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Loyce Swift, Gail Thurman, Lani Peel, Anita Weir, Lina Blohm, Tamee Simonds, Cheryl Plato, Ruth Travernia, Elizabeth Staley, Sherryl Andrus, Millie Gibbs, Pam Dulgar, Marilyn Koschella, Loretta M. Starbuck, Shirley Lake, Judy Higgs, Kathy Fitzsimmons, Irene Vogel, Johnie Patton, Messrs. Rob Roy Swift, Duff Armstrong, Charles Pacheco, Eric Cronkhite, Bert Gurr, Gary Troxel, Gil States, George Peek, Lee Gibbs, Jack Woodcock, Gary Canepa, Wayne Alexander and Tony Miglionico.

Assemblyman Francis moved that the Assembly adjourn until Friday, March 22, 1985 at 11 a.m.

Motion carried.

Assembly adjourned at 11:44 a.m.

Approved: BYRON L. BILYEU
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE SIXTY-FIRST DAY

CARSON CITY (Friday), March 22, 1985

Assembly called to order at 11:02 a.m.

Mr. Speaker pro Tempore presiding.

Roll called.

All present except Assemblyman Arberry, who was excused.

Prayer by the Chaplain, Assemblyman James W. Schofield.

Dear Heavenly Father, we come before Thee today to ask again for Your blessings to guide us through our deliberations. Give us the wisdom and knowledge to make the right decisions in those deliberations; to be just and benevolent to all the people affected by our actions. We ask You to bless the Dini family in their loss of mother and grandmother and give them a special strength and comfort during this time to lighten their hearts. Please watch over each of us during these times so important to everyone. We ask these blessings in the Name of Thy Son, Jesus Christ. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Francis 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 Education, to which was referred Senate Bill No. 118, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

ERIK BEYER, *Chairman*

Mr. Speaker:

Your Committee on Education, to which was referred Senate Concurrent Resolution No. 18, has had the same under consideration, and begs leave to report the same back with the recommendation: Be adopted.

ERIK BEYER, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, March 20, 1985

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. 114.

MARY JO MONGELLI
Assistant Secretary of the Senate

SENATE CHAMBER, Carson City, March 21, 1985

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, 26, 27, 28, 29, 39, 82.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Bill No. 188.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bill No. 205.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen Humke, Swain, Nevin, Thomas, Ham, Joerg, Getto, Banner, O'Donnell, Lambert, Rader, Fairchild, Little, Williams, Bogaert, McGaughey, Kerns, Francis, Dini, Jeffrey, Schofield, Horne, Sader, Arberry, Tebbs, Coffin, Spriggs, Craddock, Roberts, Nicholas, Thompson, Beyer, Stone, DuBois, Collins, Price, Bergevin, Malone, Sedway, Marvel, Bilyeu and Zimmer:

Assembly Concurrent Resolution No. 20—Commending the members of the Nevada National Guard and designating March 22, 1985, as Nevada National Guard Day.

WHEREAS, The Nevada Army National Guard was founded in 1860 and the Nevada Air National Guard was founded in 1948; and

WHEREAS, The Nevada National Guard, with over 2,000 members in its two branches, provides great public service to the citizens of Nevada during fires, floods, riots and other emergencies; and

WHEREAS, The Nevada National Guard, consisting of the Nevada Army National Guard, as part of the Sixth U.S. Army, and the Nevada Air National Guard, as part of the Tactical Air Command, provides an important contribution to the defense of the United States of America; and

WHEREAS, Nevada is proud of the long and faithful service the Nevada National Guard has provided to Nevada; now, therefore, be it

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, THE SENATE CONCURRING, That March 22, 1985, be declared Nevada National Guard Day; and be it further

RESOLVED, That copies of this resolution be prepared and transmitted forthwith by the legislative counsel to the adjutant general of the Nevada National Guard, the president of the Nevada National Guard Association and to the president of the Nevada Chapter of the Enlisted Association of the National Guard of the United States.

Assemblyman Humke moved the adoption of the resolution.

Remarks by Assemblyman Humke.

Resolution adopted.

Assemblyman Stone moved that Assembly Bill No. 202 be taken from the Chief Clerk's desk and placed on the General File for the next legislative day.

Motion carried.

Senate Concurrent Resolution No. 18.

Assemblyman Beyer moved the adoption of the resolution.

Remarks by Assemblyman Beyer.

Resolution adopted.

INTRODUCTION AND FIRST READING OF LEGISLATION

Senate Bill No. 114.

Bill read first time.

Senate Bill No. 188.
Bill read first time.

Senate Bill No. 205.
Bill read first time.

REFERENCE OF MEASURES TO COMMITTEES

Assembly Bill No. 407.
Assemblyman Francis moved that the bill be referred to the Committee on Judiciary.
Motion carried.

Assembly Bill No. 408.
Assemblyman Francis moved that the bill be referred to the Committee on Judiciary.
Motion carried.

Assembly Bill No. 409.
Assemblyman Francis moved that the bill be referred to the Committee on Judiciary.
Motion carried.

Assembly Bill No. 410.
Assemblyman Francis moved that the bill be referred to the Committee on Government Affairs.
Motion carried.

Assembly Bill No. 411.
Assemblyman Francis moved that the bill be referred to the Committee on Government Affairs.
Motion carried.

Assembly Bill No. 412.
Assemblyman Francis moved that the bill be referred to the Committee on Government Affairs.
Motion carried.

Assembly Bill No. 413.
Assemblyman Nicholas moved that the bill be referred to the Committee on Government Affairs.
Motion carried.

Assembly Bill No. 414.
Assemblyman Francis moved that the bill be referred to the Committee on Commerce.
Motion carried.

Senate Bill No. 218.
Assemblyman Francis moved that the bill be referred to the Committee on Commerce.
Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 189.
Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 258.
Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 321.
Bill read second time, ordered engrossed and to third reading.

Senate Bill No. 9.
Bill read second time.
The following amendment was proposed by the Committee on Judiciary:
Amendment No. 124.
Amend section 1, page 1, line 8, by deleting "[.] , *or*" and inserting: ". *He shall, with the consent of the administrator of the health and care facility, establish criteria for such a determination regarding a prisoner*".
Amend section 1, page 1, line 9, after "*health*", by inserting "*and*".
Amend the tile of the bill, first line, after "health", by inserting "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. 43.
Bill read second time and ordered to third reading.

Senate Bill No. 79.
Bill read second time and ordered to third reading.

Senate Bill No. 123.
Bill read second time and ordered to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Francis moved that Assembly Bills Nos. 117, 127, 187, 298, 323, 331; Senate Bills Nos. 34, 54, 116 be taken from the General File and placed on the General File for the next legislative day.
Motion carried.

INTRODUCTION AND FIRST READING OF LEGISLATION

By Assemblyman Beyer:
Assembly Bill No. 415—An Act relating to architecture; clarifying the requirement for a certified architect in the office of a business engaging in the practice of architecture; and providing other matters properly relating thereto.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Senate Bills Nos. 7, 152.

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 Ms. Martha Wright, Karen Dunlap, Connie Jantzen, Master Sgt. John Ternan and Staff Sgt. Leslie Girsch.

On request of Assemblyman Nicholas, the privilege of the floor of the Assembly Chamber for this day was extended to Tech. Sgt. Lorrie Gibbs and Master Sgt. Norman Carter.

On request of Assemblyman Zimmer, the privilege of the floor of the Assembly Chamber for this day was extended to Sgt. Norman Hoggatt and Master Sgt. John Mackey.

On request of Assemblyman Sader, the privilege of the floor of the Assembly Chamber for this day was extended to Lt. Gail Carson and Sgt. John Gaines.

On request of Assemblyman Spriggs, the privilege of the floor of the Assembly Chamber for this day was extended to Second Lt. Barclay Trehal and SP 4 Sherlyn Richardson.

On request of Assemblyman Tebbs, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Shawna Shelton and Messrs. Jeff Jaszer and Robert Boggess.

On request of Assemblyman Bergevin, the privilege of the floor of the Assembly Chamber for this day was extended to Warrant Officer Joe Dolan.

On request of Assemblyman Stone, the privilege of the floor of the Assembly Chamber for this day was extended to Capt. Chris Anastassatos.

On request of Assemblyman Francis, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Cory Sitton and Private Robert Ward.

On request of Assemblyman Ham, the privilege of the floor of the Assembly Chamber for this day was extended to Pvt. Haui Foster.

On request of Assemblyman Roberts, the privilege of the floor of the Assembly Chamber for this day was extended to Adjutant General Robert Dwyer.

On request of Assemblyman Humke, the privilege of the floor of the Assembly Chamber for this day was extended to CM. Sgt. Gerald Larson, First Sgt. Edith Bivin, Col. Melvin Watson, Master Sgt. John Graves, Staff Sgt. Mark Cloninger, Specialist 5 Hoffman, SF 2 Sitton, SF 2 Fisher, First Sgt. Howard, Cadet Powell and Major Bussel.

On request of Assemblyman Banner, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Lotus Brown, Ana Rodda and Airman Chris Vandenberg.

On request of Assemblyman Fairchild, the privilege of the floor of the Assembly Chamber for this day was extended to Staff Sgt. Mike Muniz.

On request of Assemblyman Williams, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Lee Ann Zirbel and Alicia Bingham.

On request of Assemblyman Marvel, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Tracie Mae Watson, Heidi Williams and Specialist 5 Charlene Hoffman.

On request of Assemblyman Little, the privilege of the floor of the Assembly Chamber for this day was extended to PFC Tamsen Ford.

On request of Assemblyman Malone, the privilege of the floor of the Assembly Chamber for this day was extended to Sgts. John Dwyer and John Millard.

On request of Assemblyman Thompson, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Christina Thompson and Samye Lynom.

On request of Assemblyman Rader, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Dave Fair.

On request of Assemblyman Kerns, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Timothy Williams and Don Lewis.

On request of Assemblyman Swain, the privilege of the floor of the Assembly Chamber for this day was extended to Master Sgt. Bill Amunson, Ms. Carol Mentzer and Mr. K. Gregory Swain.

On request of Assemblyman DuBois, the privilege of the floor of the Assembly Chamber for this day was extended to Lt. Col. Giles Vanderhoff, Tech. Sgt. Clarkson and Airman First Class Kevin Knuf.

On request of Assemblyman Beyer, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Stephanie Mitchell and Karla Pope.

On request of Assemblyman Bogaert, the privilege of the floor of the Assembly Chamber for this day was extended to Command Sgt. Major Walter Willson.

On request of Assemblyman Schofield, the privilege of the floor of the Assembly Chamber for this day was extended to Master Sgt. B. J. Bjornson.

Assemblyman Francis moved that the Assembly adjourn until Monday, March 25, 1985 at 11 a.m.

Motion carried.

Assembly adjourned at 11:36 a.m.

Approved: BYRON L. BILYEU
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE SIXTY-FOURTH DAY

CARSON CITY (Monday), March 25, 1985

Assembly called to order at 11:06 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, Assemblyman Jane Ham.

Almighty and Everlasting God, in whom we live and move and have our being; we, Thy creatures render Thee our humble praises for Thy preservation of us from the beginning of our lives to this hour. We implore Thy grace and protection for this day. Keep us temperate in all things and diligent in our several callings. Grant us patience under our afflictions. Give us grace to be just and upright in all of our dealings, full of compassion and ready to do good to all men according to our abilities and opportunities. Direct us in all our ways. Defend us from all dangers and adversities and be graciously pleased to take us and all who are dear to us under Thy Fatherly care and protection. These things and whatever else Thou shalt see to be necessary to us, we humbly ask of Thee. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Francis 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. 110, 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.

BARBARA ZIMMER, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, 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: Do pass.

LOUIS W. BERGEVIN, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, March 22, 1985

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. 228 and requests a conference, and appointed Senators Horn, Vergiels 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. 5.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Bills Nos. 170, 240, 241.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 49, 143, 155, 160, 211, 222.

Also, I have the honor to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolutions Nos. 21, 24, 26.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Senate Concurrent Resolution No. 21.
Resolution read.

Senate Concurrent Resolution No. 24.
Resolution read.

Senate Concurrent Resolution No. 26.
Resolution read.

INTRODUCTION AND FIRST READING OF LEGISLATION

By Assemblymen Roberts and Little:

Assembly Bill No. 416—An Act relating to elections; adding the requirement that a nominating petition be filed for a declaration of candidacy; providing the form for the petition and the procedures for filing; and providing other matters properly relating thereto.

By the Committee on Ways and Means:

Assembly Bill No. 417—An Act making an appropriation to the division of state parks of the department of conservation and natural resources for capital improvements; authorizing the division to borrow money from this appropriation for other purposes; and providing other matters properly relating thereto.

By the Committee on Ways and Means:

Assembly Bill No. 418—An Act making an appropriation to the division of state parks of the state department of conservation and natural resources for vehicles and special equipment; and providing other matters properly relating thereto.

By the Committee on Government Affairs:

Assembly Bill No. 419—An Act relating to cities; establishing alternative criteria and procedures for annexation by cities in counties whose population is 250,000 or more; and providing other matters properly relating thereto.

By Assemblyman Price:

Assembly Bill No. 420—An Act relating to insurance; requiring the commissioner of insurance to publish a guide to insurance for motor vehicles; and providing other matters properly relating thereto.

Senate Bill No. 49.
Bill read first time.

Senate Bill No. 143.
Bill read first time.

Senate Bill No. 155.
Bill read first time.

Senate Bill No. 160.
Bill read first time.

Senate Bill No. 170.
Bill read first time.

Senate Bill No. 211.
Bill read first time.

Senate Bill No. 222.
Bill read first time.

Senate Bill No. 240.
Bill read first time.

Senate Bill No. 241.
Bill read first time.

REFERENCE OF MEASURES TO COMMITTEES

Assembly Bill No. 415.
Assemblyman Beyer moved that the bill be referred to the Committee on Commerce.
Motion carried.

Senate Bill No. 114.
Assemblyman Francis moved that the bill be referred to the Committee on Judiciary.
Motion carried.

Senate Bill No. 188.
Assemblyman Francis moved that the bill be referred to the Committee on Judiciary.
Motion carried.

Senate Bill No. 205.
Assemblyman Francis moved that the bill be referred to the Committee on Labor and Management.
Motion carried.

SECOND READING AND AMENDMENT

Senate Bill No. 118.
Bill read second time and ordered to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Zimmer moved that Assembly Bill No. 127 be taken from the General File and placed on the General File for the next legislative day.
Remarks by Assemblyman Zimmer.
Motion carried.

Assemblyman Bergevin moved that Assembly Bill No. 117 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Bergevin.

Motion carried.

Assemblyman Stone moved that Senate Bill No. 9 be placed on the Chief Clerk's desk.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 116.

Bill read third time.

Remarks by Assemblyman Spriggs.

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.

Assembly Bill No. 187.

Bill read third time.

Remarks by Assemblymen Getto, Sader and Horne.

Assemblyman Sader moved that Assembly Bill No. 187 be taken from the General File and placed on the Chief Clerk's desk.

Motion carried.

Assembly Bill No. 189.

Bill read third time.

Remarks by Assemblymen Francis, Humke and Zimmer.

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.

Bill ordered transmitted to the Senate.

Assembly Bill No. 202.

Bill read third time.

Remarks by Assemblyman Stone.

Roll call on Assembly Bill No. 202:

YEAS—42.

NAYS—None.

Assembly Bill No. 202 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 258.

Bill read third time.

Remarks by Assemblyman Thomas.
Roll call on Assembly Bill No. 258:
YEAS—42.
NAYS—None.

Assembly Bill No. 258 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 298.
Bill read third time.
Remarks by Assemblyman Zimmer.
Roll call on Assembly Bill No. 298:
YEAS—42.
NAYS—None.

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. 314.
Bill read third time.
Remarks by Assemblyman Thompson.
Roll call on Assembly Bill No. 314:
YEAS—42.
NAYS—None.

Assembly Bill No. 314 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. 79 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. 321.
Bill read third time.
Remarks by Assemblyman Beyer.
Roll call on Assembly Bill No. 321:
YEAS—41.
NAYS—Horne.

Assembly Bill No. 321 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 323.
Bill read third time.

Remarks by Assemblymen Bergevin, Coffin, Kerns and Schofield.

Assemblyman Kerns moved that Assembly Bill No. 323 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Kerns.

Motion carried.

Assembly Bill No. 331.

Bill read third time.

Remarks by Assemblymen Kerns and Dini.

Roll call on Assembly Bill No. 331:

YEAS—42.

NAYS—None.

Assembly Bill No. 331 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 333.

Bill read third time.

Remarks by Assemblyman Kerns.

Roll call on Assembly Bill No. 333:

YEAS—42.

NAYS—None.

Assembly Bill No. 333 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 34.

Bill read third time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 261.

Amend sec. 9, page 4, by deleting line 20 and inserting:

"636.420 Any person *licensed under this chapter*".

Amend sec. 9, page 4, line 21, by deleting "*who violates*" and inserting "who violates".

Amend sec. 9, page 4, by deleting lines 24 through 26.

Amend the bill as a whole by adding a new section, designated section 10, following section 9, to read as follows:

"Sec. 10. Section 9 of this act becomes effective at 12:01 a.m. on July 1, 1985.".

Assemblyman DuBois moved the adoption of the amendment.

Remarks by Assemblyman DuBois.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 43.

Bill read third time.

Remarks by Assemblymen Nevin and Joerg.

Assemblyman Nevin moved that Senate Bill No. 43 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Nevin.

Motion carried.

Senate Bill No. 54.

Bill read third time.

Remarks by Assemblyman Bogaert.

Roll call on Senate Bill No. 54:

YEAS—42.

NAYS—None.

Senate Bill No. 54 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 59.

Bill read third time.

Remarks by Assemblyman O'Donnell.

Roll call on Senate Bill No. 59:

YEAS—42.

NAYS—None.

Senate Bill No. 59 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 116.

Bill read third time.

Remarks by Assemblyman Bergevin.

Roll call on Senate Bill No. 116:

YEAS—33.

NAYS—DuBois, Fairchild, Little, Malone, Nicholas, O'Donnell, Rader, Stone, Thomas—9.

Senate Bill No. 116 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Roberts gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 321 was this day passed.

GENERAL FILE AND THIRD READING

Senate Bill No. 123.

Bill read third time.

Remarks by Assemblyman Nicholas.

Roll call on Senate Bill No. 123:

YEAS—41.

NAYS—Little.

Senate Bill No. 123 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

INTRODUCTION AND FIRST READING OF LEGISLATION

By the Committee on Natural Resources, Agriculture and Mining:

Assembly Bill No. 421—An Act relating to conveyancing; requiring deeds to contain a detailed description of the water rights appurtenant to the property being conveyed; and providing other matters properly relating thereto.

UNFINISHED BUSINESS

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker appointed Assemblymen Beyer, Getto 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. 228.

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bills Nos. 24, 26, 27, 28, 29, 39, 82; Senate Joint Resolution No. 9.

REMARKS FROM THE FLOOR

Assemblyman Francis requested that Assemblyman Horne's remarks be entered in the Journal.

Fellow citizens, a wise and frugal government which shall restrain men from injuring one another, shall leave them otherwise free to regulate their own pursuits of industry and improvements. This is the sum of good government.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman McGaughey, the privilege of the floor of the Assembly Chamber for this day was extended to Mesdames Terry Bonnifatto, Diana Bruni, Betty Foster, Berna Jo Gayler, Sue Gurlides, Patti Italiano, Cami White, Suzanne Tegano, Ms. Jean Ford, Messrs. Mark Coleman, David White and the following students: Joe Bonnifatto, Eric Brooker, Justin Bruni, Jennifer Budzinski, Shaw Casey, Clint Davis, Matt Enee, Brian Faulkner, Bobby Fernandez, Mark Fernandez, Sarah Fulton, Tammy Glass, Krista Gurlides, Brandee Italiano, Shelby Johns, Kathy Lerz, Tamara Metta, Lisa Nares, Andy Nichols, Brandon Potter, Elizabeth Prisner, Amy Roberson, Steve Salmon, Amber Schnippert, Dominic Tegano, Brandy Thomas, Lee Twesme, Joe Twesme, Jimmy Walker, Susan Walker, Erin White, Joshua White, and Brandi Williams.

On request of Assemblyman Nicholas, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Barbara Bidart.

On request of Assemblyman Fairchild, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Garold Whisler.

Assemblyman Francis moved that the Assembly adjourn until Tuesday, March 26, 1985 at 11 a.m.

Motion carried.

Assembly adjourned at 12:06 p.m.

Approved: BYRON L. BILYEU
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE SIXTY-FIFTH DAY

CARSON CITY (Tuesday), March 26, 1985

Assembly called to order at 11:06 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, Assemblyman Bob Coffin.

Dear Lord, in the past month Your servants here in this house have composed prayers for You which are thoughtful and reverent. They have been as diverse as the backgrounds of the men and women who have composed them. Lord, I do not know if any one of those prayers has pleased You more than any other. But I pray that You have heard them. There is raging in our country a debate, Lord, over whether our children should pray openly to You when they start their school day or whether they should pray and meditate silently as they do in our state now. Lord, I ask that You give us the wisdom to decide which way is most pleasing to You. We will now pray silently to You for Your guidance, just as our children have done this morning. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Francis 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, Agriculture and Mining, to which was referred Assembly Bill 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.

VIRGIL GETTO, *Chairman*

Mr. Speaker:

Your Committee on Labor and Management, to which was referred Assembly Bill No. 301, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

BARBARA ZIMMER, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, March 25, 1985

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 8, 30, 34, 35.

Also, I have the honor to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 20.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Bills Nos. 138, 247.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 39, 124, 127, 207.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen Sedway, Williams, Price, Thompson, DuBois, Nevin, Jeffrey, Dini and Coffin:

Assembly Joint Resolution No. 13—Urging the Congress of the United States to repeal certain provisions of the Public Utility Regulatory Policies Act of 1978.

INTRODUCTION AND FIRST READING OF LEGISLATION

By the Committee on Taxation:

Assembly Bill No. 422—An Act relating to persons medically indigent; requiring each county to establish a separate fund for medical assistance to indigent persons; providing for a levy of a tax ad valorem to support this fund; and providing other matters properly relating thereto.

By the Committee on Judiciary:

Assembly Bill No. 423—An Act relating to gaming; revising the procedure for contested cases before the Nevada gaming commission; and providing other matters properly relating thereto.

By the Committee on Transportation:

Assembly Bill No. 424—An Act relating to the sale of used motor vehicles; requiring disclosure of the highest and lowest price in an approved publication; and providing other matters properly relating thereto.

By Assemblymen Dini and Bilyeu:

Assembly Bill No. 425—An Act relating to auditing of federal subsidies; authorizing a biennial audit of these subsidies; and providing other matters properly relating thereto.

By Assemblymen Sedway, Price, Thompson, DuBois, Nevin, Jeffrey, Coffin and Dini:

Assembly Bill No. 426—An Act relating to the state plan for assistance to the medically indigent; extending the state welfare administrator's power to issue subpenas; providing penalties for accepting, soliciting or offering bribes and rebates and for attempting to obtain public assistance fraudulently; and providing other matters properly relating thereto.

By Assemblymen Sedway, Williams, Price, Thompson, Nevin, Dini, Jeffrey and Arberry:

Assembly Bill No. 427—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.

By Assemblymen Sedway, Williams, Dini, Jeffrey, Coffin and Arberry:

Assembly Bill No. 428—An Act relating to public works; providing a preference for architects and contractors who have paid state and local taxes; and providing other matters properly relating thereto.

By Assemblymen Sedway, Williams, Price, Thompson, Nevin, Jeffrey, Coffin and Arberry:

Assembly Bill No. 429—An Act relating to aid to dependent children; extending assistance to those children who live with both parents; and providing other matters properly relating thereto.

By Assemblymen Sedway, Williams, Price, Thompson, Nevin, Dini, Jeffrey, Coffin and Arberry:

Assembly Bill No. 430—An Act relating to public utilities; requiring certain utilities to provide loans to residential customers to pay the cost of improvements to their dwellings to conserve energy; and providing other matters properly relating thereto.

By Assemblymen Price, Bilyeu, Craddock, Thompson, Arberry, Banner, Bergevin, Beyer, Bogaert, Coffin, Collins, Dini, DuBois, Fairchild, Francis,. Getto, Horne, Humke, Jeffrey, Joerg, Kerns, Lambert, Little, McGaughey, Malone, Nevin, Nicholas, O'Donnell, Rader, Roberts, Sader, Sedway, Spriggs, Stone, Swain, Thomas, Williams and Zimmer:

Assembly Bill No. 431—An Act relating to requests for legislative bills; requiring the publication of a list of all requests; and providing other matters properly relating thereto.

By the Committee on Ways and Means:

Assembly Bill No. 432—An Act making an appropriation to the youth services division of the department of human resources for the awarding of grants to public and private agencies for the establishment of programs for the prevention of delinquency; and providing other matters properly relating thereto.

Senate Bill No. 39.
Bill read first time.

Senate Bill No. 124.
Bill read first time.

Senate Bill No. 127.
Bill read first time.

Senate Bill No. 138.
Bill read first time.

Senate Bill No. 207.
Bill read first time.

Senate Bill No. 247.
Bill read first time.

REFERENCE OF MEASURES TO COMMITTEES

Assembly Bill No. 416.

Assemblyman Roberts moved that the bill be referred to the Committee on Elections.

Motion carried.

Assembly Bill No. 417.

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

Motion carried.

Assembly Bill No. 418.

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

Motion carried.

Assembly Bill No. 419.

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

Motion carried.

Assembly Bill No. 420.

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

Motion carried.

Assembly Bill No. 421.

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

Motion carried.

Senate Bill No. 49.

Assemblyman Francis moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 143.

Assemblyman Francis moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 155.

Assemblyman Francis moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 160.

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

Motion carried.

Senate Bill No. 170.

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

Motion carried.

Senate Bill No. 211.

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

Motion carried.

Senate Bill No. 222.

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

Motion carried.

Senate Bill No. 240.

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

Motion carried.

Senate Bill No. 241.

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

Motion carried.

Senate Concurrent Resolution No. 21.

Assemblyman Francis moved that the resolution be referred to the Committee on Education.

Motion carried.

Senate Concurrent Resolution No. 24.

Assemblyman Francis moved that the resolution be referred to the Committee on Education.

Motion carried.

Senate Concurrent Resolution No. 26.

Assemblyman Francis moved that the resolution be referred to the Committee on Education.

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Bergevin moved that Assembly Bill No. 323 be taken from the Chief Clerk's desk and placed on the General File.

Motion carried.

Assemblyman Francis moved that Assembly Bill No. 127, Senate Bill No. 118 and Assembly Bill No. 323 be taken from the General File and placed on the General File for the next legislative day.

Motion carried.

Assemblyman Francis moved that the vote whereby Senate Bill No. 160 was referred to the Committee on Government Affairs be rescinded.

Motion carried.

Assemblyman Francis moved that Senate Bill No. 160 be referred to the Committee on Economic Development and Tourism.

Motion carried.

INTRODUCTION AND FIRST READING OF LEGISLATION

By Assemblymen Nicholas and Bergevin:

Assembly Bill No. 433—An Act relating to the Tahoe regional planning agency; creating an interim legislative committee to oversee the agency; and providing other matters properly relating thereto.

By the Committee on Government Affairs:

Assembly Bill No. 434—An Act relating to contractors; allowing an investigator of the board to serve process; allowing a master's license to be issued on the basis of a state license; limiting the qualification of one person on behalf of another; reducing the retention of a bond after it is excused; and providing other matters properly relating thereto.

SECOND READING AND AMENDMENT

Assembly Bill No. 110.

Bill read second time.

The following amendment was proposed by the Committee on Labor and Management:

Amendment No. 252.

Amend section 1, page 1, lines 9 and 10, by deleting: "[.] *, not to exceed the cost of reproduction.*" and inserting a period.

Amend section 1, page 1, line 15, by deleting "*5 years,*" and inserting "*1 year,*".

Amend sec. 2, page 2, lines 23 and 24, by deleting "*treating*".

Amend sec. 4, page 3, by deleting lines 6 through 33 and inserting:

"616.647 1. [The administrator may impose an administrative fine, not to exceed $500 for each violation, if the insurer or employer intentionally or repeatedly:

(a) Induces] *If the administrator has reason to believe that an insurer or employer has:*

(a) Induced a claimant for compensation to fail to report an accidental injury or occupational disease [.

(b) Persuades] *;*

(b) Persuaded a claimant to settle for an amount which is less than reasonable [.

(c) Persuades] *;*

(c) Persuaded a claimant to settle for an amount which is less than reasonable while a hearing or an appeal is pending [.

(d) Persuades] ;

(d) Persuaded a claimant to accept less than the compensation found to be due him [.

(e) Refuses] *by a hearing officer or appeals officer;*

(e) Refused to pay or [delays] *unreasonably delayed* payment to a claimant of compensation found to be due him [.

(f) Makes] *by a hearing officer or appeals officer;*

(f) Made it necessary for a claimant to resort to proceedings against the employer or insurer for compensation found to be due him [.

(g) Fails] *by a hearing officer or appeals officer;*

(g) Intentionally or repeatedly failed to comply with department regulations for the acceptance and rejection of claims, determination and calculation of a claimant's average monthly wage, determination and payment of compensation, delivery of accident benefits and reporting relating to these matters [.

(h) Fails] *; or*

(h) Failed to comply with the department's regulations covering the payment of an assessment relating to the funding of costs of administration of this chapter and chapter 617 of NRS , [.

2. If the employer requests a hearing concerning the fine imposed pursuant to subsection 1,]

the administrator shall set a date for a hearing . [within 20] *The date must be no sooner than 30* days after [receiving the appeal request, and shall give the employer at least 10 business days'] notice *is served upon the insurer or employer* of the *alleged action and the* time and place of the hearing.

2. If, after an evidentiary hearing, the administrator determines that the insurer or employer has committed the alleged act, the administrator may impose an administrative fine not to exceed $500 for each such action.".

Amend sec. 4, page 3, line 37, before "Within" by inserting an open bracket.

Amend sec. 4, page 3, line 38, by deleting "*insurer or*".

Amend sec. 4, page 3, line 40, after "5." by inserting a closed bracket.

Amend sec. 4, page 3, line 41, by deleting "violations" and inserting "[violations] *acts*".

Amend sec. 4, page 3, line 44, by deleting "6." and inserting "[6.] *5.*".

Amend sec. 4, page 3, line 46, by deleting "violations" and inserting "[violations] *acts*".

Assemblyman Thompson moved the adoption of the amendment.

Remarks by Assemblyman Thompson.

Amendment adopted.

Assemblyman Thompson moved that Assembly Bill No. 110 be rereferred to the Committee on Labor and Management.

Motion carried.

Bill ordered reprinted, engrossed and to the Committee on Labor and Management.

Assembly Bill No. 334.

Bill read second time, ordered engrossed and to third reading.

INTRODUCTION AND FIRST READING OF LEGISLATION

By the Committee on Legislative Functions:

Assembly Bill No. 435—An Act relating to the legislative counsel bureau; requiring the legislative counsel to conduct searches by computer of the text of specified materials under certain circumstances; and providing other matters properly relating thereto.

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. 18.

REMARKS FROM THE FLOOR

Assemblyman Francis requested that Assemblyman Horne's remarks be entered in the Journal.

A quote from Benjamin Franklin: "Without freedom of thought there can be no such thing as wisdom and no such thing as public liberty without freedom of speech."

Assemblyman Roberts requested that his remarks be entered in the Journal.

Yesterday I voted "yea" on Assembly Bill No. 321. I would like the Journal to reflect that I am not satisfied with the figures and if it were to be reconsidered, I would vote "nay."

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. Marge Shafer, Mr. Ken Hawkins and students from Yerington Intermediate School: Randy MacGill, Ontoniel Arellaro, Shawn Bruce, Mike Marriott, Eric Villines, Corine Ivey, Brian Coclich, Jerry Snyder, Sarah Cook, Julie Smith, Bonnie Bryan, Mike Gregerson, Audra Wabaunsee, Bridget Hill, Melanie Molering, Rosa Lopez, Andrea Gutierez, Heather House, Windy Smith, Raquel Hernandez, Crystal Sammripa, Beth Manch, Cassie Roberts, Daylene Warr, Virginia Carrera, Jennifer Spangle, Leslie Baptist, Charis Adams, Derra Perymean, Lori Homan, Kelly Williams, Jay Morris, Deena Eoff, Craig Chisum, Scott Rogers, Jeff Stanton, Billy Carey, Scott Draper and Jennifer Wilson.

On request of Assemblyman Nicholas, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Sue Greene, Mr. Bill Carr and students from Incline Middle School: Tina Shattuck, Dawn Hebel, Sue Birkner, Gemma Czyz, Alinka Pascal, Shannon Smith, Ryan Sommers, Mike Dewey, Jannifar Aragon, Angelic Lavatai, Amy Presswood, Eric Greig, Cindy Brodgon, Aimee Mattoon, Jason Griffith, Zack Carrillo, Lasha Crowell, Windy Anne Richards, Pat Tincher, Gavin Cochran, Jamie

Jackson, Jason Payne, Don Hurd, Brian Ball, Ed Tuttle, Ian Ballenger, Aubin Foster, Jason Sederquist, Anthony Trijillo, Chris Hardesty, Adonis Newkirk and Marcia Musselman.

On request of Assemblyman Thompson, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Sharon Barela and Lynn Robinson.

On request of Assemblyman Swain, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Craig Page.

On request of Assemblyman Price, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Brenda Price.

Assemblyman Francis moved that the Assembly adjourn until Wednesday, March 27, 1985 at 11 a.m.

Motion carried.

Assembly adjourned at 11:41 a.m.

Approved: BYRON L. BILYEU
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE SIXTY-SIXTH DAY

CARSON CITY (Wednesday), March 27, 1985

Assembly called to order at 11:02 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, Assemblyman Bruce R. Bogaert.

Let us pray that strength and courage abundant be given to all who work for a world of reason and understanding. That the good that lies in each of our hearts may day by day be magnified that we will come to see more clearly not that which divides us, but that which unites us. That each hour may bring us closer to understanding of ourselves over our own evils and weaknesses. That the true spirit of cooperation abide with us during this session. That a hope for an abiding faith in a greater Nevada may live among all of us at all times. That all sections of Nevada shall build and grow in harmony and peace. That we show sympathy and forbearance with each of our various problems. That we plan for the future of Nevada with confidence and good judgment. These things we ask in Your Name, Oh Lord. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Francis 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 Education, to which was referred Assembly Bill No. 62, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ERIK BEYER, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which was referred Assembly Bill No. 217, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JAMES STONE, *Chairman*

Mr. Speaker:

Your Committee on Taxation, to which was referred Assembly Bill No. 95, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

CHARLES W. JOERG, *Chairman*

Mr. Speaker:

Your Committee on Commerce, 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: Amend, and re-refer to the Committee on Judiciary.

JOHN DUBOIS, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Assembly Bill No. 404, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

LOUIS W. BERGEVIN, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, March 26, 1985

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bill No. 91.

Also, I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bill No. 177, 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. 85, 224.

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.

MARY JO MONGELLI
Assistant Secretary of the Senate

INTRODUCTION AND FIRST READING OF LEGISLATION

By the Committee on Elections:

Assembly Bill No. 436—An Act relating to elections; permitting voters to vote for persons whose names do not appear on the ballot; and providing other matters properly relating thereto.

By the Committee on Ways and Means:

Assembly Bill No. 437—An Act relating to the state public defender; authorizing the collection of certain amounts from the counties for the use of his services; and providing other matters properly relating thereto.

By Assemblymen Banner, Thompson and Williams:

Assembly Bill No. 438—An Act making an appropriation to the Nevada commissioner for veteran affairs for the acquisition and initial development of land for a veterans' cemetery in southern Nevada; and providing other matters properly relating thereto.

Senate Bill No. 85.

Bill read first time.

Senate Bill No. 224.

Bill read first time.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Senate Bill No. 79 be taken from the Chief Clerk's desk and placed on the General File.

Motion carried.

REFERENCE OF MEASURES TO COMMITTEES

Assembly Bill No. 422.

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

Motion carried.

Assembly Bill No. 423.

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

Motion carried.

Assembly Bill No. 424.

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

Motion carried.

Assembly Bill No. 425.

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

Motion carried.

Assembly Bill No. 426.

Assemblyman Sedway moved that the bill be referred to the Concurrent Committees on Health and Welfare and Judiciary.

Motion carried.

Assembly Bill No. 427.

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

Motion carried.

Assembly Bill No. 428.

Assemblyman Sedway moved that the bill be referred to the Committee on Commerce.

Motion carried.

Assembly Bill No. 429.

Assemblyman Sedway moved that the bill be referred to the Concurrent Committees on Health and Welfare and Ways and Means.

Motion carried.

Assembly Bill No. 430.

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

Motion carried.

Assembly Bill No. 431.

Assemblyman Francis moved that the bill be referred to the Committee on Legislative Functions.

Motion carried.

Assembly Bill No. 432.

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

Motion carried.

Assembly Bill No. 433.

Assemblyman Nicholas moved that the bill be referred to the Concurrent Committees on Legislative Functions and Ways and Means.

Motion carried.

Assembly Bill No. 434.

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

Motion carried.

Assembly Bill No. 435.

Assemblyman Francis moved that the bill be referred to the Committee on Legislative Functions.

Motion carried.

Assembly Joint Resolution No. 13.

Assemblyman Sedway moved that the resolution be referred to the Committee on Government Affairs.

Motion carried.

Senate Bill No. 39.

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

Motion carried.

Senate Bill No. 124.

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

Motion carried.

Senate Bill No. 127.

Assemblyman Francis moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 138.

Assemblyman Francis moved that the bill be referred to the Concurrent Committees on Judiciary and Ways and Means.

Motion carried.

Senate Bill No. 207.

Assemblyman Francis moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 247.

Assemblyman Francis moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 11.

Bill read second time.

The following amendment was proposed by the Committee on Natural Resources, Agriculture and Mining:

Amendment No. 239.

Amend section 1, page 1, lines 4 and 5, by deleting: "*which must be filed*" and inserting: "*required to be recorded*".

Amend sec. 2, page 1, line 14, by deleting "*File*" and inserting "*Record*".

Amend sec. 3, page 2, line 18, by deleting: "*the locational* monument" and inserting: "monument *of location*".

Amend sec. 3, page 2, by deleting lines 21 and 22 and inserting:

"(b) The name of the locator [or locators, together with the post office address of such locator or locators.] *and his mailing address.*".

Amend sec. 4, page 2, by deleting line 29 and inserting:

"517.030 [1. Within 20 days from the date of] *Within 60 days after* posting the".

Amend sec. 4, page 2, line 44, by deleting "*metal or*".

Amend sec. 4, page 3, line 10, by deleting "4" and inserting "[4] *3*".

Amend sec. 4, page 3, by deleting lines 12 through 18 and inserting:

"[(e) All trees, posts or rocks used as monuments, when not 4 feet in diameter at the base, shall be surrounded by a mound of earth or stone 4 feet in diameter by 2 feet in height, which trees, posts, stones or rock monuments must be so marked as to designate the corners of the claim located.

2. Within 90 days from the date of posting of the notice of location".

Amend sec. 5, page 4, by deleting lines 14 through 21 and inserting: "must be tied by courses and distance to a [claim location marker. The claim location marker must be constructed at some prominent point visible from at least one claim corner. The claim marker site must be chosen so that it will not be endangered by snow, rock or landslides, or other natural causes. Only one mineral claim marker is required of each contiguous group of claims. The claim marker must be constructed in one of the following ways:".

Amend sec. 5, page 4, by deleting lines 27 and 28 and inserting: "5 feet above the level of the terrain surrounding the base.] *natural landmark or a readily identifiable artificial landmark which is customarily shown on a map, including, without limitation, a bench mark or the point at which two roads intersect.* The description must also state the township and range, and where the".

Amend sec. 5, page 4, line 30, by deleting "[mineral] marker" and inserting: "[mineral marker] *landmark*".

Amend sec. 6, page 5, by deleting lines 16 and 17 and inserting:

"(b) The name of the locator [or locators, together with the post office address of the locator or locators.] *and his mailing address.*".

Amend sec. 6, page 5, line 23, by deleting "*locational* work" and inserting: "work *of location*".

Amend sec. 7, page 5, line 42, by deleting "*locational* monument" and inserting: "monument *of location*".

Amend sec. 8, page 6, by deleting line 16 and inserting: "*ral landmark or a readily identifiable artificial landmark* as".

Amend sec. 9, page 6, by deleting lines 34 and 35 and inserting:

"(b) The name of the locator [or locators and the post office address of each.] *and his mailing address.*".

Amend sec. 11, page 7, by deleting lines 10 and 11 and inserting:

"517.120 The proprietor of a [vein or lode claim or mine,] *mine or mining claim* or the owner of a [quartz] mill or reduction works, may locate".

Amend sec. 12, page 7, by deleting lines 17 through 19 and inserting:

"(a) The name of the locator [or locators and the post office address of each;] *and his mailing address;*

(b) The name of the [vein or lode claim or] mine *or mining claim* of which".

Amend sec. 12, page 7, line 20, by deleting "quartz" and inserting "[quartz]".

Amend sec. 13, page 7, by deleting lines 31 through 34 and inserting: "is situated, by duplicate [location certificates which must be similar in all respects to the one posted on the location. In addition to the certificates, the locator] *certificates of location.*

2. *When the locator records his certificates of location he* shall file two".

Amend sec. 13, page 7, by deleting lines 40 and 41 and inserting: "the [vein or lode claim or] mine *or mining claim* of which the locator is the proprietor, or the name of the [quartz] mill or reduction works of which".

Amend sec. 14, page 8, by deleting lines 3 and 4 and inserting:

"1. The name of the locator [or locators and the post office address of each.] *and his mailing address.*".

Amend sec. 14, page 8, by deleting line 10 and inserting: "[object or permanent monument as shall identify] *landmark or a readily identifiable artificial landmark*".

Amend sec. 15, page 8, line 13, by deleting "*20*" and inserting "*60*".

Amend sec. 16, page 8, line 25, by deleting "ated, which" and inserting "ated . [, which".

Amend sec. 16, page 8, line 26, by deleting the open bracket.

Amend sec. 16, page 8, line 27, by deleting "*files*" and inserting "*records*".

Amend sec. 17, page 9, by deleting lines 4 and 5 and inserting: "and such notice of location will be] *which is* prima facie evi".

Amend sec. 18, page 9, line 25, by deleting "*file*" and inserting "*record*".

Amend sec. 18, page 9, line 26, by deleting "*name,*" and inserting: "*name and the*".

Amend sec. 20, page 10, line 1, by deleting "*October 31*" and inserting "*November 1*".

Amend sec. 20, page 10, by deleting lines 7 and 8 and inserting: "affidavit [or statement in writing subscribed by such person and two competent witnesses] setting forth:".

Amend sec. 21, page 10, by deleting lines 28 through 32 and inserting:

"517.280 Certificates of location need not be sworn to [, and are not".

Amend sec. 24, page 11, lines 35 and 36, by deleting: "[location] *locational* monument," and inserting: "[location monument,] *monument of location,*".

Amend the bill as a whole by deleting section 25 and renumbering sections 26 through 29 as sections 25 through 28.

Amend sec. 28, page 13, line 26, by deleting: "January 1, 1986." and inserting: "the effective date of this act.".

Amend sec. 29, page 13, by deleting lines 27 through 30 and inserting:

"Sec. 28. This act becomes effective upon passage and approval.".

Amend the title of the bill by deleting the second and third lines and inserting: "to prescribe certain forms and standardize the procedure for making county maps; repealing obsolete provisions; repealing the restrictions on the hours of work permitted in mines and".

Assemblyman Getto moved the adoption of the amendment.

Remarks by Assemblyman Getto.

Amendment adopted.

Assemblyman Getto moved that Assembly Bill No. 11 be re-referred to the Committee on Natural Resources, Agriculture and Mining.

Motion carried.

Bill ordered reprinted, engrossed and to the Committee on Natural Resources, Agriculture and Mining.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Bergevin moved that Assembly Bill No. 334 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Bergevin.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 301.

Bill read second time, ordered engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Francis moved that Assembly Bill No. 301 be re-referred to the Committee on Ways and Means.

Motion carried.

INTRODUCTION AND FIRST READING OF LEGISLATION

By Assemblyman Malone:

Assembly Bill No. 439—An Act relating to the prevention of public offenses; requiring the attorney general to assist district attorneys in the suppression of violent gangs; authorizing him to accept federal gifts or grants of money for that purpose; and providing other matters properly relating thereto.

By the Committee on Judiciary:

Assembly Bill No. 440—An Act relating to the national guard; removing the detention of pay as an authorized nonjudicial punishment for minor offenses; providing maximum judicial punishments for two or more offenses; authorizing the authority convening a general or special court-martial to appoint the state public defender to act as defense counsel in certain circumstances; and providing other matters properly relating thereto.

GENERAL FILE AND THIRD READING

Assembly Bill No. 127.

Bill read third time.

Remarks by Assemblymen Thompson, DuBois and Zimmer.

Roll call on Assembly Bill No. 127:

YEAS—42.

NAYS—None.

Assembly Bill No. 127 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 323.

Bill read third time.

Remarks by Assemblyman Bergevin.

Roll call on Assembly Bill No. 323:

YEAS—42.

NAYS—None.

Assembly Bill No. 323 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 34.

Bill read third time.

Remarks by Assemblyman Tebbs.

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, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 118.

Bill read third time.

Remarks by Assemblymen McGaughey, Stone, Lambert, DuBois, Dini, Beyer and Bergevin.

Roll call on Senate Bill No. 118:

YEAS—42.

NAYS—None.

Senate Bill No. 118 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 79.

Bill read third time.

Remarks by Assemblyman Jeffrey.

Roll call on Senate Bill No. 79:

YEAS—41.

NAYS—Malone.

Senate Bill No. 79 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. 177.

The following Senate amendment was read:

Amendment No. 260.

Amend section 1, page 2, after line 12, by inserting:

"*The director shall report to the commission any minor change in a classification made without its approval at the commission's next succeeding regular meeting.*".

Amend the title of the bill, fourth line, after "sion;" by inserting: "requiring the director to report any changes made to the commission at its next meeting;".

Assemblyman Bergevin moved that the Assembly concur in the Senate amendment to Assembly Bill No. 177.

Remarks by Assemblyman Bergevin.

Motion carried.

Bill ordered enrolled.

REPORTS OF CONFERENCE COMMITTEES

Mr. Speaker:

The first Committee on Conference concerning Senate Bill No. 10, 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 M. SADER	WILLIAM J. RAGGIO
JAMES A. STONE	RANDOLPH J. TOWNSEND
CHARLES W. JOERG	HELEN A. FOLEY
Assembly Committee on Conference	*Senate Committee on Conference*

Assemblyman Sader moved that the Assembly adopt the report of the first Committee on Conference concerning Senate Bill No. 10.

Remarks by Assemblyman Sader.

Motion carried.

INTRODUCTION AND FIRST READING OF LEGISLATION

By Assemblymen Humke, Schofield, Rader, Lambert, O'Donnell, Joerg, Ham, Zimmer, Nevin, Swain, Tebbs, Arberry, Spriggs, Coffin, Craddock, Roberts, Horne, Nicholas, Beyer, Dini, Jeffrey, Thompson, Francis, Stone, DuBois, Kerns, Collins, McGaughey, Price, Bogaert, Bergevin, Williams, Malone, Sedway, Getto, Fairchild, Marvel, Little and Thomas:

Assembly Bill No. 441—An Act relating to the National Guard; prohibiting an employer from terminating the employment of a member because he is ordered to active duty; permitting the rental of armories to nonmembers; permitting retired and honorably discharged members to retain special license plates for their motor vehicles; providing penalties; and providing other matters properly relating thereto.

By Assemblymen Schofield, Dini, Jeffrey, Nicholas, Getto, Thompson and Horne:

Assembly Bill No. 442—An Act relating to radioactive waste; requiring the health division of the department of human resources to inspect all vehicles transporting waste to an area for disposal; prohibiting the delivery of waste to an area for disposal that is not authorized to receive that type of waste; and providing other matters properly relating thereto.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Getto moved that Assembly Bill No. 187 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. 187.

Bill read third time.

The following amendment was proposed by Assemblyman Getto:

Amendment No. 282.

Amend sec. 2, page 1, by deleting lines 12 and 13 and inserting: "*entitled to treble damages.*".

Amend the title of the bill, first line, by deleting "punitive" and inserting "treble".

Assemblyman Getto moved the adoption of the amendment.
Remarks by Assemblymen Getto and Sader.
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. 8, 30, 34, 35; Senate Bills Nos. 54, 116, 123, 151; Assembly Concurrent Resolution No. 20.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Arberry, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Carl Krehnovi.

On request of Assemblyman Stone, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Carl Meibergen and students from Kate Smith Elementary School: Derek Weathers, Donny Player, Ron Anderson, Karl Lind, Sammy Wells, Meaggan Carney, Jodi Vowles, Clayton Turner, Kris Stricker, Crystal Morich, Crystal Hernandez, Rayna Brachmann, Charmaine Gilmore, Pam Johnson, Jenni Baker, Christina Christensen, Cherie Halterman, Vance Christiaens, Jim Day, Scott Morich, Luis Marcias, Randy Robertson, Chris Lassiter, Gary Leeper, Jennifer Peek, Steve Youngwirth, Glen Kostiuk, Toni St. Pierre, John St. Marie, Don Robinson, Leah Cashin, Mario Guzman, Misty Boston, Michael Brown, Brandon Cable, Keran Christianens, John Dickinson, Richard Gonzales, Christine Handing, Mike Johnson, Kim Ross, Ryan Sei, Justin Seidler, K. C. Neiss, Shawna McConnell, Melinda Peek, Kevin Comstock, Matthew Barber, Christy Meacham, Meghan Mikulich, Jimi McNair, Debbie St. Clair, Steve Armour, Jason Velson, Melody Trujillo, Marcy Abeza, Craig Allen, Ned Anderson, Brian Barber, Courtney Blasey, Dan Brown, Sam Brown, Jason Carlile, April Heureax, Jennifer Forgy, Jimmy Garcia, Kelly Johnson, Josh King, Stephanie Leeper, Bonnie Manz, Becky Martinex, Shylee McNair, Vicki Nelson, Clint Player, Ihana Rivera, Brian Ronen, Antonio Salazar, Chris Scow, Kathleen Sharkey, Coral Spear, Shelly St. Pierre, Michelle Strader, Billy Tineo, Mercy Trujillo, Amber Urrutia, Gene Vickers and Mimi Zumbaugh.

On request of Assemblyman Malone, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Lorre Kruse.

On request of Assemblyman Swain, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Brandon Gregory Swain, Reverend Johnny Collins and students from the Traner Middle School.

Assemblyman Francis moved that the Assembly adjourn until Thursday, March 28, 1985 at 11 a.m.

Motion carried.

Assembly adjourned at 11:50 a.m.

Approved: BYRON L. BILYEU
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE SIXTY-SEVENTH DAY

CARSON CITY (Thursday), March 28, 1985

Assembly called to order at 11:05 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, Assemblyman Courtenay C. Swain.

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; while at the same time keeping our minds open enough to listen to the beliefs of others. Guide us, Oh Lord, in our efforts today and every day of our lives. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Francis 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. 204, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

MIKE MALONE, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which were referred Senate Bill No. 65, Senate Joint Resolution No. 4, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

LOUIS W. BERGEVIN, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which was re-referred Senate Bill No. 100, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JAMES STONE, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, March 27, 1985

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. 1 and requests a conference, and appointed Senators Horn, Robinson 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 passed, as amended, Senate Bill No. 232.

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. 10.

MARY JO MONGELLI
Assistant Secretary of the Senate

UNFINISHED BUSINESS

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker appointed Assemblymen Marvel, Getto and Craddock as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Assembly Bill No. 1.

INTRODUCTION AND FIRST READING OF LEGISLATION

Senate Bill No. 232.

Bill read first time.

REFERENCE OF MEASURES TO COMMITTEES

Assembly Bill No. 436.

Assemblyman Francis moved that the bill be referred to the Committee on Elections.

Motion carried.

Assembly Bill No. 437.

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

Motion carried.

Assembly Bill No. 438.

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

Motion carried.

Assembly Bill No. 439.

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

Motion carried.

Assembly Bill No. 440.

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

Motion carried.

Assembly Bill No. 441.

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

Motion carried.

Assembly Bill No. 442.

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

Motion carried.

Senate Bill No. 85.

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

Motion carried.

Senate Bill No. 224.

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

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 62.

Bill read second time.

The following amendment was proposed by the Committee on Education:

Amendment No. 273.

Amend section 1, page 1, line 17, by deleting the open bracket.

Amend section 1, page 1, line 18, by deleting: "associations,] *depository financial institutions,*" and inserting: "associations, *thrift companies,*".

Assemblyman Lambert moved the adoption of the amendment.

Remarks by Assemblyman Lambert.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 95.

Bill read second time.

The following amendment was proposed by the Committee on Taxation:

Amendment No. 278.

Amend the bill as a whole by deleting sections 1 through 4 and inserting:

"Section. 1. Section 17 of chapter 245, Statutes of Nevada 1983, at page 561, is hereby amended to read as follows:

Sec. 17. 1. This section, and sections 1 to 3, inclusive, and 5 to 16, inclusive, of this act shall become effective upon passage and approval.

2. Section 4 of this act [shall become] *becomes* effective on July 1, [1985.] *1987.*".

Amend the title of the bill, first and second lines, by deleting: "providing a threshold for special distribution from generating facilities." and inserting: "delaying certain changes in the distribution of certain taxes from projects for the generation and transmission of electricity;".

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. 217.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 279.

Amend section 1, page 1, line 5, by deleting: "*which is built into*" and

inserting: "*, firearm or other dangerous or deadly weapon which is made an integral part of*".

Amend section 1, page 1, line 13, by deleting: "*which is built into*" and inserting: "*, firearm or other dangerous or deadly weapon which is made an integral part of*".

Amend section 1, page 2, line 6, by deleting "*of*".

Amend section 1, page 2, by deleting line 7.

Amend section 1, page 2, line 14, by deleting "*for*".

Amend section 1, page 2, by deleting line 15 and inserting "resident of".

Amend section 1, page 2, by deleting lines 21 through 24 and inserting: "5. For *the* purposes of this section, "switchblade".

Amend section 1, page 2, line 25, by deleting "*(b) Switchblade*".

Amend the title of the bill, first and second lines, by deleting: "knife which is built into" and inserting: "dangerous weapon which is made an integral part of".

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. 404.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 288.

Amend section 1, page 1, by deleting line 3 and inserting: "*Every local authority shall*".

Amend section 1, page 1, line 4, by deleting "*employ*" and inserting "*designate*".

Amend section 1, page 1, line 5, by deleting "*His*".

Amend section 1, page 1, by deleting lines 6 through 11.

Amend sec. 2, pages 1 and 2, by deleting lines 14 and 15 on page 1 and line 1 on page 2 and inserting: "*must be indicated by a sign:*

(a) Bearing the international symbol of accessibility with or without the words "Parking," ".

Amend sec. 2, page 2, line 4 after "*handicapped*" by deleting period and inserting "*; and*".

Amend sec. 2, page 2, by inserting between lines 4 and 5:

"*(b) Stating "Fine of $100 for use by others" or equivalent words.*".

Amend sec. 2, page 2, by deleting line 17 and inserting: "be punished by a fine of [$25.] *$100.*".

Amend the title of the bill, second line, by deleting "hire" and inserting "designate".

Assemblyman Schofield moved the adoption of the amendment.

Remarks by Assemblymen Schofield and Dini.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 29.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 269.

Amend the bill as a whole by adding a new section designated section 2, following section 1, to read as follows:

"Sec. 2. Chapter 49 of NRS is hereby amended by adding thereto a new section to read as follows:

1. A client has a privilege to refuse to disclose, and to prevent any other person from disclosing, confidential communications between himself and his marriage and family counselor.

2. As used in this section "marriage and family counselor" means a person who is certified as a marriage and family counselor by the board of marriage and family counselor examiners of Nevada.".

Amend the title of the bill, second line, after "tion;", by inserting: "establishing a privilege to refuse to disclose confidential communications between a counselor and his client;".

Amend the summary of the bill by deleting the period and inserting: "and establishes privilege to refuse to disclose certain confidential communications.".

Assemblyman DuBois moved the adoption of the amendment.

Remarks by Assemblymen Stone and DuBois.

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

Assembly in recess at 11:23 a.m.

ASSEMBLY IN SESSION

At 11:28 a.m.

Mr. Speaker presiding.

Quorum present.

Assemblyman DuBois withdrew his motion.

Assemblyman DuBois moved that Senate Bill No. 29 be re-referred to the Committee on Judiciary.

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Bergevin moved that Assembly Bill No. 117 be taken from the Chief Clerk's desk and placed on the General File.

Remarks by Assemblyman Bergevin.

Motion carried.

Assemblyman Getto moved that Assembly Bill No. 187 be placed on the General File.

Motion carried.

By Assemblymen Getto and Dini:

Assembly Joint Resolution No. 14—Urging Congress to designate the naval air station at Fallon, Nevada, for a landing of the space shuttle.

INTRODUCTION AND FIRST READING OF LEGISLATION

By the Committee on Judiciary:

Assembly Bill No. 443—An Act relating to criminal procedure in justice's court; requiring dismissal of an appeal if the defendant fails to apply within the prescribed time to reset the hearing after a continuance; and providing other matters properly relating thereto.

By the Committee on Taxation:

Assembly Bill No. 444—An Act relating to animals; prescribing the procedure for the assessment and collection of special livestock and sheep taxes; and providing other matters properly relating thereto.

GENERAL FILE AND THIRD READING

Assembly Bill No. 117.

Bill read third time.

The following amendment was proposed by Assemblyman Bergevin:

Amendment No. 302.

Amend section 1, page 1, line 8, by deleting "All" and inserting: "[All] *Except for hospitals established pursuant to chapter 450 of NRS, all*".

Amend the title of the bill, second line, after "year;" by inserting: "exempting certain hospitals from their observance;".

Assemblyman Bergevin moved the adoption of the amendment.

Remarks by Assemblyman Bergevin.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 187.

Bill read third time.

Remarks by Assemblyman Getto.

Roll call on Assembly Bill No. 187:

YEAS—42.

NAYS—None.

Assembly Bill No. 187 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

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. 91, 177.

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 Mr. Bob Andreasen and Ms. Shari Andreasen.

On request of Assemblyman Lambert, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Louis Istrice and students from Hug High School: Mike Ames, Cindy Bernhard, Bob Berrera, Jerry Bickhaus, Patti Brown, Amy Caulkins, Kelly Cooper, Tom Fecko, Dan Flanagan, Randy Greenwell, Keisha Hardin, Ron Ives, Stacey Jackson, Dian King, Paul Knight, Willy Leek, Dave Howe, Diana Jarrett, Tammie Poole, Bill Elliott, Lisa Lenhof, Kim May, McKenzie, Vicki McVeigh, Robert Miller, Tom Mills, Ayesha Nasir, Lincoln Okezie, Alex Reza, Eric Self, Bob Shields, Pat Snyder, Paula Steenis, Craig Wells and Andy Wilfalk.

On request of Assemblyman Tebbs, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Dana Tebbs and Miss Tara Tebbs.

On request of Assemblyman Malone, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Mary McCarthy.

Assemblyman Francis moved that the Assembly adjourn until Friday, March 29, 1985 at 10 a.m.

Motion carried.

Assembly adjourned at 11:40 a.m.

Approved: BYRON L. BILYEU
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE SIXTY-EIGHTH DAY

CARSON CITY (Friday), March 29, 1985

Assembly called to order at 10:03 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, Assemblyman James W. McGaughey.

Lord, our Father, we thank You for our families and all the blessings that You have given us. We are mindful of the responsibilities that we have accepted as members of the Nevada Legislature. Lord, let us always remember that being popular is not always right and being right is not always popular. With that admonition, we ask for Your daily guidance so that our deliberations and decisions are made for being right and in the best interest of all the citizens of our great state of Nevada. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Kerns 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. 46, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JANE HAM, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which were referred Assembly Bills Nos. 300, 389, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

LOUIS W. BERGEVIN, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Assembly Bill No. 398, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

LOUIS W. BERGEVIN, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, 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: Amend, and re-refer to the Committee on Government Affairs.

LOUIS W. BERGEVIN, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, March 28, 1985

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 36, 74, 87, 119, 121, 218, 243, 247.

Also, I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bill No. 32, 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. 5, 8, 103, 104, 105, 107, 108.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Joint Resolution No. 10.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Senate Joint Resolution No. 10.

Resolution read first time.

INTRODUCTION AND FIRST READING OF LEGISLATION

By Assemblymen Thompson, Banner, Price, Nevin, Collins and Williams:

Assembly Bill No. 445—An Act relating to polygraphs; prohibiting the use of a polygraph or similar device to examine employees or prospective employees as a condition of their employment or continued employment; and providing other matters properly relating thereto.

Senate Bill No. 5.

Bill read first time.

Senate Bill No. 8.

Bill read first time.

Senate Bill No. 103.

Bill read first time.

Senate Bill No. 104.

Bill read first time.

Senate Bill No. 105.

Bill read first time.

Senate Bill No. 107.

Bill read first time.

Senate Bill No. 108.

Bill read first time.

REFERENCE OF MEASURES TO COMMITTEES

Assembly Bill No. 443.

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

Motion carried.

Assembly Bill No. 444.

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

Motion carried.

Assembly Joint Resolution No. 14.

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

Motion carried.

Senate Bill No. 232.

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

Motion carried.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 32.

The following Senate amendment was read:

Amendment No. 254.

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 4 of chapter 11, Statutes of Nevada 1985, is hereby amended to read as follows:

Sec. 4. NRS 115.060 is hereby amended to read as follows:

115.060 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) If it is the separate property of the survivor, the exemption of the homestead continues.

(b) If it was the separate property of the decedent, the exemption 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.

(c) 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] *person* who was living in his house [and under his care and maintenance] at the time of his death, if that [member of the family] *person* 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.] *related to him by consanguinity or affinity, even if the person through whom the relation by affinity was created predeceased the declarant.*

(b) The right of enjoyment of the property belongs to each [member of the family] *person* described in paragraph (a) until that [member] *person* 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 existing against him at the time of his death.] *two or more persons who are not related by consanguinity or affinity have claimed as a homestead their respective undivided interests in a single parcel of land or a mobile home, upon the death of one the exemption of the entire property from execution continues as to any debt or liability of the decedent and the other declarants until the death of the last declarant to die, but only for the benefit of a declarant who continues to reside on or in the property.*".

Assemblyman Stone moved that the Assembly concur in the Senate amendment to Assembly Bill No. 32.

Remarks by Assemblyman Stone.

Motion carried.

Bill ordered enrolled.

SECOND READING AND AMENDMENT

Assembly Bill No. 204.

Bill read second time.

The following amendment was proposed by the Committee on Transportation:

Amendment No. 283.

Amend section 1, page 1, line 8, by deleting the open bracket before "3." and inserting an open bracket before "Information".

Amend section 1, page 1, line 10, after the bracket, by inserting: "*The director may deny any private use of the files and records if he reasonably believes that the information taken may be used for:*

(a) An illegal purpose; or

(b) An unwarranted invasion of a particular person's privacy.".

Assemblyman Nevin moved the adoption of the amendment.

Remarks by Assemblyman Nevin.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 65.

Bill read second time and ordered to third reading.

Senate Bill No. 100.
Bill read second time and ordered to third reading.

Senate Joint Resolution No. 4.
Resolution read second time and ordered to third reading.

INTRODUCTION AND FIRST READING OF LEGISLATION

By Assemblymen Schofield, Thompson, Price, Banner, Jeffrey and Horne:

Assembly Bill No. 446—An Act relating to the taxation of motor vehicle fuel; permitting a county to use part of the revenue derived from its tax on that fuel for facilities and programs for the improvement of boating; and providing other matters properly relating thereto.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Senate Bills Nos. 10, 79, 118.

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. Nancy Oesterley.

Assemblyman Kerns moved that the Assembly adjourn until Monday, April 1, 1985 at 11 a.m.
Motion carried.

Assembly adjourned at 10:24 a.m.

Approved: BYRON L. BILYEU
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE SEVENTY-FIRST DAY

CARSON CITY (Monday), April 1, 1985

Assembly called to order at 11:05 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, Assemblyman Virgil M. Getto.

Heavenly Father, Designer of the Universe, Author of the Beginnings, guide us now as we undertake our tasks on this beautiful first day of April, and the first day of another weekly gathering of this Assembly. You have blessed us this day with a group of dedicated hard-working legislators and we ask that You continue to bless us in this manner. There are times when we are petty and selfish and harbor grudges. Help us instead to be unselfish and forgiving. Keep us from being ruled by pride and egotism; instead, to treat others with respect. Help us to acknowledge that their opinions are as valid as our own and have a right to be heard. We legislators bear an awesome responsibility to represent the people of our beloved state to the best of our ability. Help us to approach our duties with honesty, sincerity and humility. Recognizing that our diverse talents come from You and are not from our own creation. Keep us always mindful of our role, that we are the servants of the citizens of Nevada and not here to benefit personally or to satisfy our own fragile egos. In President Lincoln's second annual message to Congress in the 1860's he said, "If there ever could be a proper time for mere catch arguments, that time surely is not now. In times like the present, men should utter nothing for which they would not willingly be responsible through time and in eternity." It is appropriate for us to recall these words as we ask you, Lord, to bestow Your blessings on President Reagan and our nation's representatives in their arms control negotiations with the Soviet Union. All these things we ask through Christ, our Lord, AMEN.

Pledge of allegiance to the Flag.

Assemblyman Francis 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 Concurrent Resolutions Nos. 11, 13, 14, 15, 16, has had the same under consideration, and begs leave to report the same back with the recommendation: Be adopted.

JAMES STONE, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which was referred Assembly Joint Resolution No. 9, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JAMES STONE, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which was referred Assembly Bill No. 309, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JAMES STONE, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Assembly Bill No. 13, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

LOUIS W. BERGEVIN, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, March 27, 1985

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 73, 80, 200.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 106, 162, 208.

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. 59.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

By the Committee on Legislative Functions:

Assembly Resolution No. 7—Providing for the appointment of an additional attaché.

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, That Clare E. Jones is elected as an additional attaché of the assembly for the 63rd session of the legislature of the State of Nevada.

Assemblyman Bogaert moved the adoption of the resolution.

Resolution adopted.

Assemblyman Stone moved that the vote whereby Assembly Bill No. 200 was passed be rescinded.

Remarks by Assemblyman Stone.

Motion carried.

Assemblyman Stone moved that Assembly Bill No. 200 be taken from the General File and placed on the Chief Clerk's desk.

Motion carried.

Assemblyman Getto moved that Assembly Bill No. 95 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Getto.

Motion carried.

Assemblyman Bergevin moved that Assembly Bill No. 117 be taken from the General File and placed on the Chief Clerk's desk.

Motion carried.

Assemblyman Jeffrey moved that Assembly Bill No. 404 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Jeffrey.

Motion carried.

Assembly Concurrent Resolution No. 11.

Assemblyman Swain moved the adoption of the resolution.

Remarks by Assemblyman Swain.

Resolution adopted.

Assembly Concurrent Resolution No. 13.

Assemblyman Swain moved the adoption of the resolution.

Remarks by Assemblyman Swain.

Resolution adopted.

Assembly Concurrent Resolution No. 14.

Assemblyman Swain moved the adoption of the resolution.

Remarks by Assemblyman Swain.

Resolution adopted.

Assembly Concurrent Resolution No. 15.

Assemblyman Swain moved the adoption of the resolution.

Remarks by Assemblyman Swain.

Resolution adopted.

Assembly Concurrent Resolution No. 16.

Assemblyman DuBois moved the adoption of the resolution.

Remarks by Assemblyman DuBois.

Resolution adopted.

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 11:22 a.m.

Mr. Speaker pro Tempore presiding.

Quorum present.

INTRODUCTION AND FIRST READING OF LEGISLATION

By the Committee on Government Affairs:

Assembly Bill No. 447—An Act relating to the theft of energy; providing civil and criminal remedies; providing a penalty; and providing other matters properly relating thereto.

By the Committee on Government Affairs:

Assembly Bill No. 448—An Act relating to public utilities; allowing shareholders of public utilities to sell economical energy; allowing the utility to apportion the benefit of the sales equally between shareholders and customers; and providing other matters properly relating thereto.

By the Committee on Government Affairs:

Assembly Bill No. 449—An Act relating to public utilities in mobile home parks; requiring the landlord to pay for the repair of certain lines or equipment damaged by his encroachment on the easement; and providing other matters properly relating thereto.

By Assemblymen Jeffrey, Schofield, Bilyeu, Joerg, Dini, Thompson, Williams, Nevin and Swain:

Assembly Bill No. 450—An Act relating to industrial insurance; requiring an insurer to pay the costs of first aid and transportation to the nearest place of proper treatment for an injured employee; and providing other matters properly relating thereto.

Senate Bill No. 106.

Bill read first time.

Senate Bill No. 162.

Bill read first time.

Senate Bill No. 208.

Bill read first time.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Nevin moved that Senate Bill No. 43 be taken from the Chief Clerk's desk and placed on the General File.

Remarks by Assemblyman Nevin.

Motion carried.

REFERENCE OF MEASURES TO COMMITTEES

Assembly Bill No. 445.

Assemblyman Thompson moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

Assembly Bill No. 446.

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

Motion carried.

Senate Bill No. 5.

Assemblyman Francis moved that the bill be referred to the Concurrent Committees on Judiciary and Government Affairs.

Motion carried.

Senate Bill No. 8.

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

Motion carried.

Senate Bill No. 103.

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

Motion carried.

Senate Bill No. 104.

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

Motion carried.

Senate Bill No. 105.

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

Motion carried.

Senate Bill No. 107.

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

Motion carried.

Senate Bill No. 108.

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

Motion carried.

Senate Joint Resolution No. 10.

Assemblyman Francis moved that the resolution be referred to the Committee on Judiciary.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 46.

Bill read second time.

The following amendment was proposed by the Committee on Elections:

Amendment No. 286.

Amend section 1, page 1, by deleting lines 3 through 5 and inserting: "*The county clerk shall establish an additional polling place for the precinct in any residential development exclusively for the elderly if:*

1. More than 100 of the residents are registered to vote;

2. There is a common area which is available and adequate for this purpose; and

3. The owner of the development consents to the establishment of the polling place on his property.".

Amend the bill as a whole by deleting section 2.

Amend the title of the bill, first line, by deleting "precincts" and inserting "polling places".

Amend the summary of the bill, first line, by deleting "election precincts" and inserting "polling places".

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. 276.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 295.

Amend the bill as a whole by adding a new section designated section 7.5, preceding section 8, to read as follows:

"Sec. 7.5. Chapter 104 of NRS is hereby amended by adding thereto a new section to read as follows:

If any document filed pursuant to NRS 104.9401 to 104.9408, inclusive, includes an attachment, the fee otherwise prescribed for filing that document is increased by $1 for each page of the attachment.".

Amend sec. 8, page 6, line 22, by deleting: "[prior to] *before*" and inserting "prior to".

Amend sec. 8, page 6, line 33, by deleting: "[prior to such] *before the*" and inserting: "prior to such".

Amend sec. 10, page 8, line 43, after "request", by inserting: "*and payment of the statutory fee for copies furnished by that officer,*".

Amend sec. 10, page 8, line 44, by deleting: "assignment for [a" and inserting: "assignment . [for a".

Amend sec. 10, page 8, line 46, by deleting: "*the statutory fee for copies.*".

Amend sec. 11, page 9, line 12, by deleting "notice," and inserting: "notice [,] *and*".

Amend sec. 11, page 9, by deleting line 13 and inserting: "receipt . [, and the total amount appearing on the notice of lien.]".

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 278.390 is hereby amended to read as follows:

278.390 Title to property dedicated or accepted for streets and easements passes when the final map is recorded. If at the time the final map is approved any streets are rejected, the offer of dedication shall be deemed to remain open and the governing body may by resolution at any later date, and without further action by the subdivider, rescind its action and accept and open the streets for public use, which acceptance [shall] *must* be recorded in the office of the county recorder and *may* be so noted by the recorder on the subdivision plot.".

Amend sec. 14, page 11, line 20, by deleting the bracket.

Amend sec. 14, page 11, line 21, by deleting "shall" and inserting "[shall] *may*".

Amend sec. 14, page 11, line 22, by deleting the bracket.

Amend sec. 17, page 13, line 20, by deleting "*A*" and inserting "*The original*".

Amend the bill as a whole by deleting sections 19 and 20 and renumbering section 21 as section 19.

Amend the title of the bill, second line, after "year;", by inserting: "setting fee for the filing of certain attachments;".

Assemblyman Bergevin moved the adoption of the amendment.

Remarks by Assemblyman Bergevin.

Amendment adopted.

Assemblyman Bergevin moved that Assembly Bill No. 276 be re-referred to the Committee on Government Affairs.

Motion carried.

Bill ordered reprinted, engrossed and to the Committee on Government Affairs.

Assembly Bill No. 300.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 293.

Amend section 1, page 1, lines 2 and 3, by deleting: ", *in an ordinance approved by a vote of the people*".

Amend section 1, page 1, line 15, by deleting "customer only:" and inserting "customer *:* [only:]".

Amend section 1, page 2, line 5, after "4." by inserting: "*A water meter or similar device may be installed to measure the quantity of water delivered and determine the charge to residential users of water if:*

(a) The owner of the property on which it is installed consents in writing to the installation, operation and use of the device; and

(b) The written consent is recorded with the county recorder of the county in which the property is located.

The written consent binds any successor in interest to that property to the provisions thereof.

5. Every newly constructed residential building which is occupied for the first time after July 1, 1988, must be equipped with a water meter.

6.".

Amend the bill as a whole by deleting section 2.

Amend the title of the bill to read as follows:

"An Act relating to water meters; permitting the installation and use of a water meter with the written consent of the owner of the property on which it is installed; requiring water meters in certain buildings; and providing other matters properly relating thereto.".

Amend the summary of the bill to read as follows: "Broadens circumstances under which water meter may be installed and requires installation under certain circumstances. (BDR 58-142)".

Assemblyman Bogaert moved the adoption of the amendment.

Remarks by Assemblymen Bogaert, Stone, Nicholas, Nevin, Bergevin and Beyer.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 389.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 309.

Amend sec. 2, page 1, line 3, after "*finance the*", by inserting "*preservation or*".

Amend sec. 2, page 1, line 6, by deleting the period and inserting: ", *accompanied by a letter from the division of historic preservation and archeology of the department of conservation and natural resources certifying that the preservation or restoration conforms to accepted standards for such work.*

Amend sec. 2, page 1, line 10, by deleting: "*unless the resolution is governed by subsection 3,*".

Amend sec. 2, page 2, between lines 6 and 7, by inserting:

"*3. For the purposes of this section, "historic structure" means a building, facility or other structure which is eligible for listing in the state register of historic places under NRS 383.085.*".

Amend the bill as a whole by adding new sections designated sections 6 through 14, following section 5, to read as follows:

"Sec. 6. Chapter 244A of NRS is hereby amended by adding thereto the provisions set forth as sections 7, 8 and 9 of this act.

Sec. 7. *"Historic structure" means a building, facility or other structure which is eligible for listing in the state register of historic places under NRS 383.085.*

Sec. 8. *1. Each county is vested with all the powers necessary to accomplish the purposes set forth in NRS 244A.695, but these powers must be exercised for the health, safety and welfare of the inhabitants of this state.*

2. NRS 244A.669 to 244A.763, inclusive, and sections 7, 8 and 9 of this act must be liberally construed in conformity with the purposes set forth in NRS 244A.695.

Sec. 9. *A county may not, under NRS 244A.669 to 244A.763 inclusive, and sections 7, 8 and 9 of this act:*

1. Operate any manufacturing, industrial or warehousing enterprise or an organization for research and development to which it provided assistance; or

2. Assist any manufacturing, industrial or warehousing enterprise or organization for research and development to locate in the county, except for health and care facilities and supplemental facilities for health and care

facilities, which would compete substantially with an enterprise or organization already established in that county for substantially the same intrastate markets.

Sec. 10. NRS 244A.671 is hereby amended to read as follows:

244A.671 Whenever used in NRS 244A.669 to 244A.763, inclusive, *and sections 7, 8 and 9 of this act,* unless a different meaning clearly appears from the context, the words and terms defined in NRS 244A.673 to 244A.693, inclusive, *and section 7 of this act* have the meanings ascribed to them in those sections.

Sec. 11. NRS 244A.689 is hereby amended to read as follows:

244A.689 "Project" means:

1. Any land, building or other improvement and all real and personal properties necessary in connection therewith, whether or not in existence, suitable for a manufacturing, industrial [, warehousing or] *or warehousing enterprise or an organization for* research and development , [enterprise,] a health and care facility or a supplemental facility for a health and care facility.

2. The refinancing of any land, building or other improvement and any real and personal property necessary for a health and care facility or a supplemental facility for a health and care facility.

3. Any land, building, structure, facility, system, fixture, improvement, appurtenance, machinery, equipment, or any combination thereof or any interest therein, used by any natural person, partnership, firm, company, corporation (including a public utility), association, trust, estate, political subdivision, state agency or any other legal entity, or its legal representative, agent or assigns:

(a) For the reduction, abatement or prevention of pollution or for the removal or treatment of any substance in a processed material which otherwise would cause pollution when such material is used.

(b) In connection with the furnishing of water if available on reasonable demand to members of the general public.

(c) In connection with the furnishing of energy or gas.

4. Any real or personal property appropriate for addition to a hotel, motel, apartment building, casino or office building to protect it or its occupants from fire.

5. Any undertaking by a public utility, in addition to that allowed by subsections 2 and 3, which is solely for the purpose of making capital improvements to property, whether or not in existence, of a public utility.

6. In addition to the kinds of property described in subsections 2 and 3, if the project is for the generation and transmission of electricity, any other property necessary or useful for that purpose, including without limitation any leases and any rights to take water or fuel.

7. The preservation of any historic structure or its restoration for its original or another use, if the plan has been approved by the division of

historic preservation and archaeology of the state department of conservation and natural resources.

Sec. 12. NRS 244A.695 is hereby amended to read as follows:

244A.695 [1.] It is the intent of the legislature to authorize counties to finance, acquire, own, lease, improve and dispose of properties to [the end that the counties may be able to promote industry and develop trade by inducing manufacturing, industrial, warehousing and research and development enterprises to locate in, remain or expand in this state, in order to assist in relieving the serious threat of extensive unemployment in parts of this state, in securing and maintaining a balanced and stable economy in all parts of this state and in furthering the use of its agricultural products and natural resources, and to enhance public safety by protecting hotels, motels, apartment buildings, casinos, office buildings and their occupants from fire. It is, therefore, the intention of the legislature to vest the counties with all powers that may be necessary to enable them to accomplish those purposes. The powers must in all respects be exercised for the benefit of the inhabitants of this state for the promotion of their safety, welfare, convenience and prosperity.

2. It is also the intent of the legislature to authorize counties to finance, acquire, own, lease or sell projects or interests therein for the purpose of:

(a) Reducing, abating or preventing pollution or removing or treating any substance in processed material which otherwise would cause pollution when such material is used, to protect and promote the health, welfare and safety of the citizens of this state and to retain and promote private industry and commerce with the resultant higher level of employment and economic activity and stability.

(b) Promoting the furnishing of energy and gas, and of water if available on reasonable demand to members of the general public, in order to protect and promote the health, welfare and safety of the citizens of this state and to retain and promote private industry and commerce with the resultant higher level of employment and economic activity and stability. This purpose includes the furnishing of electricity and the provision of facilities to transmit electricity for sale outside the state if its generation promotes industry, commerce or employment within the state.

3. It is also the intent of the legislature to authorize counties to finance, acquire, own, lease, improve and dispose of property so that health and care facilities and supplemental facilities for health and care facilities may be acquired, developed, expanded and maintained by enterprisers who will provide health care of high quality at reasonable rates for the benefit of the residents of the county.

4. It is not intended that any county itself be authorized to operate any such manufacturing, industrial, warehousing or research and development enterprise.

5. No county may by virtue of NRS 244A.669 to 244A.763, inclusive,

assist any manufacturing, industrial, warehousing or research and development enterprise to locate in the county which would offer substantial competition to an existing enterprise within the county whose intrastate markets are substantially the same. The provisions of this subsection do not apply to health and care facilities or to supplemental facilities for health and care facilities.

6. NRS 244A.669 to 244A.763, inclusive, must be liberally construed in conformity with this declaration of purpose.] *:*

1. Promote industry and employment and develop trade by inducing manufacturing, industrial and warehousing enterprises and organizations for research and development to locate in, remain or expand in this state to further prosperity throughout the state and to further the use of the agricultural products and the natural resources of this state.

2. Enhance public safety by protecting hotels, motels, apartment buildings, casinos, office buildings and their occupants from fire.

3. Protect the health, safety and welfare of the public and promote private industry, commerce and employment in this state by:

(a) Reducing, abating or preventing pollution or removing or treating any substance in processed material which would cause pollution; and

(b) Furnishing energy, including electricity to the public, if available on reasonable demand, and providing facilities to transmit electricity for sale outside the state.

4. Promote the health of residents of the county by enabling a private enterprise to acquire, develop, expand and maintain health and care facilities and supplemental facilities for health and care facilities which will provide services of high quality to those residents at reasonable rates.

5. Promote the educational, cultural, economic and general welfare of the public by financing the preservation of historic structures in the county, or their restoration for the original or another use, in order to preserve structures of historic interest.

Sec. 13. NRS 244A.711 is hereby amended to read as follows:

244A.711 1. Except as otherwise provided in NRS 244A.703, after holding the required public hearing, the board of county commissioners shall proceed no further unless or until it:

(a) Except as otherwise provided in subsection 2, determines by resolution the total amount of money necessary to be provided by the county for the acquisition, improvement and equipment of the project;

(b) Receives a 5-year operating history from the contemplated lessee, purchaser or other obligor, or from a parent or other enterprise which guarantees principal and interest payments on any bonds issued;

(c) Receives evidence that the contemplated lessee, purchaser, other obligor or other enterprise which guarantees principal and interest payments, has received within the 12 months preceding the date of the public hearing, or then has in effect, a rating within one of the top four rating categories of

either Moody's Investor Service, Inc. or Standard and Poor's Corporation, except that a municipal or other public supplier of electricity in this state, a public utility regulated by the public service commission of Nevada, *the owner of a historic structure,* a health and care facility or a supplemental facility for a health and care facility is not required to furnish that evidence;

(d) Determines by resolution that the contemplated lessee, purchaser or other obligor has sufficient financial resources to place the project in operation and to continue its operation, meeting the obligations of the lease, purchase contract or financing agreement; and

(e) If the project is for the generation and transmission of electricity, determines by resolution that the project will serve one or more of the purposes set forth in NRS 244A.695 and specifies in the resolution its findings supporting that determination.

2. If the project is for the generation and transmission of electricity, the board may estimate the total amount of money necessary for its completion, and the total amount of money which may be provided by the county in connection with the project may exceed the estimate, without the requirement for any further public hearings to be held in connection therewith, to the extent that the excess is required to complete the project or to finance any improvements to or replacements in the project and the county has previously determined to finance the remaining costs of acquiring, improving and equipping the project.

3. The board may refuse to adopt such a resolution with respect to any project even if all the criteria of subsection 1 are satisfied. If the board desires to adopt such a resolution with respect to any project where any criterion of subsection 1 is not satisfied, it may do so only with the approval of the state board of finance. In requesting this approval, the board of county commissioners shall transmit to the state board of finance all evidence received pursuant to subsection 1.

4. If any part of the project or improvements is to be constructed by a lessee or his designee, a purchaser or his designee or an obligor or his designee, the board shall provide, or determine that there are provided, sufficient safeguards to assure that all money provided by the county will be expended solely for the purposes of the project.

Sec. 14. This act becomes effective upon passage and approval."

Amend the title of the bill, second line, after "structure;", by inserting: "enlarging the uses of certain county revenue bonds to include the restoration or preservation of a historic structure;".

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. 398.

Bill read second time, ordered engrossed and to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, March 29, 1985

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. 3.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Humke moved that Senate Bill No. 65 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Humke.

Motion carried.

Senate Joint Resolution No. 3.

Assemblyman Francis moved that all rules be suspended, reading so far had considered first reading, rules further suspended, resolution declared an emergency under the Constitution and placed on third reading and final passage.

Remarks by Assemblyman Francis.

Motion carried unanimously.

INTRODUCTION AND FIRST READING OF LEGISLATION

By the Committee on Education:

Assembly Bill No. 451—An Act relating to education; providing the procedures and criteria for comparable instruction of pupils at home; authorizing the expenditure of public money for the supervision and testing of such pupils; excusing persons of superior intelligence from attendance at public schools; changing the range of age for compulsory attendance; and providing other matters properly relating thereto.

By Assemblymen Price, Coffin, Bogaert, Williams, McGaughey, Thomas and Jeffrey:

Assembly Bill No. 452—An Act relating to meetings required to be open; extending the requirement to certain nonprofit organizations; and providing other matters properly relating thereto.

By the Committee on Taxation:

Assembly Bill No. 453—An Act relating to property tax; authorizing the recovery of costs and attorney's fees by taxpayer if his claim protesting the assessment is sustained in any part on judicial review; and providing other matters properly relating thereto.

GENERAL FILE AND THIRD READING

Assembly Bill No. 62.

Bill read third time.

Remarks by Assemblyman Lambert.

Roll call on Assembly Bill No. 62:

YEAS—42.

NAYS—None.

Assembly Bill No. 62 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 217.

Bill read third time.

Remarks by Assemblymen Humke, Thomas, Schofield, Stone, Collins, Swain, Bilyeu and Getto.

Assemblyman Getto moved that Assembly Bill No. 217 be taken from the General File and placed on the Chief Clerk's desk.

Motion carried.

Senate Bill No. 100.

Bill read third time.

Remarks by Assemblymen Malone, Collins, Stone and Schofield.

Roll call on Senate Bill No. 100:

YEAS—41.

NAYS—Collins.

Senate Bill No. 100 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.

Bill ordered transmitted to the Senate.

Senate Joint Resolution No. 4.

Resolution read third time.

Remarks by Assemblymen Bogaert, DuBois, Getto, Coffin, Bilyeu and Price.

Assemblymen Jeffrey, Beyer and Francis moved the previous question.

Motion carried.

The question being on the passage of Senate Joint Resolution No. 4.

Roll call on Senate Joint Resolution No. 4:

YEAS—35.

NAYS—Coffin, Nevin, Price, Sader, Sedway, Swain, Williams—7.

Senate Joint Resolution No. 4 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.

Resolution ordered transmitted to the Senate.

Senate Bill No. 43.

Bill read third time.

Remarks by Assemblyman Nevin.

Roll call on Senate Bill No. 43:

YEAS—42.

NAYS—None.

Senate Bill No. 43 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.

Bill ordered transmitted to the Senate.

Senate Joint Resolution No. 3.

Resolution read third time.

Remarks by Assemblymen Bilyeu, Getto and Dini.

Roll call on Senate Joint Resolution No. 3:

YEAS—42.

NAYS—None.

Senate Joint Resolution No. 3 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.

Resolution 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. 32, 36, 74, 87, 119, 121, 218, 243, 247; Senate Bill No. 59.

Assemblyman Francis moved that the Assembly adjourn until Tuesday, April 2, 1985 at 11 a.m.

Motion carried.

Assembly adjourned at 12:42 a.m.

Approved: BYRON L. BILYEU
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE SEVENTY-SECOND DAY

CARSON CITY (Tuesday), April 2, 1985

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

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, Assemblyman Gene Collins.

Our Father, once again we are assembled in this chamber asking for Your blessings to do what has to be done for our constituents. We ask, Oh Lord, that You keep Your loving arms around us and guide us. These blessings we ask in Your Son's Name. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Francis 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 Judiciary, to which were referred Assembly Bills Nos. 262, 264, 266, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JAMES STONE, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which was referred Assembly Bill No. 268, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JAMES STONE, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Education, to which was referred Assembly Bill No. 133, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ERIK BEYER, *Chairman*

Mr. Speaker:

Your Committee on Labor and Management, to which was referred Senate Bill No. 205, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

BARBARA ZIMMER, *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which were referred Assembly Bill No. 157, Senate 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.

JOHN DUBOIS, *Chairman*

Mr. Speaker:

Your Committee on Natural Resources, Agriculture and Mining, to which was referred Assembly 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.

VIRGIL M. GETTO, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Assembly Bill No. 336, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

LOUIS W. BERGEVIN, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, April 1, 1985

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 168, 185, 190, 201, 230.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bill No. 140.

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. 34.

MARY JO MONGELLI
Assistant Secretary of the Senate

INTRODUCTION AND FIRST READING OF LEGISLATION

By the Committee on Judiciary:

Assembly Bill No. 454—An Act relating to foreign orders for support; transfers responsibility of notice of their registration to the prosecuting attorney; and providing other matters properly relating thereto.

Senate Bill No. 140.

Bill read first time.

REFERENCE OF MEASURES TO COMMITTEES

Assembly Bill No. 447.

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

Motion carried.

Assembly Bill No. 448.

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

Motion carried.

Assembly Bill No. 449.

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

Motion carried.

Assembly Bill No. 450.

Assemblyman Francis moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

Assembly Bill No. 451.

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

Motion carried.

Assembly Bill No. 452.

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

Motion carried.

Assembly Bill No. 453.

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

Motion carried.

Senate Bill No. 106.

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

Motion carried.

Senate Bill No. 162.

Assemblyman Francis moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 208.

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

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 13.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 315.

Amend section 1, page 1, by deleting lines 1 through 16 and inserting:

"Section 1. 1. A public employee who has retired pursuant to NRS 286.510 or 286.620 or a contract issued pursuant to NRS 286.802 may reinstate any insurance, except life insurance, which was provided to him and his dependents at the time of his retirement under NRS 287.010, 287.020 or 287.0433 as a public employee by:

(a) Giving written notice of his intent to reinstate the insurance to his last public employer not later than January 31, 1986;

(b) Accepting the public employer's current program or plan of insurance and any subsequent changes thereto; and

(c) Paying any portion of the policy's premiums, in the manner set forth in NRS 286.615, which are due from the date of reinstatement and not paid by the public employer.

The last public employer shall give the insurer notice of the reinstatement no later than March 31, 1986. The reinstatement takes effect on the first day of the month following the date of the notice to the insurer.

2. Reinstatement of insurance excludes claims for expenses for any condition for which medical advice, treatment or consultation was rendered within 12 months before reinstatement unless:

(a) The person has not received any medical advice, treatment or consultation for a period of 6 consecutive months after the reinstatement; or

(b) The reinstated insurance has been in effect more than 12 consecutive months.

3. The retired public employee must not be required to show evidence of his good health as a condition of the reinstatement.''.

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. 309.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 320.

Amend section 1, page 1, line 13, after ''*less*'', by inserting: ''*than 1 year nor more*''.

Assemblyman Rader moved the adoption of the amendment.

Remarks by Assemblyman Rader.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Joint Resolution No. 9.

Resolution read second time, ordered engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Bergevin moved that Assembly Bill No. 117 be taken from the Chief Clerk's desk and placed on the General File.

Motion carried.

Assemblyman Stone moved that Assembly Bill No. 200 be taken from the Chief Clerk's desk and placed on the General File.

Motion carried.

Assemblyman Stone moved that the vote whereby Assembly Bill No. 201 was passed be rescinded.

Remarks by Assemblyman Stone.

Motion carried.

Assemblyman Stone moved that Assembly Bill No. 201 be taken from the General File and placed on the Chief Clerk's desk.

Motion carried.

Assemblyman Stone moved that the vote whereby Assembly Bill No. 230 was passed be rescinded.

Remarks by Assemblyman Stone.

Motion carried.

Assemblyman Stone moved that Assembly Bill No. 230 be taken from the General File and placed on the Chief Clerk's desk.

Motion carried.

Assemblyman Nevin moved that Assembly Bill No. 204 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Nevin.

Motion carried.

Assemblyman Getto moved that Assembly Bill No. 217 be taken from the Chief Clerk's desk and re-referred to the Committee on Judiciary.

Motion carried.

Assemblyman Nicholas 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 11:28 a.m.

Mr. Speaker presiding.

Quorum present.

INTRODUCTION AND FIRST READING OF LEGISLATION

By Assemblyman O'Donnell:

Assembly Bill No. 455—An Act relating to public records; allowing private persons access to public computer systems; and providing other matters properly relating thereto.

By the Committee on Judiciary:

Assembly Bill No. 456—An Act relating to children; authorizing the withholding of income of a parent who is delinquent in paying support of a child; clarifying the obligation of parents to support a dependent child receiving public assistance; and providing other matters properly relating thereto.

By the Committee on Health and Welfare:

Assembly Bill No. 457—An Act relating to protection from fire; exempting health and care facilities from the requirement of the automatic closing of doors under certain circumstances; and providing other matters properly relating thereto.

By the Committee on Transportation:

Assembly Bill No. 458—An Act relating to motor vehicles; requiring a full and correct matching of certain information before a driver may be arrested for a prior offense; and providing other matters properly relating thereto.

GENERAL FILE AND THIRD READING

Assembly Bill No. 398.

Bill read third time.

Remarks by Assemblyman Bergevin.

Roll call on Assembly Bill No. 398:

YEAS—42.

NAYS—None.

Assembly Bill No. 398 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 117.

Bill read third time.

Remarks by Assemblyman Bergevin.

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 Bill No. 200.

Bill read third time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 339.

Amend sec. 53, page 25, by deleting lines 43 and 44.

Assemblyman Stone moved the adoption of the amendment.

Remarks by Assemblymen Stone, Nicholas and Dini.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Mr. Speaker read the following communication:

UNITED STATES SENATE

WASHINGTON, D.C. 20510, April 1, 1985

HONORABLE BILL BILYEU, *Speaker*, Nevada State Assembly, State Legislature, Carson City, Nevada 89701

DEAR MR. SPEAKER:

This will confirm that United States Senator Chic Hecht accepts your kind invitation to address a joint session of the Nevada Legislature, commencing at 11 a.m. on Thursday, April 11, 1985.

Your cooperation is very much appreciated.

Kindest personal regards.

PETE KELLEY

Rural Representative for U.S. Senator Hecht

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bills Nos. 73, 80; Senate Bill No. 34.

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 Ms. Nancy Kerns and Mr. Craig Cummins.

On request of Assemblyman Thompson, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Randy and Shane Travis.

On request of Assemblyman Marvel, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Odle, Jim Rowe, Walter Shearer, Mesdames Polly Gogert, Pauline Shearer and students from Lovelock Junior High School: Andrea Boren, Carrie Bradley, Shannon Ceresola, Pat Coughlin, Karen Gear, Darla Gogert, Michael Jurad, Naomi Mercer, Alan Meredith, Tia Rasmussen, Glenda Rose, John Russell, Michelle Shearer, Karey Hester, Casey Severns, Vinny Austin, Patty Burke, Amy Camack, Paula Crepeau, Stacey Fritts, Cherie Gurley, Kurtis Hyde, Janet Lewis, Lonnie Bianchini, Todd Campbell, Kurt Condie, Jennifer Fisk, Gina Gierhart, Susan Hostman, Jenny Jarvis, Kelly Mann, Shannon Marler, Kelli Quilici, Coleen Rutherford, Danielle Wehnau, Joey Weedbeck, Jennifer Moose, Donna Bone, Bruce Meissner, Darrel Norcutt, Audie Peterson, Calvin Rose, Rebecca Wehnau, Julia Wood, Kelly York, Eric Hansell and Sam Brown.

On request of Assemblyman Dini, the privilege of the floor of the Assembly Chamber for this day was extended to members of the Virginia City basketball team: David Anderson, Mike Conners, Shawn Harrison, Gary Hames, Mark Hess, Todd Hess, Ted Martinez, Chris O'Brien, Todd Quenemoem, Gregg Tibbets, Spence Williams, Dave Ballard, Cory Cooper;

Messrs. Fred Gladding, Roy Owens, and Ms. Joanne Petrini, Teri Kinne, Jill Hess and Connie Jacobsen.

On request of Assemblyman Price, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Ross Gooding.

Assemblyman Francis moved that the Assembly adjourn until Wednesday, April 3, 1985 at 11 a.m.

Motion carried.

Assembly adjourned at 11:44 a.m.

Approved:

BYRON L. BILYEU
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE SEVENTY-THIRD DAY

CARSON CITY (Wednesday), April 3, 1985

Assembly called to order at 11:07 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, Assemblyman Bill O'Donnell.

Father in Heaven, we ask Your blessings on us today. We ask You, Lord, for the capability for using the wisdom that You have already given us. Allow our decisions today to be honest, forthright and with compassion for our constituents. In this name, Jesus, we pray. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Francis 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. 246, 362 has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JAMES STONE, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Judiciary, to which was referred Assembly 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.

JAMES STONE, *Chairman*

Mr. Speaker:

Your Committee on Education, to which were referred Assembly Bill No. 162, Senate Bill No. 125, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

ERIK BEYER, *Chairman*

Mr. Speaker:

Your Committee on Health and Welfare, to which was referred Assembly Bill No. 319, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

DAVID D. NICHOLAS, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which was referred Assembly Bill No. 242, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN W. MARVEL, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which were referred Assembly Bills Nos. 394, 395, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JAMES STONE, *Chairman*

Mr. Speaker:

Your Committee on Elections, 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: Do pass.

JANE HAM, *Chairman*

Mr. Speaker:

Your Committee on Elections, to which was referred Assembly Bill No. 326, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JANE HAM, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was re-referred Assembly Bill No. 71, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

LOUIS W. BERGEVIN, *Chairman*

Mr. Speaker:

Your Committee on Natural Resources, Agriculture and Mining, to which was referred Assembly Bill No. 234, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

VIRGIL M. GETTO, *Chairman*

Mr. Speaker:

Your Committee on Natural Resources, Agriculture and Mining, to which was re-referred Assembly Bill No. 11, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass, as amended.

Virgil M. Getto, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, April 2, 1985

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. 37, 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, as amended, Senate Bill No. 179.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Stone moved that Assembly Bills Nos. 201 and 230 be taken from the Chief Clerk's desk and placed on the General File.

Motion carried.

Assemblyman Stone moved that Assembly Bill No. 300 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Stone.

Motion carried.

Assemblyman Nevin moved that Assembly Bill No. 204 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. 37.

The following Senate amendment was read:

Amendment No. 274.

Amend sec. 14, pages 7 and 8, by deleting lines 35 through 45 on page 7 and lines 1 through 22 on page 8 and inserting:

"(d) The division of forestry of the department of conservation and natural resources in responding to a fire.

(e) A public ambulance agency.

(f) A public lifeguard or lifesaving agency.

2. A vehicle publicly maintained in whole or in part by the state, or by a city or county, and privately owned and operated by a regularly salaried member of a police department, sheriff's office or traffic law enforcement department, is an authorized emergency vehicle if:

(a) The vehicle has a permit, pursuant to NRS 484.789, from the department of motor vehicles;

(b) The person operates the vehicle in responding to emergency calls or fire alarms, or at the request of the Nevada highway patrol or in the pursuit of actual or suspected violators of the law; and

(c) The state, county or city does not furnish a publicly owned vehicle for the purposes stated in paragraph (b).

3. Every authorized emergency vehicle must be equipped with at least one flashing red warning lamp visible from the front and a siren for use as provided in this chapter, which lamp and siren must be in compliance with standards approved by the department of motor vehicles. In addition, an authorized emergency vehicle may display revolving, flashing or steady red or blue warning lights to the front, sides or rear of the vehicle.

4. [No person may] *A person shall not* operate a vehicle with any lamp or device displaying a red light visible from directly in front of the center of the vehicle except an authorized emergency vehicle, a school bus or an official vehicle of a regulatory agency.

5. [No person may] *A person shall not* operate a vehicle with any lamp or device displaying a blue light, except an authorized emergency vehicle.".

Amend sec. 41, page 16, line 31, by deleting: "Section 26 of this act becomes" and inserting: "Sections 14 and 26 of this act become".

Assemblyman Stone moved that the Assembly concur in the Senate amendment to Assembly Bill No. 37.

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 11:20 a.m.
Mr. Speaker presiding.
Quorum present.

Remarks by Assemblyman Stone.
Motion carried.
Bill ordered enrolled.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Marvel moved that Assembly Joint Resolution No. 9 be taken from the General File and re-referred to the Committee on Ways and Means.

Motion carried.

Assemblyman Joerg moved that Senate Joint Resolution No. 2 be taken from the Chief Clerk's desk and re-referred to the Committee on Taxation.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Economic Development and Tourism, to which was referred Assembly Bill No. 193, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

DAVID E. HUMKE, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen Price, Nevin, Williams and Little:

Assembly Joint Resolution No. 15—Proposing to amend article 10 of the constitution of the State of Nevada, relating to taxation, to authorize the legislature to establish an exemption for property on which a declaration of homestead has been recorded from the property tax.

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. 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 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.

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.

9. The legislature may exempt by law property or any portion of the value of property on which a declaration of homestead has been recorded.

By the Committee on Legislative Functions:

Assembly Concurrent Resolution No. 21—Expressing the mutual consent of the assembly and senate to an adjournment from Thursday, April 4, to Tuesday, April 9, 1985.

Assemblyman Bogaert moved the adoption of the resolution.

Remarks by Assemblyman Bogaert.

Resolution adopted.

Assemblyman Bogaert moved that all rules be suspended and that Assembly Concurrent Resolution No. 21 be immediately transmitted to the Senate.

Motion carried unanimously.

By Assemblymen Nicholas and Bergevin:

Assembly Concurrent Resolution No. 22—Urging the Tahoe Regional Planning Agency not to use the interest earned on special fees for general expenses.

INTRODUCTION AND FIRST READING OF LEGISLATION

By Assemblymen Price, Arberry, Sedway, Thompson, Collins, Coffin, Schofield, Bogaert, Little, Fairchild, Williams, Stone, Thomas, Jeffrey, Swain, Zimmer, Tebbs, Sader, O'Donnell, DuBois, Craddock, Humke, McGaughey, Beyer, Dini, Nicholas, Banner, Ham, Getto, Rader, Lambert, Spriggs and Bilyeu:

Assembly Bill No. 459—An Act relating to public employees' retirement; permitting a police officer or fireman to retire after 20 years of continuous service regardless of age upon his payment of the difference in cost between

the early retirement and normal retirement; and providing other matters properly relating thereto.

By Assemblymen Sedway, Nevin, Marvel, Williams, DuBois, Jeffrey, Humke, Getto, Thomas, Beyer, Coffin, Nicholas, Tebbs and Dini:

Assembly Bill No. 460—An Act relating to public works; requiring the selection of an architect by competitive bidding for certain public works and providing for advertising for those bids; providing procedures and criteria for selection of an architect; and providing other matters properly relating thereto.

By Assemblyman Stone (by request):

Assembly Bill No. 461—An Act relating to architecture; allowing an architect to practice with a landscape architect in a corporation, partnership or other association; and providing other matters properly relating thereto.

By Assemblyman Stone (by request):

Assembly Bill No. 462—An Act relating to public works; requiring that the specifications for certain landscaping or irrigation projects be prepared by a certified landscape architect; and providing other matters properly relating thereto.

By the Committee on Elections:

Assembly Bill No. 463—An Act relating to political parties; requiring elections to choose the officers of a state central committee to be held in odd-numbered years; and providing other matters properly relating thereto.

By the Committee on Elections:

Assembly Bill No. 464—An Act relating to political parties; requiring the signers of a petition to qualify as a political party to declare their intention to affiliate with that party; requiring county clerks to change those voters' affiliation upon the party's qualification; requiring a party to maintain a minimum membership of registered voters; and providing other matters properly relating thereto.

By the Committee on Elections:

Assembly Bill No. 465—An Act relating to elections; relaxing the provision for cancellation of a voter's registration; and providing other matters properly relating thereto.

By Assemblymen Bogaert, Kerns, McGaughey, Nevin, Schofield, Joerg, Little, Horne and Malone:

Assembly Bill No. 466—An Act relating to larceny; allowing the value of property or money taken from different vending machines to be combined to determine the grade of larceny; allowing the cost of repairing or replacing a vending machine to be added to the value of the property taken; and providing other matters properly relating thereto.

By the Committee on Natural Resources, Agriculture and Mining:

Assembly Bill No. 467—An Act relating to state lands; requiring concurrence of the state board of examiners for the disposal of state land in

Eldorado Valley or Fort Mohave Valley; and providing other matters properly relating thereto.

By Assemblymen Dini and Spriggs:

Assembly Bill No. 468—An Act relating to unincorporated towns; requiring all members of a town board to be elected from the qualified electors of the town; and providing other matters properly relating thereto.

By the Committee on Ways and Means:

Assembly Bill No. 469—An Act making an appropriation to the University of Nevada System for the improvement of systems for data processing and the purchase of special equipment; and providing other matters properly relating thereto.

By the Committee on Natural Resources, Agriculture and Mining:

Assembly Bill No. 470—An Act relating to the appropriation of water; requiring that a person who applies for a right to use water for watering livestock own the livestock; specifying the place of use of water used for watering livestock; and providing other matters properly relating thereto.

By Assemblymen Sedway and Bergevin:

Assembly Bill No. 471—An Act relating to alcoholic beverages; requiring a supplier to sell certain of those beverages to a wholesaler in this state at a price no higher than that charged to wholesalers in any other state; and providing other matters properly relating thereto.

By the Committee on Transportation:

Assembly Bill No. 472—An Act relating to motor vehicles; revising the fees and taxes required to be paid for the use of the highways in this state; and providing other matters properly relating thereto.

By the Committee on Transportation:

Assembly Bill No. 473—An Act relating to motor carriers of passengers; changing classifications; limiting the definition of broker; and providing other matters properly relating thereto.

Senate Bill No. 179.

Bill read first time.

REFERENCE OF MEASURES TO COMMITTEES

Assembly Bill No. 454.

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

Motion carried.

Assembly Bill No. 455.

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

Motion carried.

Assembly Bill No. 456.

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

Motion carried.

Assembly Bill No. 457.

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

Motion carried.

Assembly Bill No. 458.

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

Motion carried.

Senate Bill No. 140.

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

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 61.

Bill read second time.

The following amendment was proposed by the Committee on Natural Resources, Agriculture and Mining:

Amendment No. 352.

Amend section 1, page 1, by deleting line 10 and inserting:

"3. [Such regulations must be uniform throughout the state.] *Any such standards which pertain to motor vehicles must be approved by the department of motor vehicles before they are adopted by the commission.*".

Amend the title of the bill, second line, after "engines;", by inserting: "requiring approval by the department of motor vehicles of standards regarding motor vehicles;".

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. 133.

Bill read second time.

The following amendment was proposed by the Committee on Education:

Amendment No. 294.

Amend the bill as a whole by deleting section 1, and renumbering section 2 as section 1.

Amend sec. 2, page 1, by deleting line 18 and inserting:

"388.490 1. Except as *otherwise* provided in subsections 2 [, 3, 4 and 5,] *and 3*,".

Amend sec. 2, page 1, line 19, by deleting "5" and inserting "[5] *3*".

Amend sec. 2, page 2, lines 3 and 4, by deleting "under 5" and inserting "[under 5]".

Amend sec. 2, page 2, lines 6 and 7, by deleting "under 5" and inserting "[under 5]".

Amend sec. 2, page 2, line 9, before "4." by inserting an open bracket.

Amend sec. 2, page 2, line 14, by deleting "*A handi-*".

Amend sec. 2, page 2, by deleting lines 15 through 17.

Amend the bill as a whole by deleting sections 3 through 7.

Amend the title of the bill to read as follows:

"An Act relating to pupils; changing the minimum age of attendance for a handicapped minor; and providing other matters properly relating thereto.".

Assemblyman Beyer moved the adoption of the amendment.

Remarks by Assemblyman Beyer.

Amendment adopted.

Bill ordered reprinted, engrossed and to the Concurrent Committee on Ways and Means.

Assembly Bill No. 157.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 194.

Amend sec. 11, page 7, line 29, by deleting: "*any part of*" and inserting: "*a controlling interest in*".

Assemblyman DuBois moved the adoption of the amendment.

Remarks by Assemblyman DuBois.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 262.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 355.

Amend sec. 2, page 2, line 27, after "*officers*" by inserting: "*whose duties require them to deal with victims of crimes*".

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. 264.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 326.

Amend sec. 2, page 2, line 23, after "*includes*", by inserting: ", *but is not limited to,*".

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. 266.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 332.

Amend section 1, page 1, line 4, by deleting "*shall*" and inserting "*may*".

Amend the title of the bill, first line, by deleting "requiring" and inserting "authorizing".

Amend the summary of the bill, first line, by deleting "Requires" and inserting "Authorizes".

Assemblyman Swain moved the adoption of the amendment.

Remarks by Assemblymen Swain, Nicholas and Getto.

Amendment adopted.

Bill ordered reprinted, engrossed and to the Concurrent Committee on Ways and Means.

Assembly Bill No. 268.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 340.

Amend sec. 2, page 1, by deleting line 5 and inserting: "*to trial as soon as the court's calendar permits.*".

Amend sec. 2, page 1, line 8, by deleting: "*sustain the conviction.*" and inserting: "*impose civil liability for the injury.*".

Assemblyman Swain moved the adoption of the amendment.

Remarks by Assemblymen Swain, Collins and Stone.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 336.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 357.

Amend section 1, page 1, by deleting lines 10 through 12 and inserting: "insurance . [program.] *If such an agency has 200 officers and employees or fewer, the rates and coverage must be the same as those established for state employees. If such an agency has more than 200 officers and employees, the committee may establish by regulation separate rates and coverage for those officers and employees based on actuarial reports.*".

Amend section 1, page 2, line 5, by deleting the period and inserting: "[.] *, including the establishment of:*

(a) Fees for applications for participation in the state's program and for the late payment of premiums; and

(b) Conditions for entry and reentry into the state's program by public agencies enumerated in NRS 287.010.".

Amend the title of the bill, first and second lines, by deleting: "allowing the exclusion of agencies from" and inserting: "making various changes regarding the participation of certain public agencies in".

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. 129.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 280.

Amend the bill as a whole by renumbering sections 4 and 5 as sections 5 and 6 and adding a new section designated section 4, following section 3, to read as follows:

"Sec. 4. NRS 631.015 is hereby amended to read as follows:

631.015 "Accredited" means approved by the [Council on Dental Education] *Commission on Dental Accreditation* of the American Dental Association or its successor organization.".

Amend the bill as a whole by renumbering sections 6 to 10 as sections 9 to 13 and adding new sections designated sections 7 and 8, preceding section 6, to read as follows:

"Sec. 7. NRS 631.250 is hereby amended to read as follows:

631.250 1. The board may issue a [specialty] *specialist's* license authorizing a licensed dentist to announce, hold himself out and practice as a specialist in a special area of dentistry for which there is a certifying [specialty] board approved by the [Council on Dental Education] *Commission on Dental Accreditation* of the American Dental Association.

2. No licensee may announce or hold himself out to the public as a specialist or practice as a specialist unless he has successfully completed the educational requirements currently specified for qualification in the special area by the certifying [specialty] board.

3. A licensed dentist who has successfully completed those educational requirements, has passed the general dentistry examination and has been issued a [specialty] *specialist's* license under this section may commence specialty practice immediately in the special area without:

(a) Examination by the certifying [specialty] board.

(b) Certification as a diplomate of the certifying [specialty] board.

4. A dentist to whom a [specialty] *specialist's* license has been issued must limit his practice to the specialty.

Sec. 8. NRS 631.280 is hereby amended to read as follows:

631.280 Any applicant for a license to practice dentistry in this state who [shall fail to pass two consecutive examinations] *twice fails to pass the examination* of the board [shall not be] *is not* eligible for reexamination

within [a 12-month period following.] *12 months after the second examination was taken.*".

Amend the title of the bill, third line, after "cases;", by inserting: "prohibiting reexamination for a license under certain circumstances;".

Assemblyman DuBois moved the adoption of the amendment.

Remarks by Assemblyman DuBois.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 205.

Bill read second time and ordered to third reading.

GENERAL FILE AND THIRD READING

Assembly Bill No. 46.

Bill read third time.

Remarks by Assemblyman Malone.

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, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 389.

Bill read third time.

Remarks by Assemblyman Joerg.

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, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 201.

Bill read third time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 367.

Amend section 1, page 1, line 9, by deleting "266.160,".

Amend the bill as a whole by deleting section 10 and renumbering sections 11 and 12 as sections 10 and 11.

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. 230.

Bill read third time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 366.

Amend section 1, page 1, line 5, by deleting "such".

Amend section 1, page 1, line 10, by deleting: "[shall be] *is*" and inserting "is".

Amend section 1, page 1, line 11, by deleting "such".

Amend section 1, page 1, by inserting between lines 11 and 12:

"[4. Security officers of the building and grounds division have the powers of peace officers when carrying out duties prescribed by the director.]".

Amend the bill as a whole by deleting section 2.

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. 204.

Bill read third time.

Remarks by Assemblymen Nevin, Sedway, DuBois, Rader and Thomas.

Roll call on Assembly Bill No. 204:

YEAS—40.

NAYS—Francis, Sader—2.

Assembly Bill No. 204 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

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. 168, 185, 190; Senate Bills Nos. 43, 100; Senate Joint Resolutions 3, 4; Assembly Resolution No. 7.

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. John Gabriel and Brian Turpin.

On request of Assemblyman Lambert, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Don Finley.

On request of Assemblyman Beyer, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Ken Lightfoot and Ms. Jennifer Lightfoot.

On request of Assemblyman Getto, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Brent Eldridge.

On request of Assemblyman Joerg, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Aeryn Donnelly.

Assemblyman Francis moved that the Assembly adjourn until Thursday, April 4, 1985 at 10:30 a.m.

Motion carried.

Assembly adjourned at 12:02 p.m.

Approved: BYRON L. BILYEU
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE SEVENTY-FOURTH DAY

CARSON CITY (Thursday), April 4, 1985

Assembly called to order at 10:37 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, Assemblyman Marvin M. Sedway.

Hebrew: Bo-ruch Ator Adonai Elohanu Melech Horalom Shehecheornew Vay Key A Mornew Vay Higeornew Lazman Hazeh.

Whether one be a Jew or an adherent of another faith, man or woman, upon each, according to his deeds will the Divine Spirit rest. Every human being, not only the Jew, is beloved by God, since every man is a creature of God made in his image. Our Rabbis have taught us we must support the poor of all people, visit the sick for that will lead to peace, and practice justice, charity and mercy toward all men. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Francis 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. 199, 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.

JAMES STONE, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which was referred Assembly Bill No. 238, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN MARVEL, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Assembly Bill No. 425, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

LOUIS W. BERGEVIN, *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which was re-referred Assembly Bill No. 159, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN DUBOIS, *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which was referred Assembly Bill No. 359, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN DUBOIS, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Stone moved that Assembly Bill No. 199 be placed on the Second Reading File.

Motion carried.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, April 3, 1985

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 154, 214, 215.

Also, I have the honor to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 21.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 180, 223, 234.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen Bogaert, Schofield, Craddock, Nicholas, Fairchild, Nevin, Kerns, McGaughey, Humke, Little, Price, Sedway, Collins, Ham, Rader, Banner, Thompson, Williams, O'Donnell, DuBois, Arberry and Roberts:

Assembly Joint Resolution No. 16—Proposing to amend the Nevada constitution to provide for limited, annual sessions of the legislature and restrict the times for calling a special session.

RESOLVED BY THE ASSEMBLY AND THE SENATE OF THE STATE OF NEVADA, JOINTLY, That sections 2, 15 and 33 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 1989, 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 *consecutive calendar* days nor to any other place than that in which they may be holding their sessions.

Sec. 29. *The regular session of the legislature must not exceed 50 legislative days and those sessions must not end later than midnight on the 50th legislative day. A special session convened by the governor must not exceed 20 legislative days.*

[Sec:] *Sec.* 33. 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.

[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 which substantially affects the state;

(b) A request by the President or Congress 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 Sader moved that Assembly Bill No. 246 be taken from the Second Reading File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Sader.

Motion carried.

By Assemblymen Price, Bogaert, Nevin, Collins, Arberry, Craddock, McGaughey, Rader and Roberts:

Assembly Joint Resolution No. 17—Proposing to amend section 2 of article 4 of the Nevada constitution to require a legislative session in even-numbered years to consider the budget.

RESOLVED BY THE ASSEMBLY AND THE 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, and] shall commence on the 3rd Monday of January [next ensuing the election of members of the Assembly, unless the] *of odd-numbered years for a general session, and on the 3rd Monday of January of even-numbered years for a session limited to the budget. During the session limited to the budget only bills concerning appropriations, expenditures, new and amended taxes and public borrowing of money may be introduced. The* Governor of the State [shall] *may,* in the interim, convene the Legislature by proclamation.

INTRODUCTION AND FIRST READING OF LEGISLATION

By Assemblymen Getto, Beyer and Marvel:

Assembly Bill No. 474—An Act making an appropriation to the department of education for an experimental educational program for rural schools; and providing other matters properly relating thereto.

By the Committee on Commerce:

Assembly Bill No. 475—An Act relating to real estate brokers and salesmen; removing the requirement that signs for offices indicate licensure;

revising the requirements for continuing education; and providing other matters properly relating thereto.

By the Committee on Commerce:

Assembly Bill No. 476—An Act relating to dealers of manufactured homes, mobile homes and commercial coaches; removing the requirement for the filing of an annual report concerning trust accounts; and providing other matters properly relating thereto.

By Assemblymen Joerg, Bilyeu, Stone, Bergevin, Marvel, Thomas, Tebbs, Getto, Francis, Zimmer, Ham, Horne, O'Donnell, Kerns, Fairchild, Malone, Rader, Roberts, Bogaert, Humke, DuBois, Beyer, Collins, Nicholas and Lambert:

Assembly Bill No. 477—An Act relating to the executive director of the department of taxation; requiring nomination by the Nevada tax commission; limiting his term of office; and providing other matters properly relating thereto.

Senate Bill No. 180.
Bill read first time.

Senate Bill No. 223.
Bill read first time.

Senate Bill No. 234.
Bill read first time.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, April 4, 1985

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. 29.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Senate Concurrent Resolution No. 29.

Assemblyman Bogaert moved the adoption of the resolution.

Remarks by Assemblymen Bogaert, Dini, Thompson, Getto, Nicholas and Price.

Assemblyman Joerg requested that the following remarks be entered in the Journal.

ASSEMBLYMAN BOGAERT:

I would just like to briefly say that I had the privilege of serving one term with Art Palmer. He is a legendary figure and it was a pleasure that one term.

ASSEMBLYMAN DINI:

It has certainly been my honor to have served all these years with Mr. Palmer. We had a few things in common; we both graduated from UNR and we were both members of Block "N" Athletic Society at the University of Nevada. When I came here in 1967, of course, we did not have the elaborate building or staff we have now. We had a one man research staff and Art Palmer was the voice of the entire Research Department of the Counsel

Bureau at that time. He grew with our agency and today we have a fine efficient staff because of his dedication.

He was a very kind man and a very hard working man. You didn't realize how much work he did because he was behind the scenes taking care of business. He ran things with an iron hand and I was very proud of the job he did here as director since 1972. I think that we can say he was a hard working dedicated Nevadan and worked for the best interest of the legislative process. He never let politics into the halls and made sure the staff understood that. It was a nonpartisan, bipartisan effort here among our professional people in this building. Because of his dedication, we now have the fine staff in the Research, audit and all the other divisions of the Counsel Bureau.

He was well respected in the Western Conference of State Legislatures and whatever national organizations he belonged to as our representative. In fact, I believe he was chairman of one of those organizations recently. I think it is a sad day for us to see him leave our organization, but it is a happy day for him and his wife to be able to travel and go all over the country. We wish him well from the bottom of our hearts.

ASSEMBLYMAN THOMPSON:

As a member of the National Conference to Security and Services, Mr. Palmer and I attended a conference in Austin, Texas this last year. They gave him a retirement party there. I can tell you he is very well respected all over the United States. An interesting fact about Mr. Palmer that not too many people know is that he has been in every county in the United States. That is a lot of traveling. He recalled some of his adventures he had in reaching some of these counties, particularly in Alaska where he had to be flown in by bush pilots. He has documented all of his experiences.

ASSEMBLYMAN GETTO:

When I came to the legislature, one of the first people I met was Mr. Palmer. He was a man that you could communicate with very easily. As Mr. Dini stated, he grew with the Counsel Bureau. Being a one man operation to begin with, a great deal of growth had been reached when he retired. Art had a great deal of influence on my learning about the legislature and about dealing with people. His real expertise was in dealing with people. He had a very leveling effect. He was a very kind man and a real humanitarian. He was able to keep people working for the Counsel Bureau at a smooth pace. That was a "hot seat" he sat in and he did it very well over the years.

I think we can also give him credit for some of the advances that we have made. For instance, he was a real leader in keeping up with all the modern technology. He encouraged legislators to get involved. I think many times the reason legislators have gone to conferences to upgrade themselves was because of the encouragement of Art Palmer. I certainly wish him well in his retirement years and I hope they will be filled with enjoyment.

ASSEMBLYMAN NICHOLAS:

I wish to briefly acknowledge the need for everyone of us in the Assembly to look back at Mr. Palmer as one of our founding fathers. I suggest that we thank him for those things he has done for us. I personally would thank him and his wife for being good friends of my wife and myself.

ASSEMBLYMAN PRICE:

I, too, would take a moment to give one other small fact about Mr. Palmer. He, by the way, was a guidance of mine and all legislators that entered into the process during the years that he was here. He was a member of the staff of the first classes from UNLV and also taught at Las Vegas High School. He taught several legislators, including the Governor and Mr. Bremner. He has been around this state a long time and is certainly a credit to our state.

Resolution adopted.

REFERENCE OF MEASURES TO COMMITTEES

Assembly Bill No. 459.

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

Motion carried.

Assembly Bill No. 460.

Assemblyman Sedway moved that the bill be referred to the Concurrent Committees on Commerce and Ways and Means.

Motion carried.

Assembly Bill No. 461.

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

Motion carried.

Assembly Bill No. 462.

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

Motion carried.

Assembly Bill No. 463.

Assemblyman Francis moved that the bill be referred to the Committee on Elections.

Motion carried.

Assembly Bill No. 464.

Assemblyman Francis moved that the bill be referred to the Committee on Elections.

Motion carried.

Assembly Bill No. 465.

Assemblyman Francis moved that the bill be referred to the Committee on Elections.

Motion carried.

Assembly Bill No. 466.

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

Motion carried.

Assembly Bill No. 467.

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

Motion carried.

Assembly Bill No. 468.

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

Motion carried.

Assembly Bill No. 469.

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

Motion carried.

Assembly Bill No. 470.

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

Motion carried.

Assembly Bill No. 471.

Assemblyman Sedway moved that the bill be referred to the Committee on Commerce.

Motion carried.

Assembly Bill No. 472.

Assemblyman Francis moved that the bill be referred to the Concurrent Committees on Transportation and Taxation.

Motion carried.

Assembly Bill No. 473.

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

Motion carried.

Assembly Joint Resolution No. 15.

Assemblyman Price moved that the resolution be referred to the Committee on Taxation.

Motion carried.

Assembly Concurrent Resolution No. 22.

Assemblyman Nicholas moved that the resolution be referred to the Concurrent Committees on Government Affairs and Legislative Functions.

Motion carried.

Senate Bill No. 179.

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

Motion carried.

INTRODUCTION AND FIRST READING OF LEGISLATION

By the Committee on Judiciary:

Assembly Bill No. 478—An Act relating to driving while intoxicated; eliminating the use of a test of urine to determine the alcoholic content of the blood of a person suspected of driving while intoxicated; and providing other matters properly relating thereto.

By the Committee on Judiciary:

Assembly Bill No. 479—An Act relating to driving under the influence of intoxicating liquor or a controlled substance; clarifying that a person convicted of certain offenses must pay the fees and expenses of a witness whose

presence was demanded by the defendant; and providing other matters properly relating thereto.

By the Committee on Judiciary:

Assembly Bill No. 480—An Act relating to driving while intoxicated; establishing requirements for evidentiary tests of a person's breath which are given to determine the percentage by weight of alcohol in his blood; and providing other matters properly relating thereto.

SECOND READING AND AMENDMENT

Assembly Bill No. 162.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 193.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 234.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 242.

Bill read second time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 368.

Amend section 1, page 1, line 2, by deleting "$4,000" and inserting "$3,000".

Assemblyman Marvel moved the adoption of the amendment.

Remarks by Assemblyman Marvel.

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 Judiciary:

Amendment No. 356.

Amend section 1, page 2, by deleting line 13 and inserting:

"3. No award may be".

Amend section 1, page 2, by deleting lines 16 through 18 and inserting "*than $25,000.*".

Amend sec. 2, page 2, line 26, after "paid.", by inserting: "*If the amount of compensation awarded pursuant to NRS 217.010 to 217.270, inclusive, exceeds the amount of money in the fund, the claims must be paid in the order in which they were awarded until the balance of the fund is exhausted. All such awards are made subject to the availability of money in the fund.*".

Amend the bill as a whole by deleting sections 3 through 5 and adding a new section designated section 3, following section 2, to read as follows:

"Sec. 3. NRS 217.265 is hereby amended to read as follows:

217.265 [One-half] *Three-fourths* of the value of all money and other property which an offender receives for books, serialization rights, rights

for movies and television programs and other payments which he receives based on his notoriety as an offender must be paid into the fund for the compensation of victims of crimes. The fund has a lien against the property of the offender for the amount due it pursuant to this section.".

Amend the bill as a whole by renumbering section 6 as section 4.

Amend sec. 6, page 4, line 19, by deleting "$150,000." and inserting "$250,000.".

Amend the title of the bill, second line, by deleting "providing additional sources of income for" and inserting: "increasing the percentage of the amount received by certain offenders which must be paid into".

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. 307.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 319.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 326.

Bill read second time.

The following amendment was proposed by the Committee on Elections:

Amendment No. 333.

Amend sec. 4, page 2, line 38, after "*or*", by inserting "*who*".

Amend sec. 5, page 3, line 10, after "*used*", by inserting "*individually*".

Amend sec. 5, page 3, by deleting lines 15 through 21 and inserting:

"*(d) A military identification card; and*

(e) Any other form of identification which contains the voter's signature and physical description or picture.".

Amend the bill as a whole by deleting sections 7 and 8 and renumbering sections 9 through 16 as sections 7 through 14.

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. 362.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 365.

Amend section 1, page 1, line 16, by deleting "*16*" and inserting "*14*".

Assemblyman Stone moved the adoption of the amendment.

Remarks by Assemblymen Stone and Rader.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 394.
Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 395.
Bill read second time, ordered engrossed and to third reading.

Senate Bill No. 125.
Bill read second time and ordered to third reading.

Assembly Bill No. 199.
Bill read second time.
The following amendment was proposed by the Committee on Judiciary:
Amendment No. 342.
Amend the bill as a whole by deleting sections 1 to 40, inclusive, and adding new sections designated sections 1 to 60, respectively, to read as follows:
"Section 1. Title 38 of NRS is hereby amended by adding thereto a new chapter to consist of the provisions set forth as sections 2 to 60, 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 13, inclusive, of this act, have the meanings ascribed to them in those sections.
Sec. 3. 1. "Abuse or neglect of a child" means:
(a) Physical or mental injury of a nonaccidental nature;
(b) Sexual abuse or sexual exploitation; or
(c) Negligent treatment or maltreatment as set forth in section 16 of this act,
of a child caused or allowed by a person responsible for his welfare under circumstances which indicate that the child's health or welfare is harmed or threatened with harm.
2. A child is not abused or neglected, nor is his health or welfare harmed or threatened for the sole reason that his parent or guardian, in good faith, selects and depends upon nonmedical remedial treatment for such child, if such treatment is recognized and permitted under the laws of this state in lieu of medical treatment. This subsection does not limit the court in ensuring that a child receive a medical examination and treatment pursuant to NRS 62.231.
3. As used in this section, "allow" means to do nothing to prevent or stop the abuse or neglect of a child in circumstances where the person knows or has reason to know that a child is abused or neglected.
Sec. 4. "Agency which provides protective services" means:
1. The local office of the welfare division; or
2. An agency of a county authorized by the court to receive and investigate reports of abuse or neglect,
which provides or arranges for necessary services.
Sec. 5. "Child" means a person under the age of 18 years.
Sec. 6. "Court" means the juvenile division of the district court.

Sec. 7. "Custodian" means a person or a governmental organization, other than a parent or legal guardian, who has been awarded legal custody of a child.

Sec. 8. "Mental injury" means an injury to the intellectual or psychological capacity or the emotional condition of a child as evidenced by an observable and substantial impairment of his ability to function within his normal range of performance or behavior.

Sec. 9. "Parent" means a natural or adoptive parent whose parental rights have not been terminated.

Sec. 10. "Physical injury" means:

1. Permanent or temporary disfigurement; or
2. Impairment of any bodily function or organ of the body.

Sec. 11. "Sexual abuse" includes acts upon a child constituting:

1. Incest under NRS 201.180;
2. Lewdness with a child under NRS 201.230;
3. Annoyance or molestation of a child under NRS 207.260;
4. Sado-masochistic abuse under NRS 201.262;
5. Sexual assault under NRS 200.366; and
6. Statutory sexual seduction under NRS 200.368.

Sec. 12. "Sexual exploitation" includes forcing, allowing or encouraging a child:

1. To solicit for or engage in prostitution;
2. To view a pornographic film or literature; and
3. To engage in:

(a) Filming, photographing or recording on video tape; or

(b) Posing, modeling, depiction or a live performance before an audience,

which involves the exhibition of a child's genitals or any sexual conduct with a child, as defined in NRS 200.700.

Sec. 13. "Welfare division" means the welfare division of the department of human resources.

Sec. 14. Excessive corporal punishment may result in physical or mental injury constituting abuse or neglect of a child under the provisions of this chapter.

Sec. 15. A person is responsible for a child's welfare under the provisions of this chapter if he is the child's parent, guardian or foster parent, a stepparent with whom the child lives, an adult person continually or regularly found in the same household as the child, or a person directly responsible or serving as a volunteer for or employed in a public or private home, institution or facility where the child actually resides.

Sec. 16. Negligent treatment or maltreatment of a child occurs if a child has been abandoned, is without proper care, control and supervision or lacks the subsistence, education, shelter, medical care or other care necessary for the well-being of the child because of the faults or habits of the person responsible for his welfare or his neglect or refusal to provide them when able to do so.

Sec. 17. The welfare division shall:

1. Administer any money granted to the state by the Federal Government under 42 U.S.C. § 5103;

2. Plan, coordinate and evaluate all protective services provided throughout the state;

3. Provide directly or arrange for other persons or governmental organizations to provide protective services;

4. Coordinate its activities with and assist the efforts of any law enforcement agency, a court of competent jurisdiction and any public or private organization which provides social services for the prevention, identification and treatment of abuse or neglect of children; and

5. Involve communities in the improvement of protective services.

Sec. 18. The welfare division shall adopt regulations establishing reasonable and uniform standards for:

1. Protective services provided in this state;

2. Programs for the prevention of abuse or neglect of a child;

3. Development of local councils involving public and private organizations;

4. Reports of abuse or neglect, records of these reports and the response to these reports;

5. Management and assessment of reported cases of abuse or neglect;

6. Protection of the legal rights of parents and children;

7. Emergency shelter for a child; and

8. The prevention, identification and correction of abuse or neglect of a child in residential institutions.

Sec. 19. The welfare division shall establish and maintain a center with a toll-free telephone number to receive reports of abuse or neglect of a child in this state 24 hours a day, 7 days a week. Any reports made to this center must be promptly transmitted to the agency providing protective services in the community where the child is located.

Sec. 20. 1. A child is in need of protection if:

(a) He has been abandoned by a person responsible for his welfare;

(b) He is suffering from congenital drug addiction or the fetal alcohol syndrome, because of the faults or habits of a person responsible for his welfare;

(c) He has been subjected to abuse or neglect by a person responsible for his welfare;

(d) He is in the care of a person responsible for his welfare and another child has died as a result of abuse or neglect by that person; or

(e) He has been placed for care or adoption in violation of law.

2. A child may be in need of protection if the person responsible for his welfare:

(a) Is unable to discharge his responsibilities to and for the child because of incarceration, hospitalization or other physical or mental incapacity;

(b) Fails, although he is financially able to do so or has been offered

financial or other means to do so, to provide for the following needs of the child:

(1) Food, clothing or shelter necessary for the child's health or safety;

(2) Education as required by law; or

(3) Adequate medical care.

Sec. 21. 1. A report must be made immediately to an agency which provides protective services or to a law enforcement agency when there is reason to believe that a child has been abused or neglected. If the report of abuse or neglect of a child involves the acts or omissions of an agency which provides protective services or a law enforcement agency, the report must be made to and the investigation made by an agency other than the one alleged to have committed the acts or omissions.

2. Reports must be made by the following persons who, in their professional or occupational capacities, know or have reason to believe that a child has been abused or neglected:

(a) A physician, dentist, chiropractor, optometrist, podiatrist, medical examiner, resident, intern, professional or practical nurse, physician's assistant, psychiatrist, psychologist, marriage and family counselor, alcohol or drug abuse counselor, advanced emergency medical technician-ambulance or other person providing medical services licensed or certified in this state;

(b) Any personnel of a hospital or similar institution engaged in the admission, examination, care or treatment of persons or an administrator, manager or other person in charge of a hospital or similar institution upon notification of suspected abuse or neglect of a child by a member of the staff of the hospital;

(c) A coroner;

(d) A clergyman, practitioner of Christian Science or religious healer, unless he has acquired the knowledge of the abuse or neglect from the offender during a confession;

(e) A social worker and an administrator, teacher, librarian or counselor of a school;

(f) Any person who maintains or is employed by a facility or establishment that provides care for children, children's camp or other public or private facility, institution or agency furnishing care to a child;

(g) Any person licensed to conduct a foster home;

(h) Any officer or employee of a law enforcement agency or an adult or juvenile probation officer; and

(i) Any person who maintains, is employed by or serves as a volunteer for an agency or service which advises persons regarding abuse or neglect of a child and refers them to persons and agencies where their requests and needs can be met.

3. A report may be made by any other person.

4. Any person required to report under this section who has reasonable cause to believe that a child has died as a result of abuse or neglect shall report this belief to the appropriate medical examiner or coroner, who shall

investigate the report and submit to an agency which provides protective services his written findings, which must include the information required under the provisions of subsection 2 of section 22 of this act.

Sec. 22. 1. The report required under the provisions of subsection 1 of section 21 of this act may be made verbally, by telephone or otherwise.

2. The report must contain the following information, if obtainable:

(a) The name, address, age and sex of the child;

(b) The name and address of the child's parents or other person responsible for his care;

(c) The nature and extent of the abuse or neglect of the child;

(d) Any evidence of previously known or suspected abuse or neglect of the child or the child's siblings;

(e) The name, address and relationship, if known, of the person who is alleged to have abused or neglected the child; and

(f) Any other information known to the person making the report that the agency which provides protective services considers necessary.

Sec. 23. Any person who knowingly and willfully violates the provisions of section 21 of this act is guilty of a misdemeanor.

Sec. 24. 1. Upon receipt of a report concerning the possible abuse or neglect of a child, an agency which provides protective services or a law enforcement agency shall, within 3 working days, initiate an investigation. A law enforcement agency shall promptly notify an agency which provides protective services of any report it receives, unless the law enforcement agency finds during the course of the investigation that the report is unsubstantiated.

2. An agency which provides protective services and a law enforcement agency shall cooperate in the investigation, if any, of a report of abuse or neglect of a child.

Sec. 25. 1. A designee of an agency investigating a report of abuse or neglect of a child may, without the consent of and outside the presence of any person responsible for the child's welfare, interview a child concerning any possible abuse or neglect. The child may be interviewed at any place where he is found. The designee shall, immediately after the conclusion of the interview, if reasonably possible, notify a person responsible for the child's welfare that the child was interviewed, unless the designee determines that such notification would endanger the child.

2. A designee of an agency investigating a report of abuse or neglect of a child may, without the consent of the person responsible for a child's welfare:

(a) Take or cause to be taken photographs of the child's body, including the areas of trauma; and

(b) If indicated after consultation with a physician, cause X-rays or medical tests to be performed on a child.

3. Upon the taking of any photographs, X-rays or medical tests pursuant to subsection 2, the person responsible for the child's welfare must be notified immediately if reasonably possible, unless the designee determines

such notification would endanger the child. The reasonable cost of these photographs, X-rays or medical tests must be paid by the agency providing protective services if money is not otherwise available.

4. Any photographs or X-rays taken pursuant to subsection 2, or copies thereof, must be sent to the agency providing protective services and to the law enforcement agency participating in the investigation of the report. The photograph or X-ray:

(a) Must be accompanied by a statement indicating the name of the child, the name and address of the person taking the photograph or X-ray and the date the photograph or X-ray was taken;

(b) Is admissible in any proceeding relating to abuse or neglect of the child; and

(c) May be given to the child's parent or guardian if he pays the cost of duplicating them.

Sec. 26. 1. Reports made pursuant to this chapter, as well as all records concerning these reports and investigations thereof, are confidential.

2. Any person, law enforcement agency or public agency, institution or facility who willfully releases data or information concerning such reports and investigations, except:

(a) Pursuant to a criminal prosecution relating to abuse or neglect of a child; and

(b) To persons or agencies enumerated in section 27 of this act,

is guilty of a misdemeanor.

Sec. 27. 1. Data or information concerning reports and investigations thereof made pursuant to this chapter may be made available only to:

(a) A physician who has before him a child who he reasonably believes may have been abused or neglected;

(b) A person authorized to place a child in protective custody if he has before him a child who he reasonably believes may have been abused or neglected and he requires the information to determine whether to place the child in protective custody;

(c) An agency, including an agency in another jursidiction, responsible for or authorized to undertake the care, treatment or supervision of:

(1) The child; or

(2) The person responsible for the child's welfare;

(d) A district attorney or other law enforcement officer who requires the information in connection with an investigation or prosecution of abuse or neglect of a child;

(e) Any court, for in camera inspection only, unless the court determines that public disclosure of the information is necessary for the determination of an issue before it;

(f) A person engaged in bona fide research or an audit, but any information identifying the subjects of a report must not be made available to him;

(g) The child's guardian ad litem;

(h) A grand jury upon its determination that access to these records is necessary in the conduct of its official business;

(i) An agency which provides protective services or which is authorized to receive, investigate and evaluate reports of abuse or neglect of a child;

(j) A team organized for the protection of a child pursuant to section 32 of this act;

(k) A parent or legal guardian of the child, if the identity of the person responsible for reporting the alleged abuse or neglect of the child to a public agency is kept confidential;

(l) The person named in the report as allegedly being abused or neglected, if he is not a minor or otherwise legally incompetent;

(m) An agency which is authorized by law to license foster homes or facilities for children or to investigate persons applying for approval to adopt a child, if the agency has before it an application for that license or is investigating an applicant to adopt a child; or

(n) Upon written consent of the parent, any state or local officer or legislator authorized to investigate the activities or programs of an agency which provides protective services if:

(1) The identity of the person making the report is kept confidential; and

(2) the officer, legislator or a member of his family is not the person alleged to have committed the abuse or neglect.

2. Any person, except for the subject of a report or a district attorney or other law enforcement officer initiating legal proceedings, who is given access, pursuant to subsection 1, to information identifying the subjects of a report who makes this information public is guilty of a misdemeanor.

3. The welfare division shall adopt regulations to carry out the provisions of this section.

Sec. 28. Each agency which provides protective services shall investigate each report of abuse or neglect received or referred to it to determine:

1. The composition of the family, household or facility, including the name, address, age, sex and race of each child named in the report, any siblings or other children in the same place or under the care of the same person, the persons responsible for the children's welfare and any other adult living or working in the same household or facility;

2. Whether there is reasonable cause to believe any child is abused or neglected or threatened with abuse or neglect, the nature and extent of existing or previous injuries, abuse or neglect and any evidence thereof, and the person apparently responsible;

3. If there is reasonable cause to believe that a child is abused or neglected, the immediate and long-term risk to the child if he remains in the same environment; and

4. The treatment and services which appear necessary to help prevent further abuse or neglect and to improve his environment and the ability of the person responsible for the child's welfare to care adequately for him.

Sec. 29. The agency investigating a report of abuse or neglect of a child shall, upon completing the investigation, report to the central registry:

1. Identifying and demographic information on the child alleged to be

abused or neglected, his parents, any other person responsible for his welfare and the person allegedly responsible for the abuse or neglect;

2. The facts of the alleged abuse or neglect, including the date and type of alleged abuse or neglect, the manner in which the abuse was inflicted and the severity of the injuries; and

3. The disposition of the case.

Sec. 30. 1. An agency which provides protective services may waive a full investigation of a report of abuse or neglect of a child made by another agency or a person if, after assessing the circumstances, it is satisfied that:

(a) The person or other agency who made the report can provide services to meet the needs of the child and the family, and this person or agency agrees to do so; and

(b) The person or other agency agrees in writing to report periodically on the child and to report immediately any threat or harm to the child's welfare.

2. The agency which provides protective services shall supervise for a reasonable period the services provided by the person or other agency pursuant to subsection 1.

Sec. 31. 1. If the agency which provides protective services determines that a child needs protection, but is not in imminent danger from abuse or neglect, it may:

(a) Offer to the parents or guardian a plan for services and inform him that the agency has no legal authority to compel him to accept the plan but that it has the authority to petition the court pursuant to section 49 of this act or to refer the case to the district attorney or a law enforcement agency; or

(b) File a petition pursuant to section 49 of this act and, if a child is adjudicated in need of protection, request that the child be removed from the custody of his parents or guardian or that he remain at home with or without the supervision of the court or of any person or agency designated by the court.

2. If the parent or guardian accepts the conditions of the plan offered by the agency pursuant to paragraph (a) of subsection 1, the agency may elect not to file a petition and may arrange for appropriate services, including medical care, care of the child during the day, management of the home or supervision of the child, his parents or guardian.

Sec. 32. An agency which provides protective service may organize one or more teams for protection of a child to assist the agency in the evaluation and investigation of reports of abuse or neglect of a child, diagnosis and treatment of abuse or neglect and the coordination of responsibilities. Members of the team serve at the invitation of the agency and must include representatives of other organizations concerned with education, law enforcement or physical or mental health.

Sec. 33. 1. A parent or guardian of a child who is in need of protection may place the child with a public agency authorized to care for children or a private institution or agency licensed by the department of human resources to care for such children if:

(a) Efforts to keep the child in his own home have failed; and

(b) The parents or guardian and the agency or institution voluntarily sign a written agreement for placement of the child which sets forth the rights and responsibilities of each of the parties to the agreement.

2. If a child is placed with an agency or institution pursuant to subsection 1, the parent or guardian shall:

(a) If able, contribute to the support of the child during his temporary placement;

(b) Inform the agency or institution of any change in his address or circumstances; and

(c) Meet with a representative of the agency or institution and participate in developing and carrying out a plan for the possible return of the child to his custody, the placement of the child with a relative or the eventual adoption of the child.

3. A parent or guardian who voluntarily agrees to place a child with an agency or institution pursuant to subsection 1 is entitled to have the child returned to his physical custody within 48 hours of a written request to that agency or institution. If that agency or institution determines that it would be detrimental to the best interests of the child to return him to the custody of his parent or guardian, it shall cause a petition to be filed pursuant to section 49 of this act.

4. If the child has remained in temporary placement for 6 consecutive months, the agency or institution shall:

(a) Immediately return the child to the physical custody of his parent or guardian; or

(b) Cause a petition to be filed pursuant to section 49 of this act.

5. The welfare division shall adopt regulations to carry out the provisions of this section.

Sec. 34. If an agency which provides protective services determines that there is no reasonable cause to believe that a child is in need of protection, it shall proceed no further in that matter.

Sec. 35. If the agency which provides protective services determines that further action is necessary to protect a child who is in need of protection, as well as any other child under the same care who may be in need of protection, it may refer the case to the district attorney for criminal prosecution and may recommend the filing of a petition pursuant to section 49 of this act.

Sec. 36. 1. An agent or officer of a law enforcement agency, an officer of the juvenile probation department or a designee of an agency which provides protective services may place a child in protective custody without the consent of the person responsible for the child's welfare if he has reasonable cause to believe that immediate action is necessary to protect the child from injury, abuse or neglect. An agency which provides protective services shall request the assistance of a law enforcement agency in the removal of the child if it has reasonable cause to believe that the child or the person placing the child in protective custody may be threatened with harm.

2. A child placed in protective custody pending an investigation and a

hearing held pursuant to section 47 of this act must be placed in a hospital, if the child needs hospitalization, or in a shelter, which may include a foster home or other home or facility which provides care for such children, but the child shall not be placed in a jail or other place for detention, incarceration or residential care of persons convicted of a crime or children charged with delinquent acts.

3. Any person placing a child in protective custody shall immediately:

(a) Take steps to protect any other child remaining in the home or facility, if necessary;

(b) Make a reasonable effort to inform the person responsible for the child's welfare that the child has been placed in protective custody; and

(c) As soon as practicable, inform the agency which provides protective services and the appropriate law enforcement agency.

Sec. 37. A physician treating a child or a person in charge of a hospital or similar institution may hold a child for no more than 24 hours if there is reasonable cause to believe that the child has been abused or neglected and that he is in danger of further harm if released. The physician or other person shall immediately notify a law enforcement agency or an agency which provides protective services that he is holding the child.

Sec. 38. Immunity from civil or criminal liability extends to every person who in good faith:

1. Makes a report pursuant to the provisions of section 21 of this act;

2. Conducts an interview or allows an interview to be taken pursuant to section 25 of this act;

3. Allows or takes photographs or X-rays pursuant to section 25 of this act;

4. Holds a child pursuant to section 37 of this act or places a child in protective custody;

5. Refers a case or recommends the filing of a petition pursuant to section 35 of this act; or

6. Participates in a judicial proceeding resulting from a referral or recommendation.

Sec. 39. Any person required to report under section 21 of this act may not invoke any of the privileges granted under chapter 49 of NRS:

1. For his failure to report as required under section 21 of this act; or

2. In cooperating with an agency which provides protective services or a guardian ad litem for a child; or

3. In any proceeding held pursuant to sections 42 to 60, inclusive, of this act.

Sec. 40. Nothing in the provisions of NRS 432.100 to 432.130, inclusive, and sections 2 to 60, inclusive, of this act, prohibits an agency which provides protective services from sharing information with other state or local agencies if:

1. The purpose for sharing the information is for the development of a plan for the care, treatment or supervision of a child who has been abused or neglected or of a person responsible for the child's welfare;

2. The other agency has standards for confidentiality equivalent to those of the agency which provides protective services; and

3. Proper safeguards are taken to ensure the confidentiality of the information.

Sec. 41. An agency which provides protective services must receive from the state, any of its political subdivisions or any agency of either, any cooperation, assistance and information it requests in order to fulfill its responsibilities under NRS 432.100 to 432.130, inclusive, and sections 2 to 60, inclusive, of this act.

Sec. 42. 1. The court has exclusive original jurisdiction in proceedings concerning any child living or found within the county who is a child in need of protection or may be a child in need of protection.

2. Action taken by the juvenile court because of the abuse or neglect of a child does not preclude the prosecution and conviction of any person for violation of NRS 200.508 based on the same facts.

Sec. 43. After a petition is filed that a child is in need of protection pursuant to section 49 of this act, the court shall appoint a representative of an agency which provides protective services, a juvenile probation officer, an officer of the court or a volunteer as a guardian ad litem to represent and protect the best interests of the child. A parent or other person responsible for the child's welfare may not be so appointed. No compensation may be allowed a person serving as guardian ad litem.

Sec. 44. 1. A parent or other person responsible for the child's welfare who is alleged to have abused or neglected a child may be represented by an attorney at all stages of any proceedings under sections 42 to 60, inclusive, of this act. If this person is indigent, the court may appoint an attorney to represent him. The court may, if it finds it appropriate, appoint an attorney to represent the child.

2. Each attorney, other than a public defender, if appointed under the provisions of subsection 1, is entitled to the same compensation and payment for expenses from the county as provided in NRS 7.125 for an attorney appointed to represent a person charged with a crime. An attorney appointed to represent a child may also be appointed as guardian ad litem for the child pursuant to section 43 of this act, unless the attorney requests the appointment of a separate guardian ad litem. He may not receive any compensation for his services as a guardian ad litem.

Sec. 45. Only those persons having a direct interest in the case, as ordered by the judge or master, may be admitted to any proceeding held pursuant to sections 42 to 60, inclusive, of this act.

Sec. 46. In any civil proceeding had pursuant to sections 42 to 60, inclusive, of this act, a physician's testimony that a physical or mental injury of a child would ordinarily not be sustained or a condition not exist without either negligence or a deliberate but unreasonable act or failure to act by the person responsible for his welfare is prima facie a ground, unless rebutted, that the child is in need of protection.

Sec. 47. 1. A child taken into protective custody pursuant to section 36 of this act must be given a hearing, conducted by a judge, master or special master appointed by the judge for that particular hearing, within 72 hours, excluding Saturdays, Sundays and holidays, after being taken into custody, to determine whether the child should remain in protective custody pending further action by the court.

2. Notice of the time and place of the hearing must be given to a parent or other person responsible for the child's welfare:

(a) By personal service of a written notice;

(b) Verbally; or

(c) If the parent or other person responsible for the child's welfare cannot be located after a reasonable effort, by posting a written notice on the door of his residence.

3. If notice is given by means of paragraph (b) or (c) of subsection 2, a copy of the notice must be mailed to the person at his last known address within 24 hours after the child is placed in protective custody.

Sec. 48. 1. At the commencement of the hearing on protective custody, the court shall advise the parties of their right to be represented by an attorney and of their right to present evidence.

2. If the court finds, as a result of the hearing that there is reasonable cause to believe:

(a) That the child may be harmed if released from protective custody; or

(b) A parent or other person responsible for the child's welfare is not available to care for the child,

the court shall issue an order keeping the child in protective custody pending a disposition by the court.

3. If the court finds that the best interests of the child do not require that the child remain in protective custody, the court shall order his immediate release.

Sec. 49. 1. An agency which provides protective services:

(a) Shall, within 10 days after the hearing on protective custody, unless good cause exists, initiate a proceeding in court by filing a petition which meets the requirements set forth in section 50 of this act or recommend against any further action in court; or

(b) If a child is not placed in protective custody, may, after an investigation is made under sections 2 to 41, inclusive, of this act, file a petition which meets the requirements set forth in section 50 of this act.

2. If the agency recommends against further action, the court may, on its own motion, initiate proceedings when it finds that it is in the best interests of the child.

3. If a child has been placed in protective custody and if further action in court is taken, an agency which provides protective services shall make recommendations to the court concerning whether the child should be returned to the person responsible for his welfare pending further action in court.

Sec. 50. 1. A petition alleging that a child is in need of protection may be signed only by:

(a) A representative of an agency which provides protective services;

(b) A law enforcement officer or probation officer; or

(c) The district attorney.

2. The district attorney shall countersign every petition alleging need of protection, and shall represent the petitioner in all proceedings. If the district attorney fails or refuses to countersign the petition, the petitioner may seek a review by the attorney general. If the attorney general determines that a petition should be filed, he shall countersign the petition and shall represent the petitioner in all subsequent proceedings.

3. Every petition must be entitled, "In the Matter of....., a child," and must be verified by the person who signs it.

4. Every petition must set forth specifically:

(a) The facts which bring the child within the jurisdiction of the court as indicated in section 42 of this act;

(b) The name, date of birth and address of the residence of the child;

(c) The names and addresses of the residences of his parents and any other person responsible for the child's welfare, and spouse if any. If his parents or other person responsible for his welfare do not reside in this state or cannot be found within the state, or if their addresses are unknown, the petition must state the name of any known adult relative residing within the state, or if there is none, the known adult relative residing nearest to the court; and

(d) Whether the child is in protective custody, and if so, the agency responsible for placing the child in protective custody and the reasons therefor.

5. When any of the facts required by subsection 4 are not known, the petition must so state.

Sec. 51. 1. After a petition has been filed, the court shall direct the clerk to issue a summons requiring the person who has custody or control of the child to appear personally and bring the child before the court at a time and place stated in the summons. The summons must advise the parties of their rights to counsel at the adjudicatory hearing. A copy of the petition must be attached to each summons.

2. If the person so summoned is other than a parent or guardian of the child, then the parent or guardian, or both, must also be notified by a similar summons of the pendency of the hearing and of the time and place appointed.

3. Summons may be issued requiring the appearance of any other person whose presence, in the opinion of the court, is necessary.

4. If it appears that the child is in such condition or surroundings that his welfare requires that his custody be immediately assumed by the court, the court may order, by endorsement upon the summons, that the person serving it shall at once deliver the child to an agency which provides protective

services in whose custody the child must remain until the further order of the court.

5. If the person summoned resides in this state, the summons must be served personally. If the person summoned cannot be found within this state or does not reside in this state, the summons must be mailed by registered or certified mail to his last known address.

Sec. 52. 1. An adjudicatory hearing must be held within 30 days after the filing of the petition, unless good cause is shown.

2. At the hearing, the court shall inform the parties of the specific allegations in the petition and give them an opportunity to admit or deny them. If the allegations are denied, the court shall hear evidence on the petition.

3. In adjudicatory hearings all relevant and material evidence helpful in determining the questions presented, including oral and written reports, may be received by the court and may be relied upon to the extent of its probative value. The parties or their attorney must be afforded an opportunity to examine and controvert written reports so received and to cross-examine individuals making reports when reasonably available.

4. The court may require the child to be present in court at the hearing.

5. If the court finds by a preponderance of the evidence that the child is in need of protection, it shall record its findings of fact and may proceed immediately or at another hearing held within 15 working days, to make a proper disposition of the case. If the court finds that the allegations in the petition have not been established, it shall dismiss the petition and, if the child is in protective custody, order the immediate release of the child.

Sec. 53. 1. If the court finds that the allegations of the petition are true, it shall order that a report be made in writing by an agency which provides protective services, concerning the conditions in the child's place of residence, the child's record in school, the mental, physical and social background of his family, its financial situation and other matters relevant to the case.

2. If the agency believes that it is necessary to remove the child from the physical custody of his parents, it must submit with the report a plan designed to achieve a placement of the child in a setting as near to the residence of his parent as is consistent with the best interests and special needs of the child. The plan must include:

(a) A description of the type and appropriateness of the home or institution in which the child could be placed, a plan for assuring that he would receive proper care and a description of his needs;

(b) A description of the services to be provided to the child and to a parent to facilitate the return of the child to the custody of his parent or to assure his permanent placement;

(c) The appropriateness of the services to be provided under the plan; and

(d) A description of how the order of the court will be carried out.

Sec. 54. 1. If the court finds that the child is in need of protection, it shall determine if reasonable efforts were made by the agency which provides protective services to prevent or eliminate the need for his removal from his home and to facilitate his return to his home. The court may, by its order, after receipt and review of the report from the agency which provides protective services:

(a) Permit the child to remain in the custody of his parents or guardian with or without supervision by the court or a person or agency designated by the court, upon such conditions as the court may prescribe;

(b) Place him in the temporary custody of a relative who the court finds suitable to receive and care for him with or without supervision, upon such conditions as the court may prescribe;

(c) Place him in the temporary custody of a public agency or institution authorized to care for children, the local juvenile probation department or a private agency or institution licensed by the department of human resources to care for such a child; or

(d) Commit him to the custody of the superintendent of the northern Nevada children's home or the superintendent of the southern Nevada children's home, in accordance with chapter 423 of NRS.

2. If, pursuant to subsection 1, a child is placed other than with a parent, the parent retains the right to consent to adoption, to determine the child's religious affiliation and to reasonable visitation, unless restricted by the court. If the custodian of the child interferes with these rights, the parent may petition the court for enforcement of his rights.

3. A copy of the report prepared for the court by the agency which provides protective services must be sent to the custodian and the parent or legal guardian.

Sec. 55. The court may also order:

1. The child, a parent or the guardian to undergo such medical, psychiatric, psychologic or other care or treatment as the court considers to be in the best interests of the child.

2. A parent or guardian to:

(a) Refrain from any harmful or offensive conduct toward the child, the other parent, the custodian of the child or person given physical custody of the child;

(b) Refrain from visiting the child if the court determines that the visitation is not in the best interest of the child; and

(c) Pay to the custodian the reasonable cost of the child's care, including food, shelter, clothing, medical care and education.

Sec. 56. 1. A motion for revocation or modification of an order issued pursuant to sections 54 and 55 of this act may be filed by the custodian of the child, the governmental organization or person responsible for supervising the care of the child, the guardian ad litem of the child or a parent or guardian. Notice of this motion must be given by registered or certified mail

to all parties of the adjudicatory hearing, the custodian and the governmental organization or person responsible for supervising the care of the child.

2. The court shall hold a hearing on the motion and may dismiss the motion or revoke or modify any order as it determines is in the best interest of the child.

Sec. 57. 1. If a child is placed pursuant to section 54 of this act other than with a parent, the placement must be reviewed by the court at least semiannually.

2. The custodian shall, before any hearing for review of the placement of a child, submit a report to the court which includes an evaluation of the progress of the child and his family and any recommendations for further supervision, treatment or rehabilitation. A copy of the report must be given to the parents, the guardian ad litem and the attorney, if any, representing the parent or the child.

3. The court shall hold a hearing to review the placement, unless the parent, guardian or the custodian files a motion to dispense with the hearing. If the motion is granted, the court may make its determination from any report, statement or other information submitted to the court.

4. Notice of the hearing must be given by registered or certified mail to all parties of any of the prior proceedings, except a parent whose rights have been terminated pursuant to chapter 128 of NRS or who has voluntarily relinquished the child for adoption pursuant to NRS 127.040.

5. The court may require the presence of the child at the hearing.

6. The court shall review:

(a) The continuing necessity for and appropriateness of the placement;

(b) The extent of compliance with the plan submitted pursuant to subsection 2 of section 53 of this act;

(c) Any progress which has been made in alleviating the problem which resulted in the placement of the child; and

(d) The date the child may be returned to his home or placed for adoption or under a legal guardianship.

Sec. 58. 1. The court shall hold a hearing 18 months after the hearing on the disposition held pursuant to subsection 5 of section 52 of this act and annually thereafter. Notice of this hearing must be given by registered or certified mail to all parties of the dispositional proceeding, except a parent whose rights have been terminated pursuant to chapter 128 of NRS or who has voluntarily relinquished the child for adoption pursuant to NRS 127.040.

2. The court may require the presence of the child at the hearing.

3. At the hearing the court shall determine whether:

(a) The child should be returned to his parents or other relatives;

(b) The child's placement in the foster home or other similar institution should be continued; or

(c) In the best interests of the child, proceedings to terminate parental rights pursuant to chapter 128 of NRS or to establish a guardianship pursuant to chapter 159 of NRS should be initiated.

4. This hearing may take the place of the hearing for review required under section 57 of this act.

Sec. 59. The agency which provides protective services shall assist the court during all stages of any proceeding in accordance with sections 42 to 60, inclusive, of this act.

Sec. 60. This chapter does not deprive other courts of the right to determine the custody of children upon writs of habeas corpus, or to determine the custody or guardianship of children in cases involving divorce or problems of domestic relations.".

Amend the bill as a whole by renumbering section 41 as section 61.

Amend the bill as a whole by deleting section 42.

Amend the bill as a whole by renumbering sections 43 to 46 as sections 62 to 65.

Amend sec. 43, page 13, line 23, by deleting "*18*" and inserting "*21*".

Amend sec. 43, page 13, by deleting lines 28 and 29 and inserting: "*in furtherance of NRS 432.100 to 432.130, inclusive, and sections 2 to 41, inclusive, of this act.*".

Amend sec. 44, page 13, line 39, by deleting "*432.090*" and inserting "*432.100*".

Amend sec. 44, page 13, line 40, by deleting "*3 to 39,*" and inserting "*2 to 41,*".

Amend sec. 45, page 14, line 11, by deleting "*432.090*" and inserting "*432.100*".

Amend sec. 45, page 14, line 12, by deleting "*3 to 39,*" and inserting "*2 to 41,*".

Amend sec. 45, page 14, by deleting line 16 and inserting: "*investigation or within 60 days after the report is filed, whichever occurs first.* In all other cases, the record of the [report] *substantiated reports* contained in".

Amend sec. 45, page 14, by inserting after line 19:

"*3. The welfare division shall adopt regulations to carry out the provisions of this section.*".

Amend the bill as a whole by deleting sections 47 to 68 and inserting:

"Sec. 66. NRS 49.259 is hereby amended to read as follows:

49.295 1. Except as provided in subsections 2 and 3 and NRS 49.305:

(a) A husband cannot be examined as a witness for or against his wife without her consent, nor a wife for or against her husband without his consent.

(b) Neither a husband nor a wife can be examined, during the marriage or afterwards, without the consent of the other, as to any communication made by one to the other during marriage.

2. The provisions of subsection 1 do not apply to a:

(a) Civil proceeding brought by or on behalf of one spouse against the other spouse;

(b) Proceeding to commit or otherwise place his spouse, the property of his spouse or both the spouse and the property of the spouse under the

control of another because of the alleged mental or physical condition of the spouse;

(c) Proceeding brought by or on behalf of a spouse to establish his competence;

(d) Proceeding in the juvenile court pursuant to chapter 62 of NRS [;] *and sections 42 to 60, inclusive, of this act;* or

(e) Criminal proceeding in which one spouse is charged with:

(1) A crime against the person or the property of the other spouse or of a child of either, or of a child in the custody or control of either, whether [such] *the* crime was committed before or during marriage.

(2) Bigamy or incest.

(3) A crime related to abandonment of a child or nonsupport of a wife or child.

3. The provisions of subsection 1 do not apply in any criminal proceeding to events which took place before the husband and wife were married.

Sec. 67. Chapter 62 of NRS is hereby amended by adding thereto the provisions set forth as sections 68 to 71, inclusive, of this act.".

Amend the bill as a whole by renumbering sections 69 to 72 as sections 68 to 71.

Amend the bill as a whole by deleting section 73.

Amend the bill as a whole by renumbering sections 74 to 83 as sections 72 to 81.

Amend sec. 78, page 25, lines 39 and 40, by deleting: "*alleging delinquency or need of supervision*".

Amend sec. 78, page 25, line 42, by deleting the brackets and "*or waive the requirement of service,*".

Amend sec. 79, page 26, line 18, by deleting "*69*" and inserting: "*67*".

Amend sec. 83, page 30, line 18, by deleting the bracket.

Amend sec. 83, page 30, by deleting lines 19 and 20 and inserting: "of this chapter, it shall so decree".

Amend the bill as a whole by deleting section 84.

Amend the bill as a whole by renumbering sections 85 to 89 as sections 82 to 86.

Amend sec. 85, page 32, line 32, by deleting the period and inserting: "*and sections 2 to 41, inclusive, of this act.*".

Amend sec. 85, page 32, line 35, by deleting the period and inserting: "*and sections 2 to 41, inclusive, of this act.*".

Amend sec. 86, page 32, line 39, by inserting after "NRS": "*and sections 2 to 60, inclusive, of this act.*".

Amend sec. 86, page 32, lines 43 and 44, by deleting: "*if abuse or neglect of a child is involved, protecting the child or,*".

Amend sec. 87, page 33, line 8, by deleting "*9*" and inserting "*11*".

Amend sec. 87, page 33, line 18, by deleting "*26*" and inserting "*28*".

Amend sec. 88, page 33, lines 39 and 40, by deleting: "*432.090 to 432.130, inclusive, and sections 3 to 39,*" and inserting: "*432.100 to 432.130, inclusive, and sections 2 to 60,*".

Amend sec. 89, page 34, line 8, by deleting "*52*" and inserting "*44*".

Amend the bill as a whole by adding a new section, designated section 87, following section 89, to read as follows:

"Sec. 87. NRS 200.180 is hereby amended to read as follows:

200.180 1. Excusable homicide by misadventure [is:

(a) When a] *occurs when:*

(a) A person is doing a lawful act, without any intention of killing, yet unfortunately kills another, as where a man is at work with an ax and the head flies off and kills a bystander; or

(b) [Where a parent is moderately correcting his child, or a master his pupil, or an] *An* officer punishing a criminal [, and] happens to occasion death, which acts of correction are lawful.

2. If [a parent or master exceeds the bounds of moderation, or] the officer *exceeds* the sentence under which he acts, either in the manner, the instrument, or quantity of punishment, and death [ensue, it will be] *ensues, it is* manslaughter or murder, according to the circumstances of the case.".

Amend the bill as a whole by renumbering sections 90 to 95 as sections 88 to 93.

Amend sec. 90, page 35, by deleting line 1 and inserting: "*in sections 8, 10, 11, 12, 14 and 16 of this act, under circum-*".

Amend sec. 91, page 35, line 17, by deleting "*52*" and inserting "*44*".

Amend sec. 92, page 36, lines 15 and 16, by deleting: "*432.090 to 432.130, inclusive, and sections 3 to 39,*" and inserting: "*432.100 to 432.130, inclusive, and sections 2 to 60,*".

Amend sec. 93, page 37, lines 15 and 16, by deleting: "*432.090 to 432.130, inclusive, and sections 3 to 39,*" and inserting: "*432.100 to 432.130, inclusive, and sections 2 to 60,*".

Amend sec. 94, page 38, line 11, by deleting "*63*" and inserting "*55*".

Amend sec. 95, page 38, line 34, by deleting: "and 200.501 to 200.507," and inserting: ", 200.501 to 200.505,".

Amend sec. 95, page 38, line 35, by inserting after "inclusive,": "200.507 and 432.090.".

Assemblyman Stone moved the adoption of the amendment.

Remarks by Assemblyman Stone.

Amendment adopted.

Assemblyman Stone moved that Assembly Bill No. 199 be re-referred to the Committee on Judiciary.

Motion carried.

Bill ordered reprinted, engrossed and to the Committee on Judiciary.

GENERAL FILE AND THIRD READING

Assembly Bill No. 11.

Bill read third time.

Remarks by Assemblymen Getto, Thompson, Jeffrey, Nicholas, Bogaert, Marvel, Price and Craddock.

Assemblymen DuBois, Zimmer and Roberts moved the previous question.
Motion carried.
The question being on the passage of Assembly Bill No. 11.
Roll call on Assembly Bill No. 11:
YEAS—26.
NAYS—Arberry, Banner, Coffin, Collins, Craddock, Jeffrey, Nevin, Rader, Sader, Sedway, Stone, Swain, Thomas, Thompson, Williams, Zimmer—16.

Assembly Bill No. 11 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Price gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 11 was this day passed.

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

Assembly in recess at 11:46 a.m.

ASSEMBLY IN SESSION

At 11:51 a.m.
Mr. Speaker presiding.
Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Francis moved that Assembly Bills Nos. 13, 71, 200, 309 and Senate Bill No. 205 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. 37.

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 Ms. Bonnie Hammett.

On request of Assemblyman Stone, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Mary Conklin.

On request of Assemblyman Craddock, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Kim Hill, Mr. Paloolian and students from the Jacks Valley Elementary School: Greta Gilbert, Lisa Heath, Audrey Yurtinns, Tina Cooper, Carla Fisher, Nikki Rice, Joy Davis, Kristine Hansen, Allison Manaugh, Shane Hastings,

Dionna Planeta, Sheri Handley, Brandi Bray, Char Martin, Kerri Hastie, Lynnsey VonStetina, Brandon Hamlett, Dan Cocking, Steve Pierini, Ian Maple, John Sanchez, Josh Diede, Travis Ambrose, James Cooley, Keith Ramm, Eric Bramvell, Holly Hettrick, Antoinette Joto, Jenny Allen, Jenny Raglund, Ryan Albert, Michelle Daley, Steve Stran, Sean Ambrose, Chris Ambrose, Carmen Valdez, Janai Squadrito, Darren Ambrose, Troy DeBraal, Thadra Stocks, Wendy Martin, Derek Deganhart, John Hendricks, Ben Holscou, Jeremy King, Bob Lilly, Cassandra Paras, Lisa Ward, Hora Moris, Chad Vander Linden and Bob Maple.

On request of Mr. Speaker, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Lindsay Bilyeu, Misses Suzanne Bilyeu and Susan Bilyeu.

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 Collins, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Eugene Collins, Jr.

On request of Assemblyman Nicholas, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Erlene Forsythe.

Assemblyman Francis moved that the Assembly adjourn until Tuesday, April 9, 1985 at 11 a.m.

Motion carried.

Assembly adjourned at 11:57 a.m.

Approved: BYRON L. BILYEU
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE SEVENTY-NINTH DAY

CARSON CITY (Tuesday), April 9, 1985

Assembly called to order at 11:01 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, The Reverend Bill Eardensohn.

Our Father, today we rejoice in the glory of Your re-creation—the season of springtime. We thank You for the warm sunshine, the budding flowers and the snow-capped mountains. We also thank You for the privilege of leadership. Help us to recognize the awesomeness of that responsibility. In our deliberations and decisions of this day, Our Lord, remind us of Your Word which says, "If any lacks wisdom, let him ask of God, who gives to all men generously and without reproach." (James 1:5) In Thy Holy Name we pray, AMEN.

Pledge of allegiance to the Flag.

Assemblyman Joerg 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 Judiciary, to which were referred Assembly Bills Nos. 259, 263, 265, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JAMES STONE, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, April 4, 1985

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 55, 275, 314.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Bill No. 264.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 20, 210.

MARY JO MONGELLI
Assistant Secretary of the Senate

INTRODUCTION AND FIRST READING OF LEGISLATION

By the Committee on Ways and Means:

Assembly Bill No. 481—An Act relating to the audit contingency account in the legislative fund; making an appropriation from the state general fund; extending the date of reversion for a prior appropriation; and providing other matters properly relating thereto.

By the Committee on Judiciary:

Assembly Bill No. 482—An Act relating to civil actions; increasing the special filing fee for legal aid to indigent and elderly persons; changing the allocation of the fee; and providing other matters properly relating thereto.

Senate Bill No. 20.
Bill read first time.

Senate Bill No. 210.
Bill read first time.

Senate Bill No. 264.
Bill read first time.

REFERENCE OF MEASURES TO COMMITTEES

Assembly Bill No. 474.

Assemblyman Francis moved that the bill be referred to the Concurrent Committees on Education and Ways and Means.

Motion carried.

Assembly Bill No. 475.

Assemblyman Francis moved that the bill be referred to the Committee on Commerce.

Motion carried.

Assembly Bill No. 476.

Assemblyman Francis moved that the bill be referred to the Committee on Commerce.

Motion carried.

Assembly Bill No. 477.

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

Motion carried.

Assembly Bill No. 478.

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

Motion carried.

Assembly Bill No. 479.

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

Motion carried.

Assembly Bill No. 480.

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

Motion carried.

Assembly Joint Resolution No. 16.

Assemblyman Bogaert moved that the resolution be referred to the Concurrent Committees on Legislative Functions and Ways and Means.

Motion carried.

Assembly Joint Resolution No. 17.

Assemblyman Price moved that the resolution be referred to the Concurrent Committees on Legislative Functions and Ways and Means.

Motion carried.

Senate Bill No. 180.

Assemblyman Francis moved that the bill be referred to the Concurrent Committees on Elections and Ways and Means.

Motion carried.

Senate Bill No. 223.

Assemblyman Francis moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 234.

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

Motion carried.

INTRODUCTION AND FIRST READING OF LEGISLATION

By the Committee on Health and Welfare:

Assembly Bill No. 483—An Act relating to insurance; allowing an insured to choose the type of practitioner to provide care for the eyes; and providing other matters properly relating thereto.

SECOND READING AND AMENDMENT

Assembly Bill No. 159.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 373.

Amend sec. 2, page 2, line 22, after "*was*" by inserting "*principally*".

Amend sec. 5, pages 3 through 5, by deleting lines 15 through 45 on page 3, lines 1 through 45 on page 4, and lines 1 through 18 on page 5, and inserting:

"Sec. 5. (Deleted by amendment.)".

Amend sec. 7, page 5, by deleting lines 28 through 31.

Amend sec. 7, page 5, line 32, by deleting "*(c)*" and inserting "*(a)*".

Amend sec. 7, page 5, line 33, by deleting the period and inserting "*; and*".

Amend sec. 7, page 5, by deleting lines 34 through 46 and inserting:

"*(b) The group to which the policy is issued is organized and operated in a fiscally sound manner.*".

Amend sec. 7, page 6, line 1, by deleting "*4.*" and inserting "*3.*".

Amend sec. 7 page 6, line 4, by deleting "*5.*" and inserting "*4.*".

Amend sec. 8, pages 6 and 7, by deleting lines 6 through 44 on page 6 and lines 1 through 40 on page 7 and inserting:

"Sec. 8. *Every policy of group health insurance must contain a provision which reduces the insurer's liability because of benefits under other valid coverage. To the extent authorized by the commissioner, such a provision may include subrogation.*".

Amend sec. 12, page 8, line 30, by deleting "*30*" and inserting "*10*".

Amend sec. 13, page 8, line 36, by deleting "*the*".

Amend sec. 13, page 8, by deleting line 37 and inserting: "*each employee upon the termination of his employment written notice of his right*".

Amend the bill as a whole by adding a new section designated section 14, following section 13, to read as follows:

"Sec. 14. NRS 608.158 is hereby amended to read as follows:

608.158 1. If an employer is the policyholder of a policy of group life or health insurance which covers his employees, he shall notify the employees of his inability to pay a premium when due or of his intention to stop paying premiums. The notice must be:

(a) Given at least [30] *10* days before the coverage will cease; and

(b) Conspicuously posted at the place of employment or given in another manner which ensures that all employees will receive the information.

2. An employer is liable to an employee for any money deducted from the employee's wages for the payment of premiums on a policy of group life or health insurance if the money was not so used.".

Assemblyman DuBois moved the adoption of the amendment.

Remarks by Assemblymen DuBois and Dini.

Assemblyman DuBois withdrew his motion.

Assemblyman DuBois moved that Assembly Bill No. 159 be taken from the Second Reading File and placed on the Chief Clerk's desk.

Motion carried.

Assembly Bill No. 238.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 359.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 425.

Bill read second time, ordered engrossed and to third reading.

GENERAL FILE AND THIRD READING

Assembly Bill No. 13.

Bill read third time.

Remarks by Assemblyman Banner.

Roll call on Assembly Bill No. 13:

YEAS—42.

NAYS—None.

Assembly Bill No. 13 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 61.

Bill read third time.

Remarks by Assemblyman Schofield.

Roll call on Assembly Bill No. 61:

YEAS—42.

NAYS—None.

Assembly Bill No. 61 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 71.

Bill read third time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 319.

Amend sec. 2.5, page 3, line 13, by deleting "[9,000,] *18,000,*" and inserting "9,000,".

Amend the bill as a whole by deleting sections 3 through 10 and inserting: "Secs. 3 through 10. (There are no sections 3 to 10, inclusive.)".

Amend sec. 14, page 8, line 43 after "*safety*" and inserting: ", *convenience, prosperity*".

Amend sec. 17, page 9, by deleting lines 30 and 31 and inserting:

"*3. The preservation of any historic structure or its restoration for its original or another use, if the plan has been approved by the division of his-*".

Amend sec. 18, page 10, by deleting line 26 and inserting: "*expand in this state to assist in relieving unemployment in any part of the state to secure and maintain a balanced economy throughout the state, and to*".

Amend sec. 18, page 10, line 37 before "*restoration*", by inserting "*preservation or*".

Amend sec. 19, page 11, line 9 after "improvement,", by inserting "*preservation, restoration,*".

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. 157.

Bill read third time.

Remarks by Assemblyman Thomas.

Roll call on Assembly Bill No. 157:

YEAS—41.

NAYS—None.

Not voting—Coffin.

Assembly Bill No. 157 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 Assemblyman Arberry.
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.
Bill ordered transmitted to the Senate.

Assembly Bill No. 193.
Bill read third time.
Remarks by Assemblymen Roberts, Collins and Humke.
Roll call on Assembly Bill No. 193:
YEAS—42.
NAYS—None.

Assembly Bill No. 193 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 200.
Bill read third time.
Assemblyman Stone moved that Assembly Bill No. 200 be taken from the General File and placed on the Chief Clerk's desk.
Remarks by Assemblyman Stone.
Motion carried.

Assembly Bill No. 201.
Bill read third time.
Remarks by Assemblyman Stone.
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, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 230.
Bill read third time.
Remarks by Assemblyman Stone.
Roll call on Assembly Bill No. 230:
YEAS—40.
NAYS—Little, Roberts—2.

Assembly Bill No. 230 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 234.

Bill read third time.

Remarks by Assemblyman Dini.

Roll call on Assembly Bill No. 234:

YEAS—42.

NAYS—None.

Assembly Bill No. 234 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 268.

Bill read third time.

Remarks by Assemblyman Swain.

Roll call on Assembly Bill No. 268:

YEAS—41.

NAYS—Little.

Assembly Bill No. 268 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 307.

Bill read third time.

Remarks by Assemblyman Ham.

Roll call on Assembly Bill No. 307:

YEAS—42.

NAYS—None.

Assembly Bill No. 307 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 309.

Bill read third time.

Remarks by Assemblyman Rader.

Roll call on Assembly Bill No. 309:

YEAS—41.

NAYS—Arberry.

Assembly Bill No. 309 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 319.

Bill read third time.

Remarks by Assemblymen Nicholas and Stone.

Roll call on Assembly Bill No. 319:

YEAS—42.

NAYS—None.

Assembly Bill No. 319 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Francis moved that the vote whereby Assembly Bill No. 268 was passed be rescinded.

Remarks by Assemblyman Francis.

Motion carried.

Assemblyman Francis moved that Assembly Bill No. 268 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. 268.

Bill read third time.

Roll call on Assembly Bill No. 268:

YEAS—42.

NAYS—None.

Assembly Bill No. 268 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 336.

Bill read third time.

Remarks by Assemblyman Banner.

Roll call on Assembly Bill No. 336:

YEAS—42.

NAYS—None.

Assembly Bill No. 336 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 394.

Bill read third time.

Remarks by Assemblyman Stone.

Roll call on Assembly Bill No. 394:

YEAS—42.

NAYS—None.

Assembly Bill No. 394 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 395.
Bill read third time.
Remarks by Assemblyman Joerg.
Roll call on Assembly Bill No. 395:
YEAS—42.
NAYS—None.

Assembly Bill No. 395 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 125.
Bill read third time.
Remarks by Assemblyman McGaughey.
Roll call on Senate Bill No. 125:
YEAS—42.
NAYS—None.

Senate Bill No. 125 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 Sedway.
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, as amended.
Bill ordered transmitted to the Senate.

Senate Bill No. 205.
Bill read third time.
Remarks by Assemblyman Williams.
Roll call on Senate Bill No. 205:
YEAS—42.
NAYS—None.

Senate Bill No. 205 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. 149.
The following Senate amendment was read:
Amendment No. 285.
Amend section 1, page 2, line 4, after "of the" by inserting "*county*".

Assemblyman Bergevin moved that the Assembly concur in the Senate amendment to Assembly Bill No. 149.

Remarks by Assemblyman Bergevin.

Motion carried.

Bill ordered enrolled.

MOTIONS, RESOLUTIONS AND NOTICES

In compliance with a notice given on a previous day, Assemblyman Schofield moved that the vote whereby Assembly Bill No. 11 was passed be reconsidered.

Assemblymen Schofield, Coffin and Craddock requested a roll call on Assemblyman Schofield's motion.

Roll call on Assemblyman Schofield's motion:

YEAS—26.

NAYS—Bergevin, Beyer, DuBois, Fairchild, Francis, Getto, Ham, Humke, Kerns, Malone, Marvel, Nicholas, O'Donnell, Spriggs, Stone, Tebbs—16.

The motion having received a majority, Mr. Speaker declared it carried.

Assemblyman Schofield moved that Assembly Bill No. 11 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Schofield.

Motion carried.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bills Nos. 154, 214, 215; Assembly Concurrent Resolution No. 21.

REMARKS FROM THE FLOOR

Assemblyman Jeffrey requested that Assemblyman Schofield's remarks be entered in the Journal.

I have a few remarks concerning A.B. 11. I have Amendment No. 415 that has just been passed out on your desk. I found out many times in this body (I have brought it up a time or two myself, not only in committee but also on the floor of this assembly) that placing a particular bill on the desk for a possible amendment is appropriate and a courtesy to one concerned about the bill. The amendment consideration is as we heard the bill in committee. The first reprint that we voted on Thursday, dealt with, and the main thrust of A.B. 11 happens to be removing some archaic 1911 mining laws that really deal with nothing but location notices, voiding location records, and recording of location. These are repealed under NRS 517.020, 517.060, 517.310, 517.320 and 517.340.

However, in NRS 608, I don't think that many of us, some did, realized exactly what we did in that particular bill. This creates a problem on the working hours. In the first reprint the working hours were changed from 8 to 10 hours. There was evidently a concession made that the people working underground should not work over 8 hours because of the impact this might have on them for their health and safety and people working around them. However, I charge you all to look at those repealers. Sometimes we vote to repeal and don't realize what we are doing. In this case, it's taking out the smelters and mills from NRS 608.210. The working hours shall not exceed 8 hours except under an emergency or voluntarily by the individual. Those four sections of law were passed in

1911. They have evidently held well. Within the collective bargaining unit these could be changed. Under collective bargaining, these can be changed as far as the people are concerned.

I had to mention this because I don't think we realize what we are doing to some of the working men of this state. This is a right-to-work state. They do have their collective bargaining units and I think that for us to remove that type of methodology and mechanism would be doing a disservice to every working person in this state, whether they belong to a union or association. I am asking that we take a look at the reconsideration to at least consider the amendment that is before you.

Assemblyman Francis requested that Assemblyman Horne's remarks be entered in the Journal.

Our notable today, Mr. Speaker, is commonly referred to by our more colloquial members as "Mr. T", and he says, "In matters of principle, stand like a rock. In matters of taste, swim with the current."

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 Mesdames Alice Banner, Susan Galindo and Mr. Ed Galindo.

On request of Assemblyman Dini, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Monica Gamble.

On request of Assemblyman Spriggs, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Julia Viani, Mr. Pete Summerbell, Mr. Frank Turner and Mrs. Iris Turner.

On request of Assemblyman Malone, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Deidre Von Tungeln, Arlene Carter, Pat Hines, Nancy Aiken, Bonnie Carlisle, Messrs. James Shelton, Christian Shelton and Mrs. Francis Shelton.

Assemblyman Francis moved that the Assembly adjourn until Wednesday, April 10, 1985 at 11 a.m.

Motion carried.

Assembly adjourned at 12:15 p.m.

Approved:

BYRON L. BILYEU
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE EIGHTIETH DAY

CARSON CITY (Wednesday), April 10, 1985

Assembly called to order at 11:15 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplains, The Reverend Bill Eardensohn and Rabbi Myra Soiffer.

As we approach this day, that week set aside by federal and state statute for remembrance of the tragedy and horror of the Holocaust, we invoke the image and the presence in the august chamber of that ultimate source of goodness and equity as we recall the six million Jewish victims of Nazi genocide. We recommit ourselves to the passionate pursuit of a perfect justice that makes no distinction among persons on the arbitrary grounds of race, gender, age, religious creed or economic status. As we recall the one million children among those who perished in the death camps, may we recommit ourselves to a special concern for the protection of those innocent in our society who are the most vulnerable and least protected. As we recall the victims of the Holocaust, let us not forget those five million non-Jews who perished as well. Many among them gave their lives in the ultimate defense of justice and right. May God grant us but some small measure of the courage of conscience which their lives and deaths embodied. Above all, Oh God, may our souls ever be chilled by the realization that those who perpetrated the Nazi Holocaust were no less human than are we. May our quest for a world free from bigotry and hatred begin within our own hearts and minds. May we scrutinize our every action in light of its potential for either boundless evil or endless good. May the vivid memory of both victim and victimizer be with these lawmakers of our state and with us all from this day forward and forever. Guide us, Oh God, with wisdom, courage and strength. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Joerg 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 Education, 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.

ERIK BEYER, *Chairman*

Mr. Speaker:

Your Committee on Taxation, to which was referred Assembly Bill No. 397, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

CHARLES W. JOERG, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Taxation, 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.

CHARLES W. JOERG, *Chairman*

Mr. Speaker:

Your Committee on Taxation, to which was re-referred Senate Joint Resolution No. 2, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

CHARLES W. JOERG, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which were referred Assembly Bills Nos. 188, 205, 320, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JAMES STONE, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Assembly Bill No. 413, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

LOUIS W. BERGEVIN, *Chairman*

Mr. Speaker:

Your Committee on Labor and Management, to which was referred Assembly Bill No. 329, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

BARBARA ZIMMER, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Senate Concurrent Resolution No. 21.

Assemblyman Beyer moved the adoption of the resolution.

Remarks by Assemblyman Beyer.

Resolution adopted.

INTRODUCTION AND FIRST READING OF LEGISLATION

By Assemblymen Rader, Coffin, Tebbs, Ham, Zimmer, Little, Roberts and DuBois:

Assembly Bill No. 484—An Act relating to liquefied petroleum gas; changing the name of the Nevada liquefied petroleum gas board; revising the qualifications of its members; permitting more stringent regulation of certain matters by local governments; and providing other matters properly relating thereto.

REFERENCE OF MEASURES TO COMMITTEES

Assembly Bill No. 481.

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

Motion carried.

Assembly Bill No. 482.

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

Motion carried.

Assembly Bill No. 483.

Assemblyman Nicholas moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 20.

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

Motion carried.

Senate Bill No. 210.

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

Motion carried.

Senate Bill No. 264.

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

Motion carried.

INTRODUCTION AND FIRST READING OF LEGISLATION

By the Committee on Natural Resources, Agriculture and Mining:

Assembly Bill No. 485—An Act relating to underground water; limiting the revocation of a permit for a domestic well; and providing other matters properly relating thereto.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Joerg moved that Assembly Bills Nos. 259, 263 and 265 be taken from the Second Reading File and placed on the Second Reading File for the next legislative day.

Motion carried.

Assemblyman Joerg moved that Assembly Bills Nos. 238, 242, 326, 359, 362 and 425 be taken from the General File and placed on the General File for the next legislative day.

Motion carried.

UNFINISHED BUSINESS

REPORTS OF CONFERENCE COMMITTEES

Mr. Speaker:

The first Committee on Conference concerning Assembly Bill No. 1, 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. 1C, which is attached to and hereby made a part of this report.

JOHN W. MARVEL
VIRGIL M. GETTO
ROBERT G. CRADDOCK
Assembly Committee on Conference

NICHOLAS J. HORN
ROBERT E. ROBINSON
SUE WAGNER
Senate Committee on Conference

Amendment No. 1C.

Amend the bill as a whole by deleting section 4 and renumbering section 5 as section 4.

Amend sec. 5, page 3, lines 30 and 31, by deleting both brackets.

Amend the bill as a whole by deleting section 6 and renumbering section 7 as section 5.

Amend the bill as a whole by deleting section 8 and renumbering section 9 as section 6.

Assemblyman Marvel moved that the Assembly adopt the report of the first Committee on Conference concerning Assembly Bill No. 1.

Remarks by Assemblyman Marvel.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Natural Resources, Agriculture and Mining, 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: Do pass.

VIRGIL M. GETTO, *Chairman*

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 Dr. Hubert Locke.

Assembly in recess at 11:27 a.m.

ASSEMBLY IN SESSION

At 11:48 a.m.

Mr. Speaker presiding.

Quorum present.

REMARKS FROM THE FLOOR

Assemblyman Williams requested that Dr. Hubert Locke's remarks be entered in the Journal.

Mr. Speaker, honorable members of the Assembly of the great State of Nevada, ladies and gentlemen:

I wish, first and foremost, to express my gratitude and sincere appreciation to this distinguished body for pausing in your busy and demanding responsibilities to mark Yom Hashoah or the Day of Remembrance. As the dean of a graduate school which prepares young men and women for the public service, I have a particular appreciation for the tasks which you as elected representatives of the citizens of this great state must try to fulfill. I suspect, in fact, you are wrestling with the same dilemmas that your colleagues in my state confront—how to respond to increasing public service needs in your state with declining revenues. As a matter of fact, until I read the morning paper in Reno, I was prepared to ask this honorable Assembly to consider making a low interest loan to my state which is wrestling with a $60 million shortfall in revenues for the remainder of this biennium. But I see by the morning press you have problems enough of your own.

You may find it a bit odd, ladies and gentlemen, that the speaker for this Yom Hashoah observance is a Black American. Yom Hashoah calls to remembrance one of the most unspeakable chapters in modern history—the virtual destruction of the Jewish populace of Europe who perished in the death camps and the gas chambers of Auschwitz, Sohibor,

Treblinka, Belzac and the other killing centers of Eastern Europe between the summer of 1941 and April, 1945. This horror is of obvious supreme importance to Jewish citizens everywhere today. It should be a matter of ultimate concern to every human being. But why, I am often asked, is the destruction of European Jewry a matter of such consummate personal interest to me.

I grew up in Detroit—then known as the "arsenal of democracy". I was 11 years old when the war ended. I can recall only a vague sense of the war years and it was some years later when I came to have a larger sense of the horror that was the Holocaust. Ever since, much of my waking moments, my writing and reflection time has been consumed by the attempt to try and understand what happened in Germany between 1933 and 1945. How it happened, and why it should happen that one of most modern Western ostensibly civilized God-fearing, technologically renowned nations should stoop to what stands as the most barbarous episode in the annals of humankind.

After more than 20 years of reading the documents and the record of that awful era, of listening to the assessments of scholars and of those who, as German citizens, lived through the period of the Third Reich, I must say to you that I have yet no answers to these questions. This is the first and perhaps the most important reason why this Day of Remembrance is important. We dare not stop the search for answers to this human tragedy because the quest itself may tell us something not only about Germany in the 1930's and 40's but about our own time, about our and other nations and, most of all, about ourselves. About the threats to human decency and social order that surge just beneath the surface of our and every civilized society.

For if, ladies and gentlemen, there are no answers, there are lessons from the Nazi era and the destruction of European Jewry that speak to our age and speak to future generations. Let me briefly recount for you what I have come deeply to believe some of those lessons are.

First and painfully, we have to take note of the fact that Nazism was not simply the work of a bunch of fanatics, operating outside of the law and the formal political processes of German society. Nazism may have begun that way in the beer halls of Munich in the 1920's, but by 1931 Nazism had become a political party capable of competing for the votes of German electorate and capable of securing some 35 percent of the popular vote in the last free election which was held in that year. The success of Nazism in the political arena suggests the awesome potential that ideological extremism has for making itself "respectable" and capable of widespread appeal and even support in a democratic society.

Second, Nazism gained such political strength because it appealed to a society in the midst of the deep economic and cultural crisis offering easy simplistic answers to that nation's troubles. It made the Jewish citizens of Germany, a tiny minority in Germany's populace, the scapegoats for Germany's woes and thus set the stage, once it had come to power, for the terrible tragedy that was to follow. It reminds us of the always precarious status of minority groups in our or any society and of the depths to which one Western society sank when it allowed political extremism to pose answers to the presence of minorities in its midst.

Third, and to me the most tragic lesson of all—the horror that was Nazi Germany, the Third Reich and the Holocaust came about because of the collapse of the professions. The gradual wearing away and ultimately the disappearance of any of the formal restraints that might have held Nazism in check. Within the first few months of coming to power, the Nazis banned any political opposition; then they silenced the trade unions and the newspapers. But the civil servants, the judiciary, the school teachers, the university professors, the medical and legal professions unfortunately did not need to be silenced. These, too easily, became the tools and the implementors of Nazi ideology, so that by 1941, when the first of the death camps became operational, those who should have stood in the way of the machinery of death became instead its implementors, providing the scientific know-how for executing millions of human beings in the most efficient and effective manner possible, offering an allegiance that was blind to any questions about the

ends to which their efforts were being directed and presenting a rationale for it all that placed "following orders" above any of the elemental demands of human conscience.

Honorable members of this Assembly, we must remember because we dare not to forget that the destruction of Europe's Jewish populace was an act carried out as the official policy of a government in power. And, again I wish to note that it was not the government of some primitive tribe deep in the recesses of some remote jungle, but a government of one of the world's great Western nations. We must remember because we dare not overlook the fact that Nazism presented itself to a nation and a people troubled by many unsettling circumstances in its midst. A nation and a people who are in a state of turmoil face the ever-present temptation to seek easy answers to their dilemmas and to search for scapegoats on whom they can place the blame for a nation's social ills. And it seems to me when we look at the tragedy of Germany during the Third Reich that we must especially remind ourselves, because again we dare not forget that the democratic experience which we so highly prize in our beloved nation is at best a very fragile commodity. There is nothing which guarantees its permanence or insulates it against those forces which would subvert our freedoms and our commitments to civil rights and human equality except the vigilance of our people and especially of our elected representatives.

Yours, therefore, is a sacred trust which you exercise on behalf of all the people of this good state, conservatives and liberals, the poor and the wealthy, citizens of all races and religious beliefs. Not simply a tolerance for this diversity, but the recognition that it is this essentially pluralistic character of American society that is one of its greatest strengths. It is this that makes American democracy a crowning achievement in the realm of human, social and political experience.

The distinguished American statesman, George F. Kennan, who has served our nation in so many outstanding posts of diplomatic responsibility has given us what I belive to be best understanding of what went wrong in Germany and what it is that has produced the totalitarian impulse in so many other societies in our century. In a brilliant essay published more than 30 years ago, Kenna describes totalitarianism as "a source of sorrow and suffering in the human race which is overshadowed every other source of human woe in our times . . .". He offers in his analysis of Germany under Nazi rule and of Russia under Communism, powerful examples of the totalitarian threat and of the lessons to be learned from those illnesses of human society in the 20th century. But he also includes in his analysis a poignant warning to democratic nations. I quote it for you: "I suspect that a neurotic sense of tidiness in political arrangements can be a great danger to any society. Too great an urge for symmetry and order, too strong an insistence on uniformity and conformity, too little tolerance for the atypical and minority phenomenon. These are all the things that can grease the path by which nations slide into totalitarianism. Diversity, in all the glorious disorder of nature, is the best defense of healthy societies."

I stated at the outset that I have been frequently asked why, as a Black American, this matter of the destruction of European Jewry should be of such consummate interest to me. Let me conclude by telling you why. I can best do so by relating a story which Reinhold Niebuhr, one of our nation's most renowned theologians, told many years ago. Niebuhr recounts that on one occasion, he asked a close Jewish friend of his why it was that the American Jewish community has historically shown such deep interest and been so deeply involved in all the issues of civil rights and civil liberties in our country. His Jewish friend responded as follows: "We Jews have always had a very deep interest in the health of any nation or society in which we find ourselves because we know from our own experience as a people that if a society becomes sick it may become hysterical, and as a minority we do not feel safe in any hysterical society."

In brief, ladies and gentlemen, we find in the history of the German nation and its people reflected both the best and the worst of human conduct and human experience. In the history of the Third Reich and the Holocaust, the worst of that experience has been telescoped into a short 12-year period which virtually defies human comprehension or understanding. No nation or society is cut off from the possibility of Germany at its best or immune from the threat which the German experience at its worst reflects. Every thinking

human being, therefore, is obliged to remember that experience and to initiate or renew a personal effort to insure that it is never repeated again. If one is a minority, and I respectfully submit to you in this great nation of ours, that a minority in some sense is a status which all of us share, then this obligation takes on an especial and unrelenting urgency.

Thank you very much.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Transportation, to which was referred Assembly Bill No. 313, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

MIKE MALONE, *Chairman*

INTRODUCTION AND FIRST READING OF LEGISLATION

By the Committee on Taxation:

Assembly Bill No. 486—An Act relating to taxes on retail sales; authorizing the use of the proceeds of the optional tax for public mass transportation for the construction, maintenance and repair of county roads; and providing other matters properly relating thereto.

By the Committee on Ways and Means:

Assembly Bill No. 487—An Act relating to aid to victims of domestic violence; allocating to victims of rape part of the money collected to aid victims of domestic violence; making an appropriation; and providing other matters properly relating thereto.

By the Committee on Judiciary:

Assembly Bill No. 488—An Act relating to partitioning of real property; simplifying the procedures for partitioning real property; providing more flexibility in those procedures; reducing the number of masters required; and providing other matters properly relating thereto.

By Assemblyman Nicholas (by request):

Assembly Bill No. 489—An Act relating to selling of real property; removing residency as a requirement for obtaining a license as real estate broker or salesman; and providing other matters properly relating thereto.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bills Nos. 55, 149, 275, 314; Senate Concurrent Resolution No. 29.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Williams, the privilege of the floor of the Assembly Chamber for this day was extended to Dr. Hubert Locke, Rabbi Myra Soiffer, Messrs. Al Weizer and Dave Levine.

On request of Assemblyman Stone, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Denny Hunyada and

students from the New Hope Christian Academy: Chris McMullen, Sean Ross, Billy Martin, Ehon Colbert, Patrick Carey, Jessica Domenica, Abigail Allen, Joy Talkington, Jena Pagni, Janet Stouder and Heather Stolz.

On request of Assemblyman Humke, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. June Morton.

On request of Assemblyman Marvel, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Sharon Andreasen, Misses Amber Andreasen and Shari Andreasen.

On request of Mr. Speaker, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Sharon MacKenzie.

Assemblyman Joerg moved that the Assembly adjourn until Thursday, April 11, 1985 at 11 a.m.

Motion carried.

Assembly adjourned at 11:55 a.m.

Approved: BYRON L. BILYEU
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE EIGHTY-FIRST DAY

CARSON CITY (Thursday), April 11, 1985

Assembly called to order at 11:01 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, The Reverend Bill Eardensohn.

Our Father, we come before You this morning with gratitude for another day of life. We recognize each day as a gift from above. Help us, we pray, to have faith enough, this day, to seek Your kingdom and Your righteousness as we make decisions, some of which will be of eternal significance. Remind us of Your grace which helps us handle the challenges of the day, for You have said, "My grace is sufficient for you." In Thy name we pray. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Francis 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. 211, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JAMES STONE, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Assembly Joint Resolution No. 13, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

LOUIS W. BERGEVIN, *Chairman*

Mr. Speaker:

Your 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: Amend, and do pass as amended.

LOUIS W. BERGEVIN, *Chairman*

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: Amend, and do pass as amended.

CHARLES W. JOERG, *Chairman*

INTRODUCTION AND FIRST READING OF LEGISLATION

By the Committee on Government Affairs:

Assembly Bill No. 490—An Act relating to hot springs; requiring fencing

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

By the Committee on Government Affairs:

Assembly Bill No. 491—An Act relating to public utilities; exempting utilities which supply natural gas from regulation by the public service commission of Nevada in establishing rates for services provided to commercial and industrial users; and providing other matters properly relating thereto.

By the Committee on Transportation:

Assembly Bill No. 492—An Act relating to bicycles; requiring the use of reflective material; and providing other matters properly relating thereto.

By the Committee on Transportation:

Assembly Bill No. 493—An Act relating to motor vehicles; providing for special license plates for the remaining elective officers of the executive branch of state government; and providing other matters properly relating thereto.

By Assemblymen Jeffrey, Thomas, Price, Sedway, Swain, Sader, Williams, Zimmer, Schofield, Kerns, Stone, Rader, Thompson, Tebbs, Arberry, Coffin, Craddock, Dini and Joerg:

Assembly Bill No. 494—An Act relating to taxes on retail sales; providing for the submission to the voters of the question whether the Sales and Use Tax Act of 1955 should be amended to base the tax when imposed on materials used by contractors in construction upon the wholesale cost of the materials; amending certain analogous taxes; and providing other matters properly relating thereto.

By Assemblymen Bogaert, Bergevin, Kerns, Thompson, Little and Fairchild:

Assembly Bill No. 495—An Act relating to the University of Nevada; prohibiting admission if not registered for the selective service; and providing other matters properly relating thereto.

By Assemblymen Humke, Roberts, Getto, Tebbs, Lambert and O'Donnell:

Assembly Bill No. 496—An Act relating to guardians; providing for an appointment, without an order of a court, by a parent in military service; and providing other matters properly relating thereto.

By Assemblymen Thomas, Joerg, Zimmer, Ham, Schofield, Dini, Beyer, Jeffrey, Horne, Arberry, Tebbs, Spriggs, Craddock, Nevin, Swain, Bergevin, Getto, Francis, Williams, DuBois, Thompson, Fairchild, Sedway, Bogaert, Kerns, Little, Banner, O'Donnell, Lambert, Collins, Malone and Rader:

Assembly Bill No. 497—An Act relating to Carson City; eliminating the special rate for determining the state's portion of the costs of the sewerage system; and providing other matters properly relating thereto.

MOTIONS, RESOLUTIONS AND NOTICES

Mr. Speaker appointed Assemblymen Ham and Nevin as a committee to invite the Senate to meet in Joint Session with the Assembly to hear an address by Senator Hecht.

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 11:11 a.m.
Mr. Speaker presiding.
Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

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 11:14 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 O'Connell and Assemblyman Lambert 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 Senator delivered his message as follows:

MESSAGE TO THE LEGISLATURE OF NEVADA

SIXTY-THIRD SESSION, 1985

My colleagues and my fellow Nevadans. It's good to be back here today—back where I used to serve. Whoever ordered this wonderful weather, I say thank you very much. Yesterday it was snowing in Washington. Thank you ladies and gentlemen. Thank you for inviting me to speak to you today. It's an honor and privilege. I'd like to take this moment to compliment you on what has turned out to be a tight and business-like session. It appears you have tried to work together in a strong bipartisan effort to find solutions to the many difficult problems encountered by our rapidly growing state.

The issues confronting you are varied and complex. Many have national implications. Wilderness, federal land swaps, the so-called "Star Wars" research and development which is the SP 100 program, and the question of high-level nuclear waste storage.

In addition to these critical national questions, you are also confronting issues which could have far-reaching effects on our state. These issues include proposed interstate banking among Western states and proposals to develop programs for international trade.

As you know, in Washington as well as in Carson city, most of the real work is done in committees. I've been fortunate to have been given two additional committee assignments this year which are of importance to Nevada. While maintaining membership on the Senate Banking, Housing and Urban Affairs Committee, I've also been assigned to the Senate Select committee on Intelligence. And I was pleased to have been named chairman of the important Senate Housing and Urban Affairs Subcommittee.

I'm only glad Senator Garn didn't wait to make the appointment until after he returns from his space shuttle mission. I can see the newspaper headline: "Garn returns from outer space—appoints Hecht chairman."

Because 87 percent of Nevada is owned by the Federal Government, it's important for me to serve on the energy committee which oversees all federal land. And through the intelligence committee, I've already learned that the banks own the other 13 percent.

Right now our top priority in Congress is to get the budget deficit under control. We are looking for ways to run the Federal Government more efficiently. The proposed land interchange between the U.S. Forest Service and the Bureau of Land Management is based on that premise. The general accounting office, for example, predicted that this land swap would save taxpayers $25 to $30 million per year. While I remain firmly committed to saving tax dollars, I want to make certain that cost savings are not achieved at the expense of good management and without input from the people of our state. We will monitor this proposal closely.

Senator Laxalt is correct in telling you the Federal Government has no revenue to share. We will have to eliminate some programs or shift them to the state or local governments. I would even prefer that as much as possible be turned over to the private sector.

My housing subcommittee is currently facing some very hard options. All housing subsidy programs including public housing, rehabilitation loans, all FHA mortgage insurance programs, community development block grants . . . are up for reauthorization over the next two years. As chairman I am already conducting hearings on ways to streamline these programs. We will move with compassion, however. I want to make sure all the cuts don't adversely impact America's truly needy and homeless. In addition to hearings on the homeless issue, the subcommittee will also be investigating mortgage interest rates and tax simplification.

The current mood in Congress is conservative. The day of pork barrel subsidies is gone. Private enterprise has demonstrated time and again its ability to perform many responsibilities of the Federal Government. The private sector will do it better, more efficiently and at a savings to taxpayers. In that regard, I would like to compliment the citizens of Elko and Lander counties for their private sector initiative in South Fork and Rock Creek Dams.

In addition to the land swap, another issue of interest to you this year is a wilderness bill. We have no choice. A wilderness bill is mandated by law. Our goal is to try to achieve a balance between protecting the environment and protecting our mining and ranching industries.

We are also excited about the prospects this year of modifying the 55 MPH speed limit. My bill now has about 15 co-sponsors from both sides of the aisle and is continuing to pick up support because we've made it a state's rights issue. This bill gives you the power to raise highway speeds in rural areas where it would be safe. I urge you to let others in Congress know how motorists in the wide-open spaces feel about the speed limit issue.

Last year, Senator Laxalt and I were pleased to have hammered out a Hoover Dam bill which will keep our electric rates from going through the roof. Now, we must continue to

encourage the development of our vast geothermal energy reserves here in Northern Nevada.

Looking over the past two years, I feel we're making progress in streamlining the Federal Government. The Reagan administration has already taken steps to implement 1,148 of the Grace Commission's 2,478 recommendations to run the government more efficiently. Those steps are estimated to produce $56 billion in savings in the 1986 budget and $112 billion over the next three years. At least it's a start.

I'd like to turn now to a highly charged emotional issue which has been fanned by those who try to play on unfounded fears rather than on documented facts. I began this year by taking a position that "a decision at this time to oppose a high-level nuclear repository in Nevada is premature. All the facts simply are not in and no definite decision as to a location will be made until 1991." In the weeks that followed, I probably received more headlines and press coverage than I did in my first two years in office. You know what? I enjoyed every minute of it. I accomplished what I wanted to accomplish; to bring to the people of Nevada both sides of an issue. Previously, we have only been exposed to one side of the argument. I might be naive, but I believe that getting the facts and stimulating public debate are important functions for a United States Senator and I plan to continue that role whether it's popular in the polls or not.

Let's review for a moment the events leading up to this controversial stance. Looming in the background, but not yet announced was the SP 100 program, which is the first phase of our new venture into space. Essentially, SP 100 will help develop the research needed to fuel the President's strategic defensive initiative . . . better known as "Star Wars" . . . using nuclear reactors. This totally "defensive" system could make nuclear war obsolete. Senator Laxalt and I have been closely involved with the Secretary of Energy on the SP 100 program for two years. Much of the program remains highly classified. But we were led to believe that our state was still in the running for the initial stage and follow-up on the multi-million dollar program.

In the 1960's, we successfully tested nuclear reactors for space propulsion at the Nevada test site's E-Mad facility. In 1973, the program was shut down. However, Russia continued to test nuclear reactors in space and is still doing so. Obviously, they have an advantage.

This program—the SP 100—is the backbone of our future space program which is our best hope for a world free from nuclear weapons. We have gone about as far in space as we can with our present solar panels. In order for America to have the defensive capability to safely withstand a Soviet nuclear attack, we must have defensive weapons in space. Our future and the future of mankind depends on it.

Some months ago, President Reagan—acting on the advice of our leading scientists, both civilian and military—made a decision to officially begin research and development into this nuclear reactor program. I want to emphasize in the strongest of terms, that it was only when the administration stood by the decision to enter space, that the Russians couldn't get to the Geneva peace talks fast enough. Even an official state funeral couldn't slow them down. Six words I told you two years ago still ring true today. War through weakness—peace through strength.

Let me recount history for those too young to remember. Germany invaded Poland in 1939 to begin World War II. The Polish army fought back bravely. The Polish army was on horseback, the German army in tanks. Within a few hours Poland was subdued. For the United States not to have the advantage in space, not to be able to pinpoint and attack incoming Soviet nuclear warheads, would put us in the same position as Poland in 1939.

That is why I am a strong supporter of the Reagan space plan. I realize it will be costly, but if we shift the cost from the current "offensive weapons" to the "defensive weapons" we can afford Star Wars. We cannot afford to face tanks on horseback.

A month before I made my January statement, I learned we had lost out on a $12 million project at the Nevada test site. The project went out-of-state on the heels of a strongly worded, anti-nuclear letter from Governor Bryan to then Energy Secretary Hodel. In the letter which was dated June 15, 1984, the Governor also expressed strong

opposition to any future proposal to utilize any portion of Nevada to conduct research programs with nuclear or radioactive materials. Not only did the Department of Energy move the $12 million project to another state, but the Nevada Test Site was directed to draw up plans to dismantle the E-Mad facility based on its cost effectiveness. Remember, E-Mad is the existing facility for nuclear reactor assembly which is under review for SP 100. Here we have the existing facilities. We have remoteness to populated areas. We have the personnel resources and we have the waste-handling capabilities.

E-Mad is currently valued at $94.4 million. SP 100 research could well mean an additional $500 million for the economy of Southern Nevada and thousands of employees over the next decade. This program is a prelude to a $1 trillion project as reported by the Washington Post. However, the strong anti-nuclear position taken by Governor Bryan really hurt us. Essentially, Nevada was out of the running for the space program last December. Idaho, Washington, California and New Mexico were all in hot contention. Nevada was out of it because the Governor was against anything nuclear. The 100 percent endorsement of our Southern labor leader, the media's favorable coverage of the "other side of the argument" and the personal time Senator Laxalt and I spent with top officials have all helped bring us back into consideration.

I'd also like to mention that parts of Northern Nevada are competing to get the superconducting super collider. This advanced project could also mean thousands of new jobs and billions of dollars to our economy.

Every time the Governor proclaims "we've already done enough" his words are a slap in the face in efforts to expand the economic base of this state. We must ask ourselves does it make sense to appropriate millions of dollars for an engineering school at UNLV and at the same time discourage high tech programs at the Nevada test site. UNLV President, Robert Maxson, is correct in stating that higher education is an investment in this state. We need to do our part to make sure that investment takes hold and flourishes.

Let's talk facts for a moment; keeping an open mind on the nuclear waste issue allows consideration of a number of other options which have been blurred under the hysterical rhetoric. It is possible, for example, that spent nuclear fuel rods might not have to be buried for long periods of time because the energy value that remains can be extracted by a chemical separation process commonly known as reprocessing. It is already technically possible and may someday be economically feasible to recycle or breed nuclear residue. In fact, reprocessing of nuclear waste is an option currently actively pursued by France, Great Britain and Japan.

To those cities who fear that the word nuclear might hurt tourism and business 90 miles away, let me remind them that some of the most valuable property in California today is located within 50 miles of a nuclear power plant which is built on an earthquake fault line.

I'd also like to say a few words about our military presence here in Nevada. In February, I traveled throughout the state visiting with constituents and making Lincoln Day speeches. Everywhere, I found strong support for our military establishments, not only because of their economic value, but mainly because they are an important link in our overall defense system.

We, as Nevadans, should be proud, not critical, of the fact that we are contributing to the defense and security of America.

Not long ago, I was at a special meeting in Senator Goldwater's office, the Chairman of the Armed Services Committee, with Secretary Weinberger and nine other senators. Senator Goldwater said in no uncertain terms . . . and in language too salty to repeat here, that we have over 200 military installations in the Continental United States that we do not need. He was especially critical of bases in areas where the public is anti-military.

It has taken considerable effort in Washington by our Congressional delegation to counter the remark by Nevada's Chief Executive, "Nevada is a playground for the military."

I wish he would accompany a chaplain to break the news to the family of a brave young pilot who has crashed testing or training so that this great nation can survive.

You know, all other issues pale when compared to our security and freedom. Perhaps freedom wasn't everything to our founding fathers, but they believed deeply that without freedom all else was nothing . . . and so do I!

We cannot say we want the world's finest air force and navy and condemn Nellis and Fallon.We cannot say we want nuclear submarines and nuclear missiles in Europe to protect the free world . . . then support one kind of nuclear program but not another. We cannot say we want the best ammunition for our fighting men and women and condemn the Hawthorne Ammunition Depot.

We are embarking on mankind's greatest experience—living and working in outer space. The message our elected public officials send out will determine whether Nevada plays an important role in America's next frontier.

It was over a century ago when Nevada joined the Union. We united behind Abraham Lincoln to preserve the Union, emancipate the slaves and to protest man's inhumanity to man. Through our rich silver mines, Nevada played a major role in that humanitarian effort. Nevada prospered and the Union was saved.

America's entry into space will also serve to protect the free world against other inhumanity as in Lebanon, Afghanistan, Cuba and many other countries.

In Nevada we have the free world's largest laboratory. We have pioneered nuclear research . . . we are the experts. We have benefitted economically while contributing to the defense, national security and strength of our country.

For the life of me, I cannot understand the rationale of those who go on record wanting a nuclear reactor space program with nuclear fuel and residue at our test site, but object to storing nuclear fuel and residue . . . safely. Tests yet to be conducted will determine which of the three proposed sites is the safest and no elected official . . . including me . . . will support the Yucca Mountain site if it is not shown to be the safest location. Rest your fears.

I urge you to retain an open mind and be consistent. Otherwise it's about as illogical as favoring cobalt and radiation treatment to cure cancer, while supporting a nuclear freeze and a ban on transportation of anything radioactive on our rails or highways.

I want to thank you for the opportunity of speaking frankly and candidly about the future of Nevada. Let's examine this issue carefully and base our position on the best information available. If we oppose a nuclear waste repository now based on hysteria, we have lost all credibility in Congress.

The key word here is credibility. When all the test results are in and when all the technology has been refined, the Congress will weigh the facts and consider the credible arguments.

In the meantime, we must look beyond today into the potential of tomorrow.

The rocket genius, Dr. Robert Goddard may have put it best when he said: "It is difficult to say what is impossible, for the dream of yesterday is the hope of today and the reality of tomorrow."

Thank you all and God bless you.

Senator Rawson 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 Horne moved that the Joint Session be dissolved.

Motion carried.

Joint Session dissolved at 11:47 a.m.

ASSEMBLY IN SESSION

At 11:51 a.m.
Mr. Speaker presiding.
Quorum present.

GENERAL FILE AND THIRD READING

Assembly Bill No. 71.
Bill read third time.
Remarks by Assemblyman Price.
Roll call on Assembly Bill No. 71:

YEAS—41.
NAYS—None.
Absent—Dini.

Assembly Bill No. 71 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Thompson moved that Assembly Bill No. 362 be taken from the General File and placed on the Chief Clerk's desk.
Remarks by Assemblyman Thompson.
Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 158.
Bill read third time.
The following amendment was proposed by the Committee on Taxation:
Amendment No. 417.
Amend the bill as a whole by deleting sections 2 and 3, and renumbering sections 4 through 8 as sections 2 through 6.
Amend sec. 4, page 3, line 4, after "Sec. 4.", by inserting:
"Chapter 685A of NRS is hereby amended by adding thereto a new section to read as follows:".
Amend sec. 5, page 3, by deleting lines 24 and 25 and inserting: "fund fee of $15; and".
Amend sec. 6, page 3, line 39, by deleting "*4*" and inserting "*2*".
Amend sec. 7, page 4, line 3, by deleting "*4*" and inserting "*2*".
Amend the bill as a whole by deleting section 9.
Amend the title of the bill, first and second lines, by deleting: "requiring applicants for a license and licensees to file a bond;".
Assemblyman Coffin moved the adoption of the amendment.
Remarks by Assemblyman Coffin.
Amendment adopted.
Bill ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 238.
Bill read third time.

Remarks by Assemblyman Marvel.
Roll call on Assembly Bill No. 238:
YEAS—31.
NAYS—Arberry, Banner, Collins, Craddock, Jeffrey, Nevin, Price, Schofield, Stone, Thompson—10.
Absent—Dini.

Assembly Bill No. 238 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

REMARKS FROM THE FLOOR

Assemblyman Francis requested that Assemblyman Thomas' remarks be entered in the Journal.

I want to go on the record as having said that I should have and intended to vote "no" on A.B. 238. I think it is $428,000 spent very peculiarly when some programs need some real help.

GENERAL FILE AND THIRD READING

Assembly Bill No. 242.
Bill read third time.
Remarks by Assemblyman Sedway.
Roll call on Assembly Bill No. 242:
YEAS—39.
NAYS—Horne, Roberts—2.
Absent—Dini.

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. 326.
Bill read third time.
Remarks by Assemblymen Coffin, Nicholas, Ham and Collins.
Roll call on Assembly Bill No. 326:
YEAS—39.
NAYS—Collins, Price—2.
Absent—Dini.

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. 359.
Bill read third time.
Remarks by Assemblyman Fairchild.
Roll call on Assembly Bill No. 359:
YEAS—39.
NAYS—Nevin, Stone—2.
Absent—Dini.

Assembly Bill No. 359 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 425.

Bill read third time.

Remarks by Assemblyman Bergevin.

Roll call on Assembly Bill No. 425:

YEAS—41.

NAYS—None.

Absent—Dini.

Assembly Bill No. 425 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Joint Resolution No. 2.

Resolution read third time.

The following amendment was proposed by the Committee on Taxation:

Amendment No. 404.

Amend the resolution, page 1, by deleting lines 7 through 10 and inserting: "real, personal and possessory, [except] *but every owner of taxable property must pay at least $5 as total tax.*".

Amend the title of the resolution, second and third lines, by deleting: "to allow a minimum value for taxation ad valorem to be set." and inserting: "to require the payment of a minimum tax ad valorem.".

Assemblyman Bergevin moved the adoption of the amendment.

Remarks by Assemblyman Bergevin.

Amendment adopted.

Resolution 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. 152, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

BARBARA ZIMMER, *Chairman*

REFERENCE OF MEASURES TO COMMITTEES

Assembly Bill No. 484.

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

Motion carried.

Assembly Bill No. 485.

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

Motion carried.

Assembly Bill No. 486.

Assemblyman Francis 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 12:08 p.m.

ASSEMBLY IN SESSION

At 12:09 p.m.

Mr. Speaker pro Tempore presiding.

Quorum present.

REFERENCE OF MEASURES TO COMMITTEES

Assembly Bill No. 487.

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

Motion carried.

Assembly Bill No. 488.

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

Motion carried.

Assembly Bill No. 489.

Assemblyman Nicholas moved that the bill be referred to the Committee on Commerce.

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen Bogaert, Rader, Kerns, Dini, Arberry, Nevin, Swain, O'Donnell and Marvel:

Assembly Joint Resolution No. 18—Proposing to amend the Nevada constitution to prohibit the taxation of corporations and other enterprises based upon income earned outside of Nevada.

RESOLVED BY THE ASSEMBLY AND SENATE OF THE STATE OF NEVADA, JOINTLY, That article 10 of the constitution of the State of Nevada be amended by adding thereto a new section to read as follows:

Sec. 4. The legislature shall not impose a tax on a corporation or other enterprise which is based upon income earned outside this state.

INTRODUCTION AND FIRST READING OF LEGISLATION

By the Committee on Judiciary:

Assembly Bill No. 498—An Act relating to driving under the influence of intoxicating liquor or a controlled substance; imposing an additional fee for the reinstatement of a driver's license which was revoked; requiring that the

proceeds of the fee be used to defray the cost of testing for alcohol or a controlled substance in blood and reinstating licenses; and providing other matters properly relating thereto.

By the Committee on Judiciary:

Assembly Bill No. 499—An Act relating to support of children; creating a statutory duration for the obligation; and providing other matters properly relating thereto.

By the Committee on Judiciary:

Assembly Bill No. 500—An Act relating to judgments; authorizing the judgment creditor to renew the judgment; and providing other matters properly relating thereto.

By Assemblymen Swain, Sedway, Sader, Ham, Price, Rader, Nevin, Lambert, Beyer, Bogaert, Arberry, Horne and McGaughey:

Assembly Bill No. 501—An Act relating to public schools; requiring a birth certificate for admission initially or for a transfer from another school district; and providing other matters properly relating thereto.

By Assemblymen Zimmer, Jeffrey, Coffin, Collins, Lambert, Roberts, O'Donnell, Arberry, Tebbs, Spriggs, Horne, Humke, Thomas and Joerg:

Assembly Bill No. 502—An Act relating to taxes on retail sales; providing for the submission to the voters the question whether the Sales and Use Tax Act of 1955 should be amended to impose the taxes on all governmental contractors and impose the use tax on sales which would have been taxable if made in Nevada; and providing other matters properly relating thereto.

By Assemblymen Zimmer, DuBois, Stone, Coffin, Lambert, Roberts, Collins, O'Donnell, Tebbs, Jeffrey, Spriggs, Horne, Humke and Thomas:

Assembly Bill No. 503—An Act relating to retail installment contracts; requiring the time price differential to be limited to the declining balance when the time balance is prepaid; and providing other matters properly relating thereto.

By the Committee on Commerce:

Assembly Bill No. 504—An Act relating to residential tenancy; removing the exemption for landlords having fewer than seven dwellings; making various changes concerning security; enlarging the remedies available to a tenant; and providing other matters properly relating thereto.

By the Committee on Commerce:

Assembly Bill No. 505—An Act relating to community antenna television systems; removing such systems from regulation by the public service commission of Nevada; prohibiting the use of public easements for such systems without the consent and compensation of the owner of the property; and providing other matters properly relating thereto.

By the Committee on Commerce:

Assembly Bill No. 506—An Act relating to smoking; prohibiting smoking in certain areas of grocery stores; and providing other matters properly relating thereto.

By the Committee on Judiciary:

Assembly Bill No. 507—An Act relating to gambling; establishing a threshold amount for the initiation of an administrative investigation of disputed winnings; and providing other matters properly relating thereto.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Francis moved that Assembly Bills Nos. 188, 205, 259, 263, 265, 311, 313, 320, 329, 397 and 413 be taken from the Second Reading File and placed on the Second Reading 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 Senate Bills Nos. 125, 205.

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. Pat Gable, Lola Childs, Ellie Aberg, Mary Lanser, Helen Carter, Katie Gaines, Shirley Feilding, Marie Nickum, Rosemary Peters, Vivian Pickett, Laverna Marwin, Vitus L. Adams, Catherine Logue, Peggy Myles, Blossom Kare, Lacy Myles, Messrs. Herb Towntree and Gerald Keene.

On request of Assemblyman Stone, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Grace Farr and Mr. Martin Joseph.

On request of Assemblyman Getto, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. June Sandberg, Betty Lou Bass, Mary Carter, Connie Walters, Betty Trigero, Messrs. Ernie Heying, Fernando Furlan, Don Carter, Pete Walters and Clayson Trigero.

On request of Assemblyman Humke, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Genny Hamlin.

On request of Assemblyman Collins, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Michael E. Langton.

On request of Assemblyman Fairchild, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Carol Park and Dolores Antkowiak.

Assemblyman Francis moved that the Assembly adjourn until Friday, April 12, 1985 at 10 a.m.

Motion carried.

Assembly adjourned at 12:20 p.m.

Approved: BYRON L. BILYEU
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE EIGHTY-SECOND DAY

CARSON CITY (Friday), April 12, 1985

Assembly called to order at 10:06 a.m.

Mr. Speaker presiding.

Roll called.

All present except Assemblyman Spriggs, who was excused.

Prayer by the Chaplain, Assemblyman Bill O'Donnell.

Father in Heaven, we thank You for this day. We ask Your blessing on each and every one of us. Lord, we also thank You for weekends that we may go home and rest and worship You in the house of our own choosing. Lord, we thank You for the laws in this country that allow us to do so. Thank You, Lord, for our families and all of our constituents that we represent. We ask this in Jesus' Name, AMEN.

Pledge of allegiance to the Flag.

Assemblyman Francis 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. 247, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

DAVID D. NICHOLAS, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which were referred Assembly Bill No. 198, Senate Bill No. 87, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JAMES STONE, *Chairman*

Mr. Speaker:

Your Committee on Taxation, to which was referred Assembly Bill No. 194, 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.

CHARLES W. JOERG, *Chairman*

Mr. Speaker:

Your Committee on Elections, to which was referred Assembly 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.

JANE HAM, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, 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: Amend, and do pass as amended.

LOUIS W. BERGEVIN, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Senate Bill No. 224, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

LOUIS W. BERGEVIN, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, April 11, 1985

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 106, 201, 230, 239.

Also, I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bills Nos. 33, 57, 76, 101, 213, 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. 1.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Bills Nos. 178, 265, 299.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 198, 206, 209, 229, 235.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Joint Resolution No. 22.

Also, I have the honor to inform your honorable body that the Senate on this day adopted, as amended, Senate Concurrent Resolution No. 4.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Senate Joint Resolution No. 22.

Resolution read first time.

Senate Concurrent Resolution No. 4.

Resolution read.

INTRODUCTION AND FIRST READING OF LEGISLATION

By the Committee on Judiciary:

Assembly Bill No. 508—An Act relating to the University of Nevada; extending the jurisdiction of its police department; and providing other matters properly relating thereto.

By the Committee on Elections:

Assembly Bill No. 509—An Act relating to elections; removing the requirement that a county clerk notify an elector of the cancellation of his registration for his failure to vote; and providing other matters properly relating thereto.

By the Committee on Elections:

Assembly Bill No. 510—An Act relating to political parties; raising the number of signatures required for petition to qualify; and providing other matters properly relating thereto.

By the Committee on Elections:

Assembly Bill No. 511—An Act relating to elections; requiring earlier close of any registration conducted by deputy registrars; and providing other matters properly relating thereto.

By the Committee on Government Affairs:

Assembly Bill No. 512—An Act relating to local governmental financing; creating an exception from the limitation on a local government's expenditures or obligations for money received as a grant from the Federal Government; creating a similar exception for certain types of installment purchase agreements; and providing other matters properly relating thereto.

By Assemblyman Stone (by request):

Assembly Bill No. 513—An Act relating to judgments; extending the period of a lien on a judgment entered by a justices' court; and providing other matters properly relating thereto.

Senate Bill No. 178.
Bill read first time.

Senate Bill No. 198.
Bill read first time.

Senate Bill No. 206.
Bill read first time.

Senate Bill No. 209.
Bill read first time.

Senate Bill No. 229.
Bill read first time.

Senate Bill No. 235.
Bill read first time.

Senate Bill No. 265.
Bill read first time.

Senate Bill No. 299.
Bill read first time.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Joerg moved that Assembly Bill No. 205 be taken from the Second Reading File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Joerg.

Motion carried.

Assemblyman Thompson moved that Assembly Bill No. 362 be taken from the Chief Clerk's desk and placed on the General File.

Remarks by Assemblyman Thompson.

Motion carried.

Assemblyman Sader moved that Assembly Bill No. 246 be taken from the Chief Clerk's desk and placed on the Second Reading File.

Motion carried.

REFERENCE OF MEASURES TO COMMITTEES

Assembly Bill No. 490.

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

Motion carried.

Assembly Bill No. 491.

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

Motion carried.

Assembly Bill No. 492.

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

Motion carried.

Assemblyman Francis moved that the Assembly recess subject to the call of the Chair.

Motion carried.

Assembly in recess at 10:19 a.m.

ASSEMBLY IN SESSION

At 10:32 a.m.

Mr. Speaker presiding.

Quorum present.

REFERENCE OF MEASURES TO COMMITTEES

Assembly Bill No. 493.

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

Motion carried.

Assembly Bill No. 494.

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

Motion carried.

Assembly Bill No. 495.

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

Motion carried.

Assembly Bill No. 496.

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

Motion carried.

Assembly Bill No. 497.

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

Motion carried.

Assembly Bill No. 498.

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

Motion carried.

Assembly Bill No. 499.

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

Motion carried.

Assembly Bill No. 500.

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

Motion carried.

Assembly Bill No. 501.

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

Motion carried.

Assembly Bill No. 502.

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

Motion carried.

Assembly Bill No. 503.

Assemblyman Zimmer moved that the bill be referred to the Committee on Commerce.

Motion carried.

Assembly Bill No. 504.

Assemblyman Francis moved that the bill be referred to the Committee on Commerce.

Motion carried.

Assembly Bill No. 505.

Assemblyman Francis moved that the bill be referred to the Committee on Commerce.

Motion carried.

Assembly Bill No. 506.

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

Motion carried.

Assembly Bill No. 507.

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

Motion carried.

Assembly Joint Resolution No. 18.

Assemblyman Bogaert moved that the resolution be referred to the Committee on Taxation.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Concurrent Committee on Economic Development and Tourism, to which was referred Assembly Bill No. 137, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

DAVID E. HUMKE, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Ways and Means, to which was referred Assembly Bill No. 137, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN W. MARVEL, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen Getto, Marvel, Bilyeu and Bergevin:

Assembly Joint Resolution No. 19—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.

INTRODUCTION AND FIRST READING OF LEGISLATION

By Assemblyman Nicholas:

Assembly Bill No. 514—An Act relating to emergency medical services; requiring attendant in an ambulance to be trained in basic care; redefining ambulance; and providing other matters properly relating thereto.

SECOND READING AND AMENDMENT

Assembly Bill No. 152.

Bill read second time.

The following amendment was proposed by the Committee on Labor and Management:

Amendment No. 396.

Amend the bill as a whole by deleting sections 1 and 2 and renumbering sections 3 through 7 as sections 1 through 5.

Amend sec. 3, page 1, line 8, after "Sec. 3.", by inserting: "Chapter 616 of NRS is hereby amended by adding thereto a new section to read as follows:".

Amend sec. 4, page 2, line 17, by deleting: "*the department for*".

Amend sec. 5, page 2, line 30, by deleting: "*the department for*".

Amend sec. 7, page 3, line 15, by deleting: "*on a public project,*" and inserting: "*for a community,*".

Amend the bill as a whole by deleting sections 8 and 9.

Amend the title of the bill, first and second lines, by deleting: "requiring the advance payment of premiums for persons licensed to sell real estate;".

Amend the summary of the bill, first and second lines, by deleting: ", requires advance payment of premium for certain employees".

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. 188.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 425.

Amend section 1, page 1, by inserting between lines 16 and 17:

"*3. For the purposes of this section, "crime" is limited to the commission of, attempt to commit or conspiracy to commit:*

(a) Murder;

(b) Kidnaping;

(c) Sexual assault;

(d) Arson;

(e) Robbery;

(f) Extortion;

(g) Bribery or asking for or receiving a bribe in violation of chapter 197 or 199 of NRS if the offense is punished as a felony;

(h) Any violation of NRS 202.830;

(i) Any violation of NRS 453.232, 453,316 to 453.3405, inclusive, or 453.375 to 453.401, inclusive; or

(j) Any violation of NRS 207.400.".

Amend sec. 3, page 2, line 6, after "The", by inserting "] *the*".

Amend sec. 3, page 2, line 7, by inserting an open bracket between "communication" and the semicolon.

Amend sec. 3, page 2, line 8, after the closed bracket, by inserting an italicized comma.

Amend the title of the bill, first line, by deleting: "permitting the interception of" and inserting: "enlarging the circumstances under which an officer may intercept".

Assemblyman Stone moved the adoption of the amendment.

Remarks by Assemblymen Stone and Dini.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 211.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 434.

Amend section 1, page 1, by deleting line 2 and inserting: "thereto the provisions set forth as sections 2 and 3 of this act.".

Amend section 1, page 1, line 3, by inserting at the beginning of the line "Sec. 2.".

Amend section 1, page 1, line 4, after "*licensee*", by inserting: "*, and every resident of a child care facility who is 18 years of age or older,*".

Amend section 1, page 1, line 11, after "*licensee*", by inserting: "*, or such a resident,*".

Amend the bill as a whole by renumbering sections 2 to 5 as sections 4 to 7 and adding a new section designated section 3, following section 1, to read as follows:

"Sec. 3. *1. Except as otherwise provided in NRS 432A.131, a child care facility must be licensed under the provisions of this chapter if care is provided to five or more children under 18 years of age and compensation is received for the care of any one of the five.*

2. In determining the number of children for whom care is provided, any child of the operator of the facility who is under the age of 7 years must be included.".

Amend sec. 2, page 2, by deleting line 6 and inserting: "nent basis, during the day or overnight [, for compensa-".

Amend sec. 2, page 2, line 7, by inserting a closed bracket after "age.".

Amend sec. 5, page 3, line 5, after "*or*" by inserting "*other*".

Amend the bill as a whole by renumbering sections 6 to 11 as sections 9 to 14 and adding a new section designated as section 8, following section 5, to read as follows:

"Sec. 8. NRS 432A.131 is hereby amended to read as follows:

432A.131 1. [Except as otherwise provided in subsection 2, the bureau is the sole agency with authority to license child care facilities.

2.] Child care facilities in any county or incorporated city where the governing body has established [a child care licensing agency] *an agency for the licensing of child care facilities* and enacted an ordinance requiring that child care facilities be licensed by the county or city need not be licensed by the bureau. [Such a] *The governing body may require the licensing of child care facilities which provide care for fewer than five children. The* licensing agency shall adopt such standards and other regulations as may be necessary for the licensing of child care facilities, and the standards and regulations:

(a) Must be not less restrictive than those adopted by the bureau [.] *; and*

(b) Take effect only upon their approval by the bureau.

2. An agency for the licensing of child care facilities established by a city or county may waive compliance with a particular standard or other regulation by a child care facility if:

(a) The agency finds that the practices and policies of that facility are substantially equivalent to those required by the agency in its standards and other regulations; and

(b) The waiver does not allow a practice which violates a regulation adopted by the bureau.".

Amend sec. 6, page 3, line 14, after "and", by inserting "*other*".

Amend sec. 6, page 3, line 16, after "and", by inserting "*other*".

Amend sec. 6, page 3, line 22, after "*and*", by inserting "*other*".

Amend sec. 7, page 4, line 3, after second "*licensee*", by inserting: "*, or every resident of a child care facility who is 18 years of age or older,*".

Amend sec. 7, page 4, line 10, by deleting "*; or*" and inserting: "*or any other sexually related crime;*".

Amend sec. 7, page 4, line 11, by deleting the period and inserting: "*; or*".

Amend sec. 7, page 4, by inserting between lines 11 and 12:

"*(f) A violation of any federal or state law regulating the possession, distribution or use of any controlled substance as defined in chapter 453 of NRS or dangerous drug as defined in chapter 454 of NRS.*".

Amend sec. 9, page 4, line 42, by deleting the period and inserting: "*or by a resident of the child care facility who is 18 years of age or older.*".

Amend the title of the bill, first line, after "children;" by inserting: "enlarging the category of child care facilities regulated;".

Assemblyman Stone moved the adoption of the amendment.

Remarks by Assemblymen Stone, Swain and Sader.

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 Government Affairs:

Amendment No. 317.

Amend section 1, page 1, line 2, by deleting "Any" and inserting:

"[Any] *1. Except as otherwise provided in subsection 2, any*".

Amend section 1, page 1, line 7, by deleting "1." and inserting "[1.] *(a)*".

Amend section 1, page 1, line 8, by deleting "2." and inserting "[2.] *(b)*".

Amend section 1, page 1, by deleting lines 9 and 10 and inserting:

"[3. Insurers, if the committee on group insurance has approved the request;]

(c) Insurers;".

Amend section 1, page 1, line 11, by deleting "4." and inserting "[4.] *(d)*".

Amend section 1, page 1, line 13, by deleting "5." and inserting "[5.] *(e)*".

Amend section 1, page 1, by inserting between lines 16 and 17:

"2. *Before an officer determines whether to withhold money pursuant to*

subsection 1 to pay an insurer, he shall consider any related recommendations made by the committee on group insurance.".

Amend sec. 2, page 2, line 4, by deleting the period and inserting: "[.] *; and*".

Amend sec. 2, page 2, line 13, after "*public*", by inserting: ", *have a general knowledge of the business of insurance*".

Amend sec. 2, page 2, between lines 14 and 15, by inserting:

"*3. After the initial terms, the members shall serve terms of 4 years. Any vacancy in the membership must be filled for the unexpired terms.*".

Amend sec. 3, page 2, by deleting lines 15 through 17 and inserting:

"Sec. 3. The terms of the members of the committee on group insurance who are serving on June 30, 1985, expire on July 1, 1985. As soon as practicable thereafter, the governor shall appoint four members to the committee on group insurance who are qualified pursuant to NRS 287.051 as follows:

1. One member to a term which expires on June 30, 1989.
2. One member to a term which expires on June 30, 1988.
3. One member to a term which expires on June 30, 1987.
4. One member to a term which expires on June 30, 1986.".

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. 259.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 402.

Amend section 1, page 1, by deleting lines 1 through 6 and inserting:

"Section 1. NRS 217.050 is hereby amended to read as follows:

217.050 "Personal injury" means:

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 200.710, 200.720 or 200.730, any harm which results in a need for medical treatment or any psychological or psychiatric counseling, or both [.] *; or*

3. Any harm which results from sexual abuse.".

Amend sec. 4, page 3, line 16, by deleting "1 year" and inserting: "[1 year] *2 years*".

Amend sec. 5, page 3, by deleting lines 32 and 33 and inserting:

"217.220 1. Except as otherwise provided in subsection 2 [,] *or 3,* compensa-".

Amend sec. 5, page 4, by deleting lines 11 through 16.

Amend sec. 5, page 4, line 17, by deleting "*5.*" and inserting "*4.*".

Assemblyman Swain moved the adoption of the amendment.

Remarks by Assemblymen Swain and Collins.

Amendment adopted.

Bill ordered reprinted, engrossed and to the Concurrent Committee on Ways and Means.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Dini moved that Assembly Bill No. 211 be placed on the Chief Clerk's desk.

Remarks by Assemblyman Dini.

Motion carried.

Assemblyman Jeffrey moved that Assembly Bill No. 404 be taken from the Chief Clerk's desk and placed on the General File for the next legislative day.

Motion carried.

Assemblyman Joerg moved that Assembly Bill No. 95 be taken from the Chief Clerk's desk and placed on the General File for the next legislative day.

Motion carried.

Assemblyman Bergevin moved that Assembly Bill No. 334 be taken from the Chief Clerk's desk and placed on the General File for the next legislative day.

Motion carried.

Assemblyman Stone moved that Senate Bill No. 9 be taken from the Chief Clerk's desk and placed on the General File for the next legislative day.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 263.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 397.

Amend section 1, page 1, by deleting lines 13 through 15 and inserting: "*vided his current address.*

3. The director may not be held responsible for any injury proximately caused by his failure to give any notice required pursuant to subsection 1 or 2 if no address was provided to the director or the address provided is inaccurate or not current.".

Amend section 1, page 2, line 1, by deleting "*3.*" and inserting "*4.*".

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. 265.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 398.

Amend sec. 4, page 2, line 16, after "*appeal.*", by inserting: "*He shall notify the applicant of his decision by personal service.*".

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. 311.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 313.

Bill read second time.

The following amendment was proposed by the Committee on Transportation:

Amendment No. 411.

Amend sec. 2, page 1, by deleting lines 6 through 13 and inserting:

"484.261 1. The driver of an authorized emergency vehicle or an official vehicle of a regulatory agency, when responding to an emergency call or when in pursuit of an actual or suspected violator of the law or when responding to but not upon returning from a fire alarm, *or a vehicle escorting a funeral procession,* may:

(a) Park or stand the vehicle without regard to the provisions of this chapter.".

Amend sec. 2, page 2, by deleting lines 5 through 11 and inserting:

"2. The [exemptions] *privileges* granted in this section [to an authorized emergency vehicle or an official vehicle of a regulatory agency,] apply only when the vehicle is making use of audible and visual signals as required by law.

3. The provisions of this section do not relieve the driver [of an authorized emergency vehicle or an official vehicle of a regulatory agency,] from the duty to drive with due regard for the safety of all persons and do not protect the driver from".

Amend sec. 3, page 2, lines 19 and 20, by deleting: "*any authorized emergency*" and inserting "*a*".

Amend sec. 4, page 2, by inserting between lines 29 and 30:

"*3. The driver of a vehicle escorting a funeral procession may display flashing amber warning lights if the appropriate permit has been issued pursuant to NRS 484.579.*".

Amend sec. 6, pages 2 and 3, by deleting lines 44 and 45 on page 2 and lines 1 through 30 on page 3 and inserting:

"Sec. 6. NRS 484.579 is hereby amended to read as follows:

484.579 1. It is unlawful to operate or display a flashing amber

warning light on a vehicle except when an unusual traffic hazard exists. This subsection does not prohibit the use of amber lights in electric turn signals.

2. It is unlawful for any person to mount flashing amber warning lights permanently on a vehicle without a permit from the Nevada highway patrol.

3. The Nevada highway patrol, upon written application, shall issue a permit to mount a flashing amber light on:

(a) Public utility vehicles.

(b) Tow trucks.

(c) Vehicles engaged in activities which create a public hazard upon the streets or highways.

(d) Vehicles of coroners and their deputies.

(e) Vehicles of Civil Air Patrol rescue units.

(f) Vehicles of authorized sheriffs' jeep squadrons.

(g) Vehicles which escort funeral processions.

4. Such permits expire on June 30 of each calendar year.

5. The Nevada highway patrol shall charge and collect the following fees for the issuance of a permit for the [operation] *mounting* of a flashing amber light:

(a) Permit for a single vehicle $2

(b) Blanket permit for more than 5 but less than 15 vehicles 12

(c) Blanket permit for 15 vehicles or more 24

6. Subsections 1 and 2 do not apply to an agency of any state or political subdivision thereof, or to an agency of the United States Government.

7. All fees collected by the Nevada highway patrol pursuant to this section must be deposited with the state treasurer for credit to the motor vehicle fund.''.

Amend the bill as a whole by adding a new section, designated section 7, following section 6, to read as follows:

''Sec. 7. Section 2 of this act becomes effective at 12:01 a.m. on July 1, 1985.''.

Amend the title of the bill, second line, by deleting: ''; authorizing the issuance of permits as emergency vehicles for'' and inserting ''and''.

Amend the summary, first line, by deleting: ''Authorizes issuance of permits to escort'' and inserting: ''Makes various changes to traffic laws regarding''.

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. 320.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 428.

Amend section 1, page 2, line 4, by deleting ''*and*''.

Amend section 1, page 2, line 5, after "*9.*", by inserting: "*The likelihood of more criminal activity by the person after he is released; and*

10.".

Assemblyman McGaughey moved the adoption of the amendment.

Remarks by Assemblyman McGaughey.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 329.

Bill read second time.

The following amendment was proposed by the Committee on Labor and Management:

Amendment No. 413.

Amend section 1, page 1, line 2, by deleting: "2, 3 and 4" and inserting: "2 and 3".

Amend sec. 2, page 1, line 3, by deleting "*system*" and inserting "*insurer*".

Amend sec. 2, page 1, line 9, by deleting "*system*" and inserting "*insurer*".

Amend the bill as a whole by deleting section 3 and renumbering sections 4 through 6 as sections 3 through 5.

Amend sec. 4, page 2, line 9, by deleting "*the hearing*" and inserting "*an appeals*".

Amend sec. 4, page 2, by deleting lines 12 through 16 and inserting: "*be upheld, he may assess the employer a penalty of $500 to be paid to the claimant.*".

Amend sec. 6, page 2, line 32, by deleting the bracket.

Amend sec. 6, page 2, line 33, by deleting ";]" and inserting "[;]".

Amend the title of the bill, first line, by deleting "system" and inserting "insurer".

Amend the summary of the bill, first line, by deleting: "state industrial insurance system" and inserting "industrial insurer".

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. 397.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 413.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 405.

Amend sec. 2, page 1, line 10, by deleting: "*Nevada at Reno.*" and inserting "*Nevada.*".

Amend sec. 3, page 1, line 17, by deleting "*shall*" and inserting "*may*".

Amend the title of the bill, second line, by deleting "requiring" and inserting "authorizing".

Assemblyman Bergevin moved the adoption of the amendment.

Remarks by Assemblyman Bergevin.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Joint Resolution No. 13.

Resolution read second time, ordered engrossed and to third reading.

Senate Joint Resolution No. 7.

Resolution read second time.

The following amendment was proposed by the Committee on Taxation:

Amendment No. 436.

Amend the resolution, page 1, by deleting lines 7 through 11 and inserting: "real, personal and possessory, except mines , [and] mining claims, *oil wells, gas wells, and wells for the extraction of geothermal resources,* when not patented, the proceeds alone of which shall be assessed and taxed, and when patented, each patented mine *or well* 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 *or well* dur-".

Amend the resolution, page 2, by deleting line 29 and inserting: "*ceeds from mining, oil, gas and geothermal resources as provided in subsection 1, proceeds from gambling, or gross receipts from the sale of*".

Assemblyman Joerg moved the adoption of the amendment.

Remarks by Assemblyman Joerg.

Amendment adopted.

Resolution 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 No. 387.

Amend section 1, page 1, line 2, by deleting "60," and inserting "66,".

Amend sec. 3, page 2, line 34, by deleting the period and inserting: ", *unless the corporation or limited partnership already bearing that name files with the secretary of state its written consent to the use of the same or a similar name by the limited partnership whose certificate is offered for filing.*".

Amend sec. 5, page 3, lines 17 and 18, by deleting: "*which agent must be an individual*" and inserting: "*who must be a natural person*".

Amend sec. 20, page 8, line 24, by deleting the period and inserting: "*by executing and filing in the office of the secretary of state a certificate declaring withdrawal under this section.*".

Amend the bill as a whole by renumbering sections 61 through 63 as sections 67 through 69 and adding new sections designated sections 61 through 66, following section 60, to read as follows:

"Sec. 61. *The secretary of state may microfilm any document which is filed in his office by or relating to a limited partnership pursuant to this chapter and may return the original document to the filer.*

Sec. 62. *1. Each limited partnership organized under the laws of this state shall, on or before the last day of the month in which the anniversary date of the filing of its certificate of limited partnership occurs in each year, file with the secretary of state a list of its general partners and a designation of its agent in this state for service of process, certified by a general partner of the limited partnership. The list must, after the name of each general partner listed thereon, set forth his post office box or street address.*

2. If addresses are not thus stated for all listed partners on any list offered for filing, the secretary of state may refuse to file it, and the limited partnership for which the list has been offered for filing is subject to all the provisions relating to failure to file such a list within or at the times specified, unless such a list is subsequently submitted for filing conformably to the provisions of section 63 of this act.

3. The secretary of state shall, 60 days before the last day for filing the list required by subsection 1, cause to be mailed to each limited partnership required to comply with the provisions of this section which has not become delinquent the blank forms to be completed and filed with the secretary of state. Failure of any limited partnership to receive the forms does not excuse it from the penalty imposed by section 63 of this act.

Sec. 63. *1. When the annual fee for filing the list has been paid, the canceled check received by the limited partnership constitutes a certificate authorizing it to transact its business within this state until the anniversary date of the filing of its certificate of limited partnership in the next succeeding calendar year. If the limited partnership desires a formal certificate upon its payment of the annual fee, its payment must be accompanied by a self-addressed, stamped envelope.*

2. Each limited partnership which refuses or neglects to file the list and pay the fee within the time provided is in default.

3. For default there must be added to the amount of the fee a penalty of $10, and unless the filings are made and the fee and penalty are paid on or before the 1st day of the 9th month following the month in which filing was required, the defaulting limited partnership, by reason of its default, forfeits:

(a) The amount of the fee and penalty to the State of Nevada; and

(b) Its right to transact any business within this state.

Sec. 64. *1. On or before the 15th day of the 3rd month following the month in which filing was required, the secretary of state shall compile a complete list of all defaulting limited partnerships, together with the amount of the filing fee, penalties and costs remaining unpaid.*

2. Immediateldy after the 1st day of the 9th month following the month in which filing was required, the secretary of state shall compile a complete list containing the names of all limited partnerships whose right to do business has been forfeited. The secretary of state shall notify each limited partnership of the forfeiture of its certificate.

3. In case of forfeiture of the certificate and of the right to transact business thereunder, all the property and assets of the defaulting domestic limited partnership are held in trust by the general partners, and the same proceedings may be had with respect thereto as for the judicial dissolution of a limited partnership. Any person interested may institute proceedings at any time after a forfeiture has been declared, but if the secretary of state reinstates the limited partnership the proceedings must at once be dismissed and all property restored to the general partners.

Sec. 65. *1. Subject to the provisions of subsection 3, the secretary of state may:*

(a) Reinstate any limited partnership which has forfeited its right to transact business; and

(b) Restore to the limited partnership its right to carry on business in this state, and to exercise its privileges and immunities,

upon the filing with the secretary of state of an affidavit stating the reason for the revocation of its certificate, and upon payment to the secretary of state of all filing fees, licenses, penalties, costs and expenses due and in arrears at the time of the revocation, and also all filing fees, licenses and penalties which have accrued since the revocation.

2. When payment is made and the secretary of state reinstates the limited partnership to its former rights he shall:

(a) Immediately issue and deliver to the limited partnership a certificate of reinstatement authorizing it to transact business as if the filing fee had been paid when due; and

(b) Upon demand, issue to the limited partnership one or more certified copies of the certificate of reinstatement.

3. The secretary of state shall not order a reinstatement unless all delinquent fees, penalties and costs have been paid, and the revocation occurred only by reason of failure to pay the fees, penalties and costs.

Sec. 66. *The secretary of state, for services relating to his official duties and the records of his office, shall charge and collect the following fees:*

1. For filing a certificate of limited partnership, $75.

2. For filing a certificate of amendment of limited partnership, $50.

3. For filing a reinstated certificate of limited partnership, $75.

4. For filing the annual list of general partners and designation of resident agent, $30.

5. For certifying a certificate of limited partnership, an amendment to the certificate, or a certificate as amended where a copy is provided, $5.

6. For certifying an authorized printed copy of the limited partnership law, $5.

7. For certifying the reservation of a limited partnership name, $5.

8. For executing any other certificate, $10.

9. For comparing any document or paper submitted for certification, with the record thereof, to ascertain whether any corrections are required to be made before certifying, 20 cents for each folio of 100 words of each document or paper compared.

10. For copies made at the office of the secretary of state from microfiche, $1 per page.".

Amend sec. 63, page 17, line 32, after "*or*", by inserting "*chapter*".

Amend the bill as a whole by deleting sections 64 through 66 and adding new sections designated sections 70 through 72, following section 63, to read as follows:

"Sec. 70. NRS 88.020 to 88.290, inclusive, are hereby repealed.".

Sec. 71. 1. All county recorders shall submit by September 1, 1986, to the secretary of state a complete list of all foreign and domestic limited partnerships on file, containing:

(a) The name; and

(b) The address of principal place of business,

and a similar list on October 1, November 1, December 1 and January 1 for the preceding month.

2. The secretary of state shall reserve the names of all limited partnerships on the recorders' lists until July 1, 1987, when the reservation expires unless an application is filed under section 4, or a certificate is filed under section 8, of this act.

3. On or before January 31, 1987, the secretary of state shall mail a notice to all limited partnerships on the recorders' lists at their principal places of business that each must comply with the provisions of this act by July 1, 1987. Failure so to comply bars such a limited partnership from maintaining any action, suit or proceeding in any court of this state until it has complied.

Sec. 72. 1. This section and section 71 of this act become effective on July 1, 1985, to require the secretary of state to prepare for his duties under the act and the respective county recorders to perform their duties under section 71.

2. Except as provided in subsection 3, sections 1 to 70, inclusive, of this act become effective on January 1, 1987.

3. Sections 1 to 70, inclusive, of this act become effective on July 1, 1987, with respect to each limited partnership whose name appears on one of the lists submitted pursuant to section 70.".

Assemblyman Sader moved the adoption of the amendment.

Remarks by Assemblyman Sader.

Amendment adopted.

Assemblyman Sader moved that Assembly Bill No. 246 be re-referred to the Committee on Ways and Means.

Motion carried.

Bill ordered reprinted, engrossed and to the Committee on Ways and Means.

GENERAL FILE AND THIRD READING

Assembly Bill No. 362.

Bill read third time.

The following amendment was proposed by Assemblyman Rader:

Amendment No. 456.

Amend section 1, page 1, line 16, by deleting "*14*" and inserting "*16*".

Assemblyman Thompson moved the adoption of the amendment.

Remarks by Assemblyman Thompson.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

INTRODUCTION AND FIRST READING OF LEGISLATION

By Assemblymen Thomas, Jeffrey, Tebbs, Sedway, Dini, Beyer, Nicholas, Humke, Getto, DuBois, Coffin and Nevin:

Assembly Bill No. 515—An Act relating to the casino entertainment tax; allocating a portion of the tax for concerts and other cultural activities under the administration of the Nevada state council of the arts; and providing other matters properly relating thereto.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 57.

The following Senate amendments were read:

Amendment No. 301.

Amend sec. 12, page 5, line 19, by deleting "$40" and inserting "$60".

Amend the bill as a whole by renumbering sections 199 and 200 as sections 203 and 204 and adding new sections designated sections 199 to 202, following section 198, to read as follows:

"Sec. 199. Section 8 of Assembly Bill No. 176 of this session is hereby amended to read as follows:

Sec. 8. 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 is the chairman of the interim finance committee for the period ending with the convening of each even-numbered regular session of the legislature. The immediate past chairman of the assembly standing committee on ways and means is the chairman of the interim finance committee during the next legislative interim, and the chairmanship alternates 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,] *subsection 1 of section 3 of this act,* 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 for state officers and employees generally. All such compensation must be paid from the contingency fund in the state treasury.

Sec. 200. Section 15 of Senate Bill No. 151 of this session is hereby amended to read as follows:

Sec. 15. NRS 380A.071 is hereby amended to read as follows:

380A.071 1. The council may meet regularly at least twice each year and, within the limits of legislative appropriations, may hold additional meetings upon the call of the chairman.

2. Each member of the council is entitled to receive a salary of $60 for each day's attendance at a meeting of the council.

3. Payments must be made upon itemized and verified claims approved by the state librarian from money appropriated to the [Nevada] state library [.] *and archives.*

Sec. 201. Section 38 of Senate Bill No. 116 of this session is hereby amended to read as follows:

Sec. 38. NRS 381.002 is hereby amended to read as follows:

381.002 1. The [joint] board of museums and history, consisting of eleven members appointed by the governor, is hereby created.

2. The governor shall appoint as members of the [joint] board:

(a) [Five persons who are members of the Nevada state museum; one of whom must be familiar with the Lost City museum;

(b) Five persons who are members of the Nevada historical society; and

(c)] *Ten persons, each of whom must be a member of one of the institutions of the department who is familiar with that institution; and*

(b) One other person.

3. The governor shall designate the chairman of the [joint] board from among its members.

4. The [joint board may] *board shall* meet regularly at least [quarterly] *six times each year* and may meet at other times upon the call of its chairman.

5. The [joint] board shall establish nonadministrative policies for the department . [of museums and history, the Nevada state museum and the Nevada historical society.]

Sec. 202. Section 40 of Senate Bill No. 116 of this session is hereby amended to read as follows:

"Sec. 40. NRS 381.005 is hereby amended to read as follows:

381.005 1. The administrator [of the department of museums and history] is appointed by the governor and serves at his pleasure. The governor shall consult with the [joint board of museums and history] *board* before making the appointment.

2. To be qualified for appointment, the administrator must have training and experience in public administration.

3. The administrator is in the unclassified service of the state.

4. The administrator shall not engage in any other gainful employment or occupation.

5. The administrator may employ, within the limits of legislative appropriations, such staff as is necessary to the performance of his duties.".

Amendment No. 388.

Amend sec. 173, page 54, line 42, by deleting: "[shall be] *is*" and inserting "is".

Amend sec. 173, page 54, line 44, by deleting "[Compensation".

Amend sec. 173, page 54, by deleting lines 45 and 46.

Amend the bill as a whole by renumbering sections 203 and 204 as sections 204 and 205 and adding a new section designated section 203, following section 202, to read as follows:

"Sec. 203. Section 4 of Assembly Bill No. 168 of this session is hereby amended to read as follows:

"Sec. 4. NRS 477.180 is hereby amended to read as follows:

477.180 1. The board of fire safety, consisting of eleven members appointed by the governor, is hereby created.

2. The governor shall appoint:

(a) A licensed architect;

(b) Three chiefs of or fire marshals from local fire departments, at least

one of whom must be from a fire department in a county having a population of less than 100,000;

(c) A building [official] *officer* of a local government which is or is within each county having a population of 100,000 or more;

(d) A licensed general contractor;

(e) A professional engineer;

(f) Two representatives of gaming and lodging enterprises; and

(g) The state fire marshal,

to the board.

3. The board shall select a chairman from among its members to serve for 1 year. The state fire marshal shall serve as secretary of the board.

4. The board [may meet regularly approximately once each month, at least eight times a year or] *shall meet* on the call of the chairman, the state fire marshal or [a majority] *at the request of any three* of the members.

5. The members of the board, except those who are, in another capacity, public officers or employees, are entitled to receive a salary of $80 for each day's attendance at a meeting of the board or a committee of the board. The state fire marshal shall provide in the budget of his office for sufficient money to pay salaries and allowances for members and other expenses of the board.''.

Assemblyman Bergevin moved that the Assembly concur in the Senate amendments to Assembly Bill No. 57.

Remarks by Assemblyman Bergevin.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 101.

The following Senate amendment was read:

Amendment No. 324.

Amend sec. 2, page 1, line 8, after ''creditor'', by inserting ''or''.

Assemblyman Stone moved that the Assembly concur in the Senate amendment to Assembly Bill No. 101.

Remarks by Assemblyman Stone.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 33.

The following Senate amendment was read:

Amendment No. 330.

Amend section 1, page 1, by deleting lines 6 and 7 and inserting: ''sive, or where such person knows the credit card] *by using a credit card which he knows* is forged [, expired or''.

Amend section 1, page 1, line 9, by deleting the open bracket.

Amend section 1, page 1, line 10, by deleting ''] *By*''.

Amend section 1, page 1, line 13, by deleting the open bracket.

Amend section 1, page 1, line 18, before ''shall'' by inserting ''*or stolen*''.

Amend section 1, page 2, line 5, by deleting "] *2.*".

Amend section 1, page 2, line 10, by deleting "[shall] *must*" and inserting "shall".

Amend section 1, page 2, line 12, by deleting: "[shall be] *is*" and inserting "shall be".

Amend section 1, page 2, by deleting line 13 and inserting: "after such mailing.]

2. Any person who, with intent to defraud, obtains money, goods, property, services or anything of value by using a credit card issued in his name which he knows is revoked or expired is guilty of a misdemeanor.".

Amend the title of the act, second line, after "defraud;", by inserting: "making it a misdemeanor to use an expired or revoked card with intent to defraud;"

Assemblyman Stone moved that the Assembly do not concur in the Senate amendment to Assembly Bill No. 33.

Remarks by Assemblyman Stone.

Motion carried.

Bill ordered transmitted to the Senate.

Assembly Bill No. 76.

The following Senate amendment was read:

Amendment No. 361.

Amend section 1, pages 1 and 2, by deleting lines 1 through 19 on page 1, and lines 1 through 17 on page 2 and inserting:

"Section 1. Chapter 171 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 and 3 of this act.".

Amend the bill as a whole by renumbering sections 2 and 3 as sections 4 and 5 and adding new sections designated sections 2 and 3, following section 1, to read as follows:

"Sec. 2. *An agent of the Federal Bureau of Investigation or Secret Service may, without a warrant, arrest a person:*

1. For a public offense committed or attempted in his presence.

2. When a person arrested has committed a felony or gross misdemeanor, although not in his presence.

3. When a felony or gross misdemeanor has in fact been committed, and he has reasonable cause for believing the person arrested to have committed it.

4. On a charge made, upon a reasonable cause, of the commission of a felony or gross misdemeanor by the person arrested.

5. When a warrant has in fact been issued in this state for the arrest of a named or described person for a public offense, and he has reasonable cause to believe that the person arrested is the person so named or described.

Sec. 3. *1. Except as otherwise provided in subsection 2, an officer or agent of the Bureau of Indian Affairs or a person employed as a police officer*

by an Indian tribe may make an arrest in obedience to a warrant delivered to him, or may, without a warrant, arrest a person:

(a) For a public offense committed or attempted in his presence.

(b) When a person arrested has committed a felony or gross misdemeanor, although not in his presence.

(c) When a felony or gross misdemeanor has in fact been committed, and he has reasonable cause for believing the person arrested to have committed it.

(d) On a charge made, upon a reasonable cause, of the commission of a felony or gross misdemeanor by the person arrested.

(e) When a warrant has in fact been issued in this state for the arrest of a named or described person for a public offense, and he has reasonable cause to believe that the person arrested is the person so named or described.

(f) When the peace officer has probable cause to believe that the person to be arrested has committed a battery upon that person's spouse and the peace officer finds evidence of bodily harm to the spouse.

2. *Such an officer or agent may make an arrest pursuant to subsection 1 only:*

(a) Within the boundaries of an Indian reservation or Indian colony for an offense committed on that reservation or colony; or

(b) Outside the boundaries of an Indian reservation or Indian colony if he is in fresh pursuit of a person who is reasonably believed by him to have committed a felony within the boundaries of the reservation or colony or has committed, or attempted to commit, any criminal offense within those boundaries in the presence of the officer or agent.

For the purposes of this subsection, "fresh pursuit" has the meaning ascribed to it in NRS 171.156.".

Assemblyman Stone moved that the Assembly concur in the Senate amendment to Assembly Bill No. 76.

Remarks by Assemblymen Stone, Nicholas and Schofield.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 213.

The following Senate amendment was read:

Amendment No. 381.

Amend section 1, page 1, lines 3 and 4, by deleting "registrations,".

Amend section 1, page 1, line 5, by deleting "[shall] *must*" and inserting "must".

Amend section 1, page 1, line 6, by deleting: ", certificate or registration" and inserting "or certificate".

Amend section 1, page 1, line 8, by deleting: ", certificates and registrations" and inserting "and certificates".

Assemblyman DuBois moved that the Assembly concur in the Senate amendment to Assembly Bill No. 213.

Remarks by Assemblyman DuBois.
Motion carried.
Bill ordered enrolled.

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Senate Concurrent Resolution No. 21.

Assemblyman Francis moved that the Assembly adjourn until Monday, April 15, 1985 at 11 a.m.
Motion carried.

Assembly adjourned at 11:23 a.m.

Approved: BYRON L. BILYEU
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE EIGHTY-FIFTH DAY

CARSON CITY (Monday), April 15, 1985

Assembly called to order at 11:03 a.m.

Mr. Speaker presiding.

Roll called.

All present except Assemblyman Craddock, who was excused.

Prayer by the Chaplain, The Reverend Roy Parker.

Our Father of Heaven and earth, we are grateful for Your bountiful blessings and Your great mercy toward us. Help us here today to live by Your Holy Word and to show kindness to others, as well as love. To express joy on our own countenance, to do good to those that would even do evil to us, and have patience and show peace to others. We understand that what we extend to our fellowman is exactly what we can expect in return. Guide each of these lawmakers here today to rule over us with Your understanding and wisdom. Cause them to be able to reach a good solution to all of the items on their agenda. For all of these favors and blessings, we say thank You. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Francis 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 Francis requested that Assemblyman Craddock be excused for the purpose of representing the legislature at a meeting regarding Tahoe Regional Planning Agency.

Assemblyman Francis moved that the Assembly recess subject to the call of the Chair.

Motion carried.

Assembly in recess at 11:06 a.m.

ASSEMBLY IN SESSION

At 11:30 a.m.

Mr. Speaker presiding.

Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Natural Resources, Agriculture and Mining, to which was referred Assembly Bill No. 209, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

VIRGIL M. GETTO, *Chairman*

Mr. Speaker:

Your Committee on Natural Resources, Agriculture and Mining, to which was referred Assembly Concurrent Resolution No. 7, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and be adopted as amended.

VIRGIL M. GETTO, *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which was referred Assembly Bill No. 156, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN DUBOIS, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, April 12, 1985

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, 56.

Also, I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bills Nos. 25, 333 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. 292, 330.

Also, I have the honor to inform your honorable body that the Senate on this day adopted, as amended, Senate Concurrent Resolution No. 28.

MARY JO MONGELLI
Assistant Secretary of the Senate

SENATE CHAMBER, Carson City, April 15, 1985

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.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Assembly Concurrent Resolution No. 7.

Resolution read.

The following amendment was proposed by the Committee on Natural Resources, Agriculture and Mining:

Amendment No. 450.

Amend the resolution, page 1, line 10, by deleting "*or*".

Amend the resolution, page 1, by deleting lines 12 through 14 and inserting: "ducted pursuant to this resolution [,] *and* its report has been submitted to the legislature [, and the] *; or*

"*3. The* 63rd session of the legislature has adjourned [;] , *whichever occurs first;* and be it further".

Amend the title of the resolution, third line, by deleting "on" and inserting: "no later than the".

Amend the summary of the resolution, second line, by deleting "expire on" and inserting: "expire no later than".

Assemblyman Nevin moved the adoption of the amendment.

Remarks by Assemblyman Nevin.

Amendment adopted.

Resolution ordered reprinted and engrossed.

Senate Concurrent Resolution No. 28.

Resolution read.

Senate Concurrent Resolution No. 30.

Assemblyman Humke moved the adoption of the resolution.

Remarks by Assemblyman Humke.

Resolution adopted.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 25.

The following Senate amendment was read:

Amendment No. 376.

Amend sec. 6, page 4, line 35, by deleting "[1986,] *1987,*" and inserting "1987,".

Assemblyman Stone moved that the Assembly concur in the Senate amendment to Assembly Bill No. 25.

Remarks by Assemblyman Stone.

Motion carried.

Bill ordered enrolled.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Stone moved that Assembly Bill No. 205 be taken from the Chief Clerk's desk and placed on the Second Reading File.

Motion carried.

Assemblyman DuBois moved that Assembly Bill No. 155 be taken from the Chief Clerk's desk and placed on the General File.

Motion carried.

INTRODUCTION AND FIRST READING OF LEGISLATION

By the Committee on Judiciary:

Assembly Bill No. 516—An Act relating to perjury; removing reference to corruption; and providing other matters properly relating thereto.

By the Committee on Judiciary:

Assembly Bill No. 517—An Act relating to writs of habeas corpus; clarifying the procedure for applying for a writ of habeas corpus; consolidating the procedures for applying for writs of habeas corpus and post-conviction relief; and providing other matters properly relating thereto.

By Assemblymen Bogaert, Little, Lambert, Williams, O'Donnell, Fairchild, Rader, Ham, Joerg, Horne, Zimmer, Arberry, McGaughey, Kerns, Marvel, Sedway, Price, DuBois, Beyer, Thompson, Nicholas, Craddock, Humke, Roberts, Schofield, Dini, Getto, Jeffrey, Thomas and Nevin:

Assembly Bill No. 518—An Act relating to devices for protection from fire; increasing the penalty for the theft of such a device; and providing other matters properly relating thereto.

By Assemblymen Joerg and Thomas:

Assembly Bill No. 519—An Act relating to public lands; authorizing the state land registrar to transfer a certain parcel of state land to Carson City for use as a mobile home park for persons 60 years of age or older; conditioning that transfer on the creation of a housing authority by Carson City to develop the land for that use; and providing other matters properly relating thereto.

By Assemblymen Malone and Arberry:

Assembly Bill No. 520—An Act relating to insurance against temporary disability; providing in skeleton form for the payment of benefits to persons who become unemployed because of illness or injuries which did not arise in the course of their employment; requiring employees to pay contributions from their wages to support the program; and providing other matters properly relating thereto.

By Assemblyman Malone:

Assembly Bill No. 521—An Act relating to elections; removing requirement that a voter receive the ballot stub after he has returned his voted ballot; and providing other matters properly relating thereto.

By Assemblymen Sedway, Dini, Jeffrey, Schofield, Thompson, Sader, Swain, Williams, Craddock, Price, Arberry, Nevin, Coffin, Banner, DuBois, Rader and Tebbs:

Assembly Bill No. 522—An Act relating to public employees; making appropriations to increase retroactively the salaries of employees in the classified service of the state; making an appropriation from the state distributive school fund to the school districts in this state to increase salaries for the present fiscal year; and providing other matters properly relating thereto.

Senate Bill No. 292.

Bill read first time.

Senate Bill No. 330.

Bill read first time.

REFERENCE OF MEASURES TO COMMITTEES

Assembly Bill No. 508.

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

Motion carried.

Assembly Bill No. 509.

Assemblyman Francis moved that the bill be referred to the Committee on Elections.

Motion carried.

Assembly Bill No. 510.

Assemblyman Francis moved that the bill be referred to the Committee on Elections.

Motion carried.

Assembly Bill No. 511.

Assemblyman Francis moved that the bill be referred to the Committee on Elections.

Motion carried.

Assembly Bill No. 512.

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

Motion carried.

Assembly Bill No. 513.

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

Motion carried.

Assembly Bill No. 514.

Assemblyman Nicholas moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

Assembly Bill No. 515.

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

Motion carried.

Assembly Joint Resolution No. 19.

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

Motion carried.

Senate Bill No. 178.

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

Motion carried.

Senate Bill No. 198.

Assemblyman Francis moved that the bill be referred to the Concurrent Committees on Health and Welfare and Ways and Means.

Motion carried.

Senate Bill No. 206.

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

Motion carried.

Senate Bill No. 209.

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

Motion carried.

Senate Bill No. 229.

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

Motion carried.

Senate Bill No. 235.

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

Motion carried.

Senate Bill No. 265.

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

Motion carried.

Senate Bill No. 299.

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

Motion carried.

Senate Joint Resolution No. 22.

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

Motion carried.

Senate Concurrent Resolution No. 4.

Assemblyman Francis moved that the resolution be referred to the Committee on Education.

Motion carried.

INTRODUCTION AND FIRST READING OF LEGISLATION

By the Committee on Judiciary:

Assembly Bill No. 523—An Act relating to vagrancy; removing, from the definition of vagrancy, the requirement that prowling must be in the nighttime; and providing other matters properly relating thereto.

By Assemblymen Humke, Roberts, Beyer, Stone, Nicholas, Lambert, Kerns and Sader:

Assembly Bill No. 524—An Act relating to children; extending the limitation on prosecution for abuse; requiring the attorney general to coordinate

all activities relating to missing children; establishing procedures for law enforcement agency in cases involving a missing child; requiring public schools to establish programs of information; requiring the presentation of a birth certificate before admittance to school; and providing other matters properly relating thereto.

By Assemblymen Fairchild, Little, Bogaert, O'Donnell, Ham, Joerg, Horne, Francis, McGaughey, Kerns, Marvel, Sedway, DuBois, Beyer, Thompson, Craddock, Humke, Roberts, Sader, Getto, Thomas and Nevin:

Assembly Bill No. 525—An Act relating to public buildings; prohibiting naming for a living person; and providing other matters properly relating thereto.

By Assemblymen Fairchild, Little, Thomas, Bogaert, Rader, Ham, Swain, McGaughey, Price, DuBois, Beyer, Stone, Craddock, Humke, Roberts and Getto:

Assembly Bill No. 526—An Act relating to legislators' retirement; requiring the forfeiture of a legislator's right to a retirement allowance if he is convicted of certain crimes; and providing other matters properly relating thereto.

SECOND READING AND AMENDMENT

Assembly Bill No. 122.

Bill read second time.

The following amendment was proposed by the Committee on Elections:

Amendment No. 87.

Amend section 1, page 1, by inserting between lines 15 and 16:

"*Trustee of a county school district* ..... *15*".

Amend section 1, page 2, line 1, by deleting: "[.] , *or for the*" and inserting a period.

Amend section 1, page 2, by deleting line 2.

Amend the title of the bill, first line, by deleting "eliminating" and inserting "decreasing".

Amend the summary by deleting "Eliminates" and inserting "Reduces".

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. 137.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 194.

Bill read second time.

The following amendment was proposed by the Committee on Taxation:

Amendment No. 420.

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 361.221 is hereby amended to read as follows:

361.221 1. A person shall not perform the duties of an appraiser for purposes of the taxation of property as an employee of or as an independent contractor for the state or any of its political subdivisions unless he holds a valid appraiser's certificate issued by the department.

2. There is established an appraiser certification board consisting of six members, three of whom must be chosen by majority vote of the several county assessors from persons who hold a valid appraiser's certificate issued by the department and three of whom must be appointed by the Nevada tax commission. This board shall:

(a) Advise the department on any matter pertaining to the certification and continuing education of appraisers who are subject to the provisions of this section; and

(b) Perform such other duties as are provided by law.

3. *Each member of the board is entitled to the per diem allowance and travel expenses provided for state officers and employees while attending meetings of the board.*

4. The department may contract for the development and administration of the appropriate examinations. Except as provided in this subsection, an appraiser's certificate must be issued to an applicant only if he has passed the appropriate examination. The department may charge each examinee a reasonable examination fee to recover the cost of the examination. An applicant who has a professional designation or certification recognized by the board may, with the approval of the board, be issued an appraiser's certificate without examination.".

Amend the bill as a whole by renumbering sections 2 through 4 as sections 7 through 9 and adding new sections designated sections 3 through 6, preceding section 2, to read as follows:

"Sec. 3. NRS 361.295 is hereby amended to read as follows:

361.295 [1.] When real property is assessed by the county assessors of two counties on territory claimed by both, the [owner of the real estate assessed is authorized to pay the taxes in either county that he may select.

2. In case of suit being brought for the nonpayment of the taxes in the county in which the suit may be brought, the production of a tax receipt for the current year on the property, signed by the proper officer, although in an adjoining county claiming jurisdiction, of a date prior to the commencement of the action, shall entitle the taxpayer to a dismissal of the suit, free of cost.] *department of taxation shall examine the property and determine the county to which the taxes must be paid.*

Sec. 4. 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. *The new evidence must be submitted in writing to the state board of equalization and served upon all the other parties to the action not less than 7 days before the hearing.*

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 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.

4. If the state board of equalization determines that the record of a case on appeal from the county board of equalization is inadequate because of an act or omission of the county assessor, the district attorney or the county board of equalization, the state board of equalization may remand the case to the county board of equalization with directions to develop an adequate record within 30 days after the remand. The directions must indicate specifically the inadequacies to be remedied. If the state board of equalization determines that the record returned from the county board of equalization after remand is still inadequate, the state board of equalization may hold a hearing anew on the appellant's complaint or it may, if necessary, contract with an appropriate person to hear the matter, develop an adequate record in the case and submit recommendations to the state board. The cost of the contract and all costs, including attorney's fees, to the state or the appellant necessary to remedy the inadequate record on appeal are a charge against the county.

Sec. 5. NRS 361.510 is hereby amended to read as follows:

361.510 [The] *1. Except as otherwise provided in subsection 2, before June 1 of each year, the* board of county commissioners of each county shall prepare suitable blank receipts *that are sequentially numbered* to be issued by the respective county assessors on the payment to them *in cash* of the taxes on movable personal property. [Such] *The* blank tax receipts [shall] *must* be countersigned by the county auditor [.] *and delivered to the county assessor who shall give his receipt to the board for the quantity delivered.*

2. The provisions of this section do not apply in a county which provides receipts for such payments in cash which are produced by a computer.

Sec. 6. 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 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 mobile home, as well as annually thereafter upon payment of the tax, a sticker which must be of a design and affixed in such manner as is prescribed by the department . [;]

(b) Deliver forthwith to the purchaser or repossessor of a 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 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.]".

Amend the bill as a whole by renumbering section 5 as section 11 and adding a new section designated section 10, preceding section 5, to read as follows:

"Sec. 10. NRS 482.545 is hereby amended to read as follows:

482.545 It is unlawful for any person to commit any of the following acts:

1. To operate, or for the owner thereof knowingly to permit the operation of, upon a highway any motor vehicle, trailer or semitrailer which is not registered or which does not have attached thereto and displayed thereon the number of plate or plates assigned thereto by the department for the current period of registration or calendar year, subject to the exemption allowed in NRS 482.320 to 482.363, inclusive, 482.385 to 482.396, inclusive, and 482.420.

2. To move upon a highway any slide-in camper [or camper-shell] that does not have affixed on it the tax plate or sticker provided in NRS 361.5643, when the movement is by a vehicle not subject to the exemption allowed in NRS 482.320 to 482.363, inclusive, 482.385 to 482.396, inclusive, and 482.420.

3. To display, cause or permit to be displayed or to have in possession any certificate of registration, license plate, certificate of ownership or other document of title knowing it to be fictitious or to have been canceled, revoked, suspended or altered.

4. To lend to or knowingly permit the use of by one not entitled thereto any registration card or plate issued to the person so lending or permitting the use thereof.

5. To fail or to refuse to surrender to the department, upon demand, any registration card or plate which has been suspended, canceled or revoked as provided in this chapter.

6. To use a false or fictitious name or address in any application for the registration of any vehicle or for any renewal or duplicate thereof, or knowingly to make a false statement or knowingly to conceal a material fact or otherwise commit a fraud in any such application. A violation of this subsection is a gross misdemeanor.

7. Knowingly to operate a vehicle which has an altered vehicle identification number, serial number, motor number, other distinguishing number or identification mark required for registration.".

Amend sec. 5, page 5, line 17, by deleting "*The*" and inserting: "*If the land surveyed is described in terms of area, the*".

Amend the title of the bill, first line, by deleting: "the assessment of property;" and inserting: "taxation; making various changes regarding the assessment and taxation of property;".

Assemblyman Joerg moved the adoption of the amendment.

Remarks by Assemblyman Joerg.

Amendment adopted.

Assemblyman Joerg moved that Assembly Bill No. 194 be re-referred to the Committee on Taxation.

Motion carried.

Bill ordered reprinted, engrossed and to the Committee on Taxation.

Assembly Bill No. 198.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 411.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 449.

Amend section 1, page 1, line 2, by deleting both brackets.

Amend section 1, page 1, line 7, after "Treasury.", by inserting: "] *The state controller shall prepare a warrant for payment of the amount withheld and shall transmit the warrant to the state treasurer. The state treasurer shall transmit the warrant in the time and manner required by the Internal Revenue Service of the Department of the Treasury.*".

Amend section 1, page 1, by deleting lines 11 through 15 and inserting "created.".

Amend sec. 2, page 2, line 3, after "*warrant*", by inserting: ", *if it is for an account payable,*".

Amend sec. 2, page 2, by deleting lines 4 through 6 and inserting: "agency for delivery or mailing to the payee [entitled thereto] or deliver or mail [such] *the* warrant directly to the payee [.] *; or*

(b) Deliver the warrant, if it is for payment of an employee, to the appropriate state agency for distribution.".

Amend sec. 3, page 2, line 18, by deleting the open bracket.

Amend sec. 3, page 2, by deleting lines 19 through 21 and inserting:

"(a) Deliver or mail the countersigned warrant, if it is for an account payable, [to the responsible state agency for delivery or mailing to the payee or deliver or mail the warrant] directly to the payee; or

(b) Deliver the warrant, if it is for payment of an employee, to the appropriate state agency for distribution.".

Assemblyman Bergevin moved the adoption of the amendment.

Remarks by Assemblyman Bergevin.

Amendment adopted.

Assemblyman Bergevin moved that Assembly Bill No. 411 be re-referred to the Committee on Ways and Means.

Motion carried.

Bill ordered reprinted, engrossed and to the Committee on Ways and Means.

Senate Bill No. 87.

Bill read second time and ordered to third reading.

Senate Bill No. 224.

Bill read second time and ordered to third reading.

Senate Bill No. 247.

Bill read second time and ordered to third reading.

Assembly Bill No. 205.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 424.

Amend the bill as a whole by deleting section 7 and renumbering sections 8 through 10 as sections 7 through 9.

Amend sec. 9, page 3, line 30, after "*birth*" by inserting "*or death*".

Amend sec. 10, page 3, line 40, by inserting "human" before "resources".

Amend the title of the bill, third and fourth lines, by deleting: "marriage licenses and certificates of birth;" and inserting: "Certificates of birth and death;".

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. 95.

Bill read third time.

Remarks by Assemblyman Joerg.

Roll call on Assembly Bill No. 95:

YEAS—40.

NAYS—Getto.

Excused—Craddock.

Assembly Bill No. 95 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 158.

Bill read third time.

Remarks by Assemblyman Coffin.
Roll call on Assembly Bill No. 158:
YEAS—41.
NAYS—None.
Excused—Craddock.

Assembly Bill No. 158 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 Ham.
Roll call on Assembly Bill No. 311:
YEAS—40.
NAYS—Banner.
Excused—Craddock.

Assembly Bill No. 311 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 334.
Bill read third time.
Remarks by Assemblyman Bergevin.
Roll call on Assembly Bill No. 334:
YEAS—41.
NAYS—None.
Excused—Craddock.

Assembly Bill No. 334 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 397.
Bill read third time.
Remarks by Assemblyman Roberts.
Roll call on Assembly Bill No. 397:
YEAS—39.
NAYS—Horne, Malone—2.
Excused—Craddock.

Assembly Bill No. 397 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 404.
Bill read third time.
The following amendment was proposed by Assemblyman Jeffrey:
Amendment No. 374.
Amend the bill as a whole by deleting section 1 and renumbering section 2 as section 1.

Amend the title of the bill, first and second lines, by deleting: "requiring a local government to designate an officer to enforce laws and ordinances regulating such parking;".

Amend the summary of the bill to read as follows: "Increases fine for illegally parking in space designated for handicapped. (BDR 43-1110)".

Assemblyman Jeffrey moved the adoption of the amendment.

Remarks by Assemblymen Jeffrey and Roberts.

Assemblymen Jeffrey, Schofield and Banner requested a roll call on Assemblyman Jeffrey's motion.

Roll call on Assemblyman Jeffrey's motion:

YEAS—17.

NAYS—Bergevin, Beyer, Bogaert, Collins, DuBois, Fairchild, Francis, Getto, Ham, Horne, Lambert, Little, McGaughey, Malone, Marvel, Nicholas, O'Donnell, Rader, Roberts, Spriggs, Stone, Tebbs, Thomas, Zimmer—24.

Excused—Craddock.

The motion having failed to receive a majority, Mr. Speaker declared the amendment lost.

Remarks by Assemblyman Roberts.

Roll call on Assembly Bill No. 404:

YEAS—39.

NAYS—Sedway, Williams—2.

Excused—Craddock.

Assembly Bill No. 404 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Joint Resolution No. 13.

Resolution read third time.

Remarks by Assemblyman Sedway.

Roll call on Assembly Joint Resolution No. 13:

YEAS—41.

NAYS—None.

Excused—Craddock.

Assembly Joint Resolution No. 13 having received a constitutional majority, Mr. Speaker declared it passed.

Resolution ordered transmitted to the Senate.

Senate Bill No. 9.

Bill read third time.

Remarks by Assemblyman Stone.

Roll call on Senate Bill No. 9:

YEAS—39.

NAYS—Price, Roberts—2.

Excused—Craddock.

Senate Bill No. 9 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Joint Resolution No. 2.
Resolution read third time.
Remarks by Assemblyman Bergevin.
Roll call on Senate Joint Resolution No. 2:

YEAS—40.
NAYS—Malone.
Excused—Craddock.

Senate Joint Resolution No. 2 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Resolution ordered transmitted to the Senate.

Assembly Bill No. 155.
Bill read third time.
The following amendment was proposed by Assemblyman DuBois:
Amendment No. 323.
Amend sec. 4, pages 1 and 2, by deleting lines 16 and 17, on page 1 and lines 1 and 2, on page 2 and inserting: "*employer is insolvent if his assets are less than his liabilities.*".
Assemblyman DuBois moved the adoption of the amendment.
Remarks by Assemblyman DuBois.
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. 57, 76, 101, 106, 201, 213, 230, 239.

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. Tom Taber.

Assemblyman Francis moved that the Assembly adjourn until Tuesday, April 16, 1985 at 11 a.m.
Motion carried.

Assembly adjourned at 12:27 p.m.

Approved: BYRON L. BILYEU
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE EIGHTY-SIXTH DAY

CARSON CITY (Tuesday), April 16, 1985

Assembly called to order at 11:02 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, The Reverend Roy Parker.

Oh Father of Heaven and earth, we hallow Your Name today. We come into Your presence with thankfulness and gratitude. You are so good to each one of us and have shown us favor even when we were undeserving of it. All of these men and women are gathered here today in this Assembly to be an extension of Your rulership and authority. Give them the knowledge that is needed in each situation that they find themselves. Your Word tells us that no power is visible anywhere except that it came from You. Help them to use that power wisely so that their decisions are pleasing to You, Oh Lord, and beneficial to us, Your creation. Thank you in the name of our Lord Jesus. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Francis 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 re-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.

JAMES STONE, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which were referred Assembly Bills Nos. 241, 288, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN MARVEL, *Chairman*

Mr. Speaker:

Your Committee on Labor and Management, to which was referred Assembly 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.

BARBARA ZIMMER, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which was referred Senate 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.

JAMES STONE, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, 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.

LOUIS W. BERGEVIN, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was re-referred Assembly 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.

LOUIS W. BERGEVIN, *Chairman*

Mr. Speaker:

Your Committee on Commerce, 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.

JOHN DUBOIS, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, April 15, 1985

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bill No. 258.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Bills Nos. 154, 230.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bill No. 142.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Francis moved that Assembly Bill No. 11 be taken from the Chief Clerk's desk and placed at the top of the General File.

Motion carried.

Assemblyman Stone moved that Assembly Bill No. 199 be placed on the General File.

Remarks by Assemblyman Stone.

Motion carried.

Assemblyman Bergevin moved that Senate Bill No. 224 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Bergevin.

Motion carried.

Assemblyman Jeffrey moved that Assembly Bill No. 329 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Jeffrey.

Motion carried.

Assemblyman McGaughey moved that Assembly Bill No. 188 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman McGaughey.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 11.

Bill read third time.

Assemblyman Schofield moved that Assembly Bill No. 11 be taken from its position on the General File and placed at the bottom of the General File.

Remarks by Assemblyman Schofield.

Motion carried.

Assembly Bill No. 137.

Bill read third time.

Remarks by Assemblymen Sedway, Thomas and Jeffrey.

Roll call on Assembly Bill No. 137:

YEAS—42.

NAYS—None.

Assembly Bill No. 137 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 152.

Bill read third time.

Remarks by Assemblyman Zimmer.

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, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 198.

Bill read third time.

Remarks by Assemblyman Stone.

Roll call on Assembly Bill No. 198:

YEAS—42.

NAYS—None.

Assembly Bill No. 198 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 Banner.

Roll call on Assembly Bill No. 248:

YEAS—29.

NAYS—Arberry, Coffin, Dini, Jeffrey, Price, Rader, Roberts, Sader, Schofield, Swain, Thomas, Thompson, Williams—13.

Assembly Bill No. 248 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 313.
Bill read third time.
Remarks by Assemblyman Stone.
Roll call on Assembly Bill No. 313:
YEAS—42.
NAYS—None.

Assembly Bill No. 313 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 Stone.
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. 362.
Bill read third time.
Remarks by Assemblyman Thompson.
Roll call on Assembly Bill No. 362:
YEAS—41.
NAYS—Collins.

Assembly Bill No. 362 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Francis moved that Assembly Bill No. 413, Senate Bills Nos. 87, 247; Senate Joint Resolution No. 7 and Assembly Bill No. 11 be taken from the General File and placed on the General File for the next legislative day.
Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 199.
Bill read third time.
The following amendment was proposed by the Committee on Judiciary:
Amendment No. 469.
Amend sec. 17, page 3, line 32, by deleting: "Plan, coordinate and evaluate" and inserting: "Plan and coordinate".
Amend sec. 17, page 3, line 39, after "children;", by deleting "and".
Amend sec. 17, page 3, line 40, by deleting the period and inserting: "; and

6. Evaluate all protective services provided throughout the state and withhold money from or revoke the license of any agency providing protective services which is not complying with the regulations adopted by the welfare division.".

Amend sec. 46, page 13, line 17, by deleting "a physician's" and inserting: "if there is expert".

Amend sec. 46, page 13, line 20, by deleting: "is prima facie".

Amend sec. 46, page 13, by deleting line 21 and inserting: ", the court shall find that the child is in need of protection unless that testimony is rebutted.".

Amend sec. 47, page 13, line 31, by deleting "Verbally;" and inserting "Orally;".

Amend sec. 65, page 20, line 36, after "432.120", by inserting: "or section 27 of this act".

Amend sec. 85, page 32, line 38, after "facts", by inserting: "by clear and convincing evidence".

Amend sec. 85, page 32, by deleting lines 43 and 44.

Amend sec. 85, page 32, line 45, by deleting "4." and inserting "3.".

Amend sec. 85, page 33, line 3, by deleting "5." and inserting "4.".

Assemblyman Stone moved the adoption of the amendment.

Remarks by Assemblymen Stone and Swain.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

INTRODUCTION AND FIRST READING OF LEGISLATION

By the Committee on Government Affairs:

Assembly Bill No. 527—An Act relating to public employees' retirement; removing the restrictions on the accumulation of credit for service after becoming eligible to retire; equalizing the method for determining the rate of benefits for all persons who have retired with more than 20 years of credit for service; and providing other matters properly relating thereto.

By Assemblymen Fairchild, Schofield, Price, Little, Arberry, McGaughey, Roberts, O'Donnell, Thomas, Stone, Williams, Rader, Collins, Ham, Zimmer, Lambert and Francis:

Assembly Bill No. 528—An Act relating to veterans; providing assistance for tuition in certain circumstances; and providing other matters properly relating thereto.

Senate Bill No. 142.

Bill read first time.

Senate Bill No. 154.

Bill read first time.

Senate Bill No. 230.

Bill read first time.

MOTIONS, RESOLUTIONS AND NOTICES

Assembly Concurrent Resolution No. 7.

Assemblyman Nevin moved the adoption of the resolution.

Remarks by Assemblymen Nevin and Getto.

Resolution adopted, as amended.

REFERENCE OF MEASURES TO COMMITTEES

Assembly Bill No. 516.

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

Motion carried.

Assembly Bill No. 517.

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

Motion carried.

Assembly Bill No. 518.

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

Motion carried.

Assembly Bill No. 519.

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

Motion carried.

Assembly Bill No. 520.

Assemblyman Francis moved that the bill be referred to the Concurrent Committees on Labor and Management and Ways and Means.

Motion carried.

Assembly Bill No. 521.

Assemblyman Francis moved that the bill be referred to the Committee on Elections.

Motion carried.

Assembly Bill No. 522.

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

Motion carried.

Assembly Bill No. 523.

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

Motion carried.

Assembly Bill No. 524.

Assemblyman Francis moved that the bill be referred to the Concurrent Committees on Judiciary and Ways and Means.

Motion carried.

Assembly Bill No. 525.

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

Motion carried.

Assembly Bill No. 526.

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

Motion carried.

Senate Bill No. 292.

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

Motion carried.

Senate Bill No. 330.

Assemblyman Francis moved that the bill be referred to the Concurrent Committees on Government Affairs and Ways and Means.

Motion carried.

Senate Concurrent Resolution No. 28.

Assemblyman Francis moved that the resolution be referred to the Committee on Education.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 156.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 353.

Amend the bill as a whole by deleting sections 4 and 17 and renumbering sections 5 through 16 as sections 4 through 15.

Amend the title of the bill, first line, by deleting: "increasing the required capitalization of certain insurers;".

Assemblyman DuBois moved the adoption of the amendment.

Remarks by Assemblyman DuBois.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 209.

Bill read second time.

The following amendment was proposed by the Committee on Natural Resources, Agriculture and Mining:

Amendment No. 318.

Amend section 1, page 1, line 3, by deleting "*is*" and inserting "*includes*".

Amend section 1, page 1, line 4, by deleting: "*and fish and other animals*".

Amend section 1, page 1, by deleting line 7, and inserting: "*state. The department shall promote, protect and regulate*".

Amend section 1, page 1, line 9, by deleting "*animals,*".

Amend section 1, page 1, line 10, after "*products.*", by inserting: "*The department shall confer with the department of wildlife regarding aquatic agriculture to prevent any adverse effects on existing aquatic animals.*".

Amend the bill as a whole by renumbering sections 4 to 16 as sections 6 to 18 and adding new sections designated sections 4 and 5, following section 3, to read as follows:

"Sec. 4. NRS 587.015 is hereby amended to read as follows:

587.015 As used in NRS 587.015 to 587.123, inclusive, unless the context otherwise requires, the words and terms defined in NRS 587.017 to 587.073, inclusive, *and section 3 of this act* have the meanings ascribed to them in [NRS 587.017 to 587.073, inclusive.] *those sections.*

Sec. 5. NRS 587.055 is hereby amended to read as follows:

587.055 "Screenings" means chaff, seed, weed seeds, inert matter and other materials removed from [grain or] seed in [cleaning or processing.] *preparing it for use.*".

Amend sec. 6, page 2, line 29, after "*vegetables*", by inserting ", *herbs*".

Amend sec. 7, page 3, line 9, after "*vegetables,*", by inserting "*herbs,*".

Amend sec. 14, page 8, line 7, after "*vegetables,*", by inserting "*herbs,*".

Amend sec. 14, page 8, by deleting line 37 and inserting: "wise, to be [certified or registered,] *any particular class of certified seed,* unless:".

Amend sec. 16, page 9, line 32, by deleting: "*ancestry of the seed;*" and inserting: "*progeny of seed of the same origin;*".

Amend the bill as a whole by renumbering section 17 as section 20 and adding a new section designated section 19, following section 16, to read as follows:

"Sec. 19. NRS 587.119 is hereby amended to read as follows:

587.119 1. Whenever any [grain or] seed is [processed,] *prepared for use,* all screenings or cleanings [from such grain or seed shall] *must* be removed from the premises only under a permit issued by the executive director.

2. It is unlawful to distribute, give away, sell or use screenings [or cleanings containing prohibited or restricted noxious] *containing* weed seeds unless the screenings have been [either ground or treated, or both, in a manner approved by the executive director] *treated* to destroy the viability of the noxious weed seeds [.] *or otherwise in a manner approved by the executive director.*".

Assemblyman Getto moved the adoption of the amendment.

Remarks by Assemblyman Getto.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 333.

The following Senate amendment was read:

Amendment No. 401.

Amend sec. 8, page 3, line 24, by deleting "$500," and inserting "$1,000,".

Amend sec. 9, page 5, line 3, by deleting "$500," and inserting "$1,000,".

Amend sec. 14, page 7, by deleting lines 6 through 15 and inserting:

"Sec. 14. (Deleted by amendment.)".

Amend sec. 30, page 14, by deleting lines 4 through 16 and inserting:

"Sec. 30. (Deleted by amendment.)".

Assemblyman Bergevin moved that the Assembly concur in the Senate amendment to Assembly Bill No. 333.

Remarks by Assemblyman Bergevin.

Motion carried.

Bill ordered enrolled.

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bills Nos. 1, 18, 25, 56.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Williams, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. George Ghusn.

Assemblyman Francis moved that the Assembly adjourn until Wednesday, April 17, 1985 at 11 a.m.

Motion carried.

Assembly adjourned at 11:54 a.m.

Approved: BYRON L. BILYEU
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE EIGHTY-SEVENTH DAY

CARSON CITY (Wednesday), April 17, 1985

Assembly called to order at 11:02 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, The Reverend Roy Parker.

To the one and only God we address this morning with our petitions and thankfulness. You are a gracious Father and care for our every need. Our main need today is You in Your fullness. We recognize that You are our sufficiency and our dependence is totally in You. Today we need You to help these men and women assembled here to carry out the task of man that You have given us and that is to govern ourselves. Cause them to do this wisely and honestly, as one having to answer to You for any decision made. Thank you for Your wisdom and guidance to them today as our elected officials. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Joerg 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 Education, to which were referred Senate Concurrent Resolutions Nos. 6, 11, has had the same under consideration, and begs leave to report the same back with the recommendation: Be adopted.

ERIK BEYER, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Education, to which was referred Assembly Bill No. 474, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ERIK BEYER, *Chairman*

Mr. Speaker:

Your Committee on Elections, to which was referred Assembly Bill No. 463, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JANE HAM, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which was referred Senate Bill No. 241, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JAMES STONE, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, April 16, 1985

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 141, 294.

Also, I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bills Nos. 197, 325, 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. 64, 153, 282.

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. 129.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Senate Concurrent Resolution No. 6.

Assemblyman Beyer moved the adoption of the resolution.

Remarks by Assemblyman Beyer.

Resolution adopted.

Senate Concurrent Resolution No. 11.

Assemblyman Beyer moved the adoption of the resolution.

Remarks by Assemblyman Beyer.

Resolution adopted.

Assemblyman Stone moved that Assembly Bill No. 188 be taken from the Chief Clerk's desk and placed on the General File.

Motion carried.

INTRODUCTION AND FIRST READING OF LEGISLATION

By the Committee on Elections:

Assembly Bill No. 529—An Act relating to elections; 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 an identification card; providing for the appointment of examiners of applicants for drivers' licenses to serve as special deputy registrars of voters; and providing other matters properly relating thereto.

By the Committee on Elections:

Assembly Bill No. 530—An Act relating to elections; changing the date of the primary election; changing certain other dates accordingly; and providing other matters properly relating thereto.

By the Committee on Judiciary:

Assembly Bill No. 531—An Act relating to comparative fault; requiring the application of the principle of comparative fault in an action for damages caused by a defective product; and providing other matters properly relating thereto.

By the Committee on Ways and Means:

Assembly Bill No. 532—An Act making an appropriation from the state highway fund to the department of motor vehicles for deposit in the motor vehicle revolving account; and providing other matters properly relating thereto.

By the Committee on Health and Welfare:

Assembly Bill No. 533—An Act relating to disabled persons; requiring the department of human resources to provide to certain disabled persons essential personal care to enable them to live independently; and providing other matters properly relating thereto.

By the Committee on Health and Welfare:

Assembly Bill No. 534—An Act relating to the state health coordinating council; providing salaries for certain members; and providing other matters properly relating thereto.

By the Committee on Health and Welfare:

Assembly Bill No. 535—An Act relating to paternity; providing a special provision where a surrogate mother is used; and providing other matters properly relating thereto.

Senate Bill No. 64.

Bill read first time.

Senate Bill No. 153.

Bill read first time.

Senate Bill No. 282.

Bill read first time.

REFERENCE OF MEASURES TO COMMITTEES

Assembly Bill No. 527.

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

Motion carried.

Assembly Bill No. 528.

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

Motion carried.

Senate Bill No. 142.

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

Motion carried.

Senate Bill No. 154.

Assemblyman Joerg moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

Senate Bill No. 230.

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

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 112.

Bill read second time.

The following amendment was proposed by the Committee on Labor and Management:

Amendment No. 362.

Amend section 1, page 1, line 4, by deleting: "approved] *any* treatment," and inserting: "approved treatment,] *any treatment related to the industrial injury or occupational disease,*".

Amend section 1, page 1, line 5, after "insurer.", by inserting: "*The provider of health care may charge the patient for any other unrelated services which are requested in writing by the patient.*".

Amend sec. 2, page 1, line 19, by deleting: "of like standard of living." and inserting: ". [of like standard of living.]".

Amend sec. 2, page 2, line 6, by deleting: "*percentile rank of 85*" and inserting "*median*".

Amend sec. 2, page 2, line 8, by deleting "[injured]", and inserting "*any* injured".

Amend the title of the bill, second line, after "to him for", by inserting "related".

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. 241.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 288.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 410.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 478.

Amend section 1, page 1, line 3, after the closed bracket, by inserting "*or shares*".

Amend section 1, page 1, by deleting line 10 and inserting:

"(a) The [premiums paid for such purchase shall] *payments made* con- ".

Amend section 1, page 1, by deleting line 13 and inserting:

"(b) The [contract] *annuity or shares* so purchased [shall be] *are* the property of [such]".

Amend section 1, page 1, line 15, by deleting: "pay premiums [.] ;" and inserting: "[pay premiums.] *make required payments;*".

Amend section 1, page 1, by deleting line 17 and inserting: "[annuity contract purchased.] *arrangement.*".

Amend section 1, page 2, by deleting lines 3 and 4 and inserting:

"*4. The shares purchased must be those of a regulated investment company as permitted*".

Amend the title of the bill, first line, by deleting "for annuities".

Assemblyman Stone moved the adoption of the amendment.

Remarks by Assemblyman Stone.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 33.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 416.

Amend sec. 5, page 2, line 33, by deleting: "] *a resident of the State of Nevada.*".

Amend sec. 5, page 2, line 34, after "Is", by inserting a closed bracket.

Amend sec. 5, page 2, line 35, by deleting "(c)" and inserting "[(c)] *(b)*".

Amend sec. 5, page 2, line 37, by deleting "(d) [Has" and inserting "[(d) Has".

Amend sec. 5, page 2, line 39, after the closed bracket by inserting "*(c)*".

Amend sec. 5, page 2, line 45, by deleting "*(e)*" and inserting "*(d)*".

Amend sec. 5, page 3, line 3, by deleting "*(f)*" and inserting "*(e)*".

Amend sec. 5, page 3, by deleting line 5 and inserting:

"2. Upon [the] payment of a fee [of $100 to] , *not exceeding $400, which must be established by*".

Amend sec. 8, page 3, by deleting line 42 and inserting: "examination and upon [the] payment of a fee [of $150,] , *not exceeding $400, which must be estab-*".

Amend sec. 8, page 3, line 43, by deleting "*it,*" and inserting "*its regulation,*".

Amend sec. 10, page 4, line 27, by deleting: "] *a resident of the State of Nevada.*".

Amend sec. 10, page 4, line 28, after "Is", by inserting a closed bracket.

Amend sec. 10, page 4, line 29, by deleting "(c)" and inserting "[(c)] *(b)*".

Amend sec. 10, page 4, line 31, by deleting "(d)" and inserting "[(d)] *(c)*".

Amend sec. 10, page 4, by deleting line 34 and inserting:

"2. Upon payment of a fee [of $50 to] , *not exceeding $100, which must be established by regula-*".

Amend sec. 10, page 4, line 35, by inserting italicized comma after "board".

Amend sec. 12, page 5, by deleting line 27, and inserting: "year [.] *and pay a fee which must be established by regulation of the board. The fee established for the annual registration of a podiatrist must not exceed $200. The fee established for the annual registration of a podiatry hygienist must not exceed $100.* The".

Assemblyman DuBois moved the adoption of the amendment.

Remarks by Assemblyman DuBois.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 188.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 493.

Amend section 1, page 1, line 19, by deleting "*1 year*" and inserting "*90 days*".

Assemblyman Stone moved the adoption of the amendment.

Remarks by Assemblyman Stone.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

GENERAL FILE AND THIRD READING

Assembly Bill No. 11.

Bill read third time.

The following amendment was proposed by Assemblyman Schofield:

Amendment No. 499.

Amend the bill as a whole by adding a new section designated section 24.5, following section 24, to read as follows:

"Sec. 24.5. NRS 608.200 is hereby amended to read as follows:

608.200 1. [The] *Except as provided in subsections 2, 3 and 4, the* period of employment for all persons who are employed, occupied or engaged in work or labor of any kind or nature in underground mines or underground workings in search for or in extraction of minerals, whether base or precious, metallic or nonmetallic, or who are engaged in such underground mines or underground workings, or who are employed, engaged or occupied in other underground workings of any kind or nature for the purpose of tunneling, making excavations or to accomplish any other purpose or design [shall] *must* not exceed 8 hours within any 24 hours, and the 8 hours [shall] *must* include the time employed, occupied or consumed from the time of entering the collar of the shaft or portal of the tunnel of any underground mine until returning to the surface from the underground mine, or the time employed, occupied or consumed in leaving the surface of any tunnel, open cut or open pit workings for the point or place of work therein, and returning thereto from such place or point of work.

2. In cases of emergency where life or property is in danger, the period may be prolonged during the continuance of such emergency. *A majority of the employees may voluntarily agree in any case to work 10 hours per day for a work week of 40 hours.*

3. Nothing contained in this section shall be deemed to prevent change in the hours of employment from one part of the day to another at stated periods, nor to prevent the employment of any of the persons mentioned in this section for more than 8 hours during the day in which a change is made; but such change in the hours of employment shall not occur more than once in any 2 weeks.

4. Nothing contained in this section shall preclude a repair or maintenance crew from completing any repair or maintenance work upon which it is engaged at the end of an 8-hour period; nor shall an employee be precluded from working a subsequent shift or period thereof in the same 24 hours if no qualified employee is available for relief.

5. Any person who violates this section, or any person, corporation, employer, or his or its agent who hires, contracts with, or causes any person to work in an underground mine or other underground workings for a period of time longer than 8 hours during 1 day, unless life and property shall be in imminent danger, shall be guilty of a misdemeanor.''.

Assemblyman Schofield moved the adoption of the amendment.

Remarks by Assemblymen Schofield, Getto, Jeffrey, Spriggs, Price and Thompson.

Conflict of interest declared by Assemblyman Sader.

Assemblymen Humke, Nicholas and Roberts moved the previous question.

Motion carried.

The question being on the adoption of Amendment No. 499 to Assembly Bill No. 11.

Assemblymen Schofield, Thompson and Craddock requested a roll call on Assemblyman Schofield's motion.

Roll call on Assemblyman Schofield's motion:

YEAS—17.

NAYS—Bergevin, Beyer, Bogaert, Collins, DuBois, Fairchild, Francis, Getto, Ham, Horne, Humke, Joerg, Kerns, Lambert, McGaughey, Malone, Marvel, Nicholas, O'Donnell, Rader, Roberts, Spriggs, Tebbs, Thomas—24.

Not voting—Sader.

The motion having failed to receive a majority, Mr. Speaker declared the amendment lost.

The following amendment was proposed by Assemblyman Schofield:

Amendment No. 451.

Amend the bill as a whole by renumbering sections 25 through 28 as sections 29 through 32 and adding new sections designated as sections 25 through 28, following section 24, to read as follows:

''Sec. 25. NRS 608.210 is hereby amended to read as follows:

608.210 1. The period of employment of employees in smelters and in

all other institutions for the reduction or refining of ores or metals [shall] *must* not exceed 8 hours per day, except:

(a) In cases of emergency where life or property is in imminent danger; or

(b) When [the employee voluntarily agrees] *a majority of the employees voluntarily agree* to work [beyond the 8-hour period.] *10 hours per day for a work week of 40 hours.*

2. Any person who violates this section, or any [person, corporation,] employer or his [or its] agent who hires, contracts with, or causes any person to work in a smelter or any other institution or place for the reduction or refining of ores or metals for a period [of time] longer than [8 hours during 1 day, unless life and property are in imminent danger or the employee has voluntarily agreed to work beyond the 8-hour period,] *allowed by subsection 1,* is guilty of a misdemeanor.

Sec. 26. NRS 608.220 is hereby amended to read as follows:

608.220 1. The period of employment of employees in open pit and open cut mines [shall] *must* not exceed 8 hours in any 24 hours, except:

(a) In cases of emergency where life or property is in imminent danger; or

(b) When [the employee voluntarily agrees] *a majority of the employees voluntarily agree* to work [beyond the 8-hour period.] *10 hours per day for a work week of 40 hours.*

2. Any person who violates any provision of subsection 1, or any [person, persons, corporation, employer,] *employer* or his [or its] agent who hires, contracts with, or causes any person to labor in any open pit or open cut mine for a period [of time] longer than [8 hours within any 24 hours, except in cases of emergency where life or property is in imminent danger or the employee has voluntarily agreed to work beyond the 8-hour period,] *allowed by subsection 1,* is guilty of a misdemeanor.

Sec. 27. NRS 608.230 is hereby amended to read as follows:

608.230 1. The number of hours of work or labor of mechanics, engineers, blacksmiths, carpenters, topmen, and all employees employed or working on or about the surface or surface workings of any underground mine workings, [shall] *must* not exceed 8 hours in any period of 24 hours, except:

(a) In cases of emergency where life or property is in imminent danger; or

(b) When [the mechanic, engineer, blacksmith, carpenter, topman or other employee voluntarily agrees] *a majority of the employees voluntarily agree* to work [more than 8 hours in any period of 24 hours.] *10 hours per day for a work week of 40 hours.*

2. Any person who violates any of the provisions of this section, or any [person, corporation,] employer or *his* agent who hires, contracts with, or in any manner causes or induces any person to work or labor on or about the surface or surface workings of any underground mine workings for [more than 8 hours in any period of 24 hours, except in cases of emergency where life or property is in imminent danger or the employee has voluntarily agreed to work more than 8 hours in any period of 24 hours,] *a period longer than allowed by subsection 1,* is guilty of a misdemeanor.

Sec. 28. NRS 608.240 is hereby amended to read as follows:

608.240 1. The period of employment of all persons engaged or employed in any mill or other institution wherein plaster or cement is manufactured [shall] *must* not exceed 8 hours in any 24 hours, except:

(a) In cases of emergency where life is in imminent danger; [or]

(b) In cases where the product of such mill or institution is liable to loss or damage by delay in treatment; or

(c) Where [the employee voluntarily agrees] *a majority of the employees voluntarily agree* to work [more than 8 hours in any period of 24 hours.] *10 hours per day for a work week of 40 hours.*

2. Any person who violates any provision of this section, or any [person, persons, corporation,] employer or *his* agent who hires, contracts with or causes any person to be engaged or employed in any mill or other institution where plaster or cement is manufactured for a period of time longer than [8 hours in any 24 hours, except in the cases specified in paragraphs (a), (b) and (c) of] *allowed by* subsection 1, is guilty of a misdemeanor.".

Amend sec. 25, page 12, lines 6 and 7, by deleting: ", 517.340, 608.210, 608.220, 608.230 and 608.240" and inserting "and 517.340".

Amend the title of the bill, third line, by deleting "repealing" and inserting "changing".

Assemblyman Schofield moved the adoption of the amendment.

Remarks by Assemblymen Schofield and Thompson.

Assemblymen Thompson, Schofield and Jeffrey requested a roll call on Assemblyman Schofield's motion.

Remarks by Assemblyman Getto.

Conflict of interest declared by Assemblyman Sader.

Roll call on Assemblyman Schofield's motion:

YEAS—15.

NAYS—Bergevin, Beyer, Bogaert, Collins, DuBois, Fairchild, Francis, Getto, Ham, Horne, Humke, Joerg, Kerns, Lambert, McGaughey, Malone, Marvel, Nicholas, O'Donnell, Rader, Roberts, Spriggs, Swain, Tebbs, Thomas, Mr. Speaker—26.

Not voting—Sader.

The motion having failed to receive a majority, Mr. Speaker declared the amendment lost.

Remarks by Assemblyman Getto.

Conflict of interest declared by Assemblyman Sader.

Roll call on Assembly Bill No. 11:

YEAS—25.

NAYS—Arberry, Banner, Coffin, Collins, Craddock, Jeffrey, Little, Nevin, Price, Schofield, Sedway, Stone, Swain, Thompson, Williams, Zimmer—16.

Not voting—Sader.

Assembly Bill No. 11 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 122.

Bill read third time.

Remarks by Assemblyman Dini.
Roll call on Assembly Bill No. 122:
YEAS—40.
NAYS—Fairchild, Little—2.

Assembly Bill No. 122 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 155.
Bill read third time.
Remarks by Assemblyman Fairchild.
Roll call on Assembly Bill No. 155:
YEAS—42.
NAYS—None.

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. 205.
Bill read third time.
Remarks by Assemblymen Humke, Joerg and Horne.
Roll call on Assembly Bill No. 205:
YEAS—30.
NAYS—Arberry, Dini, Fairchild, Francis, Getto, Horne, Joerg, Kerns, Little, Roberts, Thomas, Mr. Speaker—12.

Assembly Bill No. 205 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Bergevin moved that Assembly Bill No. 276 be taken from the General File and placed on the Chief Clerk's desk.
Remarks by Assemblyman Bergevin.
Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 413.
Bill read third time.
Remarks by Assemblymen Nicholas and Zimmer.
Roll call on Assembly Bill No. 413:
YEAS—42.
NAYS—None.

Assembly Bill No. 413 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Senate Bill No. 87.

Bill read third time.

Remarks by Assemblyman Sader.

Roll call on Senate Bill No. 87:

YEAS—39.

NAYS—Fairchild, Little, Roberts—3.

Senate Bill No. 87 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 247.

Bill read third time.

Assemblyman Nicholas moved that Senate Bill No. 247 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Nicholas.

Motion carried.

Senate Joint Resolution No. 7.

Resolution read third time.

Assemblyman Price moved that Senate Joint Resolution No. 7 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Price.

Motion carried.

Assembly Bill No. 188.

Bill read third time.

Remarks by Assemblymen Malone, Rader, Williams, Thompson, Humke, Roberts and Stone.

Roll call on Assembly Bill No. 188:

YEAS—23.

NAYS—Arberry, Banner, Coffin, Craddock, Dini, DuBois, Fairchild, Jeffrey, Little, McGaughey, Price, Rader, Roberts, Schofield, Sedway, Thompson, Williams, Zimmer, Mr. Speaker—19.

Assembly Bill No. 188 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

INTRODUCTION AND FIRST READING OF LEGISLATION

By Assemblymen O'Donnell, Roberts, McGaughey, Zimmer, Rader, Lambert, Fairchild, Little, Williams, Bogaert, Getto, Kerns, Francis, Joerg, Dini, Jeffrey, Ham, Thomas, Schofield, Nevin, Arberry, Swain, Tebbs, Spriggs, Coffin, Humke, Nicholas, Thompson, Beyer, Stone, DuBois, Collins, Price, Bergevin, Malone, Sedway, Marvel, Sader and Bilyeu:

Assembly Bill No. 536—An Act relating to motor vehicles; authorizing the issuance of a special license plate for a resident of this state who is deaf; and providing other matters properly relating thereto.

By Assemblyman Humke (by request):

Assembly Bill No. 537—An Act relating to motor vehicles; reducing the fee for registration for a person who receives a special license plate as a member of the Nevada National Guard; and providing other matters properly relating thereto.

By Assemblyman Malone:

Assembly Bill No. 538—An Act relating to unclaimed property; authorizing certain items to be donated to genealogical societies; and providing other matters properly relating thereto.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bills Nos. 258, 333; Senate Bill No. 129; Senate Concurrent Resolution No. 30.

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 students from Carson City High School: Andrea Adamson, Jennifer Aldridge, Kristina Armstrong, Diane Arnold, Brian Barnes, Bob Beattie, John Behnken, Jane Biddleman, Julie Blackmore, Melissa Bliss, Jon Bohm, Lisa Bond, Michael Brown, Boyd Camper, James Carey, William Carroll, Teri Chandler, Elberta Chew, Frances Chew, Brandie Couste, Leon Cowan, Paul Croghan, Barbara David, Lillian Davison, Debbie Davis, Tammy DeFeyter, Paula Dininger, Jonathan Dickinson, John Doran, Kathy Eger, Suzanne Espinosa, Tony Felix, Curt Feutzz, Todd Fiore, Andy Gafken, Pat George, Renee Grandy, Mary Grupczynski, Sean Guirlani, Ken Gurney, Kevin Hardy, Michelle Hicks, Randy Hobdy, Brad Hoffman, Jill Holley, Rhonda Holt, Margaret Jagoda, Doug Jerue, Dale Kendall, Kyne Koche, Jeff Koon, Hank List, Brian Lowther, Miles McCracken, Greg Marangi, Michelle Martino, Sheila Mauppins, Shelly Mayer, Jeff Miller, Renee Mitchell, Stuart Moon, Donna Moore, Paul Noren, Dan Odiorne, Becky Pacheco, Britt Pierczynski, Kim Pyle, Kiran Ragha, Craig Re, Andy Rodolph, Frank Rousch, Kelly Schmidt, Kelli Sharp, Pat Shaughnessy, Joe Sheeks, Kim Shontz, Michele Smith, Kirt Stenberg, Jeff Stratton, Paul Strybing, Ian Stuchall, Dave Taber, Joe Tresnit, Bruce Vidmar, Shelly Walker, Gary Wetzel, Geoffrey Wilson, Brett Yamashita, Gia Anglin, Carrie Blair, Robin Branscum, Beanne Brode, Sheri Edwards, Lester FitzHenry, Wendy Fletcher, Jack Fralinger, Ray Geffre, Howard Hill, Fei Hui, Stacie Joerg, Mark Lepire, Jow Malley, Rozanne Mankins, Roni Mercer, Bob Mercer, Leslie McCurry, Brijet McKenzie, Bill McClain, Tom Nelson, Mike Peoples, April Pogue, John Roberts, Stefan Thaysen, Shelly Thomas, Erin Walters, Barot Evans, Jeanette Fitz, Wayne Hanks, Misako Hayakawa, Sheila Johnson, Jim McCracken, Eric Silsby, Tammie Stark, Rob Wilson and Pam Vanderhoff.

On request of Assemblyman Spriggs, the privilege of the floor of the Assembly Chamber for this day was extended to students from Tonopah Junior High School: Jason Bishop, Brian Carter, Christine Crawford, Missy Eason, Diza Garcia, Eric Heindenriech, John Doyle, Alex Kaireit, Matt Kirkland, Jeanie Miller, Jay Nelson, Jason Phinny, Keith Pate, Chuck Philips, Bob Roger, Aaron Rushton, Patricia Salas, Cindy Stevens, Nikki Tissue, Dawn Wilson, Dare Manning, Shawn Davis, Jeff Galli, Sabra Garcia and Ed Knapp.

On request of Assemblyman Lambert, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Valline and third grade students from Verdi Elementary School: Katy Andrews, Chris Barber, Sarah Brown, Julie Busby, Michael Casey, Jaime Couch, Caleb Demki, Cara LaFleur, Ricky Lambert, Chris Martin, Shannon Martin, Megan O'Neil, Scott Pinson, Shari Powning, Wesley Tharp, Craig Tinder, Brady Wildermuth, Jody Valline, Jill Valline; Mrs. Ward and fourth grade students from Verdi Elementary School: Mike Ashby, Travis Hamrick, Todd Karaisa, Josh Nelson, Christopher Ramstad, Chaney Ulm, Jeffrey Ward, Jason Woodard, Tracey Busby, Josie Franey, Brittany Freeman, Bonnie Galli, Laura Johnson, Lynee Livingston, Stephanie Nevin, Jennifer Powning, Jolyn Rogers, Chrissy Tharp; Mrs. Frandsen and fifth grade students from Verdi Elementary School: Aaron Angenetti, Stephanie Braithwaite, Lisa B. Breuier, Allison Falk, Josh Demke, Denver Hamrick, Erik Olsen, Andrew LaFleur, Geoffrey Lambert, Meghan O'Neil, Caroline Radcliff, Cette Rowley, Christian Scribner, Karron Smith, Lisa W. Withrow, Rachael Withrow, Jesse Voss, Nikki Smith and John Creekpaum.

Assemblyman Francis moved that the Assembly adjourn until Thursday, April 18, 1985 at 11 a.m.

Motion carried.

Assembly adjourned at 12:24 p.m.

Approved:

BYRON L. BILYEU
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE EIGHTY-EIGHTH DAY

CARSON CITY (Thursday), April 18, 1985

Assembly called to order at 11:05 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, The Reverend Roy Parker.

Oh Lord our God, our memories go back into Your Word and remember some kingdoms that were blessed because they believed in and gave allegiance to You as God of the universe. We thank You for a President that does the same. As a result we expect Your blessings upon this nation the same as You did to kingdoms such as King David, King Hezekiah and King Jehoshaphat. There are many more that could be stated. When King Jehoshaphat urged the people to seek the God of Abraham, Isaac, Jacob and our God as well, the armies of three nations were destroyed without even having to fight. You fought the battle for them. Because we seek You also we expect You to fight our battles, too, and work out every problem that should face us. Thank you in the name of Jesus, Your Son, and our Saviour. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Francis 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, Agriculture and Mining, 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: Amend, and do pass as amended.

VIRGIL M. GETTO, *Chairman*

Mr. Speaker:

Your Committee on Taxation, 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: Amend, and do pass as amended.

CHARLES W. JOERG, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which were referred Assembly Bills Nos. 461, 468, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

LOUIS W. BERGEVIN, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Assembly Bill No. 360, 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.

LOUIS W. BERGEVIN, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, 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.

LOUIS W. BERGEVIN, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, April 17, 1985

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. 11, 13, 14, 15, 16.

MARY JO MONGELLI
Assistant Secretary of the Senate

INTRODUCTION AND FIRST READING OF LEGISLATION

By the Committee on Government Affairs:

Assembly Bill No. 539—An Act relating to arbitration; including the Nevada Arbitration Association on the lists of available arbitration services used to resolve disputes; and providing other matters properly relating thereto.

By the Committee on Ways and Means:

Assembly Bill No. 540—An Act making appropriations from the state general fund and the state highway fund to the state board of examiners for increases in the salaries of classified employees of the State of Nevada; and providing other matters properly relating thereto.

By the Committee on Ways and Means:

Assembly Bill No. 541—An Act relating to criminal procedure; reducing the scope of an administrative assessment for a misdemeanor; and providing other matters properly relating thereto.

REFERENCE OF MEASURES TO COMMITTEES

Assembly Bill No. 529.

Assemblyman Francis moved that the bill be referred to the Committee on Elections.

Motion carried.

Assembly Bill No. 530.

Assemblyman Francis moved that the bill be referred to the Committee on Elections.

Motion carried.

Assembly Bill No. 531.

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

Motion carried.

Assembly Bill No. 532.

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

Motion carried.

Assembly Bill No. 533.

Assemblyman Francis moved that the bill be referred to the Concurrent Committees on Health and Welfare and Ways and Means.

Motion carried.

Assembly Bill No. 534.

Assemblyman Francis moved that the bill be referred to the Concurrent Committees on Health and Welfare and Ways and Means.

Motion carried.

Assembly Bill No. 535.

Assemblyman Francis moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

Assembly Bill No. 536.

Assemblyman O'Donnell moved that the bill be referred to the Committee on Transportation.

Motion carried.

Assembly Bill No. 537.

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

Motion carried.

Assembly Bill No. 538.

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

Motion carried.

Senate Bill No. 64.

Assemblyman Francis moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

Senate Bill No. 153.

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

Motion carried.

Senate Bill No. 282.

Assemblyman Francis moved that the bill be referred to the Committee on Commerce.

Motion carried.

INTRODUCTION AND FIRST READING OF LEGISLATION

By the Committee on Government Affairs:

Assembly Bill No. 542—An Act relating to the development of real property; authorizing a local government to agree not to apply to such property regulations adopted after that agreement; providing procedures for such an agreement; and providing other matters properly relating thereto.

By the Committee on Government Affairs:

Assembly Bill No. 543—An Act relating to certain public accommodations; requiring use of ashtrays which draw in and retain the smoke; and providing other matters properly relating thereto.

SECOND READING AND AMENDMENT

Assembly Bill No. 463.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 474.

Bill read second time.

The following amendment was proposed by the Committee on Education:

Amendment No. 506.

Amend sec. 3, page 1, line 17, by deleting "rural areas" and inserting "schools".

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.

Senate Bill No. 241.

Bill read second time and ordered to third reading.

INTRODUCTION AND FIRST READING OF LEGISLATION

By the Committee on Transportation:

Assembly Bill No. 544—An Act making an appropriation from the state highway fund to the department of motor vehicles for the establishment of a program for the collection of fees and taxes on certain motor vehicles according to gross weight; and providing other matters properly relating thereto.

By the Committee on Transportation:

Assembly Bill No. 545—An Act relating to motor vehicles; exempting vehicles owned by the American Red Cross from the fee for registration; and providing other matters properly relating thereto.

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 violin renditions by the children of C-N.O.T.E.

Assembly in recess at 11:20 a.m.

ASSEMBLY IN SESSION

At 11:30 a.m.
Mr. Speaker presiding.
Quorum present.

GENERAL FILE AND THIRD READING

Assembly Bill No. 156.
Bill read third time.
Remarks by Assemblyman Kerns.
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. 199.
Bill read third time.
Remarks by Assemblymen Stone, Humke, Beyer, Swain, Schofield and Getto.
Roll call on Assembly Bill No. 199:
Yeas—42.
Nays—None.

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. 209.
Bill read third time.
Remarks by Assemblymen Dini and Williams.
Roll call on Assembly Bill No. 209:
YEAS—42.
NAYS—None.

Assembly Bill No. 209 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 241.
Bill read third time.
Remarks by Assemblymen Tebbs and Thomas.
Roll call on Assembly Bill No. 241:
YEAS—34.
NAYS—Beyer, Getto, Horne, Malone, Marvel, Roberts, Tebbs, Thomas—8.

Assembly Bill No. 241 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 288.

Bill read third time.

Remarks by Assemblyman Nevin.

Roll call on Assembly Bill No. 288:

YEAS—42.

NAYS—None.

Assembly Bill No. 288 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

INTRODUCTION AND FIRST READING OF LEGISLATION

By Assemblymen Price and Little:

Assembly Bill No. 546—An Act relating to the City of North Las Vegas; amending the charter to restrict the collection of the additional charge for beautification of the city and extend the time allowed to canvass election returns; and providing other matters properly relating thereto.

By Assemblymen Jeffrey and Dini:

Assembly Bill No. 547—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.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 325.

The following Senate amendment was read:

Amendment No. 399.

Amend section 1, page 2, line 11, by deleting "*10*" and inserting "*2*".

Assemblyman Bergevin moved that the Assembly concur in the Senate amendment to Assembly Bill No. 325.

Remarks by Assemblyman Bergevin.

Motion carried.

Bill ordered enrolled.

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bills Nos. 141, 294.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Thomas, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Diane Boone and students from Wooster High School: Leslie Albanese, Rob Anderson, David Banfield, Roberta Braman, Stacy Braun, Gina Burgarello, Carl Chinnici, Colleen Corcoran, Shawn Coverley, Mike English, Michael Evans, Robin Foreman, Bill Frey, Jennifer Frushon, Mark Frushon, Jeff Gordon, Laura Hardenbrook, Don Jeppson, Becky Kimbro, Sue Leigh, Sean Martin, Kelli

Ferroah, Dan Bow, Kimber Schmuck, Michelle Martin, Tammy Masterson, Diana Miranda, Karen Mullino, Isabel Nerey, Tony Nitz, Joann Oelke, Susan Osborne, Shae Pardini, Dina Pavlov, Pam Pierce, Debbie Prince, Allan Renwick, Bill Rockenbeck, Julie Samuel, Brian Schlumpf, Tom Selliger, Angie Stewart, Kelly Vaughn, Julie Warren, Colleen Webber and Rex White.

On request of Assemblyman Arberry, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. David Washington.

On request of Assemblyman Getto, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. David Matley and Lyman McConald.

On request of Assemblyman Stone, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Chris Wise.

On request of Assemblyman Malone, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Harriett Smith.

Assemblyman Francis moved that the Assembly adjourn until Friday, April 19, 1985 at 10:30 a.m.

Motion carried.

Assembly adjourned at 12:21 p.m.

Approved: BYRON L. BILYEU
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE EIGHTY-NINTH DAY

CARSON CITY (Friday), April 19, 1985

Assembly called to order at 10:36 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, The Reverend Roy Parker.

Oh Lord of Heaven and earth, King David was a man after Your own heart as stated in Your Word. He at times pleased You and once in a while made mistakes. You forgave him of those mistakes and we are grateful that You do the same for us. But it is when we please You that You pour Your blessings out upon us. We enjoy those blessings and thank You for them and entreat You to continue to do so. We need Your guidance here today and we trust that every man or woman here will rely upon the strength and help that You offer to all of us. As this, another week closes and soon another will begin, thank You for having patience with us but instructing us as a mother would her child. Keep each one of these elected persons safe to come back next week to continue Your business and ours. Thank You for this and much more. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Francis 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. 113, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JAMES STONE, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Judiciary, 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.

JAMES STONE, *Chairman*

Mr. Speaker:

Your Committee on Health and Welfare, 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: Do pass.

DAVID D. NICHOLAS, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which were referred Assembly Bills Nos. 99, 441, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

LOUIS W. BERGEVIN, *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.

CHARLES W. JOERG, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which was re-referred Assembly Bill No. 217, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JAMES STONE, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Transportation, 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.

MIKE MALONE, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Economic Development and Tourism, to which was referred Assembly Bill No. 372, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

DAVID E. HUMKE, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Ways and Means, to which was referred Assembly Bill No. 372, has had the same under consideration, and begs leave to report the same back with the recommendation: Do Pass.

JOHN W. MARVEL, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, April 18, 1985

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 114, 157, 187.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Bills Nos. 197, 221, 269, 271, 273, 340.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 26, 55, 67, 141, 173, 201, 204, 246, 253, 254, 288.

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. 9.

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 respectfully refused to concur in the Assembly amendments to Senate Joint Resolution No. 2.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Senate Joint Resolution No. 20.

Resolution read first time.

INTRODUCTION AND FIRST READING OF LEGISLATION

By the Committee on Natural Resources, Agriculture and Mining:

Assembly Bill No. 548—An Act relating to the inspection of mines; abolishing the division of mine inspection of the department of industrial relations; creating a division of safety in the department of minerals; specifying the duties of the division of safety; and providing other matters properly relating thereto.

By the Committee on Natural Resources, Agriculture and Mining:

Assembly Bill No. 549—An Act relating to the state analytical laboratory; abolishing the laboratory and transferring its functions to the bureau of mines and geology of the public service division of the University of Nevada System; and providing other matters properly relating thereto.

By the Committee on Elections:

Assembly Bill No. 550—An Act relating to absent ballots; providing for counting before election day; providing a penalty; and providing other matters properly relating thereto.

By Assemblymen Stone, Beyer, Lambert, Coffin, DuBois, Swain, Malone, Joerg, Sader, Thompson, Marvel, Roberts, Ham, Williams, Arberry, Zimmer, Nicholas and Humke:

Assembly Bill No. 551—An Act relating to cigarettes; prohibiting their sale if they contain certain amount of cloves; providing a penalty; and providing other matters properly relating thereto.

By the Committee on Government Affairs:

Assembly Bill No. 552—An Act relating to the Nevada National Guard; revising the qualifications for the adjutant general and assistant adjutants general; and providing other matters properly relating thereto.

Senate Bill No. 26.
Bill read first time.

Senate Bill No. 55.
Bill read first time.

Senate Bill No. 67.
Bill read first time.

Senate Bill No. 141.
Bill read first time.

Senate Bill No. 173.
Bill read first time.

Senate Bill No. 197.
Bill read first time.

Senate Bill No. 201.
Bill read first time.

Senate Bill No. 204.
Bill read first time.

Senate Bill No. 221.
Bill read first time.

Senate Bill No. 246.
Bill read first time.

Senate Bill No. 253.
Bill read first time.

Senate Bill No. 254.
Bill read first time.

Senate Bill No. 269.
Bill read first time.

Senate Bill No. 271.
Bill read first time.

Senate Bill No. 273.
Bill read first time.

Senate Bill No. 288.
Bill read first time.

Senate Bill No. 340.
Bill read first time.

REFERENCE OF MEASURES TO COMMITTEES

Assembly Bill No. 539.
Assemblyman Francis moved that the bill be referred to the Committee on Government Affairs.
Motion carried.

Assembly Bill No. 540.
Assemblyman Francis moved that the bill be referred to the Committee on Ways and Means.
Motion carried.

Assembly Bill No. 541.
Assemblyman Francis moved that the bill be referred to the Committee on Ways and Means.
Motion carried.

Assembly Bill No. 542.
Assemblyman Francis moved that the bill be referred to the Committee on Government Affairs.
Motion carried.

Assembly Bill No. 543.
Assemblyman Francis moved that the bill be referred to the Committee on Judiciary.
Motion carried.

Assembly Bill No. 544.

Assemblyman Francis moved that the bill be referred to the Concurrent Committees on Transportation and Ways and Means.

Motion carried.

Assembly Bill No. 545.

Assemblyman Francis moved that the bill be referred to the Concurrent Committees on Transportation and Ways and Means.

Motion carried.

Assembly Bill No. 546.

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

Motion carried.

Assembly Bill No. 547.

Assemblyman Francis moved that the bill be referred to the Committee on Commerce.

Motion carried.

INTRODUCTION AND FIRST READING OF LEGISLATION

By the Committee on Taxation:

Assembly Bill No. 553—An Act relating to taxation; retaining the tax on soft drinks by repealing its prospective expiration; and providing other matters properly relating thereto.

By the Committee on Taxation:

Assembly Bill No. 554—An Act relating to the tax on insurance premiums; retaining the existing rate; and providing other matters properly relating thereto.

By the Committee on Taxation:

Assembly Bill No. 555—An Act relating to taxation; retaining the present rate of tax on cigarettes; increasing the rate of tax on cigarettes contingent upon the expiration of part of the federal tax; and providing other matters properly relating thereto.

By the Committee on Taxation:

Assembly Bill No. 556—An Act relating to taxation; repealing the prospective reductions in the rates of tax on alcoholic beverages; and providing other matters properly relating thereto.

SECOND READING AND AMENDMENT

Assembly Bill No. 360.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 491.

Amend the bill as a whole by deleting sections 1 through 27 and renumbering section 28 as section 1.

Amend the bill as a whole by deleting sections 29 through 33 and renumbering sections 34 and 35 as sections 2 and 3.

Amend the bill as a whole by deleting sections 36 through 56 and renumbering sections 57 as section 4.

Amend the bill as a whole by deleting sections 58 through 65 and inserting:

"Sec. 5. NRS 277.045 is hereby amended to read as follows:

277.045 1. Except as limited by NRS 280.105, any two or more political subdivisions of this state, including without limitation counties, incorporated cities and towns, unincorporated towns, school districts and special districts, may enter into a cooperative agreement for the performance of any governmental function. Such an agreement may include the furnishing or exchange of personnel, equipment, property or facilities of any kind, [or] the payment of money [.] *, the purchase of insurance or the establishment of a self-insurance reserve or fund for coverage under a plan of:*

(a) Casualty insurance, other than workmen's compensation and employer's liability, as that term is defined in NRS 681A.020;

(b) Marine and transportation insurance, as that term is defined in NRS 681A.050;

(c) Property insurance, as that term is defined in NRS 681A.060;

(d) Surety insurance, as that term is defined in NRS 681A.070; or

(e) Insurance for any combination of these kinds.

2. Every such agreement must be by formal resolution or ordinance of the governing body of each political subdivision included, and must be spread at large upon the minutes, or attached in full thereto as an exhibit, of each governing body.

3. Each participating political subdivision shall provide in its annual budget for any expense to be incurred under any such agreement, the money for which is not made available through grant, gift or other source.".

Amend the title of the bill, first line, by deleting "form groups" and inserting: "enter into cooperative agreements".

Assemblyman Bergevin moved the adoption of the amendment.

Remarks by Assemblyman Bergevin.

Amendment adopted.

Assemblyman Bergevin moved that Assembly Bill No. 360 be re-referred to the Committee on Government Affairs.

Motion carried.

Bill ordered reprinted, engrossed and to the Committee on Government Affairs.

Assembly Bill No. 446.

Bill read second time.

The following amendment was proposed by the Committee on Taxation:

Amendment No. 524.

Amend section 1, page 1, by deleting lines 7 through 10 and inserting: "*duct programs to encourage safety in boating. If the county does not*

control a body of water, where an improvement or program is appropriate, the board may contract with an appropriate person or governmental organization for the improvement or program.".

Amend section 1, page 1, by deleting lines 11 through 15 and inserting:

"2. *Each marina shall report monthly to the department the number of gallons of motor vehicle fuel sold for use in boats. The report must be made on or before the 25th day of each month for sales during the preceding month.*".

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. 457.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 522.

Amend section 1, page 2, line 8, by deleting: "*if smoking in a*" and inserting: "*with regard to the door to a patient's room if smoking in 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. 461.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 468.

Bill read second time, ordered engrossed and to third reading.

Assembly Joint Resolution No. 1.

Resolution read second time.

Assemblyman Getto moved that Assembly Joint Resolution No. 1 be taken from the Second Reading File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Getto.

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Bergevin moved that Senate Bill No. 65 be taken from the Chief Clerk's desk and placed on the General File.

Remarks by Assemblyman Bergevin.

Motion carried.

Assemblyman Francis moved that Assembly Bills Nos. 112, 410, 463; Senate Bills Nos. 33, 188, 241 be taken from the General File and placed on the General File for the next legislative day.

Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 65.

Bill read third time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 508.

Amend sec. 6, page 2, line 35, by deleting: "and the [per" and inserting a period.

Amend sec. 6, page 2, by deleting lines 36 and 37.

Assemblyman Bergevin moved the adoption of the amendment.

Remarks by Assemblyman Bergevin.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 197.

The following Senate amendments were read:

Amendment No. 307.

Amend the bill as a whole by deleting section 1.5.

Amend sec. 5, page 4, line 11, by deleting "*maintenance*" and inserting "*repair*".

Amendment No. 448.

Amend the bill as a whole by adding a new section, designated section 12, following section 11, to read as follows:

"Sec. 12. Section 1.080 of chapter 213, Statutes of Nevada 1969, as added by chapter 690, Statutes of Nevada 1979, at page 1856, is hereby repealed.".

Assemblyman Bergevin moved that the Assembly concur in the Senate amendments to Assembly Bill No. 197.

Remarks by Assemblyman Bergevin.

Motion carried.

Bill ordered enrolled.

RECEDE FROM ASSEMBLY AMENDMENTS

Assemblyman Joerg moved that the Assembly do not recede from its action on Senate Joint Resolution No. 2, 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 Bergevin, Spriggs and Williams as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Senate Joint Resolution No. 2.

INTRODUCTION AND FIRST READING OF LEGISLATION

By the Committee on Commerce:

Assembly Bill No. 557—An Act relating to banks; excusing them from liability for prematurely charging a postdated check against a customer's account; and providing other matters properly relating thereto.

By the Committee on Commerce:

Assembly Bill No. 558—An Act relating to contractors; changing the title of the secretary; deleting the limit on the per diem allowed members of the board; requiring that a contractor include the number of his license in his advertising; and providing other matters properly relating thereto.

By the Committee on Commerce:

Assembly Bill No. 559—An Act relating to deeds of trust; prohibiting the acceleration of the note upon the sale of property secured by a deed of trust if the grantor remains personally liable; and providing other matters properly relating thereto.

By the Committee on Commerce:

Assembly Bill No. 560—An Act relating to financial institutions; requiring the preparation of a comprehensive statutory scheme regulating financial institutions; making an appropriation; and providing other matters properly relating thereto.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bill No. 325; Senate Bills Nos. 9, 87; Assembly Concurrent Resolutions Nos. 11, 13, 14, 15, 16; Senate Concurrent Resolutions 6, 11.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Thomas, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Diane Boone and students from Wooster High School: Starr Austin, Shelly Bale, Chuck Benedict, Ron Brazier, Craig Breithaupt, Randy Bridges, Kelli Bussa, Chris Caramella, Gina Caramella, Greg Collett, Gina Continelli, Tricia Coyne, Roger Crooks, Glenn Crowe, Bob Desenberg, Kyle Eigenman, Laurie Faretto, Eric Fehr, Kelli Feroah, Tammy Franchini, Jeff Frey, Chris Genz, Mollie Graham, Chad Hall, Kim Harris, Missy Bryn, Aaron Cudek, Michel Henderson, Scott Hopkins, Shelly Jones, Lara Kaminski, Sarah Knowlton, Heidi Lichty, Yvonne Ludy, Michelle McPherson, Brian Murphy, Mike Ordway, Trent Patterson, Greg Prigge, Tinia Roche, Chris Rybacki, Karen Scheer, Sue Spiedel, Andy Stanford, Kelly Suiter, Jim Taylor, Roger Thran, Stacey Whitney, Marie Williams, Jenny Worden, Pam Zeiser and Steve Kendro.

On request of Assemblyman Joerg, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Cardinal and students

from Fremont Elementary School in Carson City: Brian Edwards, Scott Johnson, Bill Spector, Justin LaFleur, Will Lange, Timothy Bryant, Tim Crittendon, Jeannine Blaise, Danny Jo Wenzel, Kim Portch, Diane Barber, Erin Wilson, Jill Alastuey, Sonia Suh, Sallie Spencer, Amy Dickerson, Meredith Johnson, Stacy Kelly, Corey Krupp, Aaron Ross, Jerry Bahnsen, Danelle Huarte, Carol Rutherford, Brad Cline, Lance Hammons, Tony Cardinalli, Matt Hanna, Chris Mitchell, Andrew Watson and Joey Crawford.

On request of Assemblyman Swain, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Louis Istrice and students from Hug High School: Laura Akers, Mike Ames, Bob Berrera, Jerry Bichhaus, Grady Bowser, Patti Brown, Sean Burns, Kelly Cooper, Dave Evans, Mike Evans, Randy Greenwell, Keisha Hardin, Dave Howe, Roger Hull, Stacey Jackson, Dian King, Paul Knight, Lisa Lenhof, Allan Maher, Kelly Marker, Jim Marlow, Kim May, Stacy McKenzie, Vicki McVeigh, Louise Miller, Robert Miller, Tom Mills, Lester Mitchell, Ron Monechelli, Ayesha Nasir, Tim Raines, Alex Reza, Eric Self, Bob Shields, Paula Steenis, Randy Thomas, Jessica Tolliver, Peggy Yorsten, Craig Wells, Ron Lorenzen, Tracy McCoy, Shawn Rassbach and LouAnn Seve.

On request of Assemblyman Fairchild, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Ray Musial.

Assemblyman Francis moved that the Assembly adjourn until Monday, April 22, 1985 at 11 a.m.

Motion carried.

Assembly adjourned at 11:20 a.m.

Approved:

BYRON L. BILYEU
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE NINETY-SECOND DAY

CARSON CITY (Monday), April 22, 1985

Assembly called to order at 11:02 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, The Reverend Doctor Gregg Townsley.

Eternal Father, our Father, we stand this day in prayer in recognition that You are the God of all power. In You our governments rise and fall. Through You all things exist, though You entrust to us a certain responsibility for those things. Direct our hearts and minds this day so that our responsibilities may be fulfilled. Forgive us for wanting to go our own way. Teach us that the right use of our power is to build, in word and deed, Your world. So may we be sensitive to issues of human need. May we look beyond greed and selfish ambition to view what is right or good for all concerned. Father, may the Spirit who comes to us in faith help us to play our part this day in Your grand scheme of things. We pray in the name of our Lord. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Francis 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. 209, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

LOUIS W. BERGEVIN, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which was referred Senate Bill No. 106, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JAMES STONE, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which was re-referred Senate Bill No. 29, has had the same under consideration, and begs leave to report the same back with the recommendation: Re-refer to the Committee on Commerce without recommendation.

JAMES STONE, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, 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: Do pass.

JOHN MARVEL, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Stone moved that Senate Bill No. 29 be re-referred to the Committee on Commerce.

Motion carried.

Assemblyman Stone moved that Senate Bill No. 241 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Stone.

Motion carried.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, April 19, 1985

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 72, 321.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 22, 94, 267.

MARY JO MONGELLI
Assistant Secretary of the Senate

INTRODUCTION AND FIRST READING OF LEGISLATION

By the Committee on Commerce:

Assembly Bill No. 561—An Act relating to crimes against personal property; prohibiting the removal of carts used for shopping, laundry or dry cleaning; regulating services to retrieve carts; and providing other matters properly relating thereto.

By Assemblyman Stone (by request):

Assembly Bill No. 562—An Act relating to industrial insurance; excluding employees of churches from definition of employee; and providing other matters properly relating thereto.

By Assemblymen Beyer, Thompson, Dini, Sader, Nicholas, Getto, Joerg, Bogaert, Lambert, Craddock, Swain, Humke, Tebbs, Arberry and Nevin:

Assembly Bill No. 563—An Act relating to the constitution of the State of Nevada; establishing conditions for the display of the enrolled copy of the constitution; and providing other matters properly relating thereto.

By Assemblymen Beyer, Nevin, Malone, Francis, Joerg, Rader, Lambert, Bilyeu, Arberry, McGaughey and Dini:

Assembly Bill No. 564—An Act relating to motor vehicles; authorizing the issuance of special license plates for members of an organization specializing in search and rescue; and providing other matters properly relating thereto.

By Assemblyman Nevin (by request):

Assembly Bill No. 565—An Act relating to offenders; authorizing the transport within this state of a person charged with a crime by a private contractor; authorizing such contractor to transport a convicted offender to

the place of incarceration; and providing other matters properly relating thereto.

Senate Bill No. 22.
Bill read first time.

Senate Bill No. 94.
Bill read first time.

Senate Bill No. 267.
Bill read first time.

REFERENCE OF MEASURES TO COMMITTEES

Assembly Bill No. 548.
Assemblyman Francis moved that the bill be referred to the Committee on Natural Resources, Agriculture and Mining.
Motion carried.

Assembly Bill No. 549.
Assemblyman Francis moved that the bill be referred to the Committee on Natural Resources, Agriculture and Mining.
Motion carried.

Assembly Bill No. 550.
Assemblyman Francis moved that the bill be referred to the Committee on Elections.
Motion carried.

Assembly Bill No. 551.
Assemblyman Stone moved that the bill be referred to the Committee on Judiciary.
Motion carried.

Assembly Bill No. 552.
Assemblyman Francis moved that the bill be referred to the Committee on Government Affairs.
Motion carried.

Assembly Bill No. 553.
Assemblyman Francis moved that the bill be referred to the Committee on Taxation.
Motion carried.

Assembly Bill No. 554.
Assemblyman Francis moved that the bill be referred to the Committee on Taxation.
Motion carried.

Assembly Bill No. 555.
Assemblyman Francis moved that the bill be referred to the Committee on Taxation.
Motion carried.

Assembly Bill No. 556.

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

Motion carried.

Assembly Bill No. 557.

Assemblyman Francis moved that the bill be referred to the Committee on Commerce.

Motion carried.

Assembly Bill No. 558.

Assemblyman Francis moved that the bill be referred to the Committee on Commerce.

Motion carried.

Assembly Bill No. 559.

Assemblyman Francis moved that the bill be referred to the Committee on Commerce.

Motion carried.

Assembly Bill No. 560.

Assemblyman Francis moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 26.

Assemblyman Francis moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 55.

Assemblyman Francis moved that the bill be referred to the Committee on Legislative Functions.

Motion carried.

Senate Bill No. 67.

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

Motion carried.

Senate Bill No. 141.

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

Motion carried.

Senate Bill No. 173.

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

Motion carried.

Senate Bill No. 197.

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

Motion carried.

Senate Bill No. 201.

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

Motion carried.

Senate Bill No. 204.

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

Motion carried.

Senate Bill No. 221.

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

Motion carried.

Senate Bill No. 246.

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

Motion carried.

Senate Bill No. 253.

Assemblyman Francis moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 254.

Assemblyman Francis moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 269.

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

Motion carried.

Senate Bill No. 271.

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

Motion carried.

Senate Bill No. 273.

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

Motion carried.

Senate Bill No. 288.

Assemblyman Francis moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 340.

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

Motion carried.

Senate Joint Resolution No. 20.

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

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 99.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 538.

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 223.130 is hereby amended to read as follows:

223.130 1. The governor [shall have the power to] *may* issue proclamations designating certain days or weeks as holidays or legal holidays for purposes of celebration or otherwise. The governor shall not declare more than [two legal holidays] *one legal holiday* in any 1 calendar year.

2. All days declared by the governor to be legal holidays [shall] *must* be observed by the closing of all offices of the state [and subdivisions thereof,] , *its political subdivisions,* the courts, the University of Nevada System [,] *and the* public schools, unless all or part thereof are specifically exempted.

3. All days declared by the governor to be holidays only may be observed throughout the state by appropriate exercises in the public schools, or may be restricted to certain counties, cities or districts within the state.".

Amend the title of the bill, second line, after "holiday;" by inserting: "reducing the number of legal holidays which the governor may proclaim;".

Assemblyman Collins moved the adoption of the amendment.

Remarks by Assemblyman Collins.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Stone moved that Assembly Bill No. 200 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. 31, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN DUBOIS, *Chairman*

SECOND READING AND AMENDMENT

Assembly Bill No. 207.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 518.

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 481 of NRS is hereby amended by adding thereto a new section to read as follows:

The following officers and employees of state and local government must be certified by the committee:

1. The bailiff of the supreme court;

2. The bailiffs of the district courts, justices' courts and municipal courts whose duties require them to carry weapons and make arrests;

3. Sheriffs of counties and of metropolitan police departments, their deputies and correctional officers;

4. Constables and their deputies whose official duties require them to carry weapons and make arrests;

5. Personnel of the Nevada highway patrol who exercise the police powers specified in NRS 481.150 and 481.180;

6. The inspectors and field agents of the motor carrier division of the department of motor vehicles who exercise the police powers specified in NRS 481.049;

7. Inspectors employed by the public service commission of Nevada who exercise those enforcement powers conferred by chapters 704, 705 and 706 of NRS;

8. Marshals, policemen and correctional officers of cities and towns;

9. Parole and probation officers;

10. Special investigators who are employed full time by the office of any district attorney or the attorney general;

11. Investigators of arson for fire departments who are specially designated by the appointing authority;

12. Members of the police department of the University of Nevada System;

13. The assistant and deputies of the state fire marshal;

14. The brand inspectors of the state department of agriculture who exercise the powers of enforcement conferred in chapter 565 of NRS;

15. Investigators for the state forester firewarden who are specially designated by him and whose primary duties are the investigation of arson;

16. The superintendants and correctional officers of the department of prisons;

17. Employees of the division of state parks of the department of conservation and natural resources designated by the administrator of the division who exercise police powers specified in NRS 407.065;

18. Security officers employed by the board of trustees of any county school district;

19. Agents of the state gaming control board who exercise the powers of enforcement specified in NRS 463.140 or 463.1405 or who investigate a violation of a provision of chapter 205 of NRS in the form of a crime against property of a gaming licensee;

20. The chief, investigators and agents of the investigation division of the department of motor vehicles;

21. Inspectors of the bureau of enforcement of the registration division of the department of motor vehicles who exercise the police powers specified in NRS 481.048;

22. Officers of the vehicle emission control section of the registration division of the department of motor vehicles who exercise the police powers specified in NRS 481.048;

23. The personnel of the department of wildlife who exercise those enforcement powers conferred by Title 45 and chapter 488 of NRS;

24. Security officers of the legislature of the State of Nevada;

25. Watchmen of the buildings and grounds division of the department of general services;

26. Group supervisors of the Nevada girls training center and the Nevada youth training center;

27. Parole counselors of the youth services division of the department of human resources;

28. Juvenile probation officers and deputy juvenile probation officers employed by the various judicial districts in Nevada;

29. Field investigators of the taxicab authority; and

30. Security officers employed full time by a city or county whose official duties require them to carry weapons and make arrests.''.

Amend section 1, page 2, by deleting lines 6 through 8.

Amend section 1, page 2, line 9, by deleting ''*6.*'' and inserting ''5.''.

Amend the title of the bill, first line, by deleting ''all'' and inserting ''certain''.

Assemblyman Stone moved the adoption of the amendment.

Remarks by Assemblyman Stone.

Amendment adopted.

Bill ordered reprinted, engrossed and to the Concurrent Committee on Ways and Means.

Assembly Bill No. 216.

Bill read second time.

The following amendment was proposed by the Committee on Transportation:

Amendment No. 371.

Amend sec. 3, page 1, line 7, by deleting: ", *points of interest,*".

Assemblyman McGaughey moved the adoption of the amendment.

Remarks by Assemblyman McGaughey.

Amendment adopted.

Bill ordered reprinted, engrossed and to the Concurrent Committee on Ways and Means.

Assembly Bill No. 292.

Bill read second time.

The following amendment was proposed by the Committee on Taxation:

Amendment No. 537.

Amend section 1, page 1, line 11, by deleting the period and inserting: "*and at least 5 percent of the privilege tax disbursed to a county must be deposited for credit to the county's general fund.*".

Amend the title of the bill, third line, after "counties;" by inserting: "requiring the deposit of a certain amount of the privilege tax in the county's general fund;".

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. 370.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 372.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 441.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 525.

Amend sec. 6, page 2, by deleting lines 20 through 41 and inserting:

"412.048 The adjutant general shall serve as the chief of staff to the governor, the director of the department of the military and the commander of the Nevada National Guard, and:

1. Is responsible, under the direction of the governor, for the supervision of all matters pertaining to the administration, discipline, mobilization, organization and training of the Nevada National Guard, Nevada National Guard Reserve and volunteer organizations licensed by the governor.

2. Shall perform all duties required of him by the laws of the United States and of the State of Nevada, and the regulations issued thereunder.

3. Shall employ such deputies, assistants and other personnel as he deems necessary to assist him in the performance of those duties required of him as director of the department. He may [, in his discretion,] so employ either members of the Nevada National Guard or civilian personnel. The duties of all deputies, assistants and other personnel appointed must be prescribed by department regulations. All such employees are in the unclassified service *of the state* except civilian , clerical , *administrative, maintenance* and custodial employees [.] *who are in the classified service of the state.*".

Amend sec. 7, pages 2 and 3, by deleting lines 43 through 46 on page 2 and lines 1 through 28 on page 3 and inserting:

"412.052 The adjutant general:

1. Shall supervise the preparation and submission of all returns and reports pertaining to the militia of the state required by the United States.

2. Is the channel of official military correspondence with the governor, and, on or before November 1 of each even-numbered year, shall report to the governor the transactions, expenditures and condition of the Nevada National Guard. The report must include the report of the United States Property and Fiscal Officer.

3. Is the custodian of records of officers and enlisted personnel and all other records and papers required by law or regulations to be filed in his office. He may deposit with the division of archives and records of the state library and archives for safekeeping records of his office that are used for historical purposes rather than the administrative purposes assigned to his office by law.

4. Shall attest all military commissions issued and keep a roll of all commissioned officers, with dates of commission and all changes occurring in the commissioned forces.

5. Shall record, authenticate and communicate to units and members of the militia all orders, instructions and regulations.

6. Shall cause to be procured, printed and circulated to those concerned all books, blank forms, laws, regulations or other publications governing the militia [needful] *necessary* to the proper administration, operation and training of it or to carry [into effect] *out* the provisions of this chapter.

7. Shall keep an appropriate seal of office and affix its impression to all certificates of record issued from his office.

8. Shall render such professional aid and assistance and perform such military duties, not otherwise assigned, as may be ordered by the governor.

[9. In time of peace, shall perform the duties of quartermaster general and chief of ordnance.]".

Amend the bill as a whole by adding a new section designated section 17, following section 16, to read as follows:

"Sec. 17. Section 7 of this act becomes effective at 12:01 a.m. on July 1, 1985.".

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. 113.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 541.

Amend section 1, page 1, by inserting between lines 5 and 6:

"2. *If an indictment is found charging a primary offense upon which a charge of habitual criminality may be based, the district attorney may request the court to amend the indictment to include a count under NRS 207.010.*".

Amend sec. 2, page 2, line 16, by deleting "*indictment or*".

Amend sec. 2, page 2, line 20, by deleting the period and inserting: "*or a grand jury considering an indictment for the offense.*".

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 Getto moved that Assembly Joint Resolution No. 1 be taken from the Chief Clerk's desk and placed on the Second Reading File.

Motion carried.

Assemblyman Bergevin moved that Senate Bill No. 224 be taken from the Chief Clerk's desk and placed on the General File.

Remarks by Assemblyman Bergevin.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Joint Resolution No. 1.

Resolution read second time.

The following amendment was proposed by the Committee on Natural Resources, Agriculture and Mining:

Amendment No. 426.

Amend the resolution as a whole, pages 1 and 2, by deleting lines 1 through 22 on page 1 and lines 1 through 10 on page 2 and inserting:

"WHEREAS, The citizens of the State of Nevada have a tremendous respect for its lands and strongly support the wise use and conservation of its natural resources; and

WHEREAS, Nearly 87 percent of the land in this state is controlled by various agencies of the Federal Government and, therefore, the state is

particularly vulnerable to decisions regarding the use of land which are made by federal agencies and not the people or elected officers of the state; and

WHEREAS, The economic well-being of this state, particularly some of its more rural communities, is heavily dependent on access to, and use of, the federal public lands for mining and ranching; and

WHEREAS, The future of mining in this state is dependent upon the availability of federal lands and the loss of areas with potential for the production of minerals would be harmful to this state and the nation; and

WHEREAS, The Congress of the United States now is reviewing proposed legislation, as introduced by Nevada's Senators Paul Laxalt and Chic Hecht and Congressman Barbara Vucanovich, which would designate as wilderness approximately 136,900 acres in this state, including portions of Mount Charleston, Mount Moriah, Boundary Peak and additions to the existing Jarbidge wilderness area; and

WHEREAS, In addition to these areas, there is general support in this state for the designation of an additional 1,322,900 acres as wilderness in the Desert National Wildlife Range; now, therefore, be it

RESOLVED BY THE ASSEMBLY AND SENATE OF THE STATE OF NEVADA, JOINTLY, That this legislature urges the Congress of the United States to designate as wilderness portions of Mount Charleston, Mount Moriah, Boundary Peak, and the Jarbidge area, as identified in federal legislation now pending in Congress; and be it further

RESOLVED, That the Congress of the United States also is urged to designate as wilderness those portions of the Desert National Wildlife Range which have been recommended for designation as wilderness by the United States Fish and Wildlife Service; and be it further".

Amend the resolution as a whole, page 2, line 15, after "delegation,", by inserting: "the Secretary of Agriculture, the Secretary of the Interior, the chairman of the Subcommittee on Public Lands and National Parks of the United States House of Representatives, the chairman of the Subcommittee on Public Lands and Reserved Water of the United States Senate,".

Amend the title of the resolution to read as follows:

"ASSEMBLY JOINT RESOLUTION—Urging the Congress to enact legislation designating additional land in Nevada as wilderness.".

Amend the summary of the resolution to read as follows:

"SUMMARY—Urges Congress to enact legislation designating additional areas as wilderness. (BDR 246)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State or on Industrial Insurance: No.".

Assemblyman Getto moved the adoption of the amendment.

Remarks by Assemblyman Getto.

Amendment adopted.

Resolution ordered reprinted, engrossed and to third reading.

INTRODUCTION AND FIRST READING OF LEGISLATION

By Assemblymen Jeffrey, Schofield, Dini, Beyer, Thompson, Stone, Kerns, Francis, Collins, Price, DuBois, Bergevin, Malone, Sedway, Marvel, Williams, Bogaert, McGaughey, Joerg, Sader, Thomas, Horne, Zimmer, Nevin, Arberry, Tebbs, Swain, Spriggs, Coffin, Craddock, Rader, Lambert and O'Donnell:

Assembly Bill No. 566—An Act relating to drivers' licenses; permitting the replacement of the licensee's Social Security number upon request; and providing other matters properly relating thereto.

GENERAL FILE AND THIRD READING

Assembly Bill No. 112.

Bill read third time.

Remarks by Assemblyman Bogaert.

Roll call on Assembly Bill No. 112:

YEAS—42.

NAYS—None.

Assembly Bill No. 112 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 217.

Bill read third time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 521.

Amend section 1, page 1, line 5, by deleting: "*, firearm or other dangerous or deadly weapon*".

Amend section 1, page 1, by deleting lines 9 through 12 and inserting:

"(b) Carry concealed upon his person any:

(1) Explosive substance, other than fixed ammunition;

(2) Dirk, dagger or dangerous knife; [or]

(3) Pistol, revolver or other firearm, or other dangerous or".

Amend section 1, page 1, line 14, by deleting: "*, firearm or other dangerous or deadly weapon*".

Amend section 1, page 2, line 8, by deleting: "[duly appointed police] *appointed*" and inserting "appointed [police]".

Amend section 1, page 2, by inserting between lines 13 and 14:

"(c) Any full-time paid peace officer of any agency of the United States or another state or political subdivision thereof when carrying out official duties in Nevada.".

Amend section 1, page 2, line 14, by deleting "(c)" and inserting "(d)".

Amend section 1, page 2, by deleting lines 16 through 18 and inserting: "ident of that county showing the reason or the purpose for which a concealed weapon is to be carried, issue a permit authorizing the applicant to carry in this state the concealed weapon".

Amend section 1, page 2, line 22, after "snap-blade knife", by deleting the comma.

Amend section 1, page 2, line 25, after "handle", by deleting the comma.

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 becomes effective at 12:01 a.m. on July 1, 1985.".

Amend the title of the bill, first and second lines, by deleting "dangerous weapon" and inserting "knife".

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. 410.

Bill read third time.

Remarks by Assemblyman McGaughey.

Roll call on Assembly Bill No. 410:

YEAS—42.

NAYS—None.

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. 461.

Bill read third time.

Remarks by Assemblyman Bergevin.

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.

Bill ordered transmitted to the Senate.

Assembly Bill No. 463.

Bill read third time.

Remarks by Assemblymen Coffin, Dini and Ham.

Roll call on Assembly Bill No. 463:

YEAS—42.

NAYS—None.

Assembly Bill No. 463 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 468.

Bill read third time.

Remarks by Assemblyman Dini.

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.

Bill ordered transmitted to the Senate.

Senate Bill No. 33.

Bill read third time.

Remarks by Assemblymen Schofield, Nicholas, DuBois, Stone, Humke, Jeffrey, Sedway and Thomas.

Roll call on Senate Bill No. 33:

YEAS—38.

NAYS—Humke, Nevin, Nicholas, Stone—4.

Senate Bill No. 33 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 188.

Bill read third time.

Remarks by Assemblyman Zimmer.

Roll call on Senate Bill No. 188:

YEAS—42.

NAYS—None.

Senate Bill No. 188 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 200.

Bill read third time.

Remarks by Assemblymen Stone and Schofield.

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, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 224.

Bill read third time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 554.

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. The state land registrar, on behalf of the State of Nevada, may

convey to the department of transportation, for transfer to Storey County, all of the right, title and interest of the State of Nevada in the parcel of land in Storey County described as follows:

Being part of Lot Numbers 1, 2 and all of Lot Number 3, in Block 26, Range "C", as conveyed to the State of Nevada by deed dated August 27, 1937, and recorded in book 61, at page 451 of Deeds of Storey County, Nevada, on September 1, 1937, and as described on the official map of Virginia City, and recorded in Virginia City in the office of the county recorder of Storey County.".

Amend the title of the bill, second line, after "County;" by inserting: "authorizing conveyance of a parcel to the department of transportation for transfer to Storey County;".

Amend the summary of the bill to read as follows: "Authorizes conveyance of certain parcels of state land. (BDR S-557)".

Assemblyman Bergevin moved the adoption of the amendment.

Remarks by Assemblyman Bergevin.

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. 114, 157, 187, 197.

Assemblyman Francis moved that the Assembly adjourn until Tuesday, April 23, 1985 at 11 a.m.

Motion carried.

Assembly adjourned at 11:52 a.m.

Approved:

BYRON L. BILYEU
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE NINETY-THIRD DAY

CARSON CITY (Tuesday), April 23, 1985

Assembly called to order at 11 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, The Reverend Doctor Gregg Townsley.

Our Heavenly Father, we come to You this day in worship having noticed the Springtime "finery" that You have created around us. For beautiful trees and warm sunshine we give thanks. For flowered meadows and April's rushing mountain water we offer our gratitude. Enable us this day to be grateful for other things as well, for the work that You have given us to do and the co-workers You have given us to strive with. We are not alone and we are not unable to fulfill our responsibilities because You have gifted us with such support. As we walk and work in Your world this day, walk and work with us so that we may perform our duties with gratitude. For the beauty of the earth, we thank You. And for the beauty of Your ways, we thank You. In the name of the Lord, we pray.

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Francis 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. 405, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JAMES STONE, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which were referred Senate Bills Nos. 103, 105, 108, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JAMES STONE, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which were referred Assembly Bills Nos. 222, 512, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

LOUIS W. BERGEVIN, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Ways and Means, to which were referred Assembly Bills Nos. 40, 41, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass, as amended.

JOHN MARVEL, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Natural Resources, Agriculture and Mining, to which was referred Assembly Bill No. 290, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

VIRGIL GETTO, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Ways and Means, to which was referred Assembly Bill No. 290, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN MARVEL, *Chairman*

Mr. Speaker:

Your Committee on Transportation, to which was referred Assembly Bill No. 282, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

MIKE MALONE, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which were referred Assembly Bill No. 287, Senate Bill No. 171, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN MARVEL, *Chairman*

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.

BARBARA ZIMMER, *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which were referred Assembly Bill No. 302, Senate Bill No. 38, 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 DUBOIS, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, April 22, 1985

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Senate Bill No. 237.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 192, 297.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Joint Resolution No. 17.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Senate Joint Resolution No. 17.

Resolution read first time.

INTRODUCTION AND FIRST READING OF LEGISLATION

By the Committee on Government Affairs:

Assembly Bill No. 567—An Act relating to blind persons; extending their priority to operate vending stands in public buildings and on public property to the state parks; and providing other matters properly relating thereto.

By the Committee on Government Affairs:

Assembly Bill No. 568—An Act relating to volunteer firemen; increasing the range of assumed wages for determining the amount of contributions for retirement; and providing other matters properly relating thereto.

By the Committee on Labor and Management:

Assembly Bill No. 569—An Act relating to industrial insurance; establishing responsibility of self-insured employers for the acts of a person employed to administer the plan of self-insurance; and providing other matters properly relating thereto.

By the Committee on Labor and Management:

Assembly Bill No. 570—An Act relating to industrial insurance; authorizing the division of industrial insurance by regulation to establish standards of conduct and qualifications for an administrator of a plan for self-insurance; and providing other matters properly relating thereto.

By the Committee on Labor and Management:

Assembly Bill No. 571—An Act relating to apprenticeship; specifying that agreements or programs approved by the Department of Labor do not require the approval of the state council; and providing other matters properly relating thereto.

By the Committee on Labor and Management:

Assembly Bill No. 572—An Act relating to contractors; providing a penalty for failure to make payments to subcontractors without legal excuse; restraining the occupancy of a building by an owner for failure to pay subcontractors or general contractors; providing a penalty for the failure of an owner to make a final payment without legal excuse; and providing other matters properly relating thereto.

By the Committee on Natural Resources, Agriculture and Mining:

Assembly Bill No. 573—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.

Senate Bill No. 192.
Bill read first time.

Senate Bill No. 237.
Bill read first time.

Senate Bill No. 297.
Bill read first 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 11:07 a.m.

ASSEMBLY IN SESSION

At 11:08 a.m.
Mr. Speaker pro Tempore presiding.
Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Nicholas moved that Senate Bill No. 247 be taken from the Chief Clerk's desk and placed on the General File.

Remarks by Assemblyman Nicholas.

Motion carried.

REFERENCE OF MEASURES TO COMMITTEES

Assembly Bill No. 561.

Assemblyman Francis moved that the bill be referred to the Committee on Commerce.

Motion carried.

Assembly Bill No. 562.

Assemblyman Stone moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

Assembly Bill No. 563.

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

Motion carried.

Assembly Bill No. 564.

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

Motion carried.

Assembly Bill No. 565.

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

Motion carried.

Assembly Bill No. 566.

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

Motion carried.

Senate Bill No. 22.

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

Motion carried.

Senate Bill No. 94.

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

Motion carried.

Senate Bill No. 267.

Assemblyman Francis moved that the bill be referred to the Committee on Commerce.

Motion carried.

SECOND READING AND AMENDMENT

Senate Bill No. 31.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 544.

Amend sec. 3, page 2, line 28, by deleting "permit" and inserting "license".

Amend sec. 3, page 2, line 31, by deleting "permit." and inserting "license.".

Amend sec. 3, page 2, lines 34 and 36, by deleting on each line "registration fee" and inserting: "fee for registration".

Amend sec. 3, page 2, line 37, by deleting: "a period of".

Amend sec. 3, page 2, line 42, by deleting "registration fee" and inserting: "fee for registration".

Amend sec. 3, page 2, line 1, by deleting "registration fee" and inserting: "fee for registration".

Amend sec. 3, page 3, line 4, by deleting "registration fee," and inserting: "fee for registration,".

Amend sec. 4, page 3, by deleting lines 13 through 30 and inserting:

"Sec. 4. (Deleted by amendment.)".

Amend sec. 8, page 4, line 30, by deleting "laboratory personnel." and inserting: "*laboratory directors and laboratory personnel who perform technical duties other than the collection of blood.*".

Amend the bill as a whole by adding a new section designated section 11, following section 10, to read as follows:

"Sec. 11. 1. This act becomes effective on July 1, 1985, to facilitate the adoption of any necessary regulations and for other administrative matters.

2. The requirements for continuing education as a prerequisite for the renewal of licenses become effective for the renewal of any license on or after July 1, 1986.".

Assemblyman DuBois moved the adoption of the amendment.

Remarks by Assemblyman DuBois.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 106.

Bill read second time and ordered to third reading.

Senate Bill No. 170.

Bill read second time and ordered to third reading.

Senate Bill No. 209.

Bill read second time and ordered to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, April 23, 1985

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. 32.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Senate Concurrent Resolution No. 32.

Assemblyman Banner moved the adoption of the resolution.

Remarks by Assemblymen Banner and Getto.

Assemblyman Francis requested that the following remarks be entered in the Journal.

ASSEMBLYMAN BANNER:

I've known about Mr. Bunker, either personally or through my family, for years. My dad used to tell many stories about Vernon Bunker. One in particular, was a time when Vernon Bunker was a little boy living in St. Thomas and my dad went there to build a school. He recalled that the kids in the area would rob his tent of the raisins and peanuts. I remember a lot of stories from my father. But the first time I met Mr. Bunker was when I was 12 years old. My dad sent me from Bunkerville to Las Vegas to cash a $5 check. I hitchhiked and when I got there Vernon Bunker was the clerk in the bank and I was able to cash the check. That was the first I had ever seen a check and the first time I had ever been in a bank so I remember Vernon Bunker from the days when I was 12 years old. I've also known him through the legislative sessions that he has worked here. I've had occasion to have contact with him through the years when he served in the Assembly and the Senate and he was very helpful. In fact, he was instrumental in the passage of the law which provided employer paid insurance for public employees. If you are a public employee you have him to thank for that. He also happens to be one of my special friends that I see before 7:00 a.m. every morning. He helps me out and gives me the "lay of the land for the Senate". Vernon Bunker happens to be a very special friend of my family and the stories my dad tells about him will always be in my memory.

ASSEMBLYMAN GETTO:

I guess I'm the only legislator in this room that has served with and had a close affiliation with Vernon Bunker. I truly appreciated Mr. Bunker being there, as my colleague has stated "every morning before 7:00 a.m.". I guess that habit of early rising goes back to his early beginnings on the farm. He still has a warm place in his heart for a farm—he lives on a small farm in Southern Nevada. I admire him for his strong character and also his tremendous example for living a good healthy life. I think that if we could all live as healthful a life as Mr. Bunker has done, we could also serve our community and country better. I certainly do support this resolution.

Resolution adopted.

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 11:24 a.m.

ASSEMBLY IN SESSION

At 11:25 a.m.
Mr. Speaker presiding.
Quorum present.

GENERAL FILE AND 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.
Bill ordered transmitted to the Senate.

Assembly Bill No. 372.
Bill read third time.
Remarks by Assemblymen Getto, Thomas, Price and Craddock.
Roll call on Assembly Bill No. 372:
YEAS—39.
NAYS—Horne, Zimmer—2.
Not voting—Williams.

Assembly Bill No. 372 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 446.
Bill read third time.
Remarks by Assemblyman Schofield.
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, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 457.
Bill read third time.
Remarks by Assemblyman Nicholas.

Conflict of interest declared by Assemblyman Nicholas.
Roll call on Assembly Bill No. 457:
YEAS—42.
NAYS—None.

Assembly Bill No. 457 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Senate Bill No. 65.
Bill read third time.
Remarks by Assemblyman Bergevin.
Assemblyman Bergevin moved that Senate Bill No. 65 be taken from the General File and placed on the Chief Clerk's desk.
Remarks by Assemblyman Bergevin.
Motion carried.

Senate Bill No. 247.
Bill read third time.
Remarks by Assemblyman O'Donnell.
Roll call on Senate Bill No. 247:
YEAS—42.
NAYS—None.

Senate Bill No. 247 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

INTRODUCTION AND FIRST READING OF LEGISLATION

By Assemblymen DuBois, Rader, Lambert, O'Donnell, Banner, McGaughey, Collins, Kerns, Stone, Roberts, Craddock, Coffin, Price and Little:

Assembly Bill No. 574—An Act relating to floods; requiring the director of emergency management to inform certain owners of residential property of the availability of insurance against loss caused by flooding; and providing other matters properly relating thereto.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bills Nos. 72, 321.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Fairchild, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Peggy Epidendio, Margaret Curley, Barbara King and Gloria Deyhle.

Assemblyman Francis moved that the Assembly adjourn until Wednesday, April 24, 1985 at 11 a.m.

Motion carried.

Assembly adjourned at 11:47 a.m.

Approved: BYRON L. BILYEU
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE NINETY-FOURTH DAY

CARSON CITY (Wednesday), April 24, 1985

Assembly called to order at 11:03 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, Mr. Monte Fast.

Eternal God, our Father, it is fitting that we turn to You in prayer at this beginning of another day. As children of God, we need Your guidance. We confess that we do not communicate with You, our Father, as faithfully and dependently as we ought. When we are about to make decisions, help us to remember that we can listen to Your voice. When we are about to speak, help us to remember that You want us to speak from Your point of view. When we are about to act, help us to remember that our actions are gifts of thanksgiving to You. In a moment of silence, may we hear You. If this is the last time we speak or listen to You today, we are sorry. Please break through into our lives. Be our guide. Through Jesus the Christ, Your Son. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Francis 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. 10, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JAMES STONE, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, 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.

JAMES STONE, *Chairman*

Mr. Speaker:

Your Committee on Elections, 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: Do pass.

JANE HAM, *Chairman*

Mr. Speaker:

Your Committee on Natural Resources, Agriculture and Mining, to which was referred Senate Bill No. 232, 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.

VIRGIL M. GETTO, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, April 23, 1985

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bill No. 200.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 117, 163.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Joint Resolution No. 25.

Also, I have the honor to inform your honorable body that the Senate on this day appointed Senators Glover, O'Connell and Shaffer as a first Committee on Conference concerning Senate Joint Resolution No. 2.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

By the Committee on Elections:

Assembly Concurrent Resolution No. 23—Directing the legislative commission to study the need to modernize Nevada's election laws.

Senate Joint Resolution No. 25.

Resolution read first time.

INTRODUCTION AND FIRST READING OF LEGISLATION

By the Committee on Elections:

Assembly Bill No. 575—An Act relating to elections; requiring additional information on the list of registered voters; requiring counties, if possible, to record this list on tape for computers; and providing other matters properly relating thereto.

By the Committee on Elections:

Assembly Bill No. 576—An Act relating to elections; advancing the date of the primary election; adjusting certain other dates accordingly; and providing other matters properly relating thereto.

By Assemblymen Zimmer, Humke, Horne, Roberts, Tebbs, Ham, O'Donnell, Rader, Lambert, DuBois, Beyer, Little, Bogaert, Collins, Bergevin and Spriggs:

Assembly Bill No. 577—An Act relating to prostitution; prohibiting it throughout the state; providing a penalty; and providing other matters properly relating thereto.

By Assemblymen Little, Malone, Beyer, Rader, McGaughey, Roberts, Fairchild, Lambert, O'Donnell, Getto, Thomas, Tebbs, Horne, Dini, Humke, Coffin, Spriggs, DuBois, Bogaert, Kerns, Francis and Joerg:

Assembly Bill No. 578—An Act relating to public schools; prohibiting smoking by any pupil; making smoking a ground for suspension; authorizing the immediate removal of the pupil from school; and providing other matters properly relating thereto.

Senate Bill No. 117.
Bill read first time.

Senate Bill No. 163.
Bill read first time.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Joerg moved that Senate Joint Resolution No. 7 be taken from the Chief Clerk's desk and placed on the General File.
Motion carried.

REFERENCE OF MEASURES TO COMMITTEES

Assembly Bill No. 567.
Assemblyman Francis moved that the bill be referred to the Committee on Government Affairs.
Motion carried.

Assembly Bill No. 568.
Assemblyman Francis moved that the bill be referred to the Committee on Government Affairs.
Motion carried.

Assembly Bill No. 569.
Assemblyman Francis moved that the bill be referred to the Committee on Labor and Management.
Motion carried.

Assembly Bill No. 570.
Assemblyman Francis moved that the bill be referred to the Committee on Labor and Management.
Motion carried.

Assembly Bill No. 571.
Assemblyman Francis moved that the bill be referred to the Committee on Labor and Management.
Motion carried.

Assembly Bill No. 572.
Assemblyman Francis moved that the bill be referred to the Committee on Commerce.
Motion carried.

Assembly Bill No. 573.
Assemblyman Francis moved that the bill be referred to the Committee on Natural Resources, Agriculture and Mining.
Motion carried.

Assembly Bill No. 574.
Assemblyman DuBois moved that the bill be referred to the Committee on Government Affairs.
Motion carried.

Senate Bill No. 192.

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

Motion carried.

Senate Bill No. 237.

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

Motion carried.

Senate Bill No. 297.

Assemblyman Francis moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Joint Resolution No. 17.

Assemblyman Francis moved that the resolution be referred to the Committee on Judiciary.

Motion carried.

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. 519.

Amend the bill as a whole by deleting sections 1 and 2 and renumbering sections 3 through 13 as sections 1 through 11.

Amend sec. 3, page 2, line 5, by deleting: "[state industrial] *public*" and inserting: "state industrial *claimants'*".

Amend sec. 4, page 2, lines 11 and 12, by deleting: "[state industrial] *the public*" and inserting: "*the* state industrial *claimants'*".

Amend sec. 4, page 2, line 14, by deleting the bracket.

Amend sec. 4, page 2, line 15, by deleting "trial] *public*" and inserting "trial *claimants'*".

Amend sec. 4, page 2, line 19, by deleting: "[state industrial] *public*" and inserting: "state industrial *claimants'*".

Amend sec. 4, page 2, lines 22 and 23, by deleting: "[state industrial] *the public*" and inserting: "*the* state industrial *claimants'*".

Amend sec. 5, page 2, by deleting lines 25 through 28 and inserting:

"616.253 1. The office of state industrial *claimants'* attorney is hereby created. The governor shall appoint the state industrial *claimants'* attorney for a term of 4 years.

2. The state industrial *claimants'* attorney:".

Amend sec. 5, page 2, line 32, by deleting: "[state industrial] *public*" and inserting: "state industrial *claimants'*".

Amend sec. 6, page 2, by deleting lines 35 through 37 and inserting:

"616.2531 1. The state industrial *claimants'* attorney may employ:

(a) A deputy state industrial *claimants'* attorney who [shall be] *is* in the unclassified service of".

Amend sec. 6, page 2, line 41, by deleting: "shall] *public attorney must*" and inserting "] must".

Amend sec. 6, page 2, by deleting lines 44 through 46.

Amend sec. 7, page 3, line 2, by deleting: "[state industrial] *public*" and inserting: "state industrial *claimants'*".

Amend sec. 7, page 3, line 5, by deleting: "[state industrial] *public*" and inserting: "state industrial *claimants'*".

Amend sec. 7, page 3, line 8, by deleting the brackets.

Amend sec. 7, page 3, line 9, by deleting "*public*" and inserting "*claimants*".

Amend sec. 8, page 3, line 12, by deleting: "[state industrial] *public*" and inserting: "state industrial *claimants'*".

Amend sec. 8, page 3, line 17, by deleting the bracket.

Amend sec. 8, page 3, line 18, by deleting "] *public*" and inserting "*claimants'*".

Amend sec. 9, page 3, line 20, by deleting: "[state industrial] *public*" and inserting: "state industrial *claimants'*".

Amend sec. 9, page 3, line 23, by deleting: "[state industrial] *public*" and inserting: "state industrial *claimants'*".

Amend sec. 9, page 3, line 28, by deleting: "[state industrial] *public*" and inserting: "state industrial *claimants'*".

Amend sec. 10, page 3, line 33, by deleting the open bracket before "state".

Amend sec. 10, page 3, line 34, by deleting "] *public*" and inserting "*claimants'*".

Amend sec. 10, page 3, line 35, by deleting: "[state industrial] *public*" and inserting: "state industrial *claimants'*".

Amend sec. 10, page 3, line 37, by deleting the bracket.

Amend sec. 10, page 3, by deleting line 38 and inserting: "trial *claimants'* attorney.".

Amend sec. 10, page 3, line 39, by deleting: "[state industrial] *public*" and inserting: "state industrial *claimants'*".

Amend sec. 11, page 4, line 6, by deleting "30" and inserting "[30] *60*".

Amend sec. 11, page 4, line 7, by deleting the brackets.

Amend sec. 11, page 4, by deleting lines 8 and 9.

Amend sec. 11, page 4, line 11, by deleting: "*for good cause shown.*" and inserting: "*if the person aggrieved shows by a preponderance of the evidence that he did not receive the notice of the decision and the forms necessary to request a hearing.*".

Amend sec. 12, page 4, line 32, by deleting: "*certified or registered*".

Amend sec. 13, page 4, line 36 after "appeal", by inserting "from".

Amend sec. 13, page 4, line 37, by deleting "30" and inserting "[30] *60*".

Amend sec. 13, page 4, by deleting lines 38 and 39 and inserting: "the date of the decision.".

Amend sec. 13, page 5, line 1, after "attorneys", by inserting "or agents".

Amend sec. 13, page 5, line 8, by deleting: "*for good cause shown.*" and inserting: "*if the party aggrieved shows by a preponderance of the evidence that he did not receive the notice of the decision and the forms necessary to appeal the decision.*".

Amend sec. 14, pages 5 and 6, by deleting lines 9 through 46 on page 5, and lines 1 through 18 on page 6 and inserting:

"Sec. 12. Section 11 of this act becomes effective at 12:01 a.m. on July 1, 1985."

Amend the title of the bill by deleting the second and third lines and inserting: "ney; modifying the procedure for the appeal of a con-".

Amend the summary of the bill to read as follows: "Changes title of state industrial attorney and modifies procedure for appeal of contested claim. (BDR 53-476)".

Assemblyman O'Donnell moved the adoption of the amendment.

Remarks by Assemblyman O'Donnell.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 222.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 282.

Bill read second time.

The following amendment was proposed by the Committee on Transportation:

Amendment No. 492.

Amend sec. 4, page 1, by deleting lines 11 through 17 and inserting:

"Sec. 4. *1. If the board considers a proposal to add a service to the state communications system which could be provided by a private company, the board shall:*

(a) Upon the request of a private company which is able to provide the service, provide notice of the proposal and a copy of the related specifications;

(b) Prepare a statement, based on the specifications, of the cost of the proposed service if it were provided through the state communications system; and

(c) Compare its own statement of cost with any other bid submitted by considering at least the relative prices, the quality and reliability of the service proposed and the compatibility of the service proposed with any known future requirements. This comparison must be made available for public review.".

Amend sec. 4, page 1, line 18, by deleting: "*appeal the findings of the analysis*" and inserting: "*appeal from the findings of the comparison*".

Amend sec. 8, page 3, line 39, by deleting: "*if that equipment will be*" and inserting: "*unless:*

(a) The existing services do not meet the needs of the agency; or

(b) The equipment will not be".

Amend sec. 8, page 3, line 41, by deleting the period and inserting: "*or a private company.*".

Amend sec. 8, page 3, line 42, by deleting "*may*" and inserting "*shall*".

Amend sec. 8, page 3, by deleting lines 44 and 45.

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. 287.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 290.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 302.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 511.

Amend sec. 3, page 1, line 6, before "*issued*", by inserting "*or certificate*".

Amend sec. 5, page 1, line 13, before "*renders*", by inserting "*or intern*".

Amend sec. 7, page 2, by deleting lines 1 through 8 and inserting:

"Sec. 7. (Deleted by amendment.)".

Amend sec. 9, page 2, line 28, by deleting "*A*" and inserting "*An unlicensed*".

Amend sec. 9, page 2, line 30, by deleting "*licensed or*".

Amend sec. 10, page 2, by deleting lines 32 through 36 and inserting:

"Sec. 10. *1. A license as a polygraphic examiner or intern is not required under this chapter of a person who conducts polygraphic examinations solely in the performance of official duties for a federal, state, county or municipal law enforcement or investigative agency.*

2. Persons who are exempt pursuant to subsection 1 shall comply with all other provisions of this chapter.

3. Persons who are exempt and who meet the requirements of this chapter for a license as a polygraphic examiner or intern may apply to the board for certification of their qualifications for a license in the same manner as prescribed for licensing.".

Amend sec. 13, page 3, line 4, by deleting "*Any*" and inserting: "*Except as provided in NRS 648.100 and section 15 of this act, a*".

Amend sec. 14, page 3, by deleting lines 16 and 17 and inserting: "*obtained from the informant.*".

Amend sec. 15, page 3, line 34, after the period, by inserting: "*The board shall release information described in subsection 2 concerning an applicant or licensee to the applicant or licensee upon request.*".

Amend sec. 16, page 3, by deleting lines 35 through 37 and inserting:

"Sec. 16. (Deleted by amendment.)".

Amend sec. 17, page 3, line 38, by deleting "*1.*".

Amend sec. 17, page 3, line 42, by deleting "*(a)*" and inserting "*1.*".

Amend sec. 17, page 3, line 43, by deleting "*(b)*" and inserting "*2.*".

Amend sec. 17, page 3, line 45, before "*and*", by inserting "*or intern*".

Amend sec. 17, page 4, by deleting lines 1 and 2.

Amend sec. 19, page 4, line 21, by deleting "*the examiner*" and inserting: "*an examiner or intern*".

Amend sec. 21, page 4, line 37, before "*shall*", by inserting "*or intern*".

Amend sec. 22, page 4, line 44, before "*shall*", by inserting "*or intern*".

Amend sec. 23, page 5, line 5, before "*shall*", by inserting "*or intern*".

Amend sec. 23, page 5, line 8, before "*shall*", by inserting "*or intern*".

Amend sec. 23, page 5, line 12, before "*with*", by inserting "*or intern*".

Amend sec. 23, page 5, line 14, before "*may*", by inserting "*or intern*".

Amend sec. 23, page 5, line 15, before "*may*", by inserting "*or intern*".

Amend sec. 23, page 5, by deleting line 19 and inserting:

"*4. An examiner or intern shall advise the person examined of his*".

Amend sec. 24, page 5, line 22, before "*shall*", by inserting "*or intern*".

Amend sec. 24, page 5, line 28, by deleting the period and inserting "*or intern.*".

Amend sec. 24, page 5, line 32, before "*or*", by inserting "*or intern*".

Amend sec. 25, page 5, line 40, before "*may*", by inserting "*or intern*".

Amend sec. 25, page 5, line 41, before "*or*", by inserting "*or intern*".

Amend sec. 25, page 5, line 42, by deleting "*examiners,*" and inserting: "*examiners or interns,*".

Amend sec. 29, page 6, line 20, before "*issued*", by inserting "*or certificate*".

Amend sec. 38, page 10, by deleting lines 25 through 27.

Amend sec. 38, page 10, line 28, by deleting "*6.*" and inserting "8.]".

Amend sec. 38, page 10, line 30, by deleting "*7.*" and inserting "*6.*".

Amend sec. 38, page 10, line 34, by deleting "*8.*" and inserting "*7.*".

Amend sec. 39, page 11, by deleting lines 1 through 27 and inserting: "*$750 for the first category of license and $250 for each additional category of license for which appliction is made,* which must be applied to the cost of conducting the investigation. The applicant is liable for the entire cost of the investigation up to a maximum cost of [$750,] *$1,500 for the first category of license and $500 for each additional category of license for which application is made,* and must pay the entire fee before taking an examination.

3. The board may refuse to grant a license if it determines that the applicant has:

(a) Committed any act which if committed by a licensee would be a ground for the suspension or revocation of a license under this chapter.

(b) Committed any act constituting dishonesty or fraud.

(c) Demonstrated untruthfulness or a lack of integrity.

(d) Been refused a license under this chapter or had a license revoked.

(e) Been an officer, director, partner or manager of any firm, partnership, association or corporation which has been refused a license under this chapter or whose license has been revoked.

(f) While unlicensed, performed any act for which a license is required by this chapter.

(g) Knowingly made any false statement in his application.".

Amend sec. 39, page 11, line 28, by deleting "*5.*" and inserting "*4.*".

Amend sec. 40, page 12, line 26, by deleting "*3*" and inserting "*2*".

Amend sec. 41, page 13, line 1, before "pays" and inserting "*or licensee*".

Amend sec. 41, page 13, between lines 3 and 4, by inserting:

"*2. A license held in abeyance may not be renewed until the licensee pays to the board a license fee of $50 for each category of license being renewed.*".

Amend sec. 41, page 13, line 4, by deleting "2." and inserting: "*3.*".

Amend sec. 41, page 13, between lines 6 and 7, by inserting:

"*4. A license held in abeyance may be reinstated upon payment to the board of $100 for each category of license and the annual license fee of $250 for each category of license.*

5. The board shall prescribe by regulation the circumstances under which the board will hold a license in abeyance.".

Amend sec. 47, page 16, line 6, by deleting: "*count of the complaint.*" and inserting "*violation.*".

Amend sec. 47, page 16, by deleting line 8 and inserting "*violation.*".

Amend sec. 49, page 17, line 3, by deleting "*7*" and inserting "*8*".

Amend sec. 49, page 17, by deleting line 6 and inserting:

"2. For the second and subsequent violations, *is guilty of*".

Amend sec. 49, page 17, by deleting lines 8 through 10.

Amend the title of the bill, second line, by deleting "reviewing" and inserting "revising".

Assemblyman DuBois moved the adoption of the amendment.

Remarks by Assemblyman DuBois.

Amendment adopted.

Assemblyman DuBois moved that Assembly Bill No. 302 be re-referred to the Committee on Commerce.

Motion carried.

Bill ordered reprinted, engrossed and to the Committee on Commerce.

Assembly Bill No. 405.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 572.

Amend the bill as a whole by deleting sections 1 and 2 and inserting:

"Section 1. NRS 205.270 is hereby amended to read as follows:

205.270 *1.* Every person who, under circumstances not amounting to robbery, with intent to steal or appropriate to his own use, takes from the person of another, without his consent, any money, property or thing of value, 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.

2. The court shall not grant probation to or suspend the sentence of any person convicted of violating subsection 1 if the person from whom the money or property was taken is 65 years of age or older.".

Amend the title of the bill to read as follows:

"An Act relating to crimes; prohibiting the granting of probation to or suspension of the sentence of a person convicted of taking money or property from a person 65 years of age or older; and providing other matters properly relating thereto.".

Amend the summary of the bill to read as follows: "Requires service of sentence by person convicted of taking property from elderly person. (BDR 16-1016)".

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. 512.

Bill read second time, ordered engrossed and to third reading.

Senate Bill No. 38.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 457.

Amend section 1, page 1, by deleting line 4 and inserting: "*care by another practitioner to judge or improve the latter's fitness to*".

Amend section 1, page 1, by deleting line 6 and inserting: "*arising from:*

(a) The alleged negligent rendering of the care observed; and

(b) Any future care rendered by the practitioner who was observed, if the observer does not".

Amend section 1, page 1, by deleting lines 8 and 9 and inserting:

"*2. A person who, to improve his own personal skill or knowledge, observes the rendering of care by a practitioner of a healing art is immune*".

Amend section 1, page 1, by inserting after line 12:

"*3. If as a result of an emergency such a practitioner or person does participate in the rendering of the care he was observing, he is liable only for damages which arise from care negligently rendered by him.*".

Amend the bill as a whole by adding a new section designated section 2, following section 1, to read as follows:

"Sec. 2. Chapter 631 of NRS is hereby amended by adding a new section to read as follows:

1. The liability of any person retained as an independent contractor by the board to judge the qualifications of an applicant for licensure by the board is limited to the same extent as is provided in NRS 41.035 for a member of the board.

2. If an action is brought against such an independent contractor on account of his actions on behalf of the board, the attorney general shall defend the independent contractor as he would defend a member of the board.".

Amend the title of the bill, second line, by deleting "practitioner;" and inserting: "practitioner or applicant for certain licenses;".

Assemblyman DuBois moved the adoption of the amendment.

Remarks by Assemblyman DuBois.

Amendment adopted.

Assemblyman DuBois moved that Senate Bill No. 38 be re-referred to the Committee on Commerce.

Motion carried.

Bill ordered reprinted, re-engrossed and to the Committee on Commerce.

Senate Bill No. 103.

Bill read second time and ordered to third reading.

Senate Bill No. 105.

Bill read second time and ordered to third reading.

Senate Bill No. 108.

Bill read second time and ordered to third reading.

Senate Bill No. 171.

Bill read second time and ordered to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Bergevin moved that Assembly Bill No. 300 be taken from the Chief Clerk's desk and placed on the General File.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Government Affairs, 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 re-refer to the Committee on Government Affairs.

LOUIS W. BERGEVIN, *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 11:30 a.m.

Mr. Speaker pro Tempore presiding.

Quorum present.

GENERAL FILE AND THIRD READING

Assembly Bill No. 40.

Bill read third time.

Remarks by Assemblyman Schofield.

Roll call on Assembly Bill No. 40:

YEAS—42.

NAYS—None.

Assembly Bill No. 40 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 41.

Bill read third time.

Remarks by Assemblyman Schofield.

Roll call on Assembly Bill No. 41:

YEAS—42.

NAYS—None.

Assembly Bill No. 41 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 99.

Bill read third time.

Remarks by Assemblymen Collins, Arberry and Bilyeu.

Assemblyman Stone requested that the following remarks be entered in the Journal.

ASSEMBLYMAN COLLINS:

This is the bill that will make Dr. Martin Luther King's birthday a state holiday. As you know, the President saw fit to make the day a holiday and the Governor has declared it as one of his holiday days. The bill passed out of Government Affairs unanimously and I would ask for a favorable vote.

ASSEMBLYMAN ARBERRY:

I wanted to say a few words about Dr. Martin Luther King himself, as a man. He was more than just a great man, he was a great American. He was also an inspirational leader. He was a man of God and of peace. He was a man who preached love among all people and his spirit lives with us today as a symbol to Black and White Americans. I would like to conclude by saying that all good things of this world are worth striving for and even dying for.

ASSEMBLYMAN BILYEU:

Martin Luther King was a great man who had a profound impact upon our country and upon our public consciousness in this country. He was the spiritual and temporal leader of the civil rights movement of the 1960's. Dr. King argued eloquently and well for principles upon which our country was founded, that is equality and justice under the law.

One could argue about the propriety perhaps of naming a holiday after an individual. Certainly, Dr. King during his lifetime, and even after his tragic death, was a controversial figure. There are those that would argue that rather than naming a holiday after this slain civil rights leader that we perhaps should have a holiday to celebrate civil rights itself. There is merit to that contention. But I think it does overlook an important basic point. And that is the statement that has become I think important to minorities, and particularly to our Black community, that Dr. King was, in fact, the symbol of the civil rights movement of the 1960's. He was a great symbol, indeed, because of the profound impact he had on public consciousness, public perception and how we treat one another. We are, after all, brothers and sisters. For that reason I rise to add my small voice in support of this bill.

Roll call on Assembly Bill No. 99:

YEAS—39.

NAYS—Horne, Little, Roberts—3.

Assembly Bill No. 99 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 217.

Bill read third time.

Remarks by Assemblyman Roberts.

Roll call on Assembly Bill No. 217:

YEAS—42.

NAYS—None.

Assembly Bill No. 217 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 292.

Bill read third time.

Remarks by Assemblyman Bergevin.

Roll call on Assembly Bill No. 292:

YEAS—42.

NAYS—None.

Assembly Bill No. 292 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 441.

Bill read third time.

Remarks by Assemblymen Humke and Price.

Roll call on Assembly Bill No. 441:

YEAS—42.

NAYS—None.

Assembly Bill No. 441 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Joint Resolution No. 1.
Resolution read third time.
Remarks by Assemblyman Getto.
Roll call on Assembly Joint Resolution No. 1:

YEAS—39.
NAYS—Fairchild, Little, Sedway—3.

Assembly Joint Resolution No. 1 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed, as amended.

Resolution ordered transmitted to the Senate.

REMARKS FROM THE FLOOR

Assemblyman Fairchild requested that his remarks be entered in the Journal.

ASSEMBLYMAN FAIRCHILD:

I want to go on record as saying I voted wrong on A.J.R. 1. I neglected to notice the word "not" was taken out of the reprint. I intended to vote "yes".

GENERAL FILE AND THIRD READING

Senate Bill No. 106.
Bill read third time.
Remarks by Assemblyman Little.
Roll call on Senate Bill No. 106:

YEAS—42.
NAYS—None.

Senate Bill No. 106 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 11:57 a.m.

ASSEMBLY IN SESSION

At 11:58 a.m.
Mr. Speaker presiding.
Quorum present.

GENERAL FILE AND THIRD READING

Senate Bill No. 113.
Bill read third time.
Remarks by Assemblymen Arberry, Price and Stone.
Roll call on Senate Bill No. 113:

YEAS—41.
NAYS—Collins.

Senate Bill No. 113 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 170.

Bill read third time.

Remarks by Assemblyman Thomas.

Roll call on Senate Bill No. 170:

YEAS—42.

NAYS—None.

Senate Bill No. 170 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 209.

Bill read third time.

Remarks by Assemblyman Spriggs.

Roll call on Senate Bill No. 209:

YEAS—41.

NAYS—Stone.

Senate Bill No. 209 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 224.

Bill read third time.

Remarks by Assemblyman Banner.

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 Joint Resolution No. 7.

Resolution read third time.

The following amendment was proposed by Assemblyman Price:

Amendment No. 549.

Amend the resolution, page 1, by deleting line 3 and inserting: "of Nevada be amended and a new section be added to article 10 to read respectively as follows:".

Amend the resolution, page 2, by inserting after line 40:

"*Sec. 4. The legislature shall not levy any tax upon the privilege of performing labor or services for a consideration.*".

Amend the title of the resolution, third line, by deleting the period and inserting: "or the performance of labor or services.".

Amend the summary of the resolution, first line, by deleting the period and inserting: ", labor or services.".

Assemblyman Price moved the adoption of the amendment.

Remarks by Assemblymen Price, Thomas, Stone, Zimmer, DuBois, Joerg, Jeffrey, Humke, Coffin, Thompson, Williams and O'Donnell.

Assemblymen Francis, Stone and Zimmer moved the previous question.

Motion carried.

The question being on the motion to adopt Amendment No. 549 to Senate Joint Resolution No. 7.

Assemblymen Price, Thompson and Jeffrey requested a roll call on Assemblyman Price's motion.

Roll call on Assemblyman Price's motion:

YEAS—13.

NAYS—Bergevin, Beyer, Bogaert, DuBois, Fairchild, Francis, Getto, Ham, Horne, Humke, Joerg, Kerns, Lambert, Little, McGaughey, Malone, Marvel, Nicholas, O'Donnell, Rader, Schofield, Sedway, Spriggs, Stone, Tebbs, Thomas, Zimmer, Mr. Speaker—28.

Not voting—Collins.

The motion having failed to receive a majority, Mr. Speaker declared the amendment lost.

Remarks by Assemblymen Zimmer, Sedway, Craddock, Bogaert, Bergevin, Nicholas, Jeffrey, Williams, Dini, Humke and Joerg.

Assemblymen Francis, Roberts and Zimmer moved the previous question.

Motion carried.

The question being on the passage of Senate Joint Resolution No. 7.

Roll call on Senate Joint Resolution No. 7:

YEAS—20.

NAYS—Arberry, Banner, Bergevin, Beyer, Coffin, Collins, Craddock, Dini, Jeffrey, Kerns, Lambert, Marvel, Nevin, Nicholas, Price, Sader, Schofield, Sedway, Stone, Swain, Thompson, Williams—22.

Senate Joint Resolution No. 7 having failed to receive a constitutional majority, Mr. Speaker declared it lost.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Francis moved that Assembly Bill No. 300 be taken from the General File and placed on the General File for the next legislative day.

Motion carried.

Assemblyman Getto moved that Senate Bill No. 232 be re-referred to the Committee on Ways and Means.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Concurrent Committee on Natural Resources, Agriculture and Mining, 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 return to the Concurrent Committee on Natural Resources, Agriculture and Mining.

VIRGIL M. GETTO, *Chairman*

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Spriggs, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Cindy Simpson, Maxine Bradshaw, Mr. Ed Knapp and students from Tonopah Junior High School: Kelly Baker, Jason Bertolino, John Bambassei, Wade Bradshaw, Jim Casteel, Vicky Galvin, John Coon, James Eason, Shawn Howerton, Keli Ford, Kim Gramcko, Sheri Sokol, Nate Hardbeck, Cheryl Miller, Steve Humphries, Shelly Johnson, Angie McGowan, Mike Mayberry, Laurel Miller, Keith Nicholas, Tisha Russel, Shelby Simpson, Kim West, Mike Schallenburger, Cheri Wolfrey, Michelle Brown, Lonnie Lewis, Ramon Placencio and Troy Thompson.

On request of Assemblyman Dini, the privilege of the floor of the Assembly Chamber for this day was extended to Miss Jane Imamura, Mr. D. Dallas, Mesdames McColl, Kordonowy, Lowden and students from Dayton Elementary School: Paul Cotsonis, Chris DeSotel, Jason Kittle, Mike McColl, Shawn Rounds, Dan Schmitt, George Wanen, Irven Lowden, Steve Graham, Tricia Allander, Jeri Casey, Tammy Deforest, Sarah Fabbri, Stacey Hughes, Min Kuerzi, Cyndi Lawson, Sarah McAllister, Chali Moebius, Sara Storlie, Barb Thomas, James Ashe, April Barr, Michelle Deltgen, Scott Fleckenstein, David Haulbrook, Todd Scott, Robert Snelling, Jill Stevenson, Nicole Tennant, Mike Wilhelm, Krissy Jensen, Michelle Labrum and John Wilson.

On request of Assemblyman Stone, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Dave Cope.

Assemblyman Francis moved that the Assembly adjourn until Thursday, April 25, 1985 at 11 a.m.

Motion carried.

Assembly adjourned at 12:44 p.m.

Approved:

BYRON L. BILYEU
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE NINETY-FIFTH DAY

CARSON CITY (Thursday), April 25, 1985

Assembly called to order at 11:08 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, The Reverend Doctor Gregg Townsley.

Heavenly Father, we are honored this day that You allow us to participate in the government of this fine land of ours. You have touched us, some of us in the middle of our lives, and seen that we have been elected to an office of high honor and responsibility.

We pray this day that You will grant us strength to fulfill the responsibilities You have given us. Enable us to see clearly, to love dearly, and to produce, most nearly, the work that You would have us do.

Where there are issues of Justice, help us to judge with a sense of right and wrong that approximates Your own. Where there are problems which present human hurt, help us to respond in love. Where there are decisions that demand insight or vision, enable us to see with Divine eyes.

Bless the work we do this day, and bless those for whom we work. In the name of our Lord. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Francis 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. 253, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JAMES STONE, *Chairman*

Mr. Speaker:

Your Committee on Transportation, to which were referred Senate Bills Nos. 167, 181, 182, 230, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

MIKE MALONE, *Chairman*

Mr. Speaker:

Your Committee on Taxation, to which was referred Assembly Bill No. 502, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

CHARLES W. JOERG, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which were referred Assembly Bill No. 297; Senate Bills Nos. 161, 178, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN MARVEL, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Education, to which was referred Assembly Bill No. 308, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

ERIK BEYER, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Ways and Means, to which was referred Assembly Bill No. 308, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN MARVEL, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Ways and Means, to which was referred Assembly Bill No. 474, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass, as amended.

JOHN MARVEL, *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which was referred Senate 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.

JOHN DUBOIS, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which were referred Assembly Bills Nos. 393, 478, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JAMES STONE, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, April 24, 1985

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Senate Bill No. 357.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 185, 290.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Joint Resolution No. 19.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen Thompson, Schofield, Banner, Tebbs, Kerns, Roberts, Ham, Rader, Fairchild, Lambert, O'Donnell, Getto, Dini, Beyer, Collins, Thomas, Zimmer, Swain, Bogaert, McGaughey, Price, Bergevin, Marvel, Malone, Sedway, DuBois, Stone, Nicholas, Humke, Craddock, Coffin, Spriggs, Sader, Arberry, Horne, Francis, Little, Jeffrey, Bilyeu, Nevin, Williams and Joerg:

Assembly Concurrent Resolution No. 24—Memorializing the late assemblyman Harley Heber Leavitt.

WHEREAS, The members of the legislature have learned with great sorrow of the death of their former colleague Harley Heber Leavitt of Mesquite, Nevada; and

WHEREAS, Harley Leavitt was born on November 24, 1920, to Heber and Mildred

Leavitt of Mesquite, was educated in the public schools of Clark County and married the former Willverna Pulsipher on October 5, 1939, at St. George, Utah; and

WHEREAS, He served in the Navy and in 1946 purchased and thereafter operated a garage in Mesquite; and

WHEREAS, He was active in many civic affairs in both Mesquite and Clark County and represented the Moapa and Virgin valleys as their assemblyman for 8 years between 1951 and 1966, serving at various times as the chairman of the assembly committee on public health and public morals and the committee on roads, transportation and aviation; and

WHEREAS, He is survived by his wife, his sons Terry H. of Logandale and Hal of Mesquite, daughters Janet Marshall of Logandale and Ava Peterson of Las Vegas, two brothers LaMar and Lindsay of Las Vegas and three sisters Eloise Leavitt, Etta Cheeney and Noma Clark, all of St. George, Utah, and 17 grandchildren; now, therefore, be it

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, THE SENATE CONCURRING, That the members of the legislature express their condolences to the family of the late Harley Heber Leavitt; and be it further

RESOLVED, That a copy of this resolution be prepared and transmitted forthwith by the legislative counsel to Willverna Leavitt.

Assemblyman Thompson moved the adoption of the resolution.

Remarks by Assemblymen Thompson, Banner and Jeffrey.

Assemblyman Coffin requested that the following remarks be entered in the Journal.

ASSEMBLYMAN THOMPSON:

I came to know Mr. Leavitt through politics as a constituent of mine. I met both Mr. Leavitt and his family. He was a well-known businessman from Mesquite. Probably not too many people here today served with Mr. Leavitt in the legislature. His philosophy and mine run parallel. I think his voting record reflects one of a very caring person for the working men and women of Nevada. He represented his district very fairly.

ASSEMBLYMAN BANNER:

I think it was fitting for Assemblyman Thompson to initiate this resolution to recognize and honor a native Nevadan who once served as a legislator. While the resolution offered here today is beautifully written, I feel it is incumbent upon myself to add a few personal remarks. I had the pleasure of knowing Harley Leavitt for over half a century. I'm that old. It was 52 years ago in the spring that my mother took her small brood back to the valley of her birth and enrolled me in the sixth grade in a school in Mesquite, Nevada. I remember on the first day of school Harley welcomed me and helped this "new kid on the block" to adjust to a new environment, a new way of life and a new school. The friendship and kindness extended to me that day will cause me to be forever grateful. It is something that I will always remember for some young boy to start in a new school and to be treated the way he did me that day. During the years that followed, our paths have transversed occasionally; we've stayed in touch and we did remain very good friends. Harley was born, raised, worked, had a business and passed away in a radius of about five miles in a peaceful spot located by the banks of the Virgin River.

ASSEMBLYMAN JEFFREY:

I had the pleasure of coming to know Harley Leavitt during my first campaign. In those days Mesquite was in my district. Since then, Mr. Thompson represents that area. Harley was, as Mr. Banner said, a very friendly person who gave me a lot of good advice and kept me in tune with that part of the district. It was a great help to me because Mesquite is a long way from Henderson. He became a very good friend of mine.

Resolution adopted.

Senate Joint Resolution No. 19.

Resolution read first time.

INTRODUCTION AND FIRST READING OF LEGISLATION

By the Committee on Labor and Management:

Assembly Bill No. 579—An Act relating to workmen's compensation; providing for increases in compensation paid for death or a disablement which results from an industrial injury or an occupational disease; and providing other matters properly relating thereto.

By the Committee on Judiciary:

Assembly Bill No. 580—An Act relating to the regulation of motor carriers; authorizing the designation of certain employees of the public service commission as peace officers; clarifying the requirements for the filing of an annual report by a contract motor carrier; and providing other matters properly relating thereto.

Senate Bill No. 185.

Bill read first time.

Senate Bill No. 290.

Bill read first time.

Senate Bill No. 357.

Bill read first time.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Labor and Management, to which was referred Assembly Bill No. 450, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

BARBARA ZIMMER, *Chairman*

REFERENCE OF MEASURES TO COMMITTEES

Assembly Bill No. 575.

Assemblyman Francis moved that the bill be referred to the Committee on Elections.

Motion carried.

Assembly Bill No. 576.

Assemblyman Francis moved that the bill be referred to the Committee on Elections.

Motion carried.

Assembly Bill No. 577.

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

Assemblyman Dini moved that Assembly Bill No. 577 be given no further consideration.

Remarks by Assemblyman Dini.

Motion carried.

Assembly Bill No. 578.

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

Motion carried.

Assembly Concurrent Resolution No. 23.

Assemblyman Francis moved that the resolution be referred to the Committee on Elections.

Motion carried.

Senate Bill No. 117.

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

Motion carried.

Senate Bill No. 163.

Assemblyman Francis moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Joint Resolution No. 25.

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

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Francis moved that the vote whereby Assembly Concurrent Resolution No. 23 was referred to the Committee on Elections be rescinded.

Motion carried.

Assemblyman Francis moved that Assembly Concurrent Resolution No. 23 be referred to the Committee on Legislative Functions.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 118.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 592.

Amend section 1, page 1, by deleting line 3, and inserting: "body from [holding a closed meeting to] *closing a meeting:*".

Amend section 1, page 1, line 7, by deleting "*or imminent*".

Amend section 1, page 1, line 8, by deleting the period and inserting: "*of which written notice has been given or received by the public body.*".

Amend the bill as a whole by adding a new section, designated section 2, following section 1, to read as follows:

"Sec. 2. NRS 241.035 is hereby amended to read as follows:

241.035 1. Each public body shall keep written minutes of each of its meetings, including:

(a) The date, time and place of the meeting.

(b) Those members of the body who were present and those who were absent.

(c) The substance of all matters proposed, discussed or decided and, at the request of any member, a record of each member's vote on any matter decided by vote.

(d) Any other information which any member of the body requests to be included or reflected in the minutes.

2. Minutes of public meetings are public records and [shall] *must* be made available for inspection by the public within a reasonable time after the adjournment of the meeting at which taken. Minutes of meetings closed pursuant to *paragraph (a) of subsection 1 of* NRS 241.030 become public records when the body determines that the matters discussed no longer require confidentiality and the person whose character, conduct, competence or health was discussed has consented to their disclosure. That person is entitled to a copy of the minutes upon request whether or not they become public records. *Minutes of meetings closed pursuant to paragraph (b) of subsection 1 of NRS 241.030 become public records when the litigation is completed.*

3. All or part of any meeting of a public body may be recorded on audiotape or any other means of sound reproduction if it is a public meeting so long as this in no way interferes with the conduct of the meeting.

4. If a public body closes a meeting to confer with its attorney regarding pending litigation, a separate set of written minutes must be prepared for each case so discussed. These minutes must be independent of any other minutes prepared for the meeting.''.

Assemblyman Kerns moved the adoption of the amendment.

Remarks by Assemblyman Kerns.

Amendment adopted.

Assemblyman Kerns moved that Assembly Bill No. 118 be re-referred to the Committee on Government Affairs.

Motion carried.

Bill ordered reprinted, engrossed and to the Committee on Government Affairs.

Assembly Bill No. 279.

Bill read second time.

The following amendment was proposed by the Committee on Natural Resources, Agriculture and Mining:

Amendment No. 580.

Amend section 1, page 1, line 1, by deleting ''540'' and inserting ''349''.

Amend section 1, page 1, line 2, by deleting ''22,'' and inserting ''12,''.

Amend sec. 2, page 1, line 5, by deleting ''*eight*'' and inserting ''*five*''.

Amend sec. 2, page 1, line 10, by deleting "*four*" and inserting "*three*".

Amend sec. 3, page 1, by deleting lines 14 through 16 and inserting: "*$60 per day.*".

Amend sec. 5, page 2, by deleting lines 1 through 8 and inserting:

"Sec. 5. *The state engineer shall advise the board, upon its request, of the existence and status of any water rights which affect a water project under consideration by the board.*".

Amend the bill as a whole by deleting sections 6 through 10 and renumbering sections 11 through 14 as sections 6 through 9.

Amend sec. 11, page 3, by deleting line 31 and inserting: "*by the director for any*".

Amend sec. 13, page 3, by deleting lines 36 through 38 and inserting:

"Sec. 8. *"Water project" means*".

Amend sec. 14, page 3, by deleting lines 41 through 44 and inserting:

"Sec. 9. *1. When any municipality or other obligor desires to undertake a water project it may present its preliminary plan to the board for financing water projects for approval. The board shall analyze the potential yield of the project, and may tentatively approve it if it will preserve or increase the water available for beneficial use in this state.*

2. If the board tentatively approves the project, the municipality or other obligor may proceed to prepare a final plan and submit it for final approval. If the board finally approves the project, the cost of the final plan may be included in the cost of the water project. If the board does not finally approve the project, the director may reimburse a municipality for the costs incurred after the tentative approval.".

Amend the bill as a whole by deleting section 15 and renumbering section 16 as section 10.

Amend sec. 16, page 4, line 24, by deleting "*board*" and inserting "*director*".

Amend sec. 16, page 4, line 26, by deleting the period and inserting: "*or revenue bonds.*".

Amend sec. 16, page 4, line 36, by deleting: "*sections 6 to 22,*" and inserting: "*NRS 349.400 to 349.670, inclusive, and sections 2 to 12,*".

Amend the bill as a whole by deleting section 17 and renumbering section 18 as section 11.

Amend sec. 18, page 5, line 18, by deleting "*board*" and inserting "*director*".

Amend sec. 18, page 5, line 19, by deleting "*it*" and inserting "*he*".

Amend the bill as a whole by deleting section 19 and renumbering section 20 as section 12.

Amend sec. 20, page 5, by deleting lines 37 and 38 and inserting: "*state securities issued for water projects.*".

Amend sec. 20, page 5, lines 41 and 42, by deleting: "*pursuant to sections 6 to 22, inclusive, of this act,*" and inserting: "*for water projects,*".

Amend sec. 20, page 5, by deleting lines 44 and 45 and inserting:

"*(d) Used to reimburse a municipality pursuant to the provisions of section 9 of this act.*".

Amend the bill as a whole by deleting sections 21 through 23, renumbering section 24 as section 15, and adding new sections designated sections 13 and 14, following section 20, to read as follows:

"Sec. 13. NRS 349.400 is hereby amended to read as follows:

349.400 As used in NRS 349.400 to 349.670, inclusive, *and sections 2 to 12, inclusive, of this act,* unless the context otherwise requires, the words and terms defined in NRS 349.410 to 349.540, inclusive, *and sections 11, 12 and 13 of this act* have the meanings ascribed to them in those sections.

Sec. 14. NRS 349.580 is hereby amended to read as follows:

349.580 The director shall not finance a project unless, before financing:

1. The director finds that:

(a) The project to be financed has been approved for financing pursuant to the requirements of NRS 244A.669 to 244A.763, inclusive, or 268.512 to 268.568, inclusive; and

(b) There has been a request by a city or county to have the director issue bonds to finance the project; [or]

2. The director finds and both the state board of finance and the governing body of the city or county where the project is to be located approve the findings of the director that:

(a) The project consists of any land, building or other improvement and all real and personal properties necessary in connection therewith, excluding inventories, raw materials and working capital, whether or not in existence, suitable for new construction, improvement, rehabilitation or redevelopment for manufacturing, industrial, warehousing, commercial or research and development enterprises or for a health and care facility or a supplemental facility for a health and care facility, or of real or personal property appropriate for addition to a hotel, motel, apartment building, casino or office building to protect it or its occupants from fire;

(b) The project will provide a public benefit;

(c) The contemplated lessee, purchaser or other obligor has sufficient financial resources to place the project in operation and to continue its operation, meeting the obligations of the lease, purchase contract or financing agreement;

(d) There are sufficient safeguards to assure that all money provided by the department will be expended solely for the purposes of the project;

(e) There are existing and projected needs for the project and the project would alleviate an existing shortage of facilities or services in the state;

(f) The project would be compatible with existing facilities in the area adjacent to the location of the project;

(g) The purpose of the financing of the project is not solely to provide tax-free financing to the lessee, purchaser or other obligor;

(h) Through advice of counsel or other reliable source that the project has received all approvals by the local, state and federal governments which may

be necessary to proceed with construction, improvement, rehabilitation or redevelopment of the project; and

(i) There has been a request by a city, county, lessee, purchaser, other obligor or other enterprise to have the director issue industrial development revenue bonds to finance the project [.] *; or*

3. If it is a water project, it has been finally approved by the board for financing water projects.".

Amend sec. 24, page 6, by deleting lines 38 and 39 and inserting:

"*7. Provide the board for financing water projects and the director of the department of commerce with necessary technical and clerical assistance in financing water projects.*".

Assemblyman Dini moved the adoption of the amendment.

Remarks by Assemblyman Dini.

Amendment adopted.

Assemblyman Dini moved that Assembly Bill No. 279 be returned to the Concurrent Committee on Natural Resources, Agriculture and Mining.

Motion carried.

Bill ordered reprinted, engrossed and to the Concurrent Committee on Natural Resources, Agriculture and Mining.

Senate Bill No. 220.

Bill read second time and ordered to third reading.

Senate Bill No. 240.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 543.

Amend sec. 2, page 1, line 13, by deleting: "establish facilities which".

Amend sec. 2, page 1, line 22, by deleting "facilities" and inserting "equipment".

Amend sec. 2, page 2, line 7, by deleting: "Equip and operate facilities" and inserting: "Provide equipment, space and management".

Amend sec. 2, page 2, line 15, by deleting "facilities" and inserting "equipment".

Assemblyman Stone moved the adoption of the amendment.

Remarks by Assemblyman Stone.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Joint Resolution No. 10.

Resolution read second time and ordered to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Bergevin moved that Assembly Bill No. 276 be taken from the Chief Clerk's desk and placed on the General File.

Remarks by Assemblyman Bergevin.

Motion carried.

UNFINISHED BUSINESS
REPORTS OF CONFERENCE COMMITTEES

Mr. Speaker:

The first Committee on Conference concerning Assembly Bill No. 228, 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. 2C, which is attached to and hereby made a part of this report.

ERIK BEYER
VIRGIL M. GETTO
JOSEPH E. DINI, JR.
Assembly Committee on Conference

NICHOLAS (NICK) HORN
JOHN M. VERGIELS
WILLIAM J. RAGGIO
Senate Committee on Conference

Amendment No. 2C.

Amend section 1, page 1, line 5, by deleting "$55,000." and inserting "$56,500.".

Assemblyman Beyer moved that the Assembly adopt the report of the first Committee on Conference concerning Assembly Bill No. 228.

Remarks by Assemblyman Beyer.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 222.

Bill read third time.

Remarks by Assemblymen Kerns and Price.

Roll call on Assembly Bill No. 222:

YEAS—42.

NAYS—None.

Assembly Bill No. 222 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 287.

Bill read third time.

Remarks by Assemblyman Dini.

Roll call on Assembly Bill No. 287:

YEAS—42.

NAYS—None.

Assembly Bill No. 287 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 290.

Bill read third time.

Remarks by Assemblyman Nicholas.

Roll call on Assembly Bill No. 290:

YEAS—41.

NAYS—Roberts.

Assembly Bill No. 290 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 300.

Bill read third time.

The following amendment was proposed by Assemblyman Stone:

Amendment No. 571.

Amend section 1, page 1, line 2, after "section", by inserting: ", *in an ordinance approved by a vote of the people*".

Amend section 1, page 2, by deleting lines 7 through 18.

Amend section 1, page 2, line 19, by deleting "*6.*" and inserting "4.".

Amend the bill as a whole by adding a new section designated section 2, following section 1, to read as follows:

"Sec. 2. In each city or town:

1. Which does not require the installation of residential water meters or similar devices for measuring the quantity of water provided for customers of a public utility; and

2. Which has a population of more than 7,500 but less than 250,000, the governing body shall, by ordinance, provide that the installation of residential water meters will be required. Upon enactment of the ordinance, the governing body shall submit the ordinance to the registered voters of the city or town at a special election within 3 months after enactment of the ordinance or at the general election on November 4, 1986, whichever is earlier. The voters shall vote on the question of requiring such residential water meters. If a majority of the votes cast approve the question, the ordinance becomes effective upon certification of the vote by the county clerk. If a majority of the votes cast disapprove the question, the ordinance does not become effective.".

Amend the title of the bill to read as follows:

"An Act relating to water meters; requiring ordinance to be enacted by certain cities and towns; requiring approval of that ordinance by the registered voters of the city or town; and providing other matters properly relating thereto.".

Amend the summary of the bill to read as follows: "Requires enactment by certain cities and towns of ordinance requiring water meters. (BDR 58-142)".

Assemblyman Stone moved the adoption of the amendment.

Remarks by Assemblymen Stone, Bogaert, Beyer, Nevin and Bergevin.

Amendment lost.

Remarks by Assemblyman Bogaert.

Roll call on Assembly Bill No. 300:

YEAS—35.

NAYS—Malone, Nevin, Nicholas, Rader, Stone, Swain, Thompson—7.

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. 512.
Bill read third time.
Remarks by Assemblyman Lambert.
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.
Bill ordered transmitted to the Senate.

Senate Bill No. 31.
Bill read third time.
Remarks by Assemblyman Sedway.
Roll call on Senate Bill No. 31:
YEAS—41.
NAYS—None.
Not voting—Nicholas.

Senate Bill No. 31 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Senate Bill No. 103.
Bill read third time.
Remarks by Assemblymen Williams, Collins and Stone.
Roll call on Senate Bill No. 103:
YEAS—42.
NAYS—None.

Senate Bill No. 103 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 O'Donnell.
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. 108.
Bill read third time.
Remarks by Assemblyman Roberts.
Roll call on Senate Bill No. 108:
YEAS—42.
NAYS—None.

Senate Bill No. 108 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 171.

Bill read third time.

Remarks by Assemblymen DuBois, Collins and Sedway.

Roll call on Senate Bill No. 171:

YEAS—40.

NAYS—Collins, Roberts—2.

Senate Bill No. 171 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 276.

Bill read third time.

The following amendments were proposed by the Committee on Government Affairs:

Amendment No. 480.

Amend sec. 7, page 5, by deleting lines 23 through 25 and inserting:

"2. *For searching the records of marriages in more than 1 year, a county recorder shall charge and collect $1 for each year searched, but not more than $10 to search for any one marriage.*

3. Except as *otherwise* provided in subsection [3,] *4,* a county recorder shall not".

Amend sec. 7, page 5, line 36, by deleting "3." and inserting "[3.] *4.*".

Amend sec. 7, page 5, line 41, by deleting "4." and inserting "[4.] *5.*".

Amend sec. 7, page 5, line 44, by deleting "5." and inserting "[5.] *6.*".

Amendment No. 600.

Amend sec. 8, page 7, by deleting lines 17 through 19 and inserting: "an original financing statement , *for an amendment* or for a continuation statement is $5 if the [statement] *document* is in the standard form prescribed by the secretary of state and otherwise is $6 [.] , *plus $1 for each additional debtor on an original financing statement or an amendment.* The secured party may at his option show".

Amend the bill as a whole by deleting sections 13 through 15 and inserting:

"Sec. 13 through 15. (Deleted by amendment.)".

Amend sec. 16, page 13, line 16, by deleting "[shall] *may*" and inserting "shall".

Assemblyman Bergevin moved the adoption of the amendments.

Remarks by Assemblyman Bergevin.

Amendments adopted.

Bill ordered reprinted, re-engrossed and to third reading.

INTRODUCTION AND FIRST READING OF LEGISLATION

By Assemblyman Humke (by request):

Assembly Bill No. 581—An Act relating to pharmacy; requiring the substitution of a generic drug for a brand name drug unless the physician indicates otherwise on the prescription; and providing other matters properly relating thereto.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bill No. 200, Senate Bill No. 247, Senate Concurrent Resolution No. 32.

REMARKS FROM THE FLOOR

Assemblyman Thomas requested that his remarks be entered in the Journal.

WHEREAS, Kiwanis was founded in 1915 as a community service organization; and

WHEREAS, In this the 70th year of its existence there are over 300,000 Kiwanians in clubs around the world, each committed to the betterment of his community; and

WHEREAS, The largest district in all of the Kiwanis International is in the California, Nevada and Hawaii district; and

WHEREAS, Three of the best divisions in the district, Divisions 23, 28 and 45 are all Nevada divisions; and

WHEREAS, Kiwanians are active in virtually all communities in Nevada helping youth, seniors and the handicapped raising money for community projects and building strong citizenship in its members; and

WHEREAS, Every two years the Kiwanis Clubs of Nevada formally recognize the vital role played by the legislature in the democratic process by sponsoring a "Kiwanis Day at the Legislature", in which Kiwanians from throughout the state visit the legislature; now, therefore, be it

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, THE SENATE CONCURRING, This Thursday, April 25, 1985, is hereby declared Kiwanis Day in Nevada; and be it further

RESOLVED, That copies of this resolution be provided to Bob Mohnson, Governor of the California-Nevada-Hawaii District; John R. Less, Lt. Governor of Division 23; Eugene A. Halsey, Lt. Governor of District 28 and George F. Evans, Lt. Governor of Division 45.

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. Marlene Piretto, Cherie Cox, Ralph Carleton and students from Mamie Towles School: Shane Avansino, Roger Cunha, Brandy Gandy, Colleen Kenny, Josh Magee, Lorin Martin, April Miller, Tyler Miller, Miles McGuire, Elisa Nummela, Tyler Page, Heather Parker, Janice Peterson, Matt Peterson, Margaret Schaffter, Cameron Shultz, April Scott, Keri Souders, David Weinberg, Danny Zeman, Michelle Ross, Juan Bentolla, Chad Best, Cynthia Bloom, Tyler Dunn, Jason Mastroianni, Tamera Martin, Liz McCarthy, Deborah McRann, Eric Miller, Peter Rice, Richard Philips, Justin Potter, Jeff Rogers, John Runyon, Scott Sampson, Lauren Sankovich, Mary Scott, Jonathan Simpson, Julia Trasp, Jenny Santillanes, Brian Vonarx, Michelle Reynolds, Chris Reynolds, Monica Arruda, Adam Smutz, Mark Ball, Francis West and Melissa Barbot.

On request of Assemblyman Spriggs, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Marvin Wagner, Richard Wagner, Ms. Doris Wagner and Carol Gubler.

Assemblyman Francis moved that the Assembly adjourn until Friday, April 26, 1985 at 10 a.m.

Motion carried.

Assembly adjourned at 12:22 p.m.

Approved: BYRON L. BILYEU
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE NINETY-SIXTH DAY

CARSON CITY (Friday), April 26, 1985

Assembly called to order at 10 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, The Reverend Doctor Gregg Townsley.

Heavenly Father, our Father, we stand this morning in worship of the power that forms such a beautiful world around us. You make air that is clear to breathe, water that is clean to touch and sunshine that warms us. Speak to us this day of such simple things. In the bills and other work before us, help us to see the Divine design. Help us to view our work in simple terms as the people who place their trust in us do. Heavenly Father, Eternal Father, we pray this morning not for Your presence, but for Your power to enable us to see more clearly, to love more dearly, to live and work out our lives in a manner pleasing to You. We pray in the name of our Lord. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Francis 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 Education, to which was referred Assembly Bill No. 131, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

ERIK BEYER, *Chairman*

Mr. Speaker:

Your Committee on Education, to which were referred Assembly Concurrent Resolution No. 8; Senate Concurrent Resolution No. 14, has had the same under consideration, and begs leave to report the same back with the recommendation: Be adopted.

ERIK BEYER, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, 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: Do pass.

JAMES STONE, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which was referred Assembly 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.

JAMES STONE, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Judiciary, to which was referred Assembly Bill No. 340, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JAMES STONE, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which was referred Assembly Bill No. 283, 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.

JAMES STONE, *Chairman*

Mr. Speaker:

Your Committee on Natural Resources, Agriculture and Mining, 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: Do pass.

VIRGIL M. GETTO, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was re-referred Assembly Bill No. 118, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass, as amended.

LOUIS W. BERGEVIN, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs 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.

LOUIS W. BERGEVIN, *Chairman*

Mr. Speaker:

Your Committee on Commerce, 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: Re-refer to the Committee on Health and Welfare.

JOHN DUBOIS, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, April 25, 1985

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 234, 326, 336.

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. 228.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 72, 295.

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.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Assembly Concurrent Resolution No. 8.

Assemblyman Beyer moved the adoption of the resolution.

Remarks by Assemblyman Beyer.
Resolution adopted.

Senate Concurrent Resolution No. 14.
Assemblyman Beyer moved the adoption of the resolution.
Remarks by Assemblyman Beyer.
Resolution adopted.

INTRODUCTION AND FIRST READING OF LEGISLATION

By the Committee on Education:

Assembly Bill No. 582—An Act relating to public schools; establishing a program to provide instruction for pupils who lack basic educational skills; establishing a program to test pupils for special characteristics upon entering school; requiring certain certificated employees to complete training in the area of special educational needs; requiring testing of certain pupils to determine unique educational needs; and providing other matters properly relating thereto.

By the Committee on Government Affairs:

Assembly Bill No. 583—An Act relating to public securities and obligations; authorizing their issuance at variable rates of interest; providing for guarantees for repayment of those securities by third parties; exempting the variable rates from any limitations; and providing other matters properly relating thereto.

By the Committee on Government Affairs:

Assembly Bill No. 584—An Act relating to public securities; authorizing compound interest; removing the obsolete reference to the Weekly Bond Buyer; and providing other matters properly relating thereto.

By the Committee on Government Affairs:

Assembly Bill No. 585—An Act relating to local improvements; increasing the permitted rate of penalty on delinquent assessments; clarifying the procedure for setting the rate of deferred interest on assessments; and providing other matters properly relating thereto.

By the Committee on Government Affairs:

Assembly Bill No. 586—An Act relating to short-term financing; authorizing redemption before maturity; and providing other matters properly relating thereto.

By the Committee on Government Affairs:

Assembly Bill No. 587—An Act relating to local improvements; authorizing the private sale of bonds; and providing other matters properly relating thereto.

By the Committee on Government Affairs:

Assembly Bill No. 588—An Act relating to local governments; authorizing those governments to replace economic competition in certain areas of

public services with regulated anticompetitive services; and providing other matters properly relating thereto.

By the Committee on Government Affairs:

Assembly Bill No. 589—An Act relating to general improvement districts; clarifying the permissible increase in the salaries of the trustees; and providing other matters properly relating thereto.

By Assemblymen Horne, Thomas and Tebbs:

Assembly Bill No. 590—An Act relating to actions concerning persons; limiting the amount which may be awarded for a personal injury or wrongful death; limiting the permissible elements of damage in an action for a personal injury; specifying the method for determining damages for a permanent impairment; and providing other matters properly relating thereto.

By Assemblymen Dini, Jeffrey, Thompson, Stone, Schofield, Nevin, Rader, Arberry, Banner, Beyer and Malone:

Assembly Bill No. 591—An Act relating to driver's licenses; authorizing persons born outside the United States to prove his age by a driver's license issued by another state; and providing other matters properly relating thereto.

By Assemblymen Williams and Francis:

Assembly Bill No. 592—An Act relating to landlords; increasing the penalty for certain violations; and providing other matters properly relating thereto.

Senate Bill No. 72.

Bill read first time.

Senate Bill No. 295.

Bill read first time.

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen Price, Collins, DuBois, McGaughey, Little, Fairchild and Williams:

Assembly Joint Resolution No. 20—Proposing an amendment to article 10 of the constitution of the State of Nevada, relating to taxation, by adding a new section limiting the duration of increases in certain taxes.

RESOLVED BY THE ASSEMBLY AND THE SENATE OF THE STATE OF NEVADA, JOINTLY, That article 10 of the constitution of the State of Nevada be amended by adding thereto a new section to read as follows:

Sec. 4. Any increase in the:

1. Rate of a tax on retail sales;

2. Rate of a tax on the storage, use or other consumption of property;

3. Rate of assessment for a tax ad valorem; or

4. Maximum allowable rate of a tax ad valorem,

which is enacted after January 1, 1985, by the legislature or by a vote of the people expires 10 years after the date on which the increase became effective unless a majority of the voters voting on the question vote to retain the increase.

By Assemblymen Nicholas and Coffin:

Assembly Concurrent Resolution No. 25—Urging the public broadcasters in Nevada to produce weekly programs of news and information devoted to issues affecting the state.

Assemblyman Francis moved that the Assembly recess subject to the call of the Chair.

Motion carried.

Assembly in recess at 10:14 a.m.

ASSEMBLY IN SESSION

At 10:19 a.m.

Mr. Speaker presiding.

Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

By the Committee on Education:

Assembly Joint Resolution No. 21—Proposing an amendment to section 7 of article 11 of the constitution of the State of Nevada, relating to education, by providing for the appointment of the regents of the University of Nevada by the governor.

RESOLVED BY THE ASSEMBLY AND SENATE OF THE STATE OF NEVADA, JOINTLY, That section 7 of article 11 of the constitution of the State of Nevada be amended to read as follows:

[Sec:] *Sec.* 7. The Governor [, Secretary of State, and Superintendent of Public Instruction, shall for the first Four Years and until their successors are elected and qualified constitute a Board of Regents to control and manage the affairs of the University and the funds of the same under such regulations as may be provided by law. But the Legislature shall at its regular session next preceding the expiration of the term of Office of said Board of Regents provide for the election of a new Board of Regents and] *shall appoint persons to serve on the board of regents for the University of Nevada. The membership of the board must substantially reflect the geographical dispersion of population in this state. The legislature shall* define their duties.

INTRODUCTION AND FIRST READING OF LEGISLATION

By the Committee on Ways and Means:

Assembly Bill No. 593—An Act relating to public employees; confirming the exclusion of certain employees from the payment of additional compensation for continuous service; and providing other matters properly relating thereto.

By the Committee on Health and Welfare:

Assembly Bill No. 594—An Act relating to motor vehicles; increasing the amount of security required as proof of financial responsibility after the owner's conviction of certain offenses; and providing other matters properly relating thereto.

By the Committee on Health and Welfare:

Assembly Bill No. 595—An Act relating to emergency medical services;

authorizing the licensing of fire departments and firemen to provide medical care at the scene of an emergency; making various changes in the requirements for training; and providing other matters properly relating thereto.

REFERENCE OF MEASURES TO COMMITTEES

Assembly Bill No. 579.

Assemblyman Francis moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

Assembly Bill No. 580.

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

Motion carried.

Assembly Bill No. 581.

Assemblyman Humke moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

Senate Bill No. 185.

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

Motion carried.

Senate Bill No. 290.

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

Motion carried.

Senate Bill No. 357.

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

Motion carried.

Senate Joint Resolution No. 19.

Assemblyman Francis moved that the resolution be referred to the Concurrent Committees on Economic Development and Tourism and Natural Resources, Agriculture and Mining.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 253.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 607.

Amend sec. 3, page 2, line 34, by deleting the period at the end of the line and inserting: "*if they are authenticated or identified.*".

Amend sec. 3, page 2, line 39, by deleting the colon and inserting: "*a statement which contains:*".

Amend sec. 3, page 2, line 41, by deleting the semicolon and inserting: "*or other person to whom it was released; and*".

Amend sec. 3, page 2, by deleting lines 42 through 45 and inserting: "*(c) The date the photographs were taken.*".

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. 297.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 308.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 393.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 450.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 478.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 502.

Bill read second time.

The following amendment was proposed by the Committee on Taxation:

Amendment No. 605.

Amend sec. 3, page 1, line 15, by deleting "adoption" and inserting "approval".

Amend sec. 4, page 3, by deleting lines 4 through 7 and inserting: "Shall the Sales and Use Tax Act be amended to treat governmental contractors like other taxpayers and purchases outside the state like purchases in the state?".

Amend sec. 5, page 3, by deleting lines 13 through 21 and inserting: "If this act is approved, contractors for governmental and other tax-exempt organizations would pay the same taxes as other purchasers, and purchases made outside the state would be taxed the same as if made in the state.".

Assemblyman Zimmer moved the adoption of the amendment.

Remarks by Assemblyman Zimmer.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 155.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 595.

Amend section 1, page 1, line 14, after "*similar*", by inserting "*location,*".

Amend the title of the bill, third line, after "similar", by inserting "location,".

Assemblyman DuBois moved the adoption of the amendment.
Remarks by Assemblyman DuBois.
Amendment adopted.
Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 161.
Bill read second time and ordered to third reading.

Senate Bill No. 167.
Bill read second time and ordered to third reading.

Senate Bill No. 178.
Bill read second time and ordered to third reading.

Senate Bill No. 181.
Bill read second time and ordered to third reading.

Senate Bill No. 182.
Bill read second time and ordered to third reading.

Senate Bill No. 230.
Bill read second time and ordered to third reading.

INTRODUCTION AND FIRST READING OF LEGISLATION

By Assemblymen Price, Stone, Bergevin and Sedway:

Assembly Bill No. 596—An Act relating to traffic laws; requiring the impoundment of the vehicle which a person is driving when he is arrested for driving under the influence of intoxicating liquor or a controlled substance; providing a penalty; and providing other matters properly relating thereto.

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 a musical rendition by first grade students from Fremont School, Carson City, Nevada.

Assembly in recess at 10:33 a.m.

ASSEMBLY IN SESSION

At 10:48 a.m.
Mr. Speaker presiding.
Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman DuBois moved that Assembly Bill No. 483 be re-referred to the Committee on Health and Welfare.
Motion carried.

Assemblyman Getto moved that all rules be suspended, reading so far had considered second reading, rules further suspended, Senate Joint Resolution No. 25 considered engrossed, declared an emergency measure under the Constitution and placed on third reading and final passage.

Motion carried unanimously.

Assemblyman Getto moved that Senate Joint Resolution No. 25 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 10:54 a.m.

ASSEMBLY IN SESSION

At 10:55 a.m.

Mr. Speaker pro Tempore presiding.

Quorum present.

GENERAL FILE AND THIRD READING

Senate Joint Resolution No. 25.

Resolution read third time.

Remarks by Assemblymen Getto and Bilyeu.

Roll call on Senate Joint Resolution No. 25:

YEAS—42.

NAYS—None.

Senate Joint Resolution No. 25 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.

Assemblyman Getto moved that all rules be suspended and that Senate Joint Resolution No. 25 be immediately transmitted to the Senate.

Motion carried 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 10:59 a.m.

ASSEMBLY IN SESSION

At 11 a.m.

Mr. Speaker presiding.

Quorum present.

GENERAL FILE AND THIRD READING

Assembly Bill No. 111.

Bill read third time.

Remarks by Assemblyman O'Donnell.

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. 282.

Bill read third time.

Remarks by Assemblyman Stone.

Roll call on Assembly Bill No. 282:

YEAS—42.

NAYS—None.

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. 405.

Bill read third time.

Remarks by Assemblymen Malone, Collins, Stone, Bogaert and Getto.

Assemblyman Getto moved that Assembly Bill No. 405 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Getto.

Motion carried.

Assembly Bill No. 474.

Bill read third time.

Remarks by Assemblymen Getto, Craddock and Rader.

Assemblyman Coffin requested that the following remarks be entered in the Journal.

ASSEMBLYMAN GETTO:

A.B. 474 is a bill that appropriates $70,200 to the White Pine County School District. This bill is a result of a problem with the Lund School in the White Pine County School District. The White Pine County School District had voted to close the Lund School. The parents of the children who attended the Lund School organized and put forth a tremendous effort to keep that school open. They got the attention of not only the White Pine County School District, the State Board of Education but also the Nevada State Legislature. I would like to commend all those different entities that worked and met with an open mind, especially the Chairman and members of the Education Committee, our Speaker, the Ways and Means Committee, the residents of Lund and the White Pine County School District. This bill will not only resolve the problem in Lund, but I think it is a very wonderful forward step to perhaps a new method of providing an equal opportunity for education for the small schools; not only in the rural counties but the small schools in the larger counties. The mandates of the bill will also require that after this study or experiment is carried out in Lund that a report be made back to the next session of the legislature. It will allow for the Lund School to be accredited with less teachers than is currently allowed under our state accrediting system. Possibly an education can be provided to those students with two teachers and an aide instead of the five teachers that are currently required. This bill was heard in both the Education and Ways and Means Committees and the Committee on Ways and Means gave it unanimous support.

ASSEMBLYMAN CRADDOCK:

I've had considerable interest in this project for some time and watched the developments in Lund. One of the things that interested me the most about this is the fact that we have what appears to be a very conscientious group of parents in Lund who have

supported education for a number of years. I think the potential that the project holds relating to telecommunicating and programs that can be put together by the television satellite approach may very well be helpful to the rest of the state in that we could at least get a handle on what is available. I didn't know what was available through satellite communications, but the amazing part was that I soon learned that no one else knew what was available either. It seems like a good spot to put together a program that can be evaluated as to what programs are available through satellite which may be of help throughout the State of Nevada, not just limited to rural areas.

ASSEMBLYMAN RADER:

I represent an urban area and a concern in the urban areas is neighborhood schools. The Lund School is just a "neighborhood school" and it is difficult for us in a big city to realize the importance of the schools in the small towns. It is a community center. If we can't take the time and find the money to help a rural area like this, then we've reached a sorry point in this state.

Conflict of interest declared by Mr. Speaker.

Roll call on Assembly Bill No. 474:

YEAS—41.

NAYS—None.

Not voting—Mr. Speaker.

Assembly Bill No. 474 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 Assemblymen Swain, Schofield, Ham, Price and Stone.

Roll call on Senate Bill No. 220:

YEAS—40.

NAYS—Humke, Thomas—2.

Senate Bill No. 220 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 Zimmer.

Roll call on Senate Joint Resolution No. 10:

YEAS—41.

NAYS—Thomas.

Senate Joint Resolution No. 10 having received a constitutional majority, Mr. Speaker declared it passed.

Resolution ordered transmitted to the Senate.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Taxation, to which was referred Assembly Bill No. 97, 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.

CHARLES W. JOERG, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

By the Committee on Taxation:

Assembly Joint Resolution No. 22—Proposing to amend the constitution of the State of Nevada to authorize the taxation of estates only to the extent of the credit allowable for the tax against the federal estate tax.

RESOLVED BY THE ASSEMBLY AND SENATE OF THE STATE OF NEVADA, JOINTLY, That a new section be added to article 10, and section 1 of article 10 of the constitution of the State of Nevada be amended to read respectively as follows:

Sec. 4. The legislature may provide by law for the taxation of estates taxed by the United States, but only to the extent of any credit allowed by federal law for the payment of the state tax. The combined amount of these federal and state taxes may not exceed the estate tax which would be imposed by federal law alone. If another state of the United States imposes and collects death taxes against an estate which is taxable by the State of Nevada under this section, the amount of estate tax to be collected by the State of Nevada must be reduced by the amount of the death taxes collected by the other state. Any lien for the estate tax attaches no sooner than the time when the tax is due, and no restriction on possession or use of a decedent's property may be imposed by law before the time when the tax is due. The State of Nevada shall:

1. Accept the determination of 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.

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 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.

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.

INTRODUCTION AND FIRST READING OF LEGISLATION

By the Committee on Commerce:

Assembly Bill No. 597—An Act relating to barbers; permitting a barbershop to share its main entrance with a cosmetological establishment; and providing other matters properly relating thereto.

By the Committee on Commerce:

Assembly Bill No. 598—An Act relating to installment loans; allowing a loan for an indefinite term; providing procedures for payment on that loan; providing for charges and interest on that loan; and providing other matters properly relating thereto.

By the Committee on Commerce:

Assembly Bill No. 599—An Act relating to motor vehicles; providing for full reimbursement by the manufacturer for repairs made under an express warranty; and providing other matters properly relating thereto.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Senate Bills Nos. 33, 106, 170, 209.

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 Messrs. Pinder, Parks, Mrs. Price and students from Churchill County High School: Jeanine Pete, Kathy Buckmaster, Christian Dela Rosa, Brenna McDonald, Kerry Martin, Jay Warner, Matt Gunter, Kim Bauer, Devin Lussier, Laura Vaughn, Tammy Barger, Matt Madden, Kristen Brown, Diane Gignilliat, Lisa Oakden, Beth Czichotski, Jessica Behimer, Steve Newman and Laura Fabel.

On request of Assemblyman Thompson, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Heather Young and Shauna Elmer.

On request of Assemblyman Banner, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Arnold Swanborn.

On request of Assemblyman Ham, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Julie Barnes.

On request of Assemblyman Jeffrey, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Elizabeth Anne Downs.

On request of Assemblyman Malone, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Blanche Zucker.

On request of Assemblyman Craddock, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Hilda Christensen.

On request of Assemblyman Humke, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Kathy Perazzo.

On request of Assemblyman Marvel, the privilege of the floor of the Assembly Chamber for this day was extended to Mesdames Bea Skau, Sandy Bybee, Peggy Round, Cheryl Ness, Jean Tovey, Rosemary Crowder, Sheryl Seaman, Charlene Oates, Sharon Andreasen, Renee Horwath, Lynann Hermesky, Gloria Dopf, Messrs. Art Williams, Steve Watson and first grade students from Fremont School, Carson City, Nevada: Travis Abbott, Charles Anderson, Kenneth Benson, Andrew Bibb, Jevan Burchfield, Reed Dopf, Justin Hermesky, Matthew Horwath, Garrett Lambert, David Oakes, Brent Pinney, Kenneth Prestella, Michael Ralston, Jonathan Reynolds, Isaiah Treur, Jacob Vendelin, Shari Andreasen, Chrissa Bonds, Amy Cunnally, Christina Dansie, Mandi Davis, Julie Gould, Shauna Gundlach, Melissa Neighbors, Adrienne Sarnowski, Mary Shade, Christine Thompson, Susan Walker, Kari Wastun, Kenneth Angst, Larry Brown, Ty Crowder, Daniel Davis, Gregory Dawson, Robert Erickson, John Franklin, Sean Franzen, Scott Ness, Michael Neville, Stephen Parr, Reid Pervicalle, Evan Shane, James Stanley, David Stoops, Joshua Watson, Amanda Barnes, Heather Dion, Christa Dunning, Meredith Haddock, Tiffany Mayes, Kristi Miller, Pamela Moore, Corrie Philippi, Kristine Proell, Alison Pullin, Heather Round, Kathryn Seaman, Leah Spann and Elizabeth Williams.

On request of Assemblyman Beyer, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Shareen Sorensen.

On request of Assemblyman Kerns, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Lisa Fritz.

On request of Assemblyman Dini, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Noelle Dela Rosa.

On request of Assemblyman Joerg, the privilege of the floor of the Assembly Chamber for this day was extended to Mesdames Ponn, Schager and students from John C. Fremont School: Sabrina Pallo, Debbie Wenzel, Shannon Farnworth, Jennifer Chezem, Jennifer O'Neill, Shelly McCabe, Brandee Wastun, Chrissy Hagan, James Geyler, Wade Maggert, Kathy

Munn, Robbie Hannah, Paul Sanders, Sandi Luster, Geoff Wacker, Keith Woods, Ryan Fritz, Todd Coder, Mark Scheerle, Debra Browning, Laura Reeves, Matt Saylor and Deirdre Kipp.

Assemblyman Francis moved that the Assembly adjourn until Monday, April 29, 1985 at 11 a.m.

Motion carried.

Assembly adjourned at 11:27 a.m.

Approved:

BYRON L. BILYEU
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE NINETY-NINTH DAY

CARSON CITY (Monday), April 29, 1985

Assembly called to order at 11:01 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, The Reverend Terry W. Arnold.

Our Heavenly Father, we thank You for Your gift of life. Help us use it to enjoy ourselves, serve others, and glorify You today. We pray these things in the name of our Lord and Saviour, Jesus Christ. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Francis 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 Bill No. 435, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

BRUCE R. BOGAERT, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which was referred Assembly Bill No. 481, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN MARVEL, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Assembly Bill No. 539, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

LOUIS W. BERGEVIN, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, April 26, 1985

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. 18, 41, 159, 176.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Joint Resolution No. 28.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Senate Joint Resolution No. 28.
Resolution read first time.

INTRODUCTION AND FIRST READING OF LEGISLATION

By Assemblyman Stone:

Assembly Bill No. 600—An Act relating to collective bargaining by local governments; changing the time for mediation and factfinding; and providing other matters properly relating thereto.

Senate Bill No. 18.
Bill read first time.

Senate Bill No. 41.
Bill read first time.

Senate Bill No. 159.
Bill read first time.

Senate Bill No. 176.
Bill read first time.

REFERENCE OF MEASURES TO COMMITTEES

Assembly Bill No. 582.
Assemblyman Francis moved that the bill be referred to the Concurrent Committees on Education and Ways and Means.
Motion carried.

Assembly Bill No. 583.
Assemblyman Francis moved that the bill be referred to the Committee on Government Affairs.
Motion carried.

Assembly Bill No. 584.
Assemblyman Francis moved that the bill be referred to the Committee on Government Affairs.
Motion carried.

Assembly Bill No. 585.
Assemblyman Francis moved that the bill be referred to the Committee on Government Affairs.
Motion carried.

Assembly Bill No. 586.
Assemblyman Francis moved that the bill be referred to the Committee on Government Affairs.
Motion carried.

Assembly Bill No. 587.

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

Motion carried.

Assembly Bill No. 588.

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

Motion carried.

Assembly Bill No. 589.

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

Motion carried.

Assembly Bill No. 590.

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

Motion carried.

Assembly Bill No. 591.

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

Motion carried.

Assembly Bill No. 592.

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

Motion carried.

Assembly Bill No. 593.

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

Motion carried.

Assembly Bill No. 594.

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

Motion carried.

Assembly Bill No. 595.

Assemblyman Francis moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

Assembly Bill No. 596.

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

Motion carried.

Assembly Bill No. 597.

Assemblyman Francis moved that the bill be referred to the Committee on Commerce.

Motion carried.

Assembly Bill No. 598.

Assemblyman Francis moved that the bill be referred to the Committee on Commerce.

Motion carried.

Assembly Bill No. 599.

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

Motion carried.

Assembly Joint Resolution No. 20.

Assemblyman Francis moved that the resolution be referred to the Committee on Taxation.

Motion carried.

Assembly Joint Resolution No. 21.

Assemblyman Francis moved that the resolution be referred to the Committee on Education.

Motion carried.

Assembly Joint Resolution No. 22.

Assemblyman Francis moved that the resolution be referred to the Committee on Taxation.

Motion carried.

Assembly Concurrent Resolution No. 25.

Assemblyman Nicholas moved that the resolution be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 72.

Assemblyman Francis moved that the bill be referred to the Concurrent Committees on Judiciary and Ways and Means.

Motion carried.

Senate Bill No. 295.

Assemblyman Francis moved that the bill be referred to the Committee on Commerce.

Motion carried.

INTRODUCTION AND FIRST READING OF LEGISLATION

By Assemblymen Getto, Bergevin, Dini, Spriggs, Marvel and Bilyeu:

Assembly Bill No. 601—An Act relating to economic development; requiring that one member of the commission on economic development and

of the commission on tourism be a resident of a county whose population is 17,000 or less; and providing other matters properly relating thereto.

SECOND READING AND AMENDMENT

Assembly Bill No. 97.

Bill read second time.

The following amendment was proposed by the Committee on Taxation:

Amendment No. 627.

Amend the bill as a whole by deleting sections 1 through 19 and inserting:

"Section 1. NRS 361.091 is hereby amended to read as follows:

361.091 1. An actual bona fide resident of the State of Nevada who has incurred a permanent service-connected disability and has been honorably discharged from the Armed Forces of the United States, or his surviving spouse, is entitled to a disabled veteran's exemption.

2. The amount of exemption is based on the total percentage of permanent service-connected disability. The maximum allowable exemption for total permanent disability is the first $10,000 assessed valuation. A person with a permanent service- connected disability of:

(a) Eighty to 99 percent, inclusive, is entitled to an exemption of $7,500 assessed value.

(b) Sixty to 79 percent, inclusive, is entitled to an exemption of $5,000 assessed value.

For the purposes of this section, any property in which an applicant has any interest is deemed to be the property of the applicant.

3. The exemption may be allowed only to a claimant who has made an affidavit annually, on or before August 1 of the year preceding the year for which the tax is levied, for the purpose of being exempt on the tax roll; but the affidavit may be made at any time by a person claiming exemption from taxation on personal property.

4. The affidavit must be made before the county assessor or a notary public and be submitted to the county assessor. It must be to the effect that the affiant is an actual bona fide resident of the State of Nevada, that he meets all the other requirements of subsection 1, and that he does not claim the exemption in any other county within this state.

5. Before allowing any exemption pursuant to the provisions of this section, the county assessor shall require proof of the applicant's status, and for that purpose shall require him to produce an original or certified copy of:

(a) An honorable discharge or other document of honorable separation from the Armed Forces of the United States which indicates the total percentage of his permanent service-connected disability;

(b) A certificate of satisfactory service which indicates the total percentage of his permanent service-connected disability; or

(c) A certificate from the Veterans' Administration *or any other military document* which shows that he has incurred a permanent service-connected disability and which indicates the total percentage of that disability, together with a certificate of honorable discharge or satisfactory service.

6. A surviving spouse claiming an exemption pursuant to this section must file with the county assessor an affidavit declaring that:

(a) The surviving spouse was married to and living with the disabled veteran for the 5 years preceding his death;

(b) The disabled veteran was eligible for the exemption at the time of his death; and

(c) The surviving spouse has not remarried.

The affidavit required by this subsection is in addition to the certification required pursuant to subsections 4 and 5.

7. If a tax exemption is allowed under this section, the claimant is not entitled to an exemption under NRS 361.090.

8. If any person makes a false affidavit or produces false proof to the county assessor or a notary public, and as a result of the false affidavit or false proof, the person is allowed a tax exemption to which he is not entitled, he is guilty of a gross misdemeanor.

Sec. 2. NRS 375.090 is hereby amended to read as follows:

375.090 The tax imposed by NRS 375.020 does not apply to:

1. Any transaction wherein an interest in real property is encumbered for the purposes of securing a debt.

2. A transfer of title to or from the United States, any territory or state or any agency, department, instrumentality or political subdivision thereof.

3. A transfer of title recognizing the true status of ownership of the real property.

4. A transfer of title without consideration from one joint tenant or tenant in common to one or more remaining joint tenants or tenants in common.

5. A transfer of title to community property without consideration when held in the name of one spouse to both spouses as joint tenants or tenants in common, or as community property.

6. A transfer of title between spouses, including gifts.

7. A transfer of title between spouses to effect a property settlement agreement or between former spouses in compliance with a decree of divorce.

8. A transfer of title by spouses without consideration to an inter vivos trust.

9. Transfers, assignments or conveyances of unpatented mines or mining claims.

10. The making, delivery or filing of conveyances of real property to make effective any plan of reorganization or adjustment:

(a) Confirmed under the Bankruptcy Act, as amended, 11 U.S.C.;

(b) Approved in an equity receivership proceeding involving a railroad corporation, as defined in section 77 of the Bankruptcy Act, 11 U.S.C. § 205;

(c) Approved in an equity receivership proceeding involving a corporation, as defined in section 106 of the Bankruptcy Act, 11 U.S.C. § 506; or

(d) Whereby a mere change in identity, form or place of organization is

effected, *such as a transfer involving a parent, subsidiary or affiliate of a corporation,*
if the making, delivery or filing of instruments of transfer or conveyance occurs within 5 years [from] *after* the date of [such] *the* confirmation, approval or change.

11. The making or delivery of conveyances of real property to make effective any order of the Securities and Exchange Commission if:

(a) The order of the Securities and Exchange Commission in obedience to which [such] *the* transfer or conveyance is made recites that [such] *the* transfer or conveyance is necessary or appropriate to effectuate the provisions of section 11 of the Public Utility Holding Company Act of 1935, 15 U.S.C. § 79k;

(b) [Such] *The* order specifies and itemizes the property which is ordered to be transferred or conveyed; and

(c) [Such] *The* transfer or conveyance is made in obedience to [such] *the* order.".

Amend the title of the bill to read:

"An Act relating to taxation; expanding the acceptable documentation of eligibility for a disabled veteran's exemption; clarifying an exemption from the real property transfer tax regarding corporate transfers; and providing other matters properly relating thereto.".

Amend the summary of the bill to read as follows: "Makes various changes regarding exemptions from property tax and real property transfer tax. (BDR 32-230)".

Assemblyman Joerg moved the adoption of the amendment.

Remarks by Assemblyman Joerg.

Amendment adopted.

Assemblyman Joerg moved that Assembly Bill No. 97 be re-referred to the Committee on Taxation.

Motion carried.

Bill ordered reprinted, engrossed and to the Committee on Taxation.

Assembly Bill No. 131.

Bill read second time, ordered engrossed and to third reading.

Assemblyman Malone 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.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Stone moved that Assembly Bill No. 229 be taken from the Second Reading File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Stone.

Motion carried.

Assemblyman Stone moved that Senate Bill No. 181 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Stone.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 283.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 503.

Amend section 1, page 1, line 2, by deleting "*1.*".

Amend section 1, page 1, line 3, after "liquor", by inserting: "*or possess an open container of an intoxicating liquor*".

Amend section 1, page 1, by deleting lines 5 through 8.

Amend the title of the bill, second line, by deleting: ", if a minor is present in the" and inserting: "or in actual physical control of a".

Amend the summary of the bill, second line, by deleting: "if minor is present in motor vehicle." and inserting a period.

Assemblyman Stone moved the adoption of the amendment.

Remarks by Assemblyman Stone.

Amendment adopted.

Assemblyman Stone moved that Assembly Bill No. 283 be re-referred to the Committee on Judiciary.

Motion carried.

Bill ordered reprinted, engrossed and to the Committee on Judiciary.

Assembly Bill No. 340.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 594.

Amend section 1, page 1, line 5, by deleting "[$10] *$13*" and inserting "$10".

Amend section 1, page 1, line 18, by deleting "[$10] *$13*" and inserting "$10".

Amend section 1, page 1, line 19, by deleting "*Nine*" and inserting "*Seven*".

Amend section 1, page 2, line 4, by deleting "Three" and inserting "[Three] *Two*".

Amend section 1, page 2, line 10, by deleting "[$10] *$13*" and inserting "$10".

Amend section 1, page 2, line 12, by deleting "*Nine*" and inserting "*Seven*".

Amend section 1, page 2, line 17, by deleting "Three" and inserting "[Three] *Two*".

Amend sec. 2, page 2, line 22, by deleting "*$9*" and inserting "*$7*".

Amend sec. 2, page 2, line 23, by deleting "Five" and inserting "[Five] *Six*".

Amend sec. 2, page 2, line 25, by deleting "Two" and inserting "[Two] *One*".

Amend sec. 2, page 2, line 26, by deleting "Two" and inserting "[Two] *One*".

Amend sec. 2, page 2, by inserting between lines 28 and 29:

"*(d) Three dollars for the supreme court.*".

Amend sec. 2, page 2, line 29, by deleting the bracket.

Amend sec. 2, page 2, by deleting lines 31 through 37 and inserting: "education of persons whose primary duty is law enforcement. Any amounts received in excess".

Amend the title of the bill, first line, by deleting "increasing and".

Amend the summary of the bill, first line, by deleting: "Increases and reallocates" and inserting "Reallocates".

Assemblyman Stone moved the adoption of the amendment.

Remarks by Assemblyman Stone.

Amendment adopted.

Bill ordered reprinted, engrossed and to the Concurrent Committee on Ways and Means.

Assembly Bill No. 447.

Bill read second time, ordered engrossed and to third reading.

Senate Bill No. 91.

Bill read second time and ordered to third reading.

INTRODUCTION AND FIRST READING OF LEGISLATION

By the Committee on Judiciary:

Assembly Bill No. 602—An Act relating to community antenna television; prohibiting unauthorized interception; providing a penalty; and providing other matters properly relating thereto.

GENERAL FILE AND THIRD READING

Assembly Bill No. 118.

Bill read third time.

Remarks by Assemblymen Bergevin, Thompson, Price, Dini, Bogaert, Coffin, Horne, Getto and Collins.

Roll call on Assembly Bill No. 118:

YEAS—23.

NAYS—Arberry, Banner, Coffin, Collins, Dini, DuBois, Humke, Jeffrey, Malone, Nevin, Nicholas, Price, Roberts, Schofield, Sedway, Swain, Thompson, Williams—18.

Not voting—Sader.

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. 276.

Bill read third time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 628.

Amend sec. 12, page 10, line 5, by deleting "records" and inserting "micrographics".

Amend the bill as a whole by adding a new section designated section 20, following section 19, to read as follows:

"Sec. 20. Section 12 of this act becomes effective at 12:01 a.m. on July 1, 1985.".

Assemblyman Bergevin moved the adoption of the amendment.

Remarks by Assemblyman Bergevin.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 297.

Bill read third time.

Remarks by Assemblymen Thomas, Nicholas, O'Donnell and Williams.

Roll call on Assembly Bill No. 297:

YEAS—38.

NAYS—Horne, Malone, O'Donnell—3.

Not voting—Williams.

Assembly Bill No. 297 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 308.

Bill read third time.

Remarks by Assemblyman Tebbs.

Roll call on Assembly Bill No. 308:

YEAS—42.

NAYS—None.

Assembly Bill No. 308 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 393.

Bill read third time.

Remarks by Assemblyman Sader.

Roll call on Assembly Bill No. 393:

YEAS—42.

NAYS—None.

Assembly Bill No. 393 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 450.

Bill read third time.

Remarks by Assemblyman Jeffrey.

Roll call on Assembly Bill No. 450:

YEAS—42.

NAYS—None.

Assembly Bill No. 450 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 478.

Bill read third time.

Remarks by Assemblymen Sader, Collins and Stone.

Roll call on Assembly Bill No. 478:

YEAS—41.

NAYS—Horne.

Assembly Bill No. 478 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 161.

Bill read third time.

Remarks by Assemblyman Sedway.

Roll call on Senate Bill No. 161:

YEAS—42.

NAYS—None.

Senate Bill No. 161 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 167.

Bill read third time.

Remarks by Assemblyman McGaughey.

Roll call on Senate Bill No. 167:

YEAS—42.

NAYS—None.

Senate Bill No. 167 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 178.

Bill read third time.

Remarks by Assemblymen Dini, Bogaert and Stone.

Roll call on Senate Bill No. 178:

YEAS—39.

NAYS—Malone, Stone, Zimmer—3.

Senate Bill No. 178 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 Malone.

Roll call on Senate Bill No. 182:

YEAS—41.

NAYS—Thomas.

Senate Bill No. 182 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 230.

Bill read third time.

Remarks by Assemblyman Nevin.

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.

Bill ordered transmitted to the Senate.

Senate Bill No. 240.

Bill read third time.

Remarks by Assemblyman Little.

Roll call on Senate Bill No. 240:

YEAS—42.

NAYS—None.

Senate Bill No. 240 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

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. 234, 326, 336; Senate Bills Nos. 103, 105, 108, 171.

REMARKS FROM THE FLOOR

Mr. Speaker requested that Assemblyman Horne's remarks be entered in the Journal.

The superior man understands what is right;
The inferior man understands what will sell.

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 Mrs. Sokol and students from the Katherine Dunn School: Paula Vincent, Jennifer Bagley, Angela Sommers, Brandy Monroe, Carrie Simmons, Jennifer Thomas, Nevada Pico, Sam Colling, Mike Garrick, Chad Forrester, Shane Bossert, Tom Guinn, Noel Salter, Rick Potts, Rob Walcher, Heidi Fettig, Nikole Buchanan, Michelle Menderhall, Kevin Garrett, Jason Williams, Chris Poledouris, Dean Pereos, Silvia Senini, Kim Hoang and Jody Valline.

On request of Assemblyman Malone, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Herman Molen and Carl B. Thomas.

On request of Assemblyman Getto, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Anne Bourn.

On request of Assemblyman Swain, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Nancy Fitzgerald, Linda Fisher, Judy Sturgis and students from the Cambridge School, Reno, Nevada: Angela Avansino, Allison Belaustegui, Amy Belaustegui, Christina Cupit, Russell Fisher, Christopher Foy, Josua Gerber, Hugh Marshall, Sierra Nelson, Ammon Mercer, Jason Sturgis, Emily Swenke, Jerry Williams, Sonya Weiser, Catalina Castellanos, David Everhart, Josh Liberman, Rueben Main, Andrea Milstein, Cynthia Morris, Jason Newmark, Kochy Tang and Sarah Van Allen.

Assemblyman Francis moved that the Assembly adjourn until Tuesday, April 30, 1985 at 11 a.m.

Motion carried.

Assembly adjourned at 12:22 p.m.

Approved:

BYRON L. BILYEU
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE ONE HUNDREDTH DAY

CARSON CITY (Tuesday), April 30, 1985

Assembly called to order at 11 a.m.

Mr. Speaker presiding.

Roll called.

All present except Assemblyman Bogaert, who was excused.

Prayer by the Chaplain, The Reverend Terry W. Arnold.

Our Heavenly Father, we thank You for the opportunity to serve You. Help us use our heads to make intelligent decisions, our hearts to make loving demonstrations, and our hands to do needed tasks. We pray these things in the name of our Lord and Saviour, Jesus Christ. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Francis 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 Assembly Bills Nos. 493, 536, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

MIKE MALONE, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Judiciary, to which was referred Assembly Bill No. 260, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JAMES STONE, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which were referred Assembly Bill No. 286; Senate Bill No. 222, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JAMES STONE, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which were referred Senate Bills Nos. 235, 299, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JAMES STONE, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was re-referred Assembly Bill No. 360, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass, as amended.

LOUIS W. BERGEVIN, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which was referred Senate 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.

JOHN MARVEL, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, April 29, 1985

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 193, 288, 307, 425.

Also, I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bills Nos. 166, 298, 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 Resolution No. 24.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Bills Nos. 343, 350.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 268, 314, 333.

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. 31.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Francis requested that Assemblyman Bogaert be excused for the purpose of representing the legislature at a meeting of the Winter Olympics Committee.

By the Committee on Transportation:

Assembly Joint Resolution No. 23—Requesting Congress to permit this state to raise the maximum speed limit to 70 miles per hour for a trial period and conditioning the effective date of a law requiring the use of safety belts on this permission.

INTRODUCTION AND FIRST READING OF LEGISLATION

By the Committee on Government Affairs:

Assembly Bill No. 603—An Act relating to state employees; broadening the permissible deferral of compensation; and providing other matters properly relating thereto.

By the Committee on Transportation:

Assembly Bill No. 604—An Act relating to motor vehicles; providing special license plates for antique motorcycles; further defining the safe operation of a motorcycle; and providing other matters properly relating thereto.

Senate Bill No. 268.

Bill read first time.

Senate Bill No. 314.
Bill read first time.

Senate Bill No. 333.
Bill read first time.

Senate Bill No. 343.
Bill read first time.

Senate Bill No. 350.
Bill read first time.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Judiciary, to which was referred Assembly Bill No. 274, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JAMES STONE, *Chairman*

INTRODUCTION AND FIRST READING OF LEGISLATION

By the Committee on Natural Resources, Agriculture and Mining:

Assembly Bill No. 605—An Act relating to guides for hunting and fishing; allocating a percentage of the tags for hunting deer for issuance to master guides; prohibiting the sale of tags after issuance; providing a penalty; and providing other matters properly relating thereto.

REFERENCE OF MEASURES TO COMMITTEES

Assembly Bill No. 600.

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

Motion carried.

Assembly Bill No. 601.

Assemblyman Francis moved that the bill be referred to the Committee on Economic Development and Tourism.

Motion carried.

Assembly Bill No. 602.

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

Motion carried.

Senate Bill No. 18.

Assemblyman Francis moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

Senate Bill No. 41.

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

Motion carried.

Senate Bill No. 159.

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

Motion carried.

Senate Bill No. 176.

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

Motion carried.

Senate Joint Resolution No. 28.

Assemblyman Francis moved that the resolution be referred to the Committee on Judiciary.

Motion carried.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 166.

The following Senate amendment was read:

Amendment No. 533.

Amend section 1, page 1, line 3, after "child,", by inserting: "*or his parental rights have been relinquished or terminated,*".

Amend section 1, page 1, line 7, after the first "child", by inserting: "*or whose parental rights have been relinquished or terminated,*".

Amend section 1, page 1, by deleting line 14 and inserting:

"2. *If the parental rights of both natural parents of a child are relinquished or terminated, the district court in the county in which the child resides may grant to the grandparents, parents and other children of either parent a reasonable right to visit the child during his minority if a petition therefor is filed with the court before the date on which all parental rights are relinquished or terminated. In determining whether to grant this right to a petitioner, the court must find that the visits would be in the best interests of the child in light of the considerations set forth in subsection 1.*

3. Rights to visit a child may be granted:".

Amend section 1, page 2, line 2, by deleting "*or*" and inserting "or".

Amend section 1, page 2, by deleting lines 3 through 8 and inserting: "*aration or after* the death of the parent to whom the person was related [.

3.] *, or upon the relinquishment or termination of a parental right.*

4. Termination of the parental rights of a parent *who is divorced or separated* also terminates any rights granted pursuant to [this section] *subsection 1* to persons related to the parent, [and bars any granting of such rights to those persons.] *unless the court finds that visits by those persons would be in the best interests of the child.*".

Amend section 1, page 2, line 9, by deleting "*4.*" and inserting "*5.*".

Amend the title of the bill to read as follows:

"An Act relating to children; establishing a right for grandparents and others to visit a child after the separation of his parents or upon the

relinquishment or termination of parental rights; and providing other matters properly relating thereto.".

Amend the summary of the bill, second line, by deleting the period and inserting: "or upon relinquishment or termination of parental rights.".

Assemblyman Stone moved that the Assembly concur in the Senate amendment to Assembly Bill No. 166.

Remarks by Assemblyman Stone.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 298.

The following Senate amendment was read:

Amendment No. 556.

Amend section 1, page 1, line 11, by deleting "*$2,000*" and inserting "*$5,000*".

Amend sec. 2, page 2, by deleting line 36 and inserting "*$5,000.*".

Amend sec. 2, page 2, line 41, by deleting "*$2,000.*" and inserting "*$5,000.*".

Amend sec. 2, page 2, line 43, by deleting "*$2,000,*" and inserting "*$5,000,*".

Amend sec. 2, page 3, line 2, by deleting "*$2,000,*" and inserting "*$5,000,*".

Amend sec. 2, page 3, line 5, by deleting "*$2,000.*" and inserting "*$5,000.*".

Amend sec. 2, page 3, by deleting line 8 and inserting "*$5,000.*".

Amend sec. 2, page 3, line 13, by deleting "*$2,000.*" and inserting "*$5,000.*".

Amend sec. 2, page 3, line 15, by deleting "*$2,000.*" and inserting "*$5,000.*".

Amend sec. 2, page 3, line 18, by deleting "*$2,000.*" and inserting "*$5,000.*".

Amend sec. 3, page 4, line 1, by deleting "*$2,000.*" and inserting "*$5,000.*".

Amend sec. 3, page 4, line 4, by deleting "*$2,000.*" and inserting "*$5,000.*".

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 73.010 is hereby amended to read as follows:

73.010 In all cases arising in the justice's court for the recovery of money only, where the amount claimed does not exceed [$1,000] *$3,000* and the defendant named is a resident of the township in which the action is to be maintained, the justice of the peace may proceed as provided in this chapter and by rules of court.".

Amend sec. 4, page 4, line 28, by deleting "*$2,000.*" and inserting "*$5,000.*".

Amend sec. 4, page 4, line 31, by deleting "*$2,000.*" and inserting "*$5,000.*".

Amend sec. 4, page 4, by deleting line 38 and inserting "*$5,000.*".

Amend sec. 4, page 4, line 40, by deleting "*$2,000.*" and inserting "*$5,000.*".

Amend sec. 4, page 4, line 43, by deleting "*$2,000.*" and inserting "*$5,000.*".

Assemblyman Stone moved that the Assembly do not concur in the Senate amendment to Assembly Bill No. 298.

Remarks by Assemblyman Stone.

Motion carried.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Stone moved that Assembly Bill No. 447 be taken from the General File and re-referred to the Committee on Judiciary.

Remarks by Assemblyman Stone.

Motion carried.

INTRODUCTION AND FIRST READING OF LEGISLATION

By the Committee on Taxation:

Assembly Bill No. 606—An Act relating to taxation; revising the distribution of certain revenue to redevelopment agencies and tax increment areas; imposing limits on revenue derived from taxes ad valorem for redevelopment areas and tax increment areas; limiting the duration of redevelopment agencies and tax increment areas; and providing other matters properly relating thereto.

By the Committee on Transportation:

Assembly Bill No. 607—An Act relating to the transportation of passengers; creating a commission to regulate such transportation in all areas of the state; repealing provisions for the establishment of a taxicab authority in certain counties; eliminating certain functions of the public service commission of Nevada; extending certain fees; providing penalties; and providing other matters properly relating thereto.

By Assemblymen Nevin, Jeffrey, Sedway, Coffin, Thompson, Schofield, Stone, Banner, Craddock, Arberry, Rader, Williams, Swain, Collins, McGaughey and Bilyeu:

Assembly Bill No. 608—An Act relating to industrial insurance; reimbursing an employee for his expenses if the employer contests a claim for compensation; and providing other matters properly relating thereto.

By the Committee on Commerce:

Assembly Bill No. 609—An Act relating to the state fire marshal; authorizing him to charge fees to recover the cost of the services he provides; and providing other matters properly relating thereto.

SECOND READING AND AMENDMENT

Assembly Bill No. 435.
Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 481.
Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 539.
Bill read second time, ordered engrossed and to third reading.

GENERAL FILE AND THIRD READING

Assembly Bill No. 131.
Bill read third time.
Remarks by Assemblyman Beyer.
Roll call on Assembly Bill No. 131:
YEAS—41.
NAYS—None.
Excused—Bogaert.

Assembly Bill No. 131 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 253.
Bill read third time.
Remarks by Assemblyman Arberry.
Roll call on Assembly Bill No. 253:
YEAS—40.
NAYS—Collins.
Excused—Bogaert.

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. 502.
Bill read third time.
Remarks by Assemblymen Zimmer, Nicholas, McGaughey and Joerg.
Roll call on Assembly Bill No. 502:
YEAS—41.
NAYS—None.
Excused—Bogaert.

Assembly Bill No. 502 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 Assemblymen Rader, Spriggs, Stone, Nicholas, Coffin, Sader, Getto and Schofield.

Assemblyman Getto moved that Senate Bill No. 91 be taken from the General File and placed on the Chief Clerk's desk.

Motion carried.

Senate Bill No. 155.

Bill read third time.

Remarks by Assemblyman Fairchild.

Roll call on Senate Bill No. 155:

YEAS—40.

NAYS—Spriggs.

Excused—Bogaert.

Senate Bill No. 155 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

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. 228; Senate Bills Nos. 31, 220; Senate Joint Resolutions Nos. 10, 25; Senate Concurrent Resolution No. 14.

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 Mrs. Sheehan and students from the John C. Fremont School, Carson City, Nevada: Brian Aalbers, Cleve Alldredge, Christopher Benson, Brian Bigham, David Davis, Corey Dickerson, Kevin Fosnaugh, Victor Freeman, Sean Green, Tyler Hanson, Jeffrey Kale, Allen Maddox, Jeremy McIver, Ryan Percivalle, Matthew Seaman, Michael Walker, Jason Yasmer, Nicky Baily, Danielle DeLaVaux, Teresa Enders, Angela Fagundis, Jodee Hardman, Monica Haskins, Channa Hermesky, Erin Hill, Carrie Martin, Patricia McHone, Wendy Ralston, Skye Stauffer, Kaelyne Williams and Christa Windle.

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 Fairchild, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Mignon Carroll, Alice Ertel, Linda Schwartz, Sally MacDonald, Mary Sether and Pat Barnes.

On request of Assemblyman Kerns, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Patrick Schafer.

On request of Assemblyman Getto, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Judy Presnell and students from Churchill County High School: Leroy Marx, Robert Green, Sherry Maxwell and Terry Delfrate.

Assemblyman Francis moved that the Assembly adjourn until Wednesday, May 1, 1985 at 11 a.m.

Motion carried.

Assembly adjourned at 11:50 a.m.

Approved: BYRON L. BILYEU
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE ONE HUNDRED AND FIRST DAY

CARSON CITY (Wednesday), May 1, 1985

Assembly called to order at 11:02 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, The Reverend Terry Arnold.

In his first letter to the Christians at Thessalonika the Apostle Paul affirms his "exhortation does not come from error or impurity or by way of deceit". Let us pray. Our Heavenly Father, please guide our conversation and conduct into truth, purity and fidelity. We pray these things in the name of our Lord and Saviour, Jesus Christ. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Francis 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 Assembly Bill No. 514, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

DAVID D. NICHOLAS, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which was referred Assembly Bill No. 75, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JAMES STONE, *Chairman*

Mr. Speaker:

Your Committee on Elections, to which was referred Assembly Bill No. 510, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JANE HAM, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Senate 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.

LOUIS W. BERGEVIN, *Chairman*

Mr. Speaker:

Your Committee on Natural Resources, Agriculture and Mining, 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.

VIRGIL M. GETTO, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, April 30, 1985

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 104, 127, 152, 158, 359.

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 passed, as amended, Senate Bills Nos. 110, 164, 291.

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. 113, 188.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Joint Resolution No. 21.

Also, I have the honor to inform your honorable body that the Senate on this day adopted, as amended, Senate Concurrent Resolution No. 27.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Senate Joint Resolution No. 21.
Resolution read first time.

Senate Concurrent Resolution No. 27.
Resolution read.

INTRODUCTION AND FIRST READING OF LEGISLATION

By the Committee on Judiciary:

Assembly Bill No. 610—An Act relating to evidence; permitting, under certain circumstances the admission in criminal proceedings of a young child's statement concerning sexual conduct; and providing other matters properly relating thereto.

By Assemblyman Stone:

Assembly Bill No. 611—An Act relating to sheriffs; increasing certain fees; and providing other matters properly relating thereto.

By the Committee on Judiciary:

Assembly Bill No. 612—An Act relating to garnishment; requiring that the writ of garnishment be served upon the state controller in any action in which the State of Nevada is a garnishee defendant; and providing other matters properly relating thereto.

By the Committee on Judiciary:

Assembly Bill No. 613—An Act relating to mentally ill persons; requiring reimbursement of expenses to transport such persons for emergency admission; and providing other matters properly relating thereto.

By the Committee on Judiciary:

Assembly Bill No. 614—An Act relating to crimes; raising the monetary threshold for distinguishing degrees of crime; and providing other matters properly relating thereto.

By the Committee on Health and Welfare:

Assembly Bill No. 615—An Act relating to cosmetology; authorizing the training of a junior operator as a cosmetician; and providing other matters properly relating thereto.

Senate Bill No. 110.

Bill read first time.

Senate Bill No. 164.

Bill read first time.

Senate Bill No. 291.

Bill read first time.

REFERENCE OF MEASURES TO COMMITTEES

Assembly Bill No. 603.

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

Motion carried.

Assembly Bill No. 604.

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

Motion carried.

Assembly Bill No. 605.

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

Motion carried.

Assembly Bill No. 606.

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

Motion carried.

Assembly Bill No. 607.

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

Motion carried.

Assembly Bill No. 608.

Assemblyman Nevin moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

Assembly Bill No. 609.

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

Motion carried.

Assembly Joint Resolution No. 23.

Assemblyman Francis moved that the resolution be referred to the Committee on Transportation.

Motion carried.

Senate Bill No. 268.

Assemblyman Francis moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 314.

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

Motion carried.

Senate Bill No. 333.

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

Motion carried.

Senate Bill No. 343.

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

Motion carried.

Senate Bill No. 350.

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

Motion carried.

UNFINISHED BUSINESS

RECEDE FROM ASSEMBLY AMENDMENTS

Assemblyman Stone moved that the Assembly do not recede from its action on Senate Bill No. 113, 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, Sader and Williams as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Senate Bill No. 113.

RECEDE FROM ASSEMBLY AMENDMENTS

Assemblyman Stone moved that the Assembly do not recede from its action on Senate Bill No. 188, 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, Joerg and Rader as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Senate Bill No. 188.

MOTIONS, RESOLUTIONS AND NOTICES

By the Committee on Education:

Assembly Concurrent Resolution No. 26—Directing the legislative commission to study education in rural Nevada.

SECOND READING AND AMENDMENT

Assembly Bill No. 260.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 641.

Amend sec. 5, page 3, line 14, before "1." by inserting an open bracket.

Amend sec. 5, page 3, line 18, after "committed.", by inserting a closed bracket.

Amend sec. 5, page 3, by deleting lines 19 through 21 and inserting: "*The county in whose jurisdiction a sexual assault is committed shall pay any costs incurred for medical care for any physical injuries resulting from the assault which is provided to the victim not later than 72 hours after the victim first arrives for treatment.*".

Amend sec. 6, page 3, line 40, by deleting the period and inserting: "*if the counselor agrees that such companionship will be helpful to the victim.*".

Amend sec. 8, page 4, by deleting lines 12 through 30 and inserting:

"Sec. 8. NRS 217.340 is hereby amended to read as follows:

217.340 No order for treatment pursuant to NRS 217.310 and 217.320 may be made by the board of county commissioners unless:

1. The application for treatment is made within 60 days after the date of the sexual assault; [and] *or*

2. The sexual assault was reported to the police within 3 days after its occurrence, or if the offense could not reasonably have been reported within that period, within 3 days after the time when a report could reasonably have been made.".

Amend sec. 9, page 4, line 33, by deleting "such" and inserting "[such] *the*".

Amend sec. 9, page 4, by deleting line 37 and inserting: "[shall] *must* not be charged directly [or indirectly] to the victim. [Such costs shall] *The costs must*".

Amend the bill as a whole by adding a new section designated section 10, following section 9, to read as follows:

"Sec. 10. This act becomes effective upon passage and approval.".

Amend the title of the bill by deleting the second and third lines and

inserting: "compensation and treatment; specifying the costs for emergency medical care which must be paid by the county;".

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. 274.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 665.

Amend section 1, page 1, line 2, by deleting "and 3" and inserting: "to 5, inclusive,".

Amend sec. 3, page 1, by deleting lines 5 through 8 and inserting:

"Sec. 3. *1. The court on its own motion or on the motion of the district attorney may, for good cause shown, order the taking of a videotaped deposition of:*

(a) A victim of sexual abuse as that term is defined in NRS 200.5011; or

(b) a prospective witness in any criminal prosecution if he is 14 years of age or less.

The court may specify the time and".

Amend sec. 3, page 1, by deleting line 13 and inserting: "*must include the name of the person to be examined. On*".

Amend sec. 3, page 1, line 14, by deleting "*for*" and inserting: "*:*

(a) For good cause shown may release the address of the person to be examined; and

(b) For".

Amend sec. 3, page 1, by deleting lines 17 and 18 and inserting: "*anticipates using the deposition at trial, the court shall so state in the order for the deposition and the accused must be given the opportunity to cross-examine the deponent in the same manner as permitted at*".

Amend sec. 3, page 2, by deleting line 1 and inserting: "*proceeding in addition to the direct testimony of the deponent.*".

Amend sec. 3, page 2, by inserting after line 6:

"*5. The court may allow the videotaped deposition to be used in lieu of the deponent's testimony if:*

(a) A justice of the peace or district judge presided over the taking of the deposition;

(b) The accused was able to hear the proceedings;

(c) The accused, if he so desired, was represented by counsel who, if physically separated from the accused, was able to communicate orally with him by electronic means; and

(d) The accused was given an adequate opportunity to cross-examine the deponent subject to the protection of the deponent deemed necessary by the court.".

Amend the bill as a whole by adding new sections designated sections 4 through 7, following section 3, to read as follows:

"Sec. 4. *If a prospective witness who is scheduled to testify before a grand jury or at a preliminary hearing is 14 years of age or less, the court shall, upon the motion of the district attorney, and may, upon its own motion, order the child's testimony to be videotaped at the time it is given.*

Sec. 5. *The provisions of sections 3 and 4 of this act do not preclude the submission of videotaped depositions or testimony which are otherwise admissible as evidence in court.*

Sec. 6. Chapter 228 of NRS is hereby amended by adding thereto a new section to read as follows:

When the attorney general is acting in a criminal matter and a statutory duty or right is provided for the district attorney related to the prosecution of that offense, the statutory provision applies to the attorney general as it would apply to the district attorney if he were conducting the prosecution.

Sec. 7. This act becomes effective upon passage and approval.".

Amend the title of the bill by deleting the second line and inserting: "and the videotaping of the testimony of certain witnesses; clarifying the applicability to the attorney general of certain statutory provisions concerning district attorneys; and providing other matters".

Amend the summary of the bill, first line, by deleting: "of child who is witness" and inserting: "and testimony of certain witnesses".

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. 286.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 653.

Amend section 1, page 1, line 2, by deleting "*1.*".

Amend section 1, page 1, by deleting line 6 and inserting:

"*1. For the first offense, is guilty of a misdemeanor.*

2. For the second offense, is guilty of a gross misdemeanor.".

Amend section 1, page 1, line 7, by deleting "*(b)*" and inserting "*3.*".

Amend section 1, pages 1 and 2, by deleting lines 10 through 17 on page 1 and lines 1 through 8 on page 2.

Amend sec. 2, page 2, line 16, by deleting "*200.730,*".

Amend sec. 2, page 2, line 20, after "4.", by inserting: "*A second or subsequent violation of the provisions of NRS 200.730.*

5.".

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. 493.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 536.

Bill read second time, ordered engrossed and to third reading.

Senate Bill No. 222.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 654.

Amend sec. 4, page 1, lines 10 and 11, by deleting: "*future contractual obligation of a borrower to a lender.*" and inserting: "*loan of money to a borrower pursuant to an agreement but made after the agreement is executed.*".

Amend sec. 9, page 2, line 24, by deleting "*10 days*" and inserting: "*5 working days*".

Amend sec. 9, page 2, line 30, by deleting "*and*".

Amend sec. 9, page 2, line 33, by deleting the period and inserting: "*; and*

(e) States the total amount of interest accrued on the outstanding debts and obligations as of the date the statement is recorded.".

Amend sec. 9, page 2, line 35, by deleting: "*the 10-day period,*" and inserting: "*5 working days,*".

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. 228.

Bill read second time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 659.

Amend section 1, page 1, line 8, by deleting "41.0349, 41.037,".

Amend section 1, page 1, line 10, after 475.235; by deleting "and".

Amend section 1, page 1, line 17, by deleting the period and inserting: "; and

(c) The payment of claims which are obligations of the state under NRS 41.0349 and 41.037, but only to the extent that the money in the trust fund for insurance premiums is insufficient to pay the claims.".

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 becomes effective at 12:01 a.m. on July 1, 1985.".

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. 235.
Bill read second time and ordered to third reading.

Senate Bill No. 299.
Bill read second time and ordered to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Stone moved that Assembly Bill No. 211 be taken from the Chief Clerk's desk and placed on the General File for the next legislative day.
Remarks by Assemblyman Stone.
Motion carried.

Assemblyman Stone moved that Senate Bill No. 91 be taken from the Chief Clerk's desk and re-referred to the Committee on Judiciary.
Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 276.
Bill read third time.
Remarks by Assemblyman Banner.
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, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 360.
Bill read third time.
Remarks by Assemblyman Banner.
Roll call on Assembly Bill No. 360:
YEAS—42.
NAYS—None.

Assembly Bill No. 360 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 435.
Bill read third time.
Remarks by Assemblyman Sader.
Roll call on Assembly Bill No. 435:
YEAS—42.
NAYS—None.

Assembly Bill No. 435 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 481.
Bill read third time.
Remarks by Assemblyman Marvel.
Roll call on Assembly Bill No. 481:
YEAS—42.
NAYS—None.

Assembly Bill No. 481 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 539.
Bill read third time.
Remarks by Assemblymen Thompson and Humke.
Roll call on Assembly Bill No. 539:
YEAS—42.
NAYS—None.

Assembly Bill No. 539 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

INTRODUCTION AND FIRST READING OF LEGISLATION

By Assemblyman Schofield:
Assembly Bill No. 616—An Act relating to courts; providing in skeleton form for the appointment of a marshal for each judicial district whose population is 250,000 or more; and providing other matters properly relating thereto.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bills Nos. 166, 193, 288, 307, 425; Senate Bills Nos. 161, 167, 178, 182, 230; Assembly Concurrent Resolution No. 24.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblymen Ham and Malone, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Barbara Taves Wade, Nellie Taves and Laura Wade.

On request of Assemblyman Spriggs, the privilege of the floor of the Assembly Chamber for this day was extended to Mesdames Fortenberry, Patty Jackson, Miss Francis Hawkins and students from Mineral County High School: Fred Leyva, Glen Weakley, Michelle Jennnings, Randy Adams, Kevin Gage, David Moody, Orus Bowles, Sally Chapline, Hopie Treyitlo, Kellie Mathias, Mike Jones, Richard Hursh, Rhoda Brannon, Wayne Martin, Danny Logan and John Morris.

On request of Assemblyman Malone, the privilege of the floor of the

Assembly Chamber for this day was extended to Mesdames Linda Lewis and Daphne Lang.

Assemblyman Francis moved that the Assembly adjourn until Thursday, May 2, 1985 at 11 a.m.

Motion carried.

Assembly adjourned at 11:52 a.m.

Approved: BYRON L. BILYEU
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE ONE HUNDRED AND SECOND DAY

CARSON CITY (Thursday), May 2, 1985

Assembly called to order at 11:06 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, The Reverend Terry Arnold.

The Psalmist said, "The law of the Lord is perfect, restoring the soul." Let us pray. Oh Lord, help us pattern our civil laws after Your perfect moral law. We pray this in the name of our Lord and Saviour, Jesus Christ. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Francis 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. 476, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN DUBOIS, *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which was referred Assembly Bill No. 415, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN DUBOIS, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Commerce, to which was referred Assembly Bill No. 98, 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 Commerce.

JOHN DUBOIS, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Transportation, to which was referred Assembly Bill No. 172, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass, as amended.

MIKE MALONE, *Chairman*

Mr. Speaker:

Your Committee on Transportation, to which were referred Assembly Bills Nos. 318, 388, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

MIKE MALONE, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which were referred Assembly Bills Nos. 458, 466, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JAMES STONE, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which was referred Assembly Bill No. 482, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JAMES STONE, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which was referred Senate Bill No. 175, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN MARVEL, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 1, 1985

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 112, 155, 156, 205, 319, 395.

Also, I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bills Nos. 241, 242, 323, 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. 190, 238.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 131, 364.

MARY JO MONGELLI
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 11:14 a.m.

ASSEMBLY IN SESSION

At 11:21 a.m.

Mr. Speaker presiding.

Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Concurrent Committee on Judiciary, to which was referred Assembly Bill No. 312, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JAMES STONE, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 2, 1985

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. 34.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Senate Joint Resolution No. 34.

Assemblyman Bergevin moved that all rules be suspended, reading so far had considered first reading, rules further suspended, resolution declared an emergency measure under the Constitution and placed on third reading and final passage.

Motion carried unanimously.

INTRODUCTION AND FIRST READING OF LEGISLATION

By Assemblymen Roberts, Francis, Lambert, Zimmer, Thomas, Ham, Joerg, Getto, O'Donnell, Rader, Fairchild, Marvel, Little, Sedway, Williams, Malone, Bogaert, Price, McGaughey, DuBois, Kerns, Stone, Beyer, Thompson, Nicholas, Horne, Arberry, Tebbs, Coffin and Bilyeu:

Assembly Bill No. 617—An Act relating to labor; allowing a person to inspect certain records concerning his employment or referrals for employment; and providing other matters properly relating thereto.

By the Committee on Taxation:

Assembly Bill No. 618—An Act relating to taxation; providing for the repeal of provisions which impose a tax on the shares of banking corporations if a constitutional amendment exempting such shares from taxation is approved; and providing other matters properly relating thereto.

By Assemblymen Rader, Fairchild, DuBois, Lambert, Horne and Tebbs:

Assembly Bill No. 619—An Act relating to campaign contributions; prohibiting contributions to a legislator while the legislature is in session; providing a penalty; and providing other matters properly relating thereto.

Senate Bill No. 131.

Bill read first time.

Senate Bill No. 190.

Bill read first time.

Senate Bill No. 238.

Bill read first time.

Senate Bill No. 364.

Bill read first time.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Schofield moved that printing be dispensed with and Assembly Bill No. 616 be returned to the bill drafter for correction.

Motion carried.

REFERENCE OF MEASURES TO COMMITTEES

Assembly Bill No. 610.

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

Motion carried.

Assembly Bill No. 611.

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

Motion carried.

Assembly Bill No. 612.

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

Motion carried.

Assembly Bill No. 613.

Assemblyman Francis moved that the bill be referred to the Concurrent Committees on Judiciary and Ways and Means.

Motion carried.

Assembly Bill No. 614.

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

Motion carried.

Assembly Bill No. 615.

Assemblyman Francis moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

Assembly Concurrent Resolution No. 26.

Assemblyman Francis moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

Senate Bill No. 110.

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

Motion carried.

Senate Bill No. 164.

Assemblyman Francis moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 291.

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

Motion carried.

Senate Joint Resolution No. 21.

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

Motion carried.

Senate Concurrent Resolution No. 27.

Assemblyman Francis moved that the resolution be referred to the Committee on Government Affairs.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Natural Resources, Agriculture and Mining, to which was referred Senate Joint Resolution No. 22, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

VIRGIL M. GETTO, *Chairman*

SECOND READING AND AMENDMENT

Assembly Bill No. 75.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 57.

Amend section 1, page 1, line 19, by deleting "identify himself" and inserting: "[identify himself] *state his name*".

Amend the title of the bill, first line, after "vagrancy;" by inserting: "limiting the identification that may be required;".

Amend the summary to read: "Supplies constitutional requisites for control of vagrancy.".

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. 510.

Bill read second time.

The following amendment was proposed by the Committee on Elections:

Amendment No. 640.

Amend section 1, page 1, line 5, by deleting "*10*" and inserting "*2*".

Amend the title of the bill, first line, by deleting "raising" and inserting "reducing".

Amend the summary of the bill, first line, by deleting "Raises" and inserting "Reduces".

Assemblyman Ham moved the adoption of the amendment.

Remarks by Assemblyman Ham.

Amendment adopted.

Assemblyman Ham moved that Assembly Bill No. 510 be re-referred to the Committee on Elections.

Motion carried.

Bill ordered reprinted, engrossed and to the Committee on Elections.

Assembly Bill No. 514.

Bill read second time, ordered engrossed and to third reading.

Senate Bill No. 204.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 670.

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, by inserting after line 10:

"2. *If any federal statute or regulation would preclude the granting of federal assistance for a particular public work because of the provisions of subsection 1, those provisions do not apply insofar as their application would preclude or reduce federal assistance for that work.*".

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. 264.

Bill read second time and ordered to third reading.

Senate Bill No. 265.

Bill read second time and ordered to third reading.

GENERAL FILE AND THIRD READING

Assembly Bill No. 211.

Bill read third time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 632.

Amend sec. 6, page 2, by deleting lines 32 through 42 and inserting:

"432A.073 1. Of the members of the board appointed [:

(a) One member must be licensed] *one member must be:*

(a) Licensed to practice a profession in the field of health care [;

(b) One member may be selected] *and selected from a list of nominees submitted by an organization which represents persons who are licensed to practice a healing art;*

(b) Selected from a list of nominees submitted by an organization which represents [consumers or educators; and

(c) One member may be selected from a list of nominees submitted by an organization which represents persons who provide child care services.] *educators whose specialty is early childhood or persons who use child care;*

(c) Selected to represent facilities which are licensed to provide care for less than seven children;

(d) Selected to represent facilities which are licensed to provide care for seven or more children; and

(e) Selected to represent persons who use the services of such facilities.".

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. 493.
Bill read third time.
Remarks by Assemblyman Malone.
Roll call on Assembly Bill No. 493:
YEAS—42.
NAYS—None.

Assembly Bill No. 493 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 536.
Bill read third time.
Remarks by Assemblyman O'Donnell.
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.
Bill ordered transmitted to the Senate.

Senate Bill No. 235.
Bill read third time.
Remarks by Assemblyman Little.
Roll call on Senate Bill No. 235:
YEAS—42.
NAYS—None.

Senate Bill No. 235 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 299.
Bill read third time.
Remarks by Assemblymen O'Donnell, Price and Stone.
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 Joint Resolution No. 34.
Resolution read third time.
Remarks by Assemblymen Bergevin, Nicholas and Stone.

Roll call on Senate Joint Resolution No. 34:

YEAS—42.

NAYS—None.

Senate Joint Resolution No. 34 having received a constitutional majority, Mr. Speaker declared it passed.

Resolution ordered transmitted to the Senate.

INTRODUCTION AND FIRST READING OF LEGISLATION

By Assemblymen Horne, Bilyeu, Stone, Joerg, Zimmer, Dini, Thomas, Getto, Banner, Marvel, Roberts, Humke, Bergevin, Rader, McGaughey, Francis, Malone, Tebbs, Lambert, Kerns, Price, Bogaert, Thompson, Beyer, Spriggs, Little, Fairchild, Ham, Nicholas, Craddock, Coffin, Nevin, DuBois, O'Donnell, Williams and Jeffrey:

Assembly Bill No. 620—An Act relating to criminal procedure; eliminating the requirement that the supreme court review sentences of death to determine if the sentence is disproportionate to the sentences imposed in similar cases; and providing other matters properly relating thereto.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bills Nos. 104, 127, 152, 158, 359; Assembly Joint Resolution No. 13.

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. Barbara Annoui, Nancy Berglund and students from the Kingsbury Middle School: Cindi Wells, Cindy Williams, Robert Trim, Francis Alling, Mary Nelson, Chris Nelsen, Randy Balecha, Robby Trim, Ardalon Fahtuim, Andy Hegle, Vince Chitt, Ryan Vorvillo, Jeff Matthews, Tracie McMorrison, Ryan McNeill, Kim Raab, Christie Elder, Jory Rarina, Elizabeth Brannon, Tracey Brase, Michelle Miracle, Shelly Redbark, Susana Serbovan, Jane Trachdekin, Seba Johnson, Shirley Bedwing, Babedyn DeLara, Cheryl Bawer, Jeff House, Joe Sunde, Paul Krier, Bill Bigham, Mark Tamerdin, Robert Rasmussen, Doug Schoeneman, Jason Trim, Robbie Anton, Eric Koch, Deenan Atwell, Tara Elsberry, Sandy Easton, August Staten, Gary Crocker, Tammie Eaton, Luan Sanderson, Sasha Kalous, Heather Ross, Katrina Norman, Cesa Aguilar, Heidi Jones, Sean McDonald, Rebecca Holliday, Gregg Campagni, John Davis, Doug McGraw, Trent Albers, Hollie Susich, Meg Annoni and Tarn Ostrow.

On request of Assemblyman Dini, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Stacey Dean.

On request of Assemblyman Fairchild, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Peggy Dumas and Nancy Schwartz.

On request of Assemblyman Schofield, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Ed Kovacs.

Assemblyman Francis moved that the Assembly adjourn until Friday, May 3, 1985 at 10:30 a.m.

Motion carried.

Assembly adjourned at 11:55 a.m.

Approved: BYRON L. BILYEU
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE ONE HUNDRED AND THIRD DAY

CARSON CITY (Friday), May 3, 1985

Assembly called to order at 10:33 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, The Reverend Terry Arnold.

Jesus once told a group of His overanxious disciples that "Each day has trouble enough of its own." With that in mind, let us pray. Heavenly Father, help us deal with and solve today's troublesome problems today. We pray in the name of our Lord and Saviour, Jesus Christ. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Francis 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 and Tourism, to which was referred Assembly 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.

DAVID E. HUMKE, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which was referred Assembly Bill No. 182, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JAMES STONE, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which were referred Assembly Bill No. 567; Senate Bills Nos. 117, 192, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

LOUIS W. BERGEVIN, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Government Affairs, to which was referred Assembly Concurrent Resolution No. 22, has had the same under consideration, and begs leave to report the same back with the recommendation: Be adopted.

LOUIS W. BERGEVIN, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Legislative Functions, to which was referred Assembly Concurrent Resolution No. 22, has had the same under consideration, and begs leave to report the same back with the recommendation: Be adopted.

BRUCE R. BOGAERT, *Chairman*

Mr. Speaker:

Your Committee on Taxation, to which were referred Assembly Bills Nos. 123, 486, 494, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

CHARLES W. JOERG, *Chairman*

Mr. Speaker:

Your Committee on Taxation, to which was re-referred Assembly Bill No. 194, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass, as amended.

CHARLES W. JOERG, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which was referred Assembly Bill No. 500, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JAMES STONE, *Chairman*

Mr. Speaker:

Your Committee on Labor and Management, to which was referred Senate Bill No. 154, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

BARBARA ZIMMER, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 2, 1985

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bill No. 461.

Also, I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bill No. 81, 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. 70, 312.

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. 224.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Assembly Concurrent Resolution No. 22.

Assemblyman Nicholas moved the adoption of the resolution.

Remarks by Assemblyman Nicholas.

Resolution adopted.

Assemblyman Stone moved that Senate Bill No. 222 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Stone.

Motion carried.

Assemblyman Nicholas moved that Assembly Bill No. 514 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Nicholas.

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 10:42 a.m.

ASSEMBLY IN SESSION

At 10:50 a.m.
Mr. Speaker presiding.
Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Concurrent Committee on Ways and Means, to which were referred Assembly Bills Nos. 216, 340, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass, as amended.

JOHN MARVEL, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which was referred Assembly Bill No. 487, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN MARVEL, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which were referred Assembly Bills Nos. 19, 244, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN MARVEL, *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which was re-referred Senate Bill No. 58, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN DUBOIS, *Chairman*

Mr. Speaker:

Your Committee on Commerce, 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.

JOHN DUBOIS, *Chairman*

Mr. Speaker:

Your Committee on Health and Welfare, 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: Do pass, and re-refer to the Committee on Commerce.

DAVID D. NICHOLAS, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Nicholas moved that Assembly Bill No. 615 be re-referred to the Committee on Commerce.

Motion carried.

INTRODUCTION AND FIRST READING OF LEGISLATION

By Assemblymen Rader, O'Donnell, Williams, DuBois, Lambert and Ham:

Assembly Bill No. 621—An Act relating to gasoline service stations; requiring certain equipment to serve the public; and providing other matters properly relating thereto.

By the Committee on Judiciary:

Assembly Bill No. 622—An Act relating to mobile home parks; authorizing the submission of disputes between landlords and tenants to a board to mediate grievances; requiring the creation of such boards; assessing a fee to pay for enforcement of certain provisions; and providing other matters properly relating thereto.

By the Committee on Ways and Means:

Assembly Bill No. 623—An Act making an appropriation to the New Dawn Technical Institute for the costs of preparation for construction of a facility to be leased to small businesses; and providing other matters properly relating thereto.

By the Committee on Ways and Means:

Assembly Bill No. 624—An Act making an appropriation to the commission on economic development to attract the construction of an atomic particle accelerator in Nevada; and providing other matters properly relating thereto.

By the Committee on Ways and Means:

Assembly Bill No. 625—An Act relating to the improvement of rangeland; authorizing the conservation commission of the state department of conservation and natural resources and the conservation districts to provide loans for that improvement; creating a revolving fund for those loans; making an appropriation from the state general fund to the revolving fund; and providing other matters properly relating thereto.

By the Committee on Health and Welfare:

Assembly Bill No. 626—An Act relating to the public defender; changing his title to attorney for the defense of the indigent accused; and providing other matters properly relating thereto.

By the Committee on Taxation:

Assembly Bill No. 627—An Act relating to the supplemental city-county relief tax; changing the requirements for distribution of the money in the reserve fund; and providing other matters properly relating thereto.

By Assemblymen Bogaert, Stone, Williams, Little, Joerg, Beyer and Nevin:

Assembly Bill No. 628—An Act relating to controlled substances; requiring illegal dealers in controlled substances to register with the department of taxation; imposing a tax on illegally sold controlled substances; providing a penalty; and providing other matters properly relating thereto.

Senate Bill No. 70.

Bill read first time.

Senate Bill No. 312.
Bill read first time.

REFERENCE OF MEASURES TO COMMITTEES

Assembly Bill No. 616.
Assemblyman Schofield moved that the bill be referred to the Committee on Government Affairs.
Motion carried.

Assembly Bill No. 617.
Assemblyman Roberts moved that the bill be referred to the Committee on Labor and Management.
Motion carried.

Assembly Bill No. 618.
Assemblyman Francis moved that the bill be referred to the Committee on Taxation.
Motion carried.

Assembly Bill No. 619.
Assemblyman Rader moved that the bill be referred to the Committee on Elections.
Motion carried.

Assembly Bill No. 620.
Assemblyman Horne moved that the bill be referred to the Committee on Judiciary.
Motion carried.

Senate Bill No. 131.
Assemblyman Francis moved that the bill be referred to the Concurrent Committees on Commerce and Ways and Means.
Motion carried.

Senate Bill No. 190.
Assemblyman Francis moved that the bill be referred to the Committee on Ways and Means.
Motion carried.

Senate Bill No. 238.
Assemblyman Francis moved that the bill be referred to the Committee on Ways and Means.
Motion carried.

Senate Bill No. 364.
Assemblyman Francis moved that the bill be referred to the Committee on Judiciary.
Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Bergevin moved that Assembly Bill No. 567 be placed on the Second Reading File.

Remarks by Assemblyman Bergevin.

Motion carried.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 323.

The following Senate amendment was read:

Amendment No. 619.

Amend section 1, page 1, by deleting lines 8 and 9 and inserting: "pate in the program [upon the] *on:*

(a) The effective dates of their respective employment contracts [.] , *if those dates are on the first day of a month; or*

(b) The first day of the month following the effective dates of their respective employment contracts, if those dates are not on the first day of a month.".

Assemblyman Bergevin moved that the Assembly concur in the Senate amendment to Assembly Bill No. 323.

Remarks by Assemblyman Bergevin.

Motion carried.

Bill ordered enrolled.

RECEDE FROM ASSEMBLY AMENDMENTS

Assemblyman Bergevin moved that the Assembly do not recede from its action on Senate Bill No. 224, 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 Getto, Bergevin and Kerns as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Senate Bill No. 224.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 81.

The following Senate amendment was read:

Amendment No. 618.

Amend section 1, page 1, by inserting between lines 9 and 10:

"*(c) Any full-time paid peace officer of an agency of the United States or another state or political subdivision thereof when carrying out official duties in Nevada.*".

Amend section 1, page 1, line 10, by deleting "*(c)*" and inserting "*(d)*".

Amend section 1, page 1, by deleting line 15 and inserting: "*in Nevada after completion of 10 years of creditable service as a member of the public employees' retirement system.*".

Amend sec. 2, page 2, line 4, by deleting the open bracket.

Amend sec. 2, page 2, by deleting lines 5 through 15 and inserting: "les; or

(b) Carry concealed upon his person any:

(1) Explosive substance, other than [fixed ammunition;] *ammunition or any components thereof;*

(2) Dirk, dagger or dangerous knife; or

(3) Pistol, revolver or other firearm, or other dangerous or deadly weapon.

2. *It is unlawful for any person to carry or use a nunchaku or trefoil with the intent to inflict harm upon the person of another.*

3. Except as provided in NRS 202.275 and 212.185, any person who violates any of the provisions of subsection 1 *or 2* is guilty:

(a) For the first offense, of a gross misdemeanor.

(b) For any subsequent offense, of a felony, and shall be punished".

Amend sec. 2, page 2, line 19, by deleting "3. [" and inserting "[3.".

Amend sec. 2, page 2, line 21, by deleting "duly".

Amend sec. 2, page 2, by deleting line 27 and inserting:

"(c) Any full-time paid peace officer of any agency of the United States or another state or political subdivision thereof when carrying out official duties in Nevada.

(d) Members of the Armed Forces of the United States when on duty.]".

Amend sec. 2, page 2, line 28, by deleting the closed bracket.

Amend sec. 2, page 2, by deleting lines 30 through 32 and inserting: "a concealed weapon is to be carried, issue a permit authorizing the applicant to carry in this state the concealed weapon".

Amend sec. 2, page 2, line 35, by deleting "[5.] *4.*" and inserting "5.".

Amend sec. 2, page 2, line 40, by deleting "knife, or" and inserting "knife or".

Amend sec. 2, page 2, line 42, by deleting "[,]".

Amend sec. 3, page 3, line 23, by deleting "duly".

Amend sec. 3, page 3, by deleting line 27 and inserting:

"(c) Any full-time paid peace officer of any agency of the United States or another state or political subdivision thereof when carrying out official duties in Nevada.

(d) Members of the Armed Forces of the United States when on".

Amend the bill as a whole by adding a new section designated section 4, following section 3, to read as follows:

"Sec. 4. This act becomes effective at 12:01 a.m. on July 1, 1985.".

Assemblyman Stone moved that the Assembly concur in the Senate amendment to Assembly Bill No. 81.

Remarks by Assemblyman Stone.

Motion carried.

Bill ordered enrolled.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Humke moved that Assembly Bill No. 295 be placed on the Second Reading File.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 98.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 623.

Amend the bill as a whole by deleting sections 1 through 18 and inserting:

"Section 1. Chapter 598 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 and 3 of this act.

Sec. 2. *1. Whenever the attorney general is requested in writing by the commissioner or the director to represent him in instituting a legal proceeding against a person who has engaged or is engaging in a deceptive trade practice, the attorney general may bring an action in the name of the State of Nevada against that person on behalf of the commissioner or director.*

2. The attorney general may institute criminal proceedings to enforce the provisions of NRS 598.360 to 598.640, inclusive. The attorney general is not required to obtain leave of the court before instituting criminal proceedings pursuant to this subsection.

3. If the attorney general has reason to believe that a person has engaged or is engaging in a deceptive trade practice, the attorney general may give written notice to the commissioner or director that the attorney general will institute a legal proceeding pursuant to this subsection if appropriate action is not taken within 30 days. If, within 30 days after the commissioner or director receives the notice, no action, administrative proceeding or other disposition is completed, and the attorney general has not been requested in writing to institute a legal proceeding on behalf of the commissioner or director, the attorney general may bring an action in the name of the State of Nevada against that person to obtain a temporary restraining order, a preliminary or permanent injunction, or other appropriate relief.

Sec. 3. *1. Within the limits of legislative appropriation and the availability of personnel, the commissioner or director shall provide investigative assistance, including the identification and use of relevant evidence in his possession, necessary for litigation referred to the attorney general pursuant to NRS 598.540 or section 2 of this act. The attorney general shall provide legal advice and guidance to the commissioner or director in carrying out his powers and duties pursuant to NRS 598.360 to 598.640, inclusive, including the investigation of any alleged violation of those sections and the preparation for litigation.*

2. Upon written request by the attorney general, the commissioner or director may provide any investigative assistance, including evidence and

information in his possession, for use in any action brought by the attorney general pursuant to subsection 3 of section 2 of this act. No request for assistance may be unreasonably denied.

Sec. 4. NRS 598.360 is hereby amended to read as follows:

598.360 As used in NRS 598.360 to 598.640, inclusive, *and sections 2 and 3 of this act,* unless the context otherwise requires, the words and terms defined in NRS 598.370 to 598.480, inclusive, have the meanings ascribed to them in those sections.

Sec. 5. NRS 598.540 is hereby amended to read as follows:

598.540 1. Notwithstanding the requirement of knowledge as an element of any practice enumerated in NRS 598.410 as a deceptive trade practice, when the commissioner or director has cause to believe that a person has engaged or is engaging in any of the practices enumerated in NRS 598.410, knowingly or otherwise, he may [apply] *request in writing that the attorney general represent him in instituting an appropriate legal proceeding, including, without limitation, an application* for an injunction or temporary restraining order, as provided in N.R.C.P. 65, prohibiting the person from continuing such practices. The court may make orders or judgments necessary to prevent the use by the person of any such deceptive trade practice or to restore to any other person any money or property which may have been acquired by the deceptive trade [practices.] *practice.*

2. Where the commissioner or director has the authority to institute a civil action or other proceeding, in lieu thereof or as a part thereof, he may accept an assurance of discontinuance of any deceptive trade practice. This assurance may include a stipulation for the voluntary payment by the alleged violator of the costs of investigation and the costs of instituting the action or proceeding and for the voluntary restitution of any money or property acquired by *any* deceptive trade [practices.] *practice.* Except as provided in this subsection, any assurance of discontinuance accepted by the commissioner or director and any stipulation filed with the court is confidential to the parties to the action or proceeding and to the court and its employees. Upon final judgment by the court that an injunction or a temporary restraining order, issued as provided in subsection 1 of this section, has been violated, an assurance of discontinuance has been violated or a person has engaged in the same deceptive trade practice as had previously been enjoined, the assurance of discontinuance or stipulation becomes a public record. Proof by a preponderance of evidence of a violation of an assurance constitutes prima facie evidence of a deceptive trade practice for the purpose of any civil action or proceeding brought thereafter by the commissioner or director, whether a new action or a subsequent motion or petition in any pending action or proceeding.

Sec. 6. NRS 598.550 is hereby amended to read as follows:

598.550 1. NRS 598.360 to 598.640, inclusive, do not prohibit the commissioner or director from disclosing to *the attorney general,* any district attorney or *any* law enforcement officer the fact that a crime has been committed by any person, if this fact has become known as a result of any

investigation conducted pursuant to the provisions of NRS 598.360 to 598.640, inclusive.

2. Subject to the provisions of subsection 2 of NRS 598.540, the commissioner or director may not make public the name of any person alleged to have committed a deceptive trade practice. This subsection does not prevent the commissioner or director from issuing public statements describing or warning of any course of conduct which constitutes a deceptive trade practice.

Sec. 7. NRS 598.560 is hereby amended to read as follows:

598.560 1. Before instituting any action pursuant to NRS 598.570 to 598.630, inclusive, the district attorney shall ascertain whether or not the action in question is subject to the regulatory authority of any state agency, board, official or other authority established by virtue of the Nevada Revised Statutes except the regulatory or administrative authority provided to the commissioner , [or] director *or attorney general* by NRS 598.360 to 598.640, inclusive [.] , *and sections 2 and 3 of this act.*

2. If the action is subject to such regulatory authority or any regulation adopted or any statutes administered by any state regulatory agency, board, official or other authority as provided in subsection 1, the district attorney shall not institute any proceeding under NRS 598.570 to 598.630, inclusive, until the state agency, board, official or other state regulatory authority has had reasonable time to investigate or take any appropriate action with respect to the alleged facts.

3. For the purposes of this section, a reasonable time has elapsed if no final action or other disposition is made of any matter otherwise falling within the provisions of NRS 598.360 to 598.640, inclusive, within 30 days after the matter is referred to or brought to the attention of any state agency, board, official or other regulatory authority except the commissioner [or director.] , *director or attorney general.*

4. This section does not prohibit the district attorney of any county from filing an action pursuant to the provisions of NRS 598.570 to 598.600, inclusive, if the referral of any matters subject to the provisions of NRS 598.360 to 598.640, inclusive, to any state agency, board, official or other regulatory authority would cause immediate harm to the public of this state or endanger the public health, safety or welfare, and such facts are shown by affidavit or by verified complaint.

Sec. 8. NRS 598.590 is hereby amended to read as follows:

598.590 Any action brought pursuant to NRS 598.540 [or 598.570] *to 598.600, inclusive, or section 2 of this act* may be brought:

1. In a district court in the county in which the defendant resides or has his principal place of business;

2. In the district court in Carson City if the parties consent thereto; or

3. In the district court in any county where a deceptive trade practice has occurred.

Any court in which an action is brought pursuant to [NRS 598.540 or 598.570] *those sections* may issue any temporary or permanent injunction in

accordance with the Nevada Rules of Civil Procedure to restrain and prevent any violation of any provisions of NRS 598.360 to 598.640, inclusive, and such injunctions [shall] *must* be issued without bond.

Sec. 9. NRS 598.600 is hereby amended to read as follows:

598.600 Whenever the district attorney *or the attorney general* has reason to believe that the delay caused by complying with the notice requirement of NRS 598.580 *or the requirements of subsection 3 of section 2 of this act* would cause immediate harm to the public of this state or endanger the public welfare, he may immediately institute [a suit] *an action* for injunctive relief, including a request for a temporary restraining order, upon proof of specific facts shown by affidavit or by verified complaint or otherwise that such immediate harm will be or is likely to be caused by [such] *the* delay. *The attorney general shall give written notice of the filing by him of such an action to the commissioner or director.* The Nevada Rules of Civil Procedure pertaining to the issuance of temporary restraining orders govern all actions instituted pursuant to this section.

Sec. 10. NRS 598.620 is hereby amended to read as follows:

598.620 1. In proceeding pursuant to NRS 598.580 to 598.620, inclusive, *or subsection 3 of section 2 of this act,* the district attorney *or attorney general* may accept an assurance of discontinuance with respect to any method, act or practice deemed to be a deceptive trade practice [enumerated in NRS 598.410] from any person who is engaged or is about to engage in such *a* method, act or practice by following the procedures set forth in subsection 2 of NRS 598.540.

2. Any assurance made pursuant to subsection 1 [shall] *must* be in writing and [shall] *must* be filed with and subject to the approval of the district court in the county in which the alleged violator resides or has his principal place of business, or the district court in any county where any deceptive trade practice has occurred or is about to occur or the district court agreed to by the parties.

3. An assurance of discontinuance made pursuant to subsections 1 and 2 [shall not be considered] *is not* an admission of violation for any purpose, but is subject to the terms, limitations, and conditions of NRS 598.540.

Sec. 11. NRS 598.640 is hereby amended to read as follows:

598.640 1. Any person who violates any court order or injunction issued pursuant to NRS 598.360 to 598.630, inclusive, upon a complaint brought by the commissioner, *the* director , [or] the district attorney of any county of this state *or the attorney general* shall forfeit and pay to the state general fund a civil penalty of not more than $10,000 for each violation. For the purpose of this section, the court issuing any such order or injunction [shall retain] *retains* jurisdiction over the action or proceeding. Such civil penalties are in addition to any other penalty or remedy available for the enforcement of the provisions of NRS 598.360 to 598.630, inclusive.

2. In any action brought pursuant to NRS 598.540 [and NRS 598.570] to 598.600, inclusive, *and section 2 of this act,* if the court finds that any person has willfully engaged in a deceptive trade practice , [enumerated in

NRS 598.410,] the commissioner, *the* director , [or] the district attorney of any county in this state *or the attorney general* bringing [such] *the* action may recover a civil penalty not to exceed $2,500 for each violation.

3. Any *natural* person, firm, or any officer or managing agent of any corporation or association who knowingly and willfully engages in a deceptive trade practice *:* [enumerated in NRS 598.410 shall be punished:]

(a) For the first [or second offense, for] *offense, is guilty of* a misdemeanor.

(b) For the [third offense and all subsequent offenses, for] *second offense, is guilty of* a gross misdemeanor.

(c) For the third and all subsequent offenses, 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.

4. As used in this section the term "violation" includes a repetitive or continuous violation arising out of the same act.".

Amend the title of the bill to read as follows:

"An Act relating to deceptive trade practices; authorizing the attorney general to bring civil and criminal actions to enforce the provisions which prohibit such practices; providing penalties; and providing other matters properly relating thereto.".

Amend the summary of the bill to read as follows: "Authorizes attorney general to enforce provisions prohibiting deceptive trade practices. (BDR 18-501)".

Assemblyman DuBois moved the adoption of the amendment.

Remarks by Assemblyman DuBois.

Amendment adopted.

Assemblyman DuBois moved that Assembly Bill No. 98 be returned to the Concurrent Committee on Commerce.

Motion carried.

Bill ordered reprinted, engrossed and to the Concurrent Committee on Commerce.

Assembly Bill No. 312.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 682.

Amend the bill as a whole by deleting sections 1 through 6 and renumbering sections 7 through 10 as sections 1 through 4.

Amend sec. 7, page 4, line 12, by deleting "may" and inserting "[may] *shall*".

Amend sec. 7, page 4, line 17, by deleting "*(d)*", and inserting: "*If restitution to a specific person is not being paid, the director shall deduct an amount he deems reasonable for deposit with the state treasurer for credit to the fund for the compensation of victims of crime.*

(d)".

Amend sec. 10, page 5, line 35, by deleting: "If the offender [is" and inserting: "[If the offender is".

Amend sec. 10, page 5, by deleting lines 36 through 38 and inserting: "ment which is not a center;".

Amend sec. 10, page 5, line 39, after "2.", by inserting a closed bracket.

Amend sec. 10, page 5, line 40, by deleting "3." and inserting "[3.] 2.".

Amend the title of the bill by deleting the second through fourth lines and inserting: "provide employment; expanding the program for restitution; and providing other".

Amend the summary of the bill to read as follows: "Expands program for restitution to victims by prisoners. (BDR 16-929)".

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. 318.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 388.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 415.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 458.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 466.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 476.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 669.

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 becomes effective upon passage and approval.".

Assemblyman DuBois moved the adoption of the amendment.

Remarks by Assemblyman DuBois.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 482.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 681.

Amend section 1, page 1, line 11, by deleting "*$6*" and inserting "*$7*".

Amend section 1, page 1, line 19, by deleting "*five-sixth;*" and inserting "*five-sevenths;*".

Amend section 1, page 1, line 20, by deleting "*one-sixth,*" and inserting "*two-sevenths,*".

Assemblyman Stone moved the adoption of the amendment.

Remarks by Assemblyman Stone.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 175.

Bill read second time and ordered to third reading.

Senate Joint Resolution No. 22.

Resolution read second time and ordered to third reading.

Assembly Bill No. 567.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 295.

Bill read second time.

The following amendment was proposed by Assemblyman Nicholas:

Amendment No. 384.

Amend section 1, pages 1 and 2, by deleting lines 1 through 20 on page 1 and lines 1 through 19 on page 2 and inserting:

"Section 1. NRS 244.3354 is hereby amended to read as follows:

244.3354 *1.* The proceeds of the tax imposed pursuant to NRS 244.3352 must be distributed as follows:

[1.] *(a)* Three-eighths of all proceeds of the tax must be paid to the department of taxation for deposit with the state treasurer for credit to the fund for the promotion of tourism.

[2. Five-eighths]

(b) Except as otherwise provided in paragraph (c), five-eighths of all proceeds of the tax must be deposited with the county fair and recreation board created pursuant to NRS 244A.599 or, if no such board is created, with the board of county commissioners, to be used to advertise the resources of that county related to tourism, including available accommodations, transportation, entertainment, natural resources and climate, and to promote special events related thereto.

(c) In a county whose population is 100,000 or more, the county fair and recreation board or, if no such board is created, the board of county commissioners shall determine an amount not less than $100,000 to be paid to the department of taxation for deposit with the state treasurer for credit to the fund for the promotion of tourism.

2. The commission on tourism shall use the money received pursuant to paragraph (c) of subsection 1 to provide and administer grants of money or matching grants to political subdivisions in the county of origin whose respective populations are less than 50,000. The grants must be used to promote travel and tourism in the political subdivision or its surrounding area.".

Amend the title of the bill, first line, by deleting: "restricting the award

of'' and inserting: ''providing for the partial use of proceeds from the tax on revenues from the rental of transient lodging for''.

Amend the summary of the bill by deleting: ''Restricts awards of'' and inserting: ''Provides for additional''.

Assemblyman Humke moved the adoption of the amendment.

Remarks by Assemblymen Humke, Dini and Nicholas.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 3, 1985

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Senate Bill No. 431.

MARY JO MONGELLI
Assistant Secretary of the Senate

INTRODUCTION AND FIRST READING OF LEGISLATION

Senate Bill No. 431.

Assemblyman Marvel 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. 172.

Bill read third time.

Remarks by Assemblymen Malone and Dini.

Roll call on Assembly Bill No. 172:

YEAS—42.

NAYS—None.

Assembly Bill No. 172 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 274.

Bill read third time.

Remarks by Assemblymen Swain and DuBois.

Roll call on Assembly Bill No. 274:

YEAS—42.

NAYS—None.

Assembly Bill No. 274 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 Senate Bill No. 181 be taken from the Chief Clerk's desk and placed on the General File.

Remarks by Assemblyman Sader.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 286.

Bill read third time.

Remarks by Assemblyman Humke.

Roll call on Assembly Bill No. 286:

YEAS—42.

Nays—None.

Assembly Bill No. 286 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 11:29 a.m.

ASSEMBLY IN SESSION

At 11:30 a.m.

Mr. Speaker pro Tempore presiding.

Quorum present.

GENERAL FILE AND THIRD READING

Senate Bill No. 228.

Bill read third time.

Remarks by Assemblyman Jeffrey.

Roll call on Senate Bill No. 228:

YEAS—42.

NAYS—None.

Senate Bill No. 228 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 264.

Bill read third time.

Remarks by Assemblyman Getto.

Roll call on Senate Bill No. 264:

YEAS—42.

NAYS—None.

Senate Bill No. 264 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 265.

Bill read third time.

Remarks by Assemblymen Schofield and Nicholas.

Roll call on Senate Bill No. 265:

YEAS—42.

NAYS—None.

Senate Bill No. 265 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 431.

Bill read third time.

Remarks by Assemblymen Marvel, Thomas and Dini.

Roll call on Senate Bill No. 431:

YEAS—42.

NAYS—None.

Senate Bill No. 431 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 181.

Bill read third time.

The following amendment was proposed by Assemblyman Sader:

Amendment No. 688.

Amend sec. 2, page 2, by deleting lines 23 through 25 and inserting: "drive a motor vehicle [to] *:*

(a) To and from work or in the course of his work, or both [.] *; or*

(b) To acquire supplies of medicine or food or receive regularly scheduled medical care for himself or a member of his immediate family.

Before [issuing] a restricted license [,] *may be issued,* the [department must be satisfied] *applicant must submit sufficient documentary evidence to satisfy the department* that a severe hardship exists because the applicant has no".

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 the Committee on Commerce:

Assembly Joint Resolution No. 24—Proposing to amend section 3 of article 9 of the constitution of the State of Nevada, relating to taxation, to exclude the purchase of local securities from the application of the limit placed on the state's debt.

RESOLVED BY THE ASSEMBLY AND THE SENATE OF THE STATE OF NEVADA, JOINTLY, That section 3 of article 9 of the constitution of the State of Nevada be amended to read as follows:

Sec. 3. The state may contract public debts; but such debts shall never, in the aggregate, exclusive of interest, exceed the sum of one per cent of the assessed valuation of the state, as shown by the reports of the county assessors to the state controller, except for the purpose of defraying extraordinary expenses, as hereinafter mentioned. Every such debt shall be authorized by law for some purpose or purposes, to be distinctly specified therein; and every such law shall provide for levying an annual tax sufficient to pay the interest semiannually, and the principal within twenty years from the passage of such law, and shall specially appropriate the proceeds of said taxes to the payment of said principal and interest; and such appropriation shall not be repealed nor the taxes postponed or diminished until the principal and interest of said debts shall have been wholly paid. Every contract of indebtedness entered into or assumed by or on behalf of the state, when all its debts and liabilities amount to said sum before mentioned, shall be void and of no effect, except in cases of money borrowed to repel invasion, suppress insurrection, defend the state in time of war, or, if hostilities be threatened, provide for the public defense.

The state, notwithstanding the foregoing limitations, may, pursuant to authority of the legislature [, make] :

(a) Make and enter into any and all contracts necessary, expedient or advisable for the protection and preservation of any of its property or natural resources, or for the purposes of obtaining the benefits thereof, however arising and whether arising by or through any undertaking or project of the United States or by or through any treaty or compact between the states, or otherwise [.] ; *and*

(b) Incur any obligation to finance the purchase of securities issued by any county, city, town, school district, general improvement district or other district, including an irrigation district, of this state.

The legislature may from time to time make such appropriations as may be necessary to carry out the obligations of the state under such contracts, and shall levy such tax as may be necessary to pay the same or carry them into effect.

INTRODUCTION AND FIRST READING OF LEGISLATION

By the Committee on Commerce:

Assembly Bill No. 629—An Act relating to public works; prohibiting certain recoveries by a subcontractor or materialman on a contractor's bond; and providing other matters properly relating thereto.

By the Committee on Commerce:

Assembly Bill No. 630—An Act relating to barbers; authorizing the imposition of administrative fines by the state barbers' health and sanitation board; and providing other matters properly relating thereto.

By the Committee on Commerce:

Assembly Bill No. 631—An Act relating to motor vehicles; in skeleton form, requiring insurance for driver instead of vehicle; and providing other matters properly relating thereto.

By the Committee on Commerce:

Assembly Bill No. 632—An Act relating to accountants; permitting the substitution of additional academic education for the experience required for a certificate; and providing other matters properly relating thereto.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Stone moved that Assembly Bill No. 229 be taken from the

Chief Clerk's desk and placed on the Second Reading 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. 112, 155, 156, 205, 319, 395.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Lambert, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Lively and students from the O'Brien Middle School: Paula Wallace, Jenni O'Brien, Julie Douglas, Deana Biggs, Candi Deforge, Jim Cremeans, Larry Wilgus, Brad Cross, Vicky Kintigh, Gary Wright, Tina Fain, Melany Lindsay, Tom Clark, Tammi Garris, Robert Thrailkill, Don Finley, Karen Bernardini, Jenni Nettleton, Mike Grider, Casey Jones, Doree Lively, Rodney Elmore, Ricky Hoeg, Jason Ames, Mitch Evans, Paula Botts, Ricky Neilson, Chris Johnson, Deana Kankel, Scott Hood, Aaron Carpenter, Rich Rosenberg, Dave Freitag, Eddie Dallimore, Frank Ramirez and Archie Walker.

On request of Assemblyman Joerg, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Harold Wright.

On request of Assemblyman Banner, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. James Hudspeth.

On request of Assemblyman Marvel, the privilege of the floor of the Assembly Chamber for this day was extended to John, Karen, Mandi and Dustin Marvel.

On request of Assemblyman Spriggs, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Leroy R. Spriggs.

Assemblyman Francis moved that the Assembly adjourn until Monday, May 6, 1985 at 11 a.m.

Motion carried.

Assembly adjourned at 11:47 a.m.

Approved: BYRON L. BILYEU
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE ONE HUNDRED AND SIXTH DAY

CARSON CITY (Monday), May 6, 1985

Assembly called to order at 11:04 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, Mr. Monte Fast.

Eternal God, our Father, today we thank You for men and women of peace. While we often have feelings of frustration, wishing that peace and security could once and for all be accomplished, we know that liberty is a way of life that will always call for sacrifice and effort. In Your knowledge You made it that way. Help us learn from the lessons of forty years, but also, help us learn from the lesson of today. Through our disagreements over the best way to bring peace, help us recognize that all persons of good will sincerely seek peace. In prayer we echo the words of our President, "Never again will mankind scar Your creation by the horror of holocaust". To whatever may we, meeting together in this place, be instruments of Your peace, we dedicate this day. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Francis 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. 546, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

LOUIS W. BERGEVIN, *Chairman*

Mr. Speaker:

Your Committee on Education, to which were referred Senate Concurrent Resolutions Nos. 7, 8, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and be adopted as amended.

ERIK BEYER, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which were referred Assembly Bills Nos. 513, 523, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JAMES STONE, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, 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.

JAMES STONE, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which were referred Assembly Bills Nos. 484, 568, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

LOUIS W. BERGEVIN, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Senate Bill No. 290, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

LOUIS W. BERGEVIN, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which were referred Assembly Bill No. 381; Senate Bills Nos. 208, 211, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JAMES STONE, *Chairman*

Mr. Speaker:

Your Committee on Taxation, to which was referred Assembly Bill No. 444, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

CHARLES W. JOERG, *Chairman*

Mr. Speaker:

Your Committee on Labor and Management, to which was referred Assembly Bill No. 355, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

BARBARA ZIMMER, *Chairman*

Mr. Speaker:

Your Committee on Labor and Management, to which was re-referred Assembly 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.

BARBARA ZIMMER, *Chairman*

Mr. Speaker:

Your Committee on Transportation, 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.

MIKE MALONE, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 3, 1985

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 137, 397, 446.

Also, I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bill No. 5, 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. 7.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Bills Nos. 177, 199.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 83, 256, 260, 360, 372.

Also, I have the honor to inform your honorable body that the Senate on this day appointed Senators Wilson, Bilbray and Wagner as a first Committee on Conference concerning Senate Bill No. 113.

Also, I have the honor to inform your honorable body that the Senate on this day appointed Senators Foley, Rawson and Hickey as a first Committee on Conference concerning Senate Bill No. 188.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Joint Resolution No. 16.

MARY JO MONGELLI
Assistant Secretary of the Senate

SENATE CHAMBER, Carson City, May 4, 1985

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 287, 334.

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. 298 and requests a conference, and appointed Senators Hickey, Rawson 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 Senate Bill No. 403.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bill No. 231.

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. 155, 240.

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. 2.

MARY JO MONGELLI
Assistant Secretary of the Senate

UNFINISHED BUSINESS

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker appointed Assemblymen Stone, Joerg 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. 298.

MOTIONS, RESOLUTIONS AND NOTICES

Senate Joint Resolution No. 16.

Resolution read first time.

Senate Concurrent Resolution No. 7.

Resolution read.

The following amendment was proposed by the Committee on Education:

Amendment No. 692.

Amend the resolution, page 1, by deleting line 10 and inserting: "required for graduation from high school but to accept in place of one of those units of credit the completion of a course in a related area of occupational education; and be it further".

Assemblyman Beyer moved the adoption of the amendment.

Remarks by Assemblyman Beyer.

Amendment adopted.

Resolution ordered reprinted and re-engrossed.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 241.

The following Senate amendment was read:

Amendment No. 610.

Amend section 1, page 1, by deleting lines 1 through 5 and inserting:

"Section 1. The director of the department of prisons shall accept the gift of $2,169 offered by Vinyl Products Manufacturing, Inc., of Carson City, Nevada, whether or not acceptance is approved by the governor or his delegate pursuant to the general provisions of subsection 5 of NRS 353.335, and shall use this money to meet the deficit in the prison grants account resulting from overexpenditure for the salaries of certain teachers and to meet the related payroll assessment. The legislature finds that the offer of this gift under these circumstances is a situation to which a general law cannot be made applicable.".

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. There is hereby appropriated from the state general fund to the department of prisons for the fiscal year 1984-85:

1. The sum of $503,031 to be used by the office of director;
2. The sum of $55,000 to be used by the northern Nevada restitution center;
3. The sum of $40,000 to be used by the southern Nevada restitution center; and
4. The sum of $89,452 to be used by the southern desert correctional center,

for medical care and the cost of keeping offenders. These appropriations are supplemental to those made by section 33 of chapter 453, Statutes of Nevada 1983, at page 1182.".

Amend the title of the bill by deleting the first and second lines and inserting:

"An Act directing the acceptance of a gift offered to the department of prisons to meet an unpaid assessment and an overexpenditure; making supplemental appropriations to the department for medical care and the cost of keeping offenders; and providing other matters prop-".

Amend the summary of the bill, first line, by deleting: "Makes supplemental appropriation" and inserting: "Directs acceptance of gift by and makes appropriations".

Assemblyman Marvel moved that the Assembly do not concur in the Senate amendment to Assembly Bill No. 241.

Remarks by Assemblyman Marvel.

Motion carried.

Bill ordered transmitted to the Senate.

Assembly Bill No. 242.

The following Senate amendment was read:

Amendment No. 620.

Amend the bill as a whole by renumbering section 3 as section 4 and adding a new section designated as section 3, following section 2, to read as follows:

"Sec. 3. There is hereby appropriated from the state general fund to the southern Nevada adult mental health services of the mental hygiene and mental retardation division of the department of human resources the sum of $54,450 for contract services provided by hospitals and patients' travel expenses. This appropriation is supplemental to that made by section 31 of chapter 453, Statutes of Nevada 1983, at page 1181.".

Amend the title of the bill, fourth line, after "expenses;", by inserting: "making a supplemental appropriation to the southern Nevada adult mental health services of the mental hygiene and mental retardation division of the department of human resources for services provided by hospitals and patients' travel expenses;".

Amend the summary of the bill, first line, by deleting "and" and inserting a comma.

Amend the summary of the bill, second line, by deleting the period and inserting: "and southern Nevada adult mental health services.".

Assemblyman Marvel moved that the Assembly do not concur in the Senate amendment to Assembly Bill No. 242.

Remarks by Assemblyman Marvel.

Motion carried.

Bill ordered transmitted to the Senate.

REPORTS OF CONFERENCE COMMITTEES

Mr. Speaker:

The first Committee on Conference concerning Senate Joint Resolution No. 2, 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. C3, which is attached to and hereby made a part of this report.

LOUIS A. BERGEVIN	ALAN H. GLOVER
GAYLYN J. SPRIGGS	ANN O'CONNELL
MYRNA T. WILLIAMS	RAYMOND C. SHAFFER
Assembly Committee on Conference	*Senate Committee on Conference*

Amendment No. C3.

Amend the resolution, page 1, by deleting lines 7 and 8 and inserting: "real, personal and possessory, except *that a minimum value for taxation ad valorem may be set to ensure that property will be taxed in an amount which is sufficient to yield a revenue greater than the expense of collection.*".

Amend the title of the resolution, second and third lines, by deleting: "to require the payment of a minimum tax ad valorem." and inserting: "to allow a minimum value for taxation ad valorem to be set.".

Assemblyman Bergevin moved that the Assembly adopt the report of the first Committee on Conference concerning Senate Joint Resolution No. 2.

Remarks by Assemblyman Bergevin.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Transportation, 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: Amend, and do pass as amended.

MIKE MALONE, *Chairman*

Mr. Speaker:

Your Committee on Legislative Functions, 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.

BRUCE R. BOGAERT, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Senate Concurrent Resolution No. 8.

Resolution read.

The following amendment was proposed by the Committee on Education:

Amendment No. 693.

Amend the resolution, page 1, by deleting line 10 and inserting: "for graduation from high school but to accept in place of one of those credits the completion of a course in a related area of occupational education; and be it further".

Assemblyman Beyer moved the adoption of the amendment.

Remarks by Assemblyman Beyer.

Amendment adopted.

Resolution ordered reprinted and re-engrossed.

INTRODUCTION AND FIRST READING OF LEGISLATION

By the Committee on Ways and Means:

Assembly Bill No. 633—An Act relating to special funds; providing a schedule of repayment of an appropriation to the rehabilitation division for the construction and equipping of vending stands operated by blind persons; changing the schedule of repayment of an appropriation to the prison industry fund; providing a schedule of repayment of an appropriation to the prison farm fund; and providing other matters properly relating thereto.

By the Committee on Judiciary:

Assembly Bill No. 634—An Act relating to private corporations; changing the method of redeeming or converting stock in connection with the consolidation or merger of corporations; limiting the period during which a claim may be commenced involving a dissolved corporation; and providing other matters properly relating thereto.

By the Committee on Judiciary:

Assembly Bill No. 635—An Act relating to lenders; limiting the liability of a lender to third persons for defective construction by borrower; and providing other matters properly relating thereto.

Senate Bill No. 83.
Bill read first time.

Senate Bill No. 177.
Bill read first time.

Senate Bill No. 199.
Bill read first time.

Senate Bill No. 231.
Bill read first time.

Senate Bill No. 256.
Bill read first time.

Senate Bill No. 260.
Bill read first time.

Senate Bill No. 360.
Bill read first time.

Senate Bill No. 372.
Bill read first time.

Senate Bill No. 403.
Bill read first time.

REFERENCE OF MEASURES TO COMMITTEES

Assembly Bill No. 621.

Assemblyman Rader moved that the bill be referred to the Committee on Commerce.

Assemblyman Francis moved that Assemblyman Rader's motion be amended and that Assembly Bill No. 621 be referred to the Committee on Transportation.

Assemblyman Francis's motion carried.

Assemblyman Rader's motion carried, as amended.

Assembly Bill No. 622.

Assemblyman Francis moved that the bill be referred to the Committee on Commerce.

Motion carried.

Assembly Bill No. 623.

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

Motion carried.

Assembly Bill No. 624.

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

Motion carried.

Assembly Bill No. 625.

Assemblyman Francis moved that the bill be referred to the Concurrent Committees on Natural Resources, Agriculture and Mining and Ways and Means.

Motion carried.

Assembly Bill No. 626.

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

Motion carried.

Assembly Bill No. 627.

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

Motion carried.

Assembly Bill No. 628.

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

Motion carried.

Assembly Bill No. 629.

Assemblyman Francis moved that the bill be referred to the Committee on Commerce.

Motion carried.

Assembly Bill No. 630.

Assemblyman Francis moved that the bill be referred to the Committee on Commerce.

Motion carried.

Assembly Bill No. 631.

Assemblyman Francis moved that the bill be referred to the Committee on Commerce.

Motion carried.

Assembly Bill No. 632.

Assemblyman Francis moved that the bill be referred to the Committee on Commerce.

Motion carried.

Assembly Joint Resolution No. 24.

Assemblyman Francis moved that the resolution be referred to the Committee on Government Affairs.

Motion carried.

Senate Bill No. 70.

Assemblyman Francis moved that the bill be referred to the Concurrent Committees on Judiciary and Ways and Means.

Motion carried.

Senate Bill No. 312.

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

Motion carried.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 5.

The following Senate amendment was read:

Amendment No. 516.

Amend sec. 2, page 1, line 5, after "*which*" by inserting: "*or during the hours when*".

Amend the bill as a whole by adding a new section designated section 6, following section 5, to read as follows:

"Sec. 6. Section 3 of this act becomes effective on July 1, 1987.".

Assemblyman Stone moved that the Assembly concur in the Senate amendment to Assembly Bill No. 5.

Remarks by Assemblyman Stone.

Motion carried.

Bill ordered enrolled.

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen McGaughey and Arberry:

Assembly Concurrent Resolution No. 27—Urging the Clark County School District to teach pupils in sixth grade in regular elementary schools containing the other lower grades.

SECOND READING AND AMENDMENT

Assembly Bill No. 19.

Bill read second time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 181.

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 350A.070 is hereby amended to read as follows:

350A.070 "Municipal securities" means notes, warrants, interim debentures, bonds and temporary bonds validly issued as [general] obligations for a purpose related to natural resources which are payable from [taxes,] :

1. Taxes whether or not additionally secured by any municipal revenues available therefor [.] *; or*

2. Assessments against real property.

Amend section 1, page 1, line 8, by deleting "*$350,000,000.*" and inserting "*$400,000,000.*".

Amend the title of the bill, first line, after "public securities;" and inserting: "expanding the definition of "municipal securities;".

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. 123.

Bill read second time.

The following amendment was proposed by the Committee on Taxation:

Amendment No. 582.

Amend section 1, page 1, by deleting lines 7 through 10 and inserting: "optional. A board of county commissioners [, for the unincorporated areas of a county, and the governing bodies of the incorporated cities in the county, by ordinances] *by an ordinance* regularly".

Amend section 1, page 1, line 11, by placing brackets around "or city".

Amend section 1, page 1, line 20 and page 2, line 1, by placing brackets around "or governing body of an incorporated city".

Amend section 1, page 2, line 2, by placing brackets around "or city".

Amend section 1, page 2, lines 3 and 4, by placing brackets around "for that entity".

Amend section 1, page 2, line 5, by placing brackets around "or incorporated city".

Amend section 1, page 2, line 9, by placing brackets around "or incorporated city".

Amend section 1, page 2, line 17, by deleting "*or city*".

Amend sec. 2, page 2, by deleting lines 24 and 25 and inserting: "tered voters of the county [or incorporated city] voting upon [a] *the* question , which the [governing body] *board of county commissioners* may.".

Amend sec. 3, page 2, lines 41 and 42, by deleting: "*or incorporated cities*".

Amend sec. 3, page 2, line 43, by deleting the open bracket.

Amend sec. 3, page 2, line 45, before "which", by inserting " . [".

Amend sec. 3, page 2, line 46, after "is", by inserting: "] *The county and each city are respectively*".

Amend sec. 3, page 3, line 1, by deleting "the" and inserting "[the] *its*".

Amend sec. 3, page 3, by deleting lines 2 and 3 and inserting: "population [of the entity] bears to the total population of [all the participating governmental entities in] the county.".

Amend sec. 3, page 3, by deleting lines 9 and 10 and inserting:

"4. The money apportioned to [a participating entity pursuant to subsection 2] *the county or a city* must be used by [that entity] *it* solely to repair".

Amend the bill as a whole by adding a new section designated section 4, following section 3, to read as follows:

"Sec. 4. 1. In any county in which the tax authorized by NRS 365.192 as originally enacted has been submitted at an election and approved by a majority of the voters voting on the question in the county as a whole, the tax is hereby imposed at the rate of 1 cent per gallon throughout the county.

2. In any other county, unless the tax is already in effect at that rate throughout the county, the board of county commissioners shall adopt the ordinance described in NRS 365.192 and 365.194 and submit it for approval at the general election in 1986. If it is not then approved, it may again be submitted at any time thereafter.".

Amend the title of the bill, by deleting the first and second lines and inserting:

"An Act relating to an optional tax on motor vehicle fuel; providing for its imposition throughout a county adopting it;".

Amend the summary of the bill to read: "Allows counties to impose optional tax on motor vehicle fuel throughout county. (BDR 32-90)".

Assemblyman Bergevin moved the adoption of the amendment.

Remarks by Assemblymen Bergevin and Joerg.

Assemblyman Bergevin withdrew his motion.

Assemblyman Joerg moved that Assembly Bill No. 123 be taken from the Second Reading File and placed on the Chief Clerk's desk.

Motion carried.

Assembly Bill No. 182.

Bill read second time.

The following amendment was proposed by Assemblyman Stone:

Amendment No. 694.

Amend the bill as a whole by deleting sections 1 through 3 and inserting:

"Section 1. Chapter 244 of NRS is hereby amended by adding thereto a new section to read as follows:

1. The chairman or clerk of the board of county commissioners to enforce NRS 244.335 to 244.340, inclusive, the chairman or clerk of the license board of the county to enforce NRS 244.345 and 244.347, and the chairman or clerk of the liquor board of the county to enforce NRS 244.350, 244.3501 and 244.351 may:

(a) Administer oaths and require testimony under oath;

(b) Pay witnesses a reasonable allowance for travel and subsistence; and

(c) Appoint hearing officers who may administer oaths and receive testimony given under oath.

2. Any notice given by the board must be served in the manner required for civil actions.".

Amend the title of the bill, second line, by deleting "issue subpenas;" and inserting: "administer oaths, pay witnesses and appoint hearing officers;".

Amend the summary of the bill by deleting "issue subpenas." and inserting: "administer oaths, pay witnesses and appoint hearing officers.".

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. 229.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 698.

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 171 of NRS is hereby amended by adding thereto a new section to read as follows:

1. Whether or not a warrant has been issued, a peace officer shall, unless mitigating circumstances exist, arrest a person when he has probable cause to believe that the person to be arrested has, within the preceding 4 hours, committed a battery upon his spouse or former spouse.

2. When a peace officer investigates such a battery, whether or not an arrest is made, he shall prepare and submit a written report of the alleged battery to his supervisor or other person designated by his employer to receive reports regarding similar allegations. He shall include any mitigating circumstances in his report which prevented him from making an arrest pursuant to subsection 1.".

Amend section 1, page 1, line 17, before "(f)" by inserting an open bracket.

Amend section 1, page 1, line 18, by deleting the bracket.

Amend section 1, pages 1 and 2, by deleting line 20 on page 1 and lines 1 and 2 on page 2.

Amend the bill as a whole by adding new sections designated sections 3 and 4, following section 1, to read as follows:

"Sec. 3. NRS 178.484 is hereby amended to read as follows:

178.484 1. A person arrested for an offense other than murder of the first degree [shall] *must* be admitted to bail.

2. A person arrested for murder of the first degree may be admitted to bail unless the proof is evident or the presumption great by any competent court or magistrate authorized by law to do so in the exercise of discretion, giving due weight to the evidence and to the nature and circumstances of the offense.

3. A person arrested for a battery upon his spouse or former spouse must not be admitted to bail sooner than 12 hours after his arrest.

Sec. 4. NRS 200.481 is hereby amended to read as follows:

200.481 1. As used in this section:

(a) "Battery" means any willful and unlawful use of force or violence upon the person of another.

(b) "Child" means a person less than 18 years of age.

(c) "Officer" means:

(1) A peace officer as defined in NRS 169.125;

(2) A person employed in a full-time salaried occupation of firefighting for the benefit or safety of the public;

(3) A member of a volunteer fire department; or

(4) A jailer, guard, matron or other correctional officer of a city or county jail.

2. Any person convicted of a battery, other than a battery committed by an adult upon a child which constitutes child abuse, shall be punished:

(a) If the battery is not committed with a deadly weapon, and no substantial bodily harm to the victim results, except under circumstances where a greater penalty is provided in NRS 197.090, for a misdemeanor. *If the battery is committed upon his spouse or former spouse, the court shall not grant probation to or suspend the sentence of the person unless he completes a program of counseling to prevent abuse of his family. Upon completion of such a program, the court shall sentence him to imprisonment for not less than 1 day or to perform 24 hours of work for the communty.*

(b) If the battery is not committed with a deadly weapon, and substantial bodily harm to the victim results, for a gross misdemeanor.

(c) If the battery is committed upon an officer and:

(1) The officer was performing his duty;

(2) The officer suffers substantial bodily harm; and

(3) The person charged knew or should have known that the victim was an officer,

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.

(d) If the battery is committed with the use of a deadly weapon, by imprisonment in the state prison for not less than 2 years nor more than 10 years and may be further punished by a fine of not more than $10,000.

(e) If the battery is committed by a prisoner who is in lawful custody or confinement, without the use of a deadly weapon, whether or not substantial bodily harm results, by imprisonment in the state prison for not less than 1 year nor more than 6 years.

(f) If the battery is committed by a prisoner who is in lawful custody or confinement with the use of a deadly weapon, whether or not substantial bodily harm results, by imprisonment in the state prison for not less than 2 years nor more than 20 years.".

Amend the title of the bill, first and second lines, by deleting: "allowing a peace officer to make an arrest without a warrant;" and inserting: "requiring arrest by a peace officer for certain batteries; delaying the release on bail of a person arrested for a battery upon his spouse or former spouse; prohibiting the suspension of a sentence under certain circumstances;".

Amend the summary of the bill by deleting the first line and inserting: "Requires arrest and delay of bail in cases of domestic".

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. 244.

Bill read second time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 672.

Amend section 1, page 1, line 3, by deleting "$45,000" and inserting "$90,000".

Assemblyman Marvel moved the adoption of the amendment.

Remarks by Assemblyman Marvel.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 486.

Bill read second time.

The following amendment was proposed by the Committee on Taxation:

Amendment No. 678.

Amend section 1, page 1, lines 5 and 6, by deleting on each line "*county*" and inserting "*public*".

Amend section 1, page 1, line 7, after "*3.*" by inserting: "*"Public roads" means paved roads which are constructed and maintained by a city or county to which access is not limited.*

4.".

Amend sec. 2, page 1, line 14, by deleting "*county*" and inserting "*public*".

Amend sec. 2, page 1, by deleting line 17 and inserting: "pursuant to NRS 377A.030. [A board shall not impose both these taxes.]".

Amend sec. 2, page 2, line 2, after "election." by inserting: "*The board shall also submit to the voters any proposal to change the previously approved uses for the proceeds of the tax.*".

Amend sec. 3, page 2, line 18, before "ordinance" by deleting "the" and inserting "[the] *an*".

Amend sec. 3, page 2, line 19, by deleting "*county*" and inserting "*public*".

Amend sec. 4, page 2, line 27, by deleting "*county*" and inserting "*public*".

Amend sec. 5, page 2, line 35, by deleting "*county*" and inserting "*public*".

Amend sec. 5, page 3, by deleting line 10 and inserting: "*taining public roads. Money drawn for constructing, repairing and maintaining public roads must be allocated to the governmental entities within the county in the same ratio as each entity's total miles of paved roads bears to the total miles of paved roads within the county.*".

Amend sec. 6, page 3, lines 21, 27 and 29, by deleting on each line "*county*" and inserting "*public*".

Amend sec. 7, page 3, line 35, by deleting "*county*" and inserting "*public*".

Amend sec. 8, page 4, line 1, by deleting "*county*" and inserting "*public*".

Amend the title of the bill, third line, by deleting: "county roads;" and inserting: "public roads; removing the prohibition against the imposition in certain counties of a tax to promote tourism in addition to a tax for public mass transportation and construction of public roads;".

Amend the title of the bill, second line, by deleting "county" and inserting "public".

Assemblyman Bergevin moved the adoption of the amendment.

Remarks by Assemblymen Bergevin and Dini.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 487.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 494.

Bill read second time.

The following amendment was proposed by the Committee on Taxation:

Amendment No. 683.

Amend sec. 3, page 2, by deleting lines 9 through 16 and inserting: "a new section to be designated as section 51.5, immediately following section 51, to read as follows:

"*Sec. 51.5. When a contractor fabricates material for use in constructing any building or other improvement to real property, the taxes imposed by this chapter must be based upon the value of the material as fabricated, as if the contractor were purchasing it from another, and the tax must be paid by the contractor as if he were selling it to another.*".

Amend sec. 4, page 2, by deleting lines 22 and 23 and inserting: "a contractor fabricates his own materials he must pay the tax on the value of those materials after fabrication?".

Amend sec. 5, page 2, by deleting lines 29 through 36 and inserting: "provide that a contractor who fabricates materials for his own use in constructing a building must pay the same tax as if he bought the materials from someone else.".

Amend sec. 9, page 3, by deleting lines 12 through 16 and inserting: "*When a contractor fabricates material for use in constructing any building or other improvement to real property, the taxes imposed by this chapter must be based upon the value of the material as fabricated, as if the contractor were purchasing it from another, and the tax must be paid by the contractor as if he were selling it to another.*".

Amend the title of the bill by deleting the third and fourth lines and

inserting: "to require a contractor to pay tax on the full value of materials he fabricates for use under the contract; amending certain analogous taxes; and".

Amend the summary of the bill to read: "Proposes to impose full sales or use tax upon material fabricated by contractor. (BDR 32-1248)".

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. 500.

Bill read second time, ordered engrossed and to third reading.

Senate Bill No. 28.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 671.

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 640.150 is hereby amended to read as follows:

640.150 1. Every registered physical therapist [shall,] *must,* during July of every year, apply to the board for an extension of his registration and pay a fee of not more than $50. Registration that is not so extended before September 1 of the year automatically lapses.

2. The board may revive and extend a lapsed registration on the payment of all past unpaid [extension] fees *for extension* not to exceed $100.

3. The board [may] *shall* require registered physical therapists to complete a program of continuing education [consisting of not more than 20 hours] as a requirement for the extension of registrations. The board [may] *shall* prescribe the curriculum and approve the courses of study or training for that program.".

Amend the title of the bill, second line, after "arts;" by inserting: "requiring continuing education for extension of registration;".

Amend the summary, second line, by deleting the period and inserting: "and requires continuing education for extension of registration.".

Assemblyman DuBois moved the adoption of the amendment.

Remarks by Assemblyman DuBois.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 117.

Bill read second time and ordered to third reading.

Senate Bill No. 154.

Bill read second time and ordered to third reading.

Senate Bill No. 192.

Bill read second time and ordered to third reading.

GENERAL FILE AND THIRD READING

Assembly Bill No. 75.
Bill read third time.
Remarks by Assemblyman Sader.
Roll call on Assembly Bill No. 75:
YEAS—42.
NAYS—None.

Assembly Bill No. 75 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 194.
Bill read third time.
Remarks by Assemblymen Spriggs and Nicholas.
Roll call on Assembly Bill No. 194:
YEAS—42.
NAYS—None.

Assembly Bill No. 194 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 211.
Bill read third time.
Remarks by Assemblymen Humke, Price, Stone, Collins, Lambert, Bergevin and Francis.
Assemblyman Francis moved that Assembly Bill No. 211 be taken from the General File and placed on the Chief Clerk's desk.
Motion carried.

Assembly Bill No. 216.
Bill read third time.
Remarks by Assemblyman McGaughey.
Roll call on Assembly Bill No. 216:
YEAS—40.
NAYS—Banner, Mr. Speaker—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. 318.
Bill read third time.
Remarks by Assemblyman Malone.
Roll call on Assembly Bill No. 318:
YEAS—42.
NAYS—None.

Assembly Bill No. 318 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 340.
Bill read third time.
Remarks by Assemblyman Marvel.
Roll call on Assembly Bill No. 340:
YEAS—42.
NAYS—None.

Assembly Bill No. 340 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 388.
Bill read third time.
Remarks by Assemblymen Stone and O'Donnell.
Roll call on Assembly Bill No. 388:
YEAS—31.
NAYS—Arberry, Coffin, Collins, Francis, Getto, O'Donnell, Sader, Sedway, Swain, Thompson, Williams—11.

Assembly Bill No. 388 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 415.
Bill read third time.
The following amendment was proposed by the Committee on Commerce:
Amendment No. 723.
Amend section 1, page 1, line 3, by deleting "and engineers" and inserting: ", engineers and landscape architects, or any combination thereof,".
Amend section 1, page 1, by deleting line 6 and inserting: "tered under the applicable provisions of this chapter, chapter 623A or 625 of NRS.".
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 becomes effective at 12:01 a.m. on July 1, 1985.".
Assemblyman DuBois moved the adoption of the amendment.
Remarks by Assemblyman DuBois.
Amendment adopted.
Bill ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 458.
Bill read third time.
Remarks by Assemblyman Little.
Roll call on Assembly Bill No. 458:
YEAS—42.
NAYS—None.

Assembly Bill No. 458 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 466.
Bill read third time.
Remarks by Assemblyman Bogaert.
Roll call on Assembly Bill No. 466:
YEAS—39.
NAYS—Collins, Nicholas, Thompson—3.

Assembly Bill No. 466 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 567.
Bill read third time.
Remarks by Assemblymen Thompson, Thomas, Bergevin, Nicholas and Dini.
Assemblyman Dini moved that Assembly Bill No. 567 be taken from the General File and placed on the Chief Clerk's desk.
Motion carried.

Senate Bill No. 58.
Bill read third time.
Remarks by Assemblymen Francis, DuBois, Kerns, Thomas, Little, Dini, McGaughey and Coffin.
Assemblymen Nicholas, Thompson and Humke moved the previous question.
Motion carried.
The question being on the passage of Senate Bill No. 58.
Roll call on Senate Bill No. 58:
YEAS—25.
NAYS—Banner, Bergevin, Bogaert, Dini, Fairchild, Getto, Horne, Kerns, Lambert, Little, McGaughey, Malone, Roberts, Spriggs, Zimmer—15.
Not voting—Swain, Thomas—2.

Senate Bill No. 58 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 175.
Bill read third time.
Remarks by Assemblymen Thomas, O'Donnell, DuBois, Marvel, Humke and Dini.
Roll call on Senate Bill No. 175:
YEAS—37.
NAYS—Little, McGaughey, O'Donnell, Roberts, Stone—5.

Senate Bill No. 175 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 204.
Bill read third time.

Remarks by Assemblyman Bergevin.
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, as amended.
Bill ordered transmitted to the Senate.

Senate Joint Resolution No. 22.
Resolution read third time.
Remarks by Assemblyman Getto.
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.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bills Nos. 81, 323, 461; Senate Bills Nos. 155, 235, 240, 264, 265, 299, 431; Senate Joint Resolution No. 34.

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. Carla Wilkin, Sheri Oxborrow, Ramona Clayton, Kathy Pritchett, Mr. Dean Stubbs and Honor Society students from White Pine County Junior High School: Angela Barnson, Cindy Allred, Kelli Franovich, Tammi Prichett, Amy Hase, Dondi Green, Anna Noriega, Marci Nall, Lori Swenson, Desiree Baldwin, Angela Klawes, Susan Jensen, Sandi Kingston, Heather Fay, Robin Bartlett, Melissa Barnson, Stephanie Ward, Brenda Wright, Caroline Thompson, Heather Gingell, Lara Scott, Mindy Hauntz, John Heit, Dale Romero, Phillip Lewis, Albert Cooper, Mickey Clair, Eugene Clayton, Russell Pantello, John Puckett, Juan Noriega, Steve Baldwin, Brian Luce and Randy Pierce.

On request of Assemblyman Malone, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Lori Stevens.

On request of Assemblyman Dini, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Haukaas and students from Fernley High School: Gary Stone, Mike Vagts, Mike Sims, Chuck Cassady, Debra Burns, Cindy McCracken and Ramona Smith.

On request of Assemblyman Stone, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Sherri Westphal, Mr.

Andre Ney and students from the Calvary Baptist Church School: Sabrena Westphal, Stephany Crain, Lee Rankin, Jodi Scalf, Robert Wallace and Jerry Gordon.

Assemblyman Francis moved that the Assembly adjourn until Tuesday, May 7, 1985 at 11 a.m.

Motion carried.

Assembly adjourned at 1:01 p.m.

Approved: BYRON L. BILYEU
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE ONE HUNDRED AND SEVENTH DAY

CARSON CITY (Tuesday), May 7, 1985

Assembly called to order at 11:02 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, Mr. Monte Fast.

Eternal Father, most of us were children then, but we remember the big black headlines proclaiming V–E Day. The sawmill whistle blowing for a full five minutes . . . our school teacher explaining the war in Germany was over and the principal leading the salute for our whole grade school . . . mother crying because she knew the guns were silent, and our loved one would not die that day. We pause on this day, forty years later, forty years older, and reflect and humbly thank You. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Francis 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. 8, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JAMES STONE, *Chairman*

Mr. Speaker:

Your Committee on Education, to which was referred Assembly Bill No. 495, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ERIK BEYER, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which were referred Assembly Bills Nos. 585, 586, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

LOUIS W. BERGEVIN, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which was referred Assembly Bill No. 195, 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.

JAMES STONE, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which was referred Assembly Bill No. 551, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JAMES STONE, *Chairman*

Mr. Speaker:

Your Committee on Transportation, to which were referred Senate Bills Nos. 97, 140, 201, 234, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

MIKE MALONE, *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which was referred Assembly Bill No. 401, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN DUBOIS, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 6, 1985

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 181, 203, 297, 362, 474.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Bills Nos. 132, 236, 279, 283, 379, 398, 427, 433.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bill No. 255.

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. 228.

Also, I have the honor to inform your honorable body that the Senate on this day appointed Senators Bilbray, Gibson and Redelsperger as a first Committee on Conference concerning Senate Bill No. 224.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Senate Concurrent Resolution No. 7.

Assemblyman Beyer moved the adoption of the resolution.

Remarks by Assemblyman Beyer.

Resolution adopted, as amended.

Senate Concurrent Resolution No. 8.

Assemblyman Beyer moved the adoption of the resolution.

Remarks by Assemblyman Beyer.

Resolution adopted, as amended.

REPORTS OF COMMITTEES

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: Amend, and re-refer to the Committee on Commerce.

JOHN DUBOIS, *Chairman*

INTRODUCTION AND FIRST READING OF LEGISLATION

By the Committee on Judiciary:

Assembly Bill No. 636—An Act relating to gaming; removing the requirement that each limited partner in a limited partnership be individually licensed; authorizing the commission to require the licensing of a limited partner; and providing other matters properly relating thereto.

By the Committee on Judiciary:

Assembly Bill No. 637—An Act relating to criminal procedure; limiting the use of the eight peremptory challenges of jurors; and providing other matters properly relating thereto.

By Assemblyman Stone:

Assembly Bill No. 638—An Act relating to food stuffs; prohibiting the use of sulfites except in wine; and providing other matters properly relating thereto.

By Assemblyman Getto (by request):

Assembly Bill No. 639—An Act relating to motor vehicles; providing special decals for license plates issued for antique vehicles; and providing other matters properly relating thereto.

By Assemblyman Thomas:

Assembly Bill No. 640—An Act making appropriations to increase retroactively and prospectively the salaries of employees in the classified service of the state; and providing other matters properly relating thereto.

By the Committee on Commerce:

Assembly Bill No. 641—An Act relating to industrial insurance; permitting self-insurance by groups; and providing other matters properly relating thereto.

Senate Bill No. 132.
Bill read first time.

Senate Bill No. 236.
Bill read first time.

Senate Bill No. 255.
Bill read first time.

Senate Bill No. 279.
Bill read first time.

Senate Bill No. 283.
Bill read first time.

Senate Bill No. 379.
Bill read first time.

Senate Bill No. 398.
Bill read first time.

Senate Bill No. 427.
Bill read first time.

Senate Bill No. 433.
Bill read first time.

REFERENCE OF MEASURES TO COMMITTEES

Assembly Bill No. 633.

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

Motion carried.

Assembly Bill No. 634.

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

Motion carried.

Assembly Bill No. 635.

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

Motion carried.

Assembly Concurrent Resolution No. 27.

Assemblyman McGaughey moved that the resolution be referred to the Committee on Education.

Motion carried.

Senate Bill No. 83.

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

Motion carried.

Senate Bill No. 177.

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

Motion carried.

Senate Bill No. 199.

Assemblyman Francis moved that the bill be referred to the Concurrent Committees on Natural Resources, Agriculture and Mining and Ways and Means.

Motion carried.

Senate Bill No. 231.

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

Motion carried.

Senate Bill No. 256.

Assemblyman Francis moved that the bill be referred to the Concurrent Committees on Education and Ways and Means.

Motion carried.

Senate Bill No. 260.

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

Motion carried.

Senate Bill No. 360.

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

Motion carried.

Senate Bill No. 372.

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

Motion carried.

Senate Bill No. 403.

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

Motion carried.

Senate Joint Resolution No. 16.

Assemblyman Francis moved that the resolution be referred to the Committee on Elections.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Concurrent Committee on Legislative Functions, to which was referred Assembly 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.

BRUCE R. BOGAERT, *Chairman*

INTRODUCTION AND FIRST READING OF LEGISLATION

By the Committee on Health and Welfare:

Assembly Bill No. 642—An Act relating to county hospitals; increasing the rate of interest on unpaid accounts; and providing other matters properly relating thereto.

By the Committee on Economic Development and Tourism:

Assembly Bill No. 643—An Act relating to economic development; enlarging the class of counties which need not match grants; and providing other matters properly relating thereto.

By the Committee on Judiciary:

Assembly Bill No. 644—An Act relating to motor vehicles; authorizing any peace officer to seize a motor vehicle being operated with improper registration or by a person not properly licensed; and providing other matters properly relating thereto.

By the Committee on Judiciary:

Assembly Bill No. 645—An Act relating to the possession of firearms; specifying the crimes the conviction of which results in the prohibition against possessing a firearm; and providing other matters properly relating thereto.

By Assemblymen Rader, Roberts, Ham, Francis, Horne, Thomas, Nicholas, McGaughey, DuBois, Little, Fairchild, O'Donnell, Zimmer, Tebbs, Spriggs, Humke, Joerg, Bogaert, Marvel, Bergevin, Lambert and Bilyeu:

Assembly Bill No. 646—An Act relating to collective bargaining; requiring publication and distribution of contracts; and providing other matters properly relating thereto.

SECOND READING AND AMENDMENT

Assembly Bill No. 355.

Bill read second time.

The following amendment was proposed by the Committee on Labor and Management:

Amendment No. 703.

Amend the bill as a whole by deleting section 1 and renumbering section 2 as section 1.

Amend the title of the bill, second, third and fourth lines, by deleting: "requiring a period of waiting for a person discharged for cause not related to the performance of his work;".

Amend the summary of the bill, first line, by deleting: "and period of waiting".

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. 381.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 702.

Amend section 1, page 1, line 14, by deleting: "[1 year] *7 years*" and inserting "1 year".

Amend the title of the bill, first line, before "penalty", by inserting "maximum".

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. 391.

Bill read second time.

The following amendment was proposed by the Committee on Transportation:

Amendment No. 704.

Amend section 1, page 1, by deleting line 3 and inserting: "[sign,] :

(a) Sign, poster or other nontransparent material *; or*

(b) Material which presents a metallic or mirror-like appearance,

upon the front wind-".

Amend section 1, page 1, line 4, before "such", by inserting an open bracket.

Amend section 1, page 1, by deleting lines 6 through 17 and inserting: "highway.

2. This section shall] *the vehicle. This subsection does* not apply to any sign, poster or other".

Amend section 1, page 2, by inserting after line 2:

"2. *Except as otherwise provided in subsection 3, a person shall not drive any motor vehicle with any transparent material applied to the front windshield or the side or rear windows which alters the color or reduces the amount of light transmitted through the window.*

3. Subsection 2 does not apply to:

(a) A side window which is located to the rear of the driver's seat.

(b) Rear windows in a vehicle which is equipped with outside mirrors on both sides which are capable of providing the driver with a clear view of the roadway to the rear of the vehicle for a distance of at least 200 feet.

(c) The top 4 inches of the front windshield if the material:

(1) Does not obstruct the driver's vision of the roadway;

(2) Is not red or amber in color or otherwise distorts the driver's vision or the primary colors he sees through the windshield; and

(3) Does not reflect light into the eyes of the occupants of oncoming or following vehicles to any greater extent than the windshield would have done without such a material.

(d) A window made of tinted glass which was originally installed at the factory and any equivalent replacement.".

Assemblyman Nevin moved the adoption of the amendment.

Remarks by Assemblymen Nevin, Collins, Price, Stone, Schofield, Coffin, Horne, Sader and Dini.

Assemblyman Dini moved that Assembly Bill No. 391 be taken from the Second Reading File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Dini.

Motion carried.

Assembly Bill No. 431.

Bill read second time.

The following amendment was proposed by the Committee on Legislative Functions:

Amendment No. 726.

Amend section 1, page 1, line 6, after "*legislature.*" by inserting: "*The requests must be listed in numerical order if a unique serial number is assigned to the measures by the legislative counsel for the purposes of identification.*".

Amend sec. 2, page 2, lines 5 and 8, by deleting on each line "records" and inserting "micrographics".

Amend sec. 2, page 2, line 25, by deleting: "[Prior to] *Before*" and inserting "Before".

Amend the bill as a whole by adding a new section designated section 4, following section 3, to read as follows:

"Sec. 4. Section 2 of this act becomes effective at 12:01 a.m. on July 1, 1985.".

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. 444.

Bill read second time.

The following amendment was proposed by the Committee on Taxation:

Amendment No. 709.

Amend sec. 4, page 2, by deleting lines 19 through 24 and inserting:

"Sec. 4. *Except as other provisions are made for their assessment, the county assessors and county treasurers of the various counties shall assess and collect the taxes and related penalties for livestock and sheep which are billed:*

1. On the unsecured roll in the same manner as taxes and penalties on personal property are assessed and collected.

2. On the secured roll in the same manner as taxes and penalties on real property are assessed and collected, except that the amount of annual tax due may be billed and declared due at the time regularly scheduled for the first quarterly payment.".

Amend sec. 7, page 2, line 42, by deleting the period and inserting: "*assessed by the committee.*".

Amend sec. 14, page 4, by deleting lines 15 and 16 and inserting: "*owner. The billing may be made from the secured or unsecured tax roll. The bill may be included*".

Amend sec. 15, page 4, by deleting lines 20 through 27 and inserting:

"Sec. 15. (Deleted by amendment.)".

Amend sec. 16, page 4, line 29, by deleting: "*sections 7 and 15*" and inserting "*section 7*".

Amend sec. 16, page 4, by deleting line 33 and inserting: "*575.070 and section 7 of this act and transmit the revenue*".

Amend sec. 17, page 4, line 36, after "*by the*" by inserting: "*county assessor or*".

Amend sec. 22, page 6, by deleting lines 6 and 7 and inserting:

"2. The tax *paid by an owner of sheep* must be [collected as".

Amend sec. 28, page 8, by deleting lines 27 through 29 and inserting:

"5. The special taxes [must be collected as other taxes, and] *paid by an owner of livestock, when* transmitted to the state treasurer,".

Amend sec. 23, page 6, by deleting line 18.

Amend sec. 24, page 6, line 25, by deleting the period and inserting "and goats.".

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. 484.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 722.

Amend section 1, page 1, line 7, by deleting "and includes".

Amend section 1, page 1, line 8, by deleting "same: Propane," and inserting "propane,".

Amend section 1, page 1, by deleting lines 10 through 12.

Amend sec. 2, page 1, line 15, by deleting "five" and inserting "[five] *six*".

Amend sec. 2, page 2, line 1, by deleting "*Three*" and inserting "*Four*".

Amend sec. 2, page 2, by deleting lines 4 through 7 and inserting:

"*(c) A person who has expert knowledge of fighting fires fueled by liquefied petroleum gas, selected from a list of three nominees submitted by the state fire marshal.*".

Amend sec. 2, page 2, line 10, by deleting "but" and inserting a period.

Amend sec. 2, page 2, by deleting lines 11 and 12 and inserting:

"5. The subsistence allowances and travel expenses of the members of the board must be paid out of the".

Amend sec. 2, page 2, line 13, by deleting "funds" and inserting "money".

Amend sec. 2, page 2, line 14, by deleting "5." and inserting "6.".

Amend sec. 4, page 3, by deleting lines 35 through 40 and inserting:

"*2. If a political subdivision determines that higher or more stringent standards concerning a particular installation or storage of liquefied petroleum gas within its jurisdiction are necessary, it may request the board to consider the matter at a joint public meeting. The board shall schedule and conduct such a meeting within 30 days after receiving the request. If, at the joint meeting, a majority of the members of the board and a majority of the members of the governing body of the political subdivision agree:*

(a) That higher or more stringent standards should apply in that particular case; and

(b) Upon what those standards should be,

then the governing body of the political subdivision may adopt those standards for that particular case.".

Amend the title of the bill, second line, after "revising the" by inserting "number and".

Assemblyman Bergevin moved the adoption of the amendment.

Remarks by Assemblyman Bergevin.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Joerg moved that Assembly Bill No. 123 be taken from the Chief Clerk's desk and placed on the Second Reading File.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 513.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 523.

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 11:49 a.m.

ASSEMBLY IN SESSION

At 11:50 a.m.

Mr. Speaker pro Tempore presiding.

Quorum present.

SECOND READING AND AMENDMENT

Assembly Bill No. 546.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 701.

Amend section 1, page 2, line 21, by deleting "household" and inserting "[household] *customer*".

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. 564.

Bill read second time.

The following amendment was proposed by the Committee on Transportation:

Amendment No. 674.

Amend section 1, page 1, by deleting lines 15 through 17 and inserting "*same member.*".

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. 568.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 725.

Amend section 1, page 2, by deleting lines 4 and 5 and inserting: "than [$350] *$750* per month. [Once established, such assumed wage shall not be increased.]".

Assemblyman Kerns moved the adoption of the amendment.

Remarks by Assemblyman Kerns.

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 11:52 a.m.

ASSEMBLY IN SESSION

At 11:53 a.m.

Mr. Speaker presiding.

Quorum present.

SECOND READING AND AMENDMENT

Senate Bill No. 208.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 719.

Amend sec. 7, page 2, line 28, after "*recorded.*", by inserting: "*If, within 60 days after the appointment was made, the secretary of state does not receive certification that the bond and oath were filed, he shall revoke the appointment.*".

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. 211.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 729.

Amend section 1, page 1, line 3, before "*No*" by inserting "*1.*".

Amend section 1, page 1, by deleting lines 4 through 7 and inserting: "*tor of any firearm or ammunition merely because the firearm or ammunition was capable of causing serious injury, damage or death, was discharged and proximately caused serious injury, damage or death. This subsection is declaratory and not in derogation of the common law.*

2. This section does not affect a cause of action based upon a defect in design or production, the capability of a firearm or ammunition to cause

serious injury, damage or death when discharged does not make the product defective in design.".

Amend the title of the bill, first and second lines, by deleting: "excluding liability on theory of inherent dangerousness" and inserting: "limiting liability for the manufacture".

Amend the summary of the bill, first line, by deleting: "Excludes inherent danger as basis of" and inserting "Limits".

Assemblyman Stone moved the adoption of the amendment.

Remarks by Assemblymen Stone and Nicholas.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 290.

Bill read second time and ordered to third reading.

Assembly Bill No. 123.

Bill read second time.

The following amendment was proposed by the Committee on Taxation:

Amendment No. 582.

Amend section 1, page 1, by deleting lines 7 through 10 and inserting: "optional. A board of county commissioners [, for the unincorporated areas of a county, and the governing bodies of the incorporated cities in the county, by ordinances] *by an ordinance* regularly".

Amend section 1, page 1, line 11, by placing brackets around "or city".

Amend section 1, page 1, line 20 and page 2, line 1, by placing brackets around "or governing body of an incorporated city".

Amend section 1, page 2, line 2, by placing brackets around "or city".

Amend section 1, page 2, lines 3 and 4, by placing brackets around "for that entity".

Amend section 1, page 2, line 5, by placing brackets around "or incorporated city".

Amend section 1, page 2, line 9, by placing brackets around "or incorporated city".

Amend section 1, page 2, line 17, by deleting "*or city*".

Amend sec. 2, page 2, by deleting lines 24 and 25 and inserting: "tered voters of the county [or incorporated city] voting upon [a] *the* question , which the [governing body] *board of county commissioners* may.".

Amend sec. 3, page 2, lines 41 and 42, by deleting: "*or incorporated cities*".

Amend sec. 3, page 2, line 43, by deleting the open bracket.

Amend sec. 3, page 2, line 45, before "which", by inserting " . [".

Amend sec. 3, page 2, line 46, after "is", by inserting: "] *The county and each city are respectively*".

Amend sec. 3, page 3, line 1, by deleting "the" and inserting "[the] *its*".

Amend sec. 3, page 3, by deleting lines 2 and 3 and inserting: "population [of the entity] bears to the total population of [all the participating governmental entities in] the county.".

Amend sec. 3, page 3, by deleting lines 9 and 10 and inserting:

"4. The money apportioned to [a participating entity pursuant to subsection 2] *the county or a city* must be used by [that entity] *it* solely to repair".

Amend the bill as a whole by adding a new section designated section 4, following section 3, to read as follows:

"Sec. 4. 1. In any county in which the tax authorized by NRS 365.192 as originally enacted has been submitted at an election and approved by a majority of the voters voting on the question in the county as a whole, the tax is hereby imposed at the rate of 1 cent per gallon throughout the county.

2. In any other county, unless the tax is already in effect at that rate throughout the county, the board of county commissioners shall adopt the ordinance described in NRS 365.192 and 365.194 and submit it for approval at the general election in 1986. If it is not then approved, it may again be submitted at any time thereafter.".

Amend the title of the bill, by deleting the first and second lines and inserting:

"An Act relating to an optional tax on motor vehicle fuel; providing for its imposition throughout a county adopting it;".

Amend the summary of the bill to read: "Allows counties to impose optional tax on motor vehicle fuel throughout county. (BDR 32-90)".

Assemblyman Joerg moved the adoption of the amendment.

Remarks by Assemblyman Joerg.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

GENERAL FILE AND THIRD READING

Assembly Bill No. 110.

Bill read third time.

The following amendment was proposed by the Committee on Labor and Management:

Amendment No. 712.

Amend sec. 2, page 2, by deleting lines 17 and 18.

Amend sec. 2, page 2, by deleting line 19 and inserting:

"*5. Prescribe by regulation the criteria by which an insurer who*".

Amend sec. 2, page 2, line 22, by deleting "*7.*" and inserting "*6.*".

Amend sec. 2, page 2, by deleting line 23 and inserting: "*worker for expenses necessarily incurred for travel more than 20 miles one way from his residence or place of employment to his destination as a result of an*".

Amend sec. 6, page 4, line 27, by deleting "employ, [within" and inserting: "employ [, within".

Amend sec. 6, page 4, by deleting line 28 and inserting "appropriations,]".

Amend sec. 6, page 4, line 29, by deleting: "[,] *of NRS*".

Assemblyman Thompson moved the adoption of the amendment.

Remarks by Assemblymen Thompson and Price.

Amendment adopted.
Bill ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 283.
Bill read third time.
Remarks by Assemblymen O'Donnell, Nevin, Price, Stone and Getto.
Roll call on Assembly Bill No. 283:
YEAS—34.
NAYS—Banner, Bergevin, Craddock, Jeffrey, Kerns, Lambert, Price, Thomas—8.

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. 295.
Bill read third time.
Remarks by Assemblyman Nicholas.
Roll call on Assembly Bill No. 295:
YEAS—41.
NAYS—Coffin.

Assembly Bill No. 295 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 476.
Bill read third time.
Remarks by Assemblyman Joerg.
Roll call on Assembly Bill No. 476:
YEAS—42.
NAYS—None.

Assembly Bill No. 476 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 482.
Bill read third time.
Remarks by Assemblymen Stone and Little.
Roll call on Assembly Bill No. 482:
YEAS—33.
NAYS—Bogaert, DuBois, Fairchild, Joerg, Lambert, Little, McGaughey, Roberts, Spriggs—9.

Assembly Bill No. 482 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 487.
Bill read third time.
Remarks by Assemblyman Coffin.

Roll call on Assembly Bill No. 487:

YEAS—42.

NAYS—None.

Assembly Bill No. 487 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 500.

Bill read third time.

Remarks by Assemblyman Roberts.

Roll call on Assembly Bill No. 500:

YEAS—42.

NAYS—None.

Assembly Bill No. 500 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 Assemblymen Bergevin and Nicholas.

Roll call on Senate Bill No. 117:

YEAS—42.

NAYS—None.

Senate Bill No. 117 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 154.

Bill read third time.

Remarks by Assemblymen O'Donnell, Sader, Jeffrey, Zimmer, Price, Banner, Craddock and Getto.

Conflict of interest declared by Assemblyman Sader.

Roll call on Senate Bill No. 154:

YEAS—26.

NAYS—Arberry, Banner, Collins, Craddock, Dini, Jeffrey, Nevin, Price, Schofield, Sedway, Stone, Swain, Thomas, Thompson, Williams—15.

Not voting—Sader.

Senate Bill No. 154 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 181.

Bill read third time.

Remarks by Assemblyman Stone.

Roll call on Senate Bill No. 181:

YEAS—42.

NAYS—None.

Senate Bill No. 181 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 192.

Bill read third time.

Remarks by Assemblyman Spriggs.

Roll call on Senate Bill No. 192:

YEAS—42.

NAYS—None.

Senate Bill No. 192 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Getto moved that Assembly Bill No. 405 be taken from the Chief Clerk's desk 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. 5, 137, 287, 334, 397, 446; Senate Bill No. 228; Assembly Concurrent Resolution No. 7.

REMARKS FROM THE FLOOR

Assemblyman Francis requested that Assemblyman Beyer's remarks be entered in the Journal.

I would like to say a word or two in reference to the invocation this morning referring to this day being the 40th anniversary of the surrender of Germany. For one who lived for five years under the German occupation, I would like to express my personal feelings about this day which is very special to me. It was on this day that Germany finally surrendered after having spent some five years in the war. On May 5th, two days and forty years hence was the day the allied troops finally liberated Denmark. Tomorrow, May 8th, is the day when the surrender was finally signed as a peace treaty. I stand here today because of the commitment that the Americans made to the war effort. Some sixteen million people from this country took part in that effort. Some one million casualties of the United States forces occurred during that war. Some 292,000 lives were given in the defense of Europe. So I appreciate personally the efforts of this country on behalf of those of us who lived under that German occupation for so many years. I know many of you here were personally affected by that war through the loss of husbands, brothers, uncles or cousins. To you and to all who helped in that effort I am eternally grateful and stand before you this day to express that gratitude.

Assemblyman Coffin requested that Assemblyman Rader's remarks be entered in the Journal.

In response to Mr. Beyer's speech, it is important to note that the Danes were very courageous during the war. They were overrun by the Germans and the Germans came

into Denmark and tried to liquidate the Jews. They ordered the Jews to wear the Star of David. The King of Denmark went into the streets wearing the Star of David to protect his Jewish subjects. The Danes, alone, of all countries in Western Europe, at great personal risk to themselves, spirited almost every Jew out of their country to safety in Sweden. It is fitting to note Mr. Beyer's remarks regarding his gratitude to the United States for what they did for Denmark. It is also fitting to acknowledge what the Danes did for themselves and for the Jews.

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. Enrico Sacchini and Mrs. Dace Sacchini.

On request of Assemblyman Fairchild, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Ann Mason and Delores DeGolyer.

Assemblyman Francis moved that the Assembly adjourn until Wednesday, May 8, 1985 at 11 a.m.

Motion carried.

Assembly adjourned at 12:44 p.m.

Approved: BYRON L. BILYEU
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE ONE HUNDRED AND EIGHTH DAY

CARSON CITY (Wednesday), May 8, 1985

Assembly called to order at 11:03 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, Mr. Monte Fast.

Eternal Father, sometimes we wish you would walk into this room and tell us exactly what is on Your mind. But You have not. Instead You tell us to think, to listen, to speak, to create beauty, to choose, to make mistakes, and to correct them. Alone in creation, above all other species, You have given us the ability to do these things. It is a lonely responsibility. Only the arrogant among us do not admit to some fear. We are Your children, created in Your image. Help us to use Your gifts in ways pleasing to You.

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Francis 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. 518, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JAMES STONE, *Chairman*

Mr. Speaker:

Your Committee on Education, 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: Do pass.

ERIK BEYER, *Chairman*

Mr. Speaker:

Your Committee on Taxation, to which was re-referred Assembly 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.

CHARLES W. JOERG, *Chairman*

Mr. Speaker:

Your Committee on Elections, to which was referred Assembly Bill No. 256, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JANE HAM, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which were referred Assembly Bills Nos. 587, 589, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

LOUIS W. BERGEVIN, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which were referred Assembly Bills Nos. 507, 516, 538; Senate Bills Nos. 104, 269, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JAMES STONE, *Chairman*

Mr. Speaker:

Your Committee on Taxation, to which was referred Senate Bill No. 174, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

CHARLES W. JOERG, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Legislative Functions, to which was referred Assembly Bill No. 392, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

BRUCE R. BOGAERT, *Chairman*

Mr. Speaker:

Your Committee on Legislative Functions, to which was referred Assembly Concurrent Resolution No. 23, has had the same under consideration, and begs leave to report the same back with the recommendation: Be adopted.

BRUCE R. BOGAERT, *Chairman*

Mr. Speaker:

Your Committee on Legislative Functions, to which was referred Senate Bill No. 55, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

BRUCE R. BOGAERT, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Ways and Means, to which was referred Assembly Bill No. 186, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN MARVEL, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which were referred Assembly Bills Nos. 437, 624; Senate Bill No. 22, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN MARVEL, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which was re-referred Assembly Bill No. 246, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass, as amended.

JOHN MARVEL, *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which was referred Assembly Bill No. 374, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN DUBOIS, *Chairman*

Mr. Speaker:

Your Committee on Natural Resources, Agriculture and Mining, to which was referred Senate 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.

VIRGIL M. GETTO, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 7, 1985

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 238, 481.

Also, I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bill No. 209, 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. 183, 275, 309, 324, 384.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Joint Resolution No. 30.

Also, I have the honor to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 36.

MARY JO MONGELLI
Assistant Secretary of the Senate

SENATE CHAMBER, Carson City, May 8, 1985

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. 37.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Stone moved that Senate Bill No. 241 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.

Assembly in recess at 11:11 a.m.

ASSEMBLY IN SESSION

At 11:19 a.m.

Mr. Speaker presiding.

Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

Assembly Concurrent Resolution No. 23.

Assemblyman Bogaert moved the adoption of the resolution.

Remarks by Assemblyman Bogaert.

Resolution adopted.

By the Committee on Economic Development and Tourism:

Assembly Concurrent Resolution No. 28—Urging the commission on economic development to give preference to the smaller counties in granting assistance for economic development.

By the Committee on Economic Development and Tourism:

Assembly Concurrent Resolution No. 29—Declaring the week of May 19, 1985, as Nevada Tourism Week.

WHEREAS, Tourism is Nevada's largest business, providing jobs to nearly 150,000 residents and producing $7 billion in annual revenue to the state; and

WHEREAS, Nevada ranks first in the nation in the amount of revenue produced per capita for the state from tourism; and

WHEREAS, Tourism provides Nevadans with a stable economic base and results in a lighter tax burden for Nevadans; and

WHEREAS, The promotion of travel and tourism is in the best interests of all Nevadans; and

WHEREAS, National Tourism Week will be observed during the week of May 19, 1985; now, therefore, be it

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, THE SENATE CONCURRING, That the week of May 19, 1985, is declared to be Nevada Tourism Week and the legislature urges all Nevadans to recognize the important economic contribution that travel and tourism bring to this state.

Assemblyman Humke moved the adoption of the resolution.

Remarks by Assemblyman Humke.

Resolution adopted.

Senate Joint Resolution No. 30.

Resolution read first time.

Senate Concurrent Resolution No. 36.

Assemblyman Bogaert moved the adoption of the resolution.

Remarks by Assemblymen Bogaert and Thomas.

Resolution adopted.

Senate Concurrent Resolution No. 37.

Assemblyman Bogaert moved the adoption of the resolution.

Remarks by Assemblymen Bogaert, Price and Collins.

Resolution adopted.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Education, 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.

ERIK BEYER, *Chairman*

INTRODUCTION AND FIRST READING OF LEGISLATION

By the Committee on Commerce:

Assembly Bill No. 647—An Act relating to practitioners of the healing arts; limiting the number of dental hygienists supervised by a dentist; broadening the definition of a plan for dental care; requiring an adequate staff of physicians and dentists for health and care facilities; and providing other matters properly relating thereto.

By the Committee on Judiciary:

Assembly Bill No. 648—An Act relating to criminal procedure; requiring the disclosure of a defendant's financial condition before the appointment of counsel in certain cases; requiring as a condition of parole or probation the repayment of the costs of providing counsel to an indigent; and providing other matters properly relating thereto.

By the Committee on Judiciary:

Assembly Bill No. 649—An Act relating to motor vehicles; prohibiting the use of aircraft by agencies for law enforcement in the enforcement of traffic laws; and providing other matters properly relating thereto.

By Assemblymen Nicholas, Bergevin, Dini, Humke, Ham, Joerg, Thomas, Swain, Tebbs, Sader, Horne, Schofield, Beyer, Thompson, Collins, Price, Stone, Malone, Sedway, Williams, McGaughey, Lambert, Zimmer, Fairchild, Little, Bogaert, Kerns, Francis, Spriggs, Coffin, Craddock, Roberts, Jeffrey, Getto, Rader, Marvel, DuBois and Bilyeu:

Assembly Bill No. 650—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 the administration by the state land registrar of the purchases if the bonds are approved; and providing other matters properly relating thereto.

Senate Bill No. 183.

Bill read first time.

Senate Bill No. 275.

Bill read first time.

Senate Bill No. 309.

Bill read first time.

Senate Bill No. 324.

Bill read first time.

Senate Bill No. 384.

Bill read first time.

REFERENCE OF MEASURES TO COMMITTEES

Assembly Bill No. 636.

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

Motion carried.

Assembly Bill No. 637.

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

Motion carried.

Assembly Bill No. 638.

Assemblyman Stone moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

Assembly Bill No. 639.

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

Motion carried.

Assembly Bill No. 640.

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

Motion carried.

Assembly Bill No. 641.

Assemblyman Francis moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

Assembly Bill No. 642.

Assemblyman Francis moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

Assembly Bill No. 643.

Assemblyman Francis moved that the bill be referred to the Committee on Economic Development and Tourism.

Motion carried.

Assembly Bill No. 644.

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

Motion carried.

Assembly Bill No. 645.

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

Motion carried.

Assembly Bill No. 646.

Assemblyman Rader moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

Senate Bill No. 132.

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

Motion carried.

Senate Bill No. 236.

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

Motion carried.

Senate Bill No. 255.

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

Motion carried.

Senate Bill No. 279.

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

Motion carried.

Senate Bill No. 283.

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

Motion carried.

Senate Bill No. 379.

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

Motion carried.

Senate Bill No. 398.

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

Motion carried.

Senate Bill No. 427.

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

Motion carried.

Senate Bill No. 433.

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

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 195.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 738.

Amend section 1, pages 1 and 2, by deleting lines 1 through 19 on page 1 and lines 1 through 11 on page 2 and inserting:

"Section 1. NRS 484.389 is hereby amended to read as follows:

484.389 1. If a person refuses to submit to a required chemical test provided for in NRS 484.382 or 484.383, evidence of that refusal is admissible in any criminal or administrative action arising out of acts alleged to have been committed while he was driving a vehicle while under the influence of intoxicating liquor or a controlled substance.

2. Except as provided in subsection 4 of NRS 484.382, 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 484.382 to 484.393, inclusive.

3. If a person submits to such a test, full information concerning that test must be made available, upon his request, to him or his attorney.

4. Evidence of a required test is not admissible in a criminal or administrative proceeding unless it is shown by documentary or other evidence that the law enforcement agency calibrated the testing device and otherwise maintained it as required by the regulations of the committee on testing for intoxication.

5. The results of a test administered at the direction of a police officer pursuant to NRS 484.383 are not inadmissible in a criminal or administrative proceeding solely because the police officer erred in directing or denying a particular type of evidentiary test.".

Amend the bill as a whole by deleting section 2.

Amend the title of the bill to read as follows:

"An Act relating to driving while intoxicated; providing for the admissibility of the results of certain evidentiary tests; and providing other matters properly relating thereto.".

Amend the summary of the bill to read as follows: "Provides for admissibility of certain evidentiary tests relating to driving while intoxicated. (BDR 43-790)".

Assemblyman Sader moved the adoption of the amendment.

Remarks by Assemblyman Sader.

Amendment adopted.

Assemblyman Sader moved that Assembly Bill No. 195 be re-referred to the Committee on Judiciary.

Motion carried.

Bill ordered reprinted, engrossed and to the Committee on Judiciary.

Assembly Bill No. 363.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 699.

Amend the bill as a whole by deleting sections 1 and 2 and renumbering section 3 as section 1.

Amend sec. 3, page 4, line 41, by deleting the bracket.

Amend sec. 3, page 4, line 42, by deleting "$50" and inserting "[$50,] *$100,*".

Amend sec. 3, page 5, line 4, by deleting the bracket.

Amend the bill by adding new sections designated sections 2 and 3, following section 3, to read as follows:

"Sec. 2. NRS 484.263 is hereby amended to read as follows:

484.263 1. Except as otherwise provided in subsection 5, a person shall not:

(a) Operate a motor vehicle registered or required to be registered in this state without having security covering the vehicle as required by NRS 485.185.

(b) Operate or knowingly permit the operation of a motor vehicle without having evidence of current insurance in the vehicle.

(c) Fail or refuse to surrender, upon demand, to a peace officer or to an authorized representative of the department proof of security.

2. Except as provided in subsection 3, any person who violates subsection 1 shall be fined not less than [$100] *$300* nor more than $500.

3. A person may not be fined if he presents evidence to the court that the security required by NRS 485.185 was in effect at the time demand was made for it.

4. Failure to deposit security if so required by the provisions of NRS 485.190 is prima facie evidence of violation of the provisions of this section.

5. The provisions of paragraphs (b) and (c) of subsection 1 do not apply if the motor vehicle in question displays a valid permit issued by the department of motor vehicles pursuant to NRS 482.3212, 482.396, 482.423 or 482.424 authorizing the movement or operation of that vehicle within the state for a limited [period of] time.

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 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 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] *vehicle's* registration and require the return to the department of the license plates of any vehicle for which [a verification] *the* 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. 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.".

Amend sec. 4, page 5, by deleting lines 10 through 13 and inserting: "insurance to the insured on a form [provided] *approved* by the commissioner. The evidence of insurance must show:".

Amend sec. 4, page 5, line 19, by deleting "*insurer*" and inserting "*insuring agent*".

Amend sec. 4, page 5, line 20, by deleting "*48 hours*" and inserting "*20 days*".

Amend sec. 4, page 5, line 21, by deleting: "*pursuant to subsection 1.*" and inserting: "*unless he has issued a contract of similar insurance to the insured.*".

Amend the bill as a whole by deleting section 5.

Amend the title of the bill to read as follows:

"An Act relating to motor vehicles; increasing certain fees and fines relating to required security; removing the requirement for a random selection of vehicles whose insurance coverage is to be verified; requiring each insuring agent to notify the department of motor vehicles upon the termination of coverage; and providing other matters properly relating thereto.".

Amend the summary of the bill by deleting the first line and inserting: "Makes various changes regarding required security for".

Assemblyman DuBois moved the adoption of the amendment.

Remarks by Assemblyman DuBois.

Amendment adopted.

Assemblyman DuBois moved that Assembly Bill No. 363 be re-referred to the Committee on Commerce.

Motion carried.

Bill ordered reprinted, engrossed and to the Committee on Commerce.

Assembly Bill No. 401.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 714.

Amend sec. 27, page 8, line 32, after "*section*", by inserting: "*4, 5, 6, 9 or*".

Amend the title of the bill, second line, after "discount;", by inserting "providing penalties;".

Assemblyman DuBois moved the adoption of the amendment.

Remarks by Assemblyman DuBois.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 433.

Bill read second time.

The following amendment was proposed by the Committee on Legislative Functions:

Amendment No. 710.

Amend the bill as a whole by deleting section 1 and inserting:

"Section 1. NRS 277.200 is hereby amended to read as follows:

277.200 The Tahoe Regional Planning Compact is as follows:

Tahoe Regional Planning Compact

ARTICLE I. Findings and Declarations of Policy

(a) It is found and declared that:

(1) The waters of Lake Tahoe and other resources of the region are threatened with deterioration or degeneration, which endangers the natural beauty and economic productivity of the region.

(2) The public and private interests and investments in the region are substantial.

(3) The region exhibits unique environmental and ecological values which are irreplaceable.

(4) By virtue of the special conditions and circumstances of the region's natural ecology, developmental pattern, population distribution and human needs, the region is experiencing problems of resource use and deficiencies of environmental control.

(5) Increasing urbanization is threatening the ecological values of the region and threatening the public opportunities for use of the public lands.

(6) Maintenance of the social and economic health of the region depends on maintaining the significant scenic, recreational, educational, scientific, natural and public health values provided by the Lake Tahoe Basin.

(7) There is a public interest in protecting, preserving and enhancing these values for the residents of the region and for visitors to the region.

(8) Responsibilities for providing recreational and scientific opportunities, preserving scenic and natural areas, and safeguarding the public who live, work and play in or visit the region are divided among local governments, regional agencies, the states of California and Nevada, and the Federal Government.

(9) In recognition of the public investment and multistate and national significance of the recreational values, the Federal Government has an interest in the acquisition of recreational property and the management of resources in the region to preserve environmental and recreational values, and the Federal Government should assist the states in fulfilling their responsibilities.

(10) In order to preserve the scenic beauty and outdoor recreational opportunities of the region, there is a need to insure an equilibrium between the region's natural endowment and its man-made environment.

(b) In order to enhance the efficiency and governmental effectiveness of the region, it is imperative that there be established a Tahoe Regional Planning Agency with the powers conferred by this compact including the

power to establish environmental threshold carrying capacities and to adopt and enforce a regional plan and implementing ordinances which will achieve and maintain such capacities while providing opportunities for orderly growth and development consistent with such capacities.

(c) The Tahoe Regional Planning Agency shall interpret and administer its plans, ordinances, rules and regulations in accordance with the provisions of this compact.

ARTICLE II. Definitions

As used in this compact:

(a) "Region," includes Lake Tahoe, the adjacent parts of Douglas and Washoe counties and Carson City, which for the purposes of this compact shall be deemed a county, lying within the Tahoe Basin in the State of Nevada, and the adjacent parts of the Counties of Placer and El Dorado lying within the Tahoe Basin in the State of California, and that additional and adjacent part of the County of Placer outside of the Tahoe Basin in the State of California which lies southward and eastward of a line starting at the intersection of the basin crestline and the north boundary of Section 1, thence west to the northwest corner of Section 3, thence south to the intersection of the basin crestline and the west boundary of Section 10; all sections referring to Township 15 North, Range 16 East, M.D.B. & M. The region defined and described herein shall be as precisely delineated on official maps of the agency.

(b) "Agency" means the Tahoe Regional Planning Agency.

(c) "Governing body" means the governing board of the Tahoe Regional Planning Agency.

(d) "Regional plan" means the long-term general plan for the development of the region.

(e) "Planning commission" means the advisory planning commission appointed pursuant to subdivision (h) of Article III.

(f) "Gaming" means to deal, operate, carry on, conduct, maintain or expose for play any banking or percentage game played with cards, dice or any mechanical device or machine for money, property, checks, credit or any representative of value, including, without limiting the generality of the foregoing, faro, monte, roulette, keno, bingo, fan-tan, twenty-one, blackjack, seven-and-a-half, big injun, klondike, craps, stud poker, draw poker or slot machine, but does not include social games played solely for drinks, or cigars or cigarettes served individually, games played in private homes or residences for prizes or games operated by charitable or educational organizations, to the extent excluded by applicable state law.

(g) "Restricted gaming license" means a license to operate not more than 15 slot machines on which a quarterly fee is charged pursuant to NRS 463.373 and no other games.

(h) "Project" means an activity undertaken by any person, including any public agency, if the activity may substantially affect the land, water, air, space or any other natural resources of the region.

(i) "Environmental threshold carrying capacity" means an environmental standard necessary to maintain a significant scenic, recreational, educational, scientific or natural value of the region or to maintain public health and safety within the region. Such standards shall include but not be limited to standards for air quality, water quality, soil conservation, vegetation preservation and noise.

(j) "Feasible" means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social and technological factors.

(k) "Areas open to public use" means all of the areas within a structure housing gaming under a nonrestricted license except areas devoted to the private use of guests.

(l) "Areas devoted to private use of guests" means hotel rooms and hallways to serve hotel room areas, and any parking areas. A hallway serves hotel room areas if more than 50 percent of the areas on each side of the hallway are hotel rooms.

(m) "Nonrestricted license" means a gaming license which is not a restricted gaming license.

ARTICLE III. Organization

(a) There is created the Tahoe Regional Planning Agency as a separate legal entity.

The governing body of the agency shall be constituted as follows:

(1) California delegation:

(A) One member appointed by each of the County Boards of Supervisors of the Counties of El Dorado and Placer and one member appointed by the City Council of the City of South Lake Tahoe. Any such member may be a member of the county board of supervisors or city council, respectively, and shall reside in the territorial jurisdiction of the governmental body making the appointment.

(B) Two members appointed by the Governor of California, one member appointed by the Speaker of the Assembly of California and one member appointed by the Senate Rules Committee of the State of California. The members appointed pursuant to this subparagraph shall not be residents of the region and shall represent the public at large within the State of California.

(2) Nevada delegation:

(A) One member appointed by each of the boards of county commissioners of Douglas and Washoe counties and one member appointed by the board of supervisors of Carson City. Any such member may be a member of the board of county commissioners or board of supervisors, respectively, and [shall] *must* reside in the territorial jurisdiction of the governmental body making the appointment.

(B) [One member] *Two members* appointed by the governor of Nevada . [, the secretary of state of Nevada or his designee, and the director of the state department of conservation and natural resources of Nevada or his designee.

Except for the secretary of state and the director of the state department of conservation and natural resources, the members or designees appointed pursuant to this subparagraph shall not be residents of the region. All members appointed pursuant to this subparagraph shall represent the public at large within the State of Nevada.]

(C) One member appointed [for a 1-year term by the six other members of the Nevada delegation. If at least four members of the Nevada delegation are unable to agree upon the selection of a seventh member within 60 days after the effective date of the amendments to this compact or the occurrence of a vacancy on the governing body for that state the governor of the State of Nevada shall make such an appointment. The member appointed pursuant to this subparagraph may, but is not required to, be a resident of the region within the State of Nevada.] *by the speaker of the assembly and one member appointed by the majority leader of the Nevada senate.*

(3) If any appointing authority under paragraph (1)(A), (1)(B), (2)(A) , [or] (2)(B) *or 2(C)* fails to make such an appointment within 60 days after the effective date of the amendments to this compact or the occurrence of a vacancy on the governing body, the governor of the state in which the appointing authority is located shall make the appointment. The term of any member so appointed shall be 1 year.

(4) The position of any member of the governing body shall be deemed vacant if such a member is absent from three consecutive meetings of the governing body in any calendar year.

(5) Each member and employee of the agency shall disclose his economic interests in the region within 10 days after taking his seat on the governing board or being employed by the agency and shall thereafter disclose any further economic interest which he acquires, as soon as feasible after he acquires it. As used in this paragraph, "economic interests" means:

(A) Any business entity operating in the region in which the member or employee has a direct or indirect investment worth more than $1,000.

(B) Any real property located in the region in which the member or employee has a direct or indirect interest worth more than $1,000.

(C) Any source of income attributable to activities in the region, other than loans by or deposits with a commercial lending institution in the regular course of business, aggregating $250 or more in value received by or promised to the member within the preceding 12 months; or

(D) Any business entity operating in the region in which the member or employee is a director, officer, partner, trustee, employee or holds any position of management.

No member or employee of the agency shall make, or attempt to influence, an agency decision in which he knows or has reason to know he has an economic interest. Members and employees of the agency must disqualify themselves from making or participating in the making of any decision of the agency when it is reasonably foreseeable that the decision will have a material financial effect, distinguishable from its effect on the public generally, on the economic interests of the member or employee.

(b) The members of the agency shall serve without compensation, but the expenses of each member shall be met by the body which he represents in accordance with the law of that body. All other expenses incurred by the governing body in the course of exercising the powers conferred upon it by this compact unless met in some other manner specifically provided, shall be paid by the agency out of its own funds.

(c) [Except for the secretary of state and director of the state department of conservation and natural resources of Nevada and the member appointed pursuant to subdivision (a)(2)(C), the] *The* members of the governing body serve at the pleasure of the appointing authority in each case, but each appointment shall be reviewed no less often than every 4 years. Members may be reappointed.

(d) The governing body of the agency shall meet at least monthly. All meetings shall be open to the public to the extent required by the law of the State of California or the State of Nevada, whichever imposes the greater requirement, applicable to local governments at the time such meeting is held. The governing body shall fix a date for its regular monthly meeting in such terms as "the first Monday of each month," and shall not change such date more often than once in any calendar year. Notice of the date so fixed shall be given by publication at least once in a newspaper or combination of newspapers whose circulation is general throughout the region and in each county a portion of whose territory lies within the region. Notice of any special meeting, except an emergency meeting, shall be given by so publishing the date and place and posting an agenda at least 5 days prior to the meeting.

(e) The position of a member of the governing body shall be considered vacated upon his loss of any of the qualifications required for his appointment and in such event the appointing authority shall appoint a successor.

(f) The governing body shall elect from its own members a chairman and vice chairman, whose terms of office shall be 2 years, and who may be reelected. If a vacancy occurs in either office, the governing body may fill such vacancy for the unexpired term.

(g) Four of the members of the governing body from each state constitute a quorum for the transaction of the business of the agency. The voting procedures shall be as follows:

(1) For adopting, amending or repealing environmental threshold carrying capacities, the regional plan, and ordinances, rules and regulations, and for granting variances from the ordinances, rules and regulations, the vote of at least four of the members of each state agreeing with the vote of at least four members of the other state shall be required to take action. If there is no vote of at least four of the members from one state agreeing with the vote of at least four of the members of the other state on the actions specified in this paragraph, an action of rejection shall be deemed to have been taken.

(2) For approving a project, the affirmative vote of at least five members from the state in which the project is located and the affirmative vote of at least nine members of the governing body are required. If at least five

members of the governing body from the state in which the project is located and at least nine members of the entire governing body do not vote in favor of the project, upon a motion for approval, an action of rejection shall be deemed to have been taken. A decision by the agency to approve a project shall be supported by a statement of findings, adopted by the agency, which indicates that the project complies with the regional plan and with applicable ordinances, rules and regulations of the agency.

(3) For routine business and for directing the agency's staff on litigation and enforcement actions, at least eight members of the governing body must agree to take action. If at least eight votes in favor of such action are not cast, an action of rejection shall be deemed to have been taken.

Whenever under the provisions of this compact or any ordinance, rule, regulation or policy adopted pursuant thereto, the agency is required to review or approve any project, public or private, the agency shall take final action by vote, whether to approve, to require modification or to reject such project, within 180 days after the application for such project is accepted as complete by the agency in compliance with the agency's rules and regulations governing such delivery unless the applicant has agreed to an extension of this time limit. If a final action by vote does not take place within 180 days, the applicant may bring an action in a court of competent jurisdiction to compel a vote unless he has agreed to an extension. This provision does not limit the right of any person to obtain judicial review of agency action under subdivision [(j)] *(i)* of Article VI. The vote of each member of the governing body shall be individually recorded. The governing body shall adopt its own rules, regulations and procedures.

(h) An advisory planning commission shall be appointed by the agency. The commission shall include: the chief planning officers of Placer County, El Dorado County, and the City of South Lake Tahoe in California and of Douglas County, Washoe County and Carson City in Nevada, the executive officer of the Lahontan Regional Water Quality Control Board of the State of California, the executive officer of the Air Resources Board of the State of California, the director of the state department of conservation and natural resources of the State of Nevada, the administrator of the division of environmental protection in the state department of conservation and natural resources of the State of Nevada, the administrator of the Lake Tahoe Management Unit of the United States Forest Service, and at least four lay members with an equal number from each state, at least half of whom shall be residents of the region. Any official member may designate an alternate.

The term of office of each lay member of the advisory planning commission shall be 2 years. Members may be reappointed.

The position of each member of the advisory planning commission shall be considered vacated upon loss of any of the qualifications required for appointment, and in such an event the appointing authority shall appoint a successor.

The advisory planning commission shall elect from its own members a

chairman and a vice chairman, whose terms of office shall be 2 years and who may be reelected. If a vacancy occurs in either office, the advisory planning commission shall fill such vacancy for the unexpired term.

A majority of the members of the advisory planning commission constitutes a quorum for the transaction of the business of the commission. A majority vote of the quorum present shall be required to take action with respect to any matter.

(i) The agency shall establish and maintain an office within the region, and for this purpose the agency may rent or own property and equipment. Every plan, ordinance and other record of the agency which is of such nature as to constitute a public record under the law of either the State of California or the State of Nevada shall be open to inspection and copying during regular office hours.

(j) Each authority charged under this compact or by the law of either state with the duty of appointing a member of the governing body of the agency shall by certified copy of its resolution or other action notify the Secretary of State of its own state of the action taken.

ARTICLE IV. Personnel

(a) The governing body shall determine the qualification of, and it shall appoint and fix the salary of, the executive officer of the agency, and shall employ such other staff and legal counsel as may be necessary to execute the powers and functions provided for under this compact or in accordance with any intergovernmental contracts or agreements the agency may be responsible for administering.

(b) Agency personnel standards and regulations shall conform insofar as possible to the regulations and procedures of the civil service of the State of California or the State of Nevada, as may be determined by the governing body of the agency; and shall be regional and bistate in application and effect; provided that the governing body may, for administrative convenience and at its discretion, assign the administration of designated personnel arrangements to an agency of either state, and provided that administratively convenient adjustments be made in the standards and regulations governing personnel assigned under intergovernmental agreements.

(c) The agency may establish and maintain or participate in such additional programs of employee benefits as may be appropriate to afford employees of the agency terms and conditions of employment similar to those enjoyed by employees of California and Nevada generally.

ARTICLE V. Planning

(a) In preparing each of the plans required by this article and each amendment thereto, if any, subsequent to its adoption, the planning commission after due notice shall hold at least one public hearing which may be continued from time to time, and shall review the testimony and any written recommendations presented at such hearing before recommending the plan or amendment. The notice required by this subdivision shall be given at least 20 days prior to the public hearing by publication at least once in a

newspaper or combination of newspapers whose circulation is general throughout the region and in each county a portion of whose territory lies within the region.

The planning commission shall then recommend such plan or amendment to the governing body for adoption by ordinance. The governing body may adopt, modify or reject the proposed plan or amendment, or may initiate and adopt a plan or amendment without referring it to the planning commission. If the governing body initiates or substantially modifies a plan or amendment, it shall hold at least one public hearing thereon after due notice as required in this subdivision.

If a request is made for the amendment of the regional plan by:

(1) A political subdivision a part of whose territory would be affected by such amendment; or

(2) The owner or lessee of real property which would be affected by such amendment,

the governing body shall complete its action on such amendment within 180 days after such request is accepted as complete according to standards which must be prescribed by ordinance of the agency.

(b) The agency shall develop, in cooperation with the states of California and Nevada, environmental threshold carrying capacities for the region. The agency should request the President's Council on Environmental Quality, the United States Forest Service and other appropriate agencies to assist in developing such environmental threshold carrying capacities. Within 18 months after the effective date of the amendments to this compact, the agency shall adopt environmental threshold carrying capacities for the region.

(c) Within 1 year after the adoption of the environmental threshold carrying capacities for the region, the agency shall amend the regional plan so that, at a minimum, the plan and all of its elements, as implemented through agency ordinances, rules and regulations, achieves and maintains the adopted environmental threshold carrying capacities. Each element of the plan shall contain implementation provisions and time schedules for such implementation by ordinance. The planning commission and governing body shall continuously review and maintain the regional plan. The regional plan shall consist of a diagram, or diagrams, and text, or texts setting forth the projects and proposals for implementation of the regional plan, a description of the needs and goals of the region and a statement of the policies, standards and elements of the regional plan.

The regional plan shall be a single enforceable plan and includes all of the following correlated elements:

(1) A land-use plan for the integrated arrangement and general location and extent of, and the criteria and standards for, the uses of land, water, air, space and other natural resources within the region, including but not limited to an indication or allocation of maximum population densities and permitted uses.

(2) A transportation plan for the integrated development of a regional system of transportation, including but not limited to parkways, highways, transportation facilities, transit routes, waterways, navigation facilities, public transportation facilities, bicycle facilities, and appurtenant terminals and facilities for the movement of people and goods within the region. The goal of transportation planning shall be:

(A) To reduce dependency on the automobile by making more effective use of existing transportation modes and of public transit to move people and goods within the region; and

(B) To reduce to the extent feasible air pollution which is caused by motor vehicles.

Where increases in capacity are required, the agency shall give preference to providing such capacity through public transportation and public programs and projects related to transportation. The agency shall review and consider all existing transportation plans in preparing its regional transportation plan pursuant to this paragraph.

The plan shall provide for an appropriate transit system for the region.

The plan shall give consideration to:

(A) Completion of the Loop Road in the states of Nevada and California;

(B) Utilization of a light rail mass transit system in the South Shore area; and

(C) Utilization of a transit terminal in the Kingsbury Grade area.

Until the regional plan is revised, or a new transportation plan is adopted in accordance with this paragraph, the agency has no effective transportation plan.

(3) A conservation plan for the preservation, development, utilization, and management of the scenic and other natural resources within the basin, including but not limited to, soils, shoreline and submerged lands, scenic corridors along transportation routes, open spaces, recreational and historical facilities.

(4) A recreation plan for the development, utilization, and management of the recreational resources of the region, including but not limited to, wilderness and forested lands, parks and parkways, riding and hiking trails, beaches and playgrounds, marinas, areas for skiing and other recreational facilities.

(5) A public services and facilities plan for the general location, scale and provision of public services and facilities, which, by the nature of their function, size, extent and other characteristics are necessary or appropriate for inclusion in the regional plan.

In formulating and maintaining the regional plan, the planning commission and governing body shall take account of and shall seek to harmonize the needs of the region as a whole, the plans of the counties and cities within the region, the plans and planning activities of the state, federal and other public agencies and nongovernmental agencies and organizations which affect or are concerned with planning and development within the region.

(d) The regional plan shall provide for attaining and maintaining federal, state, or local air and water quality standards, whichever are strictest, in the respective portions of the region for which the standards are applicable.

The agency may, however, adopt air or water quality standards or control measures more stringent than the applicable state implementation plan or the applicable federal, state, or local standards for the region, if it finds that such additional standards or control measures are necessary to achieve the purposes of this compact. Each element of the regional plan, where applicable, shall, by ordinance, identify the means and time schedule by which air and water quality standards will be attained.

(e) Except for the Regional Transportation Plan of the California Tahoe Regional Planning Agency, the regional plan, ordinances, rules and regulations adopted by the California Tahoe Regional Planning Agency in effect on July 1, 1980, shall be the regional plan, ordinances, rules and regulations of the Tahoe Regional Planning Agency for that portion of the Tahoe region located in the State of California. Such plan, ordinance, rule or regulation may be amended or repealed by the governing body of the agency. The plans, ordinances, rules and regulations of the Tahoe Regional Planning Agency that do not conflict with, or are not addressed by, the California Tahoe Regional Planning Agency's plans, ordinances, rules and regulations referred to in this subdivision shall continue to be applicable unless amended or repealed by the governing body of the agency. No provision of the regional plan, ordinances, rules and regulations of the California Tahoe Regional Planning Agency referred to in this subdivision shall apply to that portion of the region within the State of Nevada, unless such provision is adopted for the Nevada portion of the region by the governing body of the agency.

(f) The regional plan, ordinances, rules and regulations of the Tahoe Regional Planning Agency apply to that portion of the region within the State of Nevada.

(g) The agency shall adopt ordinances prescribing specific written findings that the agency must make prior to approving any project in the region. These findings shall relate to environmental protection and shall insure that the project under review will not adversely affect implementation of the regional plan and will not cause the adopted environmental threshold carrying capacities of the region to be exceeded.

(h) The agency shall maintain the data, maps and other information developed in the course of formulating and administering the regional plan, in a form suitable to assure a consistent view of developmental trends and other relevant information for the availability of and use by other agencies of government and by private organizations and individuals concerned.

(i) Where necessary for the realization of the regional plan, the agency may engage in collaborative planning with local governmental jurisdictions located outside the region, but contiguous to its boundaries. In formulating and implementing the regional plan, the agency shall seek the cooperation and consider the recommendations of counties and cities and other agencies

of local government, of state and federal agencies, of educational institutions and research organizations, whether public or private, and of civic groups and private persons.

ARTICLE VI. Agency's Powers

(a) The governing body shall adopt all necessary ordinances, rules, and regulations to effectuate the adopted regional plan. Except as otherwise provided in this compact, every such ordinance, rule or regulation shall establish a minimum standard applicable throughout the region. Any political subdivision or public agency may adopt and enforce an equal or higher requirement applicable to the same subject of regulation in its territory. The regulations of the agency shall contain standards including but not limited to the following: water purity and clarity; subdivision; zoning; tree removal; solid waste disposal; sewage disposal; land fills, excavations, cuts and grading; piers, harbors, breakwaters or channels and other shoreline developments; waste disposal in shoreline areas; waste disposal from boats; mobile-home parks; house relocation; outdoor advertising; flood plain protection; soil and sedimentation control; air pollution; and watershed protection. Whenever possible without diminishing the effectiveness of the regional plan, the ordinances, rules, regulations and policies shall be confined to matters which are general and regional in application, leaving to the jurisdiction of the respective states, counties and cities the enactment of specific and local ordinances, rules, regulations and policies which conform to the regional plan.

The agency shall prescribe by ordinance those activities which it has determined will not have substantial effect on the land, water, air, space or any other natural resources in the region and therefore will be exempt from its review and approval.

Every ordinance adopted by the agency shall be published at least once by title in a newspaper or combination of newspapers whose circulation is general throughout the region. Except an ordinance adopting or amending the regional plan, no ordinance shall become effective until 60 days after its adoption. Immediately after its adoption, a copy of each ordinance shall be transmitted to the governing body of each political subdivision having territory within the region.

(b) No project other than those to be reviewed and approved under the special provisions of subdivisions *(c)*, (d), (e) [, (f) and (g)] *and (f)* may be developed in the region without obtaining the review and approval of the agency and no project may be approved unless it is found to comply with the regional plan and with the ordinances, rules and regulations enacted pursuant to subdivision (a) to effectuate that plan. The agency may approve a project in the region only after making the written findings required by this subdivision or subdivision (g) of Article V. Such findings shall be based on substantial evidence in the record.

Before adoption by the agency of the ordinances required in subdivision (g) of Article V, the agency may approve a project in the region only after

making written findings on the basis of substantial evidence in the record that the project is consistent with the regional plan then in effect and with applicable plans, ordinances, regulations, and standards of federal and state agencies relating to the protection, maintenance and enhancement of environmental quality in the region.

(c) [The legislatures of the states of California and Nevada find that in order to make effective the regional plan as revised by the agency, it is necessary to halt temporarily works of development in the region which might otherwise absorb the entire capability of the region for further development or direct it out of harmony with the ultimate plan. Subject to the limitation provided in this subdivision, from the effective date of the amendments to this compact until the regional plan is amended pursuant to subdivision (c) of Article V, or until May 1, 1983, whichever is earlier:

(1) Except as otherwise provided in this paragraph, no new subdivision, planned unit development, or condominium project may be approved unless a complete tentative map or plan has been approved before the effective date of the amendments to this compact by all agencies having jurisdiction. The subdivision of land owned by a general improvement district, which existed and owned the land before the effective date of the amendments to this compact, may be approved if subdivision of the land is necessary to avoid insolvency of the district.

(2) Except as provided in paragraph (3), no apartment building may be erected unless the required permits for such building have been secured from all agencies having jurisdiction, prior to the effective date of the amendments to this compact.

(3) During each of the calendar years 1980, 1981 and 1982, no city or county may issue building permits which authorize the construction of a greater number of new residential units within the region than were authorized within the region by building permits issued by that city or county during the calendar year 1978. For the period of January through April, 1983, building permits authorizing the construction of no more than one-third of that number may be issued by each such city or county. For purposes of this paragraph a "residential unit" means either a single family residence or an individual residential unit within a larger building, such as an apartment building, a duplex or a condominium.

The legislatures find the respective numbers of residential units authorized within the region during the calendar year 1978 to be as follows:

1. City of South Lake Tahoe and El Dorado County (combined)..... 252
2. Placer County..... 278
3. Carson City..... –0–
4. Douglas County..... 339
5. Washoe County..... 739

(4) During each of the calendar years 1980, 1981 and 1982, no city or county may issue building permits which authorize construction of a greater square footage of new commercial buildings within the region than were

authorized within the region by building permits for commercial purposes issued by that city or county during the calendar year 1978. For the period of January through April, 1983, building permits authorizing the construction of no more than one-third the amount of that square footage may be issued by each such city or county. The legislatures find the respective square footages of commercial buildings authorized within the region during calendar year 1978 to be as follows:

1. City of South Lake Tahoe and El Dorado County (combined) 64,324
2. Placer County 23,000
3. Carson City ..... -0-
4. Douglas County 57,354
5. Washoe County 50,600

(5) No structure may be erected to house gaming under a nonrestricted license.

(6) No facility for the treatment of sewage may be constructed or enlarged except:

(A) To comply, as ordered by the appropriate state agency for the control of water pollution, with existing limitations of effluent under the Clean Water Act, 33 U.S.C. § 1251 et seq., and the applicable state law for control of water pollution;

(B) To accommodate development which is not prohibited or limited by this subdivision; or

(C) In the case of Douglas County Sewer District # 1, to modify or otherwise alter sewage treatment facilities existing on the effective date of the amendments to this compact so that such facilities will be able to treat the total volume of effluent for which they were originally designed, which is 3.0 million gallons per day. Such modification or alteration is not a "project"; is not subject to the requirements of Article VII; and does not require a permit from the agency. Before commencing such modification or alteration, however, the district shall submit to the agency its report identifying any significant soil erosion problems which may be caused by such modifications or alterations and the measures which the district proposes to take to mitigate or avoid such problems.

The moratorium imposed by this subdivision does not apply to work done pursuant to a right vested before the effective date of the amendments to this compact. Notwithstanding the expiration date of the moratorium imposed by this subdivision, no new highway may be built or existing highway widened to accommodate additional continuous lanes for automobiles until the regional transportation plan is revised and adopted.

The moratorium imposed by this subdivision does not apply to the construction of any parking garage which has been approved by the agency prior to May 4, 1979, whether that approval was affirmative or by default. The provisions of this paragraph are not an expression of legislative intent that any such parking garage, the approval of which is the subject of litigation which was pending on the effective date of the amendments to this compact,

should or should not be constructed. The provisions of this paragraph are intended solely to permit construction of such a parking garage if a judgment sustaining the agency's approval to construct that parking garage has become final and no appeal is pending or may lawfully be taken to a higher court.

(d)] Subject to the final order of any court of competent jurisdiction entered in litigation contesting the validity of an approval by the Tahoe Regional Planning Agency, whether that approval was affirmative or by default, if that litigation was pending on May 4, 1979, the agency and the states of California and Nevada shall recognize as a permitted and conforming use:

(1) Every structure housing gaming under a nonrestricted license which existed as a licensed gaming establishment on May 4, 1979, or whose construction was approved by the Tahoe Regional Planning Agency affirmatively or deemed approved before that date. The construction or use of any structure to house gaming under a nonrestricted license not so existing or approved, or the enlargement in cubic volume of any such existing or approved structure is prohibited.

(2) Every other nonrestricted gaming establishment whose use was seasonal and whose license was issued before May 4, 1979, for the same season and for the number and type of games and slot machines on which taxes or fees were paid in the calendar year 1978.

(3) Gaming conducted pursuant to a restricted gaming license issued before May 4, 1979, to the extent permitted by that license on that date.

The area within any structure housing gaming under a nonrestricted license which may be open to public use (as distinct from that devoted to the private use of guests and exclusive of any parking area) is limited to the area existing or approved for public use on May 4, 1979. Within these limits, any external modification of the structure which requires a permit from a local government also requires approval from the agency. The agency shall not permit restaurants, convention facilities, showrooms or other public areas to be constructed elsewhere in the region outside the structure in order to replace areas existing or approved for public use on May 4, 1979.

[(e)] *(d)* Any structure housing licensed gaming may be rebuilt or replaced to a size not to exceed the cubic volume, height and land coverage existing or approved on May 4, 1979, without the review or approval of the agency or any planning or regulatory authority of the State of Nevada whose review or approval would be required for a new structure.

[(f)] *(e)* The following provisions apply to any internal or external modification, remodeling, change in use, or repair of a structure housing gaming under a nonrestricted license which is not prohibited by [Article VI (d):] *subdivision (c):*

(1) The agency's review of an external modification of the structure which requires a permit from a local government is limited to determining whether the external modification will do any of the following:

(A) Enlarge the cubic volume of the structure;

(B) Increase the total square footage of area open to or approved for public use on May 4, 1979;

(C) Convert an area devoted to the private use of guests to an area open to public use;

(D) Increase the public area open to public use which is used for gaming beyond the limits contained in paragraph (3); and

(E) Conflict with or be subject to the provisions of any of the agency's ordinances that are generally applicable throughout the region.

The agency shall make this determination within 60 days after the proposal is delivered to the agency in compliance with the agency's rules or regulations governing such delivery unless the applicant has agreed to an extension of this time limit. If an external modification is determined to have any of the effects enumerated in subparagraphs (A) through (C), it is prohibited. If an external modification is determined to have any of the effects enumerated in subparagraphs (D) or (E), it is subject to the applicable provisions of this compact. If an external modification is determined to have no such effect, it is not subject to the provisions of this compact.

(2) Except as provided in paragraph (3), internal modification, remodeling, change in use or repair of a structure housing gaming under a nonrestricted license is not a project and does not require the review or approval of the agency.

(3) Internal modification, remodeling, change in use or repair of areas open to public use within a structure housing gaming under a nonrestricted license which alone or in combination with any other such modification, remodeling, change in use or repair will increase the total portion of those areas which is actually used for gaming by more than the product of the total base area, as defined below, in square feet existing on or approved before August 4, 1980, multiplied by 15 percent constitutes a project and is subject to all of the provisions of this compact relating to projects. For purposes of this paragraph and the determination required by [Article VI (g),] *subdivision (f),* base area means all of the area within a structure housing gaming under a nonrestricted license which may be open to public use, whether or not gaming is actually conducted or carried on in that area, except retail stores, convention centers and meeting rooms, administrative offices, kitchens, maintenance and storage areas, rest rooms, engineering and mechanical rooms, accounting rooms and counting rooms.

[(g)] *(f)* In order to administer and enforce the provisions of [paragraphs (d), (e) and (f),] *subdivisions (c), (d) and (e)* the State of Nevada, through its appropriate planning or regulatory agency, shall require the owner or licensee of a structure housing gaming under a nonrestricted license to provide:

(1) Documents containing sufficient information for the Nevada agency to establish the following relative to the structure:

(A) The location of its external walls;

(B) Its total cubic volume;

(C) Within its external walls, the area in square feet open or approved for public use and the area in square feet devoted to or approved for the private use of guests on May 4, 1979;

(D) The amount of surface area of land under the structure; and

(E) The base area as defined in paragraph (f)(3) in square feet existing on or approved before August 4, 1980.

(2) An informational report whenever any internal modification, remodeling, change in use, or repair will increase the total portion of the areas open to public use which is used for gaming.

The Nevada agency shall transmit this information to the Tahoe Regional Planning Agency.

[(h)] *(g)* Gaming conducted pursuant to a restricted gaming license is exempt from review by the agency if it is incidental to the primary use of the premises.

[(i)] *(h)* The provisions of subdivisions *(c) and* (d) [and (e)] are intended only to limit gaming and related activities as conducted within a gaming establishment, or construction designed to permit the enlargement of such activities, and not to limit any other use of property zoned for commercial use or the accommodation of tourists, as approved by the agency.

[(j)] *(i)* Legal actions arising out of or alleging a violation of the provisions of this compact, of the regional plan or of an ordinance or regulation of the agency or of a permit or a condition of a permit issued by the agency are governed by the following provisions;

(1) This subdivision applies to:

(A) Actions arising out of activities directly undertaken by the agency.

(B) Actions arising out of the issuance to a person of a lease, permit, license or other entitlement for use by the agency.

(C) Actions arising out of any other act or failure to act by any person or public agency.

Such legal actions may be filed and the provisions of this subdivision apply equally in the appropriate courts of California and Nevada and of the United States.

(2) Venue lies:

(A) If a civil or criminal action challenges an activity by the agency or any person which is undertaken or to be undertaken upon a parcel of real property, in the state or federal judicial district where the real property is situated.

(B) If an action challenges an activity which does not involve a specific parcel of land (such as an action challenging an ordinance of the agency), in any state or federal court having jurisdiction within the region.

(3) Any aggrieved person may file an action in an appropriate court of the State of California or Nevada or of the United States alleging noncompliance with the provisions of this compact or with an ordinance or regulation of the agency. In the case of governmental agencies, "aggrieved person" means the Tahoe Regional Planning Agency or any state, federal or local agency. In the case of any person other than a governmental agency who challenges an

action of the Tahoe Regional Planning Agency, "aggrieved person" means any person who has appeared, either in person, through an authorized representative, or in writing, before the agency at an appropriate administrative hearing to register objection to the action which is being challenged, or who had good cause for not making such an appearance.

(4) A legal action arising out of the adoption or amendment of the regional plan or of any ordinance or regulation of the agency, or out of the granting or denial of any permit, shall be commenced within 60 days after final action by the agency. All other legal actions shall be commenced within 65 days after discovery of the cause of action.

(5) In any legal action filed pursuant to this subdivision which challenges an adjudicatory act or decision of the agency to approve or disapprove a project, the scope of judicial inquiry shall extend only to whether there was prejudicial abuse of discretion. Prejudicial abuse of discretion is established if the agency has not proceeded in a manner required by law or if the act or decision of the agency was not supported by substantial evidence in light of the whole record. In making such a determination the court shall not exercise its independent judgment on evidence but shall only determine whether the act or decision was supported by substantial evidence in light of the whole record. In any legal action filed pursuant to this subdivision which challenges a legislative act or decision of the agency (such as the adoption of the regional plan and the enactment of implementing ordinances), the scope of the judicial inquiry shall extend only to the questions of whether the act or decision has been arbitrary, capricious or lacking substantial evidentiary support or whether the agency has failed to proceed in a manner required by law.

(6) The provisions of this subdivision do not apply to any legal proceeding pending on the date when this subdivision becomes effective. Any such legal proceeding shall be conducted and concluded under the provisions of law which were applicable prior to the effective date of this subdivision.

(7) The security required for the issuance of a temporary restraining order or preliminary injunction based upon an alleged violation of this compact or any ordinance, plan, rule or regulation adopted pursuant thereto is governed by the rule or statute applicable to the court in which the action is brought, unless the action is brought by a public agency or political subdivision to enforce its own rules, regulations and ordinances in which case no security shall be required.

[(k)] *(j)* The agency shall monitor activities in the region and may bring enforcement actions in the region to ensure compliance with the regional plan and adopted ordinances, rules, regulations and policies. If it is found that the regional plan, or ordinances, rules, regulations and policies are not being enforced by a local jurisdiction, the agency may bring action in a court of competent jurisdiction to ensure compliance.

[(l)] *(k)* Any person who violates any provision of this compact or of any ordinance or regulation of the agency or of any condition of approval imposed by the agency is subject to a civil penalty not to exceed $5,000.

Any such person is subject to an additional civil penalty not to exceed $5,000 per day, for each day on which such a violation persists. In imposing the penalties authorized by this subdivision, the court shall consider the nature of the violation and shall impose a greater penalty if it was willful or resulted from gross negligence than if it resulted from inadvertence or simple negligence.

[(m)] *(l)* The agency is hereby empowered to initiate, negotiate and participate in contracts and agreements among the local governmental authorities of the region, or any other intergovernmental contracts or agreements authorized by state or federal law.

[(n)] *(m)* Each intergovernmental contract or agreement shall provide for its own funding and staffing, but this shall not preclude financial contributions from the local authorities concerned or from supplementary sources.

[(o)] *(n)* Every record of the agency, whether public or not, shall be open for examination to the Legislature and Controller of the State of California and the legislative auditor of the State of Nevada.

[(p)] *(o)* Approval by the agency of any project expires 3 years after the date of final action by the agency or the effective date of the amendments to this compact, whichever is later, unless construction is begun within that time and diligently pursued thereafter, or the use or activity has commenced. In computing the 3-year period any period of time during which the project is the subject of a legal action which delays or renders impossible the diligent pursuit of that project shall not be counted. Any license, permit or certificate issued by the agency which has an expiration date shall be extended by that period of time during which the project is the subject of such legal action as provided in this subdivision.

[(q)] *(p)* The governing body shall maintain a current list of real property known to be available for exchange with the United States or with other owners of real property in order to facilitate exchanges of real property by owners of real property in the region.

ARTICLE VII. Environmental Impact Statements

(a) The Tahoe Regional Planning Agency when acting upon matters that have a significant effect on the environment shall:

(1) Utilize a systematic, interdisciplinary approach which will insure the integrated use of the natural and social sciences and the environmental design arts in planning and in decisionmaking which may have an impact on man's environment;

(2) Prepare and consider a detailed environmental impact statement before deciding to approve or carry out any project. The detailed environmental impact statement shall include the following:

(A) The significant environmental impacts of the proposed project;

(B) Any significant adverse environmental effects which cannot be avoided should the project be implemented;

(C) Alternatives to the proposed project;

(D) Mitigation measures which must be implemented to assure meeting standards of the region;

(E) The relationship between local short-term uses of man's environment and the maintenance and enhancement of long-term productivity;

(F) Any significant irreversible and irretrievable commitments of resources which would be involved in the proposed project should it be implemented; and

(G) The growth-inducing impact of the proposed project;

(3) Study, develop and describe appropriate alternatives to recommended courses of action for any project which involves unresolved conflicts concerning alternative uses of available resources;

(4) Make available to states, counties, municipalities, institutions and individuals, advice and information useful in restoring, maintaining and enhancing the quality of the region's environment; and

(5) Initiate and utilize ecological information in the planning and development of resource-oriented projects.

(b) Prior to completing an environmental impact statement, the agency shall consult with and obtain the comments of any federal, state or local agency which has jurisdiction by law or special expertise with respect to any environmental impact involved. Copies of such statement and the comments and views of the appropriate federal, state and local agencies which are authorized to develop and enforce environmental standards shall be made available to the public and shall accompany the project through the review processes. The public shall be consulted during the environmental impact statement process and views shall be solicited during a public comment period not to be less than 60 days.

(c) Any environmental impact statement required pursuant to this article need not repeat in its entirety any information or data which is relevant to such a statement and is a matter of public record or is generally available to the public, such as information contained in an environmental impact report prepared pursuant to the California Environmental Quality Act or a federal environmental impact statement prepared pursuant to the National Environmental Policy Act of 1969. However, such information or data shall be briefly described in the environmental impact statement and its relationship to the environmental impact statement shall be indicated.

In addition, any person may submit information relative to a proposed project which may be included, in whole or in part, in any environmental impact statement required by this article.

(d) In addition to the written findings specified by agency ordinance to implement the regional plan, the agency shall make either of the following written findings before approving a project for which an environmental impact statement was prepared:

(1) Changes or alterations have been required in or incorporated into such project which avoid or reduce the significant adverse environmental effects to a less than significant level; or

(2) Specific considerations, such as economic, social or technical, make infeasible the mitigation measures or project alternatives discussed in the environmental impact statement on the project.

A separate written finding shall be made for each significant effect identified in the environmental impact statement on the project. All written findings must be supported by substantial evidence in the record.

(e) The agency may charge and collect a reasonable fee from any person proposing a project subject to the provisions of this compact in order to recover the estimated costs incurred by the agency in preparing an environmental impact statement under this article.

(f) The agency shall adopt by ordinance a list of classes of projects which the agency has determined will not have a significant effect on the environment and therefore will be exempt from the requirement for the preparation of an environmental impact statement under this article. Prior to adopting the list, the agency shall make a written finding supported by substantial evidence in the record that each class of projects will not have a significant effect on the environment.

ARTICLE VIII. Finances

(a) On or before September 30 of each calendar year the agency shall establish the amount of money necessary to support its activities for the next succeeding fiscal year commencing July 1 of the following year. The agency shall apportion $75,000 of this amount among the counties within the region on the same ratio to the total sum required as the full cash valuation of taxable property within the region in each county bears to the total full cash valuation of taxable property within the region. In addition, each county within the region in California shall pay $18,750 to the agency and each county within the region in Nevada, including Carson City, shall pay $12,500 to the agency, from any funds available therefor. The State of California and the State of Nevada may pay to the agency by July 1 of each year any additional sums necessary to support the operations of the agency pursuant to this compact. If additional funds are required, the agency shall make a request for the funds to the states of California and Nevada. Requests for state funds must be apportioned two-thirds from California and one-third from Nevada. Money appropriated shall be paid within 30 days.

(b) The agency may fix and collect reasonable fees for any services rendered by it.

(c) The agency shall submit an itemized budget to the states for review with any request for state funds, shall be strictly accountable to any county in the region and the states for all funds paid by them to the agency and shall be strictly accountable to all participating bodies for all receipts and disbursements.

(d) The agency is authorized to receive gifts, donations, subventions, grants, and other financial aids and funds; but the agency may not own land except as provided in subdivision (i) of Article III.

(e) The agency shall not obligate itself beyond the moneys due under this article for its support from the several counties and the states for the current fiscal year, plus any moneys on hand or irrevocably pledged to its support from other sources. No obligation contracted by the agency shall bind either of the party states or any political subdivision thereof.

ARTICLE IX. Transportation District

(a) The Tahoe transportation district is hereby established as a special purpose district. The boundaries of the district are coterminous with those of the region.

(b) The business of the district shall be managed by a board of directors consisting of:

(1) One member of the county board of supervisors of each of the counties of El Dorado and Placer;

(2) One member of the city council of the City of South Lake Tahoe;

(3) One member each of the board of county commissioners of Douglas County and of Washoe County;

(4) One member of the board of supervisors of Carson City;

(5) The director of the California Department of Transportation; and

(6) The director of the department of transportation of the State of Nevada.

Any director may designate an alternate.

(c) The vote of at least five of the directors must agree to take action. If at least five votes in favor of an action are not cast, an action of rejection shall be deemed to have been taken.

(d) The Tahoe transportation district may by resolution establish procedures for the adoption of its budgets, the appropriation of its money and the carrying on of its other financial activities. These procedures must conform insofar as is practicable to the procedures for financial administration of the State of California or the State of Nevada or one or more of the local governments in the region.

(e) The Tahoe transportation district may in accordance with the adopted transportation plan:

(1) Own and operate a public transportation system to the exclusion of all other publicly owned transportation systems in the region.

(2) Acquire upon mutually agreeable terms any public transportation system or facility owned by a county, city or special purpose district or any privately owned transportation system or facility within the region.

(3) Hire the employees of existing public transportation systems that are acquired by the district without loss of benefits to the employees, bargain collectively with employee organizations, and extend pension and other collateral benefits to employees.

(4) Contract with private companies to provide supplementary transportation or provide any of the services needed in operating a system of transportation for the region.

(5) Fix the rates and charges for transit services provided pursuant to this subdivision.

(6) Issue revenue bonds and other evidence of indebtedness and make other financial arrangements appropriate for developing and operating a public transportation system.

(7) By resolution, determine and propose for adoption a tax for the purpose of obtaining services of the district. The tax proposed must be

general and of uniform operation throughout the region, and may not be graduated in any way. The district is prohibited from imposing an ad valorem tax, a tax measured by gross or net receipts on business, a tax or charge that is assessed against people or vehicles as they enter or leave the region, and any tax, direct or indirect, on gaming tables and devices. Any such proposition must be submitted to the voters of the district and shall become effective upon approval of a majority of the voters voting on the proposition. The revenues from any such tax must be used for the service for which it was imposed, and for no other purpose.

(8) Provide service from inside the region to convenient airport, railroad and interstate bus terminals without regard to the boundaries of the region.

(f) The legislatures of the states of California and Nevada may, by substantively identical enactments, amend this article.

ARTICLE X. Miscellaneous

(a) It is intended that the provisions of this compact shall be reasonably and liberally construed to effectuate the purposes thereof. Except as provided in subdivision (c), the provisions of this compact shall be severable and if any phrase, clause, sentence or provision of this compact is declared to be contrary to the constitution of any participating state or of the United States or the applicability thereof to any government, agency, person or circumstance is held invalid, the validity of the remainder of this compact and the applicability thereof to any government, agency, person or circumstance shall not be affected thereby. If this compact shall be held contrary to the constitution of any state participating therein, the compact shall remain in full force and effect as to the remaining state and in full force and effect as to the state affected as to all severable matters.

(b) The agency shall have such additional powers and duties as may hereafter be delegated or imposed upon it from time to time by the action of the Legislature of either state concurred in by the Legislature of the other.

(c) A state party to this compact may withdraw therefrom by enacting a statute repealing the compact. Notice of withdrawal shall be communicated officially and in writing to the Governor of the other state and to the agency administrators. This provision is not severable, and if it is held to be unconstitutional or invalid, no other provision of this compact shall be binding upon the State of Nevada or the State of California.

(d) No provision of this compact shall have any effect upon the allocation, distribution or storage of interstate waters or upon any appropriative water right.

Sec. 2. The secretary of state shall transmit a certified copy of section 1 of this act to the governor of the State of California, and two certified copies of this entire act to the secretary of state of California for delivery to the respective houses of its legislature. The governor of this state, as soon as:

1. He is officially advised that the State of California has enacted the amendment to the Tahoe Regional Planning Compact set forth in section 1 of this act; and

2. The Congress of the United States has approved such amendment, shall proclaim that the compact has been so amended.

Sec. 3. 1. This section and section 2 of this act become effective upon passage and approval.

2. Section 1 of this act becomes effective upon proclamation by the governor of this state of the enactment of the amendments to the Tahoe Regional Planning Compact contained in section 1 of this act by the State of California and their approval by the Congress of the United States.".

Amend the title of the bill to read:

"An Act relating to the Tahoe Regional Planning Compact; changing the composition of the governing body established by it; removing the expired provision for a moratorium; and providing other matters properly relating thereto.".

Amend the summary of the bill to read: "Changes composition of governing body of Tahoe regional planning agency. (BDR 22-1219)".

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. 495.

Bill read second time.

The following amendment was proposed by the Committee on Education:

Amendment No. 707.

Amend section 1, page 1, line 11, by deleting the period and inserting: "*within 90 days after he becomes eligible for registration.*".

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. 551.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 741.

Amend section 1, page 1, line 4, by deleting "*30*" and inserting "*20*".

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. 585.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 586.

Bill read second time, ordered engrossed and to third reading.

Senate Bill No. 8.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 718.

Amend sec. 8, page 3, line 24, by deleting "must [have]" and inserting "[must have]".

Amend sec. 8, page 3, by deleting lines 26 through 31.

Amend sec. 8, page 3, line 32, by deleting "*(b)* Have" and inserting: "*(a) Must have*".

Amend sec. 8, page 3, by inserting between lines 36 and 37:

"*(b) May be composed of such interested persons as the heads of the local police and fire departments, medical and health services, persons responsible for searches, rescues and services provided by public utilities, the coroner, representatives of the press and the chief of the Nevada highway patrol.*".

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. 97.

Bill read second time and ordered to third reading.

Senate Bill No. 140.

Bill read second time and ordered to third reading.

Senate Bill No. 201.

Bill read second time and ordered to third reading.

Senate Bill No. 234.

Bill read second time and ordered to third reading.

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 declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 182.

Bill read third time.

Remarks by Assemblyman Stone.

Roll call on Assembly Bill No. 182:

YEAS—41.

NAYS—None.

Not voting—Coffin.

Assembly Bill No. 182 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 229.

Bill read third time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 744.

Amend sec. 4, page 2, by deleting line 45 and inserting:

"(1) A person who possesses some or all of the powers of a peace officer;".

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. 244.

Bill read third time.

Remarks by Assemblyman Marvel.

Roll call on Assembly Bill No. 244:

YEAS—42.

NAYS—None.

Assembly Bill No. 244 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 405.

Bill read third time.

Remarks by Assemblyman Malone.

Roll call on Assembly Bill No. 405:

YEAS—42.

NAYS—None.

Assembly Bill No. 405 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 415.

Bill read third time.

Remarks by Assemblyman Beyer.

Conflict of interest declared by Assemblyman Sedway.

Roll call on Assembly Bill No. 415:

YEAS—41.

NAYS—None.

Not voting—Sedway.

Assembly Bill No. 415 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 486.
Bill read third time.
Remarks by Assemblyman Bergevin.
Roll call on Assembly Bill No. 486:
YEAS—42.
NAYS—None.

Assembly Bill No. 486 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 494.
Bill read third time.
Remarks by Assemblymen Jeffrey and Joerg.
Roll call on Assembly Bill No. 494:
YEAS—42.
NAYS—None.

Assembly Bill No. 494 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 513.
Bill read third time.
Remarks by Assemblyman Stone.
Roll call on Assembly Bill No. 513:
YEAS—42.
NAYS—None.

Assembly Bill No. 513 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 523.
Bill read third time.
Remarks by Assemblyman Sader.
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.
Bill ordered transmitted to the Senate.

Senate Bill No. 28.
Bill read third time.
Remarks by Assemblyman Tebbs.
Roll call on Senate Bill No. 28:
YEAS—40.
NAYS—Francis, Malone—2.

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. 290.

Bill read third time.

Remarks by Assemblyman Kerns.

Roll call on Senate Bill No. 290:

YEAS—42.

NAYS—None.

Senate Bill No. 290 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 241.

Bill read third time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 757.

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 becomes effective upon passage and approval.".

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. 209.

The following Senate amendment was read:

Amendment No. 697.

Amend sec. 19, page 10, line 17, by deleting "noxious" and inserting "[noxious]".

Assemblyman Getto moved that the Assembly concur in the Senate amendment to Assembly Bill No. 209.

Remarks by Assemblyman Getto.

Motion carried.

Bill ordered enrolled.

INTRODUCTION AND FIRST READING OF LEGISLATION

By the Committee on Judiciary:

Assembly Bill No. 651—An Act relating to custody of children; enforcing the right of a noncustodial parent to visits; providing a penalty; and providing other matters properly relating thereto.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bills Nos. 181, 203, 297, 362, 474; Senate Bills Nos. 58, 175; Senate Joint Resolution No. 22.

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. Beverly Sharp, June Gronert, Marjorie Challstrom, Patricia Devine, Dorothy Feutz, Tamiko Harshbarger, Mr. Max McCombs and students from Elmcrest Elementary School: Jenny Beers, Adam Betts, Katrina Buchanan, Bryan Challstrom, Shayne Cheslak, Jamie Dent, Jennifer Devine, Travis Feutz, Josh Hancock, Daniel Harshbarger, Jamie Honeywell, Melissa McCarty, Geoff McCombs, Demetra Makris, Angeha Mort, John Peterson, Jackie Potter, Charlotte Russell, Amanda Sligar, Brian Spencer and Danny Wienholz.

On request of Assemblyman Bogaert, the privilege of the floor of the Assembly Chamber for this day was extended to Mesdames Hazel Vineis, Clara Sheperd and Mr. Ray Burke.

On request of Assemblyman Joerg, the privilege of the floor of the Assembly Chamber for this day was extended to Mesdames Bonnie Maylone and Sandra Joerg.

On request of Assemblyman Arberry, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Jenny Johnson, Joyce Johnson, Becky Johnson and Mr. Gary Johnson.

Assemblyman Francis moved that the Assembly adjourn until Thursday, May 9, 1985 at 11 a.m.

Motion carried.

Assembly adjourned at 12:32 p.m.

Approved: BYRON L. BILYEU
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE ONE HUNDRED AND NINTH DAY

CARSON CITY (Thursday), May 9, 1985

Assembly called to order at 11 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, The Reverend Terry Arnold.

The Bible says, "A gentle answer turns away wrath". With that in mind, let us pray. Our Heavenly Father, let our gentle words promote joy, unity and action. We pray this in the name of our Lord and Saviour, Jesus Christ. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Francis 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 Assembly Bill No. 591; Assembly Joint Resolution No. 23, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

MIKE MALONE, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Transportation, to which was referred Assembly Bill No. 390, 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 Transportation.

MIKE MALONE, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, 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: Do pass.

JAMES STONE, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which was referred Assembly Bill No. 479, 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.

JAMES STONE, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which were referred Assembly Bills Nos. 338, 443, 480, 499; Senate Bills Nos. 107, 221, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JAMES STONE, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Assembly Bill No. 542, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

LOUIS W. BERGEVIN, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Assembly Bill No. 609, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

LOUIS W. BERGEVIN, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Senate Concurrent Resolution No. 27, has had the same under consideration, and begs leave to report the same back with the recommendation: Be adopted.

LOUIS W. BERGEVIN, *Chairman*

Mr. Speaker:

Your Committee on Labor and Management, 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.

BARBARA ZIMMER, *Chairman*

Mr. Speaker:

Your Committee on Labor and Management, to which was referred Assembly Bill No. 142, 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.

BARBARA ZIMMER, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 8, 1985

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. 241 and requests a conference, and appointed Senators Mello, 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 respectfully refused to recede from its action on Assembly Bill No. 242 and requests a conference, and appointed Senators Neal, Vergiels 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, as amended, Senate Bill No. 371.

MARY JO MONGELLI
Assistant Secretary of the Senate

UNFINISHED BUSINESS

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker appointed Assemblymen Getto, Humke and Coffin as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Assembly Bill No. 241.

Mr. Speaker appointed Assemblymen Marvel, Nicholas 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. 242.

MOTIONS, RESOLUTIONS AND NOTICES

By the Committee on Economic Development and Tourism:

Assembly Concurrent Resolution No. 30—Requesting the public employees' retirement board to investigate investment opportunities in enterprises located in Nevada.

Senate Concurrent Resolution No. 27.

Assemblyman Bogaert moved the adoption of the resolution.

Remarks by Assemblyman Bergevin.

Resolution adopted.

Assemblyman Humke moved that Assembly Bill No. 211 be taken from the Chief Clerk's desk and placed on the General File.

Remarks by Assemblyman Humke.

Motion carried.

Assemblyman Stone moved that Senate Bill No. 222 be taken from the Chief Clerk's desk and placed on the General File.

Remarks by Assemblyman Stone.

Motion carried.

INTRODUCTION AND FIRST READING OF LEGISLATION

By Assemblymen Dini and Stone:

Assembly Bill No. 652—An Act relating to arrest; permits sheriff or deputy sheriff to make an arrest for a crime committed anywhere in Nevada; permits arrest at night for battery by person upon his spouse if any bodily harm occurs; and providing other matters properly relating thereto.

By Assemblyman Stone (by request):

Assembly Bill No. 653—An Act relating to slot machines; revising the definition of an "operator of a slot machine route"; and providing other matters properly relating thereto.

By Assemblymen Roberts and Francis:

Assembly Bill No. 654—An Act relating to zoning; authorizing a city or county to establish zoning districts for the land surrounding treatment works for waste water; authorizing the purchase of that land or development rights to the land, if obtainable; and providing other matters properly relating thereto.

Senate Bill No. 371.

Bill read first time.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Assembly Bill No. 400, 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.

LOUIS W. BERGEVIN, *Chairman*

REFERENCE OF MEASURES TO COMMITTEES

Assembly Bill No. 647.

Assemblyman Francis moved that the bill be referred to the Committee on Commerce.

Motion carried.

Assembly Bill No. 648.

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

Motion carried.

Assembly Bill No. 649.

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

Motion carried.

Assembly Bill No. 650.

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

Motion carried.

Assembly Bill No. 651.

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

Motion carried.

Assembly Concurrent Resolution No. 28.

Assemblyman Francis moved that the resolution be referred to the Committee on Economic Development and Tourism.

Motion carried.

Senate Bill No. 183.

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

Motion carried.

Senate Bill No. 275.

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

Motion carried.

Senate Bill No. 309.

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

Motion carried.

Senate Bill No. 324.

Assemblyman Francis moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

Senate Bill No. 384.

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

Motion carried.

Senate Joint Resolution No. 30.

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

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Commerce, to which was referred Assembly Bill No. 561, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN DUBOIS, *Chairman*

SECOND READING AND AMENDMENT

Assembly Bill No. 163.

Bill read second time.

The following amendment was proposed by the Committee on Education:

Amendment No. 706.

Amend section 1, page 1, lines 7 and 8, by deleting: "degree in school administration or education." and inserting: "degree . [in school administration or education.]".

Assemblyman Lambert moved the adoption of the amendment.

Remarks by Assemblyman Lambert.

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 Elections:

Amendment No. 655.

Amend section 1, pages 1 and 2, by deleting lines 1 through 15 on page 1 and lines 1 through 6 on page 2 and inserting:

"Section 1. NRS 293.565 is hereby amended to read as follows:

293.565 1. At least 10 days before any election, the county clerk shall cause to be mailed to each registered voter in the county a sample ballot for his precinct with a notice informing the voter of the location of his polling place.

2. *Each sample ballot prepared for a primary election must contain a list of the offices and candidates for those offices for which there is no contest for nomination. The list must be separate from the list of candidates for contested nominations.*

3. The cost of mailing sample ballots for elections which are not either

primary or general elections must be borne by the political subdivision holding the election.".

Amend the title of the bill by deleting the first and second lines and inserting:

"An Act relating to elections; requiring the names of candidates for uncontested nominations to be listed on the sample ballot for the primary election; and".

Amend the summary of the bill, first line, by deleting: "to be listed on" and inserting: "for uncontested nominations to be listed on sample".

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. 374.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 796.

Amend sec. 20, page 6, line 41, by deleting: "as [such] members," and inserting a comma.

Amend sec. 20, page 6, line 42, by deleting "and".

Amend sec. 20, page 6, line 43, after "education", by inserting: ", *adjunct professors of the University of Nevada*".

Amend sec. 20, page 6, lines 44 and 45, by deleting: "duty as such members," and inserting "duties".

Amend sec. 20, page 7, line 2, by deleting: "duty, [shall be] *are*" and inserting "duties are".

Amend sec. 20, page 7, by deleting lines 8 and 9 and inserting: "the premiums required by this chapter in the same manner as for other expenditures and shall pay those premiums out of".

Amend sec. 20, page 7, line 10, by deleting "[moneys] *money*" and inserting "money".

Amend sec. 20, page 7, line 11, by deleting "such" and inserting "those".

Amend sec. 26, page 8, by deleting lines 38 through 42 and inserting:

"11. Fix the salaries of all persons so hired in accordance with the pay plan of the state for the classified service. No employee so hired may be removed except in the manner provided for the classified service of the state. *The manager and all*".

Amend sec. 30, page 10, line 25, by deleting "records" and inserting "micrographics".

Amend sec. 57, page 21, line 11, by deleting "[its] *his*" and inserting "his".

Amend sec. 57, page 21, line 18, by deleting: "or [hospital association]" and inserting "*or*".

Amend sec. 58, page 21, lines 24 and 25, by deleting: "must:

(a) Be'' and inserting: '':

(a) Must be''.

Amend sec. 58, page 21, line 39, by deleting: ''*and section 16 of this act,* respectively,'' and inserting: ''or section 3 of [this act,] *Assembly Bill No. 155 of this session or section 16 of this act,*''.

Amend sec. 83, pages 34 and 35, by deleting lines 25 through 46 on page 34 and lines 1 through 15 on page 35 and inserting:

''408.373 1. Before paying any money or drawing his warrant in payment to a person to whom a contract is awarded, the state controller shall require satisfactory evidence of the [payment of the premiums] *industrial insurance* required by chapter 616 of NRS and of the contributions required by chapter 612 of NRS, and he shall withhold payment to the contractor or his assigns until the evidence is provided.

2. If a contractor fails to pay [premiums or] contributions as required by the provisions of chapter 612 or *obtain industrial insurance as required by chapter* 616 of NRS, the state controller may make the payments *or acquire the insurance* from money withheld pursuant to the provisions of subsection 1.

3. Failure to comply with all federal, state and local laws, rules, regulations and ordinances is sufficient cause to withhold any money due the contractor until compliance therewith.''.

Amend sec. 86, page 36, line 9, after ''compensation'', by inserting a period.

Amend sec. 86, page 36, by deleting lines 10 and 11.

Assemblyman DuBois moved the adoption of the amendment.

Remarks by Assemblyman DuBois.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 392.

Bill read second time.

The following amendment was proposed by the Committee on Legislative Functions:

Amendment No. 736.

Amend section 1, pages 1 and 2, by deleting lines 3 through 13 on page 1 and lines 1 through 3 on page 2 and inserting: ''*Before any bill or joint resolution which has a financial effect on the residents of this state by:*

1. Imposing or increasing a tax or authorizing a local government to impose or increase a tax;

2. Imposing a charge for a service which was previously provided without charge, increasing an existing charge for a service, or authorizing a local government to do either of these; or

3. Creating a cost or increasing the cost of complying with a statute or regulation,

is considered at a public hearing of a committee of the assembly or the senate or before a vote is taken thereon by the committee, the fiscal analysis

division shall prepare a fiscal note to the extent practicable which shows the financial effect of the measure on the public.".

Amend the bill as a whole by deleting sections 2 and 3 and renumbering sections 4 and 5 as sections 2 and 3.

Amend sec. 4, page 2, line 38, by deleting the bracket.

Amend sec. 4, page 2, line 41, by deleting the closed bracket.

Amend sec. 4, page 2, line 43, by deleting "[may] *shall*" and inserting "may".

Amend sec. 4, page 2, by inserting after line 46:

"*3. Each amendment which is proposed must contain a statement whether the information in the summary of the bill or joint resolution concerning the fiscal note will no longer be valid if the proposed amendment is adopted.*".

Amend sec. 5, page 2, by deleting line 47 and inserting:

"Section 3. NRS 218.2754 is hereby amended to read as follows:

218.2754 1. The summary of each bill or joint resolution introduced in the legislature must include the statement:

(a) "Fiscal Note: Effect on Local Government: Yes,"
"Fiscal Note: Effect on Local Government: No," or
"Fiscal Note: Effect on Local Government: Contains Appropriation,"
whichever is appropriate; [and]

(b) "Effect on the State or on Industrial Insurance: Yes,"
"Effect on the State or on Industrial Insurance: No,"
"Effect on the State or on Industrial Insurance: Contains Appropriation,"
"Effect on the State or on Industrial Insurance: Executive Budget," or
"Effect on the State or on Industrial Insurance: Effect less than $2,000,"
whichever is appropriate [.
2.] *; and*

(c) "Effect on the Public: Yes," or
"Effect on the Public: No,"
whichever is appropriate.

2. The summary of each bill or joint resolution introduced in the legislature which requires a fiscal note must identify the source of funding, if any, provided in the measure for the matter requiring the fiscal note.

3. The legislative counsel shall consult the fiscal analysis division to secure the appropriate information for summaries of bills and joint resolutions.".

Amend the title of the bill to read as follows:

"An Act relating to fiscal notes; requiring a fiscal note for bills and joint resolutions which have a financial effect on the public; requiring a statement on amendments if the original fiscal note would become incorrect if the proposed amendment were adopted; requiring a notation of the source of

funding for certain legislative proposals; and providing other matters properly relating thereto.".

Amend the summary of the bill to read as follows: "Makes various changes regarding fiscal notes. (BDR 17-1283)".

Assemblyman Bogaert moved the adoption of the amendment.

Remarks by Assemblymen Bogaert, Dini and Joerg.

Amendment adopted.

Bill ordered reprinted, engrossed and to the Concurrent Committee on Ways and Means.

Assembly Bill No. 437.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 507.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 761.

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 463.361 is hereby amended to read as follows:

463.361 1. Except as provided in NRS 463.361 to 463.366, inclusive, 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 NRS 463.362 to 463.366, inclusive.

3. In lieu of petitioning the board to resolve such a claim, a patron, within 20 days after the date of a written decision issued pursuant to NRS 463.362, may bring an action to enforce a gaming debt not evidenced by a credit instrument.".

Amend section 1, page 1, by deleting lines 3 through 5 and inserting: "nings to a patron, *the licensee and the patron are unable to resolve the dispute promptly, and the dispute involves:*

(a) Less than $500, the licensee or patron may notify the board of the dispute and request the board to resolve it. The licensee shall notify the patron of his right to do so.

(b) Five hundred dollars or more,

the licensee shall immediately notify the board. [The]

2. Upon receiving such a notice, the board,".

Amend section 1, page 1, line 8, by deleting "2." and inserting "[2.] *3.*".

Amend section 1, page 1, line 10, by deleting "from" and inserting ". [from".

Amend section 1, page 1, by deleting line 12 and inserting:

"3.] *4.* Failure *of a licensee* to notify the board *or the patron* as provided in subsection 1 is grounds".

Amend the title of the bill, second line, after "winnings;" by inserting:

"authorizing a civil action against a licensee to enforce a gaming debt which is not evidenced by a credit instrument;".

Amend the summary of the bill, second line, by deleting the period and inserting: "and authorizes action to enforce certain gaming debts.".

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. 516.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 758.

Amend section 1, page 1, lines 6 and 7, by deleting: "[swears or affirms willfully, corruptly] *testifies willfully*" and inserting: "swears or affirms willfully [, corruptly]".

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. 518.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 538.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 753.

Amend section 1, page 2, line 5, by deleting "*society,*" and inserting "*library,*".

Amend the title of the bill, second line, by deleting "societies;" and inserting "libraries;".

Amend the summary of the bill, first and second lines, by deleting "societies." and inserting "libraries.".

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. 587.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 589.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 624.

Bill read second time, ordered engrossed and to third reading.

Senate Bill No. 22.

Bill read second time and ordered to third reading.

Senate Bill No. 55.

Bill read second time and ordered to third reading.

Senate Bill No. 104.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 759.

Amend sec. 2, page 1, lines 9 and 10, by deleting: "*or*

(b) Accuse a" and inserting:

"*(b) Contain material which is personal in nature and does not relate to any lawful inquiry; or*

(c) Accuse a named or unnamed".

Amend sec. 4, page 2, line 29, by deleting: "The grand jury [must] *shall*" and inserting: "Each grand jury that is not impaneled for a specific limited purpose shall".

Amend sec. 4, page 2, lines 33 and 34, by deleting: "[the public prisons] *any public prison located*" and inserting: "any public prison located".

Amend sec. 4, page 2, line 38, by deleting: "The grand jury" and inserting: "A grand jury that is not impaneled for another specific limited purpose".

Amend sec. 4, page 2, by deleting line 42 and inserting:

"3. A report issued pursuant to this section must not single out any".

Amend sec. 4, page 2, line 43, by deleting "which".

Amend sec. 4, page 2, line 44, by deleting "accuses such" and inserting: "or accuse the".

Amend sec. 4, page 3, line 1, by deleting "such" and inserting "the".

Amend sec. 4, page 3, line 2, by deleting "shall" and inserting "must".

Amend sec. 4, page 3, line 3, by deleting "such" and inserting "the".

Amend sec. 4, page 3, line 7, after "*recommendations.*", by inserting: "*If such recommendations and criticism are included in a report and the report is not accompanied by a related indictment or presentment, the report must include a positive statement that no indictable criminal activity was found.*".

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 becomes effective at 12:01 a.m. on July 1, 1985.".

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. 134.

Bill read second time.

The following amendment was proposed by the Committee on Natural Resources, Agriculture and Mining:

Amendment No. 739.

Amend the bill as a whole by deleting section 5.

Amend the title of the bill, third line, by deleting: "increasing the civil penalty;".

Amend the summary of the bill by deleting the second and third lines and inserting: "products and permits delayed payment of certain assessments. (BDR 51-377)".

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. 174.

Bill read second time.

The following amendment was proposed by the Committee on Taxation:

Amendment No. 762.

Amend section 1, page 2, line 1, after "and", by inserting "*offer to*".

Assemblyman Collins moved the adoption of the amendment.

Remarks by Assemblyman Collins.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 269.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 752.

Amend sec. 2, page 1, line 16, after "*amount*", by inserting "*of cash*".

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. 273.

Bill read second time and ordered to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Bergevin moved that Assembly Bill No. 400 be placed on the Second Reading File.

Remarks by Assemblyman Bergevin.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Commerce, to which was re-referred Senate Bill No. 29, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN DUBOIS, *Chairman*

INTRODUCTION AND FIRST READING OF LEGISLATION

By Assemblyman Stone (by request):

Assembly Bill No. 655—An Act relating to the control of gaming; providing a procedure to allow a corporation organized under the laws of another country whose stock is on a foreign securities exchange to register with the Nevada gaming commission as a publicly traded corporation; and providing other matters properly relating thereto.

SECOND READING AND AMENDMENT

Assembly Bill No. 400.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 745.

Amend section 1, page 1, line 2, by deleting "5," and inserting "6,".

Amend sec. 2, page 1, line 3, by inserting a period after "*health*".

Amend sec. 2, page 1, by deleting line 4.

Amend sec. 3, page 1, by deleting lines 5 through 10 and inserting:

"Sec. 3. *Every employee of the division is entitled to submit written information or requests directly to the commission or its individual members, or appear before it with its permission, but the commission shall not interfere with the procedures for resolving the grievances of employees in the classified service of the state.*".

Amend sec. 4, page 1, line 20, by deleting: "*public and private*" and inserting "*state*".

Amend sec. 5, page 2, line 21, by deleting "*public*" and inserting "*state*".

Amend sec. 5, page 2, by deleting lines 23 and 24 and inserting: "*tions adopted thereunder.*".

Amend sec. 6, page 2, by deleting lines 25 through 37 and inserting:

"Sec. 6. *The administrator shall appoint, for each facility or group of facilities sufficiently close to one another, a person in the classified service of the state to receive, investigate and evaluate complaints by clients or others on their behalf concerning violations of the clients' rights. The person so appointed shall also review and make recommendations to the administrator concerning the practices of the division as they directly affect clients' welfare.*".

Amend the bill as a whole by deleting sections 8 through 14 and inserting:

"Secs. 8-14. (Deleted by amendment.)".

Amend sec. 15, page 4, by deleting lines 5 through 11 and inserting:

"Sec. 15. NRS 433.244 is hereby amended to read as follows:

433.244 1. The administrator must:

(a) Have training and demonstrated administrative qualities of leadership in any one of the professional fields of psychiatry, medicine, psychology, social work, education or administration.

(b) Be appointed , *from a list of three persons nominated by the commission,* on the basis of merit as measured by administrative training or experience in programs relating to mental health, including care, treatment or training, or any combination thereof, of mentally ill and mentally retarded persons.

(c) Have additional qualifications which are in accordance with criteria prescribed by the department of personnel.

2. The administrator is in the unclassified service of the state.".

Amend sec. 16, page 4, line 13, after "administrator", by inserting: "*serves at the pleasure of the governor and*".

Amend sec. 16, page 4, by deleting lines 15 through 19 and inserting:

"(b) *Administer the division in accordance with the policies established by the commission;*

(c) Make an annual report to the director of the department on the condition and operation of the division, and such other reports as the director may prescribe; and

[(c)] *(d)* Employ within the limits of available money, the assistants and employ-".

Amend sec. 16, page 4, line 20, by inserting after the period:

"*Psychiatrists and the heads of the respective institutions enumerated in NRS 433.233 are in the classified service of the state except for purposes of retention.*".

Amend sec. 16, page 4, by deleting lines 23 and 24 and inserting: "grams,] *programs of the division,* including an associate administrator for mental retardation. *The commission must approve the credentials, training and experience of deputy administrators, heads of enumerated institutions, and persons appointed pursuant to section 6 of this act.* He shall delegate to the".

Amend sec. 16, page 4, line 26, by inserting a closed bracket after "facilities.".

Amend sec. 16, page 4, by deleting lines 27 and 28 and inserting: "*the facilities of the divi-*".

Amend the bill as a whole by deleting sections 17 through 19 and inserting:

"Secs. 17-19. (Deleted by amendment.)".

Amend sec. 20, page 6, by deleting line 7 and inserting:

"*1. Establish policies to ensure adequate development and administration of services for mental health, including*".

Amend sec. 20, page 6, line 11, by deleting "*public*" and inserting "*state*".

Amend sec. 21, page 6, by deleting lines 19-21 and inserting:

"433.324 [The division shall adopt such regulations as are necessary for carrying out the provisions of this Title.]".

Amend sec. 21, page 6, line 23, by deleting "*public*" and inserting "*state*".

Amend sec. 21, page 6, line 24, by deleting the semicolon and inserting: "*, and their referral to private facilities;*".

Amend the bill as a whole by deleting sections 22 through 25 and inserting:

"Secs. 22-25. (Deleted by amendment.)".

Amend sec. 26, page 7, line 20, by deleting "[division] *commission*" and inserting "division".

Amend sec. 26, page 7, lines 22 and 23, by deleting: "*which is related to mental health or mental illness conducted*".

Amend sec. 26, page 7, line 24, by deleting "board [" and inserting "[board] *commission*".

Amend sec. 26, page 7, line 25, by deleting "joint] for" and inserting "joint".

Amend sec. 26, page 7, line 29, by deleting ". [".

Amend sec. 26, page 7, line 31, by inserting an open bracket before "In".

Amend sec. 26, page 7, by deleting line 34 and inserting: "*For a facility providing services for mental health, the fee established must approximate the cost of providing the service, but if a client is unable to pay in full*".

Amend the bill as a whole by deleting sections 27 and 28 and inserting:

"Secs. 27 and 28. (Deleted by amendment.)".

Amend sec. 29, page 8, by deleting lines 27 and 28 and inserting "by regulation:".

Amend sec. 30, page 9, by deleting lines 10 through 12 and inserting: "tor may designate] *prescribed* by regulation:".

Amend sec. 30, page 10, by deleting line 19 and inserting: "istrator, and the [board] *commission* shall".

Amend sec. 31, pages 10 and 11, by deleting lines 25 through 45 on page 10 and lines 1 through 12 on page 11 and inserting:

"Sec. 31. (Deleted by amendment.)".

Amend sec. 32, page 11, by deleting lines 25 through 27 and inserting: "and the [board.] *commission.*

3. The [board:] *commission:*".

Amend the bill as a whole by deleting sections 33 through 36 and inserting:

"Secs. 33-36. (Deleted by amendment.)".

Amend sec. 38, page 13, by deleting lines 12 through 16 and inserting:

"Sec. 38. (Deleted by amendment.)".

Amend sec. 39, page 13, line 26, by deleting the brackets.

Amend sec. 39, page 13, line 29, by inserting an open bracket before "4." and a closed bracket after the period.

Amend sec. 40, page 13, by deleting lines 30 through 35 and inserting:

"Sec. 40. (Deleted by amendment.)".

Amend sec. 42, page 14, by deleting lines 3 through 36 and inserting:

"Sec. 42. (Deleted by amendment.)".

Amend sec. 44, page 15, by deleting lines 4 through 25 and inserting:

"Sec. 44. (Deleted by amendment.)".

Amend the bill as a whole by adding a new section designated section 45.5, following section 45, to read as follows:

"Sec. 45.5. NRS 433A.420 is hereby amended to read as follows:

433A.420 The medical director of a division facility may order the transfer to a United States Veterans' Administration hospital or other facility of the United States Government any admitted client eligible for treatment therein. If the client in any manner objects to the transfer, the medical director of the facility must enter the objection and a written justification of the transfer in the client's record and forthwith forward a notice of the objection to the administrator, and the [board] *commission* shall review the transfer pursuant to subsections 2 and 3 of NRS 433.534.".

Amend the bill as a whole by deleting sections 48 through 76 and adding new sections designated sections 48 through 52, following section 47, to read as follows:

"Sec. 48. NRS 435.240 is hereby amended to read as follows:

435.240 1. All applications for a certificate of qualification which have been approved by the administrator must be reviewed by the [board] *commission* for approval or rejection.

2. If an application is rejected by the administrator, he shall notify the applicant in writing of the rejection, setting out the reasons therefor.

3. Within 30 days after the administrator mails the notice of rejection of the application, the applicant may appeal the rejection to the [board. The board] *commission. The commission* shall review the application and the reasons for its denial and may receive evidence, documentary or [testimony,] *testimonial,* to aid it in its decision. Thereafter, the [board] *commission* shall issue its decision rejecting the application or remanding the application to the administrator for approval. The decision of the [board] *commission* is final.

4. No new applicants may be certified if the certification brings the average support per enrollee below the amount specified in the budget for the community training center account as approved by the most recent session of the legislature for those centers that are already certified.

Sec. 49. NRS 435.250 is hereby amended to read as follows:

435.250 1. After approval of the application, the division shall issue a certificate of qualification to centers which meet the requirements of NRS 435.130 to 435.320, inclusive, and the standards set by the division.

2. The division may revoke the certificate of qualification of a center at any time when it fails to meet the requirements of NRS 435.130 to 435.320, inclusive, or the standards set by the division.

3. [Any] *An appeal may be taken from any* such revocation [may be appealed] in the same manner as appeals are taken from a rejection of an application under NRS 435.240. The decision of the [advisory board] *commission* is final as to such appeals.

Sec. 50. NRS 435.260 is hereby amended to read as follows:

435.260 Money for the purpose of aiding training centers in the community which have received certificates of qualification from the division must

be provided by legislative appropriation. The division is authorized to make grants from the appropriation to aid qualifying centers if the [advisory board] *commission* also approves the grants.

Sec. 51. NRS 435.290 is hereby amended to read as follows:

435.290 1. A center holding a certificate of qualification from the division is entitled to aid from the community training center account in the amount, within the limits of legislative appropriations, specified in the budget for the community training center account as approved by the most recent session of the legislature:

(a) Per enrollee;

(b) For centers entitled to the minimal allotment, if the center maintains five or more enrollees and its staff and operating expenses are equal to or greater than the amount allocated; or

(c) For centers entitled to the minimal allotment on a pro rata basis per enrollee, if the center maintains four or [less] *fewer* enrollees and its staff and operating expenses are equal to or greater than the amount allocated, whichever is greater.

2. The division, upon approval of the [board,] *commission,* may grant aid from the community training center account to help in establishing new centers. This aid in the aggregate must not exceed one-fourth of the money available in the account for the year in which it is given.

3. After providing for the allocations authorized in subsections 1 and 2, the division shall allocate any other money available in the account to the qualified centers according to the programs offered by each center and the number of enrollees in each program. The division shall determine the relative weight to be given to these factors.

Sec. 52. NRS 435.350 is hereby amended to read as follows:

435.350 1. Each mentally retarded person admitted to a division facility is entitled to all rights enumerated in NRS 433.482 and 433.484.

2. The administrator shall designate a person or persons to be responsible for establishment of regulations relating to denial of rights of mentally retarded persons. The person designated shall file the regulations with the administrator.

3. Clients' rights specified in NRS 433.482 and 433.484 may be denied only for cause. Any denial of such rights must be entered in the client's treatment record, and notice of such denial must be forwarded to the administrator's designee or designees as provided in subsection 2. Failure to report denial of rights by an employee may be grounds for dismissal.

4. Upon receipt of notice of a denial of rights as provided in subsection 3, the administrator's designee or designees shall cause a full report to be prepared which sets forth in detail the factual circumstances surrounding such denial. A copy of the report must be sent to the administrator and the [board.] *commission.*

5. The [board] *commission* has such powers and duties with respect to reports of denial of rights as are enumerated in subsection 3 of NRS 433.534.".

Amend the bill as a whole by inserting after the new section 52:

"Secs. 53-76. (Deleted by amendment.)".

Amend sec. 77, page 21, line 15, by deleting "*administrative*".

Amend sec. 78, page 21, by deleting line 30 and inserting: "ill [as defined in subsection 2 of NRS 433.194,]".

Amend sec. 79, page 22, lines 9 and 10, by deleting both brackets and the word "*health*".

Amend sec. 79, page 22, line 21, by deleting: ", *as defined in section 37 of this act*".

Amend the bill as a whole by deleting sections 80 through 93 and inserting:

"Secs. 80-93. (Deleted by amendment.)".

Amend sec. 94, page 30, by deleting lines 24 and 25 and inserting:

"217.450 The [mental hygiene and mental retardation advisory board] *commission on mental health* shall advise the".

Amend sec. 95, page 31, line 2, by deleting: "96, 97 and 98" and inserting: "96 and 97".

Amend sec. 96, page 31, line 5, by deleting the period and inserting: ", *at least three of whom have training or experience in dealing with mental retardation.*".

Amend sec. 96, page 31, by deleting lines 7 through 23 and inserting:

"*(a) A psychiatrist licensed to practice medicine in this state, from a list of three candidates submitted by the Nevada Psychiatric Association;*

(b) A psychologist certified to practice in this state and experienced in clinical practice, from a list of four candidates two of whom are submitted by the Northern Nevada Association for Certified Psychologists and two of whom are submitted by the Southern Society for Certified Psychologists;

(c) A physician, other than a psychiatrist, licensed to practice medicine in this state, from a list of three candidates submitted by the Nevada State Medical Association;

(d) A social worker who has a master's degree and has experience in dealing with mental illness or mental retardation, or both;

(e) A registered nurse licensed to practice in this state who has experience in dealing with mental illness or mental retardation, or both, from a list of three candidates submitted by the Nevada Nurses' Association;

(f) A representative of the general public who has a special interest in the field of mental health; and

(g) A representative of the general public who has a special interest in the field of mental retardation.

3. The governor shall appoint the chairman of the commission from among its members.".

Amend sec. 96, page 31, line 24, by deleting "*3.*" and inserting "*4.*".

Amend sec. 96, page 31, by deleting line 25 and inserting: "*years. If a vacancy*".

Amend sec. 97, page 31, by deleting lines 38 through 40 and inserting:

"*3. A person is ineligible for appointment to or continued service on the commission if he or his spouse owns an interest in or is employed by any enterprise or organization, whether or not conducted for profit, which derives 25 percent or more of its gross revenues from the division.*".

Amend the bill as a whole by deleting sections 98 through 104 and inserting:

"Secs. 98-104. (Deleted by amendment.)".

Amend sec. 105, page 34, line 13, after "433.024", by inserting "433.034".

Amend sec. 105, page 34, line 14, by deleting "and 433.244" and inserting: "433.284, 433.294, 433.304, 433.474 and 435.240".

Amend sec. 106, page 34, by deleting lines 19 through 21 and inserting:

"1. Two members to terms of 4 years.

2. Two members to terms of 3 years.

3. Two members to terms of 4 years.

4. One member to a term of 1 year.".

Amend sec. 107, page 34, by deleting lines 25 and 26 and inserting:

"1. Appropriately correct any reference to a body whose designation is changed or to a power or duty which is reassigned by this act.".

Amend the title of the bill to read:

"An Act relating to mental health; creating a commission; providing its powers and duties; and providing other matters properly relating thereto.".

Amend the summary of the bill to read: "Creates commission on mental health. (BDR 39-1291).".

Assemblyman Bergevin moved the adoption of the amendment.

Remarks by Assemblymen Bergevin and Sedway.

Amendment adopted.

Assemblyman Joerg moved that Assembly Bill No. 400 be re-referred to the Committee on Government Affairs.

Motion carried.

Bill ordered reprinted, engrossed and to the Committee on Government Affairs.

INTRODUCTION AND FIRST READING OF LEGISLATION

By the Committee on Judiciary:

Assembly Bill No. 656—An Act relating to police dogs; forbidding harassment by other persons; providing a penalty; and providing other matters properly relating thereto.

By the Committee on Taxation:

Assembly Bill No. 657—An Act relating to taxation; extending the final date for setting the tax rates for local governments; and providing other matters properly relating thereto.

By the Committee on Transportation:

Assembly Bill No. 658—An Act relating to the control of emissions into

the air; exempting older vehicles from regulation; and providing other matters properly relating thereto.

By Assemblymen DuBois, Stone, Price, Collins, Thompson, Jeffrey, Fairchild, Bergevin, Malone, Nicholas, Spriggs, Coffin, Humke, Kerns, Nevin, Arberry, Banner, O'Donnell, Rader, Lambert, McGaughey, Bogaert, Williams, Zimmer and Thomas:

Assembly Bill No. 659—An Act relating to the veterans' exemptions from property taxes; increasing the exemption on property owned by certain veterans; removing the requirement for the annual filing of an affidavit of exemption; and providing other matters properly relating thereto.

MOTIONS, RESOLUTIONS AND NOTICES

By the Committee on Legislative Functions:

Assembly Concurrent Resolution No. 31—Directing the legislative commission to study methods of distributing the revenues from the taxation of large electrical power plants.

Assemblyman Malone moved that Assembly Bill No. 390 be placed on the Second Reading File.

Remarks by Assemblyman Malone.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 97.

Bill read third time.

The following amendment was proposed by the Committee on Taxation:

Amendment No. 713.

Amend sec. 2, page 3, by deleting lines 25 and 26 and inserting: "is effected, *such as a transfer between a corporation and its parent corporation, a subsidiary or an affiliated corporation,*".

Assemblyman Joerg moved the adoption of the amendment.

Remarks by Assemblyman Joerg.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 110.

Bill read third time.

Remarks by Assemblyman Thompson.

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, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 123.

Bill read third time.

Remarks by Assemblymen Joerg, Nicholas and Francis.

Roll call on Assembly Bill No. 123:

YEAS—39.

NAYS—Malone, Nicholas, Stone—3.

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. 186.

Bill read third time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 779.

Amend sec. 11, page 6, line 22, by deleting "shall" and inserting "must".

Amend sec. 11, page 6, lines 28 and 29, by deleting: "employed under the provisions of chapter 284 of NRS and".

Amend sec. 11, page 6, line 32, by deleting: "employed under the provisions of chapter 284 of NRS and".

Amend the bill as a whole by deleting section 13.

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. 246.

Bill read third time.

Remarks by Assemblyman Sader.

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. 355.

Bill read third time.

Remarks by Assemblyman O'Donnell.

Roll call on Assembly Bill No. 355:

YEAS—42.

NAYS—None.

Assembly Bill No. 355 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 381.

Bill read third time.

Remarks by Assemblyman Stone.

Roll call on Assembly Bill No. 381:

YEAS—41.

NAYS—Collins.

Assembly Bill No. 381 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.

The following amendment was proposed by Assemblyman Sader:

Amendment No. 799.

Amend section 1, page 1, by deleting line 7 and inserting: "*must be listed numerically by a unique serial number which must be assigned*".

Amend section 1, page 1, line 9, by deleting the period and inserting: "*in the order that he received the requests.*".

Assemblyman Sader moved the adoption of the amendment.

Remarks by Assemblyman Sader.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 444.

Bill read third time.

Remarks by Assemblyman Bergevin.

Roll call on Assembly Bill No. 444:

YEAS—42.

NAYS—None.

Assembly Bill No. 444 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 484.

Bill read third time.

Remarks by Assemblyman Rader.

Roll call on Assembly Bill No. 484:

YEAS—42.

NAYS—None.

Assembly Bill No. 484 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 546.

Bill read third time.

Remarks by Assemblyman Price.

Roll call on Assembly Bill No. 546:

YEAS—42.

NAYS—None.

Assembly Bill No. 546 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 564.

Bill read third time.

Remarks by Assemblyman Beyer.

Roll call on Assembly Bill No. 564:

YEAS—42.

NAYS—None.

Assembly Bill No. 564 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 568.

Bill read third time.

Remarks by Assemblymen Kerns and Nicholas.

Roll call on Assembly Bill No. 568:

YEAS—42.

NAYS—None.

Assembly Bill No. 568 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 585.

Bill read third time.

Remarks by Assemblyman Schofield.

Roll call on Assembly Bill No. 585:

YEAS—39.

NAYS—Collins, Getto, Stone—3.

Assembly Bill No. 585 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 586.

Bill read third time.

Remarks by Assemblyman Lambert.

Roll call on Assembly Bill No. 586:

YEAS—42.

NAYS—None.

Assembly Bill No. 586 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 97.

Bill read third time.

Remarks by Assemblymen Price, Collins and Coffin.

Roll call on Senate Bill No. 97:

YEAS—38.

NAYS—Coffin, Collins, Getto, Mr. Speaker—4.

Senate Bill No. 97 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 140.

Bill read third time.

Remarks by Assemblymen Rader, Nicholas and Dini.

Assemblyman Getto moved that Senate Bill No. 140 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblymen Getto, Malone and Rader.

Motion lost.

Remarks by Assemblymen Rader, Dini, Thompson and McGaughey.

Roll call on Senate Bill No. 140:

YEAS—37.

NAYS—Collins, Dini, Getto, Jeffrey, Thompson—5.

Senate Bill No. 140 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 201.

Bill read third time.

Remarks by Assemblymen Nevin, Collins and Stone.

Roll call on Senate Bill No. 201:

YEAS—41.

NAYS—Spriggs.

Senate Bill No. 201 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 208.

Bill read third time.

Remarks by Assemblyman Arberry.

Roll call on Senate Bill No. 208:

YEAS—38.

NAYS—Nicholas, Spriggs, Thomas—3.

Not voting—Bogaert.

Senate Bill No. 208 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 211.

Bill read third time.

Remarks by Assemblyman Stone.

Roll call on Senate Bill No. 211:

YEAS—40.

NAYS—Jeffrey, Thompson—2.

Senate Bill No. 211 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 234.

Bill read third time.

Remarks by Assemblyman Banner.

Roll call on Senate Bill No. 234:

YEAS—42.

NAYS—None.

Senate Bill No. 234 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 211.

Bill read third time.

The following amendment was proposed by Assemblyman Humke:

Amendment No. 797.

Amend sec. 3, page 2, line 1, by deleting "*1.*".

Amend sec. 3, page 2, by deleting lines 5 through 7.

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. 222.

Bill read third time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 784.

Amend sec. 9, page 2, line 24, by deleting "*5*" and inserting "*4*".

Amend sec. 9, page 2, line 37, by deleting "*5*" and inserting "*4*".

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 Malone moved that Assembly Bill No. 390 be taken from the Second Reading File and placed on the Second Reading File for the next legislative day.

Motion carried.

By the Committee on Natural Resources, Agriculture and Mining:

Assembly Joint Resolution No. 25—Urging the Congress of the United States to impose controls on the importation of minerals and mineral products.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bills Nos. 209, 238, 481; Senate Bills Nos. 117, 154, 192; Senate Joint Resolution No. 2.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Fairchild, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Rita Roberts and Doris E. Perket.

On request of Assemblyman Horne, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Jan Horne, Joan Barney and Ferril Barney.

On request of Assemblyman Bogaert, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Ida Shapiro, Denise Leone and students from the Vaughn Middle School: Antonio Mendoza, Doris Lemus, Carlos Lopez, Rosa Hernandez, Grisilda Aguilar, Arturo Garzon, Julio Maldonado, Evelyn Morales, Sandra Valle, Virginia Bonilla, Tu Nguyen, Reynaldo Sevilla, Norma Garcia, Larizza Santos, Mike La, Liliana Gutierrez, Maria Monyon, Maria Rios, Veronica Lucas, Minh Su, Steve Wang, Andy Hsu, Leonor Jauco, Romeo Orpeada and Steve Finau.

On request of Assemblyman Getto, the privilege of the floor of the Assembly Chamber for this day was extended to Valerie Alipio, Valerie Powell, Davyonnae Allen, Jerry Elkins, Mark Young, Wayne Karo, Kristin Hutchens, Sandi Troutman, Holly Wlylie, Raylene Austin, Lorel Colgins, Jason Fisher and Pat Heck.

On request of Assemblyman Craddock, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Debi Langston and Mr. Damon Breshears.

Assemblyman Francis moved that the Assembly adjourn until Friday, May 10, 1985 at 10 a.m.

Motion carried.

Assembly adjourned at 12:34 p.m.

Approved:

BYRON L. BILYEU
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE ONE HUNDRED AND TENTH DAY

CARSON CITY (Friday), May 10, 1985

Assembly called to order at 10:11 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, The Reverend Terry Arnold.

Jesus once said, "This is my commandment, that you love one another, just as I have loved you." With that in mind, let us pray. Our Heavenly Father, help us demonstrate our love as affection for our families, esteem for our colleagues, and concern for our public. We pray these things in the name of our Lord and Saviour, Jesus Christ. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Francis 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 Education, to which was referred Assembly Joint Resolution No. 21, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

ERIK BEYER, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Education, 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.

ERIK BEYER, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which was referred Assembly Bill No. 515, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN MARVEL, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Government Affairs, to which was referred Assembly Bill No. 169, 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.

LOUIS W. BERGEVIN, *Chairman*

Mr. Speaker:

Your Committee on Labor and Management, to which was referred Assembly 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.

BARBARA ZIMMER, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 9, 1985

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 122, 222, 300, 308, 450, 512.

Also, I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bill No. 204, 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. 29.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Bills Nos. 417, 425.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 144, 244, 322.

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. 181.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Joint Resolution No. 29.

MARY JO MONGELLI
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 10:15 a.m.

ASSEMBLY IN SESSION

At 10:22 a.m.

Mr. Speaker presiding.

Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Concurrent Committee on Ways and Means, to which was referred Assembly Bill No. 433, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass, as amended.

JOHN MARVEL, *Chairman*

Mr. Speaker:

Your Committee on Education, to which were referred Assembly Bills Nos. 63, 501, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ERIK BEYER, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Marvel moved that Assembly Bill No. 433 be placed on the General File.

Motion carried.

Assemblyman Bergevin moved that Assembly Bill No. 169 be placed on the Second Reading File.

Remarks by Assemblyman Bergevin.

Motion carried.

Assemblyman DuBois moved that Assembly Bill No. 374 be placed on the General File.

Motion carried.

Assemblyman Beyer moved that Assembly Bills Nos. 501 and 63 be placed on the Second Reading File.

Motion carried.

Assemblyman Dini moved that Senate Bill No. 65 be taken from the Chief Clerk's desk and placed on the General File.

Motion carried.

Senate Joint Resolution No. 29.

Resolution read first time.

INTRODUCTION AND FIRST READING OF LEGISLATION

By the Committee on Ways and Means:

Assembly Bill No. 660—An Act making appropriations to the commission on economic development for certain local projects; and providing other matters properly relating thereto.

By the Committee on Ways and Means:

Assembly Bill No. 661—An Act relating to making appropriations to increase retroactively the salaries of employees in the classified service of the state; and providing other matters properly relating thereto.

By the Committee on Ways and Means:

Assembly Bill No. 662—An Act making an appropriation from the state distributive school fund to the school districts in this state to increase salaries retroactively; and providing other matters properly relating thereto.

By the Committee on Ways and Means:

Assembly Bill No. 663—An Act making appropriations to increase retroactively the salaries of the employees of the University of Nevada System; and providing other matters properly relating thereto.

By the Committee on Education:

Assembly Bill No. 664—An Act relating to public schools; requiring that instructional material be available for inspection by certain persons before it is used; prohibiting psychiatric or psychological testing of a pupil without prior consent of that pupil or his parents or guardian; and providing other matters properly relating thereto.

By the Committee on Economic Development and Tourism:

Assembly Bill No. 665—An Act making an appropriation to the University of Nevada System for the establishment and operation of centers for the development of small businesses; and providing other matters properly relating thereto.

Senate Bill No. 144.

Bill read first time.

Senate Bill No. 244.
Bill read first time.

Senate Bill No. 322.
Bill read first time.

Senate Bill No. 417.
Bill read first time.

Senate Bill No. 425.
Bill read first time.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Judiciary, 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: Do pass.

JAMES STONE, *Chairman*

Mr. Speaker:

Your Committee on Natural Resources, Agriculture and Mining, 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: Do pass, and re-refer to the Committee on Ways and Means.

VIRGIL M. GETTO, *Chairman*

Mr. Speaker:

Your Committee on Natural Resources, Agriculture and Mining, to which were referred Assembly Bills Nos. 387, 403; Senate Bills Nos. 92, 93; Senate Joint Resolution No. 20, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

VIRGIL M. GETTO, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Zimmer moved that Assembly Bill No. 377 be placed on the Second Reading File.

Remarks by Assemblyman Zimmer.

Motion carried.

REFERENCE OF MEASURES TO COMMITTEES

Assembly Bill No. 652.

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

Motion carried.

Assembly Bill No. 653.

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

Motion carried.

Assembly Bill No. 654.

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

Motion carried.

Assembly Bill No. 655.

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

Motion carried.

Assembly Bill No. 656.

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

Motion carried.

Assembly Bill No. 657.

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

Motion carried.

Assembly Bill No. 658.

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

Motion carried.

Assembly Bill No. 659.

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

Motion carried.

Assembly Joint Resolution No. 25.

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

Motion carried.

Assembly Concurrent Resolution No. 30.

Assemblyman Francis moved that the resolution be referred to the Committee on Economic Development and Tourism.

Motion carried.

Assembly Concurrent Resolution No. 31.

Assemblyman Francis moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

Senate Bill No. 371.

Assemblyman Francis moved that the resolution be referred to the Committee on Ways and Means.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 142.

Bill read second time.

The following amendment was proposed by the Committee on Labor and Management:

Amendment No. 792.

Amend the bill as a whole by deleting sections 1 through 3 and adding a new section designated section 1, following the enacting clause, to read as follows:

"Section 1. NRS 612.380 is hereby amended to read as follows:

612.380 1. Except as provided in subsection 2, a person is ineligible for benefits for the week in which he has voluntarily left his last or next to last employment:

(a) Without good cause [,] *or for reasons not related to the conditions of his employment,* if so found by the executive director, and until he earns remuneration in covered employment equal to or exceeding his weekly benefit amount in each of 10 weeks.

(b) To seek better employment and for all subsequent weeks until he secures better employment or until he earns remuneration in covered employment equal to or exceeding his weekly benefit amount in each of 10 weeks, if so found by the executive director.

2. A person is not ineligible for benefits solely because he left employment which was not suitable to enter training approved pursuant to 19 U.S.C. § 2296.

3. As used in subsection 2, employment is "suitable" if the work is of a substantially equal or higher level of skill than the person's past adversely affected employment, and the wages are not less than 80 percent of his average weekly wage at his past adversely affected employment.".

Amend the title of the bill to read as follows:

"An Act relating to unemployment compensation; denying benefits to a person who leaves work for any reason not related to the conditions of his employment; and providing other matters properly relating thereto.".

Amend the summary of the bill to read as follows: "Denies unemployment benefits to person who leaves work for reason unrelated to conditions of employment. (BDR 53-708)".

Assemblyman Zimmer moved the adoption of the amendment.

Remarks by Assemblyman Zimmer.

Amendment adopted.

Assemblyman Zimmer moved that Assembly Bill No. 142 be re-referred to the Committee on Labor and Management.

Motion carried.

Bill ordered reprinted, engrossed and to the Committee on Labor and Management.

Assembly Bill No. 338.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 795.

Amend section 1, page 1, line 8, by deleting the period and inserting: "*or a law of any other jurisdiction which prohibits the same conduct.*".

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. 390.

Bill read second time.

The following amendment was proposed by the Committee on Transportation:

Amendment No. 821.

Amend section 1, page 2, line 12, by deleting the open bracket.

Amend section 1, page 2, line 13, by deleting the closed bracket.

Amend section 1, page 2, line 25, after "154", by inserting: "] *If the national maximum speed limit is set by the Federal Government at less than 70 miles per hour, a violation of that speed limit,*".

Amend section 1, page 2, line 29, by deleting the closed bracket.

Amend section 1, page 2, line 45, by deleting the brackets and "*7.*".

Amend section 1, page 3, line 3, by deleting the brackets and "*8.*".

Amend section 1, page 3, line 6, by deleting the brackets and "*9.*".

Amend section 1, page 3, line 8, by deleting the brackets and "*10.*".

Amend sec. 2, page 3, line 28, by deleting "[4." and inserting "4. [".

Amend sec. 2, page 3, line 29, after the closed bracket by inserting: "*A rate of speed greater than the maximum speed limit set by the Federal Government if that limit is greater than 60 miles per hour.*".

Amend sec. 3, page 3, line 39, by deleting: "[speed-control signs,] *signs to control speed,*" and inserting: "signs to control speed,".

Amend sec. 3, page 3, by deleting lines 42 through 45.

Amend sec. 3, page 3, by deleting line 46 and inserting:

"*3. The department shall conduct a study of traffic and determine which highways and roads in this state may be safely traveled at speeds up to 70 miles per hour. Unless a national maximum speed limit is set by the Federal Government at a speed greater than 60 miles per hour, the department shall establish a speed limit not higher than*".

Amend the bill as a whole by deleting sections 4 through 9 and inserting new sections designated sections 4 through 8, following section 3, to read as follows:

"Sec. 4. NRS 484.474 is hereby amended to read as follows:

484.474 1. Except as otherwise provided in subsection 5, any person who is transporting a child [:

(a) Under] *who is under* 5 years of age *and who weighs less than 40 pounds* in [the front seat of] a motor vehicle registered in this state *which is equipped to carry passengers* shall secure him in a device for restraining a child which has been approved by the United States Department of Transportation.

[(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.]

2. Any person who violates the provisions of subsection 1 shall be punished by a fine of not less than $35 nor more than $100 unless, within 14 days after the issuance of the citation for such a violation, the person presents to the court specified in the citation proof of his purchase or rental of such a restraining device. Upon presentation of such proof, the court shall void the citation.

3. For the purposes of NRS 483.470, a violation of this section is not a moving traffic violation.

4. A violation of this section may not be considered:

(a) Negligence in any civil action; or

(b) Negligence or reckless driving for the purposes of NRS 484.377.

5. This section does not apply:

(a) To a person who is transporting a child in a means of public transportation, including a taxi, school bus or emergency vehicle . [, or in a rented vehicle.]

(b) When a physician determines that the use of such a restraining device [or safety belt] for the particular child would be impractical or dangerous because of such factors as the child's weight, physical unfitness or medical condition. In this case, the person transporting the child shall carry in the vehicle the signed statement of the physician to that effect.

[(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 3 years of age; and

(3) All unrestrained children under 5 years of age are in the rear seat of the motor vehicle.]

Sec. 5. NRS 484.641 is hereby amended to read as follows:

484.641 1. It is unlawful to drive a passenger car manufactured after *:*

(a) January 1, 1968, on a highway unless it is equipped with at least two lap-type safety belt assemblies for use in the front [seat positions.

2. It is unlawful to drive a passenger car manufactured after] *seating positions.*

(b) January 1, 1970, on a highway, unless it is equipped with a lap-type safety belt assembly for each permanent [passenger-seating position.] *seating position for passengers.* This requirement [shall] *does* not apply to the rear seats of vehicles operated by a police department or sheriff's office.

[3. It is unlawful to drive a passenger car manufactured after]

(c) January 1, 1970, unless it is equipped with at least two shoulder-harness-type safety belt assemblies for use in the front seating positions.

2. Any person driving and any passenger 5 years of age or older who rides in the front seat of any vehicle described in subsection 1, having an unladen weight of less than 6,000 pounds, on any highway, road or street in this state shall wear a safety belt if one is available for his seating position.

3. A citation must be issued to any driver or to any adult passenger who fails to wear a safety belt as required by subsection 2. If the passenger is a child 5 years of age or older but under 18 years, a citation must be issued to the driver for his failure to require that child to wear the safety belt, but if both the driver and that child are not wearing safety belts, only one citation may be issued to the driver for both violations. A citation may be issued pursuant to this subsection only if the violation is discovered when the vehicle is halted or its driver arrested for another alleged violation or offense. Any person who violates the provisions of subsection 2 shall be punished by a fine of not more than $25 or by a sentence to perform a certain number of hours of work for the community. A violation of subsection 2 is not a moving traffic violation under NRS 483.470 and may not be considered as negligence in any civil action or as negligent or reckless driving under NRS 484.377.

4. The department of motor vehicles shall except such types of motor vehicles or seating positions from the requirements of [this section] *subsection 1* when compliance would be impractical.

5. *The provisions of subsections 2 and 3 do not apply:*

(a) To a driver or passenger who possesses a written statement by a physician certifying that he is unable to wear a safety belt for medical or physical reasons;

(b) If the vehicle is not required by federal law to be equipped with safety belts;

(c) To an employee of the United States Postal Service while delivering mail in the rural areas of this state;

(d) If the vehicle is stopping frequently, the speed of that vehicle does not exceed 15 miles per hour between stops and the driver or passenger is frequently leaving the vehicle or delivering property from the vehicle; or

(e) To a passenger riding in a means of public transportation, including a taxi, school bus or emergency vehicle.

6. It is unlawful for any person to distribute, have for sale, offer for sale or sell any safety belt or shoulder harness assembly for use in a motor vehicle unless it meets current minimum standards and specifications of the United States Department of Transportation.

Sec. 6. NRS 176.059 is hereby amended to read as follows:

176.059 1. When a defendant pleads or is found guilty of a misdemeanor, including the violation of any municipal ordinance, except one regulating metered parking [,] *or a violation of NRS 484.362,* 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 court 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. 7. The director of the department of motor vehicles shall study the safety of the maximum speed limit and the effectiveness of the use of safety belts and shall submit a report of his findings to the legislature at the beginning of the 64th session.

Sec. 8. 1. Sections 1, 2 and 6 of this act become effective on July 1, 1986, but if, before that date, the Federal Government authorizes a maximum speed limit greater than 60 miles per hour, those sections become effective on the date that limit takes effect.

2. Section 3 of this act becomes effective on July 1, 1986, but if, before that date, the Federal Government authorizes a maximum speed limit greater than 60 miles per hour, that section becomes effective on the date that limit takes effect or at 12:01 a.m. on July 1, 1985, whichever is later.

3. If the Federal Government withholds money from this state that it would have received but for the provisions of this act, sections 1, 2, 3 and 6 of this act expire by limitation on the date that the money is actually withheld.

4. If Nevada is authorized by the Federal Government to impose a maximum speed limit of or greater than 70 miles per hour, section 5 of this act becomes effective on July 1, 1986, or on the date of that authorization, whichever is earlier. If that section takes effect, it expires by limitation on July 2, 1989.

5. This section and sections 4 and 7 of this act become effective on July 1, 1985.".

Amend the title of the act to read as follows:

"An Act relating to motor vehicles; authorizing certain changes to provisions of law governing the maximum speed limit; increasing the maximum speed limit to 70 miles per hour under certain conditions; requiring conditionally, the use of safety belts by certain persons in certain vehicles; and providing other matters properly relating thereto.".

Amend the summary of the act to read as follows: "Authorizes certain changes concerning maximum speed limit and requires safety belts to be used under certain conditions. (BDR 43-1136)".

Assemblyman Thomas moved the adoption of the amendment.

Remarks by Assemblymen Thomas, Swain and Malone.

Amendment adopted.

Assemblyman Malone moved that Assembly Bill No. 390 be returned to the Concurrent Committee on Transportation.

Motion carried.

Bill ordered reprinted, engrossed and to the Concurrent Committee on Transportation.

Assembly Bill No. 443.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 791.

Amend section 1, page 1, line 2, by deleting "[shall] *must*" and inserting "must".

Amend section 1, page 1, line 5, by deleting "[trial.] *hearing.*" and inserting "hearing.".

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. 479.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 783.

Amend the bill as a whole by deleting sections 1 through 3 and inserting:

"Section 1. NRS 484.383 is hereby amended to read as follows:

484.383 1. Except as provided in subsections 4 and 5, any person who drives or is in actual physical control of a vehicle on a highway or on premises to which the public has access shall be deemed to have given his consent to an evidentiary test of his blood, urine, breath or other bodily substance for the purpose of determining the alcoholic content of his blood or the presence of a controlled substance when such a test is administered at the direction of a police officer having reasonable grounds to believe that the

person to be tested was driving or in actual physical control of a vehicle while under the influence of intoxicating liquor or a controlled substance.

2. The person to be tested must be informed that his failure to submit to the test will result in the revocation of his privilege to drive a vehicle.

3. Any person who is dead, unconscious, or otherwise in a condition rendering him incapable of refusal shall be deemed not to have withdrawn his consent, and any such test may be administered whether or not the person is informed that his failure to submit to the test will result in the revocation of his privilege to drive a vehicle. *The police officer may direct that a sample of blood be drawn at the scene of the incident from a person who is unconscious or otherwise incapable of refusal, if it does not affect any emergency medical treatment which is being rendered to him.*

4. Any person who is afflicted with hemophilia or with a heart condition requiring the use of an anticoagulant as determined by a physician is exempt from any blood test which may be required pursuant to this section.

5. Where the alcoholic content of the blood of the person to be tested is in issue, he may refuse to submit to a blood test if means are reasonably available to perform a breath or urine test, and may refuse to submit to a blood or urine test if means are reasonably available to perform a breath test. If the person requests a blood or urine test and the means are reasonably available to perform a breath test, and he is subsequently convicted, he must pay for the cost of the substituted test, including the fees and expenses of witnesses in court.

6. Where the presence of a controlled substance in the blood of the person is in issue, the officer may direct him to submit to a blood or urine test, or both, in addition to the breath test. The officer shall inform him that his failure to submit to either or both of the blood and urine tests, as required, will result in the revocation of his privilege to drive a vehicle. A failure to submit to either or both of these tests constitutes a failure to submit to one test under this section.

7. If a person to be tested fails to submit to a required test as directed by a police officer under this section, 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] *:*

(a) Thereby caused death or substantial bodily harm to another [, the] *; or*

(b) Has twice been convicted of violating NRS 484.379 or 484.3795 or a law of any other jurisdiction which prohibits the same conduct,

the officer may direct that reasonable force be used to the extent necessary to obtain a sample of blood from the person to be tested.

Sec. 2. NRS 50.325 is hereby amended to read as follows:

50.325 1. Whenever a person is charged with an offense punishable 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, the prosecuting attorney may request that the affidavit of an expert or other person described in NRS 50.315 be admitted in evidence at the trial or hearing concerning the offense.

2. The request must be made at least 10 days before the date set for the trial or hearing and must be sent to the defendant's counsel , *if his identity is known to the prosecuting attorney,* and to the defendant, by registered or certified mail by the prosecuting attorney.

3. If the defendant or his counsel notifies the prosecuting attorney by registered or certified mail at least 96 hours before the date set for the trial or 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 at the trial or hearing.

4. If at the trial or hearing the affidavit of an expert or other person has been admitted in evidence, and it appears to be in the interest of justice that the expert or other person be examined or cross-examined in person, the judge, justice of the peace or hearing officer may adjourn the trial or hearing for a period of not to exceed 3 judicial days [for the purpose of receiving] *to receive* such testimony. The time within which a preliminary examination or trial is required is extended by the time of the adjournment.".

Amend the title of the bill by deleting the second and third lines and inserting: "substance; making various changes regarding the administration of blood tests and the affidavits of experts;".

Amend the summary of the bill by deleting the first and second lines and inserting: "Makes various changes regarding prosecution of persons who drive under influence of intoxicating liquor or controlled substances.".

Assemblyman Sader moved the adoption of the amendment.

Remarks by Assemblymen Sader, Collins, Kerns and Joerg.

Amendment adopted.

Assemblyman Sader moved that Assembly Bill No. 479 be re-referred to the Committee on Judiciary.

Motion carried.

Bill ordered reprinted, engrossed and to the Committee on Judiciary.

Assembly Bill No. 480.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 774.

Amend section 1, page 1, line 3, by deleting "*For*" and inserting:

"*1. Except as otherwise provided in subsection 2, for*".

Amend section 1, page 1, line 6, by deleting "*1.*" and inserting "*(a)*".

Amend section 1, page 1, line 7, by deleting "2." and inserting "*(b)*".

Amend section 1, page 1, by inserting after line 9:

"2. *If the person willfully fails to provide the second such consecutive*

sample, the results of the first test may be used alone as evidence of the percentage of alcohol in the person's blood. If for some other reason a second sample is not obtained, the results of the first test may be used with all other evidence presented to establish the percentage.

3. A willful failure to provide a second consecutive sample is a failure to submit to a required evidentiary test.".

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. 488.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 499.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 785.

Amend section 1, page 2, by deleting lines 12 and 13 and inserting:

"*(b) When the child reaches 18 years of age if he is no longer enrolled in high school, otherwise, when he reaches 19 years of age.*".

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. 542.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 780.

Amend sec. 2, page 1, line 12, by deleting: ", *specify the date for completion of any project or portion thereof*".

Amend sec. 2, page 2, by inserting between lines 9 and 10:

"*4. The provisions of NRS 278.350, 278.360 and 278A.510 do not apply if an agreement entered into pursuant to this section contains provisions which are contrary to the respective sections.*".

Amend sec. 3, page 2, by deleting lines 10 through 14.

Amend sec. 3, page 2, line 15, by deleting "*2.*" and inserting: "Sec. 3. *1.*".

Amend sec. 3, page 2, line 18, by deleting: "*3. Within 10 days*" and inserting: "*2. Within a reasonable time*".

Amend sec. 3, page 2, line 19, by deleting: "*file a copy of the agreement*" and inserting: "*cause the original agreement to be filed*".

Amend sec. 4, page 2, line 34, before "*amendment*" by inserting: "*original of the*".

Amend sec. 4, page 2, line 35, by deleting "*who shall*" and inserting a period.

Amend sec. 4, page 2, by deleting lines 36 and 37.

Amend sec. 6, page 3, line 25, by deleting "*drainage, traffic*" and inserting: "*local drainage, local traffic*".

Amend the bill as a whole by adding new sections designated sections 7 through 9, following section 6, to read as follows:

"Sec. 7. NRS 278.350 is hereby amended to read as follows:

278.350 *Unless a longer time is provided pursuant to section 2 of this act:*

1. The time limit for acting and reporting on a tentative or final map may be extended by mutual consent of the subdivider and the governing body or planning commission, as the case may be.

2. If no action is taken within the time limits set forth in NRS 278.010 to 278.630, inclusive, a tentative map as filed shall be deemed to be approved, and the clerk of the governing body shall certify [such approval.] *the map as approved.*

Sec. 8. NRS 278.360 is hereby amended to read as follows:

278.360 *Unless a longer time is provided pursuant to section 2 of this act:*

1. Unless the time is extended, the subdivider shall present to the governing body a final map, prepared in accordance with the tentative map, for the entire area for which a tentative map has been approved, or one of a series of final maps, each covering a portion of the approved tentative map, within 1 year or within successive 1-year periods after the date of approval of the tentative map by the governing body.

2. If the subdivider fails to record a final map for any portion of the tentative map within 1 year after the date of approval of the tentative map by the governing body, or within 1 year after the date of approval by the governing body of the most recently recorded final map, all proceedings concerning the subdivision are terminated.

3. The governing body may grant an extension of not more than 1 year for the presentation of any final map after the 1-year period for presenting the entire final map or next successive final map has expired.

Sec. 9. NRS 278A.510 is hereby amended to read as follows:

278A.510 [If] *Unless the time is specified pursuant to section 2 of this act, if* a plan is granted tentative approval, with or without conditions, the city or county shall set forth, in the minute action, the time within which an application for final approval of the plan [shall] *must* be filed or, in the case of a plan which provides for development over a period of years, the periods [of time] within which application for final approval of each part thereof [shall] *must* be filed.".

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. 561.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 569.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 591.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 609.

Bill read second time, ordered engrossed and to third reading.

Assembly Joint Resolution No. 23.

Resolution read second time, ordered engrossed and to third reading.

Senate Bill No. 107.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 760.

Amend sec. 6, page 2, line 10, by deleting "*1.*" and inserting "1.".

Amend sec. 6, page 2, line 11, by deleting "[must give" and inserting "shall [give".

Amend sec. 6, page 2, line 15, by deleting "statute.] *shall:*" and inserting: "statute.

2. In its charge to the grand jury, the court shall inform them] :".

Amend sec. 6, page 2, by inserting between lines 23 and 24:

"*(d) Inform the grand jurors* that the failure of a person to exercise his right to testify as provided in section 3 of chapter 134, Statutes of Nevada 1985, must not be considered in their decision of whether or not to return an indictment.".

Amend sec. 7, page 2, line 29, after "172.195" by inserting "1.".

Amend sec. 7, page 2, by inserting between lines 32 and 33:

"2. The grand jury shall orally inform any witness so subpenaed of the general nature of the grand jury's inquiry before the witness testifies. Such a statement must be included in the transcript of the proceedings.".

Amend sec. 12, page 4, line 4, by deleting "30,000" and inserting "[30,000] *100,000*".

Amend the bill as a whole by renumbering sections 13 and 14 as sections 14 and 15 and adding a new section designated section 13, following section 12, to read as follows:

"Sec. 13. NRS 6.120 is hereby amended to read as follows:

6.120 1. In any county having a population of less than [30,000,] *100,000,* 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.

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 bill as a whole by adding a new section designated section 16, following section 14, to read as follows:

''Sec. 16. Sections 6 and 7 of this act become effective at 12:01 a.m. on July 1, 1985.''.

Amend the title of the bill, fourth line, after ''circumstances;'' by inserting: ''removing the requirement that certain counties summon a grand jury;''.

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. 221.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 787.

Amend section 1, page 1, line 13, by deleting ''*possible*''.

Amend section 1, page 1, line 16, after ''ings'', by inserting: ''*, except the amount representing the reasonable rental value of the premises as determined by the court, which were*''.

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. 169.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 802.

Amend the bill as a whole by deleting sections 11 through 14 and inserting:

"Secs. 11 through 13. (Deleted by amendment.)

Sec. 14. *1. The board shall adopt uniform regulations for the control of drainage, in accordance with the master plan, from land which is developed after the regulations become effective. The regulations may include provisions for the granting of a variance by the board upon application and showing of conditions peculiar to certain land which justify the variance.*

2. On and after July 1, 1987, a county or city is not eligible to receive money, from the regional fund for the control of floods, for the acquisition of a project or improvement unless it has incorporated these regulations in its ordinances governing the subdivision of land, parcel maps, and division of land into large parcels. The county or city is then responsible for their enforcement, but the county or any city may bring an action against any of the others to compel enforcement in the latter's territory.

3. The board may also require as a condition of granting money to a county or city that the recipient comply with uniform policies established by the board for the operation and maintenance of a project or improvement.".

Amend the bill as a whole by adding a new section designated section 14.5, following section 14, to read as follows:

"Sec. 14.5. NRS 543.170 is hereby amended to read as follows:

543.170 [1. It is hereby declared as a matter of legislative determination that the organization of districts having the purposes, powers, rights, privileges and immunities provided in NRS 543.160 to 543.830, inclusive, will serve a public use and will promote the health, safety, prosperity, security and general welfare of the inhabitants thereof and of the State of Nevada; that the acquisition, improvement, maintenance and operation of any project authorized in NRS 543.160 to 543.830, inclusive, is in the public interest and constitutes a part of the established and permanent policy of the State of Nevada; and that each district organized pursuant to the provisions of NRS 543.160 to 543.830, inclusive, shall be a body corporate and politic and a quasi-municipal corporation. For the accomplishment of these purposes the provisions of NRS 543.160 to 543.830, inclusive, shall be broadly construed.

2. It is hereby further declared as a matter of legislative determination

that the notice provided for in NRS 543.160 to 543.830, inclusive, for each hearing and action to be taken is reasonably calculated to inform the parties of all proceedings which may directly and adversely affect their legally protected interest.

3. Nothing in NRS 543.160 to 543.830, inclusive, shall be construed to interfere with or conflict with or limit the functions and responsibilities of:

(a) The health division of the department of human resources as provided by law.

(b) The state engineer as provided by law, and in case of conflict between the provisions of NRS 543.160 to 543.830, inclusive, and such other law, the provisions of such other law shall prevail.]

The legislature finds and declares that:

1. Facilities to alleviate flooding in any district, whether located in a city, an unincorporated town or another unincorporated area of the county, benefit all the residents and owners of property in the district.

2. These facilities provide protection for life and property throughout the district, and usually require planning and development throughout a drainage basin.".

Amend sec. 16, page 4, by deleting lines 31 through 38 and inserting:

"Sec. 16. NRS 543.240 is hereby amended to read as follows:

543.240 [A] *1. In any county whose population is 250,000 or more, the entire county constitutes the district.*

2. In any other county, a district may:

[1.] *(a)* Consist of one contiguous area or of two or more noncontiguous areas.

[2.] *(b)* Include all or part of municipal corporations and other political subdivisions.".

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. NRS 543.250 is hereby amended to read as follows:

543.250 1. [The] *In any county whose population is less than 250,000 the* board of county commissioners [of any county is hereby vested with jurisdiction, power and authority to] *may* create districts.

2. No member of a board of county commissioners or board of directors [shall be] *is* disqualified to perform any duty imposed by NRS 543.160 to 543.830, inclusive, by reason of ownership of property within any proposed district.

3. A district so created may include territory within another *such* county, with the consent of the board of county commissioners of [such] *the* other county.".

Amend sec. 17, pages 4 and 5, by deleting lines 44 and 45 on page 4 and lines 1 through 20 on page 5 and inserting:

"2. *If the district coincides with a county in which a regional transportation commission has been created pursuant to chapter 373 of NRS, the members of that commission constitute the board of directors of the district.*".

Amend sec. 19, page 6, by deleting lines 7 through 10 and inserting: "*tutes* a quorum at any meeting.

4. The board shall adopt written policies and procedures for administering the district and for operating and maintaining its projects and improvements.".

Amend sec. 20, page 6, by deleting lines 11 through 14 and inserting:

"Sec. 20. NRS 543.360 is hereby amended to read as follows:

543.360 The board may:

1. [Acquire,] *By the affirmative vote of two-thirds of its members, acquire,* construct, improve, extend, maintain and operate projects [, improvements and facilities] *and improvements* for the control of flood and storm waters of the district and the flood and storm waters of streams which have their sources outside of the district [, but which streams and the flood waters thereof] *but* flow into the district. *After July 1, 1986, no project or improvement may be acquired unless it is included in the master plan. A project or improvement must not be acquired unless it is first approved by an agreement among the county and all the cities all or part of whose territory is included in the district which specifically identifies it, contains an estimate of its cost, and shows its relation to the master plan.*

2. Conserve such waters for beneficial and useful purposes by spreading, storing, retaining and causing [such waters] *them* to percolate into the soil within or without the district.

3. Save and conserve in any manner all or any of such waters and protect from [such] floods or storm waters the watercourses, watersheds, public highways, life and property in the district.

4. Prevent waste of water or diminution of the water supply in, or the exportation of water from, the district.

5. Obtain, retain and reclaim drainage, storm, flood and other waters for beneficial use of the district.".

Amend sec. 21, page 6, line 20 after "*retention*", by inserting "*or detention*".

Amend sec. 21, page 6, by deleting line 27 and inserting: "lands for [reservoirs for storage of necessary] *basins for retention or detention of* water, and all necessary".

Amend sec. 21, page 6, by deleting line 37 and inserting:

"4. [To acquire] *Acquire* the right to [store water in any reservoir,] *retain or detain water in any basin,*".

Amend sec. 21, page 6, by deleting lines 41 through 43 and inserting: "of any water or the right to store such water in any reservoir of the district, or to carry such water through any tunnel, canal, ditch or conduit] *use any facility* of the district.".

Amend sec. 21, page 7, by deleting lines 1 through 3 and inserting: "the performance of any agreement of the district of any kind with a [public or private corporation, association, firm or individual, or any number of them,] *person, a governmental organization,* or the transfer or delivery [to any such".

Amend sec. 22, pages 7 and 8, by deleting lines 26 through 46 on page 7 and lines 1, 2 and 3 on page 8 and inserting: "of NRS [.

(b) To hire and retain agents, employees, servants, engineers and attorneys, and any other persons necessary or desirable to effect the purposes of NRS 543.160 to 543.830, inclusive.

(c) To prescribe] *and must be selected from among three nominees proposed by a committee of private citizens. The county and each city all or part of whose territory is included in the district shall appoint one member to the committee.*

(b) Prescribe the duties of officers, agents, employees and servants, and fix their compensation.

(c) Create a technical committee for the district. If the board of county commissioners constitutes the board of directors, the technical committee must consist of one member and one alternate appointed by the county and by each city within the district. If the regional transportation commission constitutes the board of directors, the number of members and alternates appointed respectively by the county and by each city must be equal to the number of its representatives on the commission. The committee shall annually choose one of its members as chairman. The chief engineer and general manager has no vote in the committee but shall serve as its executive secretary.

2. [All county officers, including the] *The chief engineer and general manager may hire and retain agents, employees, servants, engineers and attorneys, and any other persons necessary or desirable to effect the purposes of the district.*

3. The district attorney, the county surveyor, [the county engineer,] the county assessor, the county auditor [and the county clerk,] *or comptroller, the county treasurer,* their deputies, assistants, clerks and other employees [, shall act as] *are* ex officio officers, deputies, assistants, clerks and employees of the district. They shall, [unless otherwise ordered] *if requested* by the board , [of county commissioners,] perform the same various duties for the district as for the county. *The board must reimburse the county for the cost of rendering these services.*".

Amend sec. 23, page 8, line 9 after "*retention*", by inserting "*or detention*".

Amend the bill as a whole by adding a new section designated section 23.5, following section 23, to read as follows:

"Sec. 23.5. NRS 543.580 is hereby amended to read as follows:

543.580 1. The chief engineer and general manager [shall have the authority, with the approval of the state department of conservation and natural resources, to] *may* investigate carefully the best plan or plans:

(a) To control the [flood and storm waters] *floodwaters* of the district and the [flood and storm waters] *floodwaters* of streams that have their sources outside of the district [, but which stream and flood waters thereof] *but* flow into the district; [and]

(b) To conserve such waters for beneficial and useful purposes by spreading, storing, retaining, or causing to percolate into the soil within or without the district, or to save or conserve in any manner, any or all of such waters; and

(c) To protect the watercourses, watersheds, public highways, life and property in the district from damage from such water,

and to obtain such other information in regard thereto as may be deemed necessary or useful in carrying out the purposes of NRS 543.160 to 543.830, inclusive.

2. The chief engineer and general manager shall make and file reports from time to time with the board, which [reports shall] *must* show:

(a) A general description of the work to be done on each project or work of [improvements.] *improvement.*

(b) General plans, profiles, cross sections and other general specifications of the work to be done on each project or work of improvement.

(c) A general description of the lands, rights of way, easements and property proposed to be taken, acquired or injured in the carrying out of [such] *that* work.

(d) An estimate of the cost of each project or [works of improvements] *work of improvement* including:

(1) An estimate of the costs of lands, rights of way, easements and property proposed to be taken, acquired or injured in carrying out [such] *the* project or work of improvement.

(2) An estimate of all incidental expenses likely to be incurred in connection therewith, including legal, clerical, engineering, superintendence, inspection, printing and advertising, and stating the total amount of bonds, if any, necessary to be issued to pay for [the same.] *it.*

(3) A comparison of the total cost of the proposed works with an estimate of the cost of condemnation and relocation or replacement of property within the boundaries of the flood plain.

3. The chief engineer and general manager shall, from time to time, as directed by the board, file with the board supplementary, amendatory and additional reports and recommendations as necessity and convenience may require.

4. The chief engineer and general manager may, subject to the control and direction of the board, employ [such] other engineers, surveyors and other persons required for making all surveys and doing any work necessary for the making of the reports.''.

Amend sec. 24, page 8, by deleting lines 27 and 28 and inserting ''543.590''.

Amend sec. 24, pages 8 and 9, by deleting lines 44 through 46 on page 8 and lines 1 through 3 on page 9 and inserting:

''(f) *A map showing the hydrographic areas to be used by the district for planning and acquisition of projects and improvements.*

(g) Such other facts and information as the board may request.

2. [Before submission to the board, the report shall be submitted to the health division of the department of human resources for review of any portions concerning water pollution and shall then be submitted to the state department of conservation and natural resources for revision and comment and returned to the board.] In the".

Amend sec. 24, page 9, by deleting lines 18 through 23 and inserting:

"3. The chief engineer for the district shall then prepare *for each hydrographic area* a [comprehensive program of flood control,] *master plan for the control of floods which must set forth the most effective structural and regulatory means for correcting existing problems of flooding within the area and dealing with the probable effects of future development,* taking into consideration the recommendations submitted in the report. *In preparing the master plan, he shall incorporate insofar as possible the planning completed or undertaken by the county, each city all or part of whose territory is included in the area, and any private engineer or developer for any part of the area. The master plan may include as separate elements the immediate needs, indicating their relative priority, and other future needs.*

4. When a [comprehensive program,]".

Amend sec. 24, page 9, line 31, by inserting "*tentative*" before "*master*".

Amend sec. 24, page 9, by deleting lines 34 and 35 and inserting:

"*5. The county and each city all or part of whose territory is included within each hydrographic area shall then hold a public hearing to consider adopting the tentative master plan as a component of its master plan pursuant to chapter 278 of NRS. The master plan or its parts for that hydrographic area do not become final until adopted by the county and each city.*

6. As used in this section, "hydrographic area" means the drainage basin of a stream and its tributaries, together with any other stream or body of water to which that stream is tributary.".

Amend the bill as a whole by adding new sections designated sections 24.3 and 24.6, following section 24, to read as follows:

"Sec. 24.3. NRS 543.600 is hereby amended to read as follows:

543.600 [The board shall have power and authority to levy and collect general (ad valorem) taxes on and against all taxable property within the district, such levy and collection to be made by the board in conjunction with the county and its officers as set forth in NRS 543.160 to 543.830, inclusive.] *1. In a county whose population is 250,000 or more, the board of county commissioners shall hold public hearings before deciding which one or combination of the powers set forth in this section is to be used to provide revenue for the support of the district. The method selected must be approved, in an election held throughout the district, by a majority of the voters voting on the question.*

2. The board of county commissioners may levy and collect taxes ad

valorem upon all taxable property in the county. This levy is not subject to the limitations imposed by NRS 354.59805 to 354.5987, inclusive.

3. The board of county commissioners may impose a tax of not more than 0.25 percent on retail sales and the storage, use or other consumption of tangible personal property in the county. The ordinance imposing this tax must conform, except as to amount, to the requirements of chapter 377 of NRS and the tax must be paid as provided in that chapter.

4. In any other county, the board of county commissioners may only levy taxes ad valorem upon all taxable property in the district.

5. In any county, the board of directors may use any other money, including federal revenue sharing, that is made available to the district.

Sec. 24.6. NRS 543.650 is hereby amended to read as follows:

543.650 *1. The proceeds of all taxes and charges levied or imposed for the support of the district and all other revenues received for its account from any source must be deposited in the regional fund for the control of floods. No money may be drawn from the fund except for the use of the district.*

2. Whenever any indebtedness has been incurred by a district, [it shall be lawful for the board to] *the board may also* levy taxes and collect revenue for the purpose of creating a reserve fund in such amount as the board may determine, which may be used to meet the obligations of the district, for maintenance and operating charges and depreciation, and *to* provide extension of and betterments to the improvements of the district.".

Amend sec. 25, page 9, line 37, by deleting "*An*" and inserting: "*In a county whose population is less than 250,000 an*".

Amend sec. 25, pages 10 and 11, by deleting lines 40 through 44 on page 10 and lines 1 through 5 on page 11 and inserting: "file for record a certified copy of its ordinance making [such] *the* change, [as] *in the manner* provided in NRS 543.300.".

Amend sec. 26, page 11, line 7, by deleting "The" and inserting: "[The] *In a county whose population is less than 250,000 the*".

Amend sec. 26, page 11, by deleting lines 30 through 39 and inserting: "the board shall make an order to that effect, and file [the same] *it* for record [as] *in the manner* provided in NRS 543.300.".

Amend sec. 28, page 13, line 3 after "hearing", by inserting: "*preliminary to the adoption of an ordinance.*".

Amend the bill as a whole by deleting sections 29 through 32 and renumbering section 33 as section 29.

Amend sec. 33, page 14, line 15, by deleting "543.170, 543.230,".

Amend the bill as a whole by adding new sections designated sections 30 and 31, following section 33, to read as follows:

"Sec. 30. 1. In Clark County the board of county commissioners and the governing body of each city shall appoint its representatives to the committee for nomination of a chief engineer and general manager of the Clark County Regional Flood Control District within 60 days after the effective date of this act.

2. The board of directors shall estimate the amount of money needed to support the district during the fiscal years beginning on and after July 1, 1987, by February 1, 1986. The board of county commissioners shall hold its hearings, decide upon the source of revenue for that support, and conduct the required election by May 15, 1986.

3. The tax or charge first imposed as the result of this selection must be made effective on July 1, 1987. For the fiscal years 1985-1986 there is hereby levied a tax ad valorem of 2 cents on each $100 of assessed valuation on all taxable property in the county for the support of the district.

Sec. 31. There is hereby created a committee of members of the legislature to oversee the effectuation of this act in Clark County. The legislative commision shall appoint to the committee a suitable number of the legislators elected from that county. The members of the committee shall lend their good offices to promote cooperation among the local governments involved, and shall report their observations to the 64th session of the legislature.".

Amend sec. 34, page 14, by deleting lines 17 through 21 and inserting:

"Sec. 32. 1. This act becomes effective upon passage and approval.

2. Section 31 of this act expires by limitation except for the required report, upon the adoption of the master plan in Clark County.".

Assemblyman Bergevin moved the adoption of the amendment.

Remarks by Assemblyman Bergevin.

Amendment adopted.

Assemblyman Bergevin moved that Assembly Bill No. 169 be returned to the Concurrent Committee on Government Affairs.

Motion carried.

Bill ordered reprinted, engrossed and to the Concurrent Committee on Government Affairs.

Assembly Bill No. 501.

Bill read second time.

The following amendment was proposed by the Committee on Education:

Amendment No. 820.

Amend section 1, page 1, by deleting lines 3 through 6 and inserting:

"*1. The board of trustees of a school district shall not allow a child to be permanently enrolled in any school in the district until the parent or guardian of the child furnishes a birth certificate or other document suitable as proof of the child's identity and, if applicable, a copy of the child's records from the school he most recently attended.*

2. If the parent or guardian fails to furnish the identifying document or records required by subsection 1 within 30 days after the child is conditionally enrolled, the principal or superintendent shall notify the local law enforcement agency and request a determination as to whether the child has been reported as missing.".

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 392.120 is hereby amended to read as follows:

392.120 [1.] Any parent, guardian or other person who [makes] *:*

1. Makes a false statement concerning the age or [school attendance] *attendance at school; or*

2. Presents a false document or record,

of a child under 17 years of age who is under his control or charge, the false statement being made with intent to deceive under NRS 392.040 to 392.120, inclusive, [or under] NRS 392.130 to 392.220, inclusive, [shall be] *or section 1 of this act is* guilty of a misdemeanor.

[2. Any teacher, principal or superintendent of any public school is authorized to require the parent or guardian of any pupil enrolled in his school to furnish a birth certificate or other satisfactory evidence of the age of the pupil.]

Sec. 3. Chapter 394 of NRS is hereby amended by adding thereto a new section to read as follows:

1. A private elementary or secondary school in this state shall not permanently admit any child until the parent or guardian of the child furnishes a birth certificate or other document suitable as proof of the child's identity and, if applicable, a copy of the child's records from the school he most recently attended.

2. If the parent or guardian fails to furnish the identifying document or records required by subsection 1 within 30 days after the child is conditionally enrolled, the principal or other person in charge of the school shall notify the local law enforcement agency and request a determination as to whether the child has been reported as missing.

3. Any parent, guardian or other person who presents a false document or record regarding a child under 17 years of age who is under his control or charge is guilty of a misdemeanor if the false statement was made with the intent to violate this section.".

Amend the title of the bill, second line, after "district;" by inserting "providing penalties;".

Assemblyman Swain moved the adoption of the amendment.

Remarks by Assemblyman Swain.

Amendment adopted.

Assemblyman Swain moved that Assembly Bill No. 501 be re-referred to the Committee on Education.

Motion carried.

Bill ordered reprinted, engrossed and to the Committee on Education.

Assembly Bill No. 63.

Bill read second time.

The following amendment was proposed by the Committee on Education:

Amendment No. 782.

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 392 of NRS is hereby amended by adding thereto a new section to read as follows:

"*It is unlawful for an employer to:*

1. Fail to inform an employee immediately of the receipt of a telephone call or related message from an officer of an elementary school attended by the employee's child relating to the child's health or attendance in school or an emergency; or

2. Dismiss an employee solely because he receives one or more such telephone calls or messages from his child's school.".

Amend section 1, page 1, line 8, after "*officer*", by inserting: "*of an elementary school*".

Amend section 1, page 1, line 10, by deleting: "*within 1 hour*".

Amend the title of the bill, second line, after "child;", by inserting: "prohibiting employers from failing to inform employees of related messages from their children's schools;".

Assemblyman Swain moved the adoption of the amendment.

Remarks by Assemblyman Swain.

Amendment adopted.

Assemblyman Swain moved that Assembly Bill No. 63 be re-referred to the Committee on Education.

Motion carried.

Bill ordered reprinted, engrossed and to the Committee on Education.

Assembly Bill No. 377.

Bill read second time.

The following amendment was proposed by the Committee on Labor and Management:

Amendment No. 790.

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, following the enacting clause, to read as follows:

"Section 1. NRS 338.010 is hereby amended to read as follows:

338.010 As used in this chapter:

1. "Day labor" [means] *is performed in* all cases where public bodies, their officers, agents or employees, hire, supervise and pay the wages thereof directly to a workman or workmen employed by them on public works by the day and not under a contract in writing.

2. "Public body" means the state, county, city, town, school district or any public agency of this state or its political subdivisions sponsoring or financing a public work.

3. "Public work" means any project for the new construction, repair or reconstruction of public buildings, public highways, public roads, public streets and alleys, public utilities paid for in whole or in part by public funds, publicly owned water mains and sewers, public parks and playgrounds, and all other publicly owned works and property whose cost as a whole exceeds [$20,000.] *$200,000.* 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.

4. "Wages" means:

(a) The basic hourly rate of pay; and

(b) The amount of pension, health and welfare, vacation and holiday pay, the cost of apprenticeship training or other similar programs, or other bona fide fringe benefits which are a benefit to the workman.

5. "Workman" means a skilled mechanic, skilled workman, semiskilled mechanic, semiskilled workman or unskilled workman.".

Amend section 1, page 1, lines 8 and 9, by deleting "county, city [, town or district] *or town* of" and inserting: "county [, city, town or district in] *of*".

Amend sec. 2, page 2, by deleting line 6 and inserting: "the labor commissioner the [general] prevailing wage in the [locality] *county* in".

Amend sec. 2, page 2, line 8, by inserting after the period: "*The labor commissioner shall survey all contractors annually to ascertain the wages paid in each county on contracts whose amount is $100,000 or more. The prevailing wage for any class of workers in a county is:*

(a) Any single wage which is paid to a majority of the workers of that class in that county; or

(b) If there is no such single wage, then the average of all wages paid to workers of that class in that county.".

Amend sec. 2, page 2, by deleting lines 12 through 17 and inserting:

"*(a) He is in doubt as to the prevailing wage; or*

(b) Any public body or any person entitled under subsection 4 to be heard submits an objection to the labor commissioner, within 30 days after his determination, with evidence to substantiate that a different wage prevails.".

Amend sec. 2, page 2, line 21, after the closed bracket by inserting: "*any public body,*".

Amend sec. 2, page 2, by deleting line 25 and inserting: "sioner shall determine the [general prevailing rate of per diem] *prevailing* wage.".

Amend sec. 2, page 2, line 30, by deleting "locality" and inserting "[locality] *county*".

Amend sec. 2 page 2, line 34, by placing brackets around "now or hereafter".

Amend sec. 2, page 2, by deleting lines 38 and 39.

Assemblyman Zimmer moved the adoption of the amendment.

Remarks by Assemblyman Zimmer.

Amendment adopted.

Bill ordered reprinted, 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 11:04 a.m.

ASSEMBLY IN SESSION

At 11:12 a.m.

Mr. Speaker presiding.

Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Judiciary, to which was re-referred Assembly Bill No. 447, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JAMES STONE, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 10, 1985

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. 38.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Senate Concurrent Resolution No. 38.

Assemblyman Francis moved the adoption of the resolution.

Remarks by Assemblyman Thomas.

Resolution adopted.

Assemblyman Getto moved that Assembly Bill No. 549 be re-referred to the Committee on Ways and Means.

Motion carried.

INTRODUCTION AND FIRST READING OF LEGISLATION

By the Committee on Taxation:

Assembly Bill No. 666—An Act relating to libraries; requiring that certain counties levy an additional tax on property for the support of public libraries; requiring the levy of a state tax on property for the support of public libraries; requiring the Nevada council on libraries to distribute the proceeds of the state imposed tax; and providing other matters properly relating thereto.

GENERAL FILE AND THIRD READING

Assembly Bill No. 229.

Bill read third time.

Remarks by Assemblymen DuBois, Bogaert, Stone, Sader, Swain, Schofield and Williams.

Roll call on Assembly Bill No. 229:

YEAS—42.

NAYS—None.

Assembly Bill No. 229 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 401.
Bill read third time.
Remarks by Assemblyman Williams.
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. 437.
Bill read third time.
Remarks by Assemblyman Nevin.
Roll call on Assembly Bill No. 437:
YEAS—42.
NAYS—None.

Assembly Bill No. 437 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 495.
Bill read third time.
Remarks by Assemblymen Bogaert, DuBois, Sedway, Rader, Beyer, Humke, Craddock, Horne and Sader.
Assemblyman Sader moved that Assembly Bill No. 495 be taken from the General File and placed on the Chief Clerk's desk.
Motion carried.

Assembly Bill No. 518.
Bill read third time.
Remarks by Assemblyman Bogaert.
Roll call on Assembly Bill No. 518:
YEAS—42.
NAYS—None.

Assembly Bill No. 518 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 Stone.
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, 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 12:09 p.m.

ASSEMBLY IN SESSION

At 12:18 p.m.
Mr. Speaker presiding.
Quorum present.

GENERAL FILE AND THIRD READING

Assembly Bill No. 587.
Bill read third time.
Remarks by Assemblyman McGaughey.
Roll call on Assembly Bill No. 587:
YEAS—42.
NAYS—None.

Assembly Bill No. 587 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 589.
Bill read third time.
Remarks by Assemblyman Bergevin.
Roll call on Assembly Bill No. 589:
YEAS—41.
NAYS—None.
Not voting—Nicholas.

Assembly Bill No. 589 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 624.
Bill read third time.
Remarks by Assemblymen Humke, Coffin, Bogaert, Thomas, Dini, Nicholas, Schofield and Marvel.
Assemblymen Kerns, Roberts and Humke moved the previous question.
Motion carried.
The question being on the passage of Assembly Bill No. 624.
Roll call on Assembly Bill No. 624:
YEAS—35.
NAYS—Coffin, Jeffrey, Nevin, Sedway, Swain, Williams—6.
Not voting—Malone.

Assembly Bill No. 624 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 8.
Bill read third time.
Remarks by Assemblymen Stone and Nicholas.
Assemblyman Nicholas moved that Senate Bill No. 8 be taken from the General File and placed on the Chief Clerk's desk.
Motion carried.

Senate Bill No. 22.
Bill read third time.
Remarks by Assemblyman Thomas.
Roll call on Senate Bill No. 22:
YEAS—42.
NAYS—None.

Senate Bill No. 22 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 29.
Bill read third time.
Remarks by Assemblyman Sedway.
Roll call on Senate Bill No. 29:
YEAS—38.
NAYS—Humke, Roberts, Stone, Swain—4.

Senate Bill No. 29 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 55.
Bill read third time.
Remarks by Assemblymen Bogaert and Nicholas.
Roll call on Senate Bill No. 55:
YEAS—42.
NAYS—None.

Senate Bill No. 55 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 Assemblymen Swain and Rader.
Roll call on Senate Bill No. 241:
YEAS—42.
NAYS—None.

Senate Bill No. 241 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 Craddock.
Roll call on Senate Bill No. 273:
YEAS—42.
NAYS—None.

Senate Bill No. 273 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 Nicholas.
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, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 374.
Bill read third time.
Remarks by Assemblymen DuBois, Jeffrey, Francis, Thompson, Zimmer and Dini.
Assemblymen Stone, Joerg and Zimmer moved the previous question.
Motion carried.
The question being on the passage of Assembly Bill No. 374.
Conflict of interest declared by Assemblyman Coffin.
Roll call on Assembly Bill No. 374:
YEAS—28.
NAYS—Arberry, Bogaert, Collins, Craddock, Jeffrey, Nevin, Price, Sader, Spriggs, Stone, Swain, Thompson, Williams—13.
Not voting—Coffin.

Assembly Bill No. 374 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Senate Bill No. 65.
Bill read third time.
Remarks by Assemblyman Bergevin.
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.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 204.

The following Senate amendment was read:

Amendment No. 576.

Amend section 1, page 1, by inserting after line 14:

"*4. The director shall adopt such regulations as he deems necessary to carry out the purposes of this section.*".

Assemblyman Nevin moved that the Assembly concur in the Senate amendment to Assembly Bill No. 204.

Remarks by Assemblyman Nevin.

Motion carried.

Bill ordered enrolled.

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Senate Bills Nos. 181, 290; Senate Concurrent Resolutions Nos. 36, 37.

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 Mesdames Dakin, Fullerton and students from E.C. Best Junior High School: Von Alberts, Jose Beruman, John Boyle, Lori Chapman, Cece Cumbow, Lujuana Diaz, Arlene Ferguson, Richard Heatly, Angie Jeppsen, Martin Keeney, Jonathan Manning, John O'Connor, Myron Pahe, Valerie Paddy, Joanne Perruquet, Eric Sablan, Donna Sanders, Cecilia Beruman, Doug Bradley, Maria Cervantes, Brandy Downs, Stephanie Griffin, Lindo Ilumin, Huston Littlefair, Shane Mathisen, Ace Stiving, Kim Stone, Brian Taylor, Keith Turpin and Rob Wallin.

On request of Assemblyman Lambert, the privilege of the floor of the Assembly Chamber for this day was extended to students from UNR: Dave Geiser, Deirdre Will, Ann Xiao, Mayumi Yasumoto, Ibrahim Saneh, Eugenia Hoenick, Noriko Kojina, Kyoko Yamada, Hiroko Kinugawa, Magali Vosgeru, Herbert Zing and MoFong Au. Additional guests were students from the Sierra Nevada Job Corps: Edward Bryant, Lucy Cartagena, Gloria Conyers, Debbie Eye, Marlene Gomez, Tara Heilman, Tina Jackson, Sam Lee, Roberto Mendez, Crystal McGraw, Leon Tucker, Travis Sheill, Della Smith, Garland Thomas, Ross Cain, Fernando Zaragoza, Kim Ly, Tuyen Truong, Criselda Ribledo, Lorena Lopez, Chandara Ang, Alfredo Garcia, Halefa Gebrehiwet, Ngor Ha, Miguel Avila, Saba Besrat, Truc Nguyen, Kim Nguyen, Lan Mao, Tuy Oum, Leunkham Sipaseuth, Duc Tran, Cat Troung, Bunpeov Vin, Son Tran and Faraga Ibrahim.

On request of Assemblyman Swain, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Ruth Eicher, Mr. Carl Eicher, Ms. Karen Denio, Gloria Denio and Elena Denio.

On request of Assemblyman Kerns, the privilege of the floor of the Assembly Chamber for this day was extended to students from the Anderson Elementary School: Ann Barlow, Stacey Cavakis, Christina Chinn, Amanda Foster, Mark Goopodnetick, Nick Holbert, Jennifer Iveson, Matt Kelly, David Mashaur, Michael McDonald, Brien McKensie, Jeremy Metzker, Katrina O'Brien, Matt Reynolds, Amelea Risovich, Scott Rossi, Katy Solaro, Yolanda Torres, Monica Wall, Robin Walsh, Jackie Wilson, Kara Tetzlaff, Alecia Mayville, Jamee Dawson and Deanna Purinton.

Assemblyman Francis moved that the Assembly adjourn until Monday, May 13, 1985 at 11 a.m.

Motion carried.

Assembly adjourned at 1:34 p.m.

Approved:

BYRON L. BILYEU
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE ONE HUNDRED AND THIRTEENTH DAY

CARSON CITY (Monday), May 13, 1985

Assembly called to order at 11:01 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, Father Samuel H. Caldwell.

Almighty God, our Heavenly Father, send down upon those who hold office in this State of Nevada, especially the Assemblymen and Assemblywomen here gathered, the spirit of wisdom, charity and justice. That with steadfast purpose they may faithfully serve in their office to promote the well-being of all people in our state, in your Holy Name we ask. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Francis 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, Agriculture and Mining, to which was referred Assembly Bill No. 107, 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.

VIRGIL M. GETTO, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Assembly Bill No. 332, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

LOUIS W. BERGEVIN, *Chairman*

Mr. Speaker:

Your Committee on Elections, 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.

JANE HAM, *Chairman*

Mr. Speaker:

Your Committee on Labor and Management, to which was referred Assembly 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.

BARBARA ZIMMER, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which were referred Senate Bills Nos. 168,

176, 271, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN MARVEL, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Ways and Means, to which was referred Assembly Bill No. 133, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass, as amended.

JOHN MARVEL, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which was re-referred Senate 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.

JOHN MARVEL, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which was referred Assembly Bill No. 593, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN MARVEL, *Chairman*

Mr. Speaker:

Your Committee on Transportation, to which were referred Assembly Bills Nos. 492, 566, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

MIKE MALONE, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 10, 1985

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. 22.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Bills Nos. 418, 419, 440.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 233, 263.

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. 204.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Joint Resolution No. 24.

Also, I have the honor to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 35.

MARY JO MONGELLI
Assistant Secretary of the Senate

SENATE CHAMBER, Carson City, May 11, 1985

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 217, 282, 413, 468.

Also, I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bills Nos. 13, 111, 202, 290, 360, 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. 33 and requests a conference, and appointed Senators Bilbray, Hickey 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 Senate Bills Nos. 356, 434, 437, 441, 460.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 4, 137, 139, 202, 243, 285, 335, 353, 358, 363, 376.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Joint Resolutions 33, 36.

MARY JO MONGELLI
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 11:07 a.m.

Mr. Speaker pro Tempore presiding.

Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Stone moved that Assembly Bill No. 507 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Stone.

Motion carried.

By the Committee on Health and Welfare:

Assembly Joint Resolution No. 26—Urging the Congress of the United States to create a commission to study the causes and means for prevention of suicide among youth.

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 11:08 a.m.

ASSEMBLY IN SESSION

At 11:09 a.m.

Mr. Speaker presiding.

Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

By the Committee on Judiciary:

Assembly Concurrent Resolution No. 32—Directing the legislative commission to study the establishment of a state lottery.

By the Committee on Judiciary:

Assembly Concurrent Resolution No. 33—Directing the legislative commission to study bail and alternative forms of release pending trial in criminal cases.

Senate Joint Resolution No. 24.
Resolution read first time.

Senate Joint Resolution No. 33.
Resolution read first time.

Senate Joint Resolution No. 36.
Resolution read first time.

Senate Concurrent Resolution No. 35.
Resolution read.

INTRODUCTION AND FIRST READING OF LEGISLATION

Senate Bill No. 4.
Bill read first time.

Senate Bill No. 137.
Bill read first time.

Senate Bill No. 139.
Bill read first time.

Senate Bill No. 202.
Bill read first time.

Senate Bill No. 233.
Bill read first time.

Senate Bill No. 243.
Bill read first time.

Senate Bill No. 263.
Bill read first time.

Senate Bill No. 285.
Bill read first time.

Senate Bill No. 335.
Bill read first time.

Senate Bill No. 353.
Bill read first time.

Senate Bill No. 356.
Bill read first time.

Senate Bill No. 358.
Bill read first time.

Senate Bill No. 363.
Bill read first time.

Senate Bill No. 376.
Bill read first time.

Senate Bill No. 418.
Bill read first time.

Senate Bill No. 419.
Bill read first time.

Senate Bill No. 434.
Bill read first time.

Senate Bill No. 437.
Bill read first time.

Senate Bill No. 440.
Bill read first time.

Senate Bill No. 441.
Bill read first time.

Senate Bill No. 460.
Bill read first time.

REFERENCE OF MEASURES TO COMMITTEES

Assembly Bill No. 660.
Assemblyman Francis moved that the bill be referred to the Committee on Ways and Means.
Motion carried.

Assembly Bill No. 661.
Assemblyman Francis moved that the bill be referred to the Committee on Ways and Means.
Motion carried.

Assembly Bill No. 662.
Assemblyman Francis moved that the bill be referred to the Committee on Ways and Means.
Motion carried.

Assembly Bill No. 663.
Assemblyman Francis moved that the bill be referred to the Committee on Ways and Means.
Motion carried.

Assembly Bill No. 664.
Assemblyman Francis moved that the bill be referred to the Committee on Education.
Motion carried.

Assembly Bill No. 665.
Assemblyman Francis moved that the bill be referred to the Concurrent Committees on Economic Development and Tourism and Ways and Means.
Motion carried.

Assembly Bill No. 666.

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

Motion carried.

Senate Bill No. 144.

Assemblyman Francis moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 244.

Assemblyman Francis moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 322.

Assemblyman Francis moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

Senate Bill No. 417.

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

Motion carried.

Senate Bill No. 425.

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

Motion carried.

Senate Joint Resolution No. 29.

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

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 161.

Bill read second time.

The following amendment was proposed by the Committee on Education:

Amendment No. 773.

Amend the bill as a whole by deleting section 1 and renumbering section 2 as section 1.

Amend sec. 2, page 1, line 6, before "There" by inserting "1.".

Amend sec. 2, page 1, by inserting between lines 9 and 10:

"2. Except as otherwise provided in subsection 3, the money distributed pursuant to this section must be distributed in a ratio of $100 from this appropriation for the respective amount listed for each school district, in cash or in kind, obtained from private sources for the purchase of equipment for programs of vocational education:

School District	*Matching Amount Required*
Esmeralda	$5.00
Eureka	5.00
Lander	5.00
Lincoln	5.00
Mineral	5.00
Pershing	5.00
Storey	5.00
White Pine	5.00
Churchill	7.50
Humboldt	7.50
Lyon	7.50
Nye	7.50
Carson City	12.50
Douglas	12.50
Elko	12.50
Clark	20.00
Washoe	20.00

3. If the state board of education determines that a particular school district has attempted in good faith to raise the required amount of matching money and is unable to do so, the board may waive a portion of the required amount and distribute the money to the school district.''.

Amend the bill as a whole by adding a new section designated section 2, preceding section 3, to read as follows:

''Sec. 2. The department of education shall report to the 64th session of the legislature the amounts distributed pursuant to this act, the expenditures made therefrom and the benefits derived from the expenditures.''.

Amend sec. 3, page 1, line 10, by deleting: ''section and section 2 of this act become'' and inserting ''act becomes''.

Amend the title of the bill by deleting the first line and inserting:

''An Act making an appropriation to the department of education for distribution to county school districts for the purchase of equipment for programs of''.

Amend the summary of the bill by deleting ''appropriations'' and inserting ''appropriation''.

Assemblyman Beyer moved the adoption of the amendment.

Remarks by Assemblyman Beyer.

Amendment adopted.

Bill ordered reprinted, engrossed and to the Concurrent Committee on Ways and Means.

Assembly Bill No. 387.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 403.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 515.

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 sections 1 and 2 and inserting:

"Section 1. 1. There is hereby appropriated from the state general fund for the purposes set forth in sections 2 and 3 of this act the sum of $150,000.

2. Any remaining balance of the appropriation made by this section must not be committed for expenditure after June 30, 1987, and reverts to the state general fund as soon as all payments of money committed have been made.

Sec. 2. 1. This appropriation must be administered by the trustee of the Music Performance Trust Funds, 1501 Broadway, New York, N.Y., under the conditions imposed by this act. If the trustee declines to administer the appropriation, or fails before August 1, 1985, to signify his acceptance, this act expires by limitation and the money appropriated reverts immediately to the state general fund.

2. If the trustee signifies his acceptance in writing to the secretary of state and furnishes a copy of his acceptance to the state controller, money from the appropriation must be paid out on claims by the trustee as other claims against the state are paid.

3. The trustee may use no more than 10 percent, of the total money expended, for the payment of industrial insurance, unemployment compensation, federal taxes on employment and similar charges. In addition, he may expend money from this appropriation to pay his actual expenses of travel in administering the appropriation. Performances must be arranged throughout the state.

4. Employment of any performer or technician must comply with NRS 613.230 to 613.430, inclusive, and no reference to arrangement through a labor organization may be made with respect to any performance funded in whole or in part from this appropriation.".

Amend the bill as a whole by deleting sections 4 and 5 and printing section 3 in Roman type.

Amend sec. 3, page 1, by deleting lines 7 and 8 and inserting:

"Sec. 3. 1. The trustee may use money from the appropriation for local cultural activities to support concerts, operas and public dances:".

Amend sec. 3, page 1, by deleting lines 13 and 14 and inserting:

"2. The costs for which the trustee may expend money from the appropriation include the compensation of musicians, singers and nec-".

Amend sec. 3, pages 1 and 2, by deleting lines 17 and 18 on page 1 and lines 1 through 3 on page 2.

Amend the title of the bill to read:

"An Act making an appropriation for the support of musical performances in this state; and providing other matters properly relating thereto.".

Assemblyman Thomas moved the adoption of the amendment.
Remarks by Assemblymen Thomas and Price.
Amendment adopted.
Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 594.
Bill read second time, ordered engrossed and to third reading.

Assembly Joint Resolution No. 21.
Resolution read second time, ordered engrossed and to third reading.

Senate Bill No. 92.
Bill read second time and ordered to third reading.

Senate Bill No. 93.
Bill read second time and ordered to third reading.

Senate Joint Resolution No. 20.
Resolution read second time and ordered to third reading.

Assemblyman Francis moved that the Assembly recess subject to the call of the Chair.
Motion carried.

Assembly in recess at 11:35 a.m.

ASSEMBLY IN SESSION

At 11:46 a.m.
Mr. Speaker presiding.
Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Humke moved that Assembly Bill No. 211 be taken from the General File and placed on the Chief Clerk's desk.
Remarks by Assemblyman Humke.
Motion carried.

Assemblyman Francis moved that for the balance of the session all rules be suspended and that bills and resolutions be referred to committee on the day of introduction.
The motion, having received a two-thirds majority, Mr. Speaker declared it carried.

Assemblyman Bergevin moved that Assembly Bill No. 332 be placed on the Second Reading File.
Remarks by Assemblyman Bergevin.
Motion carried.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 202.
The following Senate amendment was read:

Amendment No. 453.

Amend sec. 3, page 2, by deleting lines 2 through 14 and inserting:

"5.050 1. Municipal courts have jurisdiction of civil actions or proceedings:

(a) For the violation of any ordinance of their respective cities.

(b) To prevent or abate a nuisance within the limits of their respective cities.

[(c) For the collection of any amounts due their respective cities in a proprietary capacity.]

2. The municipal courts have jurisdiction of all misdemeanors committed in violation of the ordinances of their respective cities.".

Amend sec. 3, page 2, line 35, by inserting an italicized comma after "*property*".

Assemblyman Stone moved that the Assembly concur in the Senate amendment to Assembly Bill No. 202.

Remarks by Assemblymen Stone and Dini.

Motion carried.

The following Senate amendment was read:

Amendment No. 687.

Amend sec. 2, page 1, line 16, by deleting "*Have*" and inserting: "*Except as otherwise provided in the charter of a city organized under a special charter, have*".

Amend sec. 11, page 4, by deleting lines 36 through 43 and inserting:

"Sec. 4.020 Municipal court: [Qualifications] *Residency requirement* of municipal judge; salary.

1. [The municipal court shall be presided over by a] *A* municipal judge [, who shall be:

(a) A] *must have been a* resident of the city for a continuous 3-year period immediately preceding his election.

[(b) A qualified elector.]

2. The salary of the municipal judge [shall] *must* be fixed by".

Amend sec. 13, page 5, by deleting lines 26 through 33 and inserting:

"Sec. 4.020 Municipal court: [Qualifications] *Residency requirement* of municipal judge; salary.

1. [The municipal court shall be presided over by a] *A* municipal judge [, who shall be:

(a) A] *must have been a* resident of the city for a continuous 2-year period immediately preceding his election.

[(b) A qualified elector of the city.]

2. If so required by an ordinance duly enacted, candidates".

Amend sec. 13, page 5, by deleting lines 36 and 37 and inserting:

"[provided in subsection 1.] *for office.*".

Amend sec. 13, page 5, line 38, by deleting "2." and inserting "3.".

Amend sec. 15, page 6, line 17, after "shall", by inserting: "] *A municipal judge must*".

Amend sec. 15, page 6, line 18, by deleting: "] *A municipal judge must be an*".

Amend sec. 15, page 6, line 20, by deleting the open bracket.

Amend sec. 15, page 6, line 21, before "(c)" by inserting an open bracket.

Assemblyman Stone moved that the Assembly concur in the Senate amendment to Assembly Bill No. 202.

Remarks by Assemblyman Stone.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 111.

The following Senate amendment was read:

Amendment No. 769.

Amend sec. 9, page 3, line 43, after the period, by inserting: "*The claimant or employer shall notify the insurer of a change of address.*".

Amend sec. 11, page 4, line 43, after the period, by inserting: "*The claimant, employer or insurer shall notify the hearing officer of a change of address.*".

Assemblyman Zimmer moved that the Assembly concur in the Senate amendment to Assembly Bill No. 111.

Remarks by Assemblymen Zimmer and Price.

Motion carried.

Bill ordered enrolled.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Ham moved that Assembly Bill No. 575 be placed on the Second Reading File.

Remarks by Assemblyman Ham.

Motion carried.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 360.

The following Senate amendment was read:

Amendment No. 747.

Amend the bill as a whole by deleting section 1 and renumbering sections 2 through 5 as sections 1 through 4.

Assemblyman Bergevin moved that the Assembly concur in the Senate amendment to Assembly Bill No. 360.

Remarks by Assemblyman Bergevin.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 290.

The following Senate amendment was read:

Amendment No. 721.

Amend section 1, page 1, line 3, by deleting "$300,000" and inserting "$200,000".

Assemblyman Marvel moved that the Assembly concur in the Senate amendment to Assembly Bill No. 290.

Remarks by Assemblyman Marvel.

Assemblyman Marvel withdrew his motion.

Assemblyman Getto moved that the Assembly do not concur in the Senate amendment to Assembly Bill No. 290.

Remarks by Assemblyman Getto.

Motion carried.

Bill ordered transmitted to the Senate.

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker appointed Assemblymen Williams, Ham and Arberry as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Assembly Bill No. 33.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Legislative Functions, to which was referred Assembly Bill No. 310, 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.

BRUCE R. BOGAERT, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Government Affairs, to which was referred Assembly Bill No. 346, 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.

LOUIS W. BERGEVIN, *Chairman*

Mr. Speaker:

Your Committee on Education, 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.

ERIK BEYER, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which were referred Assembly Bills Nos. 337, 496, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JAMES STONE, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Bogaert moved that Assembly Bill No. 310 be placed on the Second Reading File.

Remarks by Assemblyman Bogaert.

Motion carried.

By the Committee on Economic Development and Tourism:

Assembly Concurrent Resolution No. 34—Expressing appreciation to the Union Pacific Railroad for its gift to Nevada of track near Boulder City.

WHEREAS, The Union Pacific Railroad built the historic Boulder City Branch of the railroad from Las Vegas in 1930; and

WHEREAS, The Boulder City Branch provided all the freight service for the construction of Hoover Dam in the Black Canyon of the Colorado River; and

WHEREAS, Hoover Dam could not have been constructed without the availability of the Boulder City Branch; and

WHEREAS, The Union Pacific Railroad has announced that it will donate to Nevada the 12 miles of track from Henderson to Boulder City as part of the celebration of the 50th anniversary of the construction of Hoover Dam on September 30, 1985; and

WHEREAS, The gift of the track represents a substantial economic benefit to the state in connection with motion pictures, tourism and other historical and commercial uses; now, therefore, be it

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, THE SENATE CONCURRING, That the legislature, on behalf of the people of Nevada, hereby thanks the Union Pacific Railroad for its generous donation and extends its best wishes to the Union Pacific Railroad upon the occasion of the 50th anniversary of the construction of Hoover Dam; and be it further

RESOLVED, That the legislative counsel prepare and transmit a copy of this resolution to the president of the Union Pacific Railroad.

Assemblyman Rader moved the adoption of the resolution.

Remarks by Assemblyman Rader.

Assemblyman Jeffrey moved that Assembly Concurrent Resolution No. 34 be placed on the Chief Clerk's desk.

Motion carried.

INTRODUCTION AND FIRST READING OF LEGISLATION

By the Committee on Economic Development and Tourism:

Assembly Bill No. 667—An Act relating to economic development; creating a fund for investment in economic development; authorizing a credit against the license fee for gaming licensees who invest in the fund; and providing other matters properly relating thereto.

By the Committee on Economic Development and Tourism:

Assembly Bill No. 668—An Act relating to economic development; creating a fund for investment in advanced technology; creating a board to invest the money in the fund; authorizing a credit against the license fee for gaming licensees who invest in the fund; and providing other matters properly relating thereto.

SECOND READING AND AMENDMENT

Assembly Bill No. 332.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 828.

Amend the bill as a whole by deleting sections 1 and 2 and adding new

sections designated sections 1 and 2, following the enacting clause, to read as follows:

"Section 1. Chapter 268 of NRS is hereby amended by adding thereto a new section to read as follows:

In any municipal election, if at 5 p.m. on the last day for filing an affidavit or declaration of candidacy, there is only one candidate for nomination for any office, that candidate must be declared elected and no election need be held for that office.

Sec. 2. NRS 266.629 is hereby amended to read as follows:

266.629 1. A general city election must be held in each city of the third class on the 1st Tuesday after the 1st Monday in June of the first odd-numbered year after incorporation, and on the same day either every 2 years or every 4 years thereafter as determined by ordinance.

2. There must be one mayor and three councilmen for each city of the third class, and it must be determined by ordinance passed after incorporation or after July 1, 1969, whether the terms of office of the mayor and the councilmen are to be 2 or 4 years and if it is determined to have terms of 4 years, whether the terms of office are to be staggered. If it is determined by ordinance that the terms of office shall be staggered, the mayor and the three councilmen holding office on the date of the ordinance shall decide by lot among themselves which two of their offices expire at the general election which next follows the date of the ordinance, and thereafter the terms of office must be 4 years.

3. A candidate for any office to be voted for at the general city election shall file an affidavit of candidacy with the city clerk not less than 30 nor more than 40 days before the day of the general city election. The city clerk shall charge and collect from the candidate and the candidate shall pay to the city clerk, at the time of filing the affidavit of candidacy, a filing fee in an amount fixed by the city council by ordinance.

4. Candidates for mayor must be voted upon by the electors of the city at large. Candidates for councilmen must be voted upon by the electors of their respective wards to represent the wards in which they reside, or by the electors of the city at large to represent the wards in which they reside, in accordance with the provisions of this chapter.

[5. If at 5 p.m. on the last day for filing an affidavit of candidacy, there is only one candidate for nomination for any office, that candidate must be declared elected and no election need be held for that office.]".

Amend the title of the bill to read:

"An Act relating to cities; extending to all cities the provision that if there is but one candidate for any office no election need be held; and providing other matters properly relating thereto.".

Amend the summary of the bill to read: "Dispenses with municipal election for office sought by single candidate. (BDR 21-402)".

Assemblyman Bergevin moved the adoption of the amendment.

Remarks by Assemblyman Bergevin.

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Amendment 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 Elections:

Amendment No. 822.

Amend section 1, page 1, line 14, by deleting "*gender,*".

Amend section 1, page 2, by deleting lines 1 through 5 and inserting: "*information on magnetic tape shall, upon request of the county central committee of any political party, record for that central committee on magnetic tape supplied by it the list of registered voters and the information required in subsection 2.*".

Assemblyman Ham moved the adoption of the amendment.

Remarks by Assemblyman Ham.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Beyer moved that Assembly Bill No. 50 be placed on the Second Reading File.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 310.

Bill read second time.

The following amendment was proposed by the Committee on Legislative Functions:

Amendment No. 866.

Amend section 1, page 1, line 2, by deleting "1." and inserting: "[1.]".

Amend section 1, page 1, lines 15 and 16, by deleting: "*The report must indicate the name of each legislator on behalf of whom each expenditure is made.*".

Amend section 1, pages 1 and 2, by deleting line 19 on page 1 and lines 1 through 3 on page 2 and inserting:

"[(a) Entertainment;

(b)]

1. Entertainment;

2. Gifts and loans; and".

Amend section 1, page 2, line 4, by deleting "*(d)*" and inserting "[(c)] *3.*".

Amend section 1, page 2, line 7, before "2." by inserting an open bracket.

Amend section 1, page 2, line 9, after "month." by inserting a closed bracket.

Assemblyman Bogaert moved the adoption of the amendment.

Remarks by Assemblyman Bogaert.

Amendment adopted.

Assemblyman Bogaert moved that Assembly Bill No. 310 be re-referred to the Committee on Legislative Functions.

Motion carried.

Bill ordered reprinted, engrossed and to the Committee on Legislative Functions.

Assembly Bill No. 50.

Bill read second time.

The following amendment was proposed by the Committee on Education:

Amendment No. 855.

Amend sec. 2, page 1, line 10, after "*receives*", by deleting "*a*" and inserting "*an over-all*".

Amend sec. 2, page 1, line 13, after "*receives an*" and inserting "*over-all*".

Amend sec. 2, page 2, by deleting lines 1 through 4 and inserting: "*If the employee receives an over-all satisfactory evaluation for the 2 next consecutive years after receiving the unsatisfactory evaluation, he must again be employed by contract for 3 years. If the employee does not receive an over-all satisfactory evaluation before his contract expires, he has no right to reemployment and his service may be terminated according to the procedures set forth in NRS 391.315 to 391.3194. If the superintendent offers proof at the hearing that the employee has been evaluated pursuant to this subsection and has received over-all unsatisfactory evaluations for 3 different years within the immediately preceding 5 or fewer years, it must be presumed that the termination of his employment was justified. The employee may offer proof to rebut the presumption. If just cause is found, his employment may be terminated.*".

Amend sec. 2, page 2, line 9, after "2.", by inserting: "*An employee who receives an over-all unsatisfactory evaluation may request a supplemental evaluation for the next year which is conducted by another administrator in the school district selected by him and the superintendent. If the employee requests a supplemental evaluation during any series of consecutive unsatisfactory evaluations, the evaluation must be conducted by the same evaluator, if he is available. If a school district has five or fewer administrators, the supplemental evaluator may be an administrator from another school district in the state.*

3.".

Amend sec. 2, page 2, lines 11 and 12, by deleting: "*on the terms and conditions, if any, prescribed by the board.*" and inserting: "*under the provisions of this section.*".

Amend sec. 5, page 3, lines 9 and 10 by deleting: "] *a* policy which" and inserting: "policy which] *a policy for objective evaluations in narrative form. The policy must set forth a means according to which an employee's*

over-all performance may be determined to be satisfactory or unsatisfactory. The policy".

Amend sec. 5, page 3, by deleting line 23 and inserting: "(d) [May 1,] *April 15,*".

Amend sec. 5, page 3, line 28, after "4.", by inserting: "*Whenever an administrator charged with the evaluation of a probationary employee believes the employee will not be reemployed for the next school year, he shall bring the matter to the employee's attention in a written document which is separate from the evaluation no later than the third required evaluation. The notice must include the reasons for the potential decision not to reemploy or refer to the evaluation in which the reasons are stated. Such a notice is not required if the probationary employee has received a letter of admonition during the current school year.*

5.".

Amend sec. 5, page 3, line 30, by deleting "5." and inserting "[5.] *6.*".

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. NRS 391.3127 is hereby amended to read as follows:

391.3127 1. Each board , [of school trustees,] following consultation *with* and involvement of elected representatives of administrative personnel or their designated representatives, shall develop an objective [evaluation policy which may include self, student, administrative or peer evaluation] *policy for the objective evaluation of administrators in narrative form. The policy must set forth a means according to which an administrator's over-all performance may be determined to be satisfactory or unsatisfactory. The policy may include an evaluation by the administrator, superintendent, pupils or other administrators* or any combination thereof. A copy of the [evaluation] policy adopted by the board [of trustees] must be filed with the department . [of education.]

2. Each administrator must be evaluated in writing at least once a year.

3. Before a superintendent transfers or assigns an administrator to another administrative position as part of an administrative reorganization, if the transfer or reassignment is to a position of lower rank, responsibility or pay, he shall give written notice of the proposed transfer or assignment to the administrator at least 30 days before the date on which it is to be effective. The administrator may appeal the decision of the superintendent to the board by requesting a hearing in writing to the president of the board within 5 days after receiving the notice from the superintendent. The board shall hear the matter within 10 days after the president receives the request, and shall render its decision within 5 days after the hearing. The decision of the board is final.".

Amend sec. 6, page 3, line 41, by deleting "*postprobationary*".

Amend sec. 6, page 3, line 45, by deleting "Bring" and inserting: "[Bring] *Except as otherwise provided in subsection 2, bring*".

Amend sec. 6, page 4, line 5, after "Except as", by inserting "*otherwise*".

Amend sec. 6, page 4, line 7, by deleting "*postprobationary*".

Amend sec. 6, page 4, by deleting line 13 and inserting:

"2. *An administrator need not admonish an employee pursuant to paragraph (a) of subsection 1 if his employment will be terminated pursuant to paragraph (d) of subsection 1 of section 2 of this act or NRS 391.3197. If a probationary employee does not receive a notice pursuant to subsection 4 of NRS 391.3125 by the third evaluation, then he must receive an admonition before the decision is made not to reemploy him.*

3. A certificated employee [may be] *is* subject to".

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 391.314 is hereby amended to read as follows:

391.314 1. Whenever a superintendent has reason to believe that cause exists for the dismissal of a certificated employee and when he is of the opinion that the immediate suspension of the employee is necessary in the best interests of the children in the district, the superintendent may suspend the employee without notice and without a hearing. Notwithstanding the provisions of NRS 391.312, a superintendent may suspend a certificated employee who has been officially charged but not yet convicted of a felony or a crime involving moral turpitude or immorality. If the charge is dismissed or if the employee is found not guilty, he must be reinstated with backpay, plus interest, and normal seniority. The superintendent shall notify the employee in writing of the suspension.

2. Within 10 days after a suspension becomes effective, the superintendent shall begin proceedings pursuant to the provisions of NRS 391.312 to 391.3196, inclusive, to effect the employee's dismissal. The superintendent may recommend that an employee who has been charged with a felony or a crime involving immorality be dismissed for another ground set forth in NRS 391.312.

3. If sufficient grounds for dismissal do not exist, the employee [shall] *must* be reinstated with full compensation, plus interest.

4. A certificated employee who furnishes to the school district a bond or other security which is acceptable to the board as a guarantee that he will repay any amounts paid to him as salary during a period of suspension may continue to receive his salary from the time his suspension is effective until the decision of the board or the report of the hearing officer, if the report is final and binding. An employee who receives salary pursuant to this section shall repay it if he is dismissed or not reemployed as a result of a decision of the board or a report of a hearing officer.

5. A certificated employee who is convicted of a crime which requires registration as a sex offender pursuant to NRS 207.151 or convicted of an act forbidden by NRS 200.508, 201.190, 201.265 or 207.260 forfeits all rights of employment from the date of his arrest.

6. A certificated employee who is convicted of any crime and who is sentenced to and serves any sentence of imprisonment forfeits all rights of employment from the date of his arrest or the date on which his employment terminated, whichever is later.

7. A certificated employee who is charged with a felony or a crime involving immorality or moral turpitude and who waives his right to a speedy trial while suspended may receive no more than 12 months of backpay and seniority upon reinstatement if he is found not guilty or the charges are dismissed, unless proceedings have been begun to dismiss the employee upon one of the other grounds set forth in NRS 391.312.

8. A superintendent may discipline a certificated employee by suspending the employee [for up to 2 days] with loss of pay at any time after a [due process] hearing has been held [.] *which affords the due process provided for in this chapter.* The grounds for suspension are the same as the grounds contained in NRS 391.312. [The suspension provisions of this section may not be invoked] *An employee may be suspended* more than once during the employee's contract year [.] *, but the total number of days of suspension may not exceed 20 in 1 contract year. Unless circumstances require otherwise, the suspensions must be progressively longer.*".

Amend sec. 7, page 4, line 20, by deleting "*1*" and inserting "*2*".

Amend sec. 8, page 4, line 38, by deleting "1" and inserting "[1] *15*".

Amend sec. 8, page 5, line 8, by deleting "10 ," and inserting "[10] *25,*".

Amend sec. 8, page 5, line 16, by deleting the bracket and inserting "April 10]".

Amend sec. 8, page 5, line 17, by deleting "April 10" and inserting "*April 25*".

Amend sec. 9, pages 5 and 6, by deleting lines 30 through 45 on page 5 and lines 1 through 33 on page 6 and inserting:

"391.3197 1. A probationary employee is employed on an annual basis and has no right to employment after a probationary contract year.

2. If a probationary employee first began his employment after June 30, 1979, the board [of trustees] shall notify him in writing on or before April [1] *15* of the school year whether he is to be reemployed for the next school year. The employee shall advise the [school] board in writing on or before April [10] *25* of his acceptance of reemployment. *If a probationary employee is assigned to a school that operates all year, the board shall notify him in writing no later than 45 days before his last day of work under his contract whether he is to be reemployed for another year. He shall advise the board in writing within 10 days after the date of notification of his acceptance or rejection of reemployment for another year.* Failure to advise the [school] board of *his* acceptance of reemployment constitutes rejection of the contract.

3. A probationary employee who has received a notice of reemployment from the school district is entitled to be a postprobationary employee in the ensuing year of employment.

4. A school district which has not given notice of reemployment to a probationary employee may offer the employee a contract for a trial year. An employee who receives an offer of a contract for a trial year may request [that his performance during the trial year be evaluated by a person selected by him and his first evaluator.] *a supplemental evaluation during the trial year by another administrator in the school district selected by him and the superintendent. If a school district has five or fewer administrators, the supplemental evaluator may be an administrator from another school district in the state.*

5. If a probationary employee is notified that he will not be reemployed for the ensuing school year, his employment ends on the last day of the school year specified in his contract. The notice that he will not be reemployed must include a statement of the reasons for that decision.

6. If a probationary employee who is an administrator is not reemployed in that capacity, he may accept a contract as a teacher for the ensuing school year in writing on or before April [10.] *25.* If he fails to accept the contract as a teacher, he shall be deemed to have rejected the offer of a contract as a teacher.

7. [Any postprobationary employee of a Nevada school district who is employed by another school district shall serve the probationary period required by this section.

8.] Before dismissal, the probationary employee is entitled to a [due process] hearing before a hearing officer as set out in NRS 391.311 to 391.3196, inclusive.''.

Amend sec. 10, page 6, line 40, after ''without'', by inserting ''*first obtaining*''.

Amend sec. 10, page 6, line 42, after ''conduct.'', by inserting: ''*The board shall not unreasonably withhold its consent. Any administrator who willfully secures the signature on a statement of intent to accept employment of any teacher or other certificated employee who has notified the board of another school district in this state of his acceptance of employment is guilty of unprofessional conduct, unless the employee has first obtained the written consent of the board to which he has given notice of acceptance.*''.

Amend the title of the bill, first and second lines, by deleting: ''expanding the probationary period for teachers and administrators to 3 years;''.

Assemblyman Beyer moved the adoption of the amendment.

Remarks by Assemblyman Beyer.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

REFERENCE OF MEASURES TO COMMITTEES

Assembly Joint Resolution No. 26.

Assemblyman Francis moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

Assembly Concurrent Resolution No. 32.

Assemblyman Francis moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

Assembly Concurrent Resolution No. 33.

Assemblyman Francis moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

Senate Bill No. 4.

Assemblyman Francis moved that the bill be referred to the Committee on Legislative Functions.

Motion carried.

Senate Bill No. 137.

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

Motion carried.

Senate Bill No. 139.

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

Motion carried.

Senate Bill No. 202.

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

Motion carried.

Senate Bill No. 233.

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

Motion carried.

Senate Bill No. 243.

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

Motion carried.

Senate Bill No. 263.

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

Motion carried.

Senate Bill No. 285.

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

Motion carried.

Senate Bill No. 335.

Assemblyman Francis moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 353.

Assemblyman Francis moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 356.

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

Motion carried.

Senate Bill No. 358.

Assemblyman Francis moved that the bill be referred to the Committee on Legislative Functions.

Motion carried.

Senate Bill No. 363.

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

Motion carried.

Senate Bill No. 376.

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

Motion carried.

Senate Bill No. 418.

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

Motion carried.

Senate Bill No. 419.

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

Motion carried.

Senate Bill No. 434.

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

Motion carried.

Senate Bill No. 437.

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

Motion carried.

Senate Bill No. 440.

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

Motion carried.

Senate Bill No. 441.

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

Motion carried.

Senate Bill No. 460.

Assemblyman Francis moved that the bill be referred to the Committee on Legislative Functions.

Motion carried.

Senate Joint Resolution No. 24.

Assemblyman Francis moved that the resolution be referred to the Committee on Ways and Means.

Motion carried.

Senate Joint Resolution No. 33.

Assemblyman Francis moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

Senate Joint Resolution No. 36.

Assemblyman Francis moved that the resolution be referred to the Committee on Government Affairs.

Motion carried.

Senate Concurrent Resolution No. 35.

Assemblyman Francis moved that the resolution be referred to the Committee on Economic Development and Tourism.

Motion carried.

Assembly Bill No. 667.

Assemblyman Francis moved that the bill be referred to the Concurrent Committees on Economic Development and Tourism and Judiciary.

Motion carried.

Assembly Bill No. 668.

Assemblyman Francis moved that the bill be referred to the Concurrent Committees on Economic Development and Tourism and Judiciary.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 97.

Bill read third time.

Remarks by Assemblyman Joerg.

Roll call on Assembly Bill No. 97:

YEAS—42.

NAYS—None.

Assembly Bill No. 97 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 163.
Bill read third time.
Remarks by Assemblyman Lambert.
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. 186.
Bill read third time.
Remarks by Assemblyman Swain.
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, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 256.
Bill read third time.
Remarks by Assemblyman O'Donnell.
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.

Assembly Bill No. 431.
Bill read third time.
Remarks by Assemblymen Price and DuBois.
Roll call on Assembly Bill No. 431:
YEAS—42.
NAYS—None.

Assembly Bill No. 431 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 447.
Bill read third time.
The following amendment was proposed by Assemblyman Stone:

Amendment No. 814.
Amend sec. 2, page 3, by deleting lines 20 through 29.
Amend sec. 2, page 3, line 30, by deleting "*3.*" and inserting "*2.*".
Amend sec. 2, page 3, line 42, by deleting "*4.*" and inserting "*3.*".
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. 488.
Bill read third time.
Remarks by Assemblyman Stone.
Roll call on Assembly Bill No. 488:
YEAS—42.
NAYS—None.

Assembly Bill No. 488 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 516.
Bill read third time.
Remarks by Assemblyman Sader.
Roll call on Assembly Bill No. 516:
YEAS—42.
NAYS—None.

Assembly Bill No. 516 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 Malone.
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, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 561.
Bill read third time.
Remarks by Assemblyman Kerns.
Roll call on Assembly Bill No. 561:
YEAS—40.
NAYS—Jeffrey, Price—2.

Assembly Bill No. 561 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 Jeffrey.
Roll call on Assembly Bill No. 569:
YEAS—41.
NAYS—O'Donnell.

Assembly Bill No. 569 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 591.
Bill read third time.
Remarks by Assemblymen Dini and Beyer.
Roll call on Assembly Bill No. 591:
YEAS—42.
NAYS—None.

Assembly Bill No. 591 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. 609 be taken from the General File and re-referred to the Committee on Ways and Means.
Remarks by Assemblymen Dini and Bergevin.
Motion carried.

GENERAL FILE AND THIRD READING

Assembly Joint Resolution No. 23.
Resolution read third time.
Remarks by Assemblyman Thomas.
Roll call on Assembly Joint Resolution No. 23:
YEAS—31.
NAYS—Banner, Bogaert, Craddock, Fairchild, Kerns, Lambert, Little, McGaughey, Malone, Spriggs, Williams—11.

Assembly Joint Resolution No. 23 having received a constitutional majority, Mr. Speaker declared it passed.
Resolution ordered transmitted to the Senate.

Senate Bill No. 104.
Bill read third time.
Remarks by Assemblyman Stone.
Roll call on Senate Bill No. 104:
YEAS—42.
NAYS—None.

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. 134.
Bill read third time.
Remarks by Assemblyman Dini.
Roll call on Senate Bill No. 134:
YEAS—42.
NAYS—None.

Senate Bill No. 134 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Senate Bill No. 174.
Bill read third time.
Remarks by Assemblyman Collins.
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, as amended.
Bill ordered transmitted to the Senate.

Senate Bill No. 222.
Bill read third time.
Remarks by Assemblyman Joerg.
Roll call on Senate Bill No. 222:
YEAS—40.
NAYS—Arberry, Bogaert—2.

Senate Bill No. 222 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Senate Bill No. 269.
Bill read third time.
Remarks by Assemblymen Williams, Coffin and Stone.
Assemblyman Coffin moved that Senate Bill No. 269 be taken from the General File and placed on the Chief Clerk's desk.
Remarks by Assemblyman Stone.
Motion lost.
Roll call on Senate Bill No. 269:
YEAS—31.
NAYS—Banner, Coffin, Collins, Craddock, DuBois, Getto, Lambert, Little, McGaughey, Price—10.
Not voting—Dini.

Senate Bill No. 269 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
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. 122, 204, 222, 300, 308, 450, 512; Senate Bills Nos. 22, 29, 55, 97, 140, 201, 204, 234, 273; Assembly Concurrent Resolution No. 29; Senate Concurrent Resolutions Nos. 27, 38.

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 Frau Hilda Hess, Frau Ingrid Bruch and students from Frankfurt, West Germany: Ursula Raudies, Axel Diller, Stefan Fey, Thomas Schafer, Fatima Modami, Claudia Hinze, Sandra Pinno, Andreas Rupp, Mark Burkhardt, Martin Romisch, Martin Recknagel, Saddok Belloche, Kristin Langer, Martina Ebert, Forsten Kunzler, Klaus Katzenbach, Stefan Wagner, Markus Muth and Christina Becker. Additional guests are Mrs. Kathi Sands, Messrs. Noel Parkhurst, Fred Horlacker and students from Reed High School: Scott Antrim, Eric Anderson, Bruce Reid, Gwen Atkins, Jenny Broski, Teresa Clark, Beth Ship, Wendy Welch, Chris Roundtree, Steve Jacabson, Tobi Tuohy, Heidi Tuohy, Jason Wiseman, Elizabeth Ryan, Amy Hendricksen, Andy McAfee, Laurel Capurro, Kristi Decker, Chris Upchurch and Beri Staples.

On request of Assemblyman Schofield, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Patricia Wyatt and Mr. Hal Beesley.

Assemblyman Francis moved that the Assembly adjourn until Tuesday, May 14, 1985 at 11 a.m.

Motion carried.

Assembly adjourned at 1:01 p.m.

Approved:

BYRON L. BILYEU
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE ONE HUNDRED AND FOURTEENTH DAY

CARSON CITY (Tuesday), May 14, 1985

Assembly called to order at 11 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, Father Sam Caldwell.

Oh God, the fountain of wisdom, whose will is good and gracious and whose law is truth, we beseech You so to guide and bless the members of this Assembly that they may enact such laws as shall please You. To the glory of Your Name and the welfare of the people of this State of Nevada. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Francis 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 and Tourism, to which was referred Senate Concurrent Resolution No. 35, has had the same under consideration, and begs leave to report the same back with the recommendation: Be adopted.

DAVID E. HUMKE, *Chairman*

Mr. Speaker:

Your Committee on Legislative Functions, to which was referred Senate Joint Resolution No. 33, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

BRUCE R. BOGAERT, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which were referred Assembly Bill No. 612; Senate Bill No. 114, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JAMES STONE, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which was referred Assembly Bill No. 580, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JAMES STONE, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Government Affairs, to which was referred Assembly Bill No. 169, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

LOUIS W. BERGEVIN, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Assembly Bill No. 588, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

LOUIS W. BERGEVIN, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which was referred Senate Bill No. 156, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN MARVEL, *Chairman*

Mr. Speaker:

Your Committee on Elections, 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: Amend, and do pass as amended.

JANE HAM, *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which was referred Assembly Bill No. 503, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN DUBOIS, *Chairman*

Mr. Speaker:

Your Committee on Labor and Management, 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: Amend, and re-refer to the Committee on Labor and Management.

BARBARA ZIMMER, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 13, 1985

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 75, 244, 466.

Also, I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bill No. 441, 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. 393, 442, 448.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 390, 397.

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. 211.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

By the Committee on Government Affairs:

Assembly Concurrent Resolution No. 35—Directing the legislative commission to study the functions and appropriate placement within the state government of the investigation division of the department of motor vehicles.

By the Committee on Transportation:

Assembly Concurrent Resolution No. 36—Directing the legislative commission to study the fees and taxes which produce revenue for the construction and maintenance of the highways.

Senate Concurrent Resolution No. 35.

Assemblyman Humke moved the adoption of the resolution.

Remarks by Assemblyman Humke.

Resolution adopted.

Assemblyman Stone moved that Assembly Bill No. 594 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Stone.

Motion carried.

Assemblyman Stone moved that Assembly Bill No. 217 be returned from enrollment.

Remarks by Assemblyman Stone.

Motion carried.

Assemblyman Stone moved that the vote whereby Assembly Bill No. 217 was passed be rescinded.

Motion carried.

Assemblyman DuBois moved that Assembly Bill No. 159 be taken from the Chief Clerk's desk and placed on the Second Reading File.

Motion carried.

Assemblyman Thomas moved that Assembly Bill No. 515 be placed on the General File.

Motion carried.

Assemblyman Bogaert moved that Senate Joint Resolution No. 33 be placed on the Second Reading File.

Motion carried.

Assemblyman Zimmer moved that Assembly Bill No. 153 be placed on the Second Reading File.

Remarks by Assemblyman Zimmer.

Motion carried.

Assemblyman Bergevin moved that Assembly Bill No. 332 be placed on the General File.

Remarks by Assemblyman Bergevin.

Motion carried.

Assemblyman Bergevin moved that Assembly Bill No. 169 be placed on the General File.

Remarks by Assemblyman Bergevin.

Motion carried.

Assemblyman Ham moved that Assembly Bill No. 550 be placed on the Second Reading File.

Remarks by Assemblyman Ham.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Commerce, to which was referred Assembly Bill No. 489, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN DUBOIS, *Chairman*

Mr. Speaker:

Your Committee on Transportation, to which was referred Senate 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.

MIKE MALONE, *Chairman*

Assemblyman Joerg 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 11:24 a.m.

Mr. Speaker presiding.

Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Concurrent Committee on Natural Resources, Agriculture and Mining, to which was referred Assembly Bill No. 289, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

VIRGIL M. GETTO, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Senate Bill No. 260, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

LOUIS W. BERGEVIN, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Transportation, to which was referred Assembly Bill No. 390, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass, as amended.

MIKE MALONE, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Taxation, to which was referred Assembly Bill No. 390, has had the same under consideration, and begs leave to report the same back without recommendation.

CHARLES W. JOERG, *Chairman*

INTRODUCTION AND FIRST READING OF LEGISLATION

By the Committee on Economic Development and Tourism:

Assembly Bill No. 669—An Act making an appropriation for the purchase of railroad equipment for the Nevada state museum; and providing other matters properly relating thereto.

By the Committee on Judiciary:

Assembly Bill No. 670—An Act relating to judges; granting them immunity from any civil action; and providing other matters properly relating thereto.

By the Committee on Taxation:

Assembly Bill No. 671—An Act relating to property tax; requiring that depreciation of improvements to real property be based upon the estimated life of the improvement; and providing other matters properly relating thereto.

Senate Bill No. 390.
Bill read first time.

Senate Bill No. 393.
Bill read first time.

Senate Bill No. 397.
Bill read first time.

Senate Bill No. 442.
Bill read first time.

Senate Bill No. 448.
Bill read first time.

UNFINISHED BUSINESS

REPORTS OF CONFERENCE COMMITTEES

Mr. Speaker:

The first Committee on Conference concerning Assembly Bill No. 242, 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. C4, which is attached to and hereby made a part of this report.

JOHN W. MARVEL	JOE NEAL
DAVID D. NICHOLAS	JOHN M. VERGIELS
JOSEPH E. DINI, JR.	LAWRENCE E. JACOBSEN
Assembly Committee on Conference	*Senate Committee on Conference*

Amendment No. C4.

Amend sec. 3, page 1, line 13, by deleting "$54,450" and inserting "$36,075".

Assemblyman Marvel moved that the Assembly adopt the report of the first Committee on Conference concerning Assembly Bill No. 242.

Remarks by Assemblyman Marvel.

Motion carried.

RECEDE FROM ASSEMBLY AMENDMENTS

Assemblyman Stone moved that the Assembly do not recede from its action on Senate Bill No. 211, 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 Rader, Arberry and Little as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Senate Bill No. 211.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 13.

The following Senate amendments were read:

Amendment No. 616.

Amend section 1, page 2, line 8, by deleting: "not be required to".

Amend the bill as a whole by adding a new section designated section 2, following section 1, to read as follows:

"Sec. 2. A legislator who has retired from the service of the state or completed 8 years of service as such before July 1, 1985, and who, during his term of office, did not elect to participate in and have his dependents covered by the state's group insurance program pursuant to NRS 287.0433 to 287.049, inclusive, or did not retain his membership may elect to reinstate his membership by:

1. Giving written notice of his intent to participate in the program to the committee on group insurance; and

2. Paying the required premium or contribution for his insurance.".

Amend the title of the bill, second line, after "retirement;" and inserting: "authorizing certain nonparticipating legislators to elect to be covered by the state's group insurance program;".

Amend the summary of the bill to read as follows: "Authorizes certain retired public employees and legislators to be covered by certain insurance programs provided for public employees. (BDR S-695)".

Amendment No. 680.

Amend section 1, page 2, by deleting line 8 and inserting:

"3. The retired public employee and his dependents must show evidence of their good".

Amendment No. 794.

Amend sec. 2, page 2, line 12, by deleting "elect to".

Amend sec. 2, page 2, line 15, after "to" by inserting: "participate in the program or".

Assemblyman Banner moved that the Assembly concur in the Senate amendments to Assembly Bill No. 13.

Remarks by Assemblyman Banner.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 441.

The following Senate amendment was read:

Amendment No. 843.

Amend sec. 15, page 7, line 38, by deleting "[shall be] *is*" and inserting "is".

Amend sec. 15, page 7, line 42, by deleting "[shall" and inserting "[must".

Amend sec. 15, page 8, line 4, by deleting "prior to" and inserting "before".

Amend sec. 15, page 8, by deleting lines 16 through 18.

Amend sec. 17, page 8, by deleting line 26 and inserting:

"Sec. 17. Sections 7 and 15 of this act become effective at 12:01 a.m. on".

Assemblyman Bergevin moved that the Assembly concur in the Senate amendment to Assembly Bill No. 441.

Remarks by Assemblyman Bergevin.

Motion carried.

Bill ordered enrolled.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Thomas moved that Assembly Bill No. 390 be placed on the General File.

Motion carried.

Assemblyman Getto moved that Assembly Bill No. 107 be taken from its position on the Second Reading File and placed at the bottom of the Second Reading File.

Remarks by Assemblyman Getto.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 224.

Bill read second time.

The following amendment was proposed by the Committee on Labor and Management:

Amendment No. 767.

Amend section 1, page 1, line 5, by inserting after the period: "*The employee must make his election separately for each pay period before the end of the next pay period. The declaration may not be amended.*".

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. 337.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 816.

Amend section 1, page 1, line 3, by deleting "*or employee*".

Amend section 1, page 2, line 15, by deleting "*or employee*".

Amend the title of the bill, first and second lines, by deleting "and employees".

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. 346.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 850.

Amend section 1, page 1, line 3, by deleting "27," and inserting "35,".

Amend sec. 2, page 1, line 5, by deleting "10," and inserting "11,".

Amend the bill as a whole by renumbering sections 4 through 19 as sections 5 through 20 and adding a new section designated as section 4, following section 3, to read as follows:

"Sec. 4. "Board" means the board to review and establish standards for mechanical safety.".

Amend sec. 7, page 2, line 13, by deleting: ", rides for amusement".

Amend sec. 12, page 2, line 27, by deleting: "of this state".

Amend sec. 12, page 2, line 30, after "agencies", by inserting: "which operate boilers, pressure vessels or mechanized conveyances".

Amend sec. 15, page 2, line 44, by deleting: "and the other employees of the division".

Amend sec. 15, page 3, line 2, by deleting "their" and inserting "his".

Amend sec. 15, page 3, line 3, by deleting "their" and inserting "his".

Amend sec. 16, page 3, line 16, by deleting the semicolon and inserting: ", including the American National Standards Safety Requirements for Aerial Passenger Tramways;".

Amend sec. 18, page 3, by deleting lines 32 through 35.

Amend sec. 18, page 3, line 36, by deleting "2." and inserting "1.".

Amend sec. 18, page 3, line 40, by deleting "3." and inserting "2.".

Amend sec. 18, page 3, line 42, by deleting "4." and inserting "3.".

Amend sec. 18, page 3, line 45, by deleting "5." and inserting "4.".

Amend sec. 19, page 4, line 26, by deleting the period and inserting: "by the board.".

Amend the bill as a whole by renumbering sections 20 through 23 as sections 25 through 28 and adding new sections designated as sections 21 through 24, following section 19, to read as follows:

"Sec. 21. 1. The board to review and establish standards for mechanical safety, consisting of seven members appointed by the governor, is hereby created in the department of industrial relations.

2. The governor shall appoint:

(a) One member who is a representative of owners and users of boilers or pressure vessels.

(b) One member who is a representative of owners and users of mechanized conveyances.

(c) One member who is a representative of persons who manufacture, install or repair boilers or pressure vessels.

(d) One member who is a representative of persons who manufacture, install or repair mechanized conveyances.

(e) One member who is a representative of the crafts involved in the construction, repair or operation of boilers or pressure vessels.

(f) One member who is a representative of a company that insures and is licensed in this state to insure boilers, pressure vessels or mechanized conveyances.

(g) One member who is a representative of the general public.

3. The governor shall use his best efforts to appoint licensed professional engineers representative of the interests specified in subsection 2 to constitute a majority of the board.

4. After the intitial terms, members shall serve terms of 4 years. No member may serve more than two terms.

5. No person employed by the department of industrial relations or the division may serve as a member of the board.

Sec. 22. The members of the board shall annually select a chairman and secretary from among themselves.

Sec. 23. 1. The board shall:

(a) Meet as often as necessary to conduct hearings to review actions or decisions of the administrator, at such times and places as the chairman may determine;

(b) Adopt regulations governing the conduct of those hearings;

(c) Advise the administrator on the adoption of regulations to carry out the provisions of this chapter; and

(d) Perform such other duties as the department may prescribe.

2. The board may employ legal counsel to advise it concerning matters which come before it.

3. A quorum of the board must be present in order for the conduct of hearings or other business.

4. All decisions of the board must be determined by a majority decision.

5. A complete record of every hearing must be made.

Sec. 24. Each member of the board is entitled to compensation of $60 per day or portion thereof for attendance at meetings of the board.".

Amend sec. 20, page 4, line 27, by deleting "This" and inserting: "Except as otherwise provided in section 29 of this act, this".

Amend sec. 20, page 4, line 28, before "apply", by inserting "do not".

Amend sec. 20, page 4, by deleting line 29 and inserting "this state:".

Amend sec. 20, page 4, line 32, by deleting "or".

Amend sec. 20, page 4, line 35, by deleting ")." and inserting ");".

Amend sec. 20, page 4, after line 35, by inserting:

"4. Regulated by the Nevada liquefied petroleum gas board; or

5. Regulated pursuant to the provisions of 30 U.S.C. §§ 801 et seq.".

Amend sec. 22, page 5, by deleting lines 20 through 22.

Amend sec. 23, page 5, line 25, by deleting "administrator" and inserting "director".

Amend sec. 23, page 5, line 27, by deleting "administrator" and inserting "director".

Amend sec. 23, page 5, line 28, by deleting the colon.

Amend sec. 23, page 5, line 29, by deleting "1. To" and inserting "to".

Amend sec. 23, page 5, line 30, by deleting "; or" and inserting: ", if the alternative methods provide an equivalent level of safety.".

Amend sec. 23, page 5, by deleting line 31.

Amend the bill as a whole by renumbering sections 24 through 27 as sections 30 through 33 and adding a new section designated section 29, following section 23, to read as follows:

"Sec. 29. Every insurer of an owner or operator of a boiler, pressure vessel or mechanized conveyance, including those exempt from regulation by section 24 of this act, shall notify the administrator of any change or lapse in insurance on the boiler, pressure vessel or mechanized conveyance, and supply him with the results of any inspection of the boiler, pressure vessel or mechanized conveyance conducted by the insurer.".

Amend sec. 25, page 6, line 11, after "may", by inserting: "file a complaint and".

Amend sec. 25, page 6, by deleting lines 18 through 20 and inserting:

"3. Upon receipt of the complaint, the administrator may, as soon as practicable, inspect the equipment to".

Amend sec. 25, page 6, line 23, after the period, by inserting: "At the time of the inspection, the administrator shall notify the owner or operator of the boiler, pressure vessel or mechanized conveyance that a complaint has been filed.".

Amend sec. 27, page 7, line 14, by deleting "defense." and inserting "offense.".

Amend the bill as a whole by renumbering sections 28 through 31 as sections 37 through 40 and adding new sections designated sections 34 through 36, following section 27, to read as follows:

"Sec. 34. Any person who willfully or repeatedly violates any requirement of this chapter or any regulation adopted thereunder may be assessed by the board an administrative fine of not more than $1,000 for each violation.

Sec. 35. It is unlawful for any person to give advance notice of an

inspection to be made pursuant to this chapter without the authorization of the administrator.

Sec. 36. 1. A person shall not discharge or in any manner discriminate against any employee because the employee has filed any complaint or instituted or caused to be instituted any proceeding under or related to this chapter or has testified or is about to testify in any such proceeding or because of the exercise by the employee on behalf of himself or others of any right afforded by this chapter.

2. Any employee aggrieved by a violation of subsection 1 may file a complaint for the relief afforded under subsection 3, after first notifying his employer and the division of his intention to file the complaint. Any complaint must be filed with the division within 30 days after the violation has occurred and must set forth in writing the facts constituting the violation.

3. Upon receipt of the complaint by the division, the administrator shall cause such investigation to be made as he deems appropriate. If upon investigation, the administrator determines that the provisions of subsection 1 have been violated, he shall bring an action in any appropriate district court against the person who has committed the violation.

4. If the court finds that the employee was discharged or discriminated against in violation of subsection 1, the employee is entitled to reinstatement and reimbursement for lost wages and benefits.

5. Any decision reached by the administrator relating to the filing of an action under this section must be made available to the complaining employee within 90 days from the division's receipt of the complaint.".

Amend sec. 29, page 7, line 37, by deleting: ", 608 to 611, inclusive,".

Amend sec. 29, page 7, by deleting line 38 and inserting: "[and 616 to 618, inclusive,] , *616, 617 and 618* of NRS, *sections 2 to 35, inclusive, of this*".

Amend sec. 31, page 8, by deleting line 28 and inserting: "ing with [chapters 512 or 616 to 618, inclusive,] *chapter 512, 616, 617 or 618*".

Amend sec. 31, page 8, line 29, by deleting "*27,*" and inserting "*35,*".

Assemblyman Craddock moved the adoption of the amendment.

Remarks by Assemblyman Craddock.

Amendment adopted.

Assemblyman Craddock moved that Assembly Bill No. 346 be returned to the Concurrent Committee on Government Affairs.

Motion carried.

Bill ordered reprinted, engrossed and to the Concurrent Committee on Government Affairs.

Assembly Bill No. 492.

Bill read second time.

The following amendment was proposed by the Committee on Transportation:

Amendment No. 811.

Amend the bill as a whole by renumbering section 1 as section 2 and adding a new section designated section 1, following the enacting clause, to read as follows:

"Section 1. Chapter 484 of NRS is hereby amended by adding thereto a new section to read as follows:

1. Any vendor of food or beverages who operates on public streets a vehicle which moves at a speed slower than the normal flow of traffic and which stops or stands on the street or adjacent to the curb so that customers may be served from the vehicle shall, upon obtaining a permit pursuant to NRS 484.579, mount a flashing or rotating amber warning light on the roof of that vehicle and shall display warning signs on the vehicle pursuant to subsection 3.

2. The amber light must be in operation when the vehicle is:

(a) Moving down a street soliciting customers at a speed of less than 15 miles per hour; or

(b) Stopped or standing on the street or adjacent to a curb to serve customers.

3. The warning signs displayed on the vehicle must advise drivers of other vehicles of the danger of the presence of children around the vehicle. These signs must substantially conform to the color and style of print used on the warning signs displayed on public school buses in this state.".

Amend the bill as a whole by adding a new section, designated section 3, following section 1, to read as follows:

"Sec. 3. NRS 484.579 is hereby amended to read as follows:

484.579 1. It is unlawful to operate or display a flashing amber warning light on a vehicle except when an unusual traffic hazard exists [.] *or as authorized in section 1 of this act.* This subsection does not prohibit the use of amber lights in electric [turn signals.] *signals for making turns.*

2. It is unlawful for any person to mount flashing amber warning lights permanently on a vehicle without a permit from the Nevada highway patrol.

3. The Nevada highway patrol, upon written application, shall issue a permit to mount a flashing amber light on:

(a) [Public utility vehicles.

(b) Tow trucks.] *Vehicles of public utilities.*

(b) Trucks for towing vehicles.

(c) Vehicles engaged in activities which create a public hazard upon the streets or highways.

(d) Vehicles of coroners and their deputies.

(e) Vehicles of Civil Air Patrol rescue units.

(f) Vehicles of authorized sheriffs' jeep squadrons.

(g) Vehicles operated by vendors of food or beverages, as provided in section 1 of this act.

4. [Such] *Those* permits expire on June 30 of each calendar year.

5. The Nevada highway patrol shall charge and collect the following fees for the issuance of a permit for the operation of a flashing amber light:

(a) Permit for a single vehicle $2

(b) Blanket permit for more than 5 but less than 15 vehicles 12

(c) Blanket permit for 15 vehicles or more 24

6. Subsections 1 and 2 do not apply to an agency of any state or political subdivision thereof, or to an agency of the [United States] *Federal* Government.

7. All fees collected by the Nevada highway patrol pursuant to this section must be deposited with the state treasurer for credit to the motor vehicle fund.".

Amend the title of the bill, to read as follows:

"An Act relating to certain vehicles; requiring the use of reflective material on bicycles; requiring the use of certain lights and signs on certain vehicles used by vendors of food or beverages; and providing other matters properly relating thereto.".

Amend the summary of the bill to read as follows: "Requires use of certain warning devices on certain vehicles.".

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. 496.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 840.

Amend section 1, page 1, line 9, by deleting "*child or*" and inserting "*child, otherwise*".

Amend section 1, page 1, by inserting between lines 10 and 11: "*If both parents do not execute the instrument, the executing parent shall send by certified mail, return receipt requested, to the other parent at his last known address, a copy of the instrument and a notice of the provisions of subsection 3.*".

Amend section 1, page 1, line 19, by deleting: "*legal custody of*" and inserting: "*his parental rights to*".

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. 566.

Bill read second time.

The following amendment was proposed by the Committee on Transportation:

Amendment No. 849.

Amend the bill as a whole by deleting sections 1 and adding new sections

designated sections 1 through 4, following the enacting clause, to read as follows:

"Section 1. NRS 483.290 is hereby amended to read as follows:

483.290 1. Every application for an instruction permit or for a driver's license [shall] *must* be made upon a form furnished by the department and [shall be] verified by the applicant before a person authorized to administer oaths. Officers and employees of the department are hereby authorized to administer such oaths without charge.

2. Every application [shall] *must* be accompanied by the required fee.

3. Every application [shall] *must* state the full name, date of birth, sex, *social security number, if any,* and residence address of the applicant and briefly describe the applicant [; and shall] *and, must* state whether the applicant has theretofore been licensed as a driver, and, if so, when and by what state or country, and whether [any such] *his* license has ever been suspended or revoked, or whether an application has ever been refused, and, if so, the date of and reason for such suspension, revocation or refusal, and such other information as the department may require to determine the applicant's competency and eligibility.

4. Every applicant [shall] *must* furnish proof of his age by displaying:

(a) If the applicant was born in the United States, a birth certificate, baptismal certificate or other proof acceptable to the department, including, but not limited to, a driver's license issued by another state or the District of Columbia; or

(b) If the applicant was born outside the United States, a Certificate of Citizenship, Certificate of Naturalization, Arrival-Departure Record, Alien Registration Receipt Card, United States Citizen Identification Card or Letter of Authorization issued by the Immigration and Naturalization Service of the United States Department of Justice, a Report of Birth Abroad of a United States Citizen Child issued by the Department of State, or a passport.

Sec. 2. NRS 483.345 is hereby amended to read as follows:

483.345 The number of any driver's license issued or renewed by the department after July 1, [1969, shall be identical to the Social Security number of the licensee. If the licensee does not have a Social Security number, the department may assign a number.] *1986, must be a unique number assigned permanently to the licensee by the department.*

Sec. 3. NRS 483.840 is hereby amended to read as follows:

483.840 1. The form of the identification cards must be similar to that of drivers' licenses but distinguishable in color or otherwise.

2. Identification cards do not authorize the operation of any motor vehicles.

3. Identification cards must include the following information concerning the holder:

(a) Name and sample signature of *the* holder.

(b) [Social security number or serial number of holder's card.] *A unique number permanently assigned by the department to the holder.*

(c) Personal description.

(d) Date of birth.

(e) Current address.

(f) A colored photograph of the holder in full face if he is 21 years of age or older, or a colored photograph in profile if he is under 21 years of age.

4. A person may attach to his identification card any document which identifies him as a donor of all or part of his body pursuant to NRS 451.500 to 451.585, inclusive.

Sec. 4. This act becomes effective on July 1, 1986.".

Amend the title of the bill to read as follows:

"An Act relating to drivers' licenses; requiring the number to be unique; and providing other matters properly relating thereto.".

Amend the summary of the bill to read as follows: "Requires number on drivers' licenses to be unique. (BDR 43-1422)".

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. 593.

Bill read second time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 830.

Amend the bill as a whole by deleting sections 1 and 2 and adding new sections designated sections 1 and 2, following the enacting clause, to read as follows:

"Section 1. Chapter 284 of NRS is hereby amended by adding thereto a new section to read as follows:

The professional employees of the University of Nevada System are not entitled to receive the increases provided in NRS 284.177.

Sec. 2. Section 1 of this act does not change the rights of professional employees of the University of Nevada System. It constitutes a declaration and clarification of existing law.".

Amend the title of the bill, first line, by deleting "certain employees" and inserting: "professional employees of the University of Nevada System".

Amend the summary of the bill by deleting "certain personnel" and inserting: "professional employees of state university".

Assemblyman Marvel moved the adoption of the amendment.

Remarks by Assemblyman Marvel.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 168.

Bill read second time and ordered to third reading.

Senate Bill No. 176.

Bill read second time and ordered to third reading.

Senate Bill No. 232.

Bill read second time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 846.

Amend sec. 6, page 3, line 14, by deleting "shall be" and inserting "is".

Amend sec. 6, page 3, line 15, by deleting "the 56th" and inserting: "each even-numbered regular".

Amend sec. 6, page 3, line 17, by deleting "shall be" and inserting "is".

Amend sec. 6, page 3, line 19, by deleting: "shall continue to alternate" and inserting "alternates".

Assemblyman Marvel moved the adoption of the amendment.

Remarks by Assemblyman Marvel.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 271.

Bill read second time and ordered to third reading.

Assembly Bill No. 159.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 373.

Amend sec. 2, page 2, line 22, after "*was*" by inserting "*principally*".

Amend sec. 5, pages 3 through 5, by deleting lines 15 through 45 on page 3, lines 1 through 45 on page 4, and lines 1 through 18 on page 5, and inserting:

"Sec. 5. (Deleted by amendment.)".

Amend sec. 7, page 5, by deleting lines 28 through 31.

Amend sec. 7, page 5, line 32, by deleting "*(c)*" and inserting "*(a)*".

Amend sec. 7, page 5, line 33, by deleting the period and inserting "*; and*".

Amend sec. 7, page 5, by deleting lines 34 through 46 and inserting:

"*(b) The group to which the policy is issued is organized and operated in a fiscally sound manner.*".

Amend sec. 7, page 6, line 1, by deleting "*4.*" and inserting "*3.*".

Amend sec. 7 page 6, line 4, by deleting "*5.*" and inserting "*4.*".

Amend sec. 8, pages 6 and 7, by deleting lines 6 through 44 on page 6 and lines 1 through 40 on page 7 and inserting:

"Sec. 8. *Every policy of group health insurance must contain a provision which reduces the insurer's liability because of benefits under other valid coverage. To the extent authorized by the commissioner, such a provision may include subrogation.*".

Amend sec. 12, page 8, line 30, by deleting "*30*" and inserting "*10*".

Amend sec. 13, page 8, line 36, by deleting "*the*".

Amend sec. 13, page 8, by deleting line 37 and inserting: "*each employee upon the termination of his employment written notice of his right*".

Amend the bill as a whole by adding a new section designated section 14, following section 13, to read as follows:

"Sec. 14. NRS 608.158 is hereby amended to read as follows:

608.158 1. If an employer is the policyholder of a policy of group life or health insurance which covers his employees, he shall notify the employees of his inability to pay a premium when due or of his intention to stop paying premiums. The notice must be:

(a) Given at least [30] *10* days before the coverage will cease; and

(b) Conspicuously posted at the place of employment or given in another manner which ensures that all employees will receive the information.

2. An employer is liable to an employee for any money deducted from the employee's wages for the payment of premiums on a policy of group life or health insurance if the money was not so used.".

Assemblyman DuBois moved the adoption of the amendment.

Remarks by Assemblyman DuBois.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Joint Resolution No. 33.

Resolution read second time and ordered to third reading.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Judiciary, to which was referred Assembly Bill No. 341, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JAMES STONE, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

By the Committee on Ways and Means:

Assembly Concurrent Resolution No. 37—Directing the legislative commission to study the adequacy of the state's standard of need for aid to families with dependent children.

SECOND READING AND AMENDMENT

Assembly Bill No. 153.

Bill read second time.

The following amendment was proposed by the Committee on Labor and Management:

Amendment No. 861.

Amend the bill as a whole by deleting sections 1 through 3 and adding a new section designated section 1, following the enacting clause, to read as follows:

"Section 1. Chapter 614 of NRS is hereby amended by adding thereto a new section to read as follows:

1. During the pendency of a strike or work stoppage, it is unlawful for any person:

(a) To picket on private property without the written permission of the owner or pursuant to an order from a federal agency of competent jurisdiction, even if the private property is open to the public as invitees for business, except that an employee may enter or leave his employer's property in the course of his employment or for the purpose of receiving payment for services performed;

(b) To maintain any picket or picket line, individually or as part of a group, in front of or across entrances to or exits from any property, except that the following numbers of pickets may be maintained across entrances or exits if the pickets do not narrow or block the entrances or exits or delay, impede or interfere with the liability of persons or vehicles to enter or leave the property:

(1) Two pickets at pedestrian entrances and exits;

(2) Two pickets at driveway entrances and exits 20 feet or less in width; and

(3) Six pickets at driveway entrances and exits more than 20 feet in width;

(c) Knowingly to threaten, molest, assault, or in any manner physically touch the person, clothing or vehicle of any person attempting to enter or leave any property, including employees, agents, contractors, representatives, guests, customers or others doing or attempting to do business with the owner or occupant;

(d) Intentionally to operate a motor vehicle so as to delay, impede or interfere with the ability of persons or vehicles to enter or leave any property;

(e) To use language or words threatening to do harm to a person or his property or designed to incite fear in any person attempting to enter or leave any property; or

(f) Knowingly to spread, drop, throw or otherwise knowingly to disperse nails, tacks, staples, glass or other objects in the entrances to or exits from any property.

2. Any persons participating in a strike or stoppage of work may picket on the public sidewalks or other public areas between entrances and exits to any property if the pickets maintain a distance of 30 feet from each person or group of two persons to the next person or group and no more than two persons walk abreast.

3. Persons who picket any property may congregate in groups of 10 or fewer confer with their captain at reasonable times or to obtain food and drink at reasonable times, shall not so congregate within 30 feet of any entrance or exit.

4. Any person who violates the prohibitions of this section shall be fined not more than $500.''.

Amend the title of the bill to read:

''An Act relating to picketing; restricting the number of pickets; confining pickets to certain areas during a strike; providing a penalty; and providing other matters properly relating thereto.''.

Amend the summary of the bill to read: "Regulates picketing during strike. (BDR 53-473)".

Assemblyman Zimmer moved the adoption of the amendment.

Remarks by Assemblyman Zimmer.

Amendment adopted.

Assemblyman Zimmer moved that Assembly Bill No. 153 be re-referred to the Committee on Labor and Management.

Motion carried.

Bill ordered reprinted, engrossed and to the Committee on Labor and Management.

Assembly Bill No. 550.

Bill read second time.

The following amendment was proposed by the Committee on Elections:

Amendment No. 863.

Amend section 1, page 1, line 3, by deleting "*3rd working*".

Amend section 1, page 1, lines 5 and 6, by deleting: "*each day before the election*".

Amend section 1, page 1, line 16, by deleting "*votes*" and inserting: "*number of ballots*".

Amend sec. 3, page 2, line 22, by placing brackets around "shall".

Amend sec. 3, page 2, line 23, by deleting "*3rd working*".

Amend sec. 4, page 3, line 9, by deleting "*3rd working*".

Amend the title of the bill, first line, by deleting "counting" and inserting "handling".

Amend the summary of the bill, first line, by deleting "counting" and inserting "handling".

Assemblyman Ham moved the adoption of the amendment.

Remarks by Assemblyman Ham.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

REFERENCE OF MEASURES TO COMMITTEES

Assembly Bill No. 669.

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

Motion carried.

Assembly Bill No. 670.

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

Motion carried.

Assembly Bill No. 671.

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

Motion carried.

Assembly Concurrent Resolution No. 35.

Assemblyman Francis moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

Assembly Concurrent Resolution No. 36.

Assemblyman Francis moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

Senate Bill No. 390.

Assemblyman Francis moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 393.

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

Motion carried.

Senate Bill No. 397.

Assemblyman Francis moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 442.

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

Motion carried.

Senate Bill No. 448.

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

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 107.

Bill read second time.

The following amendment was proposed by the Committee on Natural Resources, Agriculture and Mining:

Amendment No. 900.

Amend section 1, page 2, lines 16 and 17, by deleting: "exceed:

(a) Twenty-five] *he*" and inserting "exceed:] *he*".

Amend section 1, page 2, line 19, by deleting "*(a) Fifty*" and inserting: "(a) Twenty-five".

Amend sec. 2, page 2, line 37, by deleting "*$5.50*" and inserting "*$5*".

Amend sec. 2, page 2, line 38, after "annual", by inserting "*trapping,*".

Amend sec. 2, page 2, line 43, by deleting "*$15.50*" and inserting "*$15.00*".

Amend sec. 2, page 2, line 44, by deleting "*8.50*" and inserting "*10.00*".

Amend sec. 2, page 2, line 45, by deleting "*5.50*" and inserting "*6.00*".

Amend sec. 2, page 3, line 1, by deleting "*$15.50*" and inserting "*$14.25*".

Amend sec. 2, page 3, line 2, by deleting "*30.50*" and inserting "*28.50*".

Amend sec. 2, page 3, line 3, by deleting "*35.50*" and inserting "*30.50*".

Amend sec. 2, page 3, line 10, by deleting "*$7.50*" and inserting "*$8*".

Amend sec. 2, page 3, line 23, by deleting "*$35.50*" and inserting "*$35*".

Amend sec. 2, page 3, line 24, by deleting "*12.50*" and inserting "*15*".

Amend sec. 2, page 3, line 25, by deleting "*10.50*" and inserting "*10*".

Amend sec. 2, page 3, line 26, by deleting "*75.50*" and inserting "*80*".

Amend sec. 2, page 3, line 27, by deleting "*125.50*" and inserting "*125*".

Amend sec. 2, page 3, line 28, by deleting "*150.00*" and inserting "*150*".

Amend sec. 2, page 3, line 29, by deleting "250.00" and inserting "[250.00] *250*".

Amend sec. 2, page 3, line 30, by deleting "125.00" and inserting "[125.00] *125*".

Amend sec. 3, page 4, line 11, by deleting "75" and inserting "*75*".

Amend sec. 3, page 4, lines 13 and 14, by deleting on each line "*and alien*".

Amend sec. 3, page 4, line 30, by deleting "*$5.50*" and inserting "*$5*".

Assemblyman Getto moved the adoption of the amendment.

Remarks by Assemblyman Getto.

Amendment adopted.

Assemblyman Getto moved that Assembly Bill No. 107 be re-referred to the Committee on Ways and Means.

Motion carried.

Bill ordered reprinted, engrossed and to the Committee on Ways and Means.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Getto moved that Assembly Bill No. 289 be placed on the Second Reading File.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 289.

Bill read second time.

The following amendment was proposed by the Committee on Natural Resources, Agriculture and Mining:

Amendment No. 817.

Amend the bill as a whole by deleting section 1 and adding new sections designated sections 1 through 3, to read as follows:

"Section 1. 1. The committee to study the Carson River basin is hereby created. The committee shall collect and evaluate information concerning the hydrology of the Carson River and its tributaries and the feasibility of constructing reservoirs, to be used for multiple purposes, in the Carson River basin above the Lahontan Reservoir.

2. The committee consists of:

(a) The director of the state department of conservation and natural resources, who is the chairman;

(b) One representative from each board of county commissioners of Douglas, Lyon, Churchill and Storey counties and of the board of supervisors of Carson City;

(c) The director of the department of wildlife;

(d) A representative of the Truckee-Carson Conservancy District, the Truckee-Carson Irrigation District, and the Carson-Walker Resource, Conservation and Development; and

(e) In the discretion of the chairman, a representative of any other agency or organization with an interest in the Carson River basin.

Sec. 2. There is hereby appropriated from the state general fund to the committee to study the Carson River basin the sum of $50,000 conditioned upon receipt of an equal amount of money from other federal, state, local and private sources. Any remaining balance of the appropriation made by this section must not be committed for expenditure after June 30, 1987, and reverts to the state general fund as soon as all payments of money committed have been made.

Sec. 3. This act expires by limitation on July 1, 1987.".

Amend the title of the bill to read as follows:

"An Act creating a committee to study the feasibility of constructing reservoirs in the Carson River basin; making an appropriation; and providing other matters properly relating thereto.".

Amend the summary of the bill to read as follows: "Creates committee to study feasibility of constructing reservoir in Carson River basin. (BDR S-700)".

Assemblyman Dini moved the adoption of the amendment.

Remarks by Assemblyman Dini.

Amendment adopted.

Bill ordered reprinted, engrossed and to the Concurrent Committee on Ways and Means.

GENERAL FILE AND THIRD READING

Assembly Bill No. 133.

Bill read third time.

Remarks by Assemblyman Sedway.

Roll call on Assembly Bill No. 133:

YEAS—39.

NAYS—DuBois, Horne, Tebbs—3.

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. 338.

Bill read third time.

Remarks by Assemblyman DuBois.

Roll call on Assembly Bill No. 338:

YEAS—42.

NAYS—None.

Assembly Bill No. 338 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 377.

Bill read third time.

Remarks by Assemblymen Zimmer, Jeffrey, Getto, O'Donnell, Thompson, Bogaert, Dini, Craddock and Price.

Assemblymen Humke, Bogaert and DuBois moved the previous question.

Motion carried.

The question being on the passage of Assembly Bill No. 377.

Roll call on Assembly Bill No. 377:

YEAS—25.

NAYS—Arberry, Banner, Coffin, Collins, Craddock, Dini, Jeffrey, McGaughey, Nevin, Price, Roberts, Sader, Sedway, Stone, Swain, Thompson, Williams—17.

Assembly Bill No. 377 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Schofield gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 377 was this day passed.

Assemblyman Francis moved that the Assembly recess until 3:30 p.m.

Motion carried.

Assembly in recess at 12:36 p.m.

ASSEMBLY IN SESSION

At 3:35 p.m.

Mr. Speaker presiding.

Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Labor and Management, 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.

BARBARA ZIMMER, *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which was referred 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 DUBOIS, *Chairman*

REFERENCE OF MEASURES TO COMMITTEES

Assembly Concurrent Resolution No. 37.

Assemblyman Francis moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 387.

Bill read third time.

Remarks by Assemblyman Marvel.

Roll call on Assembly Bill No. 387:

YEAS—42.

NAYS—None.

Assembly Bill No. 387 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 403.

Bill read third time.

Remarks by Assemblyman Getto.

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. 443.

Bill read third time.

Remarks by Assemblyman Sader.

Roll call on Assembly Bill No. 443:

YEAS—42.

NAYS—None.

Assembly Bill No. 443 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 480.
Bill read third time.
Remarks by Assemblyman Sader.
Roll call on Assembly Bill No. 480:
YEAS—40.
NAYS—Collins, Ham—2.

Assembly Bill No. 480 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 499.
Bill read third time.
Remarks by Assemblyman Ham.
Roll call on Assembly Bill No. 499:
YEAS—42.
NAYS—None.

Assembly Bill No. 499 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 Assemblymen Price and Bergevin.
Roll call on Assembly Bill No. 542:
YEAS—40.
NAYS—Dini, Jeffrey—2.

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. 21.
Resolution read third time.
Remarks by Assemblymen Beyer, Sader, Nicholas, Thomas, Sedway, Price, Jeffrey, Humke, Craddock, McGaughey, Williams, Dini and Getto.
Roll call on Assembly Joint Resolution No. 21:
YEAS—14.
NAYS—Arberry, Banner, Bergevin, Bogaert, Coffin, Collins, Dini, DuBois, Fairchild, Getto, Horne, Humke, Joerg, Kerns, Little, McGaughey, Malone, Nevin, Nicholas, O'Donnell, Rader, Roberts, Sader, Schofield, Spriggs, Stone, Tebbs, Thompson—28.

Assembly Joint Resolution No. 21 having failed to receive a constitutional majority, Mr. Speaker declared it lost.

Senate Bill No. 92.
Bill read third time.
Remarks by Assemblyman Spriggs.
Roll call on Senate Bill No. 92:
YEAS—42.
NAYS—None.

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.

Remarks by Assemblyman Getto.

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.

Bill ordered transmitted to the Senate.

Senate Bill No. 107.

Bill read third time.

Remarks by Assemblyman Joerg.

Roll call on Senate Bill No. 107:

YEAS—42.

NAYS—None.

Senate Bill No. 107 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 221.

Bill read third time.

Remarks by Assemblyman Swain.

Roll call on Senate Bill No. 221:

YEAS—42.

NAYS—None.

Senate Bill No. 221 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Joint Resolution No. 20.

Resolution read third time.

Remarks by Assemblymen Getto, Nevin and Dini.

Roll call on Senate Joint Resolution No. 20:

YEAS—41.

NAYS—Williams.

Senate Joint Resolution No. 20 having received a constitutional majority, Mr. Speaker declared it passed.

Resolution ordered transmitted to the Senate.

Assembly Bill No. 217.

Bill read third time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 895.

Amend section 1, page 1, line 9, by deleting "fixed ammunition;" and inserting: "ammunition or any components thereof;".

Amend section 1, page 1, line 14, after "2.", by inserting: "It is unlawful for any person to carry or use a nunchaku or trefoil with the intent to inflict harm upon the person of another.

3.".

Amend section 1, page 1, line 15, after "1", by inserting "or 2".

Amend section 1, page 2, by deleting lines 3 through 14.

Amend section 1, page 2, by deleting lines 18 through 25 and inserting: "to carry in this state the concealed weapon described in the permit, except that no permit may be granted to any person to carry a switchblade knife.

5. For *the* purposes of this section:

(a) "Nunchaku" means an instrument consisting of two or more sticks, clubs, bars or rods connected by a rope, cord, wire or chain used as a weapon in forms of Oriental combat.

(b) "Switchblade knife" means a spring-blade knife, snap-blade knife or any other knife having the appearance of a pocket knife, any blade of which is 2 or more inches long and which can be released automatically by a flick of a button, pressure on the handle or other mechanical device, or is released by any type of mechanism.

(c) "Trefoil" means an instrument consisting of a metal plate having three or more radiating points with sharp edges, designed in the shape of a star, cross or other geometric figure and used as a weapon for throwing.".

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 1 of chapter 160, Statutes of Nevada 1985, is hereby amended to read as follows:

Section 1. Chapter 202 of NRS is hereby amended by adding thereto a new section to read as follows:

1. NRS 202.350 and 202.360 do not apply to:

(a) Sheriffs, constables, marshals, peace officers, special police officers, police officers of this state, whether active or honorably retired, or other appointed officers.

(b) Any person summoned by any peace officer to assist in making arrests or preserving the peace while the person so summoned is actually engaged in assisting such officer.

(c) Any full-time paid peace officer of an agency of the United States or another state or political subdivision thereof when carrying out official duties in Nevada.

(d) Members of the Armed Forces of the United States when on duty.

2. The exemption provided by subsection 1 does not include a former peace officer who is retired for disability unless his former employer has approved his fitness to carry a concealed weapon.

3. As used in this section, "honorably retired" means retired in Nevada after completion of 10 years of creditable service as a member of the public employees' retirement system. A former peace officer is not "honorably retired" if he was discharged for cause or resigned before the final disposition of allegations of serious misconduct.".

Amend sec. 2, page 2, by deleting line 26 and inserting:

"Sec. 3. 1. This section and section 2 of this act become effective upon passage and approval.

2. Section 1 of this act becomes effective at 12:02 a.m. on".

Assemblyman Stone moved the adoption of the amendment.

Remarks by Assemblyman Stone.

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 4:14 p.m.

ASSEMBLY IN SESSION

At 4:20 p.m.

Mr. Speaker presiding.

Quorum present.

GENERAL FILE AND THIRD READING

Assembly Bill No. 515.

Bill read third time.

Remarks by Assemblymen Thomas, Dini, Price, Sader, Coffin, Little and Williams.

Roll call on Assembly Bill No. 515:

YEAS—32.

NAYS—Banner, Fairchild, Horne, Lambert, Little, Malone, O'Donnell, Rader, Roberts, Tebbs—10.

Assembly Bill No. 515 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 332.

Bill read third time.

The following amendment was proposed by Assemblyman Bergevin:

Amendment No. 890.

Amend the bill as a whole by deleting section 3.

Assemblyman Bergevin moved the adoption of the amendment.

Remarks by Assemblyman Bergevin.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 169.

Bill read third time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 883.

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. *"Hydrographic area" means the drainage basin of a stream and its tributaries, together with any other stream or body of water to which that stream is tributary.*".

Amend sec. 20, page 6, line 22, by deleting "*district*" and inserting "*hydrographic area*".

Amend sec. 24, page 11, by deleting lines 32 through 34.

Amend sec. 30, page 15, line 39, by deleting "years" and inserting "year".

Assemblyman Bergevin moved the adoption of the amendment.

Remarks by Assemblyman Bergevin.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to the Concurrent Committee on Taxation.

Assembly Bill No. 390.

Bill read third time.

Remarks by Assemblymen Thomas, Bogaert, Price, Swain, Rader, Sader and O'Donnell.

Assemblymen DuBois, Nevin and Horne moved the previous question.

Motion carried.

The question being on the passage of Assembly Bill No. 390.

Roll call on Assembly Bill No. 390:

YEAS—23.

NAYS—Banner, Beyer, Bogaert, Coffin, Craddock, Fairchild, Horne, Jeffrey, Lambert, Little, Malone, Nicholas, O'Donnell, Roberts, Sader, Sedway, Spriggs, Thompson, Williams—19.

Assembly Bill No. 390 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 Taxation, 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.

CHARLES W. JOERG, *Chairman*

Mr. Speaker:

Your Committee on Taxation, to which were referred Assembly Bills Nos. 618, 657, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

CHARLES W. JOERG, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Stone moved that Assembly Bill No. 594 be taken from the Chief Clerk's desk and re-referred to the Committee on Ways and Means.

Motion carried.

Assemblyman Schofield withdrew his notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 377 was this day passed.

Assemblyman Francis moved that the vote whereby Assembly Bill No. 377 was passed be rescinded.

Remarks by Assemblyman Francis.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 377.

Bill read third time.

Roll call on Assembly Bill No. 377:

YEAS—23.

NAYS—Arberry, Banner, Coffin, Collins, Craddock, Dini, Jeffrey, McGaughey, Malone, Nevin, Price, Roberts, Sader, Schofield, Sedway, Stone, Swain, Thompson, Williams—19.

Assembly Bill No. 377 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Francis moved that the vote whereby Assembly Bill No. 133 was passed be rescinded.

Remarks by Assemblyman Francis.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 133.

Bill read third time.

Roll call on Assembly Bill No. 133:

YEAS—35.

NAYS—DuBois, Fairchild, Horne, Little, Rader, Spriggs, Tebbs—7.

Assembly Bill No. 133 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Francis moved that the vote whereby Senate Joint Resolution No. 20 was passed be rescinded.

Remarks by Assemblyman Francis.

Motion carried.

Assemblyman Francis moved that Senate Joint Resolution No. 20 be taken from the General File and placed on the Chief Clerk's desk.

Motion carried.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bills Nos. 111, 202, 282, 360, 413, 468; Assembly Concurrent Resolution No. 22.

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. Robert Cannon.

On request of Assemblyman Malone, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. MaryAnn Haag, Ms. Lissa Browers, Sister Barbara Stanek, Mr. George Rodriguez and students from Our Lady of Las Vegas school: Archie Rodriguez, Eddy Garcia, Jason Ballard, Nicole Togliotti, Lauren Kristosik, Ann Boudreau, Arturo Martinez, Chris Glagola, Nicole Wolfram, Nancy O'Connell, Tracy Falba, Joe Malich, Bryan O'Reilly, Danny Becker and Tony Duarte.

On request of Assemblyman Fairchild, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Rachel Wheeler, Judy Root, Adrianna Hall and Mr. John LeValley.

On request of Assemblyman Dini, the privilege of the floor of the Assembly Chamber for this day was extended to students from the Fernley Middle School: Heather Aldridge, Mike Asher, Bill Betts, Jennifer Bristol, Beckie Brodie, Shauna Campbell, Tracy Campbell, Bill Canterbury, Denise Chapin, Justin Christenson, Rob Davis, Jennifer DeLangie, Mike Dick, James Shaw, Wendy Evans, Sano Garber, Neona Hayes, Tara Hennig, Blake Jackson, Kate Jackson, Justin Kurdupski, Jackie Lemon, Louis Marrs, Doug Spiva, Shane Mull, Heather Procter, Tracy Badzinski, James Barlow, James Boychuk, Theresa Craig, Tracy Fletcher, Jason Gissel, Craig King, Laura Masuri, Shelly McCracken, Jay Nichols, John Parker, Stephannie Rather, Charles Shelton, Sonia Smith, Julie Soule, Shane Trousdale, Jason Woychowski, Mike York and Dwayne Zubieta.

On request of Assemblyman Craddock, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Linda Johnson.

On request of Assemblyman Bogaert, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. James D. Carraway and Frank J. Frushon.

Assemblyman Francis moved that the Assembly adjourn until Wednesday, May 15, 1985 at 11 a.m.

Motion carried.

Assembly adjourned at 4:54 p.m.

Approved: BYRON L. BILYEU
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE ONE HUNDRED AND FIFTEENTH DAY

CARSON CITY (Wednesday), May 15, 1985

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

Mr. Speaker presiding.

Roll called.

All present except Assemblyman Sedway, who was excused.

Prayer by the Chaplain, Father Sam Caldwell.

I ask for a brief period of silence on behalf of Assemblyman Marvin Sedway. Let's pray that God will work through his doctors and nurses and those who minister to his needs and if it be His gracious will, to restore him to fullness of health. Let us pray. Almighty God, to whom we must account for all our powers and privileges, guide the people of the State of Nevada and their elected officials and representatives here gathered that by faithful administration and wise laws the rights of all may be protected and our state be enabled to fulfill Your purposes. In Your most Holy Name we pray. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Francis 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. 141, 364, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JAMES STONE, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Senate Bill No. 202, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

LOUIS W. BERGEVIN, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, 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 re-refer to the Committee on Government Affairs.

LOUIS W. BERGEVIN, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which were referred Assembly Bills Nos. 434, 583, 584, 603; Senate Bill No. 312, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

LOUIS W. BERGEVIN, *Chairman*

Mr. Speaker:

Your Committee on Natural Resources, Agriculture and Mining, to which were

referred Senate Bill No. 343; Senate Joint Resolution No. 21, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

VIRGIL M. GETTO, *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which were referred Assembly Bill No. 597; Senate Bill No. 145, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN DUBOIS, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 14, 1985

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bill No. 331.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Bill No. 456.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 130, 147, 272, 334, 355, 381, 391, 436, 444.

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. 242.

MARY JO MONGELLI
Assistant Secretary of the Senate

INTRODUCTION AND FIRST READING OF LEGISLATION

By the Committee on Economic Development and Tourism:

Assembly Bill No. 672—An Act relating to economic development; providing in skeleton form for the administration of certain programs by the commission on economic development; and providing other matters properly relating thereto.

By the Committee on Natural Resources, Agriculture and Mining:

Assembly Bill No. 673—An Act relating to cruelty to animals; limiting the transfer of domesticated dogs and cats to a facility of the University of Nevada System for research; prohibiting interference with research on animals at the facility; providing a penalty; and providing other matters properly relating thereto.

By the Committee on Government Affairs:

Assembly Bill No. 674—An Act relating to the state budget; exempting constitutional officers from submitting their budgets through the governor; and providing other matters properly relating thereto.

By Assemblymen Bergevin and Nicholas:

Assembly Bill No. 675—An Act relating to the Nevada Tahoe regional planning agency; changing the composition of the governing body; and providing other matters properly relating thereto.

Senate Bill No. 130.

Bill read first time.

Senate Bill No. 147.
Bill read first time.

Senate Bill No. 272.
Bill read first time.

Senate Bill No. 334.
Bill read first time.

Senate Bill No. 355.
Bill read first time.

Senate Bill No. 381.
Bill read first time.

Senate Bill No. 391.
Bill read first time.

Senate Bill No. 436.
Bill read first time.

Senate Bill No. 444.
Bill read first time.

Senate Bill No. 456.
Bill read first time.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Francis moved that Senate Bill No. 232 be placed at the top of the General File.
Motion carried.

Assemblyman Bergevin moved that Assembly Bill No. 491 be placed on the Second Reading File.
Motion carried.

Assemblyman Bergevin moved that Assembly Bill No. 332 be placed on the General File.
Motion carried.

Assemblyman Bergevin moved that Assembly Bill No. 567 be taken from the Chief Clerk's desk and placed on the General File.
Remarks by Assemblyman Bergevin.
Motion carried.

Assemblyman Joerg moved that all rules be suspended, reading so far had considered second reading, rules further suspended, Assembly Bill No. 657 be taken from the Second Reading file, considered engrossed, declared an emergency measure under the Constitution and placed on third reading and final passage.
Motion carried unanimously.

Assemblyman Bogaert moved that Assembly Bill No. 495 be taken from the Chief Clerk's desk and placed on the General File.
Motion carried.

Assemblyman Nicholas moved that Senate Bill No. 8 be taken from the Chief Clerk's desk and placed on the General File.

Remarks by Assemblyman Nicholas.

Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 232.

Bill read third time.

Remarks by Assemblyman Spriggs.

Roll call on Senate Bill No. 232:

YEAS—39.

NAYS—None.

Absent—Collins, Price, Sedway—3.

Senate Bill No. 232 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 50.

Bill read third time.

The following amendment was proposed by the Committee on Education:

Amendment No. 932.

Amend sec. 9, page 9, line 4, after "officer", by inserting: "*which affords due process*".

Amend sec. 10, page 9, line 13, by deleting "trustees] is" and inserting: "trustees is] *may be found*".

Amend sec. 10, page 9, line 28, by deleting the comma and inserting: "*or that an administrator has willfully secured such a signature,*".

Amend sec. 10, page 9, line 29, after "teacher" and inserting "*or administrator*".

Assemblyman Beyer moved the adoption of the amendment.

Remarks by Assemblyman Beyer.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 447.

Bill read third time.

Remarks by Assemblyman Bergevin.

Assemblyman Bergevin moved that Assembly Bill No. 447 be taken from the General File and placed on the Chief Clerk's desk.

Motion carried.

Assembly Bill No. 575.

Bill read third time.

Remarks by Assemblyman O'Donnell.

Roll call on Assembly Bill No. 575:

YEAS—36.

NAYS—Coffin, Horne, Spriggs—3.

Absent—Collins, Price, Sedway—3.

Assembly Bill No. 575 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 168.

Bill read third time.

Remarks by Assemblyman Beyer.

Roll call on Senate Bill No. 168:

YEAS—39.

NAYS—None.

Absent—Collins, Price, Sedway—3.

Senate Bill No. 168 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 176.

Bill read third time.

Remarks by Assemblyman Dini.

Roll call on Senate Bill No. 176:

YEAS—30.

NAYS—Fairchild, Horne, Little, McGaughey, Malone, O'Donnell, Roberts, Spriggs, Tebbs—9.

Absent—Collins, Price, Sedway—3.

Senate Bill No. 176 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 271.

Bill read third time.

Remarks by Assemblyman Nicholas.

Roll call on Senate Bill No. 271:

YEAS—39.

NAYS—None.

Absent—Collins, Price, Sedway—3.

Senate Bill No. 271 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Joint Resolution No. 33.

Resolution read third time.

Remarks by Assemblymen Joerg, Schofield and Rader.

Assemblyman Francis requested that the following remarks be entered in the Journal.

ASSEMBLYMAN JOERG:

Senate Joint Resolution No. 33 invites Taiwan, or the Republic of China as it is known to some, to become a sister state with Nevada. This resolution is long overdue.

We have been close friends and an ally with the Republic of China for several years. I am told that we were the first state, back in early 1979, to openly support Taiwan after the president terminated the United States' defense treaty with Taiwan. Since November 6,

1979, twenty-six states have become sister states with Taiwan. It is ironic that Nevada, one of Taiwan's older and more supportive friends, has been remiss in enacting a sister state resolution. Let me give you a little history about Taiwan and Nevada's relationship to that small, brave, self-sufficient country.

On January 1, 1979, the United States switched its diplomatic recognition from Taiwan to the Peoples' Republic or mainland China. That move caused the Nevada Legislature, in S.J.R. 10 of the 1979 Legislative Session, to request the United States Congress to explore all avenues towards maintaining in full force and effect the numerous existing treaties and other agreements we had with Taiwan. The resolution also asked Congress to further develop the United States' economic and trade relations with Taiwan. It sought various protections for Taiwan against Communist aggression.

Well, international politics prevailed and on April 10, 1979, President Carter signed into law the Taiwan Relations Act, Public Law 96-8, which created domestic legal authority for the conduct of unofficial relations with Taiwan. Official relations went out the window.

American commercial and cultural interaction with the people of Taiwan is now facilitated through the American Institute of Taiwan, a nongovernmental entity. The institute has its headquarters in Washington, D.C., and two offices in Taiwan.

A counterpart organization, the Coordination Council for North American Affairs, has been created by Taiwan. It has headquarters offices in Taipei and field offices in Washington, D.C. and nine other United States cities including San Francisco.

Mr. Paul Chen-Tzu Mao and Mr. Yeong-Cho Chen of the San Francisco office of the Coordination Council for North American Affairs visited with us last week and explained to a joint meeting of the Assembly Committee on Legislative Functions and the Senate Committee on Legislative Affairs and Operations the importance of sister state recognition for both Taiwan and Nevada.

On the plus side for Nevada will be the possibility of increased economic trade and the opportunity for additional cultural experiences provided through visits by Chinese artists. I should point out that over the years Taiwan has sent various trade and cultural groups and scholars to the United States and plans to do so in the future.

Mr. Mao explained to the committees how Taiwan has attempted to purchase many of its goods from the United States, especially those states which have become sister states. Just recently, Taiwan made arrangements with Utah, a sister state with Taiwan, to purchase more agricultural products including hides for Taiwan's major shoe industry.

Taiwan provides a splendid example of how a small country can flourish under a free economy. Its economic growth has been rapid and has continued for several decades. Taiwan is our country's fourth largest trading partner in the world and the second largest trading partner with the states of the Pacific rim.

Taiwan stands on its own two feet. The United States Agency for International Development Mission was closed in Taiwan in 1965. Taiwan's postwar recovery was quick and it has been sustained.

The sister state concept, inaugurated by President Eisenhower back in 1956, envisions a people to people expression of friendship. I believe we should extend our hand of friendship to the hardworking, industrious people of the Republic of China. I urge your "aye" vote on S.J.R. 33.

ASSEMBLYMAN SCHOFIELD:

I wanted to mention that a couple of my colleagues here, one from Las Vegas and one from Washoe County, myself and our wives were very fortunate to have been able to take advantage of a trip to Taiwan. We had lunch with the Speaker of the Assembly in Taiwan. We toured the whole country. Believe me if you ever have an opportunity through the Council of State Governments to visit Taiwan I would encourage it. It is a rude awakening on what people do with people. This is one of the most fantastic countries and representation that they have brought out. There wasn't a "soul" we saw in touring the whole country that did not have something to do. Most generally, their business was right below where they lived. At no time did we ever see any poverty or anyone "pushing the

shopping carts collecting cans". Everyone had a job to do and they were doing it. The freeway system, the power system and the structure of the whole country is utterly fantastic based on the three principles of government that Dr. Sun Yat Sen came up with. My colleagues, Assemblyman Kerns and Assemblyman Jeffrey, I believe, share my feelings. I encourage anyone, if they have an opportunity, to visit Taiwan.

Roll call on Senate Joint Resolution No. 33:

YEAS—39.
NAYS—None.
Absent—Collins, Price, Sedway—3.

Senate Joint Resolution No. 33 having received a constitutional majority, Mr. Speaker declared it passed.

Resolution ordered transmitted to the Senate.

Assembly Bill No. 332.

Bill read third time.

Remarks by Assemblyman Bergevin.

Roll call on Assembly Bill No. 332:

YEAS—39.
NAYS—None.
Absent—Collins, Price, Sedway—3.

Assembly Bill No. 332 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.

The following amendment was proposed by Assemblyman Bergevin:

Amendment No. 872.

Amend section 1, page 1, line 15 after "cles", by inserting: "*or the provision of such services*".

Amend section 1, page 2, line 7, by deleting "beverages." and inserting: "beverages [.] *or the provision of approved services.*".

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 becomes effective upon passage and approval.".

Assemblyman Bergevin moved the adoption of the amendment.

Remarks by Assemblyman Bergevin.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 657.

Bill read third time.

Remarks by Assemblyman Joerg.

Roll call on Assembly Bill No. 657:

YEAS—39.
NAYS—None.
Absent—Collins, Price, Sedway—3.

Assembly Bill No. 657 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 495.

Bill read third time.

Remarks by Assemblymen Bogaert, Sader, Swain and Getto.

Assemblyman Bogaert moved that Assembly Bill No. 495 be taken from the General File and placed on the Chief Clerk's desk.

Motion carried.

Senate Bill No. 8.

Bill read third time.

The following amendment was proposed by Assemblyman Nicholas:

Amendment No. 929.

Amend sec. 3, page 2, line 2, after "*area.*", by inserting: "*Unless circumstances require otherwise, interested public officers must also be afforded reasonable access to the area.*".

Assemblyman Nicholas moved the adoption of the amendment.

Remarks by Assemblyman Nicholas.

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.

Motion carried.

Assembly in recess at 11:58 a.m.

ASSEMBLY IN SESSION

At 12:09 p.m.

Mr. Speaker pro Tempore presiding.

Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Concurrent Committee on Education, 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.

ERIK BEYER, *Chairman*

REFERENCE OF MEASURES TO COMMITTEES

Assembly Bill No. 672.

Assemblyman Francis moved that the bill be referred to the Committee on Economic Development and Tourism.

Motion carried.

Assembly Bill No. 673.

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

Motion carried.

Assembly Bill No. 674.

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

Motion carried.

Assembly Bill No. 675.

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

Motion carried.

Senate Bill No. 130.

Assemblyman Francis moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 147.

Assemblyman Francis moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 272.

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

Motion carried.

Senate Bill No. 334.

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

Motion carried.

Senate Bill No. 355.

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

Motion carried.

Senate Bill No. 381.

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

Motion carried.

Senate Bill No. 391.

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

Motion carried.

Senate Bill No. 436.

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

Motion carried.

Senate Bill No. 444.

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

Motion carried.

Senate Bill No. 456.

Assemblyman Francis moved that the bill be referred to the Committee on Commerce.

Motion carried.

INTRODUCTION AND FIRST READING OF LEGISLATION

By the Committee on Health and Welfare:

Assembly Bill No. 676—An Act relating to public accommodations; exempting tents and movable cabins from regulation as hotels; and providing other matters properly relating thereto.

By the Committee on Health and Welfare:

Assembly Bill No. 677—An Act relating to taxes on retail sales; providing for submission to the voters of the question whether the Sales and Use Tax Act of 1955 should be amended to allow retailers to deduct uncollectible debts from their gross receipts, contingently allowing the same deduction for certain analogous taxes; and providing other matters properly relating thereto.

SECOND READING AND AMENDMENT

Assembly Bill No. 250.

Bill read second time.

The following amendment was proposed by the Committee on Taxation:

Amendment No. 677.

Amend section 1, pages 1 through 3, by deleting lines 1 through 22 on page 1, lines 1 through 42 on page 2 and lines 1 through 4 on page 3 and inserting:

"Section 1. NRS 354.5988 is hereby amended to read as follows:

354.5988 1. If actual receipts from the supplemental city-county relief tax for any fiscal year exceed the estimate previously made by the executive director of the department of taxation, the excess receipts must be deposited in the reserve fund for the supplemental city-county relief tax which is hereby created in the state treasury. [There must also be deposited in this fund any proceeds of that tax which become available when for any local government] *If the amount of* the supplemental city-county relief tax otherwise distributable to [it] *a local government* exceeds the combined amount allowable to it from the supplemental city-county relief tax and taxes ad valorem [.] , *the excess must be distributed to the other local governments*

in the county in the proportion that the maximum allowable revenue of each local government in that county bears to the total maximum allowable revenue of all local governments in that county excluding those governments whose share of the proceeds of the tax exceeded their maximum allowable revenue. If the proceeds of the tax exceed the maximum allowable revenue for all local governments within a county, the excess must be deposited in the reserve fund for the supplemental city-county relief tax. Money in this fund must not be used for any purpose other than distribution to local governments pursuant to this section. The interest earned upon the money in the fund must be added to the principal of the fund.

2. The money in this fund must be used to increase the distribution to local governments when the actual receipts from the supplemental city-county relief tax are less than the estimates previously made by the director of the department of taxation. Whenever the money in the fund at the beginning of any fiscal year exceeds 10 percent of the actual revenues from the supplemental city-county relief tax in the preceding fiscal year, this excess must be distributed to local governments in the following fiscal year in the same proportion as current receipts are distributed for that fiscal year. This distribution must be included in the executive director's estimate of money to be received by each local government from the supplemental city-county relief tax.

3. The Nevada tax commission may direct the state controller to make a special distribution from the fund if it determines that 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, and make written findings of the facts supporting the distribution.".

Amend the title of the bill, first and second lines, by deleting: "providing for the direct apportionment of the revenue" and inserting: "changing the distribution of any excess receipts".

Amend the summary of the bill, first line, by deleting: "Provides direct apportionment of revenue" and inserting: "Changes distribution of excess receipts".

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. 341.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 877.

Amend section 1, page 1, by deleting lines 3 through 7 and inserting:

"*1. If a corporation is under reorganization in a federal court pursuant to Title 11 of U.S.C., it may take any action necessary to carry out any proceeding and do any act directed by the court relating to reorganization, without further action by its directors or stockholders. This*".

Amend section 1, page 1, line 11, by deleting: "*A master or*" and inserting "*Any*".

Amend section 1, page 1, by deleting line 14 and inserting:

"*2. By filing a certified copy of the confirmed plan of reorganization with the secretary of state, the corporation may:*".

Amend section 1, page 2, by deleting line 5 and inserting: "*date or make any other change authorized by this chapter.*".

Amend section 1, page 2, by deleting lines 12 through 16 and inserting: "*becomes effective when it is filed unless otherwise ordered by the court.*

5. Any filing with the secretary of state pursuant to this section must be accompanied by the appropriate fee, if any.

6. Within 30 days after the filing of a petition in bankruptcy pursuant to Title 11 of U.S.C., the corporation shall file with the secretary of state a notice of that filing, specifying:

(a) The date of the filing;

(b) The name and address of the court where the petition was filed; and

(c) The number assigned to the case by the court.".

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. 353.

Bill read second time.

The following amendment was proposed by the Committee on Labor and Management:

Amendment No. 873.

Amend section 1, page 1, by deleting lines 2 through 6 and inserting:

"612.343 1. An employee [who receives a wage of less than $10,200 computed on an annual basis] *whose hourly wage is less than 1/2080 of the average annual wage computed pursuant to NRS 612.340* and who receives tips may declare those tips as wages for determining benefits until the aggregate amount of his tips and wages [computed on an annual basis reaches $10,200.] *for the calendar quarter reaches one-fourth of the average*

annual wage so computed. The employee must make his declaration separately for each pay period before the end of the next pay period. The declaration may not be amended. The".

Amend the bill as a whole by deleting section 2.

Amend the title of the bill by deleting the second and third lines and inserting: "as wages; and providing other matters prop-".

Amend the summary of the bill by deleting the second and third lines and inserting: "compensation. (BDR 53-1760)".

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. 489.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 788.

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 489 of NRS is hereby amended by adding thereto a new section to read as follows:

No license may be issued pursuant to NRS 489.341 to a resident of a state other than Nevada until the applicant has appointed in writing the secretary of state to be his agent, upon whom all process, in any action or proceeding against him, may be served. In this writing he must agree that any process against him which is served on the secretary of state is of the same legal validity as if it had been served on him and state that the appointment continues in force as long as any liability remains outstanding against him in this state. It must contain a stipulation agreeing to venue any judicial or administrative district in this state without regard to the location of the licensee's principal place of business. The written appointment must be acknowledged before some office authorized to take acknowledgements of deeds and must be filed in the office of the secretary of state. A copy of the appointment which is certified by the secretary of state is sufficient evidence of the appointment and agreement.".

Amend the title of the bill, first line, by deleting: "selling of real property;" and inserting: "the sale of property; requiring nonresident licensees for the sale of mobile homes to name an agent for the receipt of process;".

Amend the summary of the bill, first line, by deleting "Removes" and inserting: "Requires naming of agent to receive process for nonresident salesmen of mobile homes and removes".

Assemblyman Nicholas moved the adoption of the amendment.

Remarks by Assemblyman Nicholas.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 503.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 580.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 860.

Amend section 1, page 1, line 10, after "3.", by inserting: "The commission and its inspectors are peace officers for the enforcement of chapters 483 and 484 of NRS for vehicles which are regulated pursuant to chapter 706 of NRS.

4.".

Amend sec. 2, page 2, lines 8 and 9, by deleting: "*pursuant to the provisions of this chapter*" and inserting: "*or suspend pursuant to the provisions of chapter 703 of NRS*".

Amend sec. 3, pages 2 and 3, by deleting lines 12 through 46 on page 2 and lines 1 through 32 on page 3 and inserting:

"Sec. 3. Section 1 of this act becomes effective at 12:01 a.m. on July 1, 1985.".

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. 588.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 869.

Amend section 1, page 2, line 14, by deleting "*Disposal*" and inserting "*Collection and disposal*".

Amend section 1, page 2, by deleting line 15.

Amend section 1, page 2, line 16, by deleting "*5.*" and inserting "*4.*".

Amend section 1, page 2, by deleting line 19 and inserting:

"*5. Water and sewage treatment, unless regulated in that county by an agency of the state.*".

Amend section 1, page 2, line 20, by deleting "*7.*" and inserting "*6.*".

Amend section 1, page 2, line 22, by deleting "*8.*" and inserting "*7.*".

Amend sec. 2, page 2, by deleting line 32 and inserting: "*services, but in either case a person may dispose of his own garbage and other waste.*".

Amend sec. 4, page 3, line 33, by deleting "*Disposal*" and inserting "*Collection and disposal*".

Amend sec. 4, page 3, by deleting line 34.

Amend sec. 4, page 3, line 35, by deleting "*5.*" and inserting "*4.*".

Amend sec. 4, page 3, by deleting line 38 and inserting:

"*5. Water and sewage treatment, unless regulated in that city by an agency of the state.*".

Amend sec. 4, page 3, line 39, by deleting "*7.*" and inserting "*6.*".

Amend sec. 4, page 3, line 41, by deleting "*8.*" and inserting "*7.*".

Amend sec. 4, page 3, line 42, by deleting "*9.*" and inserting "*8.*".

Amend sec. 4, page 3, line 43, by deleting "*10.*" and inserting "*9.*".

Amend sec. 4, page 3, line 45, by deleting "*11.*" and inserting "*10.*".

Amend sec. 7, page 4, line 18, by deleting "*Disposal*" and inserting: "*Collection and disposal*".

Amend sec. 7, page 4, by deleting line 19.

Amend sec. 7, page 4, line 20, by deleting "*5.*" and inserting "*4.*".

Amend sec. 7, page 4, by deleting line 23 and inserting:

"*5. Water and sewage treatment, unless regulated in that town by an agency of the state.*".

Amend sec. 7, page 4, line 24, by deleting "*7.*" and inserting "*6.*".

Amend sec. 7, page 4, line 26, by deleting "*8.*" and inserting "*7.*".

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. 612.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 618.

Bill read second time, ordered engrossed and to third reading.

Senate Bill No. 114.

Bill read second time and ordered to third reading.

Senate Bill No. 127.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 847.

Amend sec. 8, page 3, by deleting lines 27 through 29 and inserting:

"3. Any person who violates any of the provisions of this section shall be fined not more than $500 for each offense.".

Amend sec. 11, page 4, line 31, before "Any" by inserting an open bracket.

Amend sec. 11, page 4, line 35, after "3." by inserting a closed bracket.

Amend sec. 11, page 4, line 45, by deleting "If" and inserting: "[If] *Except as otherwise provided in subsection 3, if*".

Amend sec. 11, page 4, by inserting after line 46:

"*3. Any document which has legal significance, such as a will, deed, mortgage, policy of insurance, certificate of birth, marriage or death, contract or evidence of debt, must not be sold or destroyed by the lessor sooner than 8 years after the box is opened pursuant to subsection 1. Any*

other documents or writings of a private nature, if they have little or no apparent value, need not be offered for sale, but must be retained, unless claimed by the owner, for 6 months, after which they may be destroyed.".

Assemblyman DuBois moved the adoption of the amendment.

Remarks by Assemblyman DuBois.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 156.

Bill read second time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 898.

Amend sec. 4, page 2, line 24, by deleting "[such] *the*" and inserting "the".

Amend sec. 4, page 2, line 25, by deleting "[such] *the*" and inserting "a".

Amend sec. 4, page 2, line 37, by deleting "[such] *those*".

Amend sec. 4, page 3, line 12, by deleting "or parties".

Amend sec. 4, page 3, lines 22 and 23, by deleting: "is guilty of a misdemeanor, and upon conviction thereof".

Amend sec. 4, page 3, line 27, by deleting "shall" and inserting "must".

Amend sec. 10.5, page 5, lines 28 and 29, by deleting "*or 374.515*" and inserting "or 374.515".

Amend sec. 10.5, page 5, by deleting line 32 and inserting: "the failure of the person to claim the security, direct".

Amend sec. 10.5, page 5, by deleting lines 34 and 35 and inserting:

"(a) Transfer all or any part of the security to the state general fund, if the security is in the form of".

Amend sec. 10.5, page 5, line 37, by deleting "*or*" and inserting "or".

Amend sec. 10.5, page 5, by deleting lines 38 and 39 and inserting:

"374.515 and deposit the proceeds thereof in the state general fund, if the security is in the form of a United".

Amend sec. 10.5, page 5, line 41, by deleting "[shall] *must*" and inserting "must".

Amend sec. 19, page 7, by deleting lines 12 through 25 and inserting:

"Sec. 19. (Deleted by amendment.)".

Assemblyman Marvel moved the adoption of the amendment.

Remarks by Assemblyman Marvel.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 246.

Bill read second time.

The following amendment was proposed by the Committee on Transportation:

Amendment No. 859.

Amend the bill as a whole by deleting section 1 and renumbering section 2 as section 1.

Amend the title of the bill, first and second lines, by deleting: "increasing the penalty for operating a motorcycle or motorhome without proof of financial responsibility;".

Assemblyman McGaughey moved the adoption of the amendment.

Remarks by Assemblyman McGaughey.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 260.

Bill read second time and ordered to third reading.

Assembly Bill No. 491.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 862.

Amend section 1, page 1, by deleting lines 3 through 8 and inserting:

"*1. As used in this section, with respect to the sale of gas:*

(a) "Generating customer" means a customer who generates electricity by burning natural gas.

(b) "Industrial customer" means a customer engaged primarily in manufacturing or processing which changes raw or unfinished materials into another form or creates another product.

(c) "Large commercial customer" means a customer whose requirements equal or exceed 50 thousand cubic feet per day on any day and which is an institution, an agency of federal, state or local government, or engaged primarily in renting out offices or other commercial space, in providing lodging or in the sale of other goods or services.

2. The commission shall establish standards for the setting, increase or decrease of rates and charges for natural gas to generating, industrial and large commercial customers. These standards must authorize increases or decreases on less than 30 days' notice. Establishing different classes of customer, and charging different rates to customers of the same class, for these customers do not violate this chapter.

3. The commission may, for sales to generating, industrial and large commercial customers:

(a) Exempt the filing of rates from those provisions of NRS 704.080, 704.090, 704.100 and 704.110 which it determines are not needed to protect the public interest.

(b) Authorize the establishment of different classes of customer or the charging of different rates for customers of the same class, based on value of the service and on the customer's ability to change from one fuel to another.".

Amend sec. 3, page 2, line 15, by deleting "4," and inserting: "4 or in section 1 of Senate Bill No. 290,".

Amend sec. 4, page 3, line 22, by deleting the period and inserting: "*for which data were available when the application was prepared.*".

Amend sec. 4, page 3, by deleting lines 26 and 27 and inserting: "based upon actual recorded results of operations for the [most recent 12 consecutive months for which data are available at the time of filing,] *same 12 months,*".

Amend sec. 4, page 3, by deleting lines 37 and 38 and inserting: "consider evidence supporting [depreciation expenses,] *expenses for depreciation,* calculated on an annual basis, applica-".

Amend sec. 4, page 3, line 42, by deleting "[on an annual basis.] *annually.*" and inserting: "on an annual basis.".

Amend sec. 4, page 4, line 24, by deleting "7," and inserting: "7 or in section 1 of Senate Bill No. 290,".

Amend sec. 4, page 4, by deleting line 34 and inserting: "increased cost of purchased fuel, purchased power , or natural".

Amend sec. 5, page 4, lines 45 and 46, by deleting: "*cars for sleeping*" and inserting "*sleeping cars*".

Amend sec. 5, page 5, by deleting line 2 and inserting: "rates and tolls for the use of telephone lines within the".

Amend sec. 5, page 5, line 6, by deleting "energy conservation" and inserting: "[energy conservation] *the conservation of energy*".

Amend the bill as a whole by adding a new section, designated section 6, following section 5, to read as follows:

"Sec. 6. Sections 3 and 4 of this act become effective at 12:01 a.m. on July 1, 1985.".

Amend the title of the bill, first and second lines, by deleting: "exempting utilities which supply natural gas from regulation" and inserting: "providing separately for the regulation of utilities which supply natural gas".

Assemblyman Bergevin moved the adoption of the amendment.

Remarks by Assemblyman Bergevin.

Amendment adopted.

Assemblyman Bergevin moved that Assembly Bill No. 491 be re-referred to the Committee on Government Affairs.

Motion carried.

Bill ordered reprinted, engrossed and to the Committee on Government Affairs.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Beyer moved that Assembly Bill No. 582 be placed on the Second Reading File.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 582.

Bill read second time.

The following amendment was proposed by the Committee on Education.

Amendment No. 886.

Amend sec. 2, page 1, line 4, after "*of*", by inserting "*specific*".

Amend sec. 2, page 1, by deleting lines 6 and 7 and inserting: "*vide a specifically designed course of instruction for any pupil who has special needs.*".

Amend sec. 2, page 1, line 8, by deleting "*minimum*".

Amend sec. 3, page 1, line 14, by deleting "*entering*" and inserting: "*before he completes the first grade in*".

Amend sec. 3, page 2, line 4, after the period, by inserting: "*The regulation must provide that any such pupil who uses those resources in another school district is to be counted as within that school district for apportionment.*".

Amend sec. 4, page 2, lines 5 and 6, by deleting: "*establish a program to*".

Amend sec. 4, page 2, lines 7 and 8, by deleting: "*who have special needs.*" and inserting an italicized period.

Amend sec. 4, page 2, line 10, after "*regarding*", by inserting "*materials for*".

Amend sec. 4, page 2, line 18, by deleting "*require*" and inserting: ", *by agreement with any school district, establish*".

Amend sec. 4, page 2, line 19, by deleting: "*or any zone in a school district*".

Amend sec. 7, page 3, after line 6, by inserting:

"*4. No state money or federal assistance provided for special education may be used for programs for pupils with special needs.*".

Amend the bill as a whole by deleting section 8 and renumbering sections 9 and 10 as sections 8 and 9.

Amend sec. 10, page 4, by deleting lines 6 through 9.

Amend sec. 10, page 4, line 10, by deleting "2. *A*" and inserting: "*If there is evidence of a marked deterioration in the behavior or academic performance of a pupil, a*".

Amend sec. 10, page 4, line 12, by deleting the italicized colon and inserting an italicized period.

Amend sec. 10, page 4, by deleting lines 13 through 16.

Amend the bill as a whole by deleting sections 11 and 12.

Amend the title of the bill by deleting lines 2 and 3 and inserting: "pupils who have special needs; establishing a program to test pupils for special characteristics; requiring certain certificated".

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.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Judiciary, to which was referred Assembly Bill No. 610, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JAMES STONE, *Chairman*

INTRODUCTION AND FIRST READING OF LEGISLATION

By Assemblyman Arberry:

Assembly Bill No. 678—An Act relating to taxes on retail sales; authorizing the payment of tax on the purchase of certain capital improvements to be made in installments; and providing other matters properly relating thereto.

REFERENCE OF MEASURES TO COMMITTEES

Assembly Bill No. 676.

Assemblyman Francis moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

Assembly Bill No. 677.

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

Motion carried.

Assembly Bill No. 678.

Assemblyman Francis 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. 13, 75, 244, 441, 466.

REMARKS FROM THE FLOOR

Assemblyman Dini requested that his remarks be entered in the Journal.

I would like to make a statement for the record. Three of our members had to go to Las Vegas this morning. I would like the record to reflect that Assemblymen Price, Collins and Jeffrey are attending a funeral in Las Vegas for Mr. Roy Smith, an electrician's union leader. They felt they should be there for his family.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Spriggs, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Bobby Revert.

On request of Assemblyman Sader, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Bernie Anderson and students from Reed High School: Kristin Audrian, Darlene Bode, Paul Brenner, Roslyn Cabacungan, Joe Clifford, Lori Corbett, Janice Cruze, Lauren Denison, Shari Eyman, Holly Fechko, Dixie Garcia, Christopher Greb, Christine Gross, Todd Hilton, William Hollis, Kevin Kivenas, Alina Lujan, Thomas McGuire, Sheryl McLelland, Aaron Molini, Colleen Petersen, Larilyn Rawlins, Michelle Reiche, Lori Rippingham, Mi Hyong Shim, Richard Strobel, Lori Sword and Wendi Vitense.

On request of Assemblyman Dini, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Marie Wilhelm.

Assemblyman Francis moved that the Assembly adjourn until Thursday, May 16, 1985 at 11 a.m.

Motion carried.

Assembly adjourned at 12:39 p.m.

Approved: BYRON L. BILYEU
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

The

Journal of the Assembly

OF THE

SIXTY-THIRD SESSION

OF THE

LEGISLATURE OF THE STATE OF NEVADA

1985

BEGUN ON MONDAY, THE TWENTY-FIRST DAY OF JANUARY, AND ENDED ON TUESDAY, THE FOURTH DAY OF JUNE

VOLUME 2

ONE HUNDRED AND SIXTEENTH DAY—ONE HUNDRED AND THIRTY-FIFTH DAY

SEE VOLUME 1 FOR TABLE OF CONTENTS

SPO, Carson City, Nevada, 1986



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THE ONE HUNDRED AND SIXTEENTH DAY

CARSON CITY (Thursday), May 16, 1985

Assembly called to order at 11 a.m.

Mr. Speaker presiding.

Roll called.

All present except Assemblyman Sedway, who was excused.

Prayer by the Chaplain, The Reverend Ken Haskins.

Our Father in Heaven, You have taught us to pray for those who are in leadership positions for their decisions make an impact upon the lives of many people. So today, I ask that You equip each member of this Assembly with a keen and sound mind, a compassionate heart, and a spirit of courage to make decisions in the best interests of all the citizens of the State of Nevada. This request I make in the Name of Jesus, our Lord and Saviour. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Francis 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. 440, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JAMES STONE, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was re-referred Assembly Bill No. 400, 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.

LOUIS W. BERGEVIN, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which were referred Senate Bills Nos. 417, 419, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

LOUIS W. BERGEVIN, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Health and Welfare, 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: Do pass.

DAVIS D. NICHOLAS, *Chairman*

Mr. Speaker:

Your Concurrent 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: Do pass.

JAMES STONE, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which were referred Senate Bills Nos. 41, 357, 379, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JAMES STONE, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which was re-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.

JAMES STONE, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which was referred Senate Bill No. 177, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN MARVEL, *Chairman*

Mr. Speaker:

Your Committee on Labor and Management, to which was referred Assembly Bill No. 562, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

BARBARA ZIMMER, *Chairman*

Mr. Speaker:

Your Committee on Transportation, 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.

MIKE MALONE, *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: Amend, and do pass as amended.

LOUIS W. BERGEVIN, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 15, 1985

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 320, 437, 476.

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. 290 and requests a conference, and appointed Senators Neal, Vergiels 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 Senate Bill No. 439.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 332, 387, 399, 415, 445.

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. 241.

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. 134.

MARY JO MONGELLI
Assistant Secretary of the Senate

UNFINISHED BUSINESS

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker appointed Assemblymen Getto, Dini and Spriggs as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Assembly Bill No. 290.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Ham moved that Assembly Bill No. 550 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Ham.

Motion carried.

Assemblyman Bergevin moved that Assembly Bill No. 447 be taken from the Chief Clerk's desk and placed on the General File.

Motion carried.

Assemblyman Bergevin moved that Assembly Bill No. 400 be placed on the General File.

Remarks by Assemblyman Bergevin.

Motion carried.

Assemblyman Zimmer moved that Assembly Bill No. 329 be taken from the Chief Clerk's desk and placed on the General File.

Remarks by Assemblyman Zimmer.

Motion carried.

Assemblyman Beyer moved that Assembly Bill No. 50 be placed on the General File.

Motion carried.

Assemblyman Nevin moved that Assembly Bill No. 391 be taken from the Chief Clerk's desk and placed on the Second Reading File.

Motion carried.

INTRODUCTION AND FIRST READING OF LEGISLATION

Senate Bill No. 332.

Bill read first time.

Senate Bill No. 387.

Bill read first time.

Senate Bill No. 399.

Bill read first time.

Senate Bill No. 415.

Bill read first time.

Senate Bill No. 439.

Bill read first time.

Senate Bill No. 445.

Bill read first time.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Humke moved that Assembly Bill No. 211 be taken from the Chief Clerk's desk and placed on the General File.

Remarks by Assemblyman Humke.

Motion carried.

By Assemblymen Nicholas, Bergevin and Humke:

Assembly Joint Resolution No. 27—Proposing to amend section 1 of article 10 of the constitution of the State of Nevada, relating to taxation, to allow an exemption from taxation for real property whose development is prohibited by governmental action.

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. 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 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.

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:

(a) 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.

(b) Real property whose development is prohibited directly or indirectly by a governmental action.

By Assemblymen Williams, Malone, Rader, Banner, Jeffrey, Francis, Thompson, Zimmer, Craddock, Ham, Arberry, Coffin and DuBois:

Assembly Concurrent Resolution No. 38—Urging the improvement and expansion of the local bus service in Clark County.

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

Assembly in recess at 11:13 a.m.

ASSEMBLY IN SESSION

At 11:20 a.m.

Mr. Speaker presiding.

Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Commerce, to which was referred Assembly Bill No. 504, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN DUBOIS, *Chairman*

INTRODUCTION AND FIRST READING OF LEGISLATION

By the Committee on Health and Welfare:

Assembly Bill No. 679—An Act relating to general improvement districts; requiring the legal ownership of real property within a district as a qualification for eligibility to vote in the district's elections; and providing other matters properly relating thereto.

By the Committee on Health and Welfare:

Assembly Bill No. 680—An Act relating to professional engineering; authorizing additional examinations in areas of specialty; and providing other matters properly relating thereto.

By the Committee on Health and Welfare:

Assembly Bill No. 681—An Act relating to maternal health; prohibiting the delivery of a baby for compensation by anyone except a licensed physician or professional nurse; and providing other matters properly relating thereto.

By the Committee on Taxation:

Assembly Bill No. 682—An Act relating to taxation; levying a tax ad valorem on all taxable property in the state to pay the principal and interest on bonds of the state; making appropriations; and providing other matters properly relating thereto.

By the Committee on Education:

Assembly Bill No. 683—An Act relating to public schools; establishing a program to assist school districts in reducing the pupil-teacher ratio; creating the fund to assist children to obtain a better education; making an appropriation; and providing other matters properly relating thereto.

MOTIONS, RESOLUTIONS AND NOTICES

Mr. Speaker announced that during Assemblyman Sedway's absence, he was appointing Assemblyman Thompson to replace Assemblyman Sedway as a member of the Committee on Ways and Means and Assemblyman Sader to replace Assemblyman Sedway as a member of the Committee on Education.

SECOND READING AND AMENDMENT

Assembly Bill No. 434.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 870.

Amend sec. 2, page 2, by deleting lines 8 through 12 and inserting:

"2. *If a natural person passes the technical examination given by the board on or after July 1, 1985, to qualify him for a classification established pursuant to this chapter, demonstrates to the board the degree of experience and knowledge required in the regulations of the board, and is granted a license, he is qualified for a master's license, if issued by any political subdivision, in the classification for which the examination was given, if the examination required him to demonstrate his knowledge and ability to:*

(a) Utilize and understand;

(b) Direct and supervise work in compliance with; and

(c) Perform and apply any calculations required to ensure that work performed is in compliance with,

the applicable codes, standards and regulations.

3. If a natural person qualified for a license before July 1, 1985, in accordance with NRS 624.260 in a trade for which a master's license is required by any political subdivision, and if the license is active on or after July 1, 1985, and if the person so qualified wishes to obtain a master's license, he must pass either the appropriate examination given by the board on or after July 1, 1985, in accordance with NRS 624.260 and the regulations of the board, or the examination given by the political subdivision in the trade for which a master's license is required.".

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. 583.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 894.

Amend sec. 2, page 1, line 7, by deleting "*standard and*".

Amend sec. 2, page 1, line 8, by inserting after the period: "*The rate so determined must approximate the rates then being paid for other securities which contain similar provisions and have an equivalent rating.*".

Amend sec. 2, page 1, line 9, by deleting: "*provide that standard or to*".

Amend sec. 6, page 2, line 24, by deleting "*standard and*".

Amend sec. 6, page 2, line 25, by inserting after the period: "*The rate so determined must approximate the rates then being paid for other securities which contain similar provisions and have an equivalent rating.*".

Amend sec. 6, page 2, line 26, by deleting: "*provide that standard or to*".

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. 584.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 903.

Amend section 1, page 1, line 3, by inserting "*1.*" before "*Bonds*".

Amend section 1, page 1, by inserting after line 6:

"2. *If interest is compounded on some or all of an issue of securities, the total amount paid in each year as interest and redemption of principal, plus any amount paid into a sinking fund, must not exceed the amount which would be required to pay the interest and redeem the principal of those securities in equal installments over their term. This subsection does not prohibit or limit the payment of interest without redemption of principal during the construction of a project financed by the issuance of securities.*".

Assemblyman Lambert moved the adoption of the amendment.

Remarks by Assemblyman Lambert.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 597.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 913.

Amend section 1, page 1, line 5, after "*entity.*", by inserting: "*If such facilities are shared, each facility must be separately designated.*".

Amend section 1, page 1, line 10, after "*entity.*", by inserting: "*If such facilities are shared, each facility must be separately designated.*".

Assemblyman DuBois moved the adoption of the amendment.

Remarks by Assemblyman DuBois.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 603.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 881.

Amend section 1, page 1, line 3, after "employee", by inserting: "*or employee of the University of Nevada System*".

Amend the bill as a whole by adding new sections designated sections 2 through 8, following section 1, to read as follows:

"Sec. 2. NRS 287.320 is hereby amended to read as follows:

287.320 1. The state may agree with any of its employees , *and the board of regents of the University of Nevada System may agree with any of its employees,* to defer the compensation due to them in accordance with a program approved by the committee and as authorized by 26 U.S.C. § *401(k) or* 457.

2. The [state] *employer* shall withhold the amount of compensation which an employee has, by such an agreement, directed the [state] *employer* to defer.

3. The [state] *employer* may invest the withheld money in any investment approved by the committee.

4. The investments must be underwritten and offered in compliance with all applicable federal and state laws and regulations, and may be offered only by persons who are authorized and licensed under all applicable state and federal regulations.

5. All amounts of compensation deferred pursuant to the program, all property and rights purchased with those amounts, and all income attributable to those amounts, property or rights remain solely the property and rights of the state [,] *or the University of Nevada System,* subject only to the claims of its general creditors, until made available to the participants in the program or their beneficiaries.

Sec. 3. NRS 287.330 is hereby amended to read as follows:

287.330 The governor shall appoint a committee, which must include the attorney general or his designee, to administer the program. The committee may:

1. Create [a state employees' deferred compensation fund or other] *an* appropriate fund for administration of money and other assets resulting from compensation deferred under the program.

2. With the approval of the governor, delegate to one or more state agencies *or institutions of the University of Nevada System* the responsibility for administering the program for their respective employees, including:

(a) Collection of deferred compensation;

(b) Transmittal of money collected to depositories within the state designated by the committee; and

(c) Payment of deferred compensation to participating employees.

3. Contract with a private person, corporation, institution or other entity, directly or through a state agency [,] *or institution of the University of Nevada System,* for services necessary to the administration of the plan, including without limitation:

(a) Consolidated billing;

(b) [Recordkeeping] *The keeping of records* for each participating employee and the program;

(c) [Asset purchase, control and safeguarding;

(d) Employee communication programs; and

(e) Program administration and coordination.] *The purchase, control and safeguarding of assets;*

(d) Programs for communication with employees; and

(e) The administration and coordination of the program.

4. The committee and its individual members are not liable for any [investment decision] *decision relating to investments* if the committee has:

(a) Obtained the advice of qualified [investment counsel;] *counsel on investments;*

(b) Established proper objectives and policies relating to investments; and

(c) Exercised that degree of care and judgment which persons of ordinary prudence and reasonable discretion exercise in the management of their own affairs, considering probable income as well as the probable safety of their capital.

Sec. 4. NRS 287.340 is hereby amended to read as follows:

287.340 1. Deferrals of compensation may be withheld as [payroll deductions] *deductions from the payroll* in accordance with the agreement between the [state] *employer* and a participating employee.

2. The amount of deferred compensation set aside by the [state] *employer* under the program during any calendar year may not exceed the amount authorized by 26 U.S.C. § *401(k) or* 457.

Sec. 5. NRS 287.360 is hereby amended to read as follows:

287.360 The program [shall] *must* be established in addition to other retirement, pension and benefit systems established by the state [,] *or University of Nevada System,* and does not supersede, make inoperative, or reduce benefits provided by the public employees' retirement system or by any other retirement, pension or benefit program established by law.

Sec. 6. NRS 287.370 is hereby amended to read as follows:

287.370 No appropriated money of the state may be spent in connection with the administration of the program except as compensation for employees who participated in the administration as part of their regular duties, including without limitation:

1. Members and staff of the committee; and

2. Employees of the state agency *or the institution of the University of Nevada System* selected to administer the program.

Sec. 7. NRS 287.401 is hereby amended to read as follows:

287.401 "Deferred compensation" means income which an employee of

a political subdivision may legally set aside under 26 U.S.C. § *401(k) or* 457 and which, while invested under the program, is exempt from federal income taxes on the employee's contributions and interest, dividends and capital gains.

Sec. 8. NRS 680B.025 is hereby amended to read as follows:

680B.025 For the purposes of NRS 680B.025 to 680B.039, inclusive:

1. "Total income derived from premiums":

(a) Does not include premiums or considerations received from life insurance policies or annuity contracts issued in connection with the funding of a pension, annuity or profit-sharing plan qualified or exempt under sections 401, 403, 404, 408 , *457* or 501 of the United States Internal Revenue Code as renumbered from time to time.

(b) As to title insurance consists of the total amount received by the company from the sale of policies of title insurance.

2. Money accepted by a life insurer under an agreement which provides for an accumulation of money to purchase annuities at future dates may be considered as "total income derived from premiums" either upon receipt or upon the actual application of the money to the purchase of annuities, but any interest credited to money accumulated while under the latter alternative must also be included in "total income derived from premiums," and any money taxed upon receipt, including any interest later credited thereto, is not subject to taxation upon the purchase of annuities. Each life insurer shall signify on its return covering premiums for the calendar year 1971 or for the first calendar year it transacts business in this state, whichever is later, its election between those two alternatives. Thereafter an insurer shall not change his election without the consent of the commissioner. Any such money taxed as "total income derived from premiums" is, in the event of withdrawal of the money before its actual application to the purchase of annuities, eligible to be included as "return premiums" under the provisions of NRS 680B.030.".

Amend the title of the bill, first line, by deleting "state" and inserting "public".

Amend the title of the bill, second line, after "tion;" by inserting: "exempting from insurance premium tax policies or annuity contracts issued in connection with that deferred compensation;".

Amend the summary of the bill by deleting "state" and inserting "public".

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. 610.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 937.

Amend section 1, page 1, line 4, by deleting "*10*" and inserting "*14*".

Amend section 1, page 1, line 11, after "*unavailable*", by inserting "*or unable*".

Amend section 1, page 1, line 12, by deleting: "*to testify, reasonable*" and inserting: "*or unable to testify, written*".

Amend section 1, page 1, line 13, after "*defendant*", by inserting: "*at least 10 days before the trial*".

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 becomes 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.

Senate Bill No. 141.

Bill read second time and ordered to third reading.

Senate Bill No. 145.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 668.

Amend sec. 4, page 2, line 8, by deleting the italicized colon and inserting: "*which has been issued a certificate of authority by the commissioner to transact insurance in this state, either at the time the policy was issued or when the insured event occurred:*".

Amend sec. 4, page 2, by deleting lines 12 and 13 and inserting:

"2. *Which is involved in judicial proceeding in its state of domicile or in Nevada related to the determination of its solvency, rehabilitation or liquidation, if the court conducting those proceedings has issued an order prohibiting the insurer from paying claims for more than 30 days.*".

Amend sec. 7, page 2, by deleting lines 25 and 26 and inserting:

"Sec. 7. *If the association pays any claims on behalf of an insurer which is an insolvent insurer within the meaning of subsection 2 of section 4 of this act, the insurer may not accept any new business in this state until it has reimbursed the association for the payment of the claims, including the administrative expenses incurred by the association in acting upon and paying the claims.*".

Amend sec. 8, page 2, line 28, by deleting the italicized period and inserting: "*within the meaning of subsection 2 of section 4 of this act.*".

Amend sec. 8, page 2, line 34, by deleting: "*determine that an*" and inserting: "*adopt regulations governing hearings pursuant to this section.*".

Amend sec. 8, page 2, by deleting lines 35 and 36.

Amend sec. 9, page 2, line 46, by deleting "such" and inserting "the".

Amend sec. 9, page 3, line 17, by deleting "prior to" and inserting "before".

Amend sec. 9, page 3, line 34, by deleting "Such" and inserting "The".

Amend sec. 9, page 3, by deleting lines 35 through 38 and inserting:

"between insurers and reinsurers.] , *the words and terms defined in sections 2 to 6, inclusive, of this act,*".

Assemblyman DuBois moved the adoption of the amendment.

Remarks by Assemblyman DuBois.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 202.

Bill read second time and ordered to third reading.

Senate Bill No. 312.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 941.

Amend section 1, page 1, by deleting lines 1 through 18 and inserting: "Section 1. NRS 523.167 is hereby repealed.".

Amend the title of the bill, first line, by deleting: "narrowing the application of" and inserting "repealing".

Amend the summary of the bill, first line, by deleting: "Narrows application of" and inserting "Repeals".

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. 343.

Bill read second time and ordered to third reading.

Senate Bill No. 364.

Bill read second time and ordered to third reading.

Senate Joint Resolution No. 21.

Resolution read second time and ordered to third reading.

Assembly Bill No. 391.

Bill read second time.

The following amendment was proposed by the Committee on Transportation:

Amendment No. 704.

Amend section 1, page 1, by deleting line 3 and inserting: "[sign,] :

(a) Sign, poster or other nontransparent material *; or*

(b) Material which presents a metallic or mirror-like appearance,

upon the front wind-".

Amend section 1, page 1, line 4, before "such", by inserting an open bracket.

Amend section 1, page 1, by deleting lines 6 through 17 and inserting: "highway.

2. This section shall] *the vehicle. This subsection does* not apply to any sign, poster or other".

Amend section 1, page 2, by inserting after line 2:

"*2. Except as otherwise provided in subsection 3, a person shall not drive any motor vehicle with any transparent material applied to the front windshield or the side or rear windows which alters the color or reduces the amount of light transmitted through the window.*

3. Subsection 2 does not apply to:

(a) A side window which is located to the rear of the driver's seat.

(b) Rear windows in a vehicle which is equipped with outside mirrors on both sides which are capable of providing the driver with a clear view of the roadway to the rear of the vehicle for a distance of at least 200 feet.

(c) The top 4 inches of the front windshield if the material:

(1) Does not obstruct the driver's vision of the roadway;

(2) Is not red or amber in color or otherwise distorts the driver's vision or the primary colors he sees through the windshield; and

(3) Does not reflect light into the eyes of the occupants of oncoming or following vehicles to any greater extent than the windshield would have done without such a material.

(d) A window made of tinted glass which was originally installed at the factory and any equivalent replacement.".

Assemblyman Nevin moved the adoption of the amendment.

Remarks by Assemblymen Nevin, Sader, Jeffrey, Schofield, Collins and Swain.

Assemblymen Kerns, Roberts and Humke moved the previous question.

Motion carried.

The question being on the motion to adopt Amendment No. 704 to Assembly Bill No. 391.

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. 379, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN DUBOIS, *Chairman*

INTRODUCTION AND FIRST READING OF LEGISLATION

By Assemblymen McGaughey, Beyer and Horne:

Assembly Bill No. 684—An Act relating to education; creating a position in the department of education to coordinate the use of libraries; and providing other matters properly relating thereto.

REFERENCE OF MEASURES TO COMMITTEES

Assembly Bill No. 679.

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

Motion carried.

Assembly Bill No. 680.

Assemblyman Francis moved that the bill be referred to the Committee on Commerce.

Motion carried.

Assembly Bill No. 681.

Assemblyman Francis moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

Assembly Bill No. 682.

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

Motion carried.

Assembly Bill No. 683.

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

Motion carried.

Assembly Bill No. 684.

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

Motion carried.

Assembly Joint Resolution No. 27.

Assemblyman Francis moved that the resolution be referred to the Committee on Taxation.

Motion carried.

Assembly Concurrent Resolution No. 38.

Assemblyman Francis moved that the resolution be referred to the Committee on Transportation.

Motion carried.

Senate Bill No. 332.

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

Motion carried.

Senate Bill No. 387.

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

Motion carried.

Senate Bill No. 399.

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

Motion carried.

Senate Bill No. 415.

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

Motion carried.

Senate Bill No. 439.

Assemblyman Francis moved that the bill be referred to the Committee on Elections.

Motion carried.

Senate Bill No. 445.

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

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 159.

Bill read third time.

Remarks by Assemblyman Thomas.

Roll call on Assembly Bill No. 159:

YEAS—41.

NAYS—None.

Absent—Sedway.

Assembly Bill No. 159 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 217.

Bill read third time.

Remarks by Assemblyman Stone.

Roll call on Assembly Bill No. 217:

YEAS—41.

NAYS—None.

Absent—Sedway.

Assembly Bill No. 217 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 224.

Bill read third time.

Remarks by Assemblymen Williams, Little, Collins, Joerg, Dini, Roberts, Jeffrey and Thompson.

Assemblyman Bogaert requested that Assemblyman Williams' remarks be entered in the Journal.

A.B. No. 224 is one of the celebrated "tips" bills. I think that when all of us arrived in Carson City we anticipated that these would be among the most controversial bills we would deal with this session. However, the gaming industry and organized labor are to be

commended; for, in their combined wisdom, they chose cooperation instead of confrontation and they chose basic fairness instead of fighting. This is a permissive bill which allows an employee to declare tip income which can be added to wages for the purpose of increasing the employee's benefit level for industrial accident benefits. This bill limits the amount that may be claimed and additionally sets specific time frames for computation of wages for these benefits. Your Committee on Labor and Management unanimously urges a favorable vote on A.B. No. 224.

Assemblyman Malone requested that Assemblyman Little's remarks be entered in the Journal.

I would like to stand in opposition to A.B. No. 224. First of all, Webster's dictionary defines wage as "a payment usually of money for labor or services usually according to contract on an hourly, daily or piece work basis". I know this bill is a voluntary bill for those persons wishing to report their tips in return for workers compensation. I feel it has good intentions. But, unfortunately, I feel it is unjust and misleading. Unjust because the restaurant owner is compelled, upon the service request of filing, to pay workers compensation payments on all the tips she claims. This money was not given to the server as a wage from the employer, but from the customer as a tip. If we claim tips as wages then it seems the customer should be responsible for the workers compensation. The third thing is to let the waitress purchase her own insurance from the tips. This way the money is still their responsibility.

To endorse A.B. No. 224 confirms we believe tips are wages contrary to the definition and our belief. Since the employer did not give the employee the tips, I feel it is unfair to compel him by law to pay compensation on it. This bill definitely will have a severe impact on the small restaurants. I ask you to vote "no" on A.B. No. 224. A no vote would support the small business and the working waitress. Yes, there was a deal cut between the union and the big casinos. But they unfortunately forgot the small businessman and the working waitress and I ask that you vote no.

Roll call on Assembly Bill No. 224:

YEAS—38.

NAYS—Little.

Absent—Sedway.

Not voting—Fairchild, Roberts—2.

Assembly Bill No. 224 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 337.

Bill read third time.

Remarks by Assemblymen DuBois, Nicholas and Stone.

Roll call on Assembly Bill No. 337:

YEAS—31.

NAYS—Banner, Collins, Dini, Jeffrey, McGaughey, Malone, Nicholas, Spriggs, Thomas, Mr. Speaker—10.

Absent—Sedway.

Assembly Bill No. 337 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 Ham.

Roll call on Assembly Bill No. 492:

YEAS—39.

NAYS—Bogaert, Spriggs—2.

Absent—Sedway.

Assembly Bill No. 492 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 Sader.

Roll call on Assembly Bill No. 496:

YEAS—41.

NAYS—None.

Absent—Sedway.

Assembly Bill No. 496 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 503.

Bill read third time.

Remarks by Assemblymen Zimmer and DuBois.

Roll call on Assembly Bill No. 503:

YEAS—41.

NAYS—None.

Absent—Sedway.

Assembly Bill No. 503 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 566.

Bill read third time.

Remarks by Assemblyman Jeffrey.

Roll call on Assembly Bill No. 566:

YEAS—41.

NAYS—None.

Absent—Sedway.

Assembly Bill No. 566 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 593.

Bill read third time.

Remarks by Assemblyman Thomas.

Roll call on Assembly Bill No. 593:

YEAS—33.

NAYS—Arberry, Banner, Malone, O'Donnell, Price, Rader, Stone, Zimmer—8.

Absent—Sedway.

Assembly Bill No. 593 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 612.

Bill read third time.

Remarks by Assemblyman O'Donnell.

Roll call on Assembly Bill No. 612:

YEAS—41.

NAYS—None.

Absent—Sedway.

Assembly Bill No. 612 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 618.

Bill read third time.

Remarks by Assemblyman Coffin.

Roll call on Assembly Bill No. 618:

YEAS—41.

NAYS—None.

Absent—Sedway.

Assembly Bill No. 618 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 114.

Bill read third time.

Remarks by Assemblymen Zimmer, Stone, Sader, Price and Swain.

Assemblymen Dini, Bogaert and Getto moved the previous question.

Motion carried.

The question being on the passage of Senate Bill No. 114.

Roll call on Senate Bill No. 114:

YEAS—18.

NAYS—Arberry, Banner, Bergevin, Beyer, Bogaert, Collins, Craddock, Dini, Getto, Ham, Jeffrey, Kerns, Little, McGaughey, Nicholas, O'Donnell, Price, Schofield, Stone, Thomas, Thompson, Mr. Speaker—22.

Absent—Sedway.

Not voting—Coffin.

Senate Bill No. 114 having failed to receive a constitutional majority, Mr. Speaker declared it lost.

REMARKS FROM THE FLOOR

Assemblyman Little requested that her remarks be entered in the Journal.

I would like to go on record that I meant to vote "yes" on S.B. No. 114 when I voted "no".

GENERAL FILE AND THIRD READING

Senate Bill No. 260.

Bill read third time.

Remarks by Assemblyman Schofield.

Roll call on Senate Bill No. 260:

YEAS—41.

NAYS—None.

Absent—Sedway.

Senate Bill No. 260 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 447.

Bill read third time.

The following amendment was proposed by Assemblyman Price:

Amendment No. 924.

Amend sec. 2, page 3, line 24, by deleting "*Five*" and inserting: "*Two thousand five*".

Amend sec. 2, page 3, by inserting between lines 27 and 28:

"*(b) Five hundred dollars or more but less than $2,500, a person violating the provisions of this section is guilty of a gross misdemeanor.*".

Amend sec. 2, page 3, line 28, by deleting "*(b)*" and inserting "*(c)*".

Assemblyman Price moved the adoption of the amendment.

Remarks by Assemblymen Price, Bergevin, Stone and Malone.

Amendment lost.

Remarks by Assemblymen Bergevin and Stone.

Roll call on Assembly Bill No. 447:

YEAS—41.

NAYS—None.

Absent—Sedway.

Assembly Bill No. 447 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 400.

Bill read third time.

The following amendment was proposed by Assemblyman Bergevin:

Amendment No. 934.

Amend sec. 2, page 1, line 3, by deleting the period and inserting: "*and mental retardation.*".

Amend sec. 4, page 1, line 10, by deleting the period and inserting: "*and mental retardation.*".

Amend sec. 4, page 1, line 11, by deleting the period and inserting: "*and mental retardation.*".

Amend sec. 4, page 1, by deleting line 13 and inserting: "*facility for the treatment of the mentally ill or mentally retarded.*".

Amend sec. 4, page 2, line 2, after "*ill*", by inserting: "*and mentally retarded*".

Amend sec. 4, page 2, line 4, by deleting "*mental health*" and inserting: "*the treatment of the mentally ill and mentally retarded*".

Amend sec. 4, page 2, line 6, by deleting "*mental health;*" and inserting: "*the mentally ill and mentally retarded.*".

Amend sec. 4, page 2, line 7, by deleting "*mental health*" and inserting: "*the treatment of the mentally ill and the mentally retarded*".

Amend sec. 4, page 2, line 9, by deleting the semicolon and inserting ".".

Amend sec. 4, page 2, line 11, after "*illness*", by inserting: "*and mental retardation*".

Amend sec. 4, page 2, line 13, by deleting "*health;*" and inserting: "*illness and mental retardation.*".

Amend sec. 4, page 2, line 15, by deleting the semicolon and inserting ".".

Amend sec. 4, page 2, line 17, by deleting: "*mental health; and*" and inserting: "*the treatment of the mentally ill and mentally retarded.*".

Amend sec. 4, page 2, line 19, after "*illness*" by inserting: "*and mental retardation*".

Amend sec. 5, page 2, line 24, by deleting "*mental health*" and inserting: "*the mentally ill and the mentally retarded*".

Amend sec. 6, page 2, line 32, by deleting "*administrator*" and inserting "*commission*".

Amend sec. 20, page 4, line 8, by deleting "*mental health,*" and inserting: "*the mentally ill and mentally retarded,*".

Amend sec. 20, page 4, line 9, after "*illness*", by inserting: "*and mental retardation*".

Amend sec. 20, page 4, line 11, after "*ill*", by inserting: "*and mentally retarded*".

Amend sec. 20, page 4, line 16, after "*ill*", by inserting: "*and mentally retarded*".

Amend sec. 21, page 4, line 23, after "*ill*", by inserting: "*and mentally retarded*".

Amend sec. 21, page 4, line 26, after "*ill*", by inserting: "*and mentally retarded*".

Amend sec. 21, page 4, line 30, by deleting the period and inserting: "*and mental retardation.*".

Amend sec. 26, page 4, line 38, by deleting "*mental health*".

Amend sec. 26, pages 4 and 5, line 45 on page 4 and line 1 on page 5, by deleting "*mental health,*" and inserting: "*the treatment of the mentally ill or mentally retarded,*".

Amend sec. 29, page 5, lines 8 and 9, by deleting: "*mental retardation division or the mental health*".

Amend sec. 29, page 5, by deleting line 33 and inserting "*commission.*".

Amend sec. 30, page 5, lines 36 and 37, by deleting: "*mental retardation division or the mental health*".

Amend sec. 30, page 7, by deleting lines 5 and 6 and inserting: "specified by regulation of the [division.] *commission.*".

Amend sec. 42, page 8, by deleting line 20 and inserting:

"Sec. 42. NRS 433A.160 is hereby amended to read as follows:

433A.160 1. Application for an emergency admission of an allegedly mentally ill person for evaluation and observation may only be made by [a duly] *an* accredited agent of the department, an officer authorized to make arrests in the State of Nevada or a physician, psychologist, social worker or registered nurse. The agent, officer, physician, psychologist, social worker or registered nurse may take an allegedly mentally ill person into custody without a warrant [for the purpose of making an application] *to apply* for emergency admission for evaluation, observation and treatment under NRS 433A.150 and may transport the person or arrange the transportation for him with a local law enforcement agency to a public or private mental health facility for [the purposes of making the application.] *that purpose.*

2. The application must reveal the circumstances under which the person was taken into custody and the reasons therefor.

3. For the purposes of subsection 1, ["duly] *"an* accredited agent of the department" means any person appointed or designated by the director of the department to take into custody and transport to a mental health facility pursuant to subsections 1 and 2 those persons in need of emergency admission.

4. Any person who has reason to believe that another person is mentally ill [and because of such illness is likely to harm himself or others if he is not immediately detained or that the person is gravely disabled by mental illness,] may apply to the district attorney of the county where the allegedly mentally ill person is found, and the district attorney may, if satisfied that *as a result of mental illness* the person is likely to harm himself or others or is gravely disabled *:* [as defined in subsection 2 of NRS 433.194:]

(a) Issue an order to any peace officer for the immediate apprehension of the person and his transportation to a public or private mental health facility; and

(b) Make application for the admission of the person under the emergency admission provisions of NRS 433A.150.".

Amend sec. 44, page 8, by deleting line 34 and inserting:

"Sec. 44. NRS 433A.200 is hereby amended to read as follows:

433A.200 Proceedings for an involuntary court-ordered admission of any person in the State of Nevada may be commenced by the filing of a petition with the clerk of the district court of any county where the person who is to be treated resides. The petition may be filed by the spouse, parent, adult children or legal guardian of the person to be treated or by any physician, psychologist, social worker or public health nurse, by [a duly] *an* accredited agent of the department or by any officer authorized to make

arrests in the State of Nevada. [Such petition shall] *This petition must* be accompanied:

1. By a certificate of a physician or certified psychologist stating that he has examined the person alleged to be mentally ill and has concluded that as a result of mental illness the person is likely to harm himself or others or that he is gravely disabled *;* [, as provided in subsection 2 of NRS 433.194;] or

2. By a sworn written statement by the petitioner that:

(a) The petitioner has probable cause to believe that [such] *the* person is mentally ill and, because of such illness is likely to harm himself or others, or is gravely disabled *;* [, as defined in subsection 2 of NRS 433.194;] and

(b) That [such] *the* person has refused to submit to examination or treatment by a physician, psychiatrist or certified psychologist.".

Amend sec. 77, page 12, line 25, after "division's", by deleting the closed bracket and after "and the" by inserting the closed bracket.

Amend sec. 94, page 13, line 29, after "*health*", by inserting: "*and mental retardation*".

Amend sec. 96, page 14, line 9, after "*health*", by inserting: "*and mental retardation*".

Amend sec. 96, page 14, line 22, by deleting "*state,*" and inserting: "*state and who has experience in dealing with mental retardation,*".

Amend the bill as a whole, page 15, by deleting line 9, and inserting:

"Sec. 98. (Deleted by amendment.)

Sec. 99. NRS 232.290 is hereby amended to read as follows:

232.290 As used in NRS 232.290 to 232.500, inclusive, *and sections 96 and 97 of this act,* unless the context requires otherwise:

1. "Department" means the department of human resources.

2. "Director" means the director of the department of human resources.

Sec. 100. (Deleted by amendment.)

Sec. 101. NRS 232.320 is hereby amended to read as follows:

232.320 *1.* The director:

[1.] *(a)* Shall appoint, with the consent of the governor, chiefs of the divisions of the department, who are respectively designated as follows:

[(a)] *(1)* The administrator of the aging services division;

[(b)] *(2)* The administrator of the health division;

[(c) The administrator of the mental hygiene and mental retardation division;

(d)] *(3)* The administrator of the rehabilitation division;

[(e)] *(4)* The state welfare administrator; and

[(f)] *(5)* The administrator of the youth services division.

[2. Is responsible for the administration,]

(b) Shall administer, through the divisions of the department, [of] the provisions of chapters 210, 422 to 427A, inclusive, and 431 to 436, inclusive, 439 to 443, inclusive, 446, 447, 449, 450, 458 and 615 of NRS, NRS 444.003 to 444.430, inclusive, 445.015 to 445.038, inclusive, and all other provisions of law relating to the functions of the divisions of the

department, but is not responsible for the clinical activities of the health division or the professional line activities of the other divisions.

[3.] *(c)* Has such other powers and duties as are provided by law.

2. The governor shall appoint the administrator of the mental hygiene and mental retardation division.

Sec. 102 through 104. (Deleted by amendment.)".

Amend sec. 105, page 15, line 10, by deleting "433.024," and "433.084,".

Amend sec. 106, page 15, by deleting lines 13 and 14 and inserting:

"Sec. 106. The governor shall appoint the".

Amend sec. 106, page 15, line 15, after "health", by inserting: "and mental retardation".

Amend the summary of the bill to read as follows: "Creates commission on mental health and mental retardation. (BDR 39-1291)".

Assemblyman Bergevin moved the adoption of the amendment.

Remarks by Assemblyman Bergevin.

Amendment adopted.

Assemblyman Bergevin moved that Assembly Bill No. 400 be re-referred to the Committee on Ways and Means.

Motion carried.

Bill ordered reprinted, re-engrossed and to the Committee on Ways and Means.

Assembly Bill No. 329.

Bill read third time.

The following amendment was proposed by Assemblyman Jeffrey:

Amendment No. 558.

Amend section 1, page 1, line 2, by deleting "and 3" and inserting: ", 3 and 4".

Amend the bill as a whole by renumbering sections 4 and 5 as sections 5 and 6 and adding a new section designated section 4, following section 3, to read as follows:

"*Sec. 4. 1. If the insurer determines that it has overpaid a claimant as a result of a clerical error in its calculation of the amount of payment, the insurer may not recover the amount of overpayment by reducing any further payments to the claimant unless the claimant contributed to the error.*

2. If the insurer so reduces any such payment, it shall:

(a) Notify the claimant in writing of its determination; and

(b) Inform him of his right to a hearing before a hearing officer to contest the determination.".

Amend the title of the bill, first line, after "recover", by inserting "certain".

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. 50.

Bill read third time.

Remarks by Assemblyman Beyer.

Roll call on Assembly Bill No. 50:

YEAS—41.

NAYS—None.

Absent—Sedway.

Assembly Bill No. 50 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 211.

Bill read third time.

The following amendment was proposed by Assemblyman Humke:

Amendment No. 969.

Amend sec. 3, page 2, by deleting lines 1 through 4 and inserting:

"Sec. 3. (Deleted by amendment.)".

Amend sec. 4, page 2, lines 13 and 14, by deleting the brackets on each line.

Amend sec. 6, page 2, lines 39 and 40, by deleting: "*or persons who use child care;*" and inserting an italicized semicolon.

Amend sec. 6, page 2, line 42, by deleting "*seven*" and inserting "*13*".

Amend sec. 6, page 2, line 44, by deleting "*seven*" and inserting "*13*".

Amend the title of the bill, first and second lines, by deleting: "enlarging the category of child care facilities regulated;".

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

By Assemblymen Collins, Ham, Thomas, Getto, O'Donnell, Rader, Marvel, Fairchild, Little, Bogaert, McGaughey, DuBois, Francis, Dini, Beyer, Horne, Tebbs, Arberry and Bergevin:

Assembly Joint Resolution No. 28—Urging the Congress of the United States to repeal the Federal Reserve Act.

By Assemblymen Bogaert, Kerns, Price, Humke, Jeffrey and Roberts:

Assembly Concurrent Resolution No. 39—Directing the legislative commission to study the potential uses of Washoe Lake.

INTRODUCTION AND FIRST READING OF LEGISLATION

By Assemblyman Stone:

Assembly Bill No. 685—An Act relating to litigation; enlarging the privileges allowed to legislators who are attorneys or parties during a legislative session; and providing other matters properly relating thereto.

By the Committee on Ways and Means:

Assembly Bill No. 686—An Act making appropriations for the support of the Tahoe regional planning agency; and providing other matters properly relating thereto.

By the Committee on Government Affairs:

Assembly Bill No. 687—An Act relating to the salaries of members of boards and other similar bodies; providing a uniform rate of pay for members who are appointed by the governor; and providing other matters properly relating thereto.

By the Committee on Taxation:

Assembly Bill No. 688—An Act relating to taxes on retail sales; 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 aircraft and major components of aircraft purchased by an airline based in Nevada; contingently creating the same exemption from certain analogous taxes; and providing other matters properly relating thereto.

By the Committee on Health and Welfare:

Assembly Bill No. 689—An Act relating to physicians; invalidating agreements not to compete; and providing other matters properly relating thereto.

By Assemblymen Roberts, Little, McGaughey, Horne, Stone, DuBois, Collins, Bogaert, Francis, Malone, Fairchild, Rader, Lambert, O'Donnell, Joerg, Ham, Zimmer, Tebbs, Spriggs, Humke and Bilyeu:

Assembly Bill No. 690—An Act relating to public finances; requiring biennial postaudits of each state agency; limiting the number of consecutive audits for which a local government may use the same auditor; and providing other matters properly relating thereto.

By Assemblyman Stone (by request):

Assembly Bill No. 691—An Act relating to real property; including managers of homeowners' associations in definition of broker; and providing other matters properly relating thereto.

UNFINISHED BUSINESS

RECEDE FROM ASSEMBLY AMENDMENTS

Assemblyman Getto moved that the Assembly do not recede from its action on Senate Bill No. 134, 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 Dini, Spriggs and Little as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Senate Bill No. 134.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Price gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 114 was this day refused passage.

REFERENCE OF MEASURES TO COMMITTEES

Assembly Bill No. 685.

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

Motion carried.

Assembly Bill No. 686.

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

Motion carried.

Assembly Bill No. 687.

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

Motion carried.

Assembly Bill No. 688.

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

Motion carried.

Assembly Bill No. 689.

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

Motion carried.

Assembly Bill No. 690.

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

Motion carried.

Assembly Bill No. 691.

Assemblyman Francis moved that the bill be referred to the Committee on Commerce.

Motion carried.

Assembly Joint Resolution No. 28.

Assemblyman Francis moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

Assembly Concurrent Resolution No. 39.

Assemblyman Francis moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bill No. 331; Senate Bills Nos. 92, 93, 241; Senate Concurrent Resolution No. 35.

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 Mrs. Tray and students from Bordewich School: Beau Bennett, Seth Christensen, Chris Coleman, Steve Cornmesser, Jason DeWitt, Ben Elliott, Robbie Hartman, Mark Hellar, Shaun Hopper, Travis Mathers, Scott Moser, Scott Rhodes, Tony Spence, Erin Springmeyer, Gabe Strouse, Randy Theissens, Verre Kevin, Damon Mogensen, Alyse Barrett, Adrianne Dietrich, Julie Franck, Stephanie Guess, Amber Indiano, Jennifer Jochim, Karen Lepire, Kelli Merrill, Kelly O'Shaughnessy, Kendra Reid, Ruby Richard, Nicole Soumbeniotis, Mandy Vance and Christine Verre.

On request of Assemblyman Dini, the privilege of the floor of the Assembly Chamber for this day was extended to students from Fernley Intermediate School: Kelly Ewing, Henry Badzinski, Joey Bates, Teresa Brown, Marcus Cervantes, Tom Couch, Toni Dods, Nick Dominguez, Kugar Entwistle, Martin Franklin, Polly Jackson, Doreen Jones, Terralee Keats, Wayne Krys, Jeff Lauder, Brandi Mello, Stacy Mitchell, John Parale, Mike Shelton, Jeremy Smith, Rodney Snider, Kim Symes, Andy Soriano, Al St. Andry, Shelly Vines, Bob Wright, Tami Bucker, David Clegg, Danielle Clemmer, Dennis Davids, Becki Dezsi, Michele Douglas, Tony Fehr, Kim Foerschler, Connie Fruge, Stephen Ignatich, Chris Keathley, Clayton Larsen, Bill Lehman, Mike Lewis, Steve Lindersmith, Troy Martin, Michael Nicks, Terry Romeo, Mike Teeter, Richie Tillman and David Warren.

On request of Assemblyman Fairchild, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Lorraine Dishman, Denise Cornell and Leone Bartholomew.

On request of Assemblyman Little, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Georgia Childress and Mr. Richard Steeves.

On request of Assemblyman Collins, the privilege of the floor of the Assembly Chamber for this day was extended to Rev. George Ward.

Assemblyman Francis moved that the Assembly adjourn until Friday, May 17, 1985 at 11 a.m.

Motion carried.

Assembly adjourned at 1:13 p.m.

Approved:

BYRON L. BILYEU
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

Mr. Speaker:

Your Committee on Ways and Means, 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: Do pass.

JOHN MARVEL, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which was re-referred Assembly Bill No. 301, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN MARVEL, *Chairman*

Mr. Speaker:

Your Committee on Health and Welfare, to which was referred Senate Bill 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.

DAVID D. NICHOLAS, *Chairman*

Mr. Speaker:

Your Committee on Natural Resources, Agriculture and Mining, to which was referred Assembly Joint Resolution No. 25, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

VIRGIL M. GETTO, *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 11:11 a.m.

ASSEMBLY IN SESSION

At 11:12 a.m.

Mr. Speaker presiding.

Quorum present.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 16, 1985

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 54, 355, 433, 482, 484, 500, 513, 523.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Bills Nos. 339, 400, 470, 472.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 128, 277, 300, 338, 373, 378, 404, 467.

Also, I have the honor to inform your honorable body that the Senate on this day concurred in the Assembly amendments to Senate Concurrent Resolutions Nos. 7, 8.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Nicholas moved that Assembly Bill No. 514 be taken from the Chief Clerk's desk and placed on the General File.

Motion carried.

Assemblyman Bergevin moved that Assembly Bill No. 567 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Bergevin.

Motion carried.

Assemblyman DuBois moved that Assembly Bill No. 489 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman DuBois.

Motion carried.

Assemblyman Joerg moved that Assembly Bill No. 169 be placed on the General File.

Motion carried.

Assemblyman Joerg moved that Assembly Bill No. 49 be placed on the Second Reading File.

Motion carried.

Assemblyman Joerg moved that Assembly Bill No. 96 be placed on the Second Reading File.

Motion carried.

Assemblyman Joerg moved that Assembly Bill No. 291 be placed on the Second Reading File.

Motion carried.

Assemblyman Joerg moved that Assembly Bill No. 627 be placed on the Second Reading File.

Motion carried.

Assemblyman Bergevin moved that Assembly Bill No. 491 be placed on the General File.

Motion carried.

Assemblyman Ham moved that Assembly Bill No. 364 be placed on the Second Reading File.

Motion carried.

By the Committee on Natural Resources, Agriculture and Mining:

Assembly Joint Resolution No. 29—Urging the Department of the Navy to broaden the scope of its review of the effect of the proposed diversion of a portion of its water rights at Fallon, Nevada.

By Assemblyman Ham:

Assembly Concurrent Resolution No. 40—Directing the legislative commission to study the public service commission of Nevada.

Assemblyman Ham moved that Senate Bill No. 193 be placed on the Second Reading File.

Motion carried.

INTRODUCTION AND FIRST READING OF LEGISLATION

By Assemblymen Bogaert, O'Donnell, Schofield, Rader, Thomas and Getto:

Assembly Bill No. 692—An Act relating to gold medallions; authorizing their production; prohibiting unauthorized production; providing a penalty; and providing other matters properly relating thereto.

By the Committee on Judiciary:

Assembly Bill No. 693—An Act relating to public works; establishing the responsibility for the repair, removal and relocation of lines and other facilities of a public utility caused by such projects; and providing other matters properly relating thereto.

By Assemblyman Roberts (by request):

Assembly Bill No. 694—An Act relating to planned unit developments; providing for the enforcement by local law enforcement agencies of traffic laws within those developments; and providing other matters properly relating thereto.

Senate Bill No. 128.
Bill read first time.

Senate Bill No. 277.
Bill read first time.

Senate Bill No. 300.
Bill read first time.

Senate Bill No. 338.
Bill read first time.

Senate Bill No. 339.
Bill read first time.

Senate Bill No. 373.
Bill read first time.

Senate Bill No. 378.
Bill read first time.

Senate Bill No. 400.
Bill read first time.

Senate Bill No. 404.
Bill read first time.

Senate Bill No. 467.
Bill read first time.

Senate Bill No. 470.
Bill read first time.

Senate Bill No. 472.
Bill read first time.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Economic Development and Tourism, to which was referred Assembly Concurrent Resolution No. 28, has had the same under consideration, and begs leave to report the same back with the recommendation: Be adopted.

DAVID E. HUMKE, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Ham moved that Assembly Bill No. 550 be taken from the Chief Clerk's desk and placed on the General File.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 250.

Bill read third time.

Remarks by Assemblymen Bergevin and Dini.

Roll call on Assembly Bill No. 250:

YEAS—41.

NAYS—None.

Absent—Sedway.

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. 341.

Bill read third time.

Remarks by Assemblyman Sader.

Roll call on Assembly Bill No. 341:

YEAS—41.

NAYS—None.

Absent—Sedway.

Assembly Bill No. 341 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 Assemblyman Zimmer.

Roll call on Assembly Bill No. 353:

YEAS—40.

NAYS—Little.

Absent—Sedway.

Assembly Bill No. 353 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 11:33 a.m.

ASSEMBLY IN SESSION

At 11:44 a.m.
Mr. Speaker presiding.
Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Commerce, to which were referred Assembly Bills Nos. 471, 557, 558, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

DAVID E. HUMKE, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, 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.

JAMES STONE, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assembly Concurrent Resolution No. 28.
Assemblyman Humke moved the adoption of the resolution.
Remarks by Assemblyman Humke.
Resolution adopted.

UNFINISHED BUSINESS

REPORTS OF CONFERENCE COMMITTEES

Mr. Speaker:

The first Committee on Conference concerning Senate Bill No. 224, consisting of the undersigned members, has met, and reports that:

It has agreed to recommend that the amendment of the Assembly be concurred in.

VIRGIL M. GETTO	JAMES H. BILBRAY
LOUIS W. BERGEVIN	JAMES I. GIBSON
BOB L. KERNS	KENNETH K. REDELSPERGER
Assembly Committee on Conference	*Senate Committee on Conference*

Assemblyman Getto moved that the Assembly adopt the report of the first Committee on Conference concerning Senate Bill No. 224.
Remarks by Assemblyman Getto.
Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 580.
Bill read third time.
The following amendment was proposed by the Committee on Judiciary:
Amendment No. 962.
Amend section 1, page 1, line 10, by deleting: "commission and its" and

inserting: "[commission and its] *commission's* inspectors *and the manager of transportation*".

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. 588.

Bill read third time.

Remarks by Assemblyman Schofield.

Roll call on Assembly Bill No. 588:

YEAS—41.

NAYS—None.

Absent—Sedway.

Assembly Bill No. 588 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 8.

Bill read third time.

Remarks by Assemblyman Stone.

Roll call on Senate Bill No. 8:

YEAS—34.

NAYS—Arberry, Coffin, Malone, Price, Schofield, Thompson, Williams—7.

Absent—Sedway.

Senate Bill No. 8 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.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 935.

Amend section 1, page 1, line 5, by deleting "*gross*".

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 Thompson moved that Senate Bill No. 127 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Thompson.

Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 141.

Bill read third time.

Remarks by Assemblyman Sader.
Roll call on Senate Bill No. 141:
YEAS—29.
NAYS—Fairchild, Ham, Horne, Humke, Lambert, Little, Malone, O'Donnell, Roberts, Spriggs, Thomas, Zimmer—12.
Absent—Sedway.

Senate Bill No. 141 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Thompson moved that Senate Bill No. 127 be taken from the Chief Clerk's desk and placed on the General File.
Motion carried.

Assemblyman Bogaert moved that Assembly Bill No. 495 be taken from the Chief Clerk's desk and placed on the General File.
Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 156.
Bill read third time.
Remarks by Assemblyman Marvel.
Roll call on Senate Bill No. 156:
YEAS—41.
NAYS—None.
Absent—Sedway.

Senate Bill No. 156 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Senate Bill No. 202.
Bill read third time.
Remarks by Assemblymen Spriggs and Jeffrey.
Roll call on Senate Bill No. 202:
YEAS—41.
NAYS—None.
Absent—Sedway.

Senate Bill No. 202 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 246.
Bill read third time.
Remarks by Assemblymen McGaughey and Humke.
Roll call on Senate Bill No. 246:
YEAS—37.
NAYS—Coffin, Humke, Roberts, Zimmer—4.
Absent—Sedway.

Senate Bill No. 246 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 343.

Bill read third time.

Remarks by Assemblyman Nicholas.

Roll call on Senate Bill No. 343:

YEAS—39.

NAYS—Jeffrey, Mr. Speaker—2.

Absent—Sedway.

Senate Bill No. 343 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 364.

Bill read third time.

Remarks by Assemblyman Roberts.

Roll call on Senate Bill No. 364:

YEAS—41.

NAYS—None.

Absent—Sedway.

Senate Bill No. 364 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 Assemblyman Dini.

Roll call on Senate Joint Resolution No. 21:

YEAS—40.

NAYS—Thomas.

Absent—Sedway.

Senate Joint Resolution No. 21 having received a constitutional majority, Mr. Speaker declared it passed.

Resolution ordered transmitted to the Senate.

Assembly Bill No. 514.

Bill read third time.

The following amendment was proposed by the Committee on Health and Welfare:

Amendment No. 959.

Amend section 1, page 1, lines 3 and 4, by deleting: "*during an emergency*" and inserting: "*in urgent need of medical care or observation*".

Amend section 1, page 1, line 7, by deleting "*an*" and inserting "*a national*".

Amend section 1, page 2, line 2, by deleting: "*Upon approval of the board, a*" and inserting "*A*".

Amend section 1, page 2, line 7, by deleting: "*during an emergency.*" and inserting: "*in urgent need of medical care or observation.*".

Amend section 1, page 2, line 9, by deleting: "*during an emergency*" and inserting: "*in urgent need of medical care or observation*".

Amend sec. 2, page 2, by deleting lines 19 and 20 and inserting: "*to provide basic, intermediate or advanced care for a sick or injured person whose medical condition may require special observation during transportation or transfer.*".

Amend sec. 3, page 2, line 30, before "equivalent" by inserting an open bracket.

Amend sec. 3, page 2, by deleting lines 31 and 32 and inserting: "programs or courses in advanced first aid offered by:".

Amend sec. 3, page 2, lines 35 and 36, on each line by deleting the brackets.

Amend sec. 3, page 2, by deleting lines 37 through 39 and inserting:

"(4) Any other rescue or emergency first aid organization recognized by the board.] *:*

(1) At a level of skill determined by the board; or

(2) Equivalent to the national standardized course for emergency medical technicians.".

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. 169.

Bill read third time.

Remarks by Assemblymen McGaughey, Collins, Zimmer, Thompson, O'Donnell, Craddock, Jeffrey, Schofield, Williams, Ham and Roberts.

Roll call on Assembly Bill No. 169:

YEAS—39.

NAYS—DuBois, Zimmer—2.

Absent—Sedway.

Assembly Bill No. 169 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 Craddock.

Roll call on Assembly Bill No. 491:

YEAS—41.

NAYS—None.

Absent—Sedway.

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. 550.

Bill read third time.

The following amendment was proposed by Assemblyman Ham:

Amendment No. 992.

Amend sec. 4, page 3, line 7, by deleting "] *5.*".

Amend sec. 4, page 3, by deleting lines 8 and 9 and inserting: "begin the performance of their duties as soon as the polls close, and shall continue in session".

Amend sec. 4, page 3, line 10, after "counted.", by inserting a closed bracket.

Amend sec. 6, page 3, line 44, after "day," by inserting: "*the counting board, if it is responsible for counting absent ballots, or*".

Amend sec. 6, page 3, line 45, by deleting: ", if any," and inserting: "[, if any,]".

Amend sec. 6, page 4, by deleting lines 8 through 10 and inserting:

"3. After the polls close the [absent ballot central counting] appropriate board shall count *in public* the votes [in the same manner as election boards.] *cast on the absent ballots.*".

Assemblyman Ham moved the adoption of the amendment.

Remarks by Assemblyman Ham.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 127.

Bill read third time.

Remarks by Assemblyman Thompson.

Roll call on Senate Bill No. 127:

YEAS—40.

NAYS—None.

Absent—Sedway.

Not voting—Price.

Senate Bill No. 127 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 495.

Bill read third time.

The following amendment was proposed by Assemblyman Bogaert:

Amendment No. 999.

Amend section 1, page 1, by deleting lines 10 and 11 and inserting: "*presented proof of such registration at the time he presents himself for admission or within 90 days after he becomes eligible for registration, whichever is later.*".

Amend section 1, page 1, by inserting after line 13:

"*4. No student who was not required to register for selective service before he was admitted may remain at the university after he is so required*

unless, within 90 days after he becomes eligible for registration, he presents proof of registration.".

Amend the title of the bill, first line, by inserting "or retention" after "admission".

Amend the summary of the bill, first line, by inserting: "or retention in" after "admission to".

Assemblyman Bogaert moved the adoption of the amendment.

Remarks by Assemblyman Bogaert.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

By the Committee on Health and Welfare:

Assembly Concurrent Resolution No. 41—Directing the legislative commission to study the effect on the cost of medical services of the requirement of approval by the department of human resources of certain medical projects.

In compliance with a notice given on a previous day, Assemblyman Price moved that the vote whereby Senate Bill No. 114 was refused passage be reconsidered.

Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 114.

Bill read third time.

Remarks by Assemblymen Jeffrey, Zimmer and O'Donnell.

Roll call on Senate Bill No. 114:

YEAS—29.

NAYS—Bergevin, Beyer, Bogaert, Collins, Dini, Getto, Ham, McGaughey, Nicholas, Price, Stone, Mr. Speaker—12.

Absent—Sedway.

Senate Bill No. 114 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

INTRODUCTION AND FIRST READING OF LEGISLATION

By Assemblyman Stone (by request):

Assembly Bill No. 695—An Act relating to forfeiture; adding equipment used to cheat in gambling; and providing other matters properly relating thereto.

By the Committee on Judiciary:

Assembly Bill No. 696—An Act relating to medical malpractice; establishing screening panels to review claims against physicians; and providing other matters properly relating thereto.

By the Committee on Commerce:

Assembly Bill No. 697—An Act relating to dentures; licensing and regulating the manufacture, fitting, installation and repair of dentures; setting fees; providing a penalty; and providing other matters properly relating thereto.

By the Committee on Commerce:

Assembly Bill No. 698—An Act relating to insurance; authorizing the formation of captive insurance companies to provide certain types of casualty insurance to certain persons and entities; regulating these insurance companies; and providing other matters properly relating thereto.

By Assemblymen Nicholas and Thompson:

Assembly Bill No. 699—An Act relating to dogs trained to aid persons in wheelchairs; making it unlawful to refuse service to a person so aided; and providing other matters properly relating thereto.

Assemblyman Francis moved that the Assembly recess until 3 p.m.

Motion carried.

Assembly in recess at 12:48 p.m.

ASSEMBLY IN SESSION

At 3:06 p.m.

Mr. Speaker pro Tempore presiding.

Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Francis moved that Assembly Bills Nos. 183, 348, 471, 557, 558, 595, 600, 636, 675; Assembly Joint Resolution No. 25; Senate Bills Nos. 18, 197, 236, 324, 441; Senate Joint Resolutions Nos. 16 and 36 be placed on the Second Reading File.

Assemblyman Francis moved that Assembly Bill No. 302 be placed on the General File.

Remarks by Assemblyman Francis.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 379.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 841.

Amend sec. 3, page 1, line 14, by deleting "*The*" and inserting: "*One of the*".

Amend sec. 3, page 1, line 16, by deleting the period and inserting: "*and the other must be at least 8 by 10 inches in size.*".

Amend sec. 7, page 3, line 9, by deleting the colon and inserting "*knowingly:*".

Amend sec. 15, page 7, line 19, by deleting the brackets.

Amend sec. 15, page 7, line 21 after the closed bracket by inserting "*HE*".

Amend sec. 16, page 7, by deleting lines 30 through 42 and inserting:

"Sec. 16. (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. 426.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 440.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 504.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 842.

Amend sec. 2, page 2, by deleting lines 2 through 7 and inserting: "amended (] 42 U.S.C. §§ 1401 et seq. [)] , *as amended;*

(c) A person who owns [less than seven] *and personally manages four or fewer* 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, incident to deten-".

Amend sec. 2, page 2, by deleting lines 9 through 30 and inserting: "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.] *his successor in 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 [.] *; or*

(j) Occupancy under a rental agreement covering premises used by".

Amend sec. 6, page 5, by deleting lines 34 through 38 and inserting: "in addition to any other remedy, recover his actual damages [.] , *receive an amount not greater than $1,000 to be fixed by the court, or both.*

2. In determining the amount, if any, to be awarded under subsection 1, the court shall consider:".

Amend sec. 9, page 7, line 13, by deleting "served either:" and inserting: "served *:* [either:]".

Amend the bill as a whole by adding a new section designated section 10, following section 9, to read as follows:

"Sec. 10. NRS 118A.490 is hereby amended to read as follows:

118A.490 1. In an action for possession based upon nonpayment of rent or in an action for rent where the tenant is in possession, the tenant may defend and counterclaim for any amount which he may recover under the rental agreement , [or] this chapter [. In that event the court from time to time may order the tenant to pay into court all or part of the rent accrued and thereafter accruing which is in dispute and] *, or other applicable law. If it appears that there is money which may be due to the landlord by the tenant after the day of the hearing or if a judgment is delayed for any reason, the court shall require a tenant who remains in possession of the premises to deposit with the court a just and reasonable amount to satisfy the obligation, but not more than 1 day's rent for each day until the new hearing date. The court* shall order the tenant to pay the landlord any [such] rent which is not in dispute and shall determine the amount due to each party. Upon the application of either party, the court, after notice and opportunity for a hearing, may for good cause release to either party all or any portion of the rent paid into court by the tenant. The court shall award the prevailing party the amount owed and shall give judgment for any other amount which is due.

2. In any action for rent where the tenant is not in possession, the tenant may counterclaim as provided in subsection 1 but is not required to pay any rent into court.

3. When the court renders a decision on the landlord's claim for possession, it shall distribute any rent paid into court under subsection 1 upon a determination of the amount due to each party.

4. If a tenant fails to deposit with the court within 24 hours after the original hearing the entire amount required pursuant to subsection 1, the tenant relinquishes his right to a hearing and the court shall at that time grant a judgment for eviction without further hearing.".

Amend the title of the bill by deleting the first and second lines and inserting:

"An Act relating to residential tenancy; changing the exemption for small landlords; making various changes concerning security and eviction;".

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. 562.

Bill read second time.

The following amendment was proposed by the Committee on Labor and Management:

Amendment No. 839.

Amend section 1, page 1, by deleting lines 17 through 19 and inserting:

"*6. Any clergyman, rabbi or lay reader in the service of a church, or any person occupying a similar position with respect to any other religion.*".

Amend the title of the bill, first line, by deleting: "employees of churches" and inserting: "clergymen and similar functionaries".

Amend the summary of the bill by deleting: "employees of churches" and inserting "clergymen".

Assemblyman Zimmer moved the adoption of the amendment.

Remarks by Assemblyman Zimmer.

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. 83.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 940.

Amend sec. 17, page 11, line 13, by deleting the period after "*occupation*" and inserting: "*without the approval of the city council.*".

Amend sec. 18, page 11, line 43, by deleting the period after "*occupation*" and inserting: "*without the approval of the city council.*".

Amend sec. 19, page 12, line 19, by deleting the period and inserting: "*without the approval of the city council.*".

Amend sec. 22, page 13, by deleting lines 13 through 16 and inserting:

"[The municipal court shall be presided over by a municipal judge.] *A municipal judge shall not engage in any other business or occupation without the approval of the city council.*".

Amend the bill as a whole by renumbering section 40 as section 41 and adding a new section designated section 40, following section 39, to read as follows:

"Sec. 40. Section 19 of Assembly Bill No. 202 of this session is hereby amended to read as follows:

Sec. 19. 1. NRS 266.540, 266.545, 266.560 and 266.580 are hereby repealed.

2. Sections 125 and 126 of the charter of Boulder City are hereby repealed.

3. Section 4.010 of the charter of the City of Caliente, being chapter 31, Statutes of Nevada 1971, at page 65, is hereby repealed.

4. Section 4.010 of the charter of the City of Carlin, being chapter 344, Statutes of Nevada 1971, at page 614, is hereby repealed.

5. Section 4.020 of the charter of Carson City, being chapter 213, Statutes of Nevada 1969, at page 304, is hereby repealed.

6. Section 4.010 of the charter of the City of Elko, being chapter 276, Statutes of Nevada 1971, at page 487, is hereby repealed.

7. Section 4.010 of the charter of the City of Gabbs, being chapter 265, Statutes of Nevada 1971, at page 396, is hereby repealed.

8. Section 4.010 of the charter of the City of Henderson, being chapter 266, Statutes of Nevada 1971, at page 415, is hereby repealed.

9. Section 4.010 of the charter of the City of North Las Vegas, being chapter 573, Statutes of Nevada 1971, at page 1222, is hereby repealed.

10. [Section 4.020 of the charter of the City of Sparks, being chapter 470, Statutes of Nevada 1975, at page 735, is hereby repealed.

11.] Section 4.010 of the charter of the City of Wells, being chapter 275, Statutes of Nevada 1971, at page 468, and section 4.020 of the charter of the City of Wells, being chapter 275, Statutes of Nevada 1971, as amended by chapter 98, Statutes of Nevada 1977, at page 212, are hereby repealed.

[12.] *11.* Section 4.010 of the charter of the City of Yerington, being chapter 465, Statutes of Nevada 1971, at page 911, is hereby repealed.".

Amend the bill as a whole by adding a new section designated section 42, following section 40, to read as follows:

"Sec. 42. This section and section 40 become effective upon passage and approval.".

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. 177.

Bill read second time and ordered to third reading.

Senate Bill No. 292.

Bill read second time and ordered to third reading.

Senate Bill No. 357.

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. 417.

Bill read second time and ordered to third reading.

Senate Bill No. 419.

Bill read second time and ordered to third reading.

Assembly Bill No. 49.

Bill read second time.

The following amendment was proposed by the Committee on Taxation:

Amendment No. 957.

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 354.5987 is hereby amended to read as follows:

354.5987 *1.* For the purposes of NRS 354.59805, 354.59811 and 354.59816, the maximum allowable combined revenue of any local government:

[1.] *(a)* Which comes into being on or after July 1, 1983, whether newly created, consolidated , or both; or

[2.] *(b)* Which was in existence before July 1, 1983, but did not receive revenue from taxes ad valorem, except any levied for debt service, for the fiscal year ending June 30, 1981,

must be initially established by the Nevada tax commission.

2. If the local government for which the maximum allowable combined revenue is established performs a function previously performed by another local government, the total revenue allowed to all local governments for performance of substantially the same function in substantially the same geographical area must not be increased. To the extent necessary to achieve this result, the Nevada tax commission shall subtract from the maximum allowable combined revenue of each local government that previously performed all or part of that function the amount expended for that purpose in the most recent fiscal year for which reliable information is available.

3. In any other case, the total maximum allowable combined revenue of all local governments in the county, to which the limits imposed by NRS 354.5905 and 354.59816 apply, must not be increased, but the total must be reallocated among them to accommodate the amount newly established pursuant to subsection 1.

Sec. 3. Section 2 of this act applies to every local government for which a maximum allowable combined revenue is established after the effective date of this act, or was established on or after May 1, 1985, with respect to all revenue to be collected on or after July 1, 1985.

Sec. 4. Sections 2 and 3 of this act become effective upon passage and approval.".

Amend the title of the bill, second line, after "zero;" by inserting: "prohibiting an increase in maximum allowable combined revenue where the same function is transferred from one local government to another or a new local government is created;".

Amend the summary of the bill to read: "Treats special cases and precludes certain increases in revenues of local governments. (BDR 31-173)".

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. 96.

Bill read second time.

The following amendment was proposed by the Committee on Taxation:

Amendment No. 968.

Amend section 1, page 1, line 11, after "property", by inserting: "*not governed by subsection 2*".

Amend section 1, page 1, line 15, by inserting "*secured*" before "*tax roll*".

Amend the bill as a whole by adding new sections designated sections 2, 3 and 4, following section 1, to read as follows:

"Sec. 2. NRS 361.320 is hereby amended to read as follows:

361.320 1. At the regular session of the Nevada tax commission commencing on the 1st Monday in October of each year, the Nevada tax commission shall establish the valuation for assessment purposes of any property of an interstate and intercounty nature, which must in any event include the property of all interstate or intercounty railroad, sleeping car, private car, street railway, traction, telegraph, water, telephone, air transport, electric light and power companies, together with their franchises, and the property and franchises of all railway express companies operating on any common or contract carrier in this state. This valuation must not include the value of vehicles as defined in NRS 371.020.

2. Except as otherwise provided in subsections 3, 4 and 5 and NRS 361.323, the foregoing must be assessed as follows: The Nevada tax commission shall establish and fix the valuation of the franchise, if any, and all physical property used directly in the operation of any such business of any such company in this state, as a collective unit; and if operating in more than one county, on establishing such unit valuation for the collective property, the Nevada tax commission shall then determine the total aggregate mileage operated within the state and within its several counties, and apportion the mileage upon a mile-unit valuation basis, and the number of miles apportioned to any county are subject to assessment in that county according to the mile-unit valuation established by the Nevada tax commission.

3. After establishing the valuation, as a collective unit, of a public utility which generates, transmits or distributes electricity, the Nevada tax commission shall segregate the value of all projects in this state for the generation of electricity whose construction was commenced on or after January 1, 1982, and which are not yet put to use. This value must be assessed in the county where it is located, and taxes must be levied and collected:

(a) On all of it, at the rate levied for the county school district;

(b) On all of it, at the rate levied for county purposes;

(c) On that fraction of it which the population of each incorporated city is of the population of the entire county, at the rate levied for that city;

(d) On that fraction of it which the population of each unincorporated town, as determined by the county, is of the population of the entire county, at the rate levied for that town; and

(e) On that fraction of it which the local assessed value of that portion of each general improvement district located within the county is of the local assessed value of the entire county, at that portion of the rate levied for that

district or county which is required to construct those improvements described in NRS 318.125, 318.135, 318.140 and 318.144, including debt service for such improvements. For the purposes of this paragraph, "local assessed value" means the assessed value on the roll of a general improvement district or county excluding that assigned by the Nevada tax commission according to this section and net proceeds of mines.

The legislature finds and declares that this segregation fairly reflects the additional burden put upon the public services of the county during its construction. For the purposes of this section, "commencement of construction" has the meaning ascribed to it in NRS 704.840.

4. After establishing the valuation, as a collective unit, of a public utility which generates, transmits or distributes electricity, the Nevada tax commission shall segregate the value of all projects in this state for the generation of electricity whose construction was commenced before January 1, 1982, and which are not yet put to use. This valuation must be assessed in the county where it is located and must be taxed at the same rate as other property.

5. After establishing the valuation, as a collective unit, of each public utility which generates, transmits or distributes electricity in this state, the Nevada tax commission shall segregate the value of all projects for the generation of electricity whose construction was commenced on or after January 1, 1982, and allocate 10 percent of the valuation of each project to the county in which it is located and 90 percent of it among all the counties of this state in proportion to their respective populations. The valuation so allocated to each county must be assessed, and taxes must be levied and collected:

(a) On all of it, at the rate levied for the county school district;

(b) On all of it, at the rate levied for county purposes;

(c) On that fraction of it which the population of each incorporated city is of the population of the entire county, at the rate levied for that city;

(d) On that fraction of it which the population of each unincorporated town, as determined by the county, is of the population of the entire county, at the rate levied for that town; and

(e) On that fraction of it which the local assessed value of that portion of each general improvement district located within each county is of the local assessed value of the entire county, at that portion of the rate levied for that district or county which is required to construct those improvements described in NRS 318.125, 318.135, 318.140 and 318.144, including debt service for such improvements. For the purposes of this paragraph, "local assessed value" means the assessed value on the roll of a general improvement district, excluding that assigned by the Nevada tax commission according to this section and net proceeds of mines.

The legislature finds and declares that the consumption of electricity is roughly proportionate to population and that this allocation 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.

6. The Nevada tax commission shall adopt formulas, and cause them to be incorporated in its records, providing the method or methods pursued in fixing and establishing the taxable value of all franchises and property assessed by it. The formulas must be adopted and may be changed from time to time upon its own motion or when made necessary by judicial decisions, but the formulas must in any event show all the elements of value considered by the Nevada tax commission in arriving at and fixing the value for any class of property assessed by it. These formulas must take into account, as indicators of value, the company's income, stock and debt, and the cost of its assets.

7. As used in this section the word "company" means any person, company, corporation or association engaged in the business described.

8. [In case of an omission by the Nevada tax commission to establish a valuation for assessment purposes upon the property mentioned in this section, the county assessors of any counties wherein the property is situated shall assess it. .

9.] All other property must be assessed by the county assessors, except as provided in NRS 362.100 and except that the valuation of land and mobile homes must be established for assessment purposes by the Nevada tax commission as provided in NRS 361.325.

[10.] *9.* On or before the 1st Monday in December the department shall transmit to the several county assessors the assessed valuation found on such classes of property as are enumerated in this section, except for private car lines, together with the apportionment of each county of the assessment. The several county assessors shall enter on the roll all such assessments transmitted to them by the department.

[11.] *10.* On or before November 1 of each year the department shall forward a tax statement to each private car line company based on the valuation established pursuant to this section and in accordance with the tax levies of the several districts in each county. The company shall remit the ad valorem taxes due on or before December 15 to the department which shall allocate the taxes due each county on a mile-unit basis and remit the taxes to the counties no later than January 31. The portion of the taxes which is due the state must be transmitted directly to the state treasurer. As an alternative to any other method of recovering delinquent taxes provided by this chapter, the attorney general may bring a civil action in a court of competent jurisdiction to recover delinquent taxes due under this subsection in the manner provided in NRS 361.560.

Sec. 3. NRS 361.403 is hereby amended to read as follows:

361.403 1. Any person, firm, company, association or corporation, claiming overvaluation or excessive valuation of its property in this state; or

2. Any representative of any local government entity or the department claiming undervaluation, overvaluation or nonassessment of any property in the state,

solely by reason of the valuation placed thereon by the Nevada tax commission pursuant to NRS 361.320, [361.323,] 361.325 or 367.050, *whether or*

not it is apportioned pursuant to NRS 361.321 or 361.323, is entitled to a hearing before the state board of equalization to protest any assessment resulting therefrom, without appearing before or requesting relief from the county board of equalization. If a hearing is held, evidence of the valuation of the property in which the value is determined by using appropriate appraisal standards must be submitted to the state board of equalization.

Sec. 4. Section 3 of this act becomes effectives at 12:01 a.m. on July 1, 1985.".

Amend the title of the bill, first and second lines, by deleting "constitution" and inserting "construction".

Amend the summary of the bill by deleting "constitution" and inserting "construction".

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. 291.

Bill read second time.

The following amendment was proposed by the Committee on Taxation:

Amendment No. 983.

Amend sec. 3, pages 2 and 3, by deleting lines 43 through 46 on page 2 and lines 1 through 7 on page 3 and inserting:

"Sec. 2. This act becomes effective on January 1, 1987.".

Amend sec. 4, page 3, by deleting lines 11 through 14 and inserting:

"Shall the Sales and Use Tax Act of 1955 be amended to place the sale or dispensing of ophthalmic materials by a licensed optometrist or physician on a parity with their sale or dispensing by opticians?".

Amend sec. 5, page 3, by deleting lines 21 through 29 and inserting: "would treat the furnishing of all eyeglasses and other ophthalmic materials alike whether sold by an optometrist or an optician or dispensed directly by a physician.".

Amend the bill as a whole by deleting section 9 and renumbering sections 10 and 11 as sections 9 and 10.

Amend sec. 11, page 4, by deleting line 38 and inserting:

"Sec. 10. Section 9 of this act becomes effective on January".

Amend the title of the bill by deleting the second through fourth lines and inserting: "question whether the Sales and Use Tax Act of 1955 should be amended to treat all sales and dispensing of ophthalmic devices alike; and providing".

Amend the summary of the bill to read: "Proposes to eliminate exemption of ophthalmic devices from taxes on retail sales. (BDR 32-733)".

Assemblyman Bergevin moved the adoption of the amendment.

Remarks by Assemblymen Bergevin and Coffin.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 627.

Bill read second time.

The following amendment was proposed by the Committee on Taxation:

Amendment No. 984.

Amend section 1, page 1, by deleting lines 18 through 20 and inserting: "fund at the beginning of any fiscal year exceeds [10 percent of the actual revenues from the supplemental city-county relief tax in the preceding fiscal year,] *$10,000,000,* this excess must be distributed to local governments in the".

Amend section 1, page 2, line 2, by deleting the period and inserting: "[.] *, except that the distribution to each local government must be so limited that it does not receive from this distribution, from distributions pursuant to NRS 377.057 and from taxes ad valorem a total amount greater than its maximum allowable combined revenue.*".

Amend section 1, page 2, by deleting lines 22 through 24 and inserting: "porting the distribution. *The total amount which may be distributed pursuant to this subsection must not exceed 25 percent of the amount in the*".

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 becomes effective upon passage and approval.".

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. 364.

Bill read second time.

The following amendment was proposed by the Committee on Elections:

Amendment No. 908.

Amend section 1, page 1, by deleting lines 2 and 3 and inserting:

"293.560 1. [Registration] *In any county which uses a computer to organize and retain information regarding the registration of the county's voters, registration must close at 9 p.m. of the third Saturday preceding any primary, general, recall or special election. In every other county, registration* must close at 9 p.m. of the fifth Saturday preceding any primary [election, at 9 p.m. of the fifth".

Amend section 1, page 1, line 5, by deleting "any" and inserting "any] *, general,*".

Amend the title of the bill, first line, by deleting "postpones" and inserting: "postponing in certain counties".

Amend the summary of the bill, first line, after "postpones", by inserting: "in certain counties".

Assemblyman Ham moved the adoption of the amendment.

Remarks by Assemblyman Ham.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 193.

Bill read second time.

The following amendment was proposed by the Committee on Elections:

Amendment No. 956.

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 293.316 is hereby amended to read as follows:

293.316 1. Any registered voter unable to go to the polls because of illness or disability resulting in his confinement in a hospital, sanatorium, dwelling or nursing home may request in a written statement, signed by him, that the county clerk send him an absent ballot. The county clerk shall deliver the ballot, at the office of the clerk, to any authorized representative of the voter possessing a written statement [from the voter's physician or practitioner or a written statement] signed by [an official of the hospital, sanatorium or nursing home] *the voter* stating that [the voter] *he* is a patient in a hospital, sanatorium or nursing home, and [stating that the voter] *that he* will be confined therein on election day. If any registered voter is suddenly hospitalized or becomes seriously ill or is called away from home after the time has elapsed for requesting an absent ballot as provided in NRS 293.315, and is unable to vote at the polling place, he may apply to the county clerk for an absent ballot at any time before 5 p.m. on the day of the election. The county clerk shall issue an absent ballot upon satisfactory proof of the emergency.

2. After marking his ballot the voter shall place it in the identification envelope. He shall then affix his signature on the back of the envelope and return it to the office of the county clerk.

3. A request for a ballot under this section [shall] *must* be made, and the ballot delivered to the voter and returned to the county clerk, not later than the time the polls close on election day.

4. The procedure authorized by this section [shall be] *is* subject to all other provisions of this chapter relating to absent ballot voting insofar as those provisions are not inconsistent with the provisions of this section.".

Amend sec. 11, page 4, by deleting lines 39 through 42 and inserting: "tious mail,] *first class mail if the absent voter is within the boundaries of the United States, its territories or possessions or on a military base, or by air mail if the absent voter is in a foreign country but not on a military base,* postage prepaid:

(a) Except as provided in paragraph (b), an absent ballot, a return envelope, [a ballot-marking stamp] *a stamp for marking the ballot,* a stamp pad and instructions.".

Amend sec. 11, page 5, by deleting lines 1 through 3 and inserting: ", a punching instrument, a sample ballot [,] and instructions.

2. *The return envelope must include postage prepaid by first class mail if the absent voter is within the boundaries of the United States, its territories or possessions or on a military base.*

3. Nothing may be enclosed or sent with [such] *an absent* ballot except".

Amend sec. 11, page 5, line 5, by deleting "3." and inserting "[3.] *4.*".

Amend sec. 78, page 20, lines 29 and 30, by deleting: ", *and every advocate or opponent of such a candidate,*".

Amend sec. 78, page 20, by deleting line 40 and inserting: "*election shall so*".

Amend sec. 79, page 21, line 25, by deleting "cer shall" and inserting "cer will".

Amend sec. 79, page 21, lines 40 and 41, by deleting: "whether from a natural person, association or corporation".

Amend sec. 86, page 25, by deleting lines 29 through 31 and inserting: "for [signatures] *signature* within his county. The clerks shall give the person submitting a document or documents a receipt stating the number of documents and pages and the person's statement of the number of signatures contained therein.".

Amend sec. 86, page 25, line 42, by deleting "*100*" and inserting "*95*".

Amend sec. 86, page 25, line 44, by deleting "*160*" and inserting "*155*".

Amend sec. 86, page 26, line 1, by deleting "*190*" and inserting "*185*".

Amend sec. 95, page 28, by deleting line 21 and inserting: "*county commissioners may, on its own motion, submit the question to the voters in such a manner that the voters are given a choice as to whether to elect the commissioners from districts or at large.* If".

Amend sec. 95, page 28, line 44, by deleting the period and inserting: "[.] , *except where commissioner districts have been created by the voters pursuant to subsection 1.*".

Amend sec. 97, page 29, by deleting lines 31 and 32 and inserting: "293B.040, 293B.045, 293B.215, 295.025, 295.057 and 295.058 are hereby repealed.".

Amend the bill as a whole by adding a new section designated section 98, following section 97, to read as follows:

"Sec. 98. Section 86 of this act becomes effective at 12:01 a.m. on July 1, 1985.".

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. 183.

Bill read second time.

The following amendment was proposed by the Committee on Health and Welfare:

Amendment No. 775.

Amend sec. 20, page 4, lines 14 and 15, by deleting: "*during and after*

pregnancy, 24-hour care for patients in the facility," and inserting: "*available 24 hours each day from persons licensed to practice professional nursing who are under the direction of a physician,*".

Amend sec. 79, page 26, by deleting lines 43 and 44.

Amend sec. 79, page 26, line 45, by deleting "3.]" and inserting "2.".

Amend sec. 82, page 27, by deleting lines 43 and 44 and inserting: "[health care professionals who practice in intermediate care facilities or skilled nursing facilities.] *members, each of whom is the administrator of a facility*".

Amend sec. 91, page 30, lines 44 and 45, by deleting: ", fireworks and explosives." and inserting: "and fireworks.

(c) The storage and use of explosives in any commercial construction, but not in mining or the control of avalanches.".

Amend sec. 91, page 30, line 46, by deleting "(c)" and inserting "(d)".

Amend sec. 91, page 31, line 14, by deleting "(d)" and inserting "(e)".

Amend sec. 110, page 41, by deleting lines 35 and 36 and inserting: "in the classified service of the state.".

Amend sec. 120, page 49, line 16, by deleting: "and 449.248 are" and inserting "is".

Amend the bill as a whole by renumbering section 121 as section 122 and adding a new section designated section 121, following section 120, to read as follows:

"Sec. 121. Section 91 of this act becomes effective at 12:01 a.m. on July 1, 1985.".

Assemblyman Little moved the adoption of the amendment.

Remarks by Assemblymen Little, Coffin and Nicholas.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen Price, Collins, Bergevin, Stone, DuBois, Fairchild, Little, Rader, Lambert, O'Donnell, Williams, Banner, Bogaert, Getto, Kerns, McGaughey, Francis, Dini, Beyer, Jeffrey, Thompson, Nicholas, Schofield, Humke, Sader, Craddock, Arberry, Spriggs, Coffin, Swain, Nevin, Tebbs, Zimmer, Thomas, Ham, Joerg, Malone, Marvel, Bilyeu, Roberts and Horne:

Assembly Concurrent Resolution No. 42—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 63rd session of the Nevada legislature.

REFERENCE OF MEASURES TO COMMITTEES

Assembly Bill No. 692.

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

Motion carried.

Assembly Bill No. 693.

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

Motion carried.

Assembly Bill No. 694.

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

Motion carried.

Assembly Bill No. 695.

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

Motion carried.

Assembly Bill No. 696.

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

Motion carried.

Assembly Bill No. 697.

Assemblyman Francis moved that the bill be referred to the Committee on Commerce.

Motion carried.

Assembly Bill No. 698.

Assemblyman Francis moved that the bill be referred to the Committee on Commerce.

Motion carried.

Assembly Bill No. 699.

Assemblyman Francis moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

Assembly Joint Resolution No. 29.

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

Motion carried.

Assembly Concurrent Resolution No. 40.

Assemblyman Francis moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

Assembly Concurrent Resolution No. 41.

Assemblyman Francis moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

Assembly Concurrent Resolution No. 42.

Assemblyman Francis moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

Senate Bill No. 128.

Assemblyman Francis moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 277.

Assemblyman Francis moved that the bill be referred to the Concurrent Committees on Natural Resources, Agriculture and Mining and Ways and Means.

Motion carried.

Senate Bill No. 300.

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

Motion carried.

Senate Bill No. 338.

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

Motion carried.

Senate Bill No. 339.

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

Motion carried.

Senate Bill No. 373.

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

Motion carried.

Senate Bill No. 378.

Assemblyman Francis moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 400.

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

Motion carried.

Senate Bill No. 404.

Assemblyman Francis moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 467.

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

Motion carried.

Senate Bill No. 470.

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

Motion carried.

Senate Bill No. 472.

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

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 348.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 980.

Amend the bill as a whole by renumbering sections 4 through 8 as sections 5 through 9 and adding a new section designated section 4, following section 3, to read as follows:

"Sec. 4. NRS 205.760 is hereby amended to read as follows:

205.760 1. Any person who, with intent to defraud:

(a) Uses a credit card [for the purpose of obtaining] *to obtain* money, goods, property, services or anything of value where [such] *the* credit card was obtained or retained in violation of NRS 205.690 to 205.750, inclusive, or where [such] *the* person knows the credit card is forged, expired or revoked; [or]

(b) *Uses the number of a credit account, customarily evidenced by a credit card, to obtain money, goods, property, services or anything of value without the consent of the cardholder; or*

(c) Obtains money, goods, property, services or anything else of value by representing, without the consent of the cardholder, that he is the authorized holder of a specified card or that he is the holder of a card where [such] *the* card has not in fact been issued,

is guilty of a public offense and shall be punished as provided in subsection 2.

2. Where the amount of money or the value of the goods, property, services or other things of value so obtained in any 6-month period is:

(a) [$100] *One hundred dollars* or more, the violator shall be punished by imprisonment in the state prison for not less than 1 year nor more than 10 years, or by a fine of not more than $10,000, or by both fine and imprisonment.

(b) Less than $100, the violator shall be punished for a misdemeanor.

3. A person is presumed to have knowledge of the revocation of a credit

card 4 days after notice of the revocation has been mailed to him by registered or certified mail, return receipt requested, at the address set forth on the credit card or at his last known address. If the address is more than 500 miles from the place of mailing, notice [shall] *must* be sent by airmail. If the address is located outside the United States, Puerto Rico, the Virgin Islands, the Canal Zone and Canada, notice [shall] *may* be presumed to have been received 10 days after [such] *the* mailing.".

Amend the title of the bill, first line, after "offenses;", by inserting: "prohibiting the use of another's account without his consent; providing a penalty;".

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. 471.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 557.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 558.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 595.

Bill read second time.

The following amendment was proposed by the Committee on Health and Welfare:

Amendment No. 911.

Amend section 1, page 1, by deleting lines 2 through 4 and inserting: "thereto the provisions set forth as sections 1.3 and 1.7 of this act.

Sec. 1.3. *"Firefighting agency" means a fire department or fire district of the state or a political subdivision which holds a permit authorizing it to provide intermediate or advanced medical care to sick*".

Amend the bill as a whole by adding a new section designated section 1.7, following section 1, to read as follows:

"Sec. 1.7. *"Fireman" means a person who holds a license and is employed by or serving as a volunteer with a firefighting agency.*".

Amend sec. 2, page 1, line 11, by deleting "*section 1*" and inserting: "*sections 1.3 and 1.7*".

Amend sec. 4, page 2, line 8, by deleting "*medical services*" and inserting: "*intermediate or advanced medical care*".

Amend sec. 5, page 2, by deleting line 18 and inserting: "ambulances and air ambulances [;] *and medical equipment and supplies to be carried in vehicles of a firefighting*".

Amend sec. 15, page 8, line 27, by deleting "*medical services*" and inserting: "*intermediate or advanced medical care*".

Amend sec. 15, page 8, line 28, by deleting "*service*" and inserting "*care*".

Amend sec. 16, page 8, line 33, by deleting "*medical services*" and inserting: "*intermediate or advanced medical care*".

Amend sec. 17, page 8, line 40, by deleting "*services*" and inserting "*care*".

Amend sec. 17, page 8, line 42, by deleting "subsection 4." and inserting: "[subsection 4.] *subsections 4 and 5.*".

Amend sec. 17, page 9, between lines 5 and 6 by inserting:

"*5. A person who operates or uses a vehicle owned by a firefighting agency is not required to be licensed under this chapter, except that such a vehicle may not be used to provide intermediate or advanced medical care at the scene of an emergency unless at least one person in the vehicle is licensed to provide the care.*".

Amend the title of the bill, second line, after "provide", by inserting: "intermediate or advanced".

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. 600.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 976.

Amend the bill as a whole by deleting sections 1 through 6 and section 10 and renumbering sections 7 through 9 as sections 1 through 3.

Amend sec. 8, page 3, by deleting lines 33 and 34 and inserting: "on the parties except as provided in subsections 5, 6 and 9. The mediator of a dispute may also be chosen by".

Amend sec. 8, page 4, line 8, by deleting the open bracket.

Amend sec. 8, page 5, line 18, by deleting the closed bracket.

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. 636.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 675.

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. 18.

Bill read second time.

The following amendment was proposed by the Committee on Health and Welfare:

Amendment No. 871.

Amend section 1, page 1, line 12 after "*care*", by inserting: ", *not for profit,*".

Assemblyman Nicholas moved the adoption of the amendment.

Remarks by Assemblyman Nicholas.

Amendment adopted.

Assemblyman Nicholas moved that Senate Bill No. 18 be placed on the Chief Clerk's desk.

Remarks by Assemblyman Nicholas.

Motion carried.

Bill ordered reprinted, re-engrossed and to the Chief Clerk's desk.

Senate Bill No. 197.

Bill read second time and ordered to third reading.

Senate Bill No. 236.

Bill read second time and ordered to third reading.

Senate Bill No. 324.

Bill read second time and ordered to third reading.

Senate Bill No. 441.

Bill read second time and ordered to third reading.

Senate Joint Resolution No. 16.

Resolution read second time and ordered to third reading.

Senate Joint Resolution No. 36.

Resolution read second time and ordered to third reading.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Judiciary, to which was referred Assembly Bill No. 620, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JAMES STONE, *Chairman*

GENERAL FILE AND THIRD READING

Assembly Bill No. 302.

Bill read third time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 972.

Amend sec. 11, page 2, line 33, by deleting: "*a resident of this state*" and inserting "*any person*".

Amend sec. 17, page 3, line 35, by deleting "*a nonjudicial*" and inserting "*any*".

Amend sec. 24, page 5, by deleting lines 34 and 35 and inserting: "*polygraphic examination shall not release the results or the informa-*".

Amend sec. 39, page 10, line 32, by deleting "take *and*" and inserting "[take]".

Amend sec. 39, page 10, line 34, by deleting "take *and*" and inserting "[take]".

Amend sec. 39, page 10, line 35, by deleting "year at" and inserting "year . [at".

Amend sec. 39, page 10, by deleting line 36 and inserting "regulation.]".

Assemblyman Francis moved the adoption of the amendment.

Remarks by Assemblymen Francis, O'Donnell, Dini and Bilyeu.

Amendment adopted.

Assemblyman Bilyeu moved that Assembly Bill No. 302 be placed on the Chief Clerk's desk.

Motion carried.

Bill ordered reprinted, re-engrossed and to the Chief Clerk's desk.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bills Nos. 242, 320, 437, 476; Senate Bills Nos. 168, 176, 271; Senate Concurrent Resolutions Nos. 7, 8; Senate Joint Resolution No. 33.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Williams, the privilege of the floor of the Assembly Chamber for this day was extended to Senator Howard Cannon.

On request of Assemblyman Craddock, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Marcella Rundus.

On request of Assemblyman Price, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Iris Fieldman.

On request of Assemblyman Little, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Ernest Frazier.

Assemblyman Bilyeu moved that the Assembly adjourn until Monday, May 20, 1985 at 10 a.m.

Motion carried.

Assembly adjourned at 4:06 p.m.

Approved: BYRON L. BILYEU
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE ONE HUNDRED AND TWENTIETH DAY

CARSON CITY (Monday), May 20, 1985

Assembly called to order at 10 a.m.

Mr. Speaker presiding.

Roll called.

All present except Assemblyman Sedway, who was excused.

Prayer by the Chaplain, Assemblyman Bruce R. Bogaert.

Our Father, we thank You for the privilege of being together at this time and in this place. As Your people, we pray Your love will unite us into a fellowship of discovery. Cleanse us of everything that would sap our strength for togetherness. Unravel the knots in our spirits; cleanse the air of our minds. Free us from the bondage of our negative imaginations. Break down the barriers that sometimes keep us apart and cause us to drift along without a dream. In the Name of the Lord, we pray. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Francis 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. 448, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

LOUIS W. BERGEVIN, *Chairman*

Mr. Speaker:

Your Committee on Taxation, to which were referred Assembly Bill No. 477; Senate Bills Nos. 391, 415, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

CHARLES W. JOERG, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which were referred Senate Bills Nos. 309, 384, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JAMES STONE, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which were referred Assembly Bills Nos. 339, 634, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JAMES STONE, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Judiciary, to which were referred Assembly Bill No. 524; Senate Bill No. 72, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JAMES STONE, *Chairman*

Mr. Speaker:

Your Committee on Legislative Functions, to which was referred Senate Bill No. 358, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

BRUCE R. BOGAERT, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 17, 1985

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 216, 217, 486, 487, 568.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Bills Nos. 62, 430, 488, 489.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 191, 196, 354, 366, 452.

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. 104, 222, 232.

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. 107.

Also, I have the honor to inform your honorable body that the Senate on this day appointed Senators Mello, Townsend and Jacobsen as a first Committee on Conference concerning Senate Bill No. 134.

Also, I have the honor to inform your honorable body that the Senate on this day appointed Senators Ryan, Bilbray and Hickey as a first Committee on Conference concerning Senate Bill No. 211.

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. 224.

MARY JO MONGELLI
Assistant Secretary of the Senate

SENATE CHAMBER, Carson City, May 18, 1985

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 40, 41, 61, 67, 131, 292, 370, 381, 410, 444, 478, 518.

Also, I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bills Nos. 212, 253, 624, 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, as amended, Senate Bills Nos. 122, 126, 252, 352, 383, 426, 429, 447, 461, 462.

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. 156, 246.

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. 28, 208.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Joint Resolution No. 31.

Also, I have the honor to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 48.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

By the Committee on Government Affairs:

Assembly Concurrent Resolution No. 43—Directing the legislative commission to study means to eliminate any duplication of governmental services between Clark County and the largest city located therein.

Senate Joint Resolution No. 31.

Resolution read first time.

Senate Concurrent Resolution No. 48.

Assemblyman Stone moved the adoption of the resolution.

Remarks by Assemblymen Stone, Getto and Coffin.

Mr. Speaker requested that the following remarks be entered in the Journal.

ASSEMBLYMAN STONE:

It has been my privilege during the last two legislative sessions to work with Director Housewright. I found him to be an honest and forthright individual and extremely competent in his job. He probably has one of the toughest jobs in Nevada. He has handled it with dignity and with a lot of class considering the kinds of things he has to deal with. I think this state has been lucky to have him on board. I'm sorry we are losing him. I think this resolution is well in order.

ASSEMBLYMAN GETTO:

I would like to add a few words about Vernon Housewright. It has certainly been my pleasure to work with this man. I think Nevada was fortunate to have the use of his years of experience and years of leadership. He has pulled us through a very critical situation. If you recall, from the last session to this session we did not fund the prisons adequately. But Vernon Housewright was able to keep control of the prisons and to keep us on course. He's a great man. I'm sorry his health is not the best right now and I hope that he will regain his health and be able to enjoy his life in comfort.

ASSEMBLYMAN COFFIN:

I, too, rise in praise of Vernon Housewright. He is a person truly dedicated to his job. I served on the prison subcommittee during the last two sessions and worked many days with him. I can say he truly exemplifies the person we wish all of our prison officials to be—showing sensitivity with firmness. I think Vern is retiring because he simply worked too hard. He worked himself right into retirement. I think there must be a place for him with his skills. I hope we borrow him in the future as we begin to plan for that necessary prison we'll have to build in the next few years.

Resolution adopted.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Labor and Management, to which was referred Assembly Bill No. 617, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

BARBARA ZIMMER, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which were referred Assembly Bills Nos. 330, 633; Senate Bills Nos. 173, 237, 371, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN MARVEL, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

By the Committee on Natural Resources, Agriculture and Mining:

Assembly Joint Resolution No. 30—Urging the Environmental Protection Agency to register and approve the use of the pesticide sodium fluoroacetate, also known as Compound 1080.

Assemblyman Stone moved that Assembly Bill No. 523 be returned from enrollment.

Remarks by Assemblyman Stone.

Motion carried.

Assemblyman Stone moved that the vote whereby Assembly Bill No. 523 was passed be rescinded.

Motion carried.

Assemblyman Stone moved that Assembly Bill No. 507 be taken from the Chief Clerk's desk and placed on the General File.

Remarks by Assemblyman Stone.

Motion carried.

Assemblyman Kerns moved that Assembly Bill No. 302 be taken from the Chief Clerk's desk and placed on the General File.

Remarks by Assemblyman Kerns.

Motion carried.

Assemblyman Nicholas moved that Senate Bill No. 18 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.

Assembly in recess at 10:28 a.m.

ASSEMBLY IN SESSION

At 10:29 a.m.

Mr. Speaker pro Tempore presiding.

Quorum present.

INTRODUCTION AND FIRST READING OF LEGISLATION

By Assemblyman Arberry:

Assembly Bill No. 700—An Act relating to public employees' retirement; allowing all members of the public employees' retirement system to retire at age 55 after 10 years of service; and providing other matters properly relating thereto.

By Assemblyman Bogaert:

Assembly Bill No. 701—An Act relating to fictitious names of enterprises; establishing a central registry; prohibiting registration of duplicative names; and providing other matters properly relating thereto.

By Assemblyman Getto (by request):

Assembly Bill No. 702—An Act relating to the retrocession of jurisdiction; providing for the retrocession by the state to the Federal Government of

all criminal and civil jurisdiction over the Indian country within the State of Nevada occupied by the Ely Shoshone Tribe; and providing other matters properly relating thereto.

By the Committee on Taxation:

Assembly Bill No. 703—An Act relating to the casino entertainment tax; transferring the administration of the tax from the Nevada gaming commission to the department of taxation; and providing other matters properly relating thereto.

By the Committee on Health and Welfare:

Assembly Bill No. 704—An Act relating to public broadcasting; creating the commission on public broadcasting within the office of the governor; authorizing it to administer grants of money to aid public broadcasting; creating an advisory committee on public broadcasting; and providing other matters properly relating thereto.

By the Committee on Health and Welfare:

Assembly Bill No. 705—An Act relating to fair and recreation boards; providing for a board for recreation and tourism for certain general improvement districts; and providing other matters properly relating thereto.

By the Committee on Government Affairs:

Assembly Bill No. 706—An Act relating to amend an act entitled "An Act relating to Carson City; consolidating Ormsby County and Carson City into one municipal government to be known as Carson City; providing a charter therefore; and providing other matters properly relating thereto." approved April 1, 1969, as amended.

By Assemblymen Getto, Dini and Marvel:

Assembly Bill No. 707—An Act relating to irrigation districts; changing the index and method used to calculate the maximum rate of interest on bonds and other obligations of a district; increasing the amount of indebtedness which a district may incur as preliminary costs; eliminating the acreage limitation on indebtedness evidenced by warrants; changing certain election procedures for bonds; authorizing refunding of certain bonds without an election; authorizing the board of directors to pledge revenues for bonds; and providing other matters properly relating thereto.

By the Committee on Government Affairs:

Assembly Bill No. 708—An Act relating to asbestos; requiring the state environmental commission to regulate and license those businesses which use asbestos; providing for a fee; and providing other matters properly relating thereto.

By Assemblymen Bogaert, Stone, Beyer, Humke, Nicholas, Kerns, Lambert, Swain, Nevin, Sader, Thomas, Bergevin, Joerg, Dini and Marvel:

Assembly Bill No. 709—An Act encouraging Washoe and Douglas counties and Carson City to submit an advisory question to their voters in 1986

concerning support for the selection of Reno and Lake Tahoe as the site for the winter Olympic games.

By Assemblyman Arberry:

Assembly Bill No. 710—An Act relating to professional engineers; removing the exemption from the licensing requirements for nonresidents temporarily in this state; requiring the payment of a fee for registration; authorizing the imposition of fines; and providing other matters properly relating thereto.

Senate Bill No. 62.
Bill read first time.

Senate Bill No. 122.
Bill read first time.

Senate Bill No. 126.
Bill read first time.

Senate Bill No. 191.
Bill read first time.

Senate Bill No. 196.
Bill read first time.

Senate Bill No. 252.
Bill read first time.

Senate Bill No. 352.
Bill read first time.

Senate Bill No. 354.
Bill read first time.

Senate Bill No. 366.
Bill read first time.

Senate Bill No. 383.
Bill read first time.

Senate Bill No. 426.
Bill read first time.

Senate Bill No. 429.
Bill read first time.

Senate Bill No. 430.
Bill read first time.

Senate Bill No. 447.
Bill read first time.

Senate Bill No. 452.
Bill read first time.

Senate Bill No. 461.
Bill read first time.

Senate Bill No. 462.
Bill read first time.

Senate Bill No. 488.
Bill read first time.

Senate Bill No. 489.
Bill read first time.

SECOND READING AND AMENDMENT

Assembly Bill No. 620.
Bill read second time.
The following amendment was proposed by the Committee on Judiciary:
Amendment No. 997.
Amend section 1, page 2, line 2, by deleting "*and*".
Amend section 1, page 2, line 4, by deleting the period and bracket.
Amend section 1, page 2, line 5, before "or" by inserting an open bracket.
Amend section 1, page 2, line 6, after "state,", by inserting "] ,".
Amend section 1, page 2, line 7, by deleting the bracket.
Assemblyman Zimmer moved the adoption of the amendment.
Remarks by Assemblyman Zimmer.
Amendment adopted.
Bill ordered reprinted, engrossed and to third reading.

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: Amend, and do pass as amended.

LOUIS W. BERGEVIN, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Stone moved that Assembly Bill No. 524 be placed on the Second Reading File.
Remarks by Assemblyman Stone.
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 10:42 a.m.

ASSEMBLY IN SESSION

At 10:44 a.m.
Mr. Speaker presiding.
Quorum present.

GENERAL FILE AND THIRD READING

Assembly Bill No. 211.
Bill read third time.

Remarks by Assemblyman Humke.
Roll call on Assembly Bill No. 211:
YEAS—41.
NAYS—None.
Absent—Sedway.

Assembly Bill No. 211 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 301.
Bill read third time.
Remarks by Assemblyman Nevin.
Roll call on Assembly Bill No. 301:
YEAS—41.
NAYS—None.
Absent—Sedway.

Assembly Bill No. 301 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 Zimmer.
Roll call on Assembly Bill No. 329:
YEAS—40.
NAYS—O'Donnell.
Absent—Sedway.

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. 391.
Bill read third time.
Remarks by Assemblyman Nevin.
Roll call on Assembly Bill No. 391:
YEAS—19.
NAYS—Arberry, Banner, Bergevin, Coffin, Collins, Craddock, Ham, Horne, Jeffrey, Joerg, Lambert, Little, McGaughey, Malone, O'Donnell, Roberts, Sader, Spriggs, Tebbs, Thompson, Mr. Speaker—21.
Absent—Sedway.
Not voting—Zimmer.

Assembly Bill No. 391 having failed to receive a constitutional majority, Mr. Speaker declared it lost.

Assembly Bill No. 426.
Bill read third time.
Remarks by Assemblyman Nicholas.

Roll call on Assembly Bill No. 426:

YEAS—41.

NAYS—None.

Absent—Sedway.

Assembly Bill No. 426 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 434.

Bill read third time.

Remarks by Assemblyman Schofield.

Roll call on Assembly Bill No. 434:

YEAS—41.

NAYS—None.

Absent—Sedway.

Assembly Bill No. 434 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 440.

Bill read third time.

Remarks by Assemblyman Arberry.

Roll call on Assembly Bill No. 440:

YEAS—41.

NAYS—None.

Absent—Sedway.

Assembly Bill No. 440 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 Schofield.

Roll call on Assembly Bill No. 471:

YEAS—40.

NAYS—Collins.

Absent—Sedway.

Assembly Bill No. 471 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 557.

Bill read third time.

Remarks by Assemblyman Kerns.

Roll call on Assembly Bill No. 557:

YEAS—23.

NAYS—Arberry, Bogaert, Coffin, Collins, Craddock, Dini, Getto, Ham, Jeffrey, Joerg, McGaughey, O'Donnell, Roberts, Spriggs, Stone, Thompson, Mr. Speaker—17.

Absent—Sedway.

Not voting—Price.

Assembly Bill No. 557 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 558.

Bill read third time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 1005.

Amend sec. 5, page 2, line 35, after "below", by inserting: "the standards in the".

Amend sec. 5, page 2, by deleting line 38 and inserting: "workmanship must meet the standards".

Amend sec. 5, page 2, line 39, by deleting "edition of" and inserting "prescribed in".

Amend sec. 5, page 2, line 40, by deleting the period and inserting: "in the form of the code most recently published before January 1, 1985.".

Amend sec. 5, page 2, by deleting line 41 and inserting:

"2. Advertising projects of construction without including in the".

Amend sec. 5, page 2, by deleting line 43 and inserting: "who is responsible for the construction.".

Assemblyman DuBois moved the adoption of the amendment.

Remarks by Assemblyman DuBois.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 583.

Bill read third time.

Remarks by Assemblyman Horne.

Roll call on Assembly Bill No. 583:

YEAS—41.

NAYS—None.

Absent—Sedway.

Assembly Bill No. 583 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 584.

Bill read third time.

Remarks by Assemblyman Lambert.

Roll call on Assembly Bill No. 584:

YEAS—41.

NAYS—None.

Absent—Sedway.

Assembly Bill No. 584 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 Assemblymen DuBois, Sader, Joerg, Schofield, Williams, O'Donnell, Price and Bergevin.

Roll call on Assembly Bill No. 597:

YEAS—25.

NAYS—Arberry, Banner, Beyer, Collins, Craddock, Jeffrey, Kerns, Lambert, Little, McGaughey, Malone, Marvel, Nevin, Schofield, Tebbs, Thompson—16.

Absent—Sedway.

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. 603.

Bill read third time.

Remarks by Assemblyman Bergevin.

Roll call on Assembly Bill No. 603:

YEAS—41.

NAYS—None.

Absent—Sedway.

Assembly Bill No. 603 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 Williams, Price, Stone and Zimmer.

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

Assembly in recess at 11:19 a.m.

ASSEMBLY IN SESSION

At 11:25 a.m.

Mr. Speaker presiding.

Quorum present.

Assemblyman Stone moved that Assembly Bill No. 610 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Stone.

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Malone gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 391 was this day refused passage.

GENERAL FILE AND THIRD READING

Assembly Bill No. 636.

Bill read third time.

Remarks by Assemblyman Swain.

Roll call on Assembly Bill No. 636:

YEAS—40.

NAYS—None.

Absent—Sedway.

Not voting—Dini.

Assembly Bill No. 636 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 675.

Bill read third time.

Remarks by Assemblymen Bergevin and Nicholas.

Roll call on Assembly Bill No. 675:

YEAS—41.

NAYS—None.

Absent—Sedway.

Assembly Bill No. 675 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 Assemblymen Getto, Sader, Thomas and Dini.

Assemblyman Spriggs requested that the following remarks be entered in the Journal.

ASSEMBLYMAN GETTO:

This is a good resolution as far as resolutions go. I wonder, however, how much impact they have on Congress. The American mining business has suffered severely from uncontrolled importation of foreign minerals. In many of the foreign countries the cost of production has been kept artificially low by direct subsidies. Worse than that, however, is that many of these countries have received loans from our country at a lower rate of interest than our own mining industry can obtain loans. The mining industry is the number two industry in this state and at the present time is practically on its back. This means that with many of the mines closed, especially many of the larger ones, there are a lot of unemployed miners in this state. This is a very important resolution to the State of Nevada.

ASSEMBLYMAN SADER:

I would like to ask a couple of questions. I understand the importance of the mineral industry to this state, yet this resolution suggests that we do something which is philosophically opposed to what some of us believe we ought to be doing in the free enterprise system. That is to set up import quotas, and set up controls in an atmosphere in which we're decontrolling some of these industries; particularly in the present administration's point of view on importation and so forth. Being one who is strongly in favor of the free enterprise system wherever it exists, Mr. Getto, I'd like to know if the testimony in committee indicated what kind of effect this would have if Congress actually did what this resolution proposes.

ASSEMBLYMAN THOMAS:

I would like to address Mr. Sader's remarks. I agree with him completely that there is nothing like the wide open free enterprise trading system. However, in this situation the

thing that makes it different is that they are doing it with our money. We are lending them the money to turn around and "fog it to us" with their government subsidized exports. That simply isn't fair. I think the people in Washington, D.C. don't know what they are doing. Their right hand doesn't know what the left hand is doing. As much as I abhor quotas, I have to go along with this one.

ASSEMBLYMAN DINI:

I would like to reiterate to the people in this House the importance of this resolution to the State of Nevada. Throughout the west there are over 20,000 miners out of work because the mines have all shut down. Here in Nevada, the mine in Ely closed down and the mine in Yerington, with 500 employees, closed down. Also, the molybdenum mine in Tonopah, with 400 employees, has closed down. What has happened is you can't compete with the foreign prices. I resent mostly the exploitation of our capital through the world bank with loans from this country. Especially to South American countries where they bring copper into the United States at a cheaper price. It brings us to the thing that was very important to this state a few years ago when Congressman Santini tried to establish a federal minerals policy in Congress and with the President to support the mining industry throughout this country and develop a policy for mine development. We do not even have any copper production in this state at the present time of any magnitude. If there was a war tomorrow and you have to depend on Chili and other countries for copper, there will be some problems.

Roll call on Assembly Joint Resolution No. 25:

YEAS—41.

NAYS—None.

Absent—Sedway.

Assembly Joint Resolution No. 25 having received a constitutional majority, Mr. Speaker declared it passed.

Resolution ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman DuBois moved that Senate Bill No. 145 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman DuBois.

Motion carried.

Assemblyman DuBois moved that Assembly Bill No. 489 be taken from the Chief Clerk's desk and placed on the General File.

Motion carried.

Assemblyman Bogaert moved that Assembly Bill No. 495 be placed on the General File.

Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 41.

Bill read third time.

Remarks by Assemblyman Rader.

Roll call on Senate Bill No. 41:

YEAS—41.

NAYS—None.

Absent—Sedway.

Senate Bill No. 41 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 11:39 a.m.

ASSEMBLY IN SESSION

At 11:40 a.m.

Mr. Speaker pro Tempore presiding.

Quorum present.

GENERAL FILE AND THIRD READING

Senate Bill No. 177.

Bill read third time.

Remarks by Assemblyman Thomas.

Roll call on Senate Bill No. 177:

YEAS—31.

NAYS—Coffin, DuBois, Fairchild, Lambert, Malone, O'Donnell, Roberts, Spriggs, Williams, Zimmer—10.

Absent—Sedway.

Senate Bill No. 177 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 197.

Bill read third time.

Remarks by Assemblyman Nevin.

Assemblyman Stone moved that Senate Bill No. 197 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Stone.

Motion carried.

Senate Bill No. 236.

Bill read third time.

The following amendment was proposed by Assemblyman Francis:

Amendment No. 1044.

Amend sec. 2, page 2, by inserting after line 12:

"3. For the purposes of NRS 354.59811 in the fiscal year 1986-1987, the revenue of Clark County and the towns of Paradise and Winchester from taxes ad valorem in the fiscal year 1985-1986 must be computed as if the credit required by this section had not been allowed.".

Assemblyman Francis moved the adoption of the amendment.

Remarks by Assemblyman Francis.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 292.
Bill read third time.
Remarks by Assemblymen Malone, Nicholas and Stone.
Roll call on Senate Bill No. 292:
YEAS—40.
NAYS—Nicholas.
Absent—Sedway.

Senate Bill No. 292 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 312.
Bill read third time.
Remarks by Assemblyman Bergevin.
Roll call on Senate Bill No. 312:
YEAS—40.
NAYS—Coffin.
Absent—Sedway.

Senate Bill No. 312 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assemblyman Bilyeu moved that the Assembly recess subject to the call of the Chair.
Motion carried.

Assembly in recess at 11:48 a.m.

ASSEMBLY IN SESSION

At 11:54 a.m.
Mr. Speaker pro Tempore presiding.
Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Bilyeu moved that Assembly Bill No. 495 be taken from the General File and re-referred to the Committee on Ways and Means.
Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 324.
Bill read third time.
Remarks by Assemblymen Humke and Nicholas.
Roll call on Senate Bill No. 324:
YEAS—41.
NAYS—None.
Absent—Sedway.

Senate Bill No. 324 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 357.

Bill read third time.

Remarks by Assemblyman Arberry.

Roll call on Senate Bill No. 357:

YEAS—41.

NAYS—None.

Absent—Sedway.

Senate Bill No. 357 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 379.

Bill read third time.

Remarks by Assemblyman Ham.

Roll call on Senate Bill No. 379:

YEAS—40.

NAYS—None.

Absent—Sedway.

Not voting—Dini.

Senate Bill No. 379 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 417.

Bill read third time.

Remarks by Assemblyman Bergevin.

Roll call on Senate Bill No. 417:

YEAS—41.

NAYS—None.

Absent—Sedway.

Senate Bill No. 417 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 419.

Bill read third time.

Remarks by Assemblyman Bogaert.

Roll call on Senate Bill No. 419:

YEAS—41.

NAYS—None.

Absent—Sedway.

Senate Bill No. 419 having received a constitutional majority, Mr. Speaker pro Tempore 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—None.

Senate Bill No. 441 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.
Bill ordered transmitted to the Senate.

Senate Joint Resolution No. 16.
Resolution read third time.
Remarks by Assemblyman Ham.
Roll call on Senate Joint Resolution No. 16:
YEAS—38.
NAYS—Bergevin, Humke, Stone—3.
Absent—Sedway.

Senate Joint Resolution No. 16 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.
Resolution ordered transmitted to the Senate.

Senate Joint Resolution No. 36.
Resolution read third time.
Remarks by Assemblyman McGaughey.
Roll call on Senate Joint Resolution No. 36:
YEAS—40.
NAYS—None.
Absent—Sedway.
Not voting—Nicholas.

Senate Joint Resolution No. 36 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.
Resolution ordered transmitted to the Senate.

Assembly Bill No. 523.
Bill read third time.
The following amendment was proposed by the Committee on Judiciary:
Amendment No. 1007.
Amend section 1, page 1, line 12 by deleting "such".
Amend section 1, page 1, line 19, by deleting "identify himself" and inserting: "state his name".
Amend section 1, page 2, line 20, after "days", by inserting: "nor more than 6 months".
Amend section 1, page 2, by deleting lines 21 through 24 and inserting: "of not less than $250 nor more than $1,000.".
Amend section 1, page 2, line 28, by deleting the period and inserting: "nor more than $1,000.".
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. 507.
Bill read third time.
The following amendment was proposed by the Committee on Judiciary:
Amendment No. 1018.
Amend the bill as a whole by deleting section 1 and renumbering section 2 as section 1.
Amend sec. 2, pages 1 and 2, by deleting lines 15 through 17 on page 1 and lines 1 through 12 on page 2 and inserting: "nings to a patron, *the dispute involves at least $500 and the licensee and the patron are unable to resolve the dispute to the patron's satisfaction,* 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".
Amend the title of the bill, second through fourth lines, by deleting: "authorizing a civil action against a licensee to enforce a gaming debt which is not evidenced by a credit instrument;".
Amend the summary of the bill, second and third lines, by deleting: "and authorizes action to enforce certain gaming debts." and inserting a period.
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. 302.
Bill read third time.
Remarks by Assemblyman Kerns.
Roll call on Assembly Bill No. 302:

YEAS—41.
NAYS—None.
Absent—Sedway.

Assembly Bill No. 302 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed, as amended.
Bill ordered transmitted to the Senate.

Senate Bill No. 18.
Bill read third time.
Remarks by Assemblymen Fairchild, Nicholas and Dini.
Assemblyman Dini moved that Senate Bill No. 18 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblymen Dini, Nicholas, Francis, Bilyeu, Sader and Banner.

Motion carried.

Assembly Bill No. 489.

Bill read third time.

The following amendment was proposed by Assemblyman DuBois:

Amendment No. 981.

Amend section 1, page 1, line 1, by deleting "489" and inserting "645".

Amend section 1, page 1, line 3, by deleting "*NRS 489.341*" and inserting "*this chapter*".

Amend the title of the bill to read as follows:

"An Act relating to real estate brokers and salesmen; removing residency as a requirement for licensing; requiring a nonresident licensee to name the secretary of state as his agent for receipt of process; and providing other matters properly relating thereto.".

Amend the summary of the bill to read as follows: "Removes restriction on residency of real estate brokers and salesmen and requires nonresident licensees to name agent for service of summons. (BDR 54-1223)".

Assemblyman DuBois moved the adoption of the amendment.

Remarks by Assemblyman DuBois.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Judiciary, to which was referred Senate Joint Resolution No. 17, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JAMES STONE, *Chairman*

Mr. Speaker:

Your Committee on Labor and Management, to which was referred Assembly Bill No. 316, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

BARBARA ZIMMER, *Chairman*

INTRODUCTION AND FIRST READING OF LEGISLATION

By Assemblyman Zimmer:

Assembly Bill No. 711—An Act relating to hazardous chemicals; requiring employers to provide information concerning the chemicals; and providing other matters properly relating thereto.

By the Committee on Natural Resources, Agriculture and Mining:

Assembly Bill No. 712—An Act relating to the state fire marshal; regulating the planting of vegetation around structures; and providing other matters properly relating thereto.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Francis moved that Assembly Bills Nos. 316, 330, 339, 477, 617, 633, 634; Senate Bills Nos. 72, 173, 237, 263, 309, 358, 371, 384, 391, 415, 448; Senate Joint Resolution No. 17 be placed on the Second Reading File.

Motion carried.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 253.

The following Senate amendment was read:

Amendment No. 925.

Amend sec. 3, page 2, line 10, by deleting the open bracket.

Amend sec. 3, page 2, line 11, by inserting an open bracket before "The".

Amend sec. 3, page 2, by deleting line 32 and inserting: "of this section] *Photographs of*".

Amend sec. 3, page 2, line 33, by deleting "*the property*" and inserting: "*the returned property*".

Amend sec. 3, page 2, lines 37 and 38, by deleting: "*peace officer having custody of the property may initiate a request to*" and inserting: "*prosecuting attorney may*".

Amend sec. 3, page 3, line 2, by deleting "*having*" and inserting "*who had*".

Amend the title, first line, by deleting "shoplifting;" and inserting: "property taken from others;".

Assemblyman Stone moved that the Assembly concur in the Senate amendment to Assembly Bill No. 253.

Remarks by Assemblyman Stone.

Motion carried.

Bill ordered enrolled.

RECEDE FROM ASSEMBLY AMENDMENTS

Assemblyman Stone moved that the Assembly do not recede from its action on Senate Bill No. 208, 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 Stone.

Motion carried.

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker pro Tempore appointed Assemblymen O'Donnell, Arberry 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. 208.

RECEDE FROM ASSEMBLY AMENDMENTS

Assemblyman Stone moved that the Assembly do not recede from its action on Senate Bill No. 107, 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 Stone.

Motion carried.

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker pro Tempore appointed Assemblymen Zimmer, Little and Roberts as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Senate Bill No. 107.

RECEDE FROM ASSEMBLY AMENDMENTS

Assemblyman DuBois moved that the Assembly do not recede from its action on Senate Bill No. 28, 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 DuBois.

Motion carried.

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker pro Tempore appointed Assemblymen Tebbs, Jeffrey and Bogaert as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Senate Bill No. 28.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 624.

The following Senate amendment was read:

Amendment No. 917.

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. The commission on economic development shall coordinate and assemble a single application for the state which may include one or more proposed locations for an atomic particle accelerator in Nevada.".

Amend sec. 2, lines 6 and 7, by deleting: "the project is completed" and inserting: "after June 30, 1987,".

Assemblyman Marvel moved that the Assembly concur in the Senate amendment to Assembly Bill No. 624.

Remarks by Assemblyman Marvel.

Motion carried.

Bill ordered enrolled.

SECOND READING AND AMENDMENT

Assembly Bill No. 524.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1002.

Amend sec. 2, page 1, by deleting line 4, and inserting: "*context otherwise requires:*

1. "Division" means the investigation division of the department of motor vehicles.

2. "Missing child" means a person under".

Amend sec. 3, page 1, line 7, by deleting "*shall*" and inserting "*may*".

Amend sec. 3, page 1, by deleting lines 8 and 9 and inserting: "*containing information obtained from the division concerning missing children in this state.*".

Amend sec. 3, page 1, line 13, by deleting "*shall*" and inserting "*may*".

Amend sec. 4, page 2, by deleting lines 18 through 20.

Amend sec. 5, page 2, by deleting line 21 and inserting:

"Sec. 5. *1. The attorney general shall, on or before January 31 of each*".

Amend sec. 5, page 2, after line 27, by inserting:

"*2. The division shall cooperate with the attorney general in providing information for that report concerning the identification and investigation of cases involving missing children.*".

Amend sec. 6, page 2, line 28, after "*a*", by inserting "*general*".

Amend sec. 6, page 2, by deleting line 30 and inserting: "*missing child under the age of 14. The law enforcement agency which receives the initial report on the missing child shall evaluate all information available to that agency and the circumstances surrounding the disappearance of the child to determine whether immediate action is necessary.*".

Amend sec. 7, page 2, by deleting lines 33 through 43 and inserting:

"*(a) Transmit all available information about the child to the division within 36 hours after the report is received; and*

(b) Immediately notify such persons and make such inquiries concerning the missing child as the agency deems necessary.".

Amend sec. 7, page 3, line 1, by deleting "*shall*" and inserting "*may*".

Amend sec. 7, page 3, lines 3 and 4, by deleting: "*National Crime Information Center*" and inserting "*division*".

Amend sec. 13, page 4, by deleting lines 17 through 24 and inserting:

"Sec. 13. (Deleted by amendment.)".

Amend sec. 15, page 4, line 33, by deleting "*shall:*" and inserting "*may:*".

Amend the title of the bill, fourth line, by deleting "requiring" and inserting "authorizing".

Assemblyman Stone moved the adoption of the amendment.

Remarks by Assemblyman Stone.

Amendment adopted.

Bill ordered reprinted, engrossed and to the Concurrent Committee on Ways and Means.

REFERENCE OF MEASURES TO COMMITTEES

Assembly Bill No. 700.

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

Motion carried.

Assembly Bill No. 701.

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

Motion carried.

Assembly Bill No. 702.

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

Motion carried.

Assembly Bill No. 703.

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

Motion carried.

Assembly Bill No. 704.

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

Motion carried.

Assembly Bill No. 705.

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

Motion carried.

Assembly Bill No. 706.

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

Motion carried.

Assembly Bill No. 707.

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

Motion carried.

Assembly Bill No. 708.

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

Motion carried.

Assembly Bill No. 709.

Assemblyman Francis moved that the bill be referred to the Committee on Legislative Functions.

Motion carried.

Assembly Bill No. 710.

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

Motion carried.

Assembly Bill No. 711.

Assemblyman Francis moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

Assembly Bill No. 712.

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

Motion carried.

Assembly Joint Resolution No. 30.

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

Motion carried.

Assembly Concurrent Resolution No. 43.

Assemblyman Francis moved that the resolution be referred to the Committee on Government Affairs.

Motion carried.

Senate Bill No. 62.

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

Motion carried.

Senate Bill No. 122.

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

Motion carried.

Senate Bill No. 126.

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

Motion carried.

Senate Bill No. 191.

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

Motion carried.

Senate Bill No. 196.

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

Motion carried.

Senate Bill No. 252.

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

Motion carried.

Senate Bill No. 352.

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

Motion carried.

Senate Bill No. 354.

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

Motion carried.

Senate Bill No. 366.

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

Motion carried.

Senate Bill No. 383.

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

Motion carried.

Senate Bill No. 426.

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

Motion carried.

Senate Bill No. 429.

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

Motion carried.

Senate Bill No. 430.

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

Motion carried.

Senate Bill No. 447.

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

Motion carried.

Senate Bill No. 452.

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

Motion carried.

Senate Bill No. 461.

Assemblyman Francis moved that the bill be referred to the Concurrent Committees on Education and Ways and Means.

Motion carried.

Senate Bill No. 462.

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

Motion carried.

Senate Bill No. 488.

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

Motion carried.

Senate Bill No. 489.

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

Motion carried.

Senate Joint Resolution No. 31.

Assemblyman Francis moved that the resolution be referred to the Committee on Judiciary.

Motion carried.

Assemblyman Francis moved that the Assembly recess until 3:15 p.m.

Motion carried.

Assembly in recess at 12:49 p.m.

ASSEMBLY IN SESSION

At 3:21 p.m.

Mr. Speaker presiding.

Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen Little, Fairchild, Ham, Thomas, Rader, Bergevin, Malone, Bogaert, Collins, Francis, Beyer, Dini, Horne, Joerg, Roberts, Coffin and Bilyeu:

Assembly Joint Resolution No. 31—Urging the Federal Government to stop supplying money and aid to and allowing trade with the Union of Soviet Socialist Republics and other communist countries.

By Assemblymen Little, Fairchild, Lambert, Getto, O'Donnell, Rader, Ham, Thomas, Zimmer, Tebbs, Spriggs, Coffin, Roberts, Dini, Thompson,

Nicholas, Horne, Beyer, Francis, Kerns, Price, Bogaert, Malone, Marvel, Humke and Joerg:

Assembly Joint Resolution No. 32—Urging the Congress of the United States to enact legislation which would prohibit the transfer to the Union of Soviet Socialist Republics and its allies of any technical information or equipment which may be used for military purposes.

SECOND READING AND AMENDMENT

Assembly Bill No. 316.

Bill read second time.

The following amendment was proposed by the Committee on Labor and Management:

Amendment No. 1049.

Amend section 1, page 1, line 3, by deleting "[seven] *nine*" and inserting "seven".

Amend section 1, page 1, by deleting lines 10 through 13 and inserting: "whose names are submitted by employer associations;] *at least two of whom must represent employers who employ at least 250 persons;* and

(c) One representative of the general public who is knowl-".

Amend the bill as a whole by deleting sections 2 and 3.

Amend the title of the bill, second line, by deleting: "increasing the number of its members;".

Amend the summary of the bill to read as follows: "Changes composition of advisory council for department of industrial relations. (BDR 18-1101)".

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. 330.

Bill read second time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1031.

Amend section 1, page 1, line 3, by deleting "$820,236" and inserting "$744,392".

Assemblyman Marvel moved the adoption of the amendment.

Remarks by Assemblyman Marvel.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 339.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1010.

Amend section 1, page 1, by deleting lines 2 and 3 and inserting: "thereto a new section to read as follows:".

Amend the bill as a whole by deleting sections 2 through 9.

Amend sec. 10, page 4, line 4, by deleting "Sec. 10.".

Amend sec. 10, page 4, line 7, by deleting "*, without limitation,*".

Amend sec. 10, page 4, line 15, after "*board;*" by inserting "*and*".

Amend sec. 10, page 4, line 17, by deleting "*; and*" and inserting an italicized period.

Amend sec. 10, page 4, by deleting lines 18 and 19.

Amend the bill as a whole by deleting sections 11 through 15 and adding a new section designated section 2, following section 10, to read as follows:

"Sec. 2. NRS 463.013 is hereby amended to read as follows:

463.013 As used in this chapter, the words and terms defined in NRS 463.0134 to 463.0197, inclusive, *and section 1 of this act,* unless the context otherwise requires, have the meanings ascribed to them in those sections.".

Amend the bill as a whole by renumbering section 16 as section 3.

Amend sec. 16, page 5, line 45, by deleting the bracket.

Amend sec. 16, page 6, line 3, by deleting "and" and inserting "[and]".

Amend sec. 16, page 6, line 6, by deleting the comma and inserting: "[,] *;*

(c) Which are the work product of the board or commission; and

(d) Provided to the members, agents or employees of the board or commission by a governmental agency or on the assurance that the information will be held in confidence and treated as confidential; and

(e) Obtained by the board from a manufacturer, distributor or operator relating to the manufacturing of gaming devices,".

Amend sec. 16, page 6, line 18, by deleting the bracket.

Amend sec. 16, page 6, line 20, by deleting the brackets.

Amend the bill as a whole by deleting sections 17 through 21.

Amend the title of the bill to read as follows:

"An Act relating to the regulation of gaming; designating as confidential certain information which is provided to the state gaming control board and the Nevada gaming commission; and providing other matters properly relating thereto.".

Amend the summary of the bill, first line, by deleting "Limits disclosure" and inserting: "Adds to list".

Assemblyman Sader moved the adoption of the amendment.

Remarks by Assemblyman Sader.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Taxation, 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.

CHARLES W. JOERG, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Joerg moved that Assembly Joint Resolution No. 27 be placed on the Second Reading File.

Motion carried.

Assemblyman Joerg moved that Senate Bill No. 197 be taken from the Chief Clerk's desk and re-referred to the Committee on Judiciary.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 477.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 617.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 633.

Bill read second time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1033.

Amend sec. 2, page 1, line 13, by deleting "*1987;*" and inserting "*1989;*".

Amend sec. 2, page 1, line 14, by deleting "*1989;*" and inserting "*1991;*".

Amend sec. 2, page 1, line 15, by deleting "*1991.*" and inserting "*1993.*".

Assemblyman Marvel moved the adoption of the amendment.

Remarks by Assemblyman Marvel.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 634.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1012.

Amend section 1, page 2, line 22, by deleting: "in series any class" and inserting: "[in series] any class *or series*".

Amend section 1, page 2, line 24, by deleting "classes," and inserting "[classes,] *series,*".

Amend section 1, page 2, line 25, after "each", by inserting "*classes or*".

Amend section 1, page 2, line 31, after "*of each*", by inserting "*class or*".

Amend sec. 4, page 5, line 36, by deleting "*are*" and inserting: "*shall be deemed*".

Amend sec. 4, page 6, line 3, by deleting the bracket.

Amend sec. 4, page 6, line 4, by deleting "shall" and inserting "[shall] *must*".

Amend sec. 4, page 6, line 5, by deleting the bracket.

Amend sec. 6, page 7, line 6, by deleting "*resulting*" and inserting "*consolidated*".

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. 72.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1027.

Amend sec. 3, page 3, line 21, after "forfeits", by deleting "such" and inserting "[the] *such*".

Amend sec. 3, page 3, by deleting line 22 and inserting: "as the director considers just.".

Amend sec. 3, page 3, by deleting lines 25 through 31 and inserting: "the discretion of the director.

3. A forfeiture [must] *may* be made only by the director after proof of the offense and notice to the offender. The decision of the director regarding a forfeiture is final.

4. The director may restore credits forfeited for such reasons as he considers proper.".

Assemblyman Sader moved the adoption of the amendment.

Remarks by Assemblyman Sader.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to the Concurrent Committee on Ways and Means.

Senate Bill No. 173.

Bill read second time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1034.

Amend section 1, page 1, line 2, by deleting "$2,146,679" and inserting "$3,237,224".

Assemblyman Marvel moved the adoption of the amendment.

Remarks by Assemblyman Marvel.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 237.

Bill read second time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1035.

Amend section 1, page 1, line 3, by deleting "$1,468,329" and inserting "$1,848,998".

Amend section 1, page 1, line 4, by deleting "$1,218,329" and inserting "$1,598,998".

Assemblyman Marvel moved the adoption of the amendment.

Remarks by Assemblyman Marvel.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 263.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 1024.

Amend the bill as a whole by deleting section 3 and renumbering section 4 as section 3.

Amend the title of the bill, lines 1 and 2, by deleting: "requiring individual listing of items on their budgets under certain circumstances;".

Amend the summary of the bill to read as follows: "Requires filing of final budgets and detailed reports of proposed expenditures of local governments. (BDR 31-248)".

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. 309.

Bill read second time and ordered to third reading.

Senate Bill No. 358.

Bill read second time and ordered to third reading.

Senate Bill No. 371.

Bill read second time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1032.

Amend section 1, page 1, lines 2 and 3, by deleting: "$1,044,731 for equipment, capital improvements and temporary culinary services." and inserting: "$549,736 for equipment.".

Amend the title of the bill, first and second lines, by deleting: ", capital improvements and temporary culinary services;" and inserting a semicolon.

Amend the summary of the bill, first and second lines, by deleting: ", capital improvements and temporary culinary services." and inserting a period.

Assemblyman Marvel moved the adoption of the amendment.

Remarks by Assemblyman Marvel.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 384.

Bill read second time and ordered to third reading.

Senate Bill No. 391.

Bill read second time and ordered to third reading.

Senate Bill No. 415.

Bill read second time and ordered to third reading.

Senate Bill No. 448.

Bill read second time and ordered to third reading.

Senate Joint Resolution No. 17.

Resolution read second time and ordered to third reading.

Assembly Joint Resolution No. 27.

Resolution read second time.

The following amendment was proposed by the Committee on Taxation:

Amendment No. 1072.

Amend section 1, page 2, line 31, by deleting "*Real*" and inserting: "*Any portion of the value of real*".

Assemblyman Joerg moved the adoption of the amendment.

Remarks by Assemblyman Joerg.

Amendment adopted.

Resolution ordered reprinted, engrossed and to third reading.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Commerce, to which were referred Senate Bills Nos. 253, 254, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN DUBOIS, *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which was re-referred 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.

JOHN DUBOIS, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Price gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 597 was this day passed.

REFERENCE OF MEASURES TO COMMITTEES

Assembly Joint Resolution No. 31.

Assemblyman Francis moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

Assembly Joint Resolution No. 32.

Assemblyman Francis moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Joint Resolution No. 1.

The following Senate amendment was read:

Amendment No. 914.

Amend the resolution, page 1, line 4, after "state", by inserting: ", including over 4,000,000 acres which have been withdrawn from use by the general public,".

Amend the resolution, page 1, by deleting lines 17 and 18 and inserting: "posed legislation which would desig-".

Amend the resolution, page 2, line 5, by deleting: "now, therefore, be it" and inserting "and".

Amend the resolution, page 2, after line 5, by inserting:

"WHEREAS, There has been a considerable amount of public discussion in Nevada regarding designations of wilderness areas and there is a general consensus supporting the designation of those areas as wilderness; and

WHEREAS, The committee on public lands of the Nevada legislature is a permanent entity of the legislature and is empowered to review and comment on proposals affecting public lands under the control of the Federal Government, and in this respect the committee serves as an official liaison between the Nevada legislature when the legislature is not in session and the Congress of the United States; now, therefore, be it".

Amend the resolution, page 2, line 11, by deleting "also".

Amend the resolution, page 2, after line 14, by inserting:

"RESOLVED, That the Congress of the United States is urged to keep the committee on public lands of the Nevada legislature informed of additional discussions regarding potential designations of wilderness in the State of Nevada; and be it further".

Assemblyman Getto moved that the Assembly concur in the Senate amendment to Assembly Joint Resolution No. 1.

Remarks by Assemblyman Getto.

Motion carried.

Resolution ordered enrolled.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Commerce, to which was referred Senate Bill No. 143, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN DUBOIS, *Chairman*

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bills Nos. 54, 355, 433, 482, 484, 500, 513; Senate Bills Nos. 104, 114, 141, 156, 202, 222, 224, 232, 246, 260, 343, 364; Senate Joint Resolution No. 21.

REMARKS FROM THE FLOOR

Assemblyman Nicholas requested that his remarks be entered in the Journal.

RESOLUTION SUPPORTING THE INTERNATIONAL ASSOCIATION OF BOMB TECHNICIANS AND INVESTIGATORS

WHEREAS, during the week of May 19 through May 24, the International Association of Bomb Technicians and Investigators (IABTI) is holding its annual international conference in Reno, Nevada; and

WHEREAS, bomb technicians and investigators of the IABTI serve the public within the United States of America and the approximate sixteen foreign countries represented at the 1985 IABTI conference protecting, serving and risking their lives in handling dangerous explosives to the benefit of Nevada's communities and the communities of the United States and foreign countries; and

WHEREAS, there are currently over 300 IABTI members in Reno learning how to better protect and serve the public; and

WHEREAS, their wives and families support their actions and public service to their states and nations with full knowledge of the jeopardy the family unit is in; and

WHEREAS, the wives are in attendance of the 1985 IABTI conference to further support their spouses in their endeavors and professions; now, therefore, be it

RESOLVED by the Assembly of the State of Nevada, the Senate concurring, that the Nevada Legislature recognizes the members of the International Association of Bomb Technicians and Investigators and their wives who support them during the 1985 conference in Reno, Nevada and commend this organization and its spouses for its continued service to the citizens of the State of Nevada, United States of America for the free nations of the world, and be it further

RESOLVED, that a copy of this resolution be transmitted forthwith by the legislative counsel to the International Association of Bomb Technicians and Investigators at its 1985 conference in Reno, Nevada.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Zimmer, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Patsy McCleskey and Nancy MacCartney.

On request of Assemblyman McGaughey, the privilege of the floor of the Assembly Chamber for this day was extended to Randall and Janet Vize.

On request of Assemblyman Price, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Fran Jayo.

Assemblyman Francis moved that the Assembly adjourn until Tuesday, May 21, 1985 at 10:30 a.m.

Motion carried.

Assembly adjourned at 3:56 p.m.

Approved: BYRON L. BILYEU
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE ONE HUNDRED AND TWENTY-FIRST DAY

CARSON CITY (Tuesday), May 21, 1985

Assembly called to order at 10:35 a.m.

Mr. Speaker presiding.

Roll called.

All present except Assemblyman Sedway, who was excused.

Prayer by the Chaplain, The Reverend Bruce Henderson.

Oh Lord, what a beautiful day! Thank you. May Your beauty be seen in this room, in our lives, and even in the decisions we make during this hectic time near the close of our session. We pray in Jesus' beautiful Name. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Francis 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 were referred Assembly Bill No. 688; Senate Bill No. 399, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

CHARLES W. JOERG, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which were referred Senate Bills Nos. 425, 437, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JAMES STONE, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which were referred Senate Bills Nos. 387, 436, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

LOUIS W. BERGEVIN, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Senate Bill No. 363, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

LOUIS W. BERGEVIN, *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which were referred Assembly Bill No. 630; Senate Bills Nos. 162, 164, 207, 218, 244, 282, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN DUBOIS, *Chairman*

Mr. Speaker:

Your Committee on Commerce, 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.

JOHN DUBOIS, *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which was referred Assembly Concurrent Resolution No. 25, has had the same under consideration, and begs leave to report the same back with the recommendation: Be adopted.

JOHN DUBOIS, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which were referred Assembly Bill No. 602, Senate Bill No. 159, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JAMES STONE, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 18, 1985

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bill No. 457.

MARY JO MONGELLI
Assistant Secretary of the Senate

SENATE CHAMBER, Carson City, May 20, 1985

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 123, 186, 488, 494, 516.

Also, I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bills Nos. 221, 340, 657, 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 Resolution No. 8.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Bill No. 492.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 136, 216, 286, 320, 321, 361, 451.

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, 221.

Also, I have the honor to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolutions Nos. 46, 50.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Assembly Concurrent Resolution No. 25.

Assemblyman DuBois moved the adoption of the resolution.

Remarks by Assemblyman DuBois.

Resolution adopted.

By the Committee on Ways and Means:

Assembly Concurrent Resolution No. 44—Providing for the compensation

of clergy for services rendered to the assembly and senate in the 63rd session of the Nevada legislature.

Assemblyman Marvel moved the adoption of the resolution.

Remarks by Assemblyman Marvel.

Resolution adopted.

Senate Concurrent Resolution No. 46.

Resolution read.

Senate Concurrent Resolution No. 50.

Assemblyman Getto moved the adoption of the resolution.

Remarks by Assemblymen Getto, Nicholas, Dini and Marvel.

Resolution adopted.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Ways and Means, to which were referred Assembly Bills Nos. 240, 418, 532, 650; Senate Bills Nos. 132, 190, 210, 238, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN MARVEL, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which was re-referred Assembly Bill No. 549, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN MARVEL, *Chairman*

INTRODUCTION AND FIRST READING OF LEGISLATION

By the Committee on Judiciary:

Assembly Bill No. 713—An Act relating to bail; establishing certain requirements for release without bail; restricting the use of bonds which are posted for bail; making various changes in the provisions governing exoneration and forfeiture of bail; extending the period of time before the bail must be forfeited; requiring the payment of a fee upon posting bail, to be used for the compensation of victims of crime; and providing other matters properly relating thereto.

By the Committee on Ways and Means:

Assembly Bill No. 714—An Act relating to the state hygienic laboratory; transferring it to the medical school of the University of Nevada; and providing other matters properly relating thereto.

Senate Bill No. 136.

Bill read first time.

Senate Bill No. 216.

Bill read first time.

Senate Bill No. 286.

Bill read first time.

Senate Bill No. 320.

Bill read first time.

Senate Bill No. 321.
Bill read first time.

Senate Bill No. 361.
Bill read first time.

Senate Bill No. 451.
Bill read first time.

Senate Bill No. 492.
Bill read first time.

SECOND READING AND AMENDMENT

Senate Bill No. 143.
Bill read second time.
The following amendment was proposed by the Committee on Commerce:
Amendment No. 1039.
Amend sec. 2, page 1, by deleting line 4 and inserting: "*the method for maintaining the records of insurers and the period for which*".
Amend sec. 7, page 4, lines 6, 8 and 11, by deleting on each line "for" and inserting: "he *applies for or* holds".
Amend sec. 7, page 4, by inserting after line 17:
"(h) Successfully complete any course of instruction which the commissioner requires by regulation.".
Amend sec. 7, page 4, line 21, by deleting "*to com-*".
Amend sec. 7, page 4, by deleting line 22.
Amend sec. 22, page 11, by deleting lines 31 through 38 and inserting: "loss reserves in casualty insurance. If the commissioner requires an employer to increase his deposit, the commissioner may specify the form of the additional security. The employer shall comply with such a requirement within 30 days after receiving notice from the commissioner.
3. The commissioner shall require the self-insured employer to submit evidence of excess insurance to provide protection against a catastrophic loss. The excess insurance must be written by an insurer authorized to do business in this state. The commissioner shall consider the excess insurance coverage as a basis for a reduction in the deposit required of an employer.".
Amend sec. 23, pages 11 and 12, by deleting lines 39 through 45 on page 11 and lines 1 through 14 on page 12 and inserting:
"Sec. 23. Sections 7 and 22 of this act become effective at 12:01 a.m. on July 1, 1985.".
Assemblyman DuBois moved the adoption of the amendment.
Remarks by Assemblyman DuBois.
Amendment adopted.
Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 253.
Bill read second time.
The following amendment was proposed by the Committee on Commerce:

Amendment No. 1040.

Amend section 1, page 2, by deleting lines 6 through 10 and inserting:

"11. [Fix the salaries of all persons so hired in accordance with the pay plan of the state for the classified service. No employee so hired may be removed except in the manner provided for the classified service of the state.".

Amend sec. 18, page 9, by deleting lines 1 and 2 and inserting:

"[5.] *4.* The hearing officer shall give notice of his decision to each party by mail. He must include with the notice of his decision the necessary forms for appealing from the decision.".

Amend the bill as a whole by adding a new section designated section 22, following section 21, to read as follows:

"Sec. 22. Section 18 of this act becomes effective at 12:01 a.m. on July 1, 1985.".

Assemblyman DuBois moved the adoption of the amendment.

Remarks by Assemblyman DuBois.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 254.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 1038.

Amend sec. 2, page 1, by deleting lines 3 through 7 and inserting:

"Sec. 2. *At the time an employment agency contracts with an applicant for employment it shall supply the applicant with a copy of the signed contract.*".

Amend the bill as a whole by deleting sections 3 and 4 and inserting:

"Secs. 3 and 4. (Deleted by amendment.)".

Amend sec. 5, page 2, by deleting lines 11 through 14 and inserting:

"Sec. 5. *In addition to the regular fee for securing employment, an employment agency may charge an applicant for employment:*

1. Interest at the rate of 1.5 percent per month on any account which is more than 30 days past due.

2. Not more than $15 for each check drawn by him which is returned because he had insufficient money or credit with the drawee.".

Amend sec. 6, page 2, line 20, by deleting: "[and includes the" and inserting "[the".

Amend sec. 6, pages 2 and 3, by deleting line 45 on page 2 and lines 1 and 2 on page 3.

Amend sec. 10, page 3, line 41, by deleting "*1.*".

Amend sec. 10, page 3, by deleting lines 44 through 47.

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. NRS 611.230 is hereby amended to read as follows:

611.230 Every employment agency shall keep posted in a conspicuous

place in its office or place of business a card or cards, furnished by the labor commissioner, upon which [shall] *must* be printed in large blackfaced type the following: "No fee [shall] *may* be charged an applicant for employment which exceeds [55] *75* percent of the first month's gross cash wage.".

Amend sec. 18, page 6, line 30, by deleting "*24*" and inserting "*14*".

Amend sec. 19, page 6, line 40, after "*the*", by inserting "*written*".

Amend sec. 19, page 7, lines 1 and 2, by deleting the brackets.

Amend sec. 21, page 7, by deleting line 24 and inserting:

"Sec. 21. NRS 611.190 is hereby repealed.".

Assemblyman DuBois moved the adoption of the amendment.

Remarks by Assemblyman DuBois.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Concurrent Committee on Judiciary, to which was referred Senate Bill No. 70, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JAMES STONE, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Ways and Means, to which was referred Senate Bill No. 70, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN MARVEL, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Health and Welfare, to which was referred Senate Bill No. 198, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

DAVID D. NICHOLAS, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Ways and Means, to which was referred Senate Bill No. 198, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN MARVEL, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Ways and Means, 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 re-refer to the Committee on Judiciary.

JOHN MARVEL, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Roberts moved that Assembly Bill No. 379 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Roberts.

Motion carried.

Assemblyman Sader moved that Assembly Bill No. 364 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Sader.

Motion carried.

In compliance with a notice given on a previous day, Assemblyman Banner moved that the vote whereby Assembly Bill No. 391 was refused passage be reconsidered.

Motion carried on a division of the house.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 212.

The following Senate amendment was read:

Amendment No. 930.

Amend section 1, page 1, line 2, by deleting: "2, 3 and 4" and inserting: "2 to 5, inclusive,".

Amend the bill as a whole by renumbering sections 5 through 7 as sections 6 through 8 and adding a new section designated section 5, following section 4, to read as follows:

"Sec. 5. *1. In determining whether a private insurer is acceptable to issue a contract for the insurance of deposits, the administrator and the commissioner of insurance must consider:*

(a) The value of the insurer's capital.

(b) The ratio of the insurer's assets, including reinsurance, which are readily available to cover any losses incurred by depositors, to its insured deposits. This ratio must be adequate to reimburse depositors for any losses which they may incur and may not be less than the ratio maintained by the share insurance fund established under the Federal Credit Union Act of 1934, as amended, (12 U.S.C. §§ 1781 et seq.).

(c) The qualifications of the directors, officers and managers of the insurance company.

(d) The insurer's articles of incorporation and its bylaws and all amendments thereto.

(e) The insurer's policies for investments.

(f) The form of all insurance contracts entered into by the insurer, including contracts for reinsurance.

(g) The insurer's requirements for premiums or deposits.

(h) The insurer's policies for the management of risk.

(i) Such other considerations as the administrator may provide by regulation which are necessary to carry out the provisions of this act.

2. The administrator and the commissioner shall not approve a contract of insurance unless the protection afforded thereby to the depositors is substantially equivalent to the protection afforded by the Federal Credit

Union Act of 1934, as amended, (12 U.S.C. §§ 1781 et seq.) to the depositors.

3. After a private insurer obtains the approval of the administrator and the commissioner, the administrator, after consultation with the commissioner, may, for cause, require the insurer to establish and maintain for such a time as the administrator may require, a reserve, in cash or United States treasury bills or notes, in an amount fixed by the administrator. If required, the reserve must be kept in an account approved by the administrator in a federally insured financial institution located in this state.".

Amend the bill as a whole by adding a new section designated section 9, following section 7, to read as follows:

"Sec. 9. NRS 678.750 is hereby amended to read as follows:

678.750 1. A credit union may purchase insurance on the lives of its members in an amount equal to their respective shares, deposits and [loan] balances *on a loan* or any of them.

2. A credit union may enter into cooperative marketing arrangements for its members covering such services as group life insurance, *coverage for* temporary disability [coverage,] , *plans for* health and accident [plans] and such other programs which are demonstrated to be in the interest of improving the economic and social conditions of the credit union's members.

3. A credit union must apply to the administrator for approval of a plan of insurance for members' accounts, either pursuant to the Federal Credit Union Act of 1934, as amended, (12 U.S.C. §§ 1781 et seq.), or under a contract [or policy] of insurance issued by an insurer [holding a certificate of authority to transact insurance in this state, and take all actions necessary to maintain an insured status thereunder.] , *which must be approved by the administrator and the commissioner of insurance pursuant to section 5 of this act. The issuance of such a contract is not transacting insurance under Title 57 of NRS.*

4. The administrator shall make available reports of the financial condition of credit unions, reports of examinations made pursuant to NRS 678.790 and any other reports that may be required by the insurer and deemed appropriate by the administrator. If a credit union is closed because of bankruptcy or insolvency, the administrator may appoint a liquidating agent.".

Amend the title of the bill, by deleting the second line and inserting: "fixed assets; providing criteria for insurance to cover deposits; removing the restriction on the use of certain money deposited in".

Amend the summary of the bill, second line, by deleting the period and inserting: "and provides criteria for insurance on deposits.".

Assemblyman DuBois moved that the Assembly concur in the Senate amendment to Assembly Bill No. 212.

Remarks by Assemblyman DuBois.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 340.

The following Senate amendment was read:

Amendment No. 943.

Amend section 1, page 2, after line 20, by inserting:

"*5. The money apportioned to a juvenile court or a municipal court pursuant to this section must be used, in addition to providing services to juvenile offenders in the juvenile court, to improve the operation of the court and to acquire a computer or the use of one.*".

Amend the title of the bill, second line, after "misdemeanor;", by inserting: "requiring certain courts to use amounts allocated to them to improve the operation of the court;".

Amend the summary of the bill by deleting the period and inserting: "and prescribes for certain courts how allocation is to be used.".

Assemblyman Marvel moved that the Assembly concur in the Senate amendment to Assembly Bill No. 340.

Remarks by Assemblyman Marvel.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 657.

The following Senate amendment was read:

Amendment No. 1043.

Amend section 1, page 1, line 3, by deleting "17," and inserting "26,".

Assemblyman Joerg moved that the Assembly concur in the Senate amendment to Assembly Bill No. 657.

Remarks by Assemblyman Joerg.

Motion carried.

Bill ordered enrolled.

MOTIONS, RESOLUTIONS AND NOTICES

In compliance with a notice given on a previous day, Assemblyman Price moved that the vote whereby Assembly Bill No. 597 was passed be reconsidered.

Motion lost on a division of the house.

Assemblyman Getto moved that Senate Joint Resolution No. 20 be taken from the Chief Clerk's desk and placed on the General File.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 49.

Bill read third time.

Remarks by Assemblyman Joerg.

Roll call on Assembly Bill No. 49:

YEAS—41.

NAYS—None.

Absent—Sedway.

Assembly Bill No. 49 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 96.

Bill read third time.

Remarks by Assemblyman Bergevin.

Roll call on Assembly Bill No. 96:

YEAS—41.

NAYS—None.

Absent—Sedway.

Assembly Bill No. 96 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 183.

Bill read third time.

Remarks by Assemblyman Nicholas.

Roll call on Assembly Bill No. 183:

YEAS—41.

NAYS—None.

Absent—Sedway.

Assembly Bill No. 183 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 Joerg, Williams and Bergevin.

Roll call on Assembly Bill No. 291:

YEAS—20.

NAYS—Arberry, Banner, Coffin, Craddock, Dini, Fairchild, Jeffrey, Little, McGaughey, Malone, Nevin, Price, Rader, Roberts, Sader, Schofield, Stone, Swain, Thompson, Williams, Mr. Speaker—21.

Absent—Sedway.

Assembly Bill No. 291 having failed to receive a constitutional majority, Mr. Speaker declared it lost.

Assembly Bill No. 348.

Bill read third time.

Remarks by Assemblyman Zimmer.

Roll call on Assembly Bill No. 348:

YEAS—41.

NAYS—None.

Absent—Sedway.

Assembly Bill No. 348 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 477.

Bill read third time.

Remarks by Assemblymen Joerg, Price, Sader and Dini.

Roll call on Assembly Bill No. 477:

YEAS—25.

NAYS—Arberry, Banner, Coffin, Collins, Craddock, Dini, Jeffrey, Little, Nevin, Price, Sader, Schofield, Spriggs, Swain, Thompson, Williams—16.

Absent—Sedway.

Assembly Bill No. 477 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.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Assembly Concurrent Resolution No. 43, has had the same under consideration, and begs leave to report the same back with the recommendation: Re-refer to the Committee on Legislative Functions.

LOUIS W. BERGEVIN, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Bergevin moved that Assembly Concurrent Resolution No. 43 be re-referred to the Committee on Legislative Functions.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 504.

Bill read third time.

Remarks by Assemblymen Francis, Sader, Malone, Collins, Williams and Bogaert.

Roll call on Assembly Bill No. 504:

YEAS—38.

NAYS—Little, Thomas—2.

Absent—Sedway.

Not voting—Malone.

Assembly Bill No. 504 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 514.
Bill read third time.
Remarks by Assemblymen Nicholas and Dini.
Roll call on Assembly Bill No. 514:

YEAS—41.
NAYS—None.
Absent—Sedway.

Assembly Bill No. 514 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Francis moved that Assembly Bills Nos. 240, 418, 475, 532, 549, 602, 630, 650, 688; Senate Bills Nos. 70, 132, 159, 162, 164, 190, 198, 207, 210, 218, 238, 244, 282, 363, 387, 399, 425, 436 and 437 be placed on the Second Reading File.
Motion carried.

Assemblyman Francis moved that Assembly Bill No. 207 be placed on the General File.
Motion carried.

Assemblyman DuBois moved that Senate Bill No. 145 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.

Assembly in recess at 11:55 a.m.

ASSEMBLY IN SESSION

At 11:56 a.m.
Mr. Speaker pro Tempore presiding.
Quorum present.

GENERAL FILE AND THIRD READING

Assembly Bill No. 550.
Bill read third time.
Remarks by Assemblyman Ham.
Roll call on Assembly Bill No. 550:

YEAS—41.
NAYS—None.
Absent—Sedway.

Assembly Bill No. 550 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 562.
Bill read third time.
Remarks by Assemblyman Williams.
Roll call on Assembly Bill No. 562:
YEAS—41.
NAYS—None.
Absent—Sedway.

Assembly Bill No. 562 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 580.
Bill read third time.
Remarks by Assemblymen Malone, Collins and Stone.
Roll call on Assembly Bill No. 580:
YEAS—41.
NAYS—None.
Absent—Sedway.

Assembly Bill No. 580 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 595.
Bill read third time.
Remarks by Assemblyman Banner.
Roll call on Assembly Bill No. 595:
YEAS—41.
NAYS—None.
Absent—Sedway.

Assembly Bill No. 595 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 600.
Bill read third time.
Remarks by Assemblyman Thompson.
Roll call on Assembly Bill No. 600:
YEAS—41.
NAYS—None.
Absent—Sedway.

Assembly Bill No. 600 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 617.
Bill read third time.
Remarks by Assemblyman Roberts.

Roll call on Assembly Bill No. 617:
YEAS—41.
NAYS—None.
Absent—Sedway.

Assembly Bill No. 617 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 627.
Bill read third time.
Remarks by Assemblyman Bergevin.
Roll call on Assembly Bill No. 627:
YEAS—41.
NAYS—None.
Absent—Sedway.

Assembly Bill No. 627 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed, as amended.
Bill ordered transmitted to the Senate.

Senate Bill No. 38.
Bill read third time.
The following amendment was proposed by the Committee on Commerce:
Amendment No. 936.
Amend the bill as a whole by deleting section 2.
Assemblyman DuBois moved the adoption of the amendment.
Remarks by Assemblyman DuBois.
Amendment adopted.
Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 83.
Bill read third time.
Remarks by Assemblymen Kerns and Stone.
Roll call on Senate Bill No. 83:
YEAS—41.
NAYS—None.
Absent—Sedway.

Senate Bill No. 83 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed, as amended.
Bill ordered transmitted to the Senate.

Senate Bill No. 91.
Bill read third time.
Remarks by Assemblyman Rader.
Roll call on Senate Bill No. 91:
YEAS—40.
NAYS—Spriggs.
Absent—Sedway.

Senate Bill No. 91 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 193.

Bill read third time.

The following amendment was proposed by the Committee on Elections:

Amendment No. 1086.

Amend sec. 86, page 26, line 27, after "shall", by inserting: "first determine the legal sufficiency of each document under the requirements of this chapter and shall then".

Amend sec. 86, page 26, line 28, by deleting "the" and inserting "valid".

Assemblyman Ham moved the adoption of the amendment.

Remarks by Assemblyman Ham.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 309.

Bill read third time.

Remarks by Assemblyman O'Donnell.

Roll call on Senate Bill No. 309:

YEAS—41.

NAYS—None.

Absent—Sedway.

Senate Bill No. 309 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 358.

Bill read third time.

Remarks by Assemblymen Bogaert and Price.

Roll call on Senate Bill No. 358:

YEAS—41.

NAYS—None.

Absent—Sedway.

Senate Bill No. 358 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 384.

Bill read third time.

Remarks by Assemblyman Little.

Roll call on Senate Bill No. 384:

YEAS—41.

NAYS—None.

Absent—Sedway.

Senate Bill No. 384 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 391.

Bill read third time.

Remarks by Assemblyman Bergevin.

Roll call on Senate Bill No. 391:

YEAS—38.

NAYS—Horne, Jeffrey, Rader—3.

Absent—Sedway.

Senate Bill No. 391 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 415.

Bill read third time.

Remarks by Assemblymen Price, Rader and Jeffrey.

Roll call on Senate Bill No. 415:

YEAS—36.

NAYS—Fairchild, Lambert, Malone, Rader, Stone—5.

Absent—Sedway.

Senate Bill No. 415 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 448.

Bill read third time.

Remarks by Assemblyman Kerns.

Roll call on Senate Bill No. 448:

YEAS—40.

NAYS—Fairchild.

Absent—Sedway.

Senate Bill No. 448 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.

Bill ordered transmitted to the Senate.

Senate Joint Resolution No. 17.

Resolution read third time.

Remarks by Assemblymen Stone, Dini, Price, Jeffrey, Bilyeu, Humke, Roberts, Coffin, Getto and Craddock.

Assemblymen Francis, Stone and Getto moved the previous question.

Motion carried.

The question being on the passage of Senate Joint Resolution No. 17.

Roll call on Senate Joint Resolution No. 17:

YEAS—24.

NAYS—Banner, Bergevin, Beyer, Bogaert, Collins, Craddock, Dini, DuBois, Fairchild, Horne, Jeffrey, Little, O'Donnell, Price, Schofield, Thompson, Zimmer—17.

Absent—Sedway.

Senate Joint Resolution No. 17 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.

Resolution ordered transmitted to the Senate.

Assembly Bill No. 391.

Bill read third time.

Remarks by Assemblymen Nevin, Collins, Rader and Humke.

Roll call on Assembly Bill No. 391:

YEAS—20.

NAYS—Arberry, Bergevin, Bogaert, Coffin, Collins, Craddock, Fairchild, Getto, Ham, Horne, Jeffrey, Malone, O'Donnell, Roberts, Sader, Schofield, Spriggs, Tebbs, Thompson, Mr. Speaker—20.

Absent—Sedway.

Not voting—Zimmer.

Assembly Bill No. 391 having failed to receive a constitutional majority, Mr. Speaker pro Tempore declared it lost.

Senate Joint Resolution No. 20.

Resolution read third time.

The following amendment was proposed by the Committee on Natural Resources, Agriculture and Mining:

Amendment No. 906.

Amend the resolution, page 1, line 18, by deleting: "all species of".

Amend the resolution, page 1, line 21, by deleting: "some other species of".

Assemblyman Getto moved the adoption of the amendment.

Remarks by Assemblyman Getto.

Amendment adopted.

Resolution ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 145.

Bill read third time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 1083.

Amend the bill as a whole by deleting sections 13 and 14.

Assemblyman DuBois moved the adoption of the amendment.

Remarks by Assemblyman DuBois.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 207.

Bill read third time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1030.

Amend section 1, page 2, by deleting lines 25 through 28 and inserting:

"*19. Agents of the state gaming control board who:*

(a) Exercise the powers of enforcement specified in NRS 463.140 or 463.1405; or

(b) Investigate a violation of a provision of chapter 205 of NRS in the form of a crime against property of a gaming licensee,
except those agents whose duties relate primarily to auditing, accounting, the collection of taxes or license fees, or the investigation of applicants for licenses;".

Amend section 1, page 2, line 31, by deleting "*Inspectors*" and inserting "*Investigators*".

Amend section 1, page 2, line 36, by deleting "*481.048;*" and inserting "*481.0481;*".

Amend section 1, page 2, line 40, by deleting "*Watchmen*" and inserting "*Police officers*".

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 becomes effective at 12:01 a.m. on July 1, 1985.".

Assemblyman Marvel moved the adoption of the amendment.

Remarks by Assemblyman Marvel.

Amendment adopted.

Assemblyman Stone moved that Assembly Bill No. 207 be re-referred to the Committee on Judiciary.

Motion carried.

Bill ordered reprinted, re-engrossed and to the Committee on Judiciary.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Collins moved that Senate Bill No. 207 be taken from the Second Reading File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Collins.

Motion carried.

Assemblyman Little gave notice that on the next legislative day she would move to reconsider the vote whereby Senate Bill No. 415 was this day passed.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Natural Resources, Agriculture and Mining, to which was referred Assembly Bill No. 605, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

VIRGIL M. GETTO, *Chairman*

Mr. Speaker:

Your Committee on Transportation, to which were referred Senate Bills Nos. 183, 418, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

MIKE MALONE, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

By the Committee on Judiciary:

Assembly Concurrent Resolution No. 45—Directing the legislative commission to study the methods used by the department of transportation to acquire land for highways.

By the Committee on Education:

Assembly Concurrent Resolution No. 46—Encouraging the school districts of this state to continue and expand the teaching of the arts in public schools.

UNFINISHED BUSINESS

REPORTS OF CONFERENCE COMMITTEES

Mr. Speaker:

The first Committee on Conference concerning Assembly Bill No. 33, 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.

MYRNA T. WILLIAMS	JAMES H. BILBRAY
JANE HAM	THOMAS J. HICKEY
MORSE ARBERRY, JR.	BOB RYAN
Assembly Committee on Conference	*Senate Committee on Conference*

Assemblyman Stone moved that the Assembly adopt the report of the first Committee on Conference concerning Assembly Bill No. 33.

Motion carried.

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker pro Tempore appointed Assemblymen Joerg, Sader and O'Donnell as a second Committee on Conference to meet with a like committee of the Senate for the further consideration of Assembly Bill No. 33.

SECOND READING AND AMENDMENT

Assembly Bill No. 240.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 418.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 475.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 1045.

Amend the bill as a whole by deleting section 1.

Amend the bill as a whole by renumbering section 2 as section 3 and adding new sections designated sections 1 and 2, following section 1, to read as follows:

"Section 1. Chapter 645 of NRS is hereby amended by adding thereto a new section to read as follows:

1. For the purposes of this section, "depository financial institution"

means any bank, savings and loan association, savings bank, thrift company, credit union or other institution which:

(a) Holds or receives deposits, savings or share accounts;

(b) Issues certificates of deposit; or

(c) Provides to its customers other depository accounts which are subject to withdrawal by checks, drafts or other instruments or by electronic means to effect payment to a third party.

2. The purposes of this section are to help maintain the separation between depository financial institutions and the business of real estate and to minimize the possibility of unfair competitive activities by depository financial institutions against real estate brokers and salesmen.

3. No depository financial institution or its holding company, parent, subsidiary or affiliate may directly or indirectly be licensed to sell real estate in this state.

Sec. 2. NRS 645.240 is hereby amended to read as follows:

645.240 1. The provisions of this chapter do not apply to, and the terms "real estate broker" and "real estate salesman" do not include, any person who, as owner or lessor, performs any of the acts mentioned in NRS 645.030, 645.040, 645.230 and 645.260, with reference to property owned or leased by them, or to the regular employees thereof with respect to the property so owned or leased, where those acts are performed in the regular course of or as an incident to the management of such property and the investment therein. For the purposes of this subsection, "management" means activities which tend to preserve or increase the income from the property by preserving the physical desirability of the property or maintaining high standards of service to tenants. "Management" does not include sales activities.

2. The provisions of this chapter do not apply to:

(a) Any bank, *savings and loan association, thrift company, credit union,* trust company or any land mortgage or farm loan association organized under the laws of this state or of the United States, [when engaged in the transaction of business within the scope of its corporate powers.] *with reference to property acquired for development, for the convenient transaction of its business, or as a result of foreclosure of property encumbered in good faith as security for a loan or other obligation.*

(b) A corporation which, through its regular officers who receive no special compensation for it, performs any of those acts with reference to the property of the corporation.

(c) The services rendered by an attorney at law in the performance of his duties as an attorney at law.

(d) A receiver, trustee in bankruptcy, administrator or executor, or any other person doing any of the acts specified in NRS 645.030 under the jurisdiction of any court.

(e) A trustee acting under a trust agreement, deed of trust or will, or the regular salaried employees thereof.

(f) The purchase, sale or locating of mining claims or options thereon or interests therein.".

Amend sec. 2, page 2, line 19, by deleting "*Twenty-five*" and inserting "*Thirty*".

Amend the bill as a whole by adding a new section designated section 4, following section 2, to read as follows:

"Sec. 4. Section 3 of this act becomes effective on July 1, 1987.".

Amend the title of the bill, first and second lines, by deleting: "removing the requirement that signs for offices indicate licensure;" and inserting: "prohibiting the licensing of financial institutions;".

Amend the summary of the bill to read: "Makes various changes relating to licensing of real estate brokers and salesmen. (BDR 54-1157)".

Assemblyman DuBois moved the adoption of the amendment.

Remarks by Assemblyman DuBois.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 532.

Bill read second time, ordered engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Francis moved that all rules be suspended, reading so far had considered second reading, rules further suspended, Assembly Bills Nos. 549, 630 and 650 be taken from the Second Reading File, considered engrossed, declared emergency measures under the Constitution and placed on third reading and final passage for the next legislative day.

Remarks by Assemblyman Francis.

Motion carried unanimously.

Assemblyman Francis moved that all rules be suspended, reading so far had considered second reading, rules further suspended, Senate Bills Nos. 70, 132, 162, 164, 190, 198, 210, 218, 238, 244, 282, 387, 425, 436 and 437 be taken from the Second Reading File, declared emergency measures under the Constitution and placed on third reading and final passage for the next legislative day.

Motion carried 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 1:05 p.m.

ASSEMBLY IN SESSION

At 1:06 p.m.

Mr. Speaker presiding.

Quorum present.

SECOND READING AND AMENDMENT

Assembly Bill No. 602.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1056.

Amend sec. 2, page 1, line 4, by deleting the comma and inserting "*or*".

Amend sec. 3, page 2, line 4, by deleting "*$5,000 or*".

Amend sec. 3, page 2, line 5, by deleting: "*, whichever is greater,*".

Amend sec. 3, page 2, by deleting lines 6 through 8 and inserting: "*action brought under this section, proof that any of the acts prohibited in subsection 1 were commit-*".

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. 688.

Bill read second time.

The following amendment was proposed by the Committee on Taxation:

Amendment No. 1067.

Amend sec. 3, page 2, line 14, by deleting: "*airline which maintains*" and inserting: "*air carrier which:*

1. Holds a certificate to engage in air transportation issued pursuant to 49 U.S.C. § 1371 and is not solely a charter air carrier or a supplemental air carrier as described in Title 49 of the United States Code; and

2. Maintains".

Amend sec. 4, page 2, line 23, after "sale", by inserting "of".

Amend sec. 4, page 2, by deleting line 24 and inserting: "scheduled air carriers based in this state?".

Amend sec. 5, page 2, line 32, by deleting "airline" and inserting: "scheduled air carrier".

Amend sec. 5, page 2, by deleting lines 33 through 35 and inserting: "Nevada. The legislature has amended the Local School Support Tax Law and the City-County Relief Tax Law to provide the same exemption.".

Amend the bill as a whole by deleting section 10.

Amend the title of the bill, fourth line, by deleting "contingently".

Assemblyman Joerg moved the adoption of the amendment.

Remarks by Assemblyman Joerg.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 159.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1064.

Amend the bill as a whole by renumbering sections 29 through 31 as

sections 31 through 33 and adding new sections designated sections 29 and 30, following section 28, to read as follows:

"Sec. 29. NRS 425.350 is hereby amended to read as follows:

425.350 1. A parent has duties to support his children which include [, but are not limited to:

(a) Any duty arising at common law or under NRS 126.241.

(b) Any duty arising under an order made pursuant to NRS 201.020.

2. Except as limited by this section by accepting assistance in his own behalf or in behalf of any other person, the applicant or recipient shall be deemed to have made an assignment to the division of all rights to support from any other person which the applicant or recipient may have in his own behalf or in behalf of any other family member for whom the applicant or recipient is applying for or receiving assistance. Rights to support include, but are not limited to, accrued but unpaid support payments and support payments to accrue during the period for which assistance is provided. The amount of the assigned support rights must not exceed the amount of public assistance provided or to be provided. The division shall attempt to notify the responsible parent as soon as possible after assistance begins that the child is receiving public assistance.

3. The recipient shall also be deemed, without the necessity of signing any document, to have appointed the administrator as his true and lawful attorney in fact with power of substitution to act in his name, place and stead to perform the specific act of endorsing all drafts, checks, money orders or other negotiable instruments representing support payments which are received as reimbursement for the public assistance money previously paid to or on behalf of each recipient.

4. The support rights assigned under subsection 2 constitute a support debt owed to the division by the responsible parent. The support debt is enforceable under all processes provided by law. The division, through the prosecuting attorney, may also represent the recipient when the amount of the support rights exceeds the amount of the support debt.

5. The amount of this support debt is:

(a) The amount specified in a court order of support accrued and unpaid for 6 years preceding the commencement of the action for its enforcement; or

(b) If there is no court order of support, or if any court order provides that no support is due, not more than the amount determined in accordance with a formula adopted by the division pursuant to regulations promulgated by the Secretary of Health and Human Resources for the 3 years preceding the commencement of the action for its enforcement, less any amounts paid during that period.

6. The assignment provided for in subsection 2 is binding upon the obligor upon service of notice thereof in the manner provided by law for service of civil process or upon actual notice thereof.] *any duty arising by law or under a court order.*

2. If a court order specifically provides that no support for a child is due, the order applies only to those facts upon which the decision was based.

3. By accepting assistance in his own behalf or in behalf of any other person, the applicant or recipient shall be deemed to have made an assignment to the division of all rights to support from any other person which the applicant or recipient may have in his own behalf or in behalf of any other member of the family for whom the applicant or recipient is applying for or receiving assistance. Rights to support include, but are not limited to, accrued but unpaid payments for support and payments for support to accrue during the period for which assistance is provided. The amount of the assigned rights to support must not exceed the amount of public assistance provided or to be provided. The division shall attempt to notify the responsible parent as soon as possible after assistance begins that the child is receiving public assistance.

4. The recipient shall be deemed, without the necessity of signing any document, to have appointed the administrator as his attorney in fact with power of substitution to act in his name and to endorse all drafts, checks, money orders or other negotiable instruments representing payments for support which are received as reimbursement for the public assistance previously paid to or on behalf of each recipient.

5. The rights of support assigned under subsection 3 constitute a debt for support owed to the division by the responsible parent. The debt for support is enforceable by any remedy provided by law. The division, through the prosecuting attorney, may also represent the recipient when the amount of the rights of support exceeds the amount of the debt for support.

6. The assignment provided for in subsection 3 is binding upon the responsible parent upon service of notice of the assignment. After notification, payments by the responsible parent to anyone other than the division must not be credited toward the satisfaction of the debt for support. Service of notice is complete upon:

(a) The mailing, by first class mail, of the notice to the responsible parent at his last known address;

(b) Service of the notice in the manner provided for service of civil process; or

(c) Actual notice.

Sec. 30. NRS 425.360 is hereby amended to read as follows:

425.360 1. [Any payment of public assistance creates a support debt to the division by the responsible parent, whether or not the parent received prior notice that his child was receiving public assistance. The support debt is in] *A debt for support created by a payment for assistance under this chapter is* an amount equal to the least of:

(a) The amount of assistance paid;

(b) The amount due under any court order [;] *for support;* or

(c) If there is no court order [,] *for support, or if the court order provides that no support is due and the facts upon which the order is based have*

changed, the amount due under the formula adopted by the division [pursuant to regulations promulgated by the Secretary of Health and Human Resources] *by regulation* or under any written agreement between the division and a responsible parent.

2. The division is entitled to the amount to which a dependent child or a person having the care, custody and control of a dependent child would have been entitled for support and may prosecute or maintain any [support] action *for support* or execute any administrative remedy existing under the laws of this state to obtain reimbursement of money expended for public assistance. If a court enters judgment for an amount of support to be paid by a responsible parent, the division is entitled to the amount of the debt created by such judgment to the extent of public assistance paid, and the judgment awarded shall be deemed to be in favor of the division. This entitlement applies but is not limited to a temporary order for spousal support, a family maintenance order or an alimony order, whether or not allocated to the benefit of the child on the basis of providing necessaries for the caretaker of the child, up to the amount paid by the division in public assistance to or for the benefit of a dependent child. The division may petition the appropriate court for modification of its order on the same grounds as a party to the action.

3. Debts [under this section] *for support* may not be incurred by a parent or any other person who is the recipient of public assistance for the benefit of a dependent child for the period when the parent or other person is a recipient.''.

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. 363.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 1074.

Amend section 1, page 2, lines 9 and 10, by deleting: ''and must be available to interested persons.'' and inserting: ''. [and must be available to interested persons.]''.

Amend section 1, page 2, by inserting after line 10:

''*5. The applicant or his representative may listen to the recording of his own oral examination and that of any other applicant for the same position which is maintained by the department.*''.

Assemblyman Collins moved the adoption of the amendment.

Remarks by Assemblyman Collins.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 399.

Bill read second time.

The following amendment was proposed by the Committee on Taxation:

Amendment No. 1061.

Amend the bill as a whole by renumbering sections 17 and 18 as sections 19 and 20 and adding new sections designated sections 17 and 18, following section 16, to read as follows:

"Sec. 17. NRS 354.59805 is hereby amended to read as follows:

354.59805 Except as otherwise provided in NRS 354.59816, the maximum amount of money which a local government, except a school district , *a district to provide a telephone number for emergencies,* 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 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 NRS 354.59811 or 354.59816.

Sec. 18. 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 local governments 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 354.59805, 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 , *any district to provide a telephone number for emergencies,* and any redevelopment agency, 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 NRS 354.59811 and 354.59816. 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. 17, page 4, line 11, by inserting after the period: "If before the effective date of this act the people of a county have voted on the establishment of the system described in this act, and the proposal was approved by a majority of the voters voting on the question:

1. In the county, the requirement of section 3 for a vote is satisfied.
2. In a city, the requirement of section 11 for a vote is satisfied.".

Assemblyman Joerg moved the adoption of the amendment.

Remarks by Assemblymen Joerg and Thompson.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Economic Development and Tourism, to which was referred Assembly Bill No. 601, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

DAVID E. HUMKE, *Chairman*

REFERENCE OF MEASURES TO COMMITTEES

Assembly Bill No. 713.

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

Motion carried.

Assembly Bill No. 714.

Assemblyman Francis moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

Assembly Concurrent Resolution No. 45.

Assemblyman Francis moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

Assembly Concurrent Resolution No. 46.

Assemblyman Francis moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

Senate Bill No. 136.

Assemblyman Francis moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

Senate Bill No. 216.

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

Motion carried.

Senate Bill No. 286.

Assemblyman Francis moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

Senate Bill No. 320.

Assemblyman Francis moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

Senate Bill No. 321.

Assemblyman Francis moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

Senate Bill No. 361.

Assemblyman Francis moved that the bill be referred to the Concurrent Committees on Government Affairs and Ways and Means.

Motion carried.

Senate Bill No. 451.

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

Motion carried.

Senate Bill No. 492.

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

Motion carried.

Senate Concurrent Resolution No. 46.

Assemblyman Francis moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bills Nos. 40, 41, 61, 67, 131, 216, 217, 253, 292, 370, 381, 410, 444, 478, 486, 487, 518, 568, 624; Senate Bills Nos. 127, 221; Assembly Joint Resolution No. 1.

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 Ms. Audrey Roberts.

On request of Assemblyman Humke, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Sharon Gibbons and Shane Gibbons.

On request of Assemblyman Craddock, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. George Holbrook Hawes.

On request of Assemblyman Nicholas, the privilege of the floor of the Assembly Chamber for this day was extended to spouses and members of the families of the International Association of Bomb Technicians and Investigators members: Donna Day, Karen Johnson, Etta Licht, Kathy Tarrington, Stephanie Shelton, Adrienne Wong Hull, Kathy Stock, Gretchen Jankauskas, Sharon Teeples, Rita Slider, Micheline Nadeau, Gayle Nadeau, Nancy Curley, Pat Green, Myrtle Hadle, Mildred Keyser, Margaret Russie, Patricia Gilbert, Sherrie Carter/Strother, Carol Ashby, Faye Lathey, Rebecca Riggs, Nancy McDade, Victoria Jozekov, Diane Hulsey, Gail Grassel, Fran Rewers, Yolanda Green, Lucine Liebelt, Shirley Murray, Debbie Rader, Michael Rader, Suzanne Yesenofski, Shirley Yesenofski, Dorothy Clause, Bettie Wing, Darleen Nelsen, DeLois Moorehead, Rosemary Sanford, Roberta Wilt, Jenny Haggerty, Dottie Perez, Terri McKinney, Lesley Horton, Norma Green, Ann Matthews, Lyse Bilodeav, Nancy Green, Charlotte Black, Kay McLaughlin, Pat Daries, Sharon Goetz, Jean Fox, Patt Porter, Pam Hill, Merle Lanctot, Linda Wagner, Linda Harrington, Dorothea Ormond, Patricia Mullin, Nancy Sandberg, Lucille Stanley, Adrian Graff, Mary Ensor, Rose Bingham, Janet Anderson, Barbara Smith, Leslie Conway, Thelma Kuriny, Barbara Karner, Marie Boswell, Janet Thompson, Kathleen Dwinell, Mona Simmons, Marguerite Brown, Suzanne Deans, Jane Mehl, Marsha McHenry, Robin Romanelli, Sandi Connelly, Lanretta Markovic, Jackie Rieck, Donna Rinehart, Connie Donald, Irene Gregg, Sharon Jackson, Lois Shook, Diane Regan, Jan Andrews, Inge Van der Meern, Nicole Van der Meern, Etoyle Wikpegler, Karlyne Wilkinson, Jayne Block, Marty Madore, Maryann Silliman, Koren Wilson, Martha Kindseth, Sandra Massoth, Peggy Neer, Gerry White, Sharon Miller, Faye Goldrick and Christine Rennison.

On request of Assemblyman Dini, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Ewald Pyzel.

Assemblyman Francis moved that the Assembly adjourn until Wednesday, May 22, 1985 at 10:30 a.m.

Motion carried.

Assembly adjourned at 1:16 p.m.

Approved: BYRON L. BILYEU
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE ONE HUNDRED AND TWENTY-SECOND DAY

CARSON CITY (Wednesday), May 22, 1985

Assembly called to order at 10:30 a.m.

Mr. Speaker presiding.

Roll called.

All present except Assemblyman Sedway, who was excused.

Prayer by the Chaplain, The Reverend Bruce Henderson.

Father, I see the history about me. I give You thanks. But, as I look around I see the Bible, Lord. May its presence here be more than symbolic. We thank You for the standards it has set for laws around the world. So, Father, as we consider laws today, may we never forget Yours. In Jesus' Name, AMEN.

Pledge of allegiance to the Flag.

Assemblyman Francis 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. 685; Senate Bills Nos. 334, 355, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JAMES STONE, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Senate Bill No. 442, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

LOUIS W. BERGEVIN, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Senate Bill No. 300, 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.

LOUIS W. BERGEVIN, *Chairman*

Mr. Speaker:

Your Committee on Health and Welfare, to which were referred Assembly Bill No. 386; 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.

DAVID D. NICHOLAS, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which were referred Assembly Bills Nos. 322, 417, 623, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN MARVEL, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which were referred Senate Bills Nos. 243, 340, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN MARVEL, *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which was referred Assembly Bill No. 598, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN DUBOIS, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Ways and Means, to which was referred Assembly Bill No. 289, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass, as amended.

JOHN MARVEL, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Government Affairs, to which was referred Senate Bill No. 330, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

LOUIS W. BERGEVIN, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Ways and Means, to which was referred Senate Bill No. 330, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN MARVEL, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Government Affairs, to which was referred Senate Bill No. 37, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

LOUIS W. BERGEVIN, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Ways and Means, to which was referred Senate Bill No. 37, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN MARVEL, *Chairman*

Mr. Speaker:

Your Committee on Commerce, 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.

JOHN DUBOIS, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 21, 1985

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 163, 311, 551, 593.

Also, I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bills Nos. 110, 194, 401, 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. 496, 499.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 44, 121, 219, 310, 368, 493.

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. 269.

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.

Also, I have the honor to inform your honorable body that the Senate on this day appointed Senators Robinson, Glover and O'Connell as a first Committee on Conference concerning Senate Bill No. 28.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Joerg moved that Assembly Bill No. 630 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Joerg.

Motion carried.

Assemblyman Collins moved that Senate Bill No. 207 be taken from the Chief Clerk's desk and placed on the Second Reading File.

Remarks by Assemblyman Collins.

Motion carried.

Assemblyman Marvel moved that Senate Bill No. 70 be taken from the General File and re-referred to the Committee on Ways and Means.

Remarks by Assemblyman Marvel.

Motion carried.

In compliance with a notice given on a previous day, Assemblyman Little moved that the vote whereby Senate Bill No. 415 was passed be reconsidered.

Remarks by Assemblymen Jeffrey, Rader, Bogaert, Bergevin, Williams and Roberts.

Motion lost.

INTRODUCTION AND FIRST READING OF LEGISLATION

By the Committee on Ways and Means:

Assembly Bill No. 715—An Act making an appropriation from the state highway fund to the legislative fund for an operational audit of the department of transportation; and providing other matters properly relating thereto.

By the Committee on Judiciary:

Assembly Bill No. 716—An Act relating to courts; providing for the appointment of a deputy clerk of the district court; setting forth his duties; and providing other matters properly relating thereto.

Senate Bill No. 44.

Bill read first time.

Senate Bill No. 121.
Bill read first time.

Senate Bill No. 219.
Bill read first time.

Senate Bill No. 310.
Bill read first time.

Senate Bill No. 368.
Bill read first time.

Senate Bill No. 493.
Bill read first time.

Senate Bill No. 496.
Bill read first time.

Senate Bill No. 499.
Bill read first time.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Ways and Means, to which were referred Assembly Bill No. 660; Senate Bills Nos. 372, 403, 427, 440, 444, 445; Senate Joint Resolution No. 24, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN MARVEL, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which was re-referred Assembly Bill No. 609, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN MARVEL, *Chairman*

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 194.

The following Senate amendment was read:

Amendment No. 1014.

Amend sec. 4, page 3, line 27, by deleting: "*all the other parties to the action*" and inserting: "*the county assessor*".

Assemblyman Joerg moved that the Assembly concur in the Senate amendment to Assembly Bill No. 194.

Remarks by Assemblyman Joerg.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 110.

The following Senate amendment was read:

Amendment No. 942.

Amend sec. 3, page 2, line 43, by deleting "He" and inserting:

"5. The hearing officer shall give notice of his decision to each party by mail. He".

Amend sec. 3, page 2, line 45, by deleting "*5.*" and inserting "*6.*".

Amend the bill as a whole by adding a new section designated section 8, following section 7, to read as follows:

"Sec. 8. Section 3 of this act becomes effective at 12:01 a.m. on July 1, 1985.".

Assemblyman Zimmer moved that the Assembly concur in the Senate amendment to Assembly Bill No. 110.

Remarks by Assemblyman Zimmer.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 401.

The following Senate amendment was read:

Amendment No. 1013.

Amend sec. 3, page 2, line 5, by deleting "*and*" and inserting: "*or for the buyer and members of*".

Amend sec. 24, page 7, line 44, after "*provide*", by inserting "*goods or*".

Assemblyman DuBois moved that the Assembly concur in the Senate amendment to Assembly Bill No. 401.

Remarks by Assemblyman DuBois.

Motion carried.

Bill ordered enrolled.

RECEDE FROM ASSEMBLY AMENDMENTS

Assemblyman Bergevin 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 Bergevin.

Motion carried.

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker appointed Assemblymen Bergevin, Kerns and Lambert as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Senate Bill No. 65.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Nicholas moved that Senate Bill No. 18 be taken from the Chief Clerk's desk and placed on the General File.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Education, to which was re-referred Assembly Bill No. 63, has had

the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ERIK BEYER, *Chairman*

Mr. Speaker:

Your Committee on Legislative Functions, to which were referred Assembly Joint Resolutions Nos. 26, 28, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

BRUCE R. BOGAERT, *Chairman*

SECOND READING AND AMENDMENT

Assembly Bill No. 601.

Bill read second time.

The following amendment was proposed by the Committee on Economic Development and Tourism:

Amendment No. 1087.

Amend section 1, page 1, line 15, by deleting "*17,000*" and inserting "*18,000*".

Amend section 1, page 1, line 12, by deleting "*17,000*" and inserting "*18,000*".

Amend the title of the bill, third line, by deleting: "county whose population is 17,000 or less;" and inserting "small county;".

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. 605.

Bill read second time.

The following amendment was proposed by the Committee on Natural Resources, Agriculture and Mining:

Amendment No. 1085.

Amend the bill as a whole by deleting sections 1 through 13 and adding new sections designated sections 1 through 3, following the enacting clause, to read as follows:

"Section 1. NRS 501.385 is hereby amended to read as follows:

501.385 *Except as otherwise provided by specific statute:*

1. Any person who:

(a) Performs an act or attempts to perform an act made unlawful or prohibited by a provision of this Title;

(b) Willfully fails to perform an act required of him by a provision of this Title;

(c) Obstructs, hinders, delays or otherwise interferes with any officer, employee or agent of the department in the performance of any duty while enforcing or attempting to enforce any provision of this Title;

(d) Violates any order issued or regulation adopted by the commission under the provisions of this Title; or

(e) Having been granted a privilege or been licensed or permitted to do

any act under the provisions of this Title, exercises the grant, license or permit in a manner other than as specified , [therein,]
is guilty of a misdemeanor.

2. [Except as otherwise specifically provided in this Title, every] *Every* person who is guilty of a misdemeanor under this Title shall be punished by a fine of not less than $50 nor more than $500, or by imprisonment in the county jail for not more than 6 months, or by both fine and imprisonment.

Sec. 2. Chapter 504 of NRS is hereby amended by adding thereto a new section to read as follows:

Any person who violates NRS 504.390 is guilty of a gross misdemeanor.

Sec. 3. 1. In 1986 and, if practicable, in 1985 the board of wildlife commissioners shall make available an amount of special tags for hunting deer equal to 1 percent of the number of regular tags issued in that year for hunting deer. Each special tag must authorize the holder to take one buck, which must have at least four points, during a hunt conducted by a master guide licensed pursuant to chapter 504 of NRS.

2. The board shall:

(a) Adopt regulations governing the method of applying for the tags which provide equal opportunity for issuance of a tag to all interested persons, whether or not they are residents of this state;

(b) If the number of persons who apply for tags is greater than the number of tags to be issued, conduct a drawing to determine the persons to whom to issue the tags; and

(c) Charge a fee of $200 for each tag issued pursuant to this section.".

Amend the title of the bill to read as follows:

"An Act relating to wildlife; requiring the issuance of special tags for hunting certain deer; increasing the penalty for violating the provisions governing guides; and providing other matters properly relating thereto.".

Amend the summary of the bill to read as follows: "Requires issuance of special tags for hunting certain deer and increases penalty for violating provisions governing guides. (BDR 45-1734)".

Assemblyman Getto moved the adoption of the amendment.

Remarks by Assemblymen Getto, Price and Stone.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 183.

Bill read second time and ordered to third reading.

Senate Bill No. 418.

Bill read second time and ordered to third reading.

Senate Bill No. 207.

Bill read second time.

The following amendment was proposed by Assemblyman Collins:

Amendment No. 1112.

Amend the bill as a whole by adding a new section designated section 2, following section 1, to read as follows:

"Sec. 2. On or before September 1, 1985, each owner of a mobile home park shall comply with the requirements of section 1 of this act as if he had just bought the park.".

Assemblyman Collins moved the adoption of the amendment.

Remarks by Assemblyman Collins.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

INTRODUCTION AND FIRST READING OF LEGISLATION

By the Committee on Commerce:

Assembly Bill No. 717—An Act relating to savings and loan associations; limiting loans for undeveloped land made by those associations; prohibiting the acquisition or development of real property by those associations except under certain circumstances; and providing other matters properly relating thereto.

GENERAL FILE AND THIRD READING

Assembly Bill No. 240.

Bill read third time.

Remarks by Assemblyman Marvel.

Roll call on Senate Bill No. 240:

YEAS—41.

NAYS—None.

Absent—Sedway.

Assembly Bill No. 240 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 316.

Bill read third time.

Remarks by Assemblyman Horne.

Roll call on Assembly Bill No. 316:

YEAS—28.

NAYS—Arberry, Banner, Collins, Craddock, Jeffrey, Nevin, Price, Sader, Schofield, Stone, Swain, Thompson, Williams—13.

Absent—Sedway.

Assembly Bill No. 316 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 Jeffrey.

Roll call on Assembly Bill No. 330:

YEAS—36.

NAYS—Horne, Little, Rader, Roberts, Stone—5.

Absent—Sedway.

Assembly Bill No. 330 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 339.

Bill read third time.

Remarks by Assemblyman Stone.

Roll call on Assembly Bill No. 339:

YEAS—40.

NAYS—None.

Absent—Sedway.

Not voting—Dini.

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. 418.

Bill read third time.

Remarks by Assemblyman Dini.

Roll call on Assembly Bill No. 418:

YEAS—31.

NAYS—Horne, Little, McGaughey, Malone, O'Donnell, Rader, Roberts, Spriggs, Stone, Zimmer—10.

Absent—Sedway.

Assembly Bill No. 418 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 489.

Bill read third time.

Remarks by Assemblymen Nicholas and Price.

Roll call on Assembly Bill No. 489:

YEAS—38.

NAYS—Jeffrey, Stone—2.

Absent—Sedway.

Not voting—Price.

Assembly Bill No. 489 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Francis moved that Assembly Bills Nos. 322, 386, 417, 623; Senate Bills Nos. 19, 37, 295, 442 be placed on the Second Reading File.

Motion carried.

Assemblyman Beyer moved that Assembly Bill No. 63 be placed on the General File.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 507.
Bill read third time.
Remarks by Assemblyman Stone.
Roll call on Assembly Bill No. 507:

YEAS—40.
NAYS—None.
Absent—Sedway.
Not voting—Dini.

Assembly Bill No. 507 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 Stone.
Roll call on Assembly Bill No. 523:

YEAS—41.
NAYS—None.
Absent—Sedway.

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. 532.
Bill read third time.
Remarks by Assemblyman Humke.
Roll call on Assembly Bill No. 532:

YEAS—34.
NAYS—Malone, Price, Rader, Roberts, Stone, Thomas, Zimmer—7.
Absent—Sedway.

Assembly Bill No. 532 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 549.
Bill read third time.
Remarks by Assemblyman Getto.
Roll call on Assembly Bill No. 549:

YEAS—41.
NAYS—None.
Absent—Sedway.

Assembly Bill No. 549 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 558.
Bill read third time.

Remarks by Assemblyman Schofield.
Roll call on Assembly Bill No. 558:
YEAS—41.
NAYS—None.
Absent—Sedway.

Assembly Bill No. 558 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 620.
Bill read third time.
Remarks by Assemblyman Horne.
Roll call on Assembly Bill No. 620:
YEAS—40.
NAYS—Collins.
Absent—Sedway.

Assembly Bill No. 620 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Bergevin moved that Senate Bill No. 300 be re-referred to the Committee on Ways and Means.
Motion carried.

Assemblyman Beyer moved that Assembly Bill No. 63 be taken from its position on the General File and placed on the General File immediately following Assembly Joint Resolution No. 27.
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.

GENERAL FILE AND THIRD READING

Assembly Bill No. 633.
Bill read third time.
Remarks by Assemblyman Thomas.
Roll call on Assembly Bill No. 633:
YEAS—40.
NAYS—Jeffrey.
Absent—Sedway.

Assembly Bill No. 633 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 634.

Bill read third time.

Remarks by Assemblyman O'Donnell.

Roll call on Assembly Bill No. 634:

YEAS—41.

NAYS—None.

Absent—Sedway.

Assembly Bill No. 634 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 650.

Bill read third time.

Remarks by Assemblymen Nicholas and Dini.

Roll call on Assembly Bill No. 650:

YEAS—39.

NAYS—Malone, Rader—2.

Absent—Sedway.

Assembly Bill No. 650 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.

Bill ordered transmitted to the Senate.

Assembly Joint Resolution No. 27.

Resolution read third time.

Remarks by Assemblymen Nicholas, Swain, Bilyeu, Dini and Getto.

Conflicts of interest declared by Assemblymen Swain and Getto.

Roll call on Assembly Joint Resolution No. 27:

YEAS—40.

NAYS—None.

Absent—Sedway.

Not voting—Swain.

Assembly Joint Resolution No. 27 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed, as amended.

Resolution ordered transmitted to the Senate.

Assemblyman Stone moved that the Assembly recess subject to the call of the Chair.

Motion carried.

Assembly in recess at 11:45 a.m.

ASSEMBLY IN SESSION

At 11:51 a.m.

Mr. Speaker pro Tempore presiding.

Quorum present.

GENERAL FILE AND THIRD READING

Assembly Bill No. 63.

Bill read third time.

The following amendment was proposed by the Committee on Education:

Amendment No. 1110.

Amend sec. 2, page 1, by deleting line 12 and inserting: "child shall be deemed] *Under this Title, a child in school is* a truant".

Amend sec. 2, page 2, line 4, by deleting "*truancy after*" and inserting "*fact that*".

Amend sec. 2, page 2, by deleting lines 5 and 6 and inserting: "*child is later found to have been truant, the teacher, attendance officer or other school officer shall* deliver or".

Amend sec. 2, page 2, by deleting line 12 and inserting: "[shall again be deemed] *is again* a truant".

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. 132.

Bill read third time.

Remarks by Assemblyman Tebbs.

Roll call on Senate Bill No. 132:

YEAS—41.

NAYS—None.

Absent—Sedway.

Senate Bill No. 132 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 162.

Bill read third time.

Remarks by Assemblymen Tebbs, Price, DuBois and Collins.

Roll call on Senate Bill No. 162:

YEAS—40.

NAYS—None.

Absent—Sedway.

Not voting—Collins.

Senate Bill No. 162 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 164.

Bill read third time.

Remarks by Assemblyman Dini.

Roll call on Senate Bill No. 164:

YEAS—41.

NAYS—None.

Absent—Sedway.

Senate Bill No. 164 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 Coffin.

Roll call on Senate Bill No. 173:

YEAS—40.

NAYS—Horne.

Absent—Sedway.

Senate Bill No. 173 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 190.

Bill read third time.

Remarks by Assemblyman Dini.

Roll call on Senate Bill No. 190:

YEAS—41.

NAYS—None.

Absent—Sedway.

Senate Bill No. 190 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 198.

Bill read third time.

Remarks by Assemblymen Nicholas, Bogaert, Dini, O'Donnell, Getto and Price.

Roll call on Senate Bill No. 198:

YEAS—41.

NAYS—None.

Absent—Sedway.

Senate Bill No. 198 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 12:12 p.m.

ASSEMBLY IN SESSION

At 12:13 p.m.

Mr. Speaker presiding.

Quorum present.

GENERAL FILE AND THIRD READING

Senate Bill No. 210.

Bill read third time.

Remarks by Assemblyman Nevin.

Roll call on Senate Bill No. 210:

YEAS—41.

NAYS—None.

Absent—Sedway.

Senate Bill No. 210 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 218.

Bill read third time.

Remarks by Assemblyman Thompson.

Roll call on Senate Bill No. 218:

YEAS—41.

NAYS—None.

Absent—Sedway.

Senate Bill No. 218 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 236.

Bill read third time.

The following amendment was proposed by Assemblyman Price:

Amendment No. 1096.

Amend sec. 2, page 2, by inserting after line 16:

"5. The appropriate fiscal officer of Clark County shall compute separately for each of the towns of Paradise and Winchester the total of the credits allowed for property within that town. To the extent that expenditures for services provided to the residents and to the owners of property in each town can be identified separately from those provided in other towns or in the county as a whole, the appropriate fiscal officer shall apportion the total credit for that town among the services, other than law enforcement and fire protection, provided in that town and deduct it from the amount otherwise budgeted.".

Assemblyman Price moved the adoption of the amendment.

Remarks by Assemblymen Price, Joerg, Francis, Collins, Craddock and O'Donnell.

Assemblymen Price, Jeffrey and Banner requested a roll call on Assemblyman Price's motion.

Roll call on Assemblyman Price's motion:

YEAS—8.

NAYS—Bergevin, Beyer, Bogaert, Collins, Craddock, DuBois, Fairchild, Francis, Getto, Ham, Horne, Humke, Joerg, Kerns, Lambert, Little, McGaughey, Malone, Marvel, Nicholas, O'Donnell, Rader, Roberts, Sader, Schofield, Spriggs, Stone, Swain, Tebbs, Williams, Zimmer, Mr. Speaker—32.

Absent—Sedway.

Not voting—Thomas.

The motion having failed to receive a majority, Mr. Speaker declared the amendment 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 12:24 p.m.

ASSEMBLY IN SESSION

At 12:25 p.m.

Mr. Speaker pro Tempore presiding.

Quorum present.

Remarks by Assemblymen Francis, Craddock and Price.

Roll call on Senate Bill No. 236:

YEAS—41.

NAYS—None.

Absent—Sedway.

Senate Bill No. 236 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 Francis moved that all rules be suspended, reading so far had considered second reading, rules further suspended, Assembly Bills Nos. 598, 660, 685; Assembly Joint Resolutions Nos. 26 and 28 considered engrossed, declared emergency measures under the Constitution and placed on third reading and final passage for the next legislative day.

Motion carried unanimously.

Assemblyman Francis moved that all rules be suspended, reading so far had considered second reading, rules further suspended, Senate Bills Nos. 243, 330, 334, 340, 355, 372, 403, 427, 440, 444, 445; Senate Joint Resolution No. 24 declared emergency measures under the Constitution and placed on third reading and final passage for the next legislative day.

Motion carried unanimously.

Assemblyman Francis 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 for the next legislative day.

Motion carried unanimously.

Assemblyman Francis 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 for the next legislative day.

Motion carried unanimously.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Natural Resources, Agriculture and Mining to which was referred Assembly Bill No. 402, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

VIRGIL M. GETTO, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

By the Committee on Legislative Functions:

Assembly Concurrent Resolution No. 47—Directing legislative commission to study the feasibility of a plan to require recipients of welfare to perform certain work.

Assemblyman Bilyeu moved that Senate Bills Nos. 237, 238, 244, 263, 282, 371, 387, 425, 436, 437 and 18 be taken from the General File and placed on the General File for the next legislative day.

Motion carried.

REFERENCE OF MEASURES TO COMMITTEES

Assembly Bill No. 715.

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

Motion carried.

Assembly Bill No. 716.

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

Motion carried.

Assembly Bill No. 717.

Assemblyman Francis moved that the bill be referred to the Committee on Commerce.

Motion carried.

Assembly Concurrent Resolution No. 47.

Assemblyman Francis moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

Senate Bill No. 44.

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

Motion carried.

Senate Bill No. 121.

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

Motion carried.

Senate Bill No. 219.

Assemblyman Francis moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

Senate Bill No. 310.

Assemblyman Francis moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

Senate Bill No. 368.

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

Motion carried.

Senate Bill No. 493.

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

Motion carried.

Senate Bill No. 496.

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

Motion carried.

Senate Bill No. 499.

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

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 322.

Bill read second time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1068.

Amend section 1, page 1, line 2, after "System", by inserting: "the sum of $237,342".

Amend section 1, page 1, line 3, by deleting the colon and inserting a period.

Amend section 1, page 1, by deleting lines 4 and 5.

Amend sec. 2, page 1, by deleting lines 6 through 8 and inserting:

"Sec. 2. Any remaining balance of the appropriation made by section 1 of this act must not be committed for expenditure after June 30, 1987, and reverts to the state general".

Assemblyman Marvel moved the adoption of the amendment.

Remarks by Assemblyman Marvel.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 386.

Bill read second time.

The following amendment was proposed by the Committee on Health and Welfare:

Amendment No. 1026.

Amend section 1, page 1, by deleting lines 3 and 4 and inserting: "*Any person who uses, or makes available for the use of another, the remains of an aborted embryo or fetus for any experimental or commercial purpose shall be fined not less than $250 nor more than $5,000.*".

Amend the title of the bill, first line, by deleting: "requiring humane disposal of an aborted embryo or fetus;" and inserting: "prohibit the use of aborted embryo or fetus for experimental or commercial purposes; providing a penalty;".

Amend the summary of the bill by deleting: "Requires humane disposal" and inserting: "Prohibits experimental or commercial use".

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. 417.

Bill read second time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1095.

Amend section 1, page 1, by deleting lines 3 and 4 and inserting: "and natural resources the sum of $2,683,955 for capital improvements of parks and recreational areas in accordance with this section. The permissible expenditures and corresponding appropriations are:

		Permissible Expenditure	Appropriation
1.	Berlin-Ichthyosaur State Park	$156,026	$136,154
2.	Cathedral Gorge	49,331	42,233
3.	Cave Lake State Recreation Area	327,401	284,628
4.	Floyd Lamb State Park	600,754	535,545
5.	Kershaw Ryan State Park	7,500	7,500
6.	Lahontan State Recreation Area	273,664	238,119
7.	Lake Tahoe State Park	222,950	194,005
8.	Spring Mountain Ranch	72,180	62,818
9.	Spring Valley State Park	192,660	167,591
10.	Valley of Fire State Park	355,456	330,758
11.	Washoe Lake State Park	409,182	355,710
12.	Wildhorse State Recreation Area	81,359	70,861".

Amend the bill as a whole by renumbering sections 2 through 4 as sections 3 through 5 and adding a new section designated section 2, following section 1, to read as follows:

"Sec. 2. The $258,033 which is appropriated but not assigned to a specific park or recreational area by section 1 of this act may be used for any of the parks or recreational areas within the limits of the permissible expenditures. If a permissible expenditure is not sufficient to allow the completion of a project, the interim finance committee, upon request by the division, may increase the permissible expenditure for the project and correspondingly reduce the permissible expenditure for one or more other projects.".

Assemblyman Marvel moved the adoption of the amendment.

Remarks by Assemblymen Marvel and Spriggs.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 623.

Bill read second time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 845.

Amend section 1, page 1, by deleting line 2 and inserting: "to the City of Las Vegas the sum of $150,000 for disbursement to the New Dawn Technical Institute to be used in".

Amend the title of the bill, first line, after "appropriation", by inserting: "to the City of Las Vegas for disbursement".

Assemblyman Marvel moved the adoption of the amendment.

Remarks by Assemblyman Marvel.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 19.

Bill read second time.

The following amendment was proposed by Assemblyman Nevin:

Amendment No. 910.

Amend sec. 2, page 1, line 3, by deleting "*psychiatrist,*" and inserting: "*:*

1. Psychiatrist,".

Amend sec. 2, page 1, line 4, by deleting "*professional*" and inserting "*registered*".

Amend sec. 2, page 1, after line 5, by inserting:

"*2. Social worker must be certified by the Academy of Certified Social Workers.*".

Amend sec. 4, page 1, line 12, by deleting "*or professional*" and inserting: "*, social worker or registered*".

Amend sec. 5, page 2, line 5, by deleting "*Psychology*" and inserting "*Psychiatry*".

Amend sec. 5, page 2, lines 9 and 10, by deleting: "or is a candidate for that degree" and inserting: "[or is a candidate for that degree] *is certified by the Academy of Certified Social Workers*".

Amend sec. 5, page 2, line 13, by deleting: "*as a professional nurse*" and inserting "*professional nursing*".

Amend the bill as a whole by renumbering sections 6 and 7 as sections 7 and 8 and adding a new section designated section 6, following section 5, to read as follows:

"Sec. 6. Title 54 of NRS is hereby amended by adding thereto a new chapter to consist of a new section to read as follows:

1. A person shall not engage in the practice of clinical social work unless he is certified by the Academy of Certified Social Workers.

2. As used in this section, "clinical social work" means the practice of providing a professional service designed to ameliorate human behavior, emotional responses and social conditions of persons, couples, families, groups and communities.".

Amend sec. 6, page 2, line 18, by deleting: "Such a person".

Amend sec. 6, page 2, by deleting lines 19 through 21.

Amend the bill as a whole by deleting section 8.

Amend sec. 10, page 3, by deleting line 17 and inserting:

"Sec. 10. 1. Section 4 of this act becomes effective on July 1, 1986.

2. Section 5 of this act becomes effective on July 1, 1988.".

Amend the title of the bill, first line, by deleting: "to providers of health care;" and inserting: "to mental health; requiring the certification of social workers;".

Amend the summary of the bill to read as follows: "Makes various changes in law relating to mental health. (BDR 39-126)".

Assemblyman Nevin moved the adoption of the amendment.

Remarks by Assemblyman Nevin.

Amendment adopted on a division of the house.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 37.

Bill read second time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1102.

Amend section 1, page 1, line 16, by deleting "the 62d" and inserting: "each even-numbered regular".

Amend section 1, page 2, lines 1 and 2, by deleting: "[shall] *must* continue to alternate" and inserting "alternates".

Amend section 1, page 2, line 15, by deleting "by law." and inserting: "for state officers and employees generally.".

Assemblyman Marvel moved the adoption of the amendment.

Remarks by Assemblyman Marvel.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 295.

Bill read second time.

The following amendments were proposed by the Committee on Commerce:

Amendment No. 948.

Amend sec. 3, page 2, line 9, by deleting "this state" and inserting: "[this state] *any state or country, the District of Columbia or a territory or possession of the United States*".

Amend sec. 6, page 3, by deleting lines 20 through 22 and inserting: "*possession of the United States;*".

Amend sec. 6, page 3, by deleting line 24 and inserting: "board [.] *; and (d) Meets additional requirements established by the board.*".

Amendment No. 837.

Amend sec. 5, page 3, line 1, by inserting "*1.*" before "It".

Amend sec. 5, page 3, line 2, by deleting "*1.*" and inserting "*(a)*".

Amend sec. 5, page 3, line 3, by deleting "2." and inserting "*(b)*".

Amend sec. 5, page 3, line 5, by deleting "*3.*" and inserting "*(c)*".

Amend sec. 5, page 3, by inserting after line 10:

"*2. A physician licensed pursuant to this chapter who holds a degree such as doctor of medicine or doctor of osteopathy may identify himself by that degree or its appropriate abbreviation, but unless he is also licensed pursuant to chapter 630 or 633 of NRS must further identify himself by the words "practitioner of homeopathic medicine" or their equivalent.*".

Amend sec. 8, pages 4 and 5, by deleting lines 31 through 45 on page 4 and lines 1 through 5 on page 5 and inserting:

"5. The fee for the renewal of a license, as determined by the board, must not exceed [$100] *$200* per year and must be collected for the year in which a homeopathic physician is licensed.

6. The fee for the restoration of a suspended license is twice the amount of the fee for the renewal of a license at the time of the restoration of the license.".

Amend the bill as a whole by renumbering sections 9 and 10 as sections 10 and 11 and adding a new section designated section 9, following section 8, to read as follows:

"Sec. 9. NRS 630.020 is hereby amended to read as follows:

630.020 1. "Practice of medicine" means:

(a) To diagnose, treat, correct or prescribe for any human disease, ailment, injury, infirmity, deformity or other condition, physical or mental, by any means or instrumentality.

(b) To apply principles or techniques of medical science in the diagnosis or the prevention of any of the conditions listed in paragraph (a).

(c) To offer, undertake, attempt to do or hold oneself out as able to do any of the acts described in paragraphs (a) and (b).

2. It shall also be regarded as practicing medicine within the meaning of this chapter if anyone uses in connection with his name the words or letters "M.D.," or any other title, word, letter, or other designation intended to imply or designate him as a practitioner of medicine in any of its branches [.] *, except in the manner authorized by NRS 630A.220.*".

Amend sec. 10, page 3, line 10, by deleting "Section 2" and inserting: "Sections 2 and 5".

Assemblyman DuBois moved the adoption of the amendments.

Remarks by Assemblyman DuBois.

Amendments adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 442.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 1088.

Amend sec. 2, page 2, line 1, by deleting: "*paragraph (b) of*".

Amend sec. 2, page 2, line 4, by deleting "; but" and inserting ", except that".

Amend sec. 2, page 2, by deleting lines 12 through 16.

Amend sec. 2, page 2, line 17, by deleting "*(b) Provide*" and inserting: "*3. The governing body of a city may provide*".

Amend sec. 3, page 2, line 20, by deleting: "*paragraph (b) of*".

Amend the bill as a whole by adding a new section designated section 4, following section 3, to read as follows:

"Sec. 4. Section 2 of this act becomes effective at 12:01 a.m. on July 1, 1985.".

Assemblyman Bergevin moved the adoption of the amendment.

Remarks by Assemblyman Bergevin.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Economic Development and Tourism, to which was referred Senate Bill No. 160, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

DAVID E. HUMKE, *Chairman*

Mr. Speaker:

Your Committee on Natural Resources, Agriculture and Mining, 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 do pass as amended.

VIRGIL M. GETTO, *Chairman*

INTRODUCTION AND FIRST READING OF LEGISLATION

By the Committee on Natural Resources, Agriculture and Mining:

Assembly Bill No. 718—An Act relating to the conservation of oil and gas; providing a penalty for refusal to pool interests in oil and gas; and providing other matters properly relating thereto.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 221.

The following Senate amendment was read:

Amendment No. 1011.

Amend sec. 4, page 2, line 40, by deleting: "No person may" and inserting: "A person shall not".

Amend sec. 4, page 2, line 41, by deleting "[such] *an*" and inserting "an".

Amend sec. 4, page 2, line 43, by deleting "[such] *the*" and inserting "the".

Assemblyman Malone moved that the Assembly concur in the Senate amendment to Assembly Bill No. 221.

Remarks by Assemblyman Malone.

Motion carried.

Bill ordered enrolled.

REFERENCE OF MEASURES TO COMMITTEES

Assembly Bill No. 718.

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

Motion carried.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bills Nos. 123, 186, 212, 340, 457, 488, 494, 516, 657; Senate Bills Nos. 41, 177, 269, 292, 324, 357, 379, 417, 419, 441; Senate Joint Resolutions Nos. 16, 36; Assembly Concurrent Resolution No. 8; Senate Concurrent Resolution No. 48.

REMARKS FROM THE FLOOR

Assemblyman Bogaert requested that his remarks be entered in the Journal.

Resolution Supporting the International Toastmasters Convention in 1986:

WHEREAS, Dr. Ralph Smedley organized a public speaking club in Bloomington, Illinois in 1904; and

WHEREAS, this public speaking club has become the largest communications organization in the world over the last 60 years; and

WHEREAS, there are now over 5,000 officially chartered clubs in the world; and

WHEREAS, communications and lack thereof is recognized as a major problem worldwide Toastmasters International recognizes the need for better communications as well as improved speaking ability; and

WHEREAS, toastmasters are dedicated to the improvement of themselves as well as their fellow members; and

WHEREAS, Reno, Nevada is fortunate enough to have been chosen as the Toastmaster International convention city August 26th to 30th, 1986; and

WHEREAS, the Reno area along with the rest of Toastmaster District 39 have many long standing and successful distinguished toastmaster clubs; and

WHEREAS, many members of this legislative body have toastmaster experience and are still members of Toastmasters International; and

WHEREAS, District 39 has shown tremendous growth in clubs in members in recent years, therefore, be it

RESOLVED, that Nevada toastmasters and all Nevadans welcome Toastmaster International and the importance of their visit to our great state, and be it further

RESOLVED, that copies of this resolution be transmitted forthwith by the Legislative Counsel to the International Toastmaster headquarters and District 39 headquarters.

Assemblyman Francis moved that the Assembly adjourn until Thursday, May 23, 1985 at 10:30 a.m.

Motion carried.

Assembly adjourned at 12:53 p.m.

Approved:

BYRON L. BILYEU
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE ONE HUNDRED AND TWENTY-THIRD DAY

CARSON CITY (Thursday), May 23, 1985

Assembly called to order at 10:33 a.m.

Mr. Speaker pro Tempore presiding.

Roll called.

All present except Assemblymen Collins and Sedway, who were excused.

Prayer by the Chaplain, Assemblyman Bill O'Donnell.

Thank You, Father, for this day. We ask You to place the wisdom in our hearts so that we will be able to make good, rational and wise decisions today. Lord, we ask You to bless our families at home. Give them the patience to endure and allow them to be steadfast until we come home. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Francis 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 Stone moved that Assembly Bill No. 630 be taken from the Chief Clerk's desk and re-referred to the Committee on Judiciary.

Motion carried.

Assemblyman Bergevin moved that Senate Bill No. 363 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Bergevin.

Motion carried.

Assemblyman Getto moved that Assembly Bill No. 548 be taken from the Second Reading File and re-referred to the Committee on Natural Resources, Agriculture and Mining.

Motion carried.

Assemblyman Beyer moved that Assembly Bill No. 63 be placed on the General File immediately following Assembly Bill No. 688.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Transportation, to which were referred Senate Bills Nos. 229, 333, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

MIKE MALONE, *Chairman*

Mr. Speaker:

Your Committee on Transportation, to which was referred Assembly Concurrent

Resolution No. 38, has had the same under consideration, and begs leave to report the same back with the recommendation: Be adopted.

MIKE MALONE, *Chairman*

Mr. Speaker:

Your Committee on Health and Welfare, 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: Do pass.

DAVID D. NICHOLAS, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which was referred Assembly Bill No. 628, 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.

JAMES STONE, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which were referred Assembly Bills Nos. 652, 695, 710; Senate Bill No. 467, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JAMES STONE, *Chairman*

Mr. Speaker:

Your Committee on Labor and Management, to which was re-referred Assembly Bill No. 142, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass, as amended.

BARBARA ZIMMER, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Assembly Bill No. 687, 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.

LOUIS W. BERGEVIN, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Assembly Bill No. 702, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

LOUIS W. BERGEVIN, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 22, 1985

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bill No. 97.

Also, I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bills Nos. 167, 246, 268, 286, 502, 538, 569, 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. 33 and requests a second conference, and appointed Senators Foley, Wagner and Rawson as a second Committee on Conference to meet with a like committee of the Assembly for the further consideration of Assembly Bill No. 33.

Also, I have the honor to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 44.

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. 432, 479.

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. 91, 174.

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. 8.

Also, I have the honor to inform your honorable body that the Senate on this day appointed Senators Ryan, Bilbray and Rawson as a first Committee on Conference concerning Senate Bill No. 107.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Joint Resolution No. 37.

Also, I have the honor to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 55.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Assembly Concurrent Resolution No. 38.

Assemblyman Williams moved the adoption of the resolution.

Remarks by Assemblyman Williams.

Resolution adopted.

Senate Joint Resolution No. 37.

Resolution read first time.

Senate Concurrent Resolution No. 55.

Assemblyman Nicholas moved the adoption of the resolution.

Remarks by Assemblymen Nicholas and Getto.

Assemblyman Kerns requested that the following remarks be entered in the Journal.

ASSEMBLYMAN NICHOLAS:

I would just like to remark that Marvin Picollo was a good man and a personal friend of mine and he will be missed.

ASSEMBLYMAN GETTO:

I would like to add a few additional words about Marvin Picollo. Marvin was born in the town of Ely, an area I represent. I know the people in Ely are certainly saddened by his passing. I considered Marvin a friend. He was a great leader in the education field. He was the Superintendent of Schools in Washoe County and would probably still be serving in that capacity if it hadn't been for his health. This man had considerable strength considering his serious illness. He continued to work with whatever capacity he had. It's a great loss to Washoe County and the state. He will be missed very much.

Resolution adopted.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Concurrent Committee on Commerce, to which was referred Assembly Bill No. 98, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass, as amended.

JOHN DUBOIS, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Ways and Means, to which was referred Assembly Bill No. 98, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass, as amended.

JOHN MARVEL, *Chairman*

INTRODUCTION AND FIRST READING OF LEGISLATION

By the Committee on Judiciary:

Assembly Bill No. 719—An Act relating to the clerk of the supreme court; authorizing the appointment of additional deputy clerks; and providing other matters properly relating thereto.

Senate Bill No. 189.

Bill read first time.

Senate Bill No. 432.

Bill read first time.

Senate Bill No. 479.

Bill read first time.

UNFINISHED BUSINESS

REPORTS OF CONFERENCE COMMITTEES

Mr. Speaker:

The first Committee on Conference concerning Senate Bill No. 188, 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. C5, which is attached to and hereby made a part of this report.

JAMES A. STONE	HELEN A. FOLEY
CHARLES W. JOERG	RAY RAWSON
ART RADER	THOMAS J. HICKEY
Assembly Committee on Conference	*Senate Committee on Conference*

Amendment No. C5.

Amend section 1, page 2, line 2, by deleting "*90 days*" and inserting "*6 months*".

Assemblyman Stone moved that the Assembly adopt the report of the first Committee on Conference concerning Senate Bill No. 188.

Motion carried.

Mr. Speaker:

The first Committee on Conference concerning Senate Bill No. 211, 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. C6, which is attached to and hereby made a part of this report.

ART RADER	BOB RYAN
MORSE ARBERRY, JR.	JAMES H. BILBRAY
PATRICIA LITTLE	THOMAS J. HICKEY
Assembly Committee on Conference	*Senate Committee on Conference*

Amendment No. C6.

Amend section 1, page 1, line 10, by deleting "*production, the*" and inserting "*production. The*".

Assemblyman Rader moved that the Assembly adopt the report of the first Committee on Conference concerning Senate Bill No. 211.

Remarks by Assemblyman Rader.

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen Bogaert, Bergevin, Kerns, Beyer, Little, Fairchild and McGaughey:

Assembly Concurrent Resolution No. 48—Admonishing the board of regents of the University of Nevada to prohibit a student's admission to or retention in the University of Nevada if the student has not registered for selective service.

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 10:52 a.m.

ASSEMBLY IN SESSION

At 10:53 a.m.

Mr. Speaker presiding.

Quorum present.

SECOND READING AND AMENDMENT

Assembly Bill No. 402.

Bill read second time.

The following amendment was proposed by the Committee on Natural Resources, Agriculture and Mining:

Amendment No. 1100.

Amend section 1, page 1, by deleting lines 4 and 5 and inserting: "*mountain goat, elk, deer, pronghorn antelope, bobcat, mountain lion or black bear without a valid tag is guilty of a gross misdemeanor. This subsection does not prohibit the killing of such an animal if necessary to protect the life or property of any person in imminent danger of being attacked by such an animal.*".

Amend sec. 15, page 4, line 43, by deleting "*director,*" and inserting: "*director or a person designated by him,*".

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. NRS 501.385 is hereby amended to read as follows:

501.385 *Except as otherwise provided by specific statute:*

1. Any person who:

(a) Performs an act or attempts to perform an act made unlawful or prohibited by a provision of this Title;

(b) Willfully fails to perform an act required of him by a provision of this Title;

(c) Obstructs, hinders, delays or otherwise interferes with any officer, employee or agent of the department in the performance of any duty while enforcing or attempting to enforce any provision of this Title;

(d) Violates any order issued or regulation adopted by the commission under the provisions of this Title; or

(e) Having been granted a privilege or been licensed or permitted to do any act under the provisions of this Title, exercises the grant, license or permit in a manner other than as specified , [therein,]

is guilty of a misdemeanor.

2. [Except as otherwise specifically provided in this Title, every] *Every* person who is guilty of a misdemeanor under this Title shall be punished by a fine of not less than $50 nor more than $500, or by imprisonment in the county jail for not more than 6 months, or by both fine and imprisonment.".

Amend sec. 17, page 5, line 22, by deleting "*deer or*".

Amend sec. 17, page 5, by deleting line 23 and inserting: "*deer, pronghorn antelope, bobcat, mountain lion or black bear without a valid tag, in addition to the penalty*".

Amend sec. 21, page 7, line 26, after "prisons,", by inserting: "*three automobiles used by the department of wildlife,*".

Amend sec. 21, page 7, by deleting lines 40 through 44 and inserting:

"(5) District [attorney] *attorneys'* offices;

(6) [Sheriff] *Sheriffs'* offices; and

(7) Police departments in the state,".

Amend the title of the bill, lines 2 and 3, by deleting: "distinguishing plates for" and inserting: "nondistinguishing plates for three".

Assemblyman Spriggs moved the adoption of the amendment.

Remarks by Assemblyman Spriggs.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 160.

Bill read second time.

The following amendment was proposed by the Committee on Economic Development and Tourism:

Amendment No. 923.

Amend sec. 21, page 5, line 29, by deleting "*six*" and inserting "*three*".

Amend sec. 21, page 5, by deleting lines 31 through 39 and inserting:

"2. *The director, in consultation with the executive director of the commission on economic development and with the approval of the governor, shall appoint to serve as members of the committee three persons who have proven experience in international trade and economic development*

which they acquired while engaged in finance, manufacturing, business administration, municipal finance, economics, law or general business.''.

Assemblyman Roberts moved the adoption of the amendment.

Remarks by Assemblyman Roberts.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Bergevin moved that Assembly Bill No. 687 be re-referred to the Committee on Ways and Means.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 289.

Bill read third time.

Remarks by Assemblymen Dini, Getto and Joerg.

Roll call on Assembly Bill No. 289:

YEAS—35.

NAYS—Fairchild, Lambert, Malone, Rader, Roberts—5.

Absent—Collins, Sedway—2.

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. 475.

Bill read third time.

Remarks by Assemblymen Kerns and Getto.

Conflict of interest declared by Assemblyman Getto.

Roll call on Assembly Bill No. 475:

YEAS—38.

NAYS—None.

Absent—Collins, Sedway—2.

Not voting—Marvel, Price—2.

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. 598.

Bill read third time.

Remarks by Assemblyman Bogaert.

Roll call on Assembly Bill No. 598:

YEAS—38.

NAYS—Jeffrey, Thompson—2.

Absent—Collins, Sedway—2.

Assembly Bill No. 598 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 602.
Bill read third time.
Remarks by Assemblymen Arberry, Price, Stone and Fairchild.
Roll call on Assembly Bill No. 602:
YEAS—40.
NAYS—None.
Absent—Collins, Sedway—2.

Assembly Bill No. 602 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 609.
Bill read third time.
Remarks by Assemblyman Nicholas.
Roll call on Assembly Bill No. 609:
YEAS—40.
NAYS—None.
Absent—Collins, Sedway—2.

Assembly Bill No. 609 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 660.
Bill read third time.
Remarks by Assemblyman Humke.
Roll call on Assembly Bill No. 660:
YEAS—34.
NAYS—Horne, Lambert, Little, McGaughey, Roberts, Stone—6.
Absent—Collins, Sedway—2.

Assembly Bill No. 660 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 685.
Bill read third time.
Remarks by Assemblyman Stone.
Roll call on Assembly Bill No. 685:
YEAS—38.
NAYS—None.
Absent—Collins, Sedway—2.
Not voting—Sader, Mr. Speaker—2.

Assembly Bill No. 685 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 688.
Bill read third time.
The following amendment was proposed by Assemblyman Joerg:

Amendment No. 1134.

Amend sec. 9, page 3, by deleting lines 16 and 17 and inserting: "*an air carrier which:*

1. Holds a certificate to engage in air transportation issued pursuant to 49 U.S.C. § 1371 and is not solely a charter air carrier or a supplemental air carrier as described in Title 49 of the United States Code; and

2. Maintains its central office in Nevada and bases a majority of its aircraft in Nevada.".

Assemblyman Joerg moved the adoption of the amendment.

Remarks by Assemblyman Joerg.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 63.

Bill read third time.

Remarks by Assemblyman Swain.

Roll call on Assembly Bill No. 63:

YEAS—40.

NAYS—None.

Absent—Collins, Sedway—2.

Assembly Bill No. 63 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Joint Resolution No. 26.

Resolution read third time.

Remarks by Assemblyman Francis.

Roll call on Assembly Joint Resolution No. 26:

YEAS—37.

NAYS—Banner, Lambert, Thomas—3.

Absent—Collins, Sedway—2.

Assembly Joint Resolution No. 26 having received a constitutional majority, Mr. Speaker declared it passed.

Resolution ordered transmitted to the Senate.

Assembly Joint Resolution No. 28.

Resolution read third time.

Remarks by Assemblymen Bogaert, Nicholas, Thomas and Dini.

Roll call on Assembly Joint Resolution No. 28:

YEAS—25.

NAYS—Banner, Coffin, Humke, Jeffrey, Lambert, Malone, Nevin, Nicholas, O'Donnell, Sader, Stone, Swain, Thompson, Williams, Zimmer—15.

Absent—Collins, Sedway—2.

Assembly Joint Resolution No. 28 having received a constitutional majority, Mr. Speaker declared it passed.

Resolution ordered transmitted to the Senate.

Senate Bill No. 18.
Bill read third time.
Remarks by Assemblyman Nicholas.
Roll call on Senate Bill No. 18:
YEAS—40.
NAYS—None.
Absent—Collins, Sedway—2.

Senate Bill No. 18 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 Assemblymen Williams, Thomas and Coffin.
Assemblyman Stone moved that Senate Bill No. 38 be taken from the General File and re-referred to the Committee on Judiciary.
Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Concurrent Committee on Government Affairs, 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: Do pass.

LOUIS W. BERGEVIN, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Ways and Means, 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: Do pass.

JOHN MARVEL, *Chairman*

GENERAL FILE AND THIRD READING

Senate Bill No. 143.
Bill read third time.
Remarks by Assemblyman Thomas.
Roll call on Senate Bill No. 143:
YEAS—39.
NAYS—None.
Absent—Collins, Sedway—2.
Not voting—Coffin.

Senate Bill No. 143 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 Tebbs.

Roll call on Senate Bill No. 145:

YEAS—39.

NAYS—None.

Absent—Collins, Sedway—2.

Not voting—Coffin.

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. 159.

Bill read third time.

Remarks by Assemblyman Williams.

Roll call on Senate Bill No. 159:

YEAS—40.

NAYS—None.

Absent—Collins, Sedway—2.

Senate Bill No. 159 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 23, 1985

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. 56.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Senate Concurrent Resolution No. 56.

Assemblyman Bogaert moved the adoption of the resolution.

Remarks by Assemblymen Bogaert, Price, Dini, Getto, Kerns and Craddock.

Assemblyman Francis requested that the following remarks be entered in the Journal.

ASSEMBLYMAN BOGAERT:

I'm sure that many of us would like to say nice things about Barbara. I'm sure we could do that the rest of the day. We've all had positive experiences with her. She is consistent in dealing with all of us, no matter what our temperament may be. We are always greeted with a smiling face and congenial and immediate help.

ASSEMBLYMAN PRICE:

I would not want to pass up the opportunity to say some kind words about Barbara. Ever since I've been coming here, and I guess ever since Mr. Dini has been here, Barbara has been here to greet us and teach us the ropes. She has been the "Girl Friday" around here. She started when she was only 20 years old. She is a beautiful person at heart. We should have done this a long time ago.

ASSEMBLYMAN DINI:

I would like to say that Barbara and I arrived on the scene at the same time, 18 years ago. It has been my pleasure to have been associated in this body all these years and have enjoyed her service, friendship, and the warmth of her friendly smile.

ASSEMBLYMAN GETTO:

Barbara and I, too, arrived here at the same time. We've had a close association over the years. She has always been friendly and very helpful to me. I've appreciated Barbara.

ASSEMBLYMAN KERNS:

I can't let all these long-time assemblyman take all the glory. I arrived here the same year, 1967, in a little bit different category. Barbara was a tremendous help to me then and has been a tremendous help from both sides of the door.

ASSEMBLYMAN CRADDOCK:

Barbara and I have been close friends for a long time. She and I have a little secret that goes back to 1973 but I won't tell. But, if Barbara wants to tell you the story about her, myself and Mr. Crawford, I'm certain you would find pleasure in it. I'm really pleased to list Barbara among my friends.

Resolution adopted unanimously.

REMARKS FROM THE FLOOR

Assemblyman Francis requested that Mr. Speaker's remarks be entered in the Journal.

The chair would claim a point of personal privilege at this time to say some words about Barbara. She keeps the social calendar and keeps the Speaker out of a lot of trouble. She has been a tremendous help. Secondly, while I am going to enthusiastically vote for this resolution, I think there is an error in the body of the resolution. In that, it says "many thankless hours", quite frankly, I think it ought to read on the part of everyone here many "thankful hours" on our behalf. Thank you, Barbara.

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

Assembly in recess at 11:55 a.m.

ASSEMBLY IN SESSION

At 12:01 p.m.
Mr. Speaker presiding.
Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Judiciary, to which was referred Assembly Bill No. 696, 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.

JAMES STONE, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Senate Bill No. 447, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

LOUIS W. BERGEVIN, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Stone moved that Assembly Bill No. 696 be placed on the Second Reading File.

Remarks by Assemblyman Stone.

Motion carried.

INTRODUCTION AND FIRST READING OF LEGISLATION

By the Committee on Economic Development and Tourism:

Assembly Bill No. 720—An Act relating to economic development; requiring the legislative commission to study gaming and programs for encouraging research and development; requiring the commission to study the organization of state agencies which are related to economic development; making an appropriation; and providing other matters properly relating thereto.

GENERAL FILE AND THIRD READING

Senate Bill No. 183.

Bill read third time.

Remarks by Assemblyman Rader.

Roll call on Senate Bill No. 183:

YEAS—40.

NAYS—None.

Absent—Collins, Sedway—2.

Senate Bill No. 183 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 193.

Bill read third time.

The following amendment was proposed by the Committee on Elections:

Amendment No. 1124.

Amend sec. 96, page 30, lines 10 and 11, by deleting "[shall] *must*" and inserting "must".

Amend sec. 96, page 30, by deleting lines 14 and 15 and inserting: "posed amendment.

3. An amendment proposed pursuant to paragraph (b) of subsection 2 must be submitted at the next general municipal election or at a special election.".

Amend sec. 96, page 30, line 16, by deleting "3." and inserting "4.".

Amend sec. 96, page 30, by deleting lines 19 and 20 and inserting:

"5. The petition must be filed with the city clerk. It must be in the form [,] and its sufficiency must".

Amend sec. 96, page 30, line 23, by deleting "5." and inserting "6.".

Amend sec. 96, page 30, line 25, by deleting "[such] *that*" and inserting "the".

Amend sec. 98, page 30, line 29, by deleting: "Section 86 of this act becomes" and inserting: "Sections 86 and 96 of this act become".

Assemblyman Ham moved the adoption of the amendment.

Remarks by Assemblyman Ham.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 237.

Bill read third time.

Remarks by Assemblyman Getto.

Roll call on Senate Bill No. 237:

YEAS—38.

NAYS—Horne, Roberts—2.

Absent—Collins, Sedway—2.

Senate Bill No. 237 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 238.

Bill read third time.

Remarks by Assemblyman Beyer.

Roll call on Senate Bill No. 238:

YEAS—40.

NAYS—None.

Absent—Collins, Sedway—2.

Senate Bill No. 238 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 243.

Bill read third time.

Remarks by Assemblyman Marvel.

Roll call on Senate Bill No. 243:

YEAS—29.

NAYS—Fairchild, Ham, Horne, Lambert, Little, McGaughey, Malone, Nevin, Rader, Roberts, Stone—11.

Absent—Collins, Sedway—2.

Senate Bill No. 243 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 Assemblymen Fairchild and Thomas.

Roll call on Senate Bill No. 244:

YEAS—17.

NAYS—Bergevin, Beyer, Bogaert, Coffin, Getto, Ham, Horne, Humke, Lambert, Little, McGaughey, Malone, Nevin, Nicholas, O'Donnell, Rader, Roberts, Spriggs, Stone, Tebbs, Thomas, Zimmer—22.

Absent—Collins, Sedway—2.

Not voting—Price.

Senate Bill No. 244 having failed to receive a constitutional majority, Mr. Speaker declared it lost.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman DuBois moved that Senate Bill No. 253 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman DuBois.

Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 254.

Bill read third time.

Remarks by Assemblymen Francis, Jeffrey, Humke, O'Donnell, Bogaert, Rader, DuBois, Price and Thompson.

Assemblyman Francis moved that Senate Bill No. 254 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Francis.

Motion carried.

Senate Bill No. 263.

Bill read third time.

Remarks by Assemblyman Price.

Roll call on Senate Bill No. 263:

YEAS—40.

NAYS—None.

Absent—Collins, Sedway—2.

Senate Bill No. 263 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 282.

Bill read third time.

Remarks by Assemblyman Thompson.

Roll call on Senate Bill No. 282:

YEAS—40.

NAYS—None.

Absent—Collins, Sedway—2.

Senate Bill No. 282 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 Marvel.
Roll call on Senate Bill No. 330:
YEAS—40.
NAYS—None.
Absent—Collins, Sedway—2.

Senate Bill No. 330 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 Sader.
Roll call on Senate Bill No. 334:
YEAS—40.
NAYS—None.
Absent—Collins, Sedway—2.

Senate Bill No. 334 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 340.
Bill read third time.
Remarks by Assemblyman Coffin.
Roll call on Senate Bill No. 340:
YEAS—40.
NAYS—None.
Absent—Collins, Sedway—2.

Senate Bill No. 340 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 Malone.
Roll call on Senate Bill No. 355:
YEAS—40.
NAYS—None.
Absent—Collins, Sedway—2.

Senate Bill No. 355 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 Assemblyman Humke.

Roll call on Senate Bill No. 371:
YEAS—37.
NAYS—Horne, McGaughey, Roberts—3.
Absent—Collins, Sedway—2.

Senate Bill No. 371 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

Senate Bill No. 372.
Bill read third time.
Remarks by Assemblyman Thompson.
Roll call on Senate Bill No. 372:
YEAS—39.
NAYS—Stone.
Absent—Collins, Sedway—2.

Senate Bill No. 372 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 387.
Bill read third time.
Remarks by Assemblyman Banner.
Roll call on Senate Bill No. 387:
YEAS—40.
NAYS—None.
Absent—Collins, Sedway—2.

Senate Bill No. 387 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.
Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Stone gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 244 was this day refused passage.

Assemblyman Francis moved that Assembly Bill No. 628 and Senate Bill No. 447 be placed on the Second Reading File.

Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 399.

Bill read third time.

Assemblyman Francis moved that Senate Bill No. 399 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Francis.

Motion carried.

Senate Bill No. 403.

Bill read third time.

Remarks by Assemblyman Dini.

Roll call on Senate Bill No. 403:

YEAS—40.

NAYS—None.

Absent—Collins, Sedway—2.

Senate Bill No. 403 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 418.

Bill read third time.

Remarks by Assemblyman Malone.

Roll call on Senate Bill No. 418:

YEAS—40.

NAYS—None.

Absent—Collins, Sedway—2.

Senate Bill No. 418 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 425.

Bill read third time.

Remarks by Assemblyman Sader.

Roll call on Senate Bill No. 425:

YEAS—40.

NAYS—None.

Absent—Collins, Sedway—2.

Senate Bill No. 425 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 427.

Bill read third time.

Remarks by Assemblyman Marvel.

Roll call on Senate Bill No. 427:

YEAS—40.

NAYS—None.

Absent—Collins, Sedway—2.

Senate Bill No. 427 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 436.

Bill read third time.

Remarks by Assemblymen Kerns and Humke.

Roll call on Senate Bill No. 436:

YEAS—25.

NAYS—Beyer, Bogaert, DuBois, Fairchild, Getto, Humke, Malone, Nevin, Nicholas, O'Donnell, Rader, Roberts, Stone, Swain, Tebbs—15.

Absent—Collins, Sedway—2.

Senate Bill No. 436 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 437.

Bill read third time.

Remarks by Assemblyman Zimmer.

Roll call on Senate Bill No. 437:

YEAS—34.

NAYS—Banner, Humke, Malone, Nicholas, Spriggs, Stone—6.

Absent—Collins, Sedway—2.

Senate Bill No. 437 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 440.

Bill read third time.

Remarks by Assemblyman Marvel.

Roll call on Senate Bill No. 440:

YEAS—40.

NAYS—None.

Absent—Collins, Sedway—2.

Senate Bill No. 440 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 444.

Bill read third time.

Remarks by Assemblyman Coffin.

Roll call on Senate Bill No. 444:

YEAS—40.

NAYS—None.

Absent—Collins, Sedway—2.

Senate Bill No. 444 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 445.

Bill read third time.

Remarks by Assemblyman Tebbs.

Roll call on Senate Bill No. 445:

YEAS—40.

NAYS—None.

Absent—Collins, Sedway—2.

Senate Bill No. 445 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Francis moved that Senate Bill No. 399 be taken from the Chief Clerk's desk and placed on the General File.

Motion carried.

Assemblyman Stone moved that Assembly Bill No. 610 be taken from the Chief Clerk's desk and placed on the General File.

Remarks by Assemblyman Stone.

Motion carried.

GENERAL FILE AND THIRD READING

Senate Joint Resolution No. 20.

Resolution read third time.

Remarks by Assemblyman Getto.

Roll call on Senate Joint Resolution No. 20:

YEAS—34.

NAYS—Fairchild, Little, McGaughey, Malone, Roberts, Williams—6.

Absent—Collins, Sedway—2.

Senate Joint Resolution No. 20 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed, as amended.

Resolution ordered transmitted to the Senate.

Senate Joint Resolution No. 24.

Resolution read third time.

Remarks by Assemblymen Thomas, DuBois, Coffin, Price and Bilyeu.

Assemblymen Humke, Schofield and Nicholas moved the previous question.

Motion carried.

The question being on the passage of Senate Joint Resolution No. 24.

Roll call on Senate Joint Resolution No. 24:

YEAS—26.

NAYS—Arberry, Banner, Coffin, Craddock, Jeffrey, Little, Nevin, Price, Roberts, Sader, Schofield, Swain, Thompson, Williams—14.

Absent—Collins, Sedway—2.

Senate Joint Resolution No. 24 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.

Resolution ordered transmitted to the Senate.

Senate Bill No. 399.

Bill read third time.

The following amendment was proposed by the Committee on Taxation:

Amendment No. 1159.

Amend the bill as a whole by renumbering section 20 as section 21 and adding a new section designated section 20, following section 19, to read as follows:

"Sec. 20. Notwithstanding the contrary provisions of section 7 of this act, if a board of county commissioners which is required immediately to create a district delegates the operation of a system to provide a telephone number to be used in an emergency to a metropolitan police department, the department shall submit to the board a budget for the operation of the system within 15 days after the passage and approval of this act.".

Assemblyman Francis moved the adoption of the amendment.

Remarks by Assemblyman Francis.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 610.

Bill read third time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1148.

Amend section 1, page 1, line 4, by deleting "*14*" and inserting "*10*".

Assemblyman Stone moved the adoption of the amendment.

Remarks by Assemblyman Stone.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

SECOND READING AND AMENDMENT

Assembly Bill No. 696.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1142.

Amend sec. 3, page 1, by deleting lines 7 and 8 and inserting:

"Sec. 3. *"Division" means the insurance division of the department of commerce.*".

Amend the bill as a whole by deleting sections 6 and 7 and inserting:

"Sec. 6-7. (Deleted by amendment.)".

Amend sec. 8, page 2, by deleting lines 5 through 9 and inserting:

"Sec. 8. *The division, through the commissioner of insurance, shall:*".

Amend sec. 8, page 2, line 10, by deleting "*(a)*" and inserting "*1.*".

Amend sec. 8, page 2, line 11, by deleting "*(b)*" and inserting "*2.*".

Amend sec. 8, page 2, line 12, by deleting "*(c)*" and inserting "*3.*".

Amend sec. 8, page 2, line 14, by deleting "*(d)*" and inserting "*4.*".

Amend sec. 8, page 2, line 15, by deleting "*his duties.*" and inserting: "*its duties pursuant to sections 2 to 19, inclusive, of this act.*".

Amend the bill as a whole by adding a new section designated section 8.5, following section 8, to read as follows:

"Sec. 8.5. *An account for the screening panels is hereby created in the state general fund. The division shall administer this account. Any money received by the division pursuant to the provisions of sections 2 to 19, inclusive, of this act must be credited to this account and may be used to pay the administrative costs of the screening panels.*".

Amend sec. 9, page 2, by deleting lines 16 through 24 and inserting:

"Sec. 9. *There is hereby created a tentative screening panel from which must be selected screening panels to review claims of medical malpractice arising in this state.*".

Amend sec. 10, page 2, by deleting lines 26 and 27 and inserting: "*Association shall designate 40 of its members to serve on the ten-*".

Amend sec. 10, page 2, by deleting lines 31 and 32 and inserting: "*shall designate 40 of its members to serve on the tentative*".

Amend sec. 10, page 2, by deleting lines 35 through 42.

Amend sec. 11, pages 2 and 3, by deleting lines 43 and 44 on page 2 and lines 1 through 24 on page 3 and inserting:

"Sec. 11. *1. The division shall randomly select, from the list of members of the tentative screening panel the names of three physicians, and three attorneys to serve on the screening panel for review of a claim of medical malpractice. The names of the persons selected for the screening panel are confidential and must not be made known to any of the parties, their representatives or counsel for either party.*".

Amend sec. 11, page 3, by deleting line 25 and inserting: "2. *The division shall notify the members*".

Amend sec. 11, page 3, line 26, by deleting "*he*" and inserting "*it*".

Amend sec. 11, page 3, line 27, by deleting "*his*" and inserting "*the*".

Amend sec. 12, page 3, lines 30 and 31, by deleting: "*by the administrator*".

Amend sec. 13, page 3, line 34, by deleting: "*delivery of a request for a hearing to*" and inserting: "*filing a complaint with*".

Amend sec. 13, page 3, by deleting line 35 and inserting: "*division. A fee of $250 must accompany the complaint. A copy of the complaint must be delivered by certified or registered mail to the person against whom the complaint is made.*".

Amend sec. 13, page 3, line 36, by deleting: "*request for a hearing*" and inserting "*complaint*".

Amend sec. 13, page 3, after line 39, by inserting:

"*3. The person against whom a complaint is made must, within 15 days after receipt of the complaint, file an answer with the division, accompanied by a fee of $250.*".

Amend sec. 14, page 3, line 41, after "*attendance of*", by inserting "*expert*".

Amend sec. 14, page 3, by deleting line 42 and inserting:

"2. *If any expert witness refuses to attend or testify or if any person refuses to produce any books*".

Amend sec. 14, page 3, line 46, by deleting "*witness or*" and inserting: "*expert witness or for*".

Amend sec. 14, page 4, line 1, by deleting "*witness*" and inserting: "*expert witness or the person required to produce the books and papers*".

Amend sec. 14, page 4, by deleting line 3 and inserting:

"*(c) The expert witness has failed or refused to attend or the person has failed or refused to produce the books*".

Amend sec. 14, page 4, line 6, after "*compelling the*", by inserting "*expert*".

Amend sec. 14, page 4, line 7, after "*or*", by inserting: "*the other person to*".

Amend sec. 14, page 4, line 9, by deleting "*witness*" and inserting: "*expert witness or other person*".

Amend sec. 14, page 4, line 13, by deleting "*witness.*" and inserting: "*expert witness or other person.*".

Amend sec. 14, page 4, line 15, by deleting "*witness*" and inserting: "*expert witness or other person*".

Amend sec. 14, page 4, line 18, by deleting "*witness*" and inserting: "*expert witness or other person*".

Amend sec. 15, page 4, by deleting lines 20 through 26 and inserting:

"Sec. 15. *1. The screening panel shall consider only the relevant documentary material made available to it, including the complaint and answer, any medical records and records of a hospital or office and the testimony of any expert witnesses the panel considers necessary,*".

Amend sec. 15, page 4, line 27, by deleting: "*the material presented,*" and inserting "*that evidence,*".

Amend sec. 15, page 4, lines 28 and 29, by deleting "*professional negligence,*" and inserting "*medical malpractice,*".

Amend sec. 15, page 4, by deleting lines 31 through 33 and inserting:

"*2. Copies of the original complaint and of the findings of the screening panel with regard to each matter considered by the panel must be forwarded to:*

(a) The board of medical examiners of the State of Nevada;

(b) The county medical society of the county in which the alleged malpractice occurred;

(c) The attorney general of the State of Nevada; and

(d) The commissioner of insurance.

3. The commissioner of insurance shall mail to the parties a copy of the findings of the screening panel concerning the complaint.".

Amend sec. 16, page 4, by deleting line 34 and inserting:

"Sec. 16. *1. No*".

Amend sec. 16, pages 4 and 5, by deleting lines 41 through 45 on page 4 and lines 1 through 5 on page 5 and inserting:

"2. *The written findings of the screening panel are admissible in any action concerning that complaint which is subsequently filed in district court.*".

Amend sec. 17, page 5, lines 8 and 9, by deleting "*professional negligence,*" and inserting "*medical malpractice,*".

Amend sec. 18, page 5, by deleting lines 17 through 24 and inserting:

"Sec. 18. *1. If the screening panel finds that there is a reasonable possibility that the acts complained of constitute medical malpractice and that the claimant was injured thereby and a cause of action involving medical malpractice is thereafter filed in district court, a conference for settlement must be held as provided in section 18.5 of this act.*

2. If the determination is negative on either issue, the claimant may file an action in court after posting a $5,000 bond in cash with the division pending trial. If the claimant does not obtain a judgment in his favor in court, the bond is forfeited, and the money must be deposited in the account for the screening panels.

3. If the screening panel is unable, for any reason, to reach a decision, the claimant may file a civil action or proceed no further with the complaint.".

Amend the bill as a whole by adding a new section designated section 18.5, following section 18, to read as follows:

"Sec. 18.5. *In any action for medical malpractice filed in a district court after a determination by a screening panel that there is a reasonable possibility that medical malpractice occurred and that the plaintiff was injured thereby, the judge shall order the plaintiff, the defendant, the representative of the physician's insurer and their attorneys to attend, as a special proceeding, a conference for settlement to determine the amount of the plaintiff's damages.*

2. If the plaintiff rejects the amount of damages arrived at for a settlement, he shall post, a $5,000 bond in cash with the division pending the trial. If, at trial, the plaintiff receives an award equal to or less than the amount of the settlement, the bond is forfeited, and the money must be deposited in the account for the screening panels.

3. If the defendant rejects the amount of damages arrived at for a settlement, he shall post a $5,000 bond in cash with the division pending trial. If, at trial, the plaintiff is awarded an amount equal to or greater than the amount of the settlement, the bond is forfeited, and the money must be deposited in the account for the screening panels.".

Amend sec. 20, page 5, line 45, by deleting: "*request for a hearing*" and inserting: "*complaint for review*".

Amend sec. 21, page 6, line 41, by deleting "*hearing*" and inserting "*review*".

Amend sec. 22, page 7, line 1, after "*panel*", by inserting: "*or any of its members.*".

Assemblyman Stone moved the adoption of the amendment.

Remarks by Assemblyman Stone.

Amendment adopted.

Assemblyman Stone moved that Assembly Bill No. 696 be re-referred to the Committee on Judiciary.

Motion carried.

Bill ordered reprinted, engrossed and to the Committee on Judiciary.

Assembly Bill No. 628.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1137.

Amend sec. 3, page 1, by deleting lines 7 and 8 and inserting:

"Sec. 3. "Controlled substance" includes:

1. A drug, substance or immediate precursor listed in schedules I to V, inclusive, of the regulations adopted by the state board of pharmacy; and

2. A substance which:

(a) Was manufactured by a person who at the time was not currently registered with the Secretary of Health and Human Services; and

(b) Is an imitation of or intended for use as a substitute for a substance described in subsection 1.".

Amend sec. 8, page 2, line 5, by deleting "$10" and inserting "$100".

Amend sec. 8, page 2, line 6, by deleting "$125," and inserting "$1,000,".

Amend sec. 12, page 3, by deleting lines 1 through 3 and inserting:

"2. The money deposited in the state general fund pursuant to subsection 1 must be accounted for separately. One-half of the money must be used only for the enforcement of chapter 453 of NRS and the other half must be used for rehabilitation of persons who are addicted to controlled substances.".

Assemblyman Stone moved the adoption of the amendment.

Remarks by Assemblyman Stone.

Amendment adopted.

Assemblyman Stone moved that Assembly Bill No. 628 be re-referred to the Committee on Judiciary.

Motion carried.

Bill ordered reprinted, engrossed and to the Committee on Judiciary.

Senate Bill No. 447.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 1146.

Amend section 1, page 1, line 7, by inserting "*and*" after the semicolon.

Amend section 1, page 1, line 10, by deleting "*; and*" and inserting an italicized period.

Amend section 1, page 1, by deleting lines 11 through 13 and inserting:

"2. *If a state agency is required to purchase credit pursuant to subsection 1, it shall not do so until the member has completed 1 year of service in its employ.*".

Amend section 1, page 1, line 14, by deleting "*2.*" and inserting "*3.*".

Amend section 1, page 2, line 5, by deleting "*3.*" and inserting "*4.*".

Amend section 1, page 2, line 6, by deleting "*2,*" and inserting "*3,*".

Assemblyman Bergevin moved the adoption of the amendment.

Remarks by Assemblyman Bergevin.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

REFERENCE OF MEASURES TO COMMITTEES

Assembly Bill No. 719.

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

Motion carried.

Assembly Bill No. 720.

Assemblyman Francis moved that the bill be referred to the Committee on Legislative Functions.

Motion carried.

Assembly Concurrent Resolution No. 48.

Assemblyman Francis moved that the resolution be referred to the Committee on Education.

Motion carried.

Senate Bill No. 189.

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

Motion carried.

Senate Bill No. 432.

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

Motion carried.

Senate Bill No. 479.

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

Motion carried.

Senate Joint Resolution No. 37.

Assemblyman Francis moved that the resolution 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. 110, 163, 194, 221, 311, 401, 551, 593; Senate Bills Nos. 91, 174, 309, 358, 384, 391, 448; Senate Joint Resolution No. 17; Senate Concurrent Resolution No. 50.

REMARKS FROM THE FLOOR

Assemblyman DuBois requested that Assemblyman Beyer's remarks be entered in the Journal.

A few minutes ago we passed S.B. 427 which appropriated almost $7,000 for the Governor's mansion. I think it would be appropriate to mention that Mrs. Marvel has spearheaded a pantry fund campaign during the session raising some $12,000 plus for the mansion for new china and other things. I think we should commend Mrs. Marvel for making the effort this session.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Stone, the privilege of the floor of the Assembly Chamber for this day was extended to Mesdames Conrad, Capps, Jones and students from the Robert Mitchell School: Sherry Bird, Kathleen Brown, Tammy Burnetti, Earl Dory III, Lea Fisher, Jeffrey Frost, Wayne Gamn, Jewell Galbreath, David Gipe, Michael Lovegrove, Jerilyn MacCabe, Trini Martines, Elsa Orellana, Doryann Olson, Kristal Paw, Stacy Porter, Josh Rank, Maria Reyes, Darrin Ruff, Irene Sada, Davis Sciarroni, Rochelle Stewart, Nathan Turley, Brian Vaughn, Nicole Bartmess, Chris Black, Roger Colestock, Colleen Davidson, Joy Ekman, Shawn Gunther, Keith Hagar, Molly Hutchinson, Melissa Kazonick, Allan Lette, Valarie Larson, Joe May, Tia Miller, Tom Odom, Shari Roberson, Ta Shaw, Mike Smith, Stacey Stewart, Princess Stout, Mike Turley, Lynmay Williams, Derek Nelson, Isabel Rodriquez, Ana Arredono, Lorae Balin, Melanie Boston, Missy Douglas, Tammie Hicks, Kim Krause, Stacy Lewis, Becky Nicalson, Nisha Perry, Michelle Rondalet, Amanda Williams, Charina Prebble, Amy Wirth, Brian Andrus, Mike Beisel, Eric Huzarski, Jason Inman, Anthony June, Jeremy McAlpin, Nicky Messinger, Brent Osborne, Edgar Perez and Sam Rich.

On request of Assemblyman Humke, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Gloria Loffswold, Dorothy Scott and Mr. Lee David.

On request of Mr. Speaker, the privilege of the floor of the Assembly Chamber for this day was extended to Mesdames Fred Hillerby, Kay Hillerby, Messrs. Mike Hillerby and Bradley Hillerby.

On request of Assemblyman Lambert, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Madelon Copeland.

On request of Assemblyman Coffin, the privilege of the floor of the Assembly Chamber for this day was extended to Sheriff John Moran.

Assemblyman Francis moved that the Assembly adjourn until Friday, May 24, 1985 at 10:30 a.m.

Motion carried.

Assembly adjourned at 1:20 p.m.

Approved: BYRON L. BILYEU
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE ONE HUNDRED AND TWENTY-FOURTH DAY

CARSON CITY (Friday), May 24, 1985

Assembly called to order at 10:33 a.m.

Mr. Speaker presiding.

Roll called.

All present except Assemblyman Sedway, who was excused.

Prayer by the Chaplain, The Reverend Doctor Gregg Townsley.

Heavenly Father, Our Father, we pray this morning as we begin our day's work together. We pray because we seek You as a source of strength in our lives. We pray because we need You as a centering force for all that we think and do. Our Lord, this day we ask that You would move our lives in such a way that we would rise above our weaknesses, and that we work above our disinterests. Where there is pain, allow us to remedy what we can. Where there is need, encourage us to be sensitive listeners and wise decision-makers. Grant us, this day, Your presence and peace. We pray in the name of our Lord. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Francis 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 re-referred Assembly Bill No. 363, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN DUBOIS, *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which was referred Senate Bill No. 268, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN DUBOIS, *Chairman*

Mr. Speaker:

Your Committee on Taxation, to which was referred Assembly Bill No. 606, 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.

CHARLES W. JOERG, *Chairman*

Mr. Speaker:

Your Committee on Taxation, to which were referred Senate Bills Nos. 279, 338, 339, 400, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

CHARLES W. JOERG, *Chairman*

Mr. Speaker:

Your Committee on Economic Development and Tourism, to which was referred Assembly Bill No. 643, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

DAVID E. HUMKE, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Senate Bill No. 492, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

LOUIS W. BERGEVIN, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 23, 1985

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 337, 443, 499, 503, 523, 546, 612.

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, 318, 415, 561, 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. 476, 478.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 257, 296.

Also, I have the honor to inform your honorable body that the Senate on this day appointed Senators Hickey, Wagner and Horn as a first Committee on Conference concerning Senate Bill No. 65.

Also, I have the honor to inform your honorable body that the Senate on this day appointed Senators O'Connell, Robinson and Rhoads as a first Committee on Conference concerning Senate Bill No. 208.

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. 188.

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. 211.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Joint Resolution No. 6.

Also, I have the honor to inform your honorable body that the Senate on this day adopted, as amended, Senate Concurrent Resolutions Nos. 41, 42, 44.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Senate Joint Resolution No. 6.
Resolution read first time.

Senate Concurrent Resolution No. 41.
Resolution read.

Senate Concurrent Resolution No. 42.
Resolution read.

Senate Concurrent Resolution No. 44.
Resolution read.

INTRODUCTION AND FIRST READING OF LEGISLATION

Senate Bill No. 257.
Bill read first time.

Senate Bill No. 296.
Bill read first time.

Senate Bill No. 476.
Bill read first time.

Senate Bill No. 478.
Bill read first time.

UNFINISHED BUSINESS

RECEDE FROM ASSEMBLY AMENDMENTS

Assemblyman Stone moved that the Assembly do not recede from its action on Senate Bill No. 8, 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 Williams, Arberry and Ham as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Senate Bill No. 8.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 167.

The following Senate amendments were read:

Amendment No. 961.

Amend section 1, page 1, line 2, by deleting "8," and inserting "8.5,".

Amend sec. 8, page 1, by deleting line 17 and inserting: "*of competition in which a blow is usually struck which may reasonably be expected to inflict injury.*".

Amend the bill as a whole by adding a new section designated section 8.5, following section 8, to read as follows:

"Sec. 8.5. Chapter 467 of NRS is hereby amended by adding thereto a new section to read as follows:

The provisions of this chapter do not apply to exhibitions of Oriental unarmed self-defense in which no dangerous blow is intended to be struck.".

Amend sec. 9, page 2, line 27, by deleting "*8,*" and inserting "*8.5,*".

Amend sec. 14, page 3, by inserting between lines 39 and 40:

"4. All travel expenses and subsistence allowances of the members of the commission, its inspectors and its executive [secretary] *director* must be authorized by the chairman.".

Amend sec. 15, page 3, by deleting lines 42 through 45 and inserting:

"[secretary] *director* are entitled to receive traveling expenses and subsistence allowances while engaged in the transaction of business only if authorized by the chairman.".

Amend sec. 16, page 4, line 14, by deleting: "*or exhibition of*" and inserting "*involving*".

Amend sec. 16, page 4, line 16, by deleting "*or exhibition*".

Amend the title of the bill, second line, by deleting: "or exhibitions of" and inserting "involving".

Amendment No. 1090.

Amend sec. 9, page 2, line 4, by deleting "individual." and inserting "natural person.".

Amend sec. 9, page 2, by deleting lines 9 through 12 and inserting:

"5. "Professional boxer or professional wrestler" means a natural person who competes for money, prizes or purses, or who teaches or".

Amend sec. 9, page 2, line 15, by deleting "7." and inserting "6.".

Amend sec. 9, page 2, line 19, by deleting "8." and inserting "7.".

Amend sec. 9, page 2, line 24, by deleting "9." and inserting "8.".

Amend sec. 12, page 3, line 13, by deleting "467.080," and inserting "467.080 and 467.135,".

Amend sec. 17, page 4, line 25, by deleting "or owners".

Amend sec. 17, page 4, line 27, by deleting: "scale or basis." and inserting "scale.".

Amend sec. 17, page 4, line 36, by deleting "trust" and inserting "agency".

Amend sec. 28, page 8, line 13, by deleting "[promulgated] *adopted*" and inserting "adopted".

Amend sec. 28, page 8, by deleting line 27 and inserting: "matter must be credited to the athletic commission's agency fund and".

Amend the bill as a whole by adding a new section designated section 33, following section 32, to read as follows:

"Sec. 33. Sections 12, 17 and 28 of this act become effective at 12:01 a.m. on July 1, 1985.".

Assemblyman Stone moved that the Assembly concur in the Senate amendments to Assembly Bill No. 167.

Remarks by Assemblyman Stone.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 246.

The following Senate amendment was read:

Amendment No. 986.

Amend sec. 71, page 20, line 22, by deleting "Failure" and inserting: "Except as provided in subsection 4, failure".

Amend sec. 71, page 20, by inserting after line 24:

"4. Any limited partnership which has, before January 1, 1987,

recorded a certificate in a county of this state, but to which a notice is not timely mailed pursuant to subsection 3, shall be deemed to be in compliance with the provisions of this act for 60 days after it receives actual notice of the requirements for compliance with the provisions of this act.

5. The secretary of state and all county recorders are not civilly liable for any act or omission in carrying out any duty imposed by this section.".

Assemblyman Stone moved that the Assembly concur in the Senate amendment to Assembly Bill No. 246.

Remarks by Assemblyman Stone.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 268.

The following Senate amendment was read:

Amendment No. 945.

Amend sec. 2, page 1, by deleting lines 3 through 5.

Amend sec. 2, page 1, line 6, by deleting: "2. *If the*" and inserting: "Sec. 2. *If an*".

Amend the title of the bill, first and second lines, by deleting: "requiring actions against offenders by victims to be brought to trial within 90 days;".

Assemblyman Stone moved that the Assembly concur in the Senate amendment to Assembly Bill No. 268.

Remarks by Assemblyman Stone.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 286.

The following Senate amendment was read:

Amendment No. 1016.

Amend section 1, page 1, line 3, by deleting "minor" and inserting: "[minor] *person under the age of 16 years*".

Assemblyman Stone moved that the Assembly concur in the Senate amendment to Assembly Bill No. 286.

Remarks by Assemblyman Stone.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 538.

The following Senate amendment was read:

Amendment No. 1020.

Amend section 1, page 2, line 8, by deleting the period and inserting: "*and is not wanted by the Nevada state museum or Nevada historical society.*".

Assemblyman Stone moved that the Assembly concur in the Senate amendment to Assembly Bill No. 538.

Remarks by Assemblyman Stone.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 85.

The following Senate amendments were read:

Amendment No. 1017.

Amend section 1, page 1, line 19, by deleting "*A*" and inserting "*One previous*".

Amend section 1, page 2, by deleting line 1 and inserting:

"*(2) One previous violation of paragraph (c) of subsection 1 of NRS*".

Amend section 1, page 2, lines 3 and 4, by deleting: "*is otherwise provable*" and inserting: "*can be demonstrated*".

Amendment No. 1091.

Amend section 1, page 1, line 14, by deleting "6" and inserting "20".

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 becomes effective at 12:01 a.m. on July 1, 1985.".

Amendment No. 1123.

Amend section 1, page 2, by deleting line 4 and inserting "*strated,*".

Assemblyman Stone moved that the Assembly concur in the Senate amendments to Assembly Bill No. 85.

Remarks by Assemblyman Stone.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 561.

The following Senate amendment was read:

Amendment No. 1046.

Amend sec. 5, page 2, line 4, by deleting "*Possesses*" and inserting "*Knowingly possesses*".

Assemblyman DuBois moved that the Assembly concur in the Senate amendment to Assembly Bill No. 561.

Remarks by Assemblyman DuBois.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 569.

The following Senate amendment was read:

Amendment No. 1042.

Amend section 1, page 1, line 3, after "*employed by*", by inserting: "*or contracts with*".

Amend the title of the bill, second line, by deleting: "employed to administer" and inserting "administering".

Amend the summary of the bill, second line, by deleting: "employed to administer" and inserting "administering".

Assemblyman Zimmer moved that the Assembly concur in the Senate amendment to Assembly Bill No. 569.

Remarks by Assemblyman Zimmer.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 318.

The following Senate amendment was read:

Amendment No. 1047.

Amend sec. 2, page 2, line 14, by deleting the period and inserting: "*and the report of the investigating officer contains:*

(a) The name and address of the insurance company providing coverage to each person involved in the accident;

(b) The number of each policy; and

(c) The dates on which the coverage begins and ends.".

Assemblyman Malone moved that the Assembly concur in the Senate amendment to Assembly Bill No. 318.

Remarks by Assemblyman Malone.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 502.

The following Senate amendment was read:

Amendment No. 1037.

Amend sec. 3, page 2, by deleting lines 10 through 20.

Amend sec. 3, page 2, line 21, by deleting "Sec. 2." and inserting "Section 1.".

Amend sec. 3, page 2, line 41, by deleting "Sec. 3." and inserting "Sec. 2.".

Amend sec. 3, page 2, line 43, by deleting "Sec. 4." and inserting "Sec. 3.".

Amend sec. 4, page 3, by deleting lines 2 and 3, and inserting: "contractors like other taxpayers?".

Amend sec. 5, page 3, line 10, by deleting the comma and inserting a period.

Amend sec. 5, page 3, by deleting lines 11 and 12.

Amend the title of the bill by deleting the third and fourth lines and inserting: "impose the taxes on all governmental contractors; and providing other".

Amend the summary of the bill to read as follows: "Proposes to impose tax on retail sales on governmental contractors. (BDR 32-1105)".

Assemblyman Joerg moved that the Assembly do not concur in the Senate amendment to Assembly Bill No. 502.

Remarks by Assemblyman Joerg.

Motion carried.

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 Senate Bill No. 244 was refused passage be reconsidered.

Remarks by Assemblyman Stone.

Motion carried.

Assemblyman Bergevin moved that Senate Bill No. 363 be taken from the Chief Clerk's desk and placed on the General File.

Remarks by Assemblyman Bergevin.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Judiciary, to which were referred Assembly Bills Nos. 599, 635, 651, 694, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JAMES STONE, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which were referred Senate Bills Nos. 62, 126, 434, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JAMES STONE, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which was re-referred Senate Bill No. 197, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JAMES STONE, *Chairman*

Mr. Speaker:

Your Committee on Education, to which was referred Assembly Bill No. 684, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ERIK BEYER, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Education, to which was referred Senate Bill No. 256, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

ERIK BEYER, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Ways and Means, to which was referred Senate Bill No. 256, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN MARVEL, *Chairman*

Mr. Speaker:

Your Committee on Natural Resources, Agriculture and Mining, to which were referred Assembly Joint Resolution No. 29; Senate Joint Resolutions Nos. 29, 30, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

VIRGIL M. GETTO, *Chairman*

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: Amend, and do pass as amended.

BRUCE R. BOGAERT, *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 11:05 a.m.

ASSEMBLY IN SESSION

At 11:06 a.m.
Mr. Speaker pro Tempore presiding.
Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Ham moved that Assembly Bill No. 364 be taken from the Chief Clerk's desk and placed on the General File.
Remarks by Assemblyman Ham.
Motion carried.

Assemblyman Jeffrey moved that Assembly Bill No. 142 be taken from the General File and placed on the Chief Clerk's desk.
Remarks by Assemblyman Jeffrey.
Motion carried.

Assemblyman DuBois moved that Senate Bill No. 253 be taken from the Chief Clerk's desk and placed on the General File.
Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 98.
Bill read third time.
Remarks by Assemblyman Francis.
Roll call on Assembly Bill No. 98:

YEAS—41.
NAYS—None.
Absent—Sedway.

Assembly Bill No. 98 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 322.
Bill read third time.
Remarks by Assemblyman Thompson.
Roll call on Assembly Bill No. 322:

YEAS—39.
NAYS—McGaughey, Rader—2.
Absent—Sedway.

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. 386.
Bill read third time.
Remarks by Assemblyman Ham.
Roll call on Assembly Bill No. 386:
YEAS—41.
NAYS—None.
Absent—Sedway.

Assembly Bill No. 386 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 417.
Bill read third time.
Remarks by Assemblyman Beyer.
Roll call on Assembly Bill No. 417:
YEAS—37.
NAYS—Horne, McGaughey, Roberts, Stone—4.
Absent—Sedway.

Assembly Bill No. 417 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 601.
Bill read third time.
Remarks by Assemblymen Tebbs, Getto, Bogaert and Humke.
Roll call on Assembly Bill No. 601:
YEAS—41.
NAYS—None.
Absent—Sedway.

Assembly Bill No. 601 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 605.
Bill read third time.
Remarks by Assemblymen Getto, Malone, Thompson, Bilyeu, Zimmer, Spriggs and Price.
Assemblymen Nicholas, Humke and Roberts moved the previous question.
Motion carried.
The question being on the passage of Assembly Bill No. 605.
Roll call on Assembly Bill No. 605:
YEAS—28.
NAYS—Banner, Coffin, Fairchild, Jeffrey, Little, Malone, Nevin, O'Donnell, Roberts, Swain, Thompson, Williams, Zimmer—13.
Absent—Sedway.

Assembly Bill No. 605 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 Francis moved that Assembly Bills Nos. 402, 610 and 688 be placed on the General File immediately following Assembly Bill No. 710.

Motion carried.

Assemblyman Getto moved that Assembly Bill No. 402 be taken from the General File and placed on the Chief Clerk's desk.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 623.

Bill read third time.

Remarks by Assemblymen Collins, Malone, Rader, Francis and Thomas.

Roll call on Assembly Bill No. 623:

YEAS—37.

NAYS—Banner, Lambert, O'Donnell, Roberts—4.

Absent—Sedway.

Assembly Bill No. 623 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 642.

Bill read third time.

Remarks by Assemblyman Little.

Roll call on Assembly Bill No. 642:

YEAS—36.

NAYS—Arberry, Spriggs, Stone, Swain, Thompson—5.

Absent—Sedway.

Assembly Bill No. 642 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 652.

Bill read third time.

Remarks by Assemblymen Malone, Price, Stone, Sader and Beyer.

Assemblyman Stone moved that Assembly Bill No. 652 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Stone.

Motion carried.

Assembly Bill No. 695.

Bill read third time.

Remarks by Assemblyman Arberry.

Roll call on Assembly Bill No. 695:

YEAS—41.

NAYS—None.

Absent—Sedway.

Assembly Bill No. 695 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 702.

Bill read third time.

Remarks by Assemblyman Spriggs.

Roll call on Assembly Bill No. 702:

YEAS—41.

NAYS—None.

Absent—Sedway.

Assembly Bill No. 702 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 710.

Bill read third time.

Remarks by Assemblymen Arberry, Beyer and Stone.

Roll call on Assembly Bill No. 710:

YEAS—41.

NAYS—None.

Absent—Sedway.

Assembly Bill No. 710 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 610.

Bill read third time.

Remarks by Assemblyman Stone.

Roll call on Assembly Bill No. 610:

YEAS—41.

NAYS—None.

Absent—Sedway.

Assembly Bill No. 610 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed, as amended.

Bill ordered transmitted to the Senate.

REMARKS FROM THE FLOOR

Assemblyman Francis requested that Assemblyman Dini's remarks be entered in the Journal.

I would like to ask that Mr. Schofield be marked excused the rest of the day.

GENERAL FILE AND THIRD READING

Assembly Bill No. 688.

Bill read third time.

Remarks by Assemblymen Coffin and Nicholas.

Assemblyman Thompson requested that the following remarks be entered in the Journal.

ASSEMBLYMAN COFFIN:

A.B. 688 proposes to exempt from sales tax their purchases on major equipment such as airplanes, engines and other pieces of equipment. What it does do is make an attempt to put Nevada's only currently scheduled air carrier on an equal footing with the air carriers based in other states. Currently, those states, most of them, exempt airlines which are based there. It has given a tremendous advantage to those other airlines at the expense of our own Sunworld Airlines. There was a situation back in the 1960's when Air West moved to Arizona to take advantage of that. It moved its entire staff, operations and headquarters out of Las Vegas and into Arizona. We don't want to see that happen again. This little airline has grown now to a payroll of nearly $4 million with 95 percent of that being paid to Nevada residents. Incidentally, the airline itself will continue to pay a good deal of taxes. As a matter of fact, they are going to be paying about a million dollars a year in jet fuel tax. In property tax, they pay about $70,000. Landing fees to the cities of Reno and Las Vegas last year were $400,000. They expect to be paying more in the years to come. What we want to do is put them on an equal footing with other airlines. Your Taxation Committee urges a "do pass."

ASSEMBLYMAN NICHOLAS:

In terms of purchases made by other airlines within the State of Nevada, such as parts, other services, meals, motel rooms, etc., I wonder if passage of this bill would perhaps assist them indirectly as well. In other words, what I'm asking you is whether or not we will actually be achieving a parity here by the elimination of this sales tax.

ASSEMBLYMAN COFFIN:

We will, in fact, be achieving parity. For example, right now our only airline is at a disadvantage as it stands as centrally assessed utilities or properties are assessed. The fact is, one of the factors used in calculating the property taxes paid by these people is ground time. Naturally, your airline which spends most of its time on the ground when it is in Nevada is paying more taxes than United, Republic or other airlines which are based elsewhere. As far as unassociated expenses, for example, hotel rooms and things like that, I'm not sure how that relates to the bill in that this is only talking about major equipment, aircraft, etc.

ASSEMBLYMAN NICHOLAS:

Will this cause other airlines to come into the State of Nevada and buy services that they are not buying at this time because this bill would affect all airlines?

ASSEMBLYMAN COFFIN:

This is to only benefit airlines which maintain their headquarters offices in Nevada and maintain the majority of their aircraft in this state.

Roll call on Assembly Bill No. 688:

YEAS—39.
NAYS—Banner.
Absent—Sedway, Schofield—2.

Assembly Bill No. 688 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 DuBois moved that Assembly Bill No. 379 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 12:05 p.m.

ASSEMBLY IN SESSION

At 12:12 p.m.
Mr. Speaker presiding.
Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Ways and Means, to which was re-referred Assembly Bill No. 400, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN MARVEL, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Francis moved that Assembly Bill No. 400 be placed on the General File.

Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 19.
Bill read third time.
Remarks by Assemblyman Nevin.
Roll call on Senate Bill No. 19:

YEAS—40.
NAYS—None.
Absent—Schofield, Sedway—2.

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. 37.
Bill read third time.
Remarks by Assemblyman Thomas.
Roll call on Senate Bill No. 37:

YEAS—40.
NAYS—None.
Absent—Schofield, Sedway—2.

Senate Bill No. 37 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 207.
Bill read third time.
Remarks by Assemblymen Collins, Sader and Jeffrey.

Roll call on Senate Bill No. 207:

YEAS—40.

NAYS—None.

Absent—Schofield, Sedway—2.

Senate Bill No. 207 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 McGaughey.

Roll call on Senate Bill No. 229:

YEAS—39.

NAYS—Roberts.

Absent—Schofield, Sedway—2.

Senate Bill No. 229 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 295.

Bill read third time.

Remarks by Assemblyman Thomas.

Roll call on Senate Bill No. 295:

YEAS—40.

NAYS—None.

Absent—Schofield, Sedway—2.

Senate Bill No. 295 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 333.

Bill read third time.

Remarks by Assemblyman Malone.

Roll call on Senate Bill No. 333:

YEAS—40.

NAYS—None.

Absent—Schofield, Sedway—2.

Senate Bill No. 333 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 361.

Bill read third time.

Remarks by Assemblyman Kerns.

Roll call on Senate Bill No. 361:

YEAS—40.

NAYS—None.

Absent—Schofield, Sedway—2.

Senate Bill No. 361 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 442.

Bill read third time.

Remarks by Assemblyman Spriggs.

Roll call on Senate Bill No. 442:

YEAS—40.

NAYS—None.

Absent—Schofield, Sedway—2.

Senate Bill No. 442 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 467.

Bill read third time.

Remarks by Assemblyman Rader.

Roll call on Senate Bill No. 467:

YEAS—40.

NAYS—None.

Absent—Schofield, Sedway—2.

Senate Bill No. 467 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 Assemblymen Stone, Thomas, Nicholas, DuBois, Rader and O'Donnell.

Roll call on Senate Bill No. 244:

YEAS—38.

NAYS—None.

Absent—Schofield, Sedway—2.

Not voting—Marvel, Price—2.

Senate Bill No. 244 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 363.

Bill read third time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 1175.

Amend section 1, page 2, by deleting lines 9 through 13 and inserting: "after the date of the examination and must be available to interested persons.".

Assemblyman Bergevin moved the adoption of the amendment.

Remarks by Assemblyman Bergevin.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 364.

Bill read third time.

The following amendment was proposed by Assemblyman Sader:

Amendment No. 1167.

Amend section 1, page 1, line 3, by deleting: "*organize and retain information regarding*" and inserting: "*register voters and keep records of*".

Amend section 1, page 1, by deleting lines 8 and 9 and inserting: "any] *or* general election and at 9 p.m. of the third Saturday preceding any recall or special election.".

Amend the title of the bill, first and second lines, by deleting: "to the third Saturday".

Amend the summary of the bill, first line, by deleting: "to third Saturday".

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. 253.

Bill read third time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 1164.

Amend sec. 18, page 8, after line 42, by inserting:

"[6.] *5.* The decision of the hearing officer is not stayed if an appeal from that decision is taken unless a stay is granted by the hearing officer or an appeals officer within 30 days after the date on which the decision was rendered.".

Amend sec. 22, page 9, line 37, by deleting "12:01" and inserting "12:02".

Assemblyman DuBois moved the adoption of the amendment.

Remarks by Assemblyman DuBois.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Transportation, 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.

MIKE MALONE, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Francis moved that Assembly Bills Nos. 599, 604, 606, 635, 643, 651, 684, 694; Senate Bills Nos. 256 and 460 be placed on the Second Reading File.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 379.

Bill read third time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 1168.

Amend sec. 3, page 1, by deleting lines 10 through 16 and inserting:

"Sec. 3. (Deleted by amendment.)".

Assemblyman DuBois moved the adoption of the amendment.

Remarks by Assemblyman DuBois.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 400.

Bill read third time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1185.

Amend sec. 44, page 9, line 26, by deleting "Proceedings" and inserting "A proceeding".

Amend sec. 44, page 9, line 28, by deleting "any" and inserting "the".

Amend sec. 44, page 9, lines 31 and 32, by deleting "public health" and inserting "registered".

Amend sec. 44, page 9, lines 33 and 34, by deleting: "[Such petition shall] *This petition must*" and inserting: "The petition must".

Amend sec. 44, page 9, line 41, by deleting "[such] *the*" and inserting "the".

Amend sec. 44, page 9, line 45, by deleting "[such] *the*" and inserting "the".

Amend sec. 97, page 16, line 10, by deleting "*$90*" and inserting "*$60*".

Amend the bill as a whole by renumbering section 107 as section 109 and adding new sections designated sections 107 and 108, following section 106, to read as follows:

"Sec. 107. 1. There is hereby appropriated from the state general fund to the commission on mental health and retardation for salary and travel expenses:

For the fiscal year 1985-86 ..... $13,500

For the fiscal year 1986-87 13,500

2. Any remaining balance of the sums appropriated by subsection 1 remaining at the end of the respective fiscal years must not be committed for

expenditure after June 30 and reverts to the state general fund as soon as all payments of money committed have been made.

Sec. 108. Section 44 of this act becomes effective at 12:01 a.m. on July 1, 1985.".

Amend the title of the bill, second line, after "duties;" by inserting: "making an appropriation;".

Assemblyman Francis moved the adoption of the amendment.

Remarks by Assemblyman Francis.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

REFERENCE OF MEASURES TO COMMITTEES

Senate Bill No. 257.

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

Motion carried.

Senate Bill No. 296.

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

Motion carried.

Senate Bill No. 476.

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

Motion carried.

Senate Bill No. 478.

Assemblyman Francis moved that the bill be referred to the Committee on Legislative Functions.

Motion carried.

Senate Joint Resolution No. 6.

Assemblyman Francis moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

Senate Concurrent Resolution No. 41.

Assemblyman Francis moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

Senate Concurrent Resolution No. 42.

Assemblyman Francis moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

Senate Concurrent Resolution No. 44.

Assemblyman Francis moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

INTRODUCTION AND FIRST READING OF LEGISLATION

By Assemblymen Sedway, Dini, Coffin, Jeffrey, Schofield, Sader, Thompson, Craddock, Arberry, Swain, Nevin, Banner, Williams and Price:

Assembly Bill No. 721—An Act relating to the legislative auditor; authorizing the legislative commission to direct the legislative auditor to conduct investigations of the performance of state agencies; and providing other matters properly relating thereto.

REFERENCE OF MEASURES TO COMMITTEES

Assembly Bill No. 721.

Assemblyman Francis moved that the bill be referred to the Concurrent Committees on Legislative Functions and Ways and Means.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 599.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1156.

Amend section 1, page 1, line 3, by deleting "*at*".

Amend section 1, page 1, by deleting lines 4 and 5 and inserting: "*for the cost of repairs made to a motor vehicle to conform it to the manufacturer's express warranties. The reimbursement must be paid at the rate usually billed by the agent or dealer to the general public for similar repairs.*".

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. 604.

Bill read second time.

The following amendment was proposed by the Committee on Transportation:

Amendment No. 1149.

Amend the bill as a whole by deleting sections 1 through 3 and renumbering section 4 as section 1.

Amend the title of the bill, first and second lines, by deleting: "providing special license plates for antique motorcycles;".

Amend the summary of the bill to read as follows: "Further defines safe operation of motorcycle. (BDR 43-1744)".

Assemblyman Malone moved the adoption of the amendment.

Remarks by Assemblyman Malone.

Amendment adopted.

Bill ordered reprinted, 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 12:50 p.m.

ASSEMBLY IN SESSION

At 12:51 p.m.

Mr. Speaker pro Tempore presiding.

Quorum present.

SECOND READING AND AMENDMENT

Assembly Bill No. 606.

Bill read second time.

The following amendment was proposed by the Committee on Taxation:

Amendment No. 1103.

Amend sec. 2, page 1, by deleting lines 3 through 5 and inserting:

"Sec. 2. *In any tax increment area created on or after May 1, 1985, the assessed value of the taxable property shown upon the assessment roll last equalized before the creation of the area must be adjusted by adding thereto, for each fiscal year, the product of that assessed value multiplied by the fractional increase, if any, in the Consumer Price Index which occurred between January 1 of the year in which the area was created and January 1 next preceding the fiscal year for which the calculation is made.*".

Amend sec. 3, page 1, by deleting lines 7 and 8 and inserting: "*ceases to exit at the end of the fiscal year in which the principal and interest of the last maturing of the securities issued to finance the undertaking are fully paid. This section does not prevent the creation thereafter of a new tax increment area containing all or part of the same territory.*".

Amend sec. 4, pages 1 and 2, by deleting lines 9 through 17 on page 1 and lines 1 through 29 on page 2 and inserting:

"Sec. 4. (Deleted by amendment.)".

Amend sec. 5, page 2, line 31, by deleting "*1.*".

Amend sec. 5, page 2, line 37, by deleting "[1.] *(a)*" and inserting "1.".

Amend sec. 5, page 2, line 42, by deleting "ordinance," and inserting: "ordinance [,] *and adjusted if required by section 2 of this act,*".

Amend sec. 5, page 2, line 46, by deleting "[2.] *(b)*" and inserting "2.".

Amend sec. 5, page 3, by deleting lines 15 through 17.

Amend the bill as a whole by deleting sections 6 through 8 and inserting:

"Secs. 6 through 8. (Deleted by amendment.)".

Amend sec. 9, page 7, by deleting lines 37 through 41 and inserting:

"Sec. 9. Chapter 279 of NRS is hereby amended by adding thereto the provisions set forth as sections 9.5 and 10 of this act.

Sec. 9.5. *In any redevelopment project created on or after May 1, 1985, the assessed value of the taxable property shown upon the assessment roll last equalized before the creation of the project must be adjusted by adding thereto, for each fiscal year, the product of that assessed value multiplied by the fractional increase, if any, in the Consumer Price Index which occurred between January 1 of the year in which the project was created and January 1 next preceding the fiscal year for which the calculation is made.*".

Amend sec. 10, pages 7 and 8, by deleting lines 42 through 45 on page 7 and lines 1 through 3 on page 8 and inserting:

"Sec. 10. *A redevelopment agency created pursuant to this chapter ceases to exist at the end of the fiscal year in which the principal and interest of the last maturing of the securities issued to finance the undertaking are fully paid. This section does not prevent the creation thereafter of a new tax increment area containing all or part of the same territory.*".

Amend sec. 11, page 8, line 15, by deleting "ordinance," and inserting: "ordinance [,] *and adjusted if required by section 9.5 of this act,*".

Amend sec. 11, page 8, line 41, by inserting an open bracket before "If".

Amend sec. 11, page 9, by deleting 1 through 3.

Amend sec. 11, page 9, line 4, by deleting "*4.*" and inserting "3.".

Amend the bill as a whole by deleting sections 12 through 15.

Amend the title of the bill by deleting the first through third lines and inserting: "An Act relating to taxation; providing against the increase in assessed value of property in redevelopment projects and tax increment areas through inflation; limit-".

Assemblyman Bergevin moved the adoption of the amendment.

Remarks by Assemblyman Bergevin.

Amendment adopted.

Assemblyman Bergevin moved that Assembly Bill No. 606 be re-referred to the Committee on Taxation.

Motion carried.

Bill ordered reprinted, engrossed and to the Committee on Taxation.

Assembly Bill No. 635.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1169.

Amend section 1, page 1, by deleting line 5 and inserting: "or personal property, [shall not be held] *is not* liable to the borrower or".

Amend section 1, page 1, by deleting lines 11 through 14 and inserting: "real or personal property, unless [the] *:*

1. The loss or damage is the result of [some other] *an* action or activity of the lender *other* than the loan [transaction.] *or an inspection of the property; or*

2. The lender has".

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. 643.

Bill read second time.

The following amendment was proposed by the Committee on Economic Development and Tourism:

Amendment No. 1151.

Amend section 1, page 1, line 16, by deleting "*30,000,*" and inserting "*18,000,*".

Assemblyman Tebbs moved the adoption of the amendment.

Remarks by Assemblyman Tebbs.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 651.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1177.

Amend sec. 4, page 2, line 9, by deleting "*shall:*" and inserting "*may:*".

Amend sec. 4, page 2, line 16, by deleting "*is*" and inserting "*may be*".

Amend sec. 4, page 2, line 17, after "*and*" by inserting: "*, if so, he*".

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. 684.

Bill read second time.

The following amendment was proposed by the Committee on Education:

Amendment No. 1150.

Amend section 1, page 1, line 8, by deleting the colon and inserting: "*, to the extent possible:*".

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. 694.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1173.

Amend section 1, page 1, line 4, by deleting "*shall*" and inserting "*may*".

Amend section 1, page 1, line 10, by deleting the period and inserting: "*which conform to applicable ordinances and statutes.*".

Amend the bill as a whole by adding a new section designated section 2, following section 1, to read as follows:

"Sec. 2. NRS 484.122 is hereby amended to read as follows:

484.122 "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 , *a*

planned unit development or a mobile home park, but does not include a private way on a farm or the driveway of an individual dwelling.''.

Assemblyman Stone moved the adoption of the amendment.

Remarks by Assemblyman Stone.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 256.

Bill read second time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1154.

Amend sec. 6, page 2, line 30, by deleting ''$100,000'' and inserting ''$55,000''.

Assemblyman Marvel moved the adoption of the amendment.

Remarks by Assemblyman Marvel.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 460.

Bill read second time.

The following amendment was proposed by the Committee on Legislative Functions:

Amendment No. 1176.

Amend section 1, page 2, by deleting lines 12 through 17 and inserting:

''(g) An examination of medical malpractice;''.

Assemblyman Dini moved the adoption of the amendment.

Remarks by Assemblyman Dini.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

INTRODUCTION AND FIRST READING OF LEGISLATION

By the Committee on Taxation:

Assembly Bill No. 722—An Act relating to local governments; revising the calculation used to determine the maximum allowable revenue a local government may receive from taxes ad valorem; and providing other matters properly relating thereto.

REFERENCE OF MEASURES TO COMMITTEES

Assembly Bill No. 722.

Assemblyman Francis 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 Bill No. 97; Senate Bills Nos. 132, 162, 164, 190, 198, 210, 218, 415; Assembly Concurrent Resolution No. 44.

Assemblyman Francis moved that the Assembly adjourn until Saturday, May 25, 1985 at 11 a.m.

Motion carried.

Assembly adjourned at 1:01 p.m.

Approved: BYRON L. BILYEU
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE ONE HUNDRED AND TWENTY-FIFTH DAY

CARSON CITY (Saturday), May 25, 1985

Assembly called to order at 11:06 a.m.

Mr. Speaker presiding.

Roll called.

All present except Assemblymen Schofield and Sedway, who were excused.

Prayer by the Chaplain, The Reverend Doctor Gregg Townsley.

Heavenly Father, our Father, we stand in prayer this morning and during this holiday weekend, recognizing that You are a God who is available to us. As You were present to Moses, and as You were present to Jesus' early disciples, so You are near to us. Present Yourself to us this day we pray. In the work of our committees, in the actions of this Assembly, in the words of our fellow representatives and friends, and in the brief silences or rests the weekend brings. Encourage us to be the people You mean for us to be. And in the family or personal time this special "memorial weekend" brings, help us to relax. We pray in the Name of our Lord. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Francis 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 Concurrent Resolution No. 40, has had the same under consideration, and begs leave to report the same back with the recommendation: Be adopted.

BRUCE R. BOGAERT, *Chairman*

Mr. Speaker:

Your Committee on Education, to which were referred Senate Bills Nos. 216, 493, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

ERIK BEYER, *Chairman*

Mr. Speaker:

Your Committee on Transportation, to which was referred Senate Bill No. 430, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

MIKE MALONE, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which was re-referred Assembly Bill No. 207, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass, as amended.

JAMES STONE, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which were referred Senate Bills Nos. 429, 452, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JAMES STONE, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which was re-referred Assembly Bill No. 696, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JAMES STONE, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Commerce, to which was referred Assembly Bill No. 460, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JAMES STONE, *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which was referred Senate Bill No. 353, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN DUBOIS, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 24, 1985

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 471, 493, 591.

Also, I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bills Nos. 199, 232, 313, 435, 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. 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 Bill No. 500.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 239, 270, 394.

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. 83, 173, 236, 371.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Assembly Concurrent Resolution No. 40.

Assemblyman Bogaert moved the adoption of the resolution.

Remarks by Assemblyman Bogaert.

Resolution adopted.

Assemblyman Francis moved that Assembly Bill No. 400 be placed on the General File.

Motion carried.

Assemblyman Francis moved that Senate Bill No. 460 be re-referred to the Committee on Ways and Means.

Motion carried.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 199.

The following Senate amendment was read:

Amendment No. 1140.

Amend sec. 21, page 5, line 8, after "dentist," by inserting "dental hygienist,".

Amend sec. 21, page 5, by deleting lines 30 and 31 and inserting: "or juvenile probation officer;

(i) An attorney, unless he has acquired the knowledge of the abuse or neglect from a client who is or may be accused of the abuse or neglect; and

(j) Any person who maintains, is employed by or serves as a volun-".

Amend sec. 24, page 6, by deleting lines 17 through 19 and inserting: "which provides protective services of any report it receives.".

Amend sec. 27, page 8, line 17, by deleting: "state or local officer" and inserting: "officer of this state or a city or county thereof".

Amend sec. 27, page 8, line 18, after "authorized", by inserting: ", by the agency or department having jurisdiction or by the legislature, acting within its jurisdiction,".

Amend sec. 88, page 34, by deleting lines 9 through 14 and inserting:

"200.508 1. Any adult person who [willfully causes or permits] *:*

(a) Willfully causes a child who is less than 18 years of age to suffer unjustifiable physical pain or mental suffering as a result of abuse or neglect or [who willfully causes or permits a child] to be placed in a situation where the child may suffer physical pain or mental suffering as the result of abuse or neglect *; or*

(b) Is responsible for the safety or welfare of a child and who permits or allows that child to suffer unjustifiable physical pain or mental suffering as a result of abuse or neglect or to be placed in a situation where the child may suffer physical pain or mental suffering as the result of abuse or neglect, is guilty of a gross misdemeanor unless a".

Assemblyman Stone moved that the Assembly concur in the Senate amendment to Assembly Bill No. 199.

Remarks by Assemblyman Stone.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 232.

The following Senate amendment was read:

Amendment No. 1063.

Amend the bill as a whole by renumbering section 1 as section 3 and

adding new sections designated sections 1 and 2, following the enacting clause, to read as follows:

"Section 1. NRS 705.390 is hereby amended to read as follows:

705.390 [1. It shall be unlawful for any person, firm, company or corporation engaged in the business of common carrier, operating freight and passenger trains, or either of them, within or through the State of Nevada, to run or operate, or permit or cause to be run or operated, within or through this state, along or over its road or tracks, other than along or over the road or tracks within yard limits:

(a) Any freight or passenger train consisting of two cars or less, exclusive of caboose and engine and tenders, with less than a full crew consisting of not less than four persons, to wit, one engineer, one fireman, one conductor, and one brakeman; or

(b) Any freight or passenger train of three or more and less than 50 freight, passenger or other cars, exclusive of caboose and engine, with less than a full crew consisting of five persons, to wit, one engineer, one fireman, one conductor and two brakemen; or

(c) Any freight or passenger train of more than 50 freight, passenger or other cars, exclusive of caboose and engine and tender, with less than a full crew, consisting of not less than five persons, to wit, one conductor, one engineer, one fireman and two brakemen.

2.] No person employed as a flagman on any railroad in this state on April 1, 1963, [shall] *may* be discharged or lose his employment by reason of the provisions of chapter 176, Statutes of Nevada 1963. [However, whenever] *No person holding seniority as a trainman on any railroad in this state on July 1, 1985, may be discharged or lose his employment by reason of the provisions of this act. But if* a flagman *or a trainman* retires, terminates or voluntarily leaves his employment , the railroad company need not replace the position so vacated . [, unless it is to fill a mandatory position under subsection 1.]

Sec. 2. NRS 705.420 is hereby amended to read as follows:

705.420 Any railroad company or receiver of any railroad company, and any person [, firm, company or corporation] engaged in the business of common carrier doing business in the State of Nevada, which violates any of the provisions of NRS 705.390 [to 705.410, inclusive,] is liable to the public service commission of Nevada for a penalty of $500 for each violation.".

Amend sec. 1, page 1, by deleting lines 1 and 2 and inserting:

"Sec. 3. NRS 705.410 is hereby repealed.".

Assemblyman Zimmer moved that the Assembly concur in the Senate amendment to Assembly Bill No. 232.

Remarks by Assemblyman Zimmer.

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 11:16 a.m.

ASSEMBLY IN SESSION

At 11:24 a.m.
Mr. Speaker presiding.
Quorum present.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 313.

The following Senate amendment was read:

Amendment No. 907.

Amend the bill as a whole by renumbering section 7 as section 8 and adding a new section designated section 7, following section 6, to read as follows:

"Sec. 7. NRS 440.370 is hereby amended to read as follows:

440.370 The statement of facts relating to the disposition of the body must be signed by the funeral director or person acting as undertaker [.] *or by an authorized representative of the crematory if the body is cremated.*".

Amend the title of the bill, first line, by deleting "funeral processions;" and inserting "dead bodies;".

Amend the title of the bill, second line, after "processions;", by inserting: "adding an authorized signer of the statement concerning disposition if cremated;".

Amend the summary of the bill by deleting the period and inserting: "and to death certificate in case of cremation.".

Assemblyman Malone moved that the Assembly concur in the Senate amendment to Assembly Bill No. 313.

Remarks by Assemblyman Malone.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 415.

The following Senate amendment was read:

Amendment No. 1082.

Amend the bill as a whole by renumbering section 1 as section 3 and adding new sections designated sections 1 and 2, following the enacting clause, to read as follows:

"Section 1. NRS 623.050 is hereby amended to read as follows:

623.050 1. The state board of architecture, consisting of seven members appointed by the governor, is hereby created.

2. The governor shall appoint:

(a) Five members who are registered architects and have been in the active practice of architecture in the State of Nevada for not less than 3 years preceding [such appointment.

(b) Two members who are registered residential designers.] *their appointment.*

(b) One member who is a registered residential designer.

(c) One member who is a representative of the general public.

3. Members of the board must have been residents of the state for not less than 2 years preceding [such] *their* appointment.

4. The governor may, upon bona fide complaint, and for good cause shown, after 10 days' notice to any member against whom charges may be filed, and after opportunity for hearing, remove the member for inefficiency, neglect of duty [,] or malfeasance in office.

5. [Those members of the board who are residential designers may not] *Only those members of the board who are registered architects may* act or vote on applicants for certification as architects or other matters related solely to architects.

6. [A] *The* member who is a residential designer shall not participate in the investigation or acceptance of his own application or in the grading or certification of his own examination.

Sec. 2. NRS 623.100 is hereby amended to read as follows:

623.100 1. The board shall appoint one of its members as chairman, who shall serve without additional pay, and one of its members as secretary and treasurer. The chairman and secretary shall each serve 1 year.

2. Three members who are registered architects constitute a quorum for consideration of architectural matters, but action shall not be deemed to have been taken upon any question relating to architectural matters unless there are at least 3 votes in accord.

3. Four members, one of whom [represents residential designers,] *is a residential designer,* constitute a quorum for consideration of *matters relating to* residential design , [matters,] but action shall not be deemed to have been taken upon any question relating [to residential design matters] *thereto* unless there are at least 3 votes in accord.".

Amend section 1, page 1, line 11, after the closed bracket by inserting "*regularly*".

Amend the bill as a whole by renumbering section 2 as section 5 and adding a new section designated section 4, following section 1, to read as follows:

"Sec. 4. The members of the state board of architecture on July 1, 1985, shall serve the remainder of their terms. The governor shall appoint a member of the general public to fill the next vacancy resulting from the expiration of a term of a member who is a registered residential designer.".

Amend sec. 2, page 1, line 17, by deleting "This" and inserting: "Section 3 of this".

Amend the title of the bill, second line, after "architecture;", by inserting: "adding a member of the general public to the state board of architecture;".

Amend the summary of the bill, first line, by deleting "Clarifies" and inserting: "Adds member of general public to state board of architecture and clarifies".

Assemblyman DuBois moved that the Assembly concur in the Senate amendment to Assembly Bill No. 415.

Remarks by Assemblyman DuBois.

Motion carried.

Bill ordered enrolled.

Assembly Joint Resolution No. 6.

The following Senate amendment was read:

Amendment No. 1108.

Amend the resolution, page 1, line 5, by deleting " "High Frontier" ".

Amend the resolution, page 1, line 6, by deleting: "a system of defense" and inserting: "an alternative system of strategic defense".

Amend the resolution, page 1, lines 13 and 14, by deleting: " "High Frontier" technology;" and inserting: "alternative system of strategic defense;".

Amend the resolution, page 1, line 16, by deleting "uged" and inserting "urged".

Amend the resolution, page 1, line 18, by deleting: " "High Frontier" technology" and inserting: "alternative system of strategic defense".

Amend the resolution as a whole by adding after the first resolving clause the following:

"RESOLVED, That Nevada be allowed to participate in the research and development of this system; and be it further".

Amend the title of the resolution to read as follows:

"ASSEMBLY JOINT RESOLUTION—Urging Congress to develop the alternative system of strategic defense.".

Amend the summary of the resolution to read as follows: "Urges Congress to pursue alternative system of strategic defense. (BDR 1158)".

Assemblyman Bergevin moved that the Assembly concur in the Senate amendment to Assembly Joint Resolution No. 6.

Remarks by Assemblyman Bergevin.

Motion carried.

Resolution ordered enrolled.

Assembly Bill No. 435.

The following Senate amendment was read:

Amendment No. 867.

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. *When the legislature is not in session, the director of the legislative counsel bureau shall,*".

Amend section 1, page 1, line 7, by deleting "*legislative counsel*" and inserting "*director*".

Amend the bill as a whole by deleting section 2 and adding new sections designated sections 3 through 12, following section 1, to read as follows:

"Sec. 3. *The research division shall:*

1. Prepare publications relating to the legislature and the legislative counsel bureau;

2. Provide necessary personnel to standing and interim committees as assigned by the director, the legislature or the legislative commission;

3. Maintain the library of the legislative counsel bureau;

4. Provide information and assistance to the legislature and the members and committees thereof concerning the apportionment of legislative districts and any other political districts the boundaries of which are determined by the legislature; and

5. Perform such other functions as may be assigned by the legislature, the legislative commission or the director of the legislative counsel bureau.

Sec. 4. NRS 218.243 is hereby amended to read as follows:

218.243 *1.* The legislative commission shall establish a standing committee of three members to consult with the legislative counsel concerning [the] *:*

(a) The effectuation of the limits on requests for drafting which are imposed or advanced by this chapter.

(b) Any changes in the management of the work load of the legal division of the legislative counsel bureau it may find necessary to ensure the timely drafting of legislation and the effective management of that division.

2. The committee shall meet with the legislative counsel on or before July 1, September 1 and January 1 next preceding the convening of each regular session, and at such other times as the committee or the legislative counsel may request.

3. The committee shall also recommend to the legislative commission any changes in number or salary of employees in the legal division [of the legislative counsel bureau] which it may find necessary to ensure the timely drafting of legislation.

Sec. 5. NRS 218.5365 is hereby amended to read as follows:

218.5365 1. The members of the committee shall meet throughout each year at the times and places specified by a call of the chairman or a majority of the committee. The *research* director of the legislative counsel bureau *or a person he has designated* shall act as the nonvoting recording secretary. The committee shall prescribe regulations for its own management and government. Four members of the committee constitute a quorum, and a quorum may exercise all the power and authority conferred on the committee.

2. The members of the committee who are state legislators are entitled to receive a salary of $80 and the subsistence allowances and travel expenses provided for state officers and employees generally for each day of attendance at a meeting of the committee and while engaged in the business of the committee.

3. The member of the committee who represents a local political subdivision is entitled to receive the subsistence allowances and travel expenses provided by law for his position for each day of attendance at a meeting of

the committee and while engaged in the business of the committee, to be paid by his local political subdivision.

Sec. 6. NRS 218.625 is hereby amended to read as follows:

218.625 1. The director, other officers and employees of the legislative counsel bureau shall not:

(a) Oppose or urge legislation, except as the duties of the *director, the* legislative auditor, the legislative counsel, the research director and the fiscal analysts require them to make recommendations to the legislature.

(b) Except as provided in this section, disclose to any person outside the legislative counsel bureau the contents or nature of any matter, unless the person entrusting the matter to the legislative counsel bureau so requests or consents.

2. Except as the legislative auditor and his staff are further restricted by this chapter, the nature or content of any work previously done by the personnel of the legislative counsel bureau may be disclosed to a legislator or public agency if or to the extent that [such] *the* disclosure does not reveal the identity of the person who requested it or include any material submitted by the requester which has not been published or publicly disclosed.

3. When a bill or resolution drafted at the request of any person who is not a legislator, is delivered to a legislator, the legislative counsel shall disclose the identity of the requester to the recipient, and when the bill or resolution has been introduced he shall upon request disclose the identity of the requester to any legislator.

4. When a statute has been enacted or a resolution adopted, the legislative counsel shall upon request disclose to any person the state or other jurisdiction from whose law it appears to have been adopted.

5. The records of the travel expenses of legislators and officers and employees of the legislative counsel bureau are available for public inspection at such reasonable hours and under such other conditions as the legislative commission may prescribe.

Sec. 7. NRS 218.683 is hereby amended to read as follows:

218.683 1. The director of the legislative counsel bureau, as executive head of the legislative counsel bureau, shall direct and supervise all its administrative and technical activities. The fiscal analysts, legislative auditor, research director and legislative counsel shall perform the respective duties assigned to them by law under the administrative supervision of the director.

2. [Except as otherwise provided in this chapter, the] *The* director of the legislative counsel bureau shall, consistent with the budget approved by the legislative commission and within the limits of legislative appropriations and other available funds, employ and fix the salaries of or contract for the services of such professional, technical, clerical and operational personnel and consultants as the execution of his duties and the operation of the legislative counsel bureau may require.

3. All of the personnel of the legislative counsel bureau are exempt from

the provisions of chapter 284 of NRS. They are entitled to such leaves of absence as the legislative commission shall prescribe.

4. The director shall serve as the Nevada legislative federal-state coordinator.

Sec. 8. NRS 218.6851 is hereby amended to read as follows:

218.6851 1. The administrative division consists of the chief of the division and such staff as he may require.

2. The administrative division is responsible for:

(a) Accounting;

(b) Communication equipment;

(c) Control of inventory;

(d) Janitorial services;

(e) Maintenance of buildings, grounds and vehicles;

(f) Purchasing;

(g) Security;

(h) Shipping and receiving;

(i) Utilities; [and]

(j) Warehousing operations [.] *;*

(k) Data processing; and

(l) Reproduction of documents.

3. The legislative commission may assign any other appropriate function to the administrative division.

Sec. 9. NRS 218.695 is hereby amended to read as follows:

218.695 The legislative counsel [shall:

1. Have] *:*

1. Has the powers and duties assigned to him in this chapter and chapters 219 and 220 of NRS, and such other powers and duties as may be assigned to him by the *director of the legislative counsel bureau, the* legislature and the legislative commission.

2. [Upon] *Shall, upon* the request of any member or committee of the legislature or the legislative commission, give his opinion in writing upon any question of law, including existing law and suggested, proposed and pending legislation which has become a matter of public record.

Sec. 10. NRS 218.731 is hereby amended to read as follows:

218.731 The research director shall:

1. Provide the legislature and the members and committees thereof with comprehensive and accurate [research] reports and background [papers] *information* on subjects of legislative interest.

2. Analyze and evaluate the long-range planning activities and programs of the State of Nevada and its political subdivisions when authorized by the legislature, the legislative commission or the director of the legislative counsel bureau.

3. Analyze and evaluate the public policies of the State of Nevada and its political subdivisions and make appropriate recommendations regarding

[such] *those* policies when authorized by the legislature, the legislative commission or the director of the legislative counsel bureau.

4. [Serve as the Nevada legislative federal-state coordinator.

5.] Advise the legislature and the members and committees thereof regarding matters [of a research nature.

6.] *relating to the resources and procedures which are necessary to conduct research.*

5. Perform such other functions as may be assigned to the research division by the legislature, the legislative commission or the director of the legislative counsel bureau.

Sec. 11. NRS 218.260 is hereby repealed.

Sec. 12. Sections 3 to 11, inclusive, of this act become effective on January 1, 1986.".

Amend the title of the bill, first line, by deleting the second "legislative counsel" and inserting: "director of the legislative counsel bureau".

Amend the title of the bill, third line, after "circumstances;" by inserting: "redefining the duties of the various divisions;".

Amend the summary of the bill to read as follows: "Redefines duties of various officers and divisions of legislative counsel bureau. (BDR 17-613)".

Assemblyman Bogaert moved that the Assembly concur in the Senate amendment to Assembly Bill No. 435.

Remarks by Assemblyman Bogaert.

Motion carried.

Bill ordered enrolled.

REPORTS OF CONFERENCE COMMITTEES

Mr. Speaker:

The first Committee on Conference concerning Senate Bill No. 28, consisting of the undersigned members, has met, and reports that:

It has agreed to recommend that the amendment of the Assembly be concurred in.

TERRY TEBBS	ROBERT E. ROBINSON
JOHN E. JEFFREY	ALAN H. GLOVER
BRUCE E. BOGAERT	ANN O'CONNELL
Assembly Committee on Conference	*Senate Committee on Conference*

Assemblyman Tebbs moved that the Assembly adopt the report of the first Committee on Conference concerning Senate Bill No. 28.

Remarks by Assemblyman Tebbs.

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Bergevin moved that Senate Bill No. 160 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Bergevin.

Motion carried.

Assemblyman Francis moved that Senate Bill No. 254 be taken from the Chief Clerk's desk and placed on the General File.

Remarks by Assemblyman Francis.
Motion carried.

Assemblyman DuBois moved that Assembly Bill No. 379 be placed on the General File.

Remarks by Assemblyman DuBois.
Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Judiciary, 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.

JAMES STONE, *Chairman*

Mr. Speaker:

Your Committee on Education, to which was referred Assembly Bill No. 578, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ERIK BEYER, *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 11:33 a.m.

ASSEMBLY IN SESSION

At 11:34 a.m.
Mr. Speaker pro Tempore presiding.
Quorum present.

INTRODUCTION AND FIRST READING OF LEGISLATION

By the Committee on Ways and Means:

Assembly Bill No. 723—An Act making an appropriation for the design and construction of prisons; and providing other matters properly relating thereto.

Senate Bill No. 239.
Bill read first time.

Senate Bill No. 270.
Bill read first time.

Senate Bill No. 394.
Bill read first time.

Senate Bill No. 500.
Bill read first time.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Francis moved that Assembly Bills Nos. 400 and 379 be taken from their positions on the General File and placed at the top of the General File.

Remarks by Assemblyman Francis.

Motion carried.

By the Committee on Legislative Functions:

Assembly Concurrent Resolution No. 49—Amending the Joint Rules of the legislature to limit the number of requests for bills and joint resolutions and to require that any request for an interim study by the legislative commission be submitted by a standing committee.

By the Committee on Economic Development and Tourism:

Assembly Concurrent Resolution No. 50—Thanking Kennecott Corporation for its proposed donation of the Nevada Northern Railroad to White Pine County.

WHEREAS, Kennecott Corporation has announced its willingness to donate to White Pine County the buildings, equipment and real property used by the Nevada Northern Railroad and located in that county; and

WHEREAS, The Nevada Northern Railroad was built in 1905 to serve the rich industry for mining copper near Ely, Nevada; and

WHEREAS, This railroad was one of the most profitable railways for mining in this state operated over a short distance and was in operation longer than any other such railway in the history of this state; and

WHEREAS, Many of the locomotives, which were powered by steam, and the cars used for passengers and freight are still present in White Pine County along with all the track; and

WHEREAS, If so donated, this equipment, along with the original stations and buildings, will be developed as an authentic operating railroad and will serve as a museum and an attraction for tourists, which will greatly benefit 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, on behalf of the people of the State of Nevada, hereby thanks Kennecott Corporation for its willingness to donate to White Pine County the buildings, equipment and real property used by the Nevada Northern Railroad; and be it further

RESOLVED, That a copy of this resolution be prepared and transmitted forthwith by the legislative counsel to the chief executive officer of the Kennecott Corporation in McGill, Nevada.

Assemblyman Getto moved the adoption of the resolution.

Remarks by Assemblymen Getto and Humke.

Resolution adopted.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Concurrent Committee on Education, to which was referred Assembly Bill No. 296, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

ERIK BEYER, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Ways and Means, to which was referred Assembly Bill No. 296, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN MARVEL, *Chairman*

GENERAL FILE AND THIRD READING

Assembly Bill No. 400.

Bill read third time.

Remarks by Assemblymen Francis, Jeffrey, Humke, Horne, McGaughey, Sader, Craddock and Price.

Roll call on Assembly Bill No. 400:

YEAS—39.

NAYS—Jeffrey.

Absent—Schofield, Sedway—2.

Assembly Bill No. 400 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 noon.

ASSEMBLY IN SESSION

At 12:01 p.m.

Mr. Speaker presiding.

Quorum present.

GENERAL FILE AND THIRD READING

Assembly Bill No. 379.

Bill read third time.

Remarks by Assemblyman Williams.

Roll call on Assembly Bill No. 379:

YEAS—40.

NAYS—None.

Absent—Schofield, Sedway—2.

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. 363.

Bill read third time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 1127.

Amend the bill as a whole by deleting section 3 and renumbering section 4 as section 3.

Amend sec. 4, page 4, line 26, by deleting "*1.*".

Amend sec. 4, page 4, line 30, by deleting "[1.] *(a)*" and inserting "1.".

Amend sec. 4, page 4, line 31, by deleting "[2.] *(b)*" and inserting "2.".

Amend sec. 4, page 4, line 32, by deleting "[3.] *(c)*" and inserting "3.".

Amend sec. 4, page 4, line 33, by deleting "[4.] *(d)*" and inserting "4.".

Amend sec. 4, page 4, by deleting lines 35 through 38.

Amend the title of the bill by deleting the second through fourth lines and inserting: "security; requiring that the commissioner of insurance approve certain forms instead of providing them; and providing".

Assemblyman DuBois moved the adoption of the amendment.

Remarks by Assemblyman DuBois.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Assembly Joint Resolution No. 29.

Resolution read third time.

Remarks by Assemblyman Getto.

Assemblyman Humke requested that Assemblyman Getto's remarks be entered in the Journal.

The United States Department of the Navy is proposing to transfer 25 percent of the water rights of the land that the Navy owns. I don't know if you all know that the Navy is actually in the farming business in Fallon. They own several ranches they purchased when they established a naval air force in Fallon. There has been a proposal to transfer 25 percent of this water to Pyramid Lake. All this resolution does is ask that they consider the wildlife areas in the Newlands Project to be just as important and also the agricultural areas when they consider transferring 25 percent of this water.

Roll call on Assembly Joint Resolution No. 29:

YEAS—40.

NAYS—None.

Absent—Schofield, Sedway—2.

Assembly Joint Resolution No. 29 having received a constitutional majority, Mr. Speaker declared it passed.

Resolution ordered transmitted to the Senate.

Senate Bill No. 62.

Bill read third time.

Remarks by Assemblymen Little, Price and Stone.

Roll call on Senate Bill No. 62:

YEAS—37.

NAYS—Coffin, McGaughey, Price—3.

Absent—Schofield, Sedway—2.

Senate Bill No. 62 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 Roberts.

Roll call on Senate Bill No. 126:

YEAS—39.

NAYS—None.

Absent—Schofield, Sedway—2.

Not voting—Price.

Senate Bill No. 126 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 Assemblymen Ham, Nicholas, Dini, Lambert and Stone.

Roll call on Senate Bill No. 193:

YEAS—39.

NAYS—Collins.

Absent—Schofield, Sedway—2.

Senate Bill No. 193 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 Assemblymen Williams, Collins, Stone, Malone and Rader.

Assemblymen Thomas, Zimmer and Nevin moved the previous question.

Motion carried.

The question being on the passage of Senate Bill No. 197.

Roll call on Senate Bill No. 197:

YEAS—40.

NAYS—None.

Absent—Schofield, Sedway—2.

Senate Bill No. 197 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 Kerns.

Roll call on Senate Bill No. 268:

YEAS—38.

NAYS—None.

Absent—Schofield, Sedway—2.

Not voting—Price, Rader—2.

Senate Bill No. 268 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 279.

Bill read third time.

Remarks by Assemblyman Horne.

Roll call on Senate Bill No. 279:

YEAS—38.

NAYS—Nevin, Zimmer—2.

Absent—Schofield, Sedway—2.

Senate Bill No. 279 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Nicholas gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 193 was this day passed.

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

Assembly in recess at 12:28 p.m.

ASSEMBLY IN SESSION

At 12:29 p.m.

Mr. Speaker pro Tempore presiding.

Quorum present.

GENERAL FILE AND THIRD READING

Senate Bill No. 338.

Bill read third time.

Remarks by Assemblymen Price and Swain.

Roll call on Senate Bill No. 338:

YEAS—40.

NAYS—None.

Absent—Schofield, Sedway—2.

Senate Bill No. 338 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 12:30 p.m.

ASSEMBLY IN SESSION

At 12:31 p.m.

Mr. Speaker presiding.

Quorum present.

GENERAL FILE AND THIRD READING

Senate Bill No. 339.

Bill read third time.

Remarks by Assemblyman Bergevin.

Roll call on Senate Bill No. 339:

YEAS—40.

NAYS—None.

Absent—Schofield, Sedway—2.

Senate Bill No. 339 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Nicholas moved that the vote whereby Senate Bill No. 193 was passed be rescinded.

Remarks by Assemblyman Nicholas.

Motion carried.

Assemblyman Nicholas moved that Senate Bill No. 193 be taken from the General File and placed on the Chief Clerk's desk.

Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 399.

Bill read third time.

Remarks by Assemblyman Bergevin.

Roll call on Senate Bill No. 399:

YEAS—40.

NAYS—None.

Absent—Schofield, Sedway—2.

Senate Bill No. 399 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 Education, to which was referred Assembly Bill No. 664, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ERIK BEYER, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Francis moved that Assembly Bills Nos. 296, 460, 517, 578 and 664 be placed on the Second Reading File.

Motion carried.

Assemblyman Francis moved that Assembly Bill No. 696 be placed at the top of the General File.

Motion carried.

Assemblyman Getto moved that Assembly Bill No. 402 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. 402.

Bill read third time.

The following amendment was proposed by the Committee on Natural Resources, Agriculture and Mining:

Amendment No. 1207.

Amend section 1, page 1, line 4, by deleting "*bobcat,*".

Amend sec. 17, page 6, line 6, by deleting "*bobcat,*".

Assemblyman Getto moved the adoption of the amendment.

Remarks by Assemblyman Getto.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 696.

Bill read third time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1195.

Amend sec. 2, page 1, line 5, by deleting "7," and inserting "5,".

Amend sec. 4, page 1, line 12, by deleting the period and inserting: ", *hospital or employee of a hospital.*".

Amend sec. 9, page 2, by deleting lines 10 through 12 and inserting:

"Sec. 9. *There are hereby created two tentative screening panels, one to be known as the northern panel, from which must be selected screening panels to sit in Reno, Nevada, to hear claims of medical malpractice arising in the counties of Washoe, Storey, Douglas, Lyon, Churchill, Pershing, Humboldt, Lander, Elko, Eureka, Mineral, White Pine and Carson City, and one to be known as the southern panel, from which must be selected screening panels to sit in Las Vegas, Nevada, to hear claims of medical malpractice arising in the counties of Lincoln, Nye, Esmeralda and Clark.*".

Amend sec. 10, page 2, by deleting line 14 and inserting: "*Association shall designate 20 of its members to serve on the northern tentative screening panel and 20 of its members to serve on the southern tentative*".

Amend sec. 10, page 2, by deleting line 18 and inserting: "*shall designate 20 of its members to serve on the northern tentative screening panel and 20 of its members to serve on the southern tentative screening*".

Amend sec. 10, page 2, after line 19, by inserting:

"*3. The Nevada Hospital Association shall designate 20 administrators of hospitals to serve as nonvoting members of the tentative screening panels. Each person so designated shall serve for a term of 1 year.*".

Amend sec. 11, page 2, by deleting line 20 and inserting:

"Sec. 11. *1. At least 30 days before the scheduled review of a claim of medical malpractice, the division shall provide to both parties lists of the names of the attorneys, physicians and, if a hospital is also named in the complaint, the administrators of hospitals on the tentative screening panel for the geographical area involved. A party may challenge any person on the tentative screening panel for cause. Each party shall return the lists, with challenges for cause, if any, to the division within 5 days after he receives the lists.*

2. The division shall determine whether cause exists to excuse any

member of the tentative screening panel and shall notify each party of the excused members within 7 days after it makes the determination pursuant to the rules adopted by the division.

3. Each party is entitled to not more than:

(a) Three peremptory challenges from the list of attorneys; and

(b) Three peremptory challenges from the list of physicians,

and shall notify the division of the challenges within 5 days after the party receives the lists.

4. The division shall randomly select, from the list of".

Amend sec. 11, page 2, line 21, after "*panel*", by inserting: "*who have not been excused for cause or by a peremptory challenge,*".

Amend sec. 11, page 2, line 22, by deleting: "*and three attorneys*" and inserting: "*three attorneys and, if a hospital is also named in the complaint, one administrator of a hospital,*".

Amend sec. 11, page 2, by deleting lines 23 through 25 and inserting: "*claims of medical malpractice, but an administrator of a hospital may not vote on any claim before the screening panel.*".

Amend sec. 11, page 2, line 26, after "*notify*", by inserting: "*the parties and*".

Amend sec. 15, page 3, line 35, by deleting the comma.

Amend sec. 15, page 3, line 36, by deleting: "*whether there is a reasonable medical probability*".

Amend sec. 15, page 3, line 41, after the semicolon, by inserting "*and*".

Amend sec. 15, page 3, line 43, by deleting the semicolon and inserting ".".

Amend sec. 15, page 3, by deleting lines 44 and 45.

Amend sec. 15, page 4, after line 2, by inserting:

"*4. The written findings must be in substantially the following form:*

(a) Based upon a review of the written medical records of this claim and the testimony of experts we find that there is a reasonable possibility of medical malpractice and that the claimant was injured thereby; or

(b) Based upon a review of the written medical records of this claim and the testimony of experts we find that there is no reasonable possibility of medical malpractice.".

Amend sec. 16, page 4, line 8, after "*missal*", by inserting "*without prejudice*".

Amend sec. 16, page 4, line 11, after the period, by inserting: "*No other evidence concerning the screening panel or its deliberations is admissible and no member of the screening panel may be called to testify in any such action.*".

Amend sec. 17, page 4, by deleting lines 12 through 22 and inserting:

"Sec. 17. *1. Upon the request of the division, a custodian of any medical records shall not allow anyone to review any of those records relevant to a complaint filed with the division before those records are transferred to the division for review by a screening panel.*

2. *A violation of this subsection is punishable as a misdemeanor.*".

Amend sec. 18, page 4, line 25 by deleting: "*and that the claimant was injured thereby*".

Amend sec. 18, page 4, line 28, by deleting: "*on either issue,*" and inserting ",".

Amend sec. 18, page 4, line 29, after "*cash*", by inserting: "*or its equivalent*".

Amend sec. 18.5, page 4, line 40, after "*physician's*", by inserting: "*and, if applicable, the hospital's*".

Amend sec. 18.5, page 4, after line 42, by inserting:

"2. *The judge shall notify the parties within 7 days after the action is filed of the time and place of the conference. The judge may, for good cause shown, continue the conference for a period not to exceed 30 days. Only one such continuance may be granted.*

3. *Within 30 days after the conference, the judge shall determine the amount of the plaintiff's damages solely from the evidence submitted at the conference.*".

Amend sec. 18.5, page 4, line 43, by deleting "2." and inserting "*4.*".

Amend sec. 18.5, page 4, line 44, after "*cash*", by inserting: "*or its equivalent*".

Amend sec. 18.5, page 5, line 3, by deleting "*3.*" and inserting "*5.*".

Amend sec. 18.5, page 5, line 4, after "*cash*", by inserting: "*or its equivalent*".

Amend sec. 18.5, page 5, after line 7, by inserting:

"*6. A bond is not subject to forfeiture pursuant to this section until there is a final adjudication on the merits. If a claim is settled before a final adjudication on the merits is made, the bond may be exonerated by stipulation of the parties.*".

Amend the bill as a whole by adding a new section designated section 18.6, following section 18.5, to read as follows:

"Sec. 18.6. *In any action for medical malpractice tried before a jury, the following instructions must be given:*

During the course of this trial certain evidence was admitted concerning the findings of a screening panel. The findings of the panel were based upon a review of medical records and the testimony of experts. These findings are to be given the same weight as any other evidence, but are not conclusive on your determination of the case.".

Amend the bill as a whole by adding new sections designated sections 23 and 24, following section 22, to read as follows:

"Sec. 23. 1. Subsection 4 of section 8 of this act becomes effective on July 1, 1985.

2. All other provisions of this act become effective on January 1, 1986.

Sec. 24. The provisions of this act expire by limitation on June 30, 1989.".

Amend the title of the bill, second line, by deleting the semicolon and inserting: "*physicians and hospitals;*".

Amend the summary of the bill by deleting the period and inserting "and hospitals.".

Assemblyman Joerg moved the adoption of the amendment.

Remarks by Assemblyman Joerg.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 400.

Bill read third time.

Remarks by Assemblymen Joerg, Nevin and Price.

Roll call on Senate Bill No. 400:

YEAS—40.

NAYS—None.

Absent—Schofield, Sedway—2.

Senate Bill No. 400 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

REFERENCE OF MEASURES TO COMMITTEES

Assembly Bill No. 723.

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

Motion carried.

Assembly Concurrent Resolution No. 49.

Assemblyman Francis moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

Senate Bill No. 239.

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

Motion carried.

Senate Bill No. 270.

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

Motion carried.

Senate Bill No. 394.

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

Motion carried.

Senate Bill No. 500.

Assemblyman Francis 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 Senate Bill No. 196, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

LOUIS W. BERGEVIN, *Chairman*

GENERAL FILE AND THIRD READING

Senate Bill No. 434.

Bill read third time.

Remarks by Assemblyman Sader.

Roll call on Senate Bill No. 434:

YEAS—40.

NAYS—None.

Absent—Schofield, Sedway—2.

Senate Bill No. 434 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 447.

Bill read third time.

Remarks by Assemblyman Bergevin.

Roll call on Senate Bill No. 447:

YEAS—40.

NAYS—None.

Absent—Schofield, Sedway—2.

Senate Bill No. 447 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 492.

Bill read third time.

Remarks by Assemblyman Bergevin.

Roll call on Senate Bill No. 492:

YEAS—40.

NAYS—None.

Absent—Schofield, Sedway—2.

Senate Bill No. 492 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Joint Resolution No. 29.

Resolution read third time.

Remarks by Assemblyman Getto.

Assemblyman Humke requested that Assemblyman Getto's remarks be entered in the Journal.

This is a resolution that urges congress to enact legislation requiring the transfer of federal land to Nevada in the same proportion as the federal land is withdrawn from the

multiple use. It also urges the federal government to cooperate with the state in developing a plan for the disposition and management of the federal lands that are proposed to be transferred to Nevada.

Roll call on Senate Joint Resolution No. 29:

YEAS—40.

NAYS—None.

Absent—Schofield, Sedway—2.

Senate Joint Resolution No. 29 having received a constitutional majority, Mr. Speaker declared it passed.

Resolution ordered transmitted to the Senate.

Senate Joint Resolution No. 30.

Resolution read third time.

Remarks by Assemblymen Little and Thomas.

Roll call on Senate Joint Resolution No. 30:

YEAS—40.

NAYS—None.

Absent—Schofield, Sedway—2.

Senate Joint Resolution No. 30 having received a constitutional majority, Mr. Speaker declared it passed.

Resolution ordered transmitted to the Senate.

Senate Bill No. 254.

Bill read third time.

The following amendment was proposed by Assemblyman Francis:

Amendment No. 1166.

Amend sec. 16, page 5, lines 15 and 16, by deleting "*he:*

(a) Accepts" and inserting "*he accepts*".

Amend sec. 16, page 5, by deleting lines 17 through 22 and inserting: "*the agency within 1 year after the referral by the agency.*".

Assemblyman Francis moved the adoption of the amendment.

Remarks by Assemblyman Francis.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Bergevin moved that Senate Bill No. 196 be placed on the Second Reading 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 1 p.m.

ASSEMBLY IN SESSION

At 1:01 p.m.

Mr. Speaker pro Tempore presiding.

Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen Price, Nevin, Jeffrey, Sader, Dini, DuBois, Coffin, O'Donnell, Getto, Swain, Tebbs, Arberry, Zimmer, Horne, Ham, Joerg, Francis, Kerns, Bogaert, Williams, Little, Lambert, Fairchild, Marvel, Malone, Collins, Beyer, Thompson, Nicholas, Humke, Roberts, Craddock, Spriggs, Bergevin, McGaughey, Stone, Thomas and Rader:

Assembly Concurrent Resolution No. 51—Declaring the week of May 26 as Nevada Thunderbird Week.

WHEREAS, The famous Air Demonstration Squadron of the United States Air Force, known throughout the world as the Thunderbirds, has made its home at Nellis Air Force Base for the past 30 years; and

WHEREAS, The Thunderbirds have performed their daring aerobatics and precision maneuvers in 49 countries in the free world before 180 million persons; and

WHEREAS, The 129 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 this state; now therefore, be it

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, THE SENATE CONCURRING, That the week of May 26 is declared Nevada Thunderbird Week; and be it further

RESOLVED, That a copy of this resolution be transmitted forthwith by the legislative counsel to Lieutenant Colonel Lawrence E. Stellmon, Commander/Leader of the U.S. Air Force Air Demonstration Squadron, Brigadier General Joseph W. Ashy, Commander of the 57th Fighter Weapons Wing, Major General E. H. Fischer, Commander of the Tactical Fighter Weapons Center, General Robert D. Russ, 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.

SECOND READING AND AMENDMENT

Assembly Bill No. 296.

Bill read second time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1178.

Amend sec. 2, page 7, line 19, before "There", by inserting "1.".

Amend sec. 2, page 7, by deleting lines 20 through 23 and inserting: "the governor the sum of $51,700 for Nevada's apportioned fee for membership in the education commission of the states.

2. Any remaining balance of the appropriation made by subsection 1 must not be committed for expenditure after June 30, 1987, and reverts to the state general fund as soon as all payments of money committed have been made.".

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. 460.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 1170.

Amend section 1, page 1, line 2, by deleting "6," and inserting "7,".

Amend sec. 2, page 1, by deleting lines 3 through 16 and inserting:

"Sec. 2. *1. Unless architectural or engineering services, or both, are furnished by a registered architect or engineer on the staff of an agency of the state, the selection of an architect or engineer, or both, for a project involving the construction of a public building for the state must be made pursuant to the procedures provided in sections 3 to 6, inclusive, of this act.*

2. If the estimated cost of a project requiring the selection of an architect or engineer pursuant to subsection 1 is more than $500,000, the agency of the state undertaking the project shall solicit proposals for architectural or engineering services by advertising in one or more papers of general circulation throughout the state.".

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. *The selection of an architect or an engineer, or both, for a project for the construction of a public building for the state must be made by a selection board, consisting of five members. One member of the board must be a representative of the general public appointed by the governor to serve a term of 3 years. The remaining members must be chosen for each project as follows:*

1. One member chosen by the public body undertaking the project;

2. One member chosen by the state public works board from its members or from its staff;

3. One member who is a registered architect chosen by the state board of architecture from a revolving panel of registered architects established by that board; and

4. One member who is a registered engineer chosen by the state board of registered professional engineers and land surveyors from a revolving panel of registered engineers established by that board.".

Amend sec. 3, page 1, line 18, after "*tural*", by inserting "*or engineering*".

Amend sec. 3, page 2, line 3, after "*architectural*", by inserting "*or engineering*".

Amend sec. 3, page 2, line 19, by deleting "*previously*".

Amend sec. 3, page 2, line 20, by deleting the period and inserting: "*within the preceding 5 years.*".

Amend sec. 4, page 2, line 21, after "*architectural*", by inserting "*or engineering*".

Amend sec. 4, page 2, line 22, by deleting "*public body*" and inserting: "*selection board, on a form provided by the state public works board,*".

Amend sec. 4, page 2, line 24, by deleting "*public body*" and inserting: "*selection board*".

Amend sec. 4, page 2, line 26, by deleting "*public body*" and inserting: "*selection board*".

Amend sec. 4, page 2, line 27, by deleting "*3*" and inserting "*4*".

Amend sec. 4, page 2, line 29, after "*architects*", by inserting "*and engineers*".

Amend sec. 4, page 2, line 31, after "*architects*", by inserting "*and engineers*".

Amend sec. 4, page 2, line 32, by deleting "*public body*" and inserting "*selection board*".

Amend sec. 5, page 2, by deleting lines 37 and 38 and inserting: "*tectural or engineering services, the selection board shall prepare a report recommending at least three appli-*".

Amend sec. 5, page 2, line 41, by deleting "*public body*" and inserting "*selection board*".

Amend sec. 5, pages 2 and 3, by deleting lines 42 through 45 on page 2 and deleting lines 1 through 3 on page 3 and inserting:

"*2. The selection board shall conduct negotiations with those applicants concerning the scope of the services to be provided and the fees or estimates of costs for those services. If the negotiations with all the appli-*".

Amend sec. 5, page 3, line 4, by deleting "*public body*" and inserting "*selection board*".

Amend sec. 5, page 3, line 5, by deleting "*and rank*".

Amend sec. 5, page 3, line 7, by deleting "*public body*" and inserting "*selection board*".

Amend sec. 5, page 3, line 10, by deleting "*public body*" and inserting "*selection board*".

Amend sec. 5, page 3, line 11, after "*tect*", by inserting "*or engineer*".

Amend sec. 6, page 3, by deleting lines 13 through 17 and inserting:

"Sec. 7. *1. Each agency of the state shall issue an annual or biennial report listing the projects undertaken in that period and the architects or engineers selected for each project.*

2. At least biennially, an agency of the state shall publicly announce the public works it proposes to sponsor or finance in the coming 2 years.".

Amend the bill as a whole by deleting sections 7 through 10 and adding a new section designated section 8, following section 6, to read as follows:

"Sec. 8. Section 2 of chapter 46, Statutes of Nevada 1985, at page 57, is hereby amended to read as follows:

Sec. 2. 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 , *chosen pursuant to sections 2 to 6, inclusive, of Assembly Bill No. 460 of this session,* for preparation of detailed plans and specifications if the board considers it 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.".

Amend the bill as a whole by renumbering section 11 as section 9.

Amend sec. 11, page 7, by deleting lines 36 through 40 and inserting: "petitive fees. If, after selection of the engineer or architect, an agreement upon a fair and reasonable fee cannot be reached with him, the public agency may terminate negotiations and select another engineer or architect. *The selection of an architect or engineer for public works for the state must be made pursuant to the provisions of sections 3 to 6, inclusive, of this act.*".

Amend the bill as a whole by adding a new section designated section 10, following section 11, to read as follows:

"Sec. 10. Section 8 of this act becomes effective at 12:01 a.m. on July 1, 1985.".

Amend the title of the bill to read as follows:

"An Act relating to public works of the state; establishing the procedures and criteria for the selection of an architect or engineer; creating a board to make that selection; and providing other matters properly relating thereto.".

Amend the summary of the bill to read as follows: "Provides procedures and criteria for selection of architects and engineers for state public works. (BDR 28-1036)".

Assemblyman DuBois moved the adoption of the amendment.

Remarks by Assemblymen DuBois and Thomas.

Amendment adopted.

Bill ordered reprinted, engrossed and to the Concurrent Committee on Ways and Means.

Assembly Bill No. 517.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1194.

Amend section 1, page 1, line 2, by deleting "12," and inserting "12.5,".

Amend sec. 2, page 1, line 3, after "*corpus*", by inserting: "*requesting relief from a judgment of conviction or sentence in a criminal case*".

Amend sec. 2, page 1, line 9, after "*served*", by inserting "*by mail*".

Amend sec. 2, page 1, by deleting lines 11 and 12 and inserting: "*A copy of the petition must be served by mail upon the attor-*".

Amend sec. 2, page 1, after line 14, by inserting:

"*3. No hearing upon the petition may be set until the requirements of sections 3 to 6, inclusive, of this act are satisfied.*".

Amend sec. 3, page 2, line 5, by deleting: "*grant the writ and*".

Amend sec. 4, page 2, line 15, by deleting: "*grants the writ.*" and inserting: "*orders the filing of an answer and a return.*".

Amend sec. 4, page 2, line 21, by deleting the italicized period and inserting: "*for that purpose.*".

Amend sec. 4, page 2, line 27, by deleting: "*writ is granted,*" and inserting: "*court orders the filing of an answer and a return,*".

Amend sec. 6, page 3, line 16, by deleting: "*issue an order setting*" and inserting: "*grant the writ and shall set*".

Amend sec. 7, page 3, line 17, by deleting: "*After a date is*" and inserting: "*The Nevada Rules of Civil Procedure, to the extent that they are not inconsistent with NRS 34.360 to 34.680, inclusive, and sections 2 to 12.5, inclusive, of this act, apply to proceedings pursuant to sections 2 to 12.5, inclusive, of this act.*

2. After the writ has been granted and a date".

Amend sec. 12, page 5, line 19, after "12.", by inserting: "*After any evidentiary hearing the court shall make specific findings of fact, expressly state its conclusions of law and set forth its judgment.*".

Amend sec. 12, page 5, line 20, by deleting "*held or*" and inserting "*held,*".

Amend sec. 12, page 5, line 21, after "*person*", by inserting: "*or denying the requested relief after a hearing*".

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. *The provisions of sections 2 to 12, inclusive, of this act apply only to petitions for writs of habeas corpus in which the petitioner requests relief from a judgment of conviction or sentence in a criminal case.*".

Amend sec. 15, page 7, line 5, by deleting "day of" and inserting: "[day] *date* of *service of notice of the*".

Amend sec. 15, page 7, line 8, by deleting: "judge or district court [to" and inserting: "[judge or district court to".

Amend sec. 15, page 7, line 9, after the closed bracket by inserting "*court*".

Amend sec. 15, page 7, by deleting line 17 and inserting: "days from the day] *within 30 days after the date* of *service of notice of the* entry of the order.".

Amend sec. 16, page 7, line 39, by deleting "delay.", and inserting: "delay [.] , *except as otherwise provided in sections 2 to 12.5, inclusive, of this act.*".

Amend sec. 18, page 8, line 24, after "any", by inserting "*judgment,*".

Amend sec. 19, page 8, line 43, by deleting "party" and inserting "[party] *petitioner*".

Amend the bill as a whole by renumbering sections 20 and 21 as sections 21 and 22 and adding a new section designated section 20, following section 19, to read as follows:

"Sec. 20. NRS 34.500 is hereby amended to read as follows:

34.500 If it appears on the return of the writ of habeas corpus that the [prisoner] *petitioner* is in custody by virtue of process from any court of this state, or judge or officer thereof, [such prisoner] *the petitioner* may be discharged [,] in any one of the following cases:

1. When the jurisdiction of [such] *the* court or officer has been exceeded.
2. When the imprisonment was at first lawful, yet by some act, omission or event, which has taken place afterwards, the [party] *petitioner* has become entitled to be discharged.
3. When the process is defective in some matter of substance required by law, rendering [such process] *it* void.
4. When the process, though proper in form, has been issued in a case not allowed by law.
5. When the person having the custody of the [prisoner] *petitioner* is not the person allowed by law to detain him.
6. Where the process is not authorized by any judgment, order or decree of any court, nor by any provision of law.
7. Where [a party] *the petitioner* has been committed or indicted on a criminal charge, including a misdemeanor, except misdemeanor violations of chapter 484 of NRS or any ordinance adopted by a city or county to regulate traffic, without reasonable or probable cause.
8. Where [a party] *the petitioner* has been committed or indicted on any criminal charge under a statute or ordinance that is unconstitutional, or if constitutional on its face is unconstitutional in its application.
9. *Where the court finds that there has been a specific denial of the petitioner's constitutional rights with respect to his conviction or sentence in a criminal case.*".

Amend sec. 20, page 9, line 18, by deleting "41.0349, 41.037,".

Amend sec. 20, page 9, line 19, after "282.315,", by inserting "288.203,".

Amend sec. 20, page 9, line 20, after "475.235;", by deleting "and".

Amend sec. 20, page 9, line 24, by deleting the brackets.

Amend sec. 20, page 9, line 28, by deleting "exhausted." and inserting "exhausted; and

(c) The payment of claims which are obligations of the state under NRS 41.0349 and 41.037, but only to the extent that the money in the trust fund for insurance premiums is insufficient to pay the claims.".

Amend sec. 21, page 9, by deleting lines 29 and 30 and inserting:

"Sec. 22. NRS 34.460 is hereby repealed.".

Amend the bill as a whole by adding a new section designated section 23, following section 21, to read as follows:

"Sec. 23. Section 21 of this act becomes effective at 12:02 a.m. on July 1, 1985.".

Amend the title of the bill, second and third lines, by deleting: "consolidating the procedures for applying for writs of habeas corpus and post-conviction relief;".

Amend the summary of the bill by deleting: "corpus and post-conviction relief." and inserting "corpus.".

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. 578.

Bill read second time.

The following amendment was proposed by the Committee on Education:

Amendment No. 1200.

Amend section 1, page 1, line 3, by deleting "*smokes any*" and inserting: "*uses tobacco in any form or a controlled*".

Amend sec. 2, page 1, line 15, by deleting "*smoking any*" and inserting: "*using tobacco in any form or a controlled*".

Amend the title of the bill, first and second lines, by deleting:"prohibiting smoking by any pupil; making smoking a" and inserting: "providing that the use of tobacco or a controlled substance is".

Amend the summary of the bill, first line, by deleting: "Prohibits and provides punishment for smoking by" and inserting: "Provides additional grounds for suspension of".

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. 664.

Bill read second time.

The following amendment was proposed by the Committee on Education:

Amendment No. 1206.

Amend section 1, page 1, by deleting lines 3 through 6 and inserting: "*A parent or guardian of a pupil who is attending a public school may, at a reasonable time and location, inspect the instructional material used in that school, including the textbooks, manuals for teachers, films and tapes.*".

Amend sec. 2, page 1, line 9, by deleting "*1.*".

Amend sec. 2, page 1, line 11, by deleting "*which*".

Amend sec. 2, pages 1 and 2, by deleting lines 12 through 17 on page 1 and lines 1 through 9 on page 2.

Amend sec. 2, page 2, by deleting lines 13 through 16.

Amend the title of the bill, second line, by deleting: "before it is used;" and inserting a semicolon.

Assemblyman Beyer moved the adoption of the amendment.

Remarks by Assemblymen Beyer and Roberts.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 196.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 1208.

Amend sec. 9, page 8, by deleting lines 7 through 9.

Amend sec. 9, page 8, line 10, by deleting "*7.*" and inserting "*6.*".

Amend sec. 9, page 8, by deleting lines 21 through 24 and inserting: "*use of the land in that area shall direct such actions regarding the land in that area as are necessary to maintain or increase the recharging of that supply.*

Sec. 11.3. The board shall, by using to the extent practicable existing reports and studies:".

Amend sec. 9, page 8, lines 26 and 27, by deleting: "*does not conflict with*" and inserting "*considers*".

Amend sec. 9, page 8, line 33, by deleting "*and develop*".

Assemblyman Lambert moved the adoption of the amendment.

Remarks by Assemblyman Lambert.

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. 246, 268, 286, 337, 443, 499, 503, 538, 569, 612; Senate Bill No. 437.

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 Ms. Brenda Bogaert.

On request of Assemblyman Lambert, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Ken Lambert and Rick Lambert.

On request of Assemblyman Joerg, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Severin Carlson.

On request of Assemblyman Kerns, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Ken Shelton and Ms. Janie Shelton.

On request of Assemblyman Little, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Anna Bradway, Dicksie Duke, Jann Duke and Juli Duke.

Assemblyman Francis moved that the Assembly adjourn until Monday, May 27, 1985 at 10:30 a.m.

Motion carried.

Assembly adjourned at 1:19 p.m.

Approved: BYRON L. BILYEU
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE ONE HUNDRED AND TWENTY-SEVENTH DAY

CARSON CITY (Monday), May 27, 1985

Assembly called to order at 10:32 a.m.

Mr. Speaker presiding.

Roll called.

All present except Assemblyman Sedway, who was excused.

Prayer by the Chaplain, Father Timothy Twomey.

God our Father, as we come together during this season of Penticost, we ask You to help our legislators with the Holy Spirit as they deliberate their decisions in this Assembly. Let this Memorial Day remind us of the many who gave their talents and lives to their country. Let us make their ideals ours by doing what we can, always guided by the spirit of social justice. This we ask in the Name of the Lord. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Francis 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 were referred Senate Bills Nos. 252, 462, 479, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

CHARLES W. JOERG, *Chairman*

Mr. Speaker:

Your Committee on Taxation, to which was referred Senate Bill No. 360, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

CHARLES W. JOERG, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which was referred Senate Bill No. 44, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JAMES STONE, *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which was referred Senate Bill No. 297, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN DUBOIS, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 24, 1985

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bill No. 250.

MARY JO MONGELLI
Assistant Secretary of the Senate

SENATE CHAMBER, Carson City, May 25, 1985

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, 211, 224, 353, 403, 426, 491, 675.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 73, 319, 466.

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. 18, 145, 159, 237.

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. 143.

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. 28.

MARY JO MONGELLI
Assistant Secretary of the Senate

INTRODUCTION AND FIRST READING OF LEGISLATION

Senate Bill No. 73.
Bill read first time.

Senate Bill No. 319.
Bill read first time.

Senate Bill No. 466.
Bill read first time.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Joerg moved that Assembly Bill No. 696 be placed on the General File immediately following Assembly Bill No. 694.
Motion carried.

Assemblyman Beyer moved that Assembly Bill No. 578 be placed on the General File.
Motion carried.

Assemblyman Francis moved that Senate Bill No. 254 be placed on the General File.
Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 207.
Bill read third time.
Remarks by Assemblyman Sader.
Roll call on Assembly Bill No. 207:
YEAS—41.
NAYS—None.
Absent—Sedway.

Assembly Bill No. 207 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 364.
Bill read third time.

Remarks by Assemblymen Sader and Dini.
Roll call on Assembly Bill No. 364:
YEAS—38.
NAYS—Humke, Lambert, Rader—3.
Absent—Sedway.

Assembly Bill No. 364 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 Ham.
Roll call on Assembly Bill No. 599:
YEAS—41.
NAYS—None.
Absent—Sedway.

Assembly Bill No. 599 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 604.
Bill read third time.
Remarks by Assemblyman Malone.
Roll call on Assembly Bill No. 604:
YEAS—38.
NAYS—Coffin, Thomas, Williams—3.
Absent—Sedway.

Assembly Bill No. 604 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 Arberry.
Roll call on Assembly Bill No. 635:
YEAS—40.
NAYS—None.
Absent—Sedway.
Not voting—Marvel.

Assembly Bill No. 635 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 643.
Bill read third time.
Remarks by Assemblyman Tebbs.
Roll call on Assembly Bill No. 643:
YEAS—41.
NAYS—None.
Absent—Sedway.

Assembly Bill No. 643 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Ham moved that Senate Bill No. 193 be taken from the Chief Clerk's desk and placed on the General File.

Motion carried.

REFERENCE OF MEASURES TO COMMITTEES

Senate Bill No. 73.

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

Motion carried.

Senate Bill No. 319.

Assemblyman Francis moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

Senate Bill No. 466.

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

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Commerce, to which was referred Senate Bill No. 26, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN DUBOIS, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Ways and Means, to which was referred Assembly Bill No. 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 MARVEL, *Chairman*

Mr. Speaker:

Your Committee on Health and Welfare, to which were referred Assembly Bills Nos. 676, 699, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

DAVID D. NICHOLAS, *Chairman*

Mr. Speaker:

Your Committee on Health and Welfare, 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: Amend, and do pass as amended.

DAVID D. NICHOLAS, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Economic Development and Tourism, to which was referred Assembly Bill No. 665, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

DAVID E. HUMKE, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Ways and Means, to which was referred Assembly Bill No. 665, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN MARVEL, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which were referred Assembly Bill No. 469; Senate Bills Nos. 122, 426, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN MARVEL, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Senate Joint Resolution No. 37, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

LOUIS W. BERGEVIN, *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which were referred Senate Bills Nos. 144, 223, 335 has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN DUBOIS, *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which was referred Senate Bill 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.

JOHN DUBOIS, *Chairman*

GENERAL FILE AND THIRD READING

Assembly Bill No. 651.

Bill read third time.

Remarks by Assemblyman O'Donnell.

Roll call on Assembly Bill No. 651:

YEAS—41.

NAYS—None.

Absent—Sedway.

Assembly Bill No. 651 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 684.

Bill read third time.

Remarks by Assemblyman McGaughey.

Roll call on Assembly Bill No. 684:

YEAS—38.

NAYS—Fairchild, Little, Rader—3.

Absent—Sedway.

Assembly Bill No. 684 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 694.
Bill read third time.
Remarks by Assemblymen Roberts, Humke, Nevin, Sader and Price.
Roll call on Assembly Bill No. 694:
YEAS—41.
NAYS—None.
Absent—Sedway.

Assembly Bill No. 694 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 696.
Bill read third time.
Remarks by Assemblymen Joerg, Schofield and Getto.
Roll call on Assembly Bill No. 696:
YEAS—41.
NAYS—None.
Absent—Sedway.

Assembly Bill No. 696 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Senate Bill No. 216.
Bill read third time.
Remarks by Assemblyman Beyer.
Roll call on Senate Bill No. 216:
YEAS—40.
NAYS—None.
Absent—Sedway.
Not voting—Nicholas.

Senate Bill No. 216 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 Jeffrey, Schofield and Nicholas.
Roll call on Senate Bill No. 253:
YEAS—41.
NAYS—None.
Absent—Sedway.

Senate Bill No. 253 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Senate Bill No. 256.
Bill read third time.
Remarks by Assemblyman Beyer.

Roll call on Senate Bill No. 256:
YEAS—37.
NAYS—Fairchild, Little, Rader, Roberts—4.
Absent—Sedway.

Senate Bill No. 256 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 11:23 a.m.

ASSEMBLY IN SESSION

At 11:24 a.m.
Mr. Speaker pro Tempore presiding.
Quorum present.

GENERAL FILE AND THIRD READING

Senate Bill No. 353.
Bill read third time.
Remarks by Assemblyman Bogaert.
Roll call on Senate Bill No. 353:
YEAS—35.
NAYS—Coffin, Collins, Dini, Jeffrey, Marvel, Price—6.
Absent—Sedway.

Senate Bill No. 353 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 363.
Bill read third time.
Remarks by Assemblyman Collins.
Roll call on Senate Bill No. 363:
YEAS—41.
NAYS—None.
Absent—Sedway.

Senate Bill No. 363 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed, as amended.
Bill ordered transmitted to the Senate.

Senate Bill No. 429.
Bill read third time.
Remarks by Assemblymen Malone, Bogaert and Stone.
Roll call on Senate Bill No. 429:
YEAS—39.
NAYS—Schofield, Thompson—2.
Absent—Sedway.

Senate Bill No. 429 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 Labor and Management, to which was re-referred Assembly 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.

BARBARA ZIMMER, *Chairman*

Mr. Speaker:

Your Committee on Taxation, to which was referred Assembly Bill No. 703, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

CHARLES W. JOERG, *Chairman*

Mr. Speaker:

Your Committee on Education, to which was referred Senate 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.

ERIK BEYER, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Bergevin moved that Senate Bill No. 196 be placed on the General File.

Motion carried.

Assemblyman Thompson gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 353 was this day passed.

GENERAL FILE AND THIRD READING

Senate Bill No. 430.

Bill read third time.

Remarks by Assemblyman Rader.

Roll call on Senate Bill No. 430:

YEAS—41.

NAYS—None.

Absent—Sedway.

Senate Bill No. 430 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 452.

Bill read third time.

Remarks by Assemblyman Sader.

Roll call on Senate Bill No. 452:

YEAS—41.

NAYS—None.

Absent—Sedway.

Senate Bill No. 452 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Stone moved that Assembly Bill No. 652 be taken from the Chief Clerk's desk and placed on the General File.

Remarks by Assemblyman Stone.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Taxation, to which was referred Senate Bill No. 373, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

CHARLES W. JOERG, *Chairman*

Mr. Speaker:

Your Committee on Transportation, to which were referred Assembly Bills Nos. 420, 424, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

MIKE MALONE, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which was re-referred Assembly 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.

JAMES STONE, *Chairman*

GENERAL FILE AND THIRD READING

Senate Bill No. 493.

Bill read third time.

Remarks by Assemblyman Lambert.

Roll call on Senate Bill No. 493:

YEAS—35.

NAYS—Fairchild, Horne, Humke, Little, Roberts, Spriggs—6.

Absent—Sedway.

Senate Bill No. 493 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 578.

Bill read third time.

Remarks by Assemblymen Little, Stone, Bilyeu, Beyer, Getto, Humke, Craddock, Malone and Collins.

Assemblyman Bogaert requested that the following remarks be entered in the Journal.

ASSEMBLYMAN LITTLE:

A.B. 578 prohibits the use of tobacco, a controlled substance or chewing tobacco on school grounds. It also would eliminate designated smoking areas on high school grounds considering that smoking does cause cancer and has a special danger to youth as we heard

testimony in committee. Parents were unaware that there were smoking areas on the high school grounds. This problem was brought to my attention because the parents were very concerned. The chewing tobacco presented a special problem because of the spitting on floors and walls and became a health hazard. This bill is supported by the Education Committee and by the school districts.

ASSEMBLYMAN STONE:

I reluctantly rise in opposition to this bill. The bill is unenforceable, number one. Number two, legally in this state at the age of 18 you are an adult for all purposes. Many 18 year olds are in their senior year of high school. Does this mean we are going to be suspending them if they are caught smoking on school premises? Number three, what about night school? Many adults attend night school. I presume this prohibition extends to them. Are we going to be suspending those adults pursuing their education at night if they are smoking on school premises? The fourth thing that bothers me I guess is do you go around pulling out lower lips and check for chew. I don't know how else you would enforce this. I have no problem with the controlled substance section of the bill, but I think the tobacco section of the bill goes way beyond what could possibly be considered enforceable. It hits targets nobody ever intended to aim at.

ASSEMBLYMAN BILYEU:

I am certainly in sympathy with this bill this morning, at least to the smoking portion of it. I think Mr. Stone did raise a valid point in terms of the enforceability provisions of the chewing of tobacco. That seems to me to be much more a matter of regulation by the school district. We had a similar bill two years ago. Again, it essentially was trying to make something a misdemeanor on school grounds which already was a misdemeanor. The possession of tobacco by youngsters below the age of 18 is, in fact, a misdemeanor in this state. Of course, chewing in my part of the country is a way of life in terms of Copenhagen. It is unenforceable. I think that is a valid point. We have too many unenforceable laws now.

ASSEMBLYMAN BEYER:

We heard testimony in committee on this bill that actually chewing is a worse problem than smoking. In many schools the kids will spit on the sidewalk, walls and doors. If they are willing to swallow it or eat it or go to the latrine and spit it in the lavatory, it may be alright. This will provide the school districts some means of recourse to the students that spit on the floors and walls.

ASSEMBLYMAN GETTO:

To the chairman of the Education Committee, was the problem of the 18 year old student addressed in committee?

ASSEMBLYMAN BEYER:

We did not discuss the age. I think the intent of this bill is that any student currently enrolled in high school is considered under the provisions of the particular statute. Regarding the other question that was raised about the adult evening classes, I don't think this bill would go so far as to prevent those people from smoking during the adult classes. The intent is that anyone enrolled in high school would be covered by this statute.

ASSEMBLYMAN HUMKE:

As a former "chewer" and "dipper" much to the consternation of my loved ones, I quit at the point of reading in the newspaper that incidents of several types of cancer on the part of the people who use this is 50 times the average rate. That was one thing Mrs. Little included in her defense statement. I also feel we should be free to regulate the activity that goes on in our schools, regardless of a statute regarding an age limit on the purchase and sale of certain products. I think we can still regulate the use of these products by the students in our schools. Therefore, I support this bill.

ASSEMBLYMAN CRADDOCK:

There was a bit of discussion in committee regarding role models by baseball players. There were comments about agricultural students. They seem to be prone to chew

Copenhagen. My thoughts on this is we may be in a position now to where we are getting so good that it comes out bad. I have to say that I certainly approve of the fact that my youngsters do not smoke. Occasionally they do chew a little Copenhagen. If I catch one of them spitting on the wall, he's out the door for a long time. I don't know how to handle this situation. We all have good intentions. I feel it is unenforceable. Some of the comments I heard is that we may lose a portion of our agricultural students in vocational education if we try to enforce this. I have mixed emotions. I think we have enough rules, regulations and laws that we currently can't enforce that I will be voting against this measure.

ASSEMBLYMAN MALONE:

I think what we are looking at here is that it is illegal right now to sell anyone under 18 years of age cigarettes. The school district down south, I understand up north they are not having a problem, but down south they have put smoking areas in all but one high school. This means they are condoning the smoking of cigarettes by juveniles. As far as enforcement is concerned, it is probably one of the easiest things in the world to enforce. Today, marijuana is enforced on campus, any place on campus. I do know for a fact that at the far corners of campuses, school security has picked up youngsters for being in possession of a controlled substance and have called the authorities. Therefore, they can do the same thing for cigarettes. This is very enforceable.

ASSEMBLYMAN COLLINS:

I'll keep my remarks very brief because Mr. Malone touched on some things I was going to cover. If we are concerned about our offspring, then we must take necessary steps to correct the problems. Here is an issue we cannot put the burden on the back of the educators. We, as legislators, can help sooth some of the educators' problems by passing laws that will help govern the discipline of our children. When we start talking about what is enforceable and what is not enforceable, this is what this body is all about. I find it very difficult for students to have areas designated for them to smoke when it is illegal for those students to have cigarettes in the first place. On one hand, we are saying there is a problem, we must correct the problem. On the other hand, we are saying that we cannot enforce the problem. This is one of the few times I have to agree with my colleague from Clark County. I'm not saying this in a derogatory way; however, I'm glad to see he has come around to my way of thinking that something has to be done to correct the problem in the school system. Supporting this bill is a step in the right direction.

ASSEMBLYMAN GETTO:

Since I am a co-sponsor of this bill, I naturally support the philosophy behind it. I think there have been some problems addressed today. The schools have provided an area for the students to do something that is illegal. On the other hand, the passage of this bill says that the student can't do something that is legal for him when they have even provided the space for him to do it.

ASSEMBLYMAN HORNE:

It would seem to me we have a very real question of civil rights in regard to this bill. We recognize there is certainly a problem. One should have the right to chew and to puff. Also, it would seem that one should have the right to breath air that is not contaminated with certain types of smoke, nor to walk in hallways splattered with certain types of substances. Along with the train of thought of our distinguished chairman of the Education Committee who suggested it would be okay if they swallowed, those that chew, I would simply suggest that it would be okay for those that puff if they would wear a bubble.

ASSEMBLYMAN DINI:

I have a human interest story that happened in 1945 in the chemistry class in Pizen Switch. A distinguished member of the medical fraternity in Reno today who is an ophthalmologist and I were taking chemistry. His pet habit was chewing Copenhagen in class. Almost at the end of the period, the teacher asked him a question when he had a full mouth full and he had to swallow it. Needless to say, we didn't need a law to tell you not to chew any more—he didn't chew any more that year.

Assemblyman Getto moved that Assembly Bill No. 578 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblymen Little and Schofield.

Motion lost.

Assemblymen Francis, Jeffrey and Bogaert moved the previous question.

Motion carried.

The question being on the passage of Assembly Bill No. 578.

Roll call on Assembly Bill No. 578:

YEAS—27.

NAYS—Arberry, Banner, Craddock, Getto, Jeffrey, Marvel, Nevin, Price, Schofield, Spriggs, Stone, Thompson, Williams, Mr. Speaker—14.

Absent—Sedway.

Assembly Bill No. 578 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 Francis moved that Assembly Bills Nos. 143, 420, 424, 665, 703; Senate Bills Nos. 26, 27, 124, 360 and 373 be placed on the Second Reading File.

Motion carried.

Assemblyman Francis moved that Assembly Bills Nos. 153, 392 and 479 be placed on the General File.

Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 254.

Bill read third time.

Remarks by Assemblymen Francis, Jeffrey, Collins, Rader, Roberts, Sader, Coffin, McGaughey and Schofield.

Assemblyman Humke moved that Senate Bill No. 254 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblymen Humke, Jeffrey and Collins.

Motion lost.

Assemblymen Stone, Thompson and Jeffrey moved the previous question.

Motion carried.

The question being on the passage of Senate Bill No. 254.

Roll call on Senate Bill No. 254:

YEAS—15.

NAYS—Arberry, Banner, Beyer, Coffin, Collins, Craddock, Dini, Fairchild, Getto, Ham, Horne, Jeffrey, Lambert, Little, McGaughey, Malone, Nevin, Price, Rader, Roberts, Sader, Schofield, Tebbs, Thompson, Williams, Zimmer—26.

Absent—Sedway.

Senate Bill No. 254 having failed to receive a constitutional majority, Mr. Speaker pro Tempore declared it lost.

Assemblyman Francis moved that the Assembly recess subject to the call of the Chair.

Motion carried.

Assembly in recess at 12:10 p.m.

ASSEMBLY IN SESSION

At 12:17 p.m.

Mr. Speaker pro Tempore presiding.

Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Concurrent Committee on Natural Resources, Agriculture and Mining, to which was referred Assembly Bill No. 251, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

VIRGIL M. GETTO, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Ways and Means, to which was referred Assembly 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.

JOHN MARVEL, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, 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: Amend, and do pass as amended.

JOHN MARVEL, *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which was referred Assembly Bill No. 680, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN DUBOIS, *Chairman*

Mr. Speaker:

Your Committee on Commerce, 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.

JOHN DUBOIS, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Lambert gave notice that on the next legislative day she would move to reconsider the vote whereby Senate Bill No. 254 was this day refused passage.

By Assemblymen Coffin, Dini, Jeffrey, Thompson, Sader, Price, Williams, Banner, Nevin, Arberry, Swain, Craddock and Schofield:

Assembly Joint Resolution No. 33—Proposing to amend the Nevada constitution to limit the total revenue of the state.

RESOLVED BY THE ASSEMBLY AND THE SENATE OF THE STATE OF

NEVADA, JOINTLY, That article 9 of the constitution of the State of Nevada be amended by adding thereto a new section to read as follows:

Sec. 6. 1. The legislature shall not provide for a total revenue to the state which exceeds the limit established for each biennium by this section unless a majority of the voters voting on the question provides for the increased revenue.

2. Any revenue derived from a project financed by bonds whose principal and interest are payable solely from the revenues of the project must be excluded from the revenue limited by this section and from all calculations required by this section, but only to the extent that the revenue is used to pay the principal and interest on those bonds.

3. For each fiscal biennium the limit must be calculated from the total revenue for the fiscal biennium which began on July 1, 1983, by adding or subtracting the product of that amount multiplied by:

(a) The fractional increase or decrease, if any, in the broadest Consumer Price Index published by the Federal Government which occurred from January 1, 1982, to January 1 of the even-numbered year next preceding the biennium for which the limit is calculated; and

(b) The fractional increase or decrease, if any, in the population of the state from that estimated by the federal Bureau of the Census for the year 1981 to that estimated for the odd-numbered year next preceding the biennium for which the limit is calculated. The fraction so calculated must be adjusted for each fiscal biennium beginning after 1990 to reflect any difference shown by the federal decennial census between the proportionate increase or decrease, if any, in the population as measured by the census and the proportionate increase or decrease, if any, in the population as estimated for the corresponding years.

4. If the Federal Government ceases to publish a Consumer Price Index, the legislature shall select the index published by an authority outside the control of any branch or agency of the government of this state which most accurately reflects changes in the purchasing power of the federal currency, to be used instead of the Consumer Price Index.

By the Committee on Legislative Functions:

Assembly Concurrent Resolution No. 52—Directing legislative commission to study feasibility of minting gold and silver medallions.

GENERAL FILE AND THIRD READING

Senate Bill No. 193.

Bill read third time.

Remarks by Assemblymen Ham and Nicholas.

Roll call on Senate Bill No. 193:

YEAS—40.

NAYS—Collins.

Absent—Sedway.

Senate Bill No. 193 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 196.

Bill read third time.

Remarks by Assemblymen Lambert, Thomas, Bogaert, Nicholas and Dini.

Roll call on Senate Bill No. 196:

YEAS—34.

NAYS—Collins, Fairchild, Malone, Nicholas, Rader, Thomas, Zimmer—7.

Absent—Sedway.

Senate Bill No. 196 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 Francis moved that Assembly Bills Nos. 251 and 680 be placed on the Second Reading File.

Motion carried.

Assemblyman Francis moved that Assembly Bill No. 411 be placed on the General File.

Motion carried.

INTRODUCTION AND FIRST READING OF LEGISLATION

By the Committee on Ways and Means:

Assembly Bill No. 724—An Act relating to public schools; revising the procedure for the calculation of basic support where enrollment declines for 2 consecutive years; and providing other matters properly relating thereto.

REFERENCE OF MEASURES TO COMMITTEES

Assembly Bill No. 724.

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

Motion carried.

Assembly Joint Resolution No. 33.

Assemblyman Francis moved that the resolution be referred to the Committee on Taxation.

Motion carried.

Assembly Concurrent Resolution No. 52.

Assemblyman Francis moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 652.

Bill read third time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1239.

Amend section 1, page 1, by deleting lines 2 and 3 and inserting:

"171.124 1. Except as otherwise provided in [subsections 3 and 4,] *subsection 3,* a peace officer or an officer of the Drug Enforcement Administration designated by the Attorney General of the United States for that purpose may make an arrest in obedience to a warrant delivered to".

Amend section 1, page 1, line 17, by deleting: "the peace officer" and inserting "he".

Amend section 1, page 1, line 19, by deleting: "the peace officer" and inserting "he".

Amend section 1, page 2, line 5, by deleting "[3. A" and inserting "3. [A".

Amend section 1, page 2, line 9, by deleting the bracket.

Amend section 1, page 2, after line 9 by inserting:

"4.] An officer of the Drug Enforcement Administration may only make an arrest pursuant to subsections 1 and 2 for a violation of chapter 453 of NRS.".

Amend sec. 3, page 2, line 24, by deleting: "Section 2 of this" and inserting "This".

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. 153.

Bill read third time.

Assemblyman Francis moved that Assembly Bill No. 153 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Francis.

Motion carried.

Assembly Bill No. 392.

Bill read third time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1111.

Amend section 1, page 1, line 6, after the semicolon by inserting "*or*".

Amend section 1, page 1, line 9, by deleting "*; or*" and inserting an italicized comma.

Amend section 1, page 1, by deleting lines 10 and 11.

Amend sec. 3, page 2, lines 39 and 40, by deleting: "*source of funding, if any,*" and inserting: "*fund, if any, from which money is*".

Assemblyman Lambert moved the adoption of the amendment.

Remarks by Assemblyman Lambert.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 479.

Bill read third time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1242.

Amend section 1, page 2, line 9, by deleting the period and inserting: "but may be required to submit to a breath or urine test.".

Amend section 1, page 2, by deleting lines 12 through 14 and inserting: "reasonably available to perform a breath test. If the person requests a blood test and".

Amend section 1, page 2, line 25, after "7.", by inserting: "Except as provided in subsections 4 and 6, a police officer shall not direct a person to submit to a urine test.

8.".

Amend section 1, page 2, by deleting lines 30 through 34 and inserting: "stance and thereby caused death or substantial bodily harm to another, the".

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 becomes effective at 12:01 a.m. on July 1, 1985.".

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. 411.

Bill read third time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1245.

Amend section 1, page 1, line 5, by deleting "such" and inserting "those".

Amend section 1, page 1, line 14, by deleting "state payroll trust fund," and inserting: "agency fund for the payroll of the state,".

Amend the bill as a whole by renumbering section 8 as section 9 and adding a new section designated section 8, following section 7, to read as follows:

"Sec. 8. On or before July 1, 1986, the state treasurer and state controller shall submit to the interim finance committee a copy of their proposed procedures to carry out the provisions of NRS 227.200 as amended by section 3 of this act.".

Amend sec. 8, page 3, line 24, before "Section" by inserting:

"1. Section 1 of this act becomes effective at 12:01 a.m. on July 1, 1985.

2.".

Assemblyman Marvel moved the adoption of the amendment.

Remarks by Assemblyman Marvel.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

SECOND READING AND AMENDMENT

Assembly Bill No. 143.

Bill read second time.

The following amendment was proposed by the Committee on Health and Welfare:

Amendment No. 1220.

Amend section 1, page 1, lines 2 and 3, by deleting ", geriatric home" and inserting "[, geriatric home]".

Amend section 1, page 1, line 6, by deleting "emergency" and inserting "[emergency] *immediate*".

Amend section 1, page 1, line 11, by deleting "emergency" and inserting "[emergency]".

Amend section 1, page 1, line 13, by deleting "emergency" and inserting: "[emergency] *the immediate*".

Amend section 1, page 2, by deleting lines 1 and 2 and inserting: "*displayed on or near* the sealed container. *The drugs may be dispensed on the order of a physician only.* Immediately after [the drugs are needed the physician or registered nurse] *such an order, the person* who breaks the".

Amend the title of the bill, third line, after "them;", by inserting: "requiring the order of a physician before dispensing those drugs;".

Assemblyman O'Donnell moved the adoption of the amendment.

Remarks by Assemblyman O'Donnell.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Francis moved that Senate Bill No. 26 be taken from the Second Reading File and placed on the Second Reading File for the next legislative day.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 420.

Bill read second time.

The following amendment was proposed by the Committee on Transportation:

Amendment No. 1253.

Amend section 1, page 1, line 4, by deleting "*prices of*" and inserting "*liability*".

Amend section 1, page 1, by deleting lines 6 through 13 and inserting:

"*(a) The types of coverage available;*

(b) Comparisons of the price for the same coverage offered by different insurers;

(c) A list of all insurers which offer liability insurance for motor vehicles in".

Amend section 1, page 1, line 15, by deleting "*(e)*" and inserting "*(d)*".

Amend section 1, page 1, by deleting lines 16 through 18.

Amend section 1, page 1, line 19, by deleting "*to prices*".

Amend the title of the bill, second line, before "insurance" by inserting "liability".

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. 424.

Bill read second time.

The following amendment was proposed by the Committee on Transportation:

Amendment No. 1211.

Amend section 1, page 1, by deleting lines 3 through 9 and inserting: "*A manufacturer of a new truck or van with an unladen weight of less than 6,000 pounds shall affix to the windshield or window of such truck or van a document specifying the retail price suggested by him and all other information necessary to comply substantially with the requirements of 15 U.S.C. § 1232, as it existed on January 1, 1958.*".

Amend the title of the bill to read as follows:

"An Act relating to the sale of motor vehicles; requiring the manufacturer of certain new trucks or vans to affix suggested price; and providing other matters properly relating thereto.".

Amend the summary of the bill to read as follows: "Requires manufacturer of certain trucks and vans to affix suggested price. (BDR 52-1127)".

Assemblyman Rader moved the adoption of the amendment.

Remarks by Assemblyman Rader.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 665.

Bill read second time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1172.

Amend section 1, page 1, line 3, by deleting "$200,000" and inserting "$113,500".

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. 703.

Bill read second time.

The following amendment was proposed by the Committee on Taxation:

Amendment No. 1250.

Amend the bill as a whole by deleting sections 1 through 21, and adding a new section designated section 1, following the enacting clause, to read as follows:

"Section 1. NRS 463.401 is hereby amended to read as follows:

463.401 1. In addition to any other license fees and taxes imposed by this chapter, a casino entertainment tax equivalent to 10 percent of all amounts paid for admission, food, refreshments and merchandise is hereby levied, except as provided in subsection 2, upon each licensed gaming establishment in this state where music and dancing privileges or any other entertainment, except instrumental or mechanical music alone or music by musicians who move constantly through the audience whether the music is vocal or instrumental or both, is provided to the patrons in connection with the serving or selling of food or refreshments, or the selling of any merchandise. *Amounts paid for gratuities directly or indirectly remitted to employees of the licensee or for service charges collected and retained by persons other than the licensee are not taxable pursuant to this section.*

2. A licensed gaming establishment is not subject to tax [under] *pursuant to* this section if:

(a) The establishment is licensed for less than 51 slot machines, less than six games, or any combination of slot machines and games within [such] *those* respective limits;

(b) The entertainment is a charitable or nonprofit benefit, *an* exhibition in a museum, *a* sporting event, *a* trade show, *a* motion picture film , *an outdoor concert* or similar to any of these; or

(c) In other cases, if:

(1) No distilled spirits, wine or beer is served or permitted to be consumed;

(2) Only light refreshments are served;

(3) Where space is provided for dancing, no charge is made for dancing; and

(4) Where music is provided or permitted, the music is:

(I) Provided without any charge to the owner, lessee or operator of the establishment or to any concessionaire;

(II) Mechanical or instrumental music alone; or

(III) Provided only by musicians who move constantly through the audience, whether the music is vocal or instrumental , or both.

3. The tax imposed by this section must be paid by the licensee of the establishment.".

Amend the title of the bill to read as follows:

"An Act relating to the casino entertainment tax; exempting certain gratuities, service charges and entertainment; and providing other matters properly relating thereto.".

Amend the summary of the bill to read as follows: "Exempts certain gratuities, service charges and entertainment from casino entertainment tax. (BDR 32-1900)".

Assemblyman Zimmer moved the adoption of the amendment.

Remarks by Assemblyman Zimmer.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 27.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 1066.

Amend section 1, page 1, line 8, by deleting the italicized semicolon.

Amend section 1, page 1, lines 9 and 11, by deleting on each line the bracket.

Amend section 1, page 1, line 13, by deleting "*(d)*" and inserting "*(c)*".

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 633A.260 is hereby amended to read as follows:

633A.260 1. Examinations must be held at least twice a year at the time and place fixed by the board. All applicants must be notified in writing of the examinations.

2. The examinations must be fair and impartial, practical in character, and the questions must be designed to discover the applicant's fitness.

3. *The board may contract with the board in another state which performs similar duties for assistance in the creation and administration of the examination.* The board may employ specialists and other professional consultants or examining services in conducting the examination.

4. [The] *Any* member of the board who is not licensed [in any state] to practice any healing art may not participate in preparing, conducting or grading any examination required by the board [.] *but may vote on general questions regarding the examination of applicants.*".

Amend sec. 2, page 2, line 22, by deleting "hereby expires." and inserting: "expires September 1, 1985.".

Amend sec. 2, page 2, by deleting lines 24 through 32 and inserting "of NRS.".

Assemblyman Thomas moved the adoption of the amendment.

Remarks by Assemblyman Thomas.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 124.

Bill read second time.

The following amendment was proposed by the Committee on Education:

Amendment No. 1240.

Amend sec. 2, page 1, line 4, by deleting "*on*" and inserting: "*which results in the bodily injury of*".

Amend sec. 2, page 1, line 8, after "*from*" by inserting "*that*".

Amend sec. 2, page 1, line 9, by deleting: "*one full semester.*" and inserting: "*a period equal to one semester for that school.*".

Amend sec. 2, page 1, line 10, after "*from*" by inserting "*that*".

Amend sec. 2, page 2, line 4, by deleting: "*pocket knife or,*" and inserting: "*knife or firearm*".

Amend sec. 2, page 2, line 5, by deleting: "*any other kind of knife.*" and inserting a period.

Amend sec. 3, page 2, line 17, by deleting: "*The severity of such*".

Amend sec. 3, page 2, by deleting lines 18 and 19.

Assemblyman Beyer moved the adoption of the amendment.

Remarks by Assemblyman Beyer.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 360.

Bill read second time.

The following amendment was proposed by the Committee on Taxation:

Amendment No. 1214.

Amend the bill as a whole by renumbering sections 10 and 11 as sections 11 and 12 and adding a new section designated section 10, following section 9, to read as follows:

"Sec. 10. A metropolitan police department which receives revenue from taxes ad valorem pursuant to this act is not entitled to receive any distribution of supplemental city-county relief tax.".

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. 373.

Bill read second time.

The following amendment was proposed by the Committee on Taxation:

Amendment No. 1238.

Amend sec. 3, page 3, line 15, after "equalization." by inserting: "The new evidence must be submitted in writing to the state board of equalization and served upon the county assessor not less than 7 days before the hearing.".

Amend sec. 4, page 4, line 3, by deleting "$14,000" and inserting "$15,000".

Amend sec. 4, page 4, by deleting lines 11 through 15 and inserting:

"$0	—	$5,400	90
5,400	—	8,700	80
8,700	—	10,800	50
10,800	—	13,000	25
13,000	—	15,100	10".

Amend the bill as a whole by adding a new section designated section 6, following section 5, to read as follows:

"Sec. 6. Sections 3 and 4 of this act become effective at 12:01 a.m. on July 1, 1985.".

Assemblyman Spriggs moved the adoption of the amendment.

Remarks by Assemblyman Spriggs.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 251.

Bill read second time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1256.

Amend sec. 5, page 1, by deleting line 19 and inserting:

"Sec. 5. 1. If:

(a) The department of wildlife submits a plan to the state board of examiners for the construction and development of a fish hatchery at the Mason Valley wildlife management area; and

(b) The state board of examiners determines that the money from the sale of state trout stamps pursuant to section 2 of this act will produce a revenue sufficient to redeem the bonds needed to be issued to carry out the planned construction and pay any interest thereon without other contribution,

the state board of examiners may issue general obliga-".

Amend the bill as a whole by adding a new section designated section 6, following section 5, to read as follows:

"Sec. 6. Sections 1 to 4, inclusive, of this act become effective only upon the issuance of bonds pursuant to section 5 of this act.".

Assemblyman Marvel moved the adoption of the amendment.

Remarks by Assemblyman Marvel.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 680.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 1218.

Amend section 1, page 1, by deleting lines 18 and 19 and inserting: "*branches of engineering.*".

Assemblyman DuBois moved the adoption of the amendment.

Remarks by Assemblyman DuBois.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Labor and Management, 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.

BARBARA ZIMMER, *Chairman*

UNFINISHED BUSINESS

RECEDE FROM ASSEMBLY AMENDMENTS

Assemblyman DuBois moved that the Assembly do not recede from its action on Senate Bill No. 143, 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 pro Tempore appointed Assemblymen Kerns, Thomas and Schofield as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Senate Bill No. 143.

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bills Nos. 85, 167, 199, 232, 313, 318, 415, 435, 471, 493, 523, 546, 561, 591; Senate Bills Nos. 18, 83, 145, 159, 173, 188, 211, 229, 236, 237, 238, 243, 244, 282, 330, 334, 340, 355, 361, 371, 372, 387, 403, 418, 425, 427, 436, 440, 444, 445, 467; Assembly Joint Resolution No. 6; Senate Joint Resolution No. 24; Senate Concurrent Resolutions Nos. 55, 56.

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 Steven Nicholas.

Assemblyman Francis moved that the Assembly adjourn until Tuesday, May 28, 1985 at 10:30 a.m.

Motion carried.

Assembly adjourned at 1:07 p.m.

Approved: BYRON L. BILYEU
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE ONE HUNDRED AND TWENTY-EIGHTH DAY

CARSON CITY (Tuesday), May 28, 1985

Assembly called to order at 10:37 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, Father Timothy Twomey.

Heavenly Father, we thank You for the blessings of this day and Your love to us so freely given. As we continue to pray for the peace and security of our nation and our state, look kindly on all our legislators who are growing weary from the many sessions on our behalf. We thank You for Your guidance and ask You to work with them this day so as to effectively perform their duties with gratitude. This we ask in the Name of the Lord,

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Francis 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. 579, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

BARBARA ZIMMER, *Chairman*

Mr. Speaker:

Your Committee on Legislative Functions, to which was re-referred Assembly Bill No. 310, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

BRUCE R. BOGAERT, *Chairman*

Mr. Speaker:

Your Committee on Legislative Functions, to which was referred Assembly Concurrent Resolution No. 42, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and be adopted as amended.

BRUCE R. BOGAERT, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which were referred Assembly Bills Nos. 456, 655; Senate Bills Nos. 139, 272, 376, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JAMES STONE, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which was re-referred Assembly Bill No. 107,

has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN MARVEL, *Chairman*

Mr. Speaker:

Your Committee on Labor and Management, to which was referred Senate Bill No. 310, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

BARBARA ZIMMER, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, 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: Amend, and do pass as amended.

LOUIS W. BERGEVIN, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which were referred Senate Bills Nos. 257, 470, 488, 489, 496, 500, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN MARVEL, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Ways and Means, to which was referred Senate Bill No. 72, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass, as amended.

JOHN MARVEL, *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which were referred Senate Bills Nos. 147, 378, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN DUBOIS, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which was referred Assembly Bill No. 719, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JAMES STONE, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which was re-referred Assembly Bill No. 628, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass, as amended.

JAMES STONE, *Chairman*

Mr. Speaker:

Your Committee on Transportation, to which was referred Senate Bill No. 185, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

MIKE MALONE, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 27, 1985

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 240, 301, 418, 434, 532, 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. 11, 172, 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. 27.

Also, I have the honor to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolutions Nos. 50, 51.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Bills Nos. 483, 504.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 424, 438, 481.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bill No. 183, 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 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. 113.

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. 20.

Also, I have the honor to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolutions Nos. 57, 61.

Also, I have the honor to inform your honorable body that the Senate on this day adopted, as amended, Senate Concurrent Resolution No. 40.

MARY JO MONGELLI
Assistant Secretary of the Senate

UNFINISHED BUSINESS

RECEDE FROM ASSEMBLY AMENDMENTS

Assemblyman Nicholas 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.

Remarks by Assemblyman Nicholas.

Motion carried.

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker appointed Assemblymen Humke, Nevin and O'Donnell as a first 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 first Committee on Conference concerning Senate Bill No. 107, consisting of the undersigned members, has met, and reports that:

It has agreed to recommend that the amendment of the Assembly be concurred in.

BARBARA ZIMMER
PATRICIA LITTLE
GARY LEE ROBERTS
Assembly Committee on Conference

BOB RYAN
JAMES H. BILBRAY
RAY RAWSON
Senate Committee on Conference

Assemblyman Zimmer moved that the Assembly adopt the report of the first Committee on Conference concerning Senate Bill No. 107.

Remarks by Assemblyman Zimmer.

Motion carried.

Mr. Speaker:

The first Committee on Conference concerning Senate Bill No. 113, 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. C7, which is attached to and hereby made a part of this report.

JAMES A. STONE	THOMAS R. C. WILSON
ROBERT M. SADER	JAMES H. BILBRAY
MYRNA WILLIAMS	SUE WAGNER
Assembly Committee on Conference	*Senate Committee on Conference*

Amendment No. C7.

Amend section 1, page 1, by deleting lines 8 and 9 and inserting: "*file a notice of habitual criminality with the court.*".

Amend sec. 2, page 2, line 17, before "and", by inserting an open bracket.

Amend sec. 2, page 2, line 19, by deleting "information." and inserting: "information.] *or file a notice of habitual criminality if an indictment is found.*".

Amend the title of the bill, third line, after "criminal;", by inserting: "removing the discretionary authority of a judge to dismiss count of habitual criminality;".

Assemblyman Stone moved that the Assembly adopt the report of the first Committee on Conference concerning Senate Bill No. 113.

Remarks by Assemblyman Stone.

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Malone moved that the vote whereby Senate Bill No. 183 was passed be rescinded.

Motion carried.

Assemblyman Malone moved that Assembly Bill No. 424 be placed on the General File.

Remarks by Assemblyman Malone.

Motion carried.

Assemblyman Zimmer moved that Assembly Bill No. 153 be taken from the Chief Clerk's desk and placed on the General File.

Remarks by Assemblyman Zimmer.

Motion carried.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 172.

The following Senate amendment was read:

Amendment No. 1133.

Amend section 1, page 2, line 9, by deleting "*120*" and inserting "*168*".

Amend sec. 3, page 3, line 15, by deleting "*120*" and inserting "*168*".

Amend sec. 5, page 4, line 32, by deleting "*120*" and inserting "*168*".

Assemblyman Humke moved that the Assembly do not concur in the Senate amendment to Assembly Bill No. 172.

Remarks by Assemblyman Humke.

Motion carried.

Bill ordered transmitted to the Senate.

Assembly Bill No. 11.

The following Senate amendments were read:

Amendment No. 1000.

Amend section 1, page 1, line 4, by deleting "*a form*" and inserting: "*a suggested form*".

Amend sec. 2, page 1, by deleting lines 11 and 12 and inserting: "the provisions set forth as sections 2.3 and 2.6 of this act.

Sec. 2.3. *1. A locator shall:*".

Amend the bill as a whole by adding a new section designated section 2.6, following section 2, to read as follows:

"Sec. 2.6. *Each filing pursuant to NRS 517.050, 517.080, 517.110, 517.140, 517.170, 517.200 and 517.230 must be submitted with a fee of $0.75 per claim. The county recorder shall collect the fee and quarterly pay the money collected to the state treasurer for deposit in the state treasury to the credit of the fund for the department of minerals.*".

Amend the bill as a whole by deleting section 21 and renumbering sections 22 through 28 as sections 21 through 27.

Amend sec. 26, page 12, by deleting lines 8 through 17 and inserting:

"Sec. 25. Section 79 of chapter 627, Statutes of Nevada 1983, at page 2095, is hereby repealed.".

Amend the title of the bill, second line, by deleting "certain" and inserting "suggested".

Amend the title of the bill, sixth line, after the semicolon, by inserting: "extending the requirement for a fee for certain filings;".

Amendment No. 1119.

Amend sec. 2, page 1, line 11, by deleting "and 2.6" and inserting: ", 2.6, 2.8 and 2.9".

Amend the bill as a whole by adding new sections designated sections 2.8 and 2.9, following section 2.6, to read as follows:

"Sec. 2.8. *1. When a record of survey filed with the county recorder*

by a registered land surveyor shows the location of a mining claim, the county recorder shall compare that record of survey to the county map of mining claims and ascertain whether the location of the claim is accurate according to the record of survey.

2. If the county map inaccurately shows the location of the claim, the county recorder shall propose a change to the county map and mail a notice to all persons whose claims would be affected by the proposed change.

3. The notice must include:

(a) A description of the proposed change; and

(b) A statement advising the owner of the claim that the proposed change will be made unless he makes a written request to the county recorder for a hearing within 30 days.

4. If a request for a hearing is not received by the county recorder within 30 days after he mailed the notice, the county recorder shall make the proposed change to the county map.

5. Upon receipt of a request for a hearing the county recorder shall request the board of county commissioners to hold a hearing on the proposed change.

6. Upon receipt of such a request the board of county commissioners shall, after notifying the county recorder and the owner of the mining claim at least 30 days in advance, hold a hearing and determine whether the proposed change is to be made.

Sec. 2.9. *1. The county recorder shall include all patented mining claims in the county on the county map of mining claims in a manner which clearly distinguishes the patented claims from the unpatented claims.*

2. When a record of survey filed with the county by a registered surveyor shows the location of a patented mining claim, the county recorder shall conform the county map to the record of survey if there is any discrepancy between the two maps concerning the location of the claim.".

Amend the bill as a whole by renumbering section 27 as section 28 and adding a new section designated section 27, following section 26, to read as follows:

"Sec. 27. On or before July 1, 1987, each county recorder shall fully comply with the provisions of subsection 1 of section 2.9 of this act.".

Assemblyman Getto moved that the Assembly concur in the Senate amendments to Assembly Bill No. 11.

Motion carried.

Bill ordered enrolled.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Health and Welfare, 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, and do pass as amended.

DAVID D. NICHOLAS, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Commerce, 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.

JOHN DUBOIS, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which was referred Assembly Bill No. 653, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JAMES STONE, *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 a.m.

ASSEMBLY IN SESSION

At 11:13 a.m.

Mr. Speaker presiding.

Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

By the Committee on Legislative Functions:

Assembly Concurrent Resolution No. 53—Directing the legislative commission to study insurance against medical malpractice.

Assembly Concurrent Resolution No. 42.

Resolution read.

The following amendment was proposed by the Committee on Legislative Functions:

Amendment No. 1225.

Amend the resolution, page 1, line 13, by deleting "3" and inserting "2".

Assemblyman Bogaert moved the adoption of the amendment.

Remarks by Assemblyman Bogaert.

Amendment adopted.

Resolution ordered reprinted and engrossed.

Senate Concurrent Resolution No. 40.

Resolution read.

Senate Concurrent Resolution No. 57.

Resolution read.

Senate Concurrent Resolution No. 61.

Assemblyman Joerg moved the adoption of the resolution.

Remarks by Assemblymen Joerg and Thomas.

Resolution adopted.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Ways and Means, to which was referred Assembly Bill No. 715, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN MARVEL, *Chairman*

INTRODUCTION AND FIRST READING OF LEGISLATION

Senate Bill No. 424.
Bill read first time.

Senate Bill No. 438.
Bill read first time.

Senate Bill No. 481.
Bill read first time.

Senate Bill No. 483.
Bill read first time.

Senate Bill No. 504.
Bill read first time.

MOTIONS, RESOLUTIONS AND NOTICES

In compliance with a notice given on a previous day, Assemblyman Lambert moved that the vote whereby Senate Bill No. 254 was refused passage be reconsidered.

Remarks by Assemblymen Lambert, Jeffrey, Schofield and Humke.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 646.

Bill read second time.

The following amendment was proposed by the Committee on Labor and Management:

Amendment No. 1270.

Amend section 1, page 1, by deleting lines 3 through 13 and inserting: "*The draft of the proposed changes to a contract reached through collective bargaining between a labor organization and an employer must be submitted in writing by the labor organization to the organization's membership who attend the meeting for ratification before the members vote to accept or reject the contract.*".

Amend the bill as a whole by deleting section 2.

Amend the title of the bill, first line, before "con-" by inserting: "proposed changes to".

Amend the summary of the bill, first line, before "contracts" by inserting: "proposed changes to".

Assemblyman Rader moved the adoption of the amendment.

Remarks by Assemblyman Rader.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 26.

Bill read second time.

The following amendment was proposed by Assemblyman Schofield:

Amendment No. 1114.

Amend the bill as a whole by adding a new section designated section 36.2, following section 36, to read as follows:

"Sec. 36.2. Sections 28 and 30 of this act do not validate the making of any loan in violation of NRS 673.595 or 80.240 before July 1, 1985, or validate any other act done in connection with such a loan.".

Assemblyman Schofield moved the adoption of the amendment.

Remarks by Assemblyman Schofield.

Amendment adopted.

The following amendment was proposed by Assemblyman DuBois:

Amendment No. 1075.

Amend sec. 2, page 1, line 14, after "inclusive,", by inserting: "[and] section 1 of [this act] *Senate Bill No. 127 of this session*".

Amend sec. 2, page 1, line 15, by deleting "such" and inserting "those".

Amend sec. 18, page 6, by deleting lines 24 and 25 and inserting: "*was in operation on July 1, 1985.*".

Amend sec. 20, page 7, line 8, after "20.", by inserting "*1.*".

Amend sec. 20, page 7, line 14, by deleting "*1.*" and inserting "*(a)*".

Amend sec. 20, page 7, by deleting lines 17 through 39 and inserting:

"*(b) Any other depository institution licensed under the laws of this state or of the United States if its principal office is located in this state, including institutions controlled by holding companies which have offices or operations in other states.*

(c) A depository institution licensed under the laws of another state or of the United States whose operations are principally conducted in a reciprocal state, or a holding company for such an institution.

(d) A depository institution licensed under the laws of another state or of the United States which does not meet the requirements of paragraph (a), (b) or (c), or a holding company for such an institution, whether or not its principal place of business is in another state.

The administrator shall solicit written offers from all eligible institutions, regardless of the order of priority established by this subsection, and wait at least 30 days after solicitation before selecting the institution to be approved.

2. The selection of an institution must be made in accordance with the order of priority established in subsection 1 only if such a selection affords the greatest financial recovery by the failing institution's depositors of all offers received. If it does not, the administrator may negotiate with the institutions submitting offers, following that order of priority, and accept that offer which would afford the greatest financial recovery by the failing institution's depositors.".

Amend sec. 21, page 7, line 42, after "*act*", by inserting: ", *the institution which acquired the depository institution or holding company pursuant to that section*".

Amend sec. 24, page 8, by deleting lines 17 through 32 and inserting:

"Sec. 24. *1. If a failing depository institution is acquired pursuant to section 20 of this act by a depository institution organized under the laws of another state or a holding company whose subsidiaries principally conduct their operations in another state, the failing institution must at all times thereafter have invested not less than 60 percent of the aggregate of its deposits from Nevada in qualified investments as a condition of its continued operation.*".

Amend sec. 24, page 8, line 33, by deleting "*3.*" and inserting "*2.*".

Amend sec. 24, page 8, line 42, by deleting "*4.*" and inserting "*3.*".

Amend sec. 24, page 9, line 1, by deleting: "*a merger or*" and inserting "*an*".

Amend sec. 24, page 9, line 2, by deleting "*or 2.*" and inserting an italicized period.

Amend sec. 24, page 9, by deleting line 3 and inserting:

"*4. The restrictions on investments imposed in this*".

Amend sec. 24, page 9, by deleting line 6 and inserting: "*tions of the acquiring institution or holding*".

Amend sec. 24, page 9, line 8, by deleting "*or merger.*" and inserting an italized period.

Amend sec. 24.5, page 9, line 19, by deleting "*financial*".

Amend sec. 24.5, page 9, line 20, by deleting "*financial*".

Amend the bill as a whole by adding a new section designated section 31.5, following section 31, to read as follows:

"Sec. 31.5. Section 13 of chapter 2, Statutes of Nevada 1984, at page 6, is hereby amended to read as follows:

Sec. 13. 1. The legislature intends to allow a bank holding company which controls a bank in another state to acquire a bank in Nevada only under the conditions and limitations imposed in sections 1 to 8, inclusive, of this act [,] *and in Senate Bill No. 26 of the 63rd session,* and to this end those provisions of this act are not severable. Except as provided in subsection 2, if any provisions of sections 1 to 8, inclusive, of this act, or any application thereof to any person, thing or circumstance is held invalid, the other provisions of sections 1 to 8, inclusive, of this act become ineffective.

2. If a bank holding company has received the administrator's approval pursuant to section 3 of this act to acquire a bank and a provision of sections 1 to 8, inclusive, of this act is subsequently held invalid, the bank holding company may acquire the bank or maintain ownership of it subject to the provisions of sections 1 to 8, inclusive, of this act which can be given effect without the provision declared invalid by the court. The approval given by the administrator remains effective if the bank holding company and the bank continue to exercise only those powers granted by this act.".

Amend the bill as a whole by adding new sections designated sections 35.1, 35.3 and 35.5, following section 35, to read as follows:

"Sec. 35.1. Section 18 of Senate Bill No. 26 of the 63rd session of the legislature is hereby amended to read as follows:

Sec. 18. Except as provided in sections [19 to 24, inclusive,] *20, 21 and 22* of this act, no foreign depository institution or holding company whose operations are principally conducted in [a reciprocal] *another* state may acquire or merge with a depository institution organized under the laws of this state or a holding company whose operations are principally conducted in this state unless the institution or holding company to be acquired was in operation on July 1, 1985.

Sec. 35.3. Section 20 of Senate Bill No. 26 of the 63rd session of the legislature is hereby amended to read as follows:

Sec. 20. 1. If the administrator considers it necessary to protect depositors, creditors and other customers of a failing depository institution or a failing holding company which controls a depository institution, he may solicit offers from and authorize or require the acquisition of the institution or company by or its merger with another institution or company in the following order of priority:

(a) A depository institution of the same class organized under the laws of this state or a holding company whose subsidiaries are of the same class and whose operations are principally conducted in this state.

(b) Any other depository institution licensed under the laws of this state or of the United States if its principal office is located in this state, including institutions which have offices in other states.

(c) [A depository institution licensed under the laws of another state or of the United States whose operations are principally conducted in a reciprocal state, or a holding company for such an institution.

(d)] A depository institution licensed under the laws of another state or of the United States [which does not meet the requirements of paragraph (a), (b) or (c),] or a holding company for such an institution.

The administrator shall solicit written offers from all eligible institutions, regardless of the order of priority established by this subsection, and wait at least 30 days after solicitation before selecting the institution to be approved.

2. The selection of an institution must be made in accordance with the order of priority established in subsection 1 only if such a selection affords the greatest financial recovery by the failing institution's depositors of all offers received. If it does not, the administrator may negotiate with the institutions submitting offers, following that order of priority, and accept that offer which would afford the greatest financial recovery by the failing institution's depositors.

Sec. 35.5. Section 21 of Senate Bill No. 26 of the 63rd session of the legislature is hereby amended to read as follows:

Sec. 21. [Except as provided in section 24 of this act, any] *Any* depository institution or holding company which is acquired pursuant to section 20

of this act, the institution which acquired the depository institution or holding company pursuant to that section or the institution which results from a merger pursuant to that section has all rights, powers and privileges of any other depository institution in this state which is of the same class.".

Amend sec. 36, page 15, line 21, by deleting "authorize," and inserting: "authorize before December 31, 1987, except as provided in section 20 of this act,".

Amend sec. 36, page 15, line 31, by inserting after the period: "The legislature intends to allow acquisitions, mergers and expansion by or with institutions or their holding companies which are organized under the laws of other states or the United States, which principally conduct their operations in other states, under the conditions specified in this act and in chapter 2, Statutes of Nevada 1984, at page 1.".

Amend sec. 37, page 15, by deleting lines 32 through 37 and inserting:

"Sec. 37. 1. Section 2 of this act becomes effective at 12:01 a.m. on July 1, 1985.

2. Subsection 2 of section 31 of this act and section 24.5 of this act become effective on October 15, 1987.

3. Sections 13, 14, 19 and 24 of this act expire by limitation on December 31, 1987.

4. Sections 32 and 33 to 35.5, inclusive, of this act become effective on December 31, 1987.

5. Section 18 of this act expires by limitation on January 1, 1989.

6. Section 32.5 of this act becomes effective on January 1, 1989.".

Amend the bill as a whole by deleting section 38.

Assemblyman DuBois moved the adoption of the amendment.

Remarks by Assemblymen DuBois, Kerns, Collins and Thomas.

Assemblymen DuBois, Collins and Francis requested a roll call on Assemblyman DuBois' motion.

Roll call on Assemblyman DuBois' motion:

YEAS—8.

NAYS—Banner, Bergevin, Beyer, Bogaert, Craddock, Fairchild, Francis, Ham, Horne, Humke, Jeffrey, Joerg, Kerns, Lambert, Little, McGaughey, Nevin, Nicholas, O'Donnell, Rader, Roberts, Schofield, Spriggs, Stone, Swain, Tebbs, Thomas, Thompson, Williams, Zimmer, Mr. Speaker—31.

Absent—Sedway.

Not voting—Marvel, Price—2.

The motion having failed to receive a majority, Mr. Speaker declared the amendment lost.

The following amendment was proposed by Assemblyman Kerns:

Amendment No. 1121.

Amend sec. 2, page 1, line 14, after "inclusive,", by inserting: "[and] section 1 of [this act] *Senate Bill No. 127 of this session*".

Amend sec. 2, page 1, line 15, by deleting "such" and inserting "those".

Amend sec. 18, page 6, by deleting lines 24 and 25 and inserting: "*was in operation on July 1, 1985.*".

Amend sec. 20, page 7, line 8, after "20.", by inserting "*1.*".

Amend sec. 20, page 7, line 14, by deleting "*1.*" and inserting "*(a)*".

Amend sec. 20, page 7, by deleting lines 17 through 39 and inserting:

"*(b) Any other depository institution licensed under the laws of this state or of the United States if its principal office is located in this state, including institutions controlled by holding companies which have offices or operations in other states.*

(c) A depository institution licensed under the laws of another state or of the United States whose operations are principally conducted in a reciprocal state, or a holding company for such an institution.

(d) A depository institution licensed under the laws of another state or of the United States which does not meet the requirements of paragraph (a), (b) or (c), or a holding company for such an institution, whether or not its principal place of business is in another state.

The administrator shall solicit written offers from all eligible institutions, regardless of the order of priority established by this subsection, and wait at least 30 days after solicitation before selecting the institution to be approved.

2. The selection of an institution must be made in accordance with the order of priority established in subsection 1 only if such a selection affords the greatest financial recovery by the failing institution's depositors of all offers received. If it does not, the administrator may negotiate with the institutions submitting offers, following that order of priority, and accept that offer which would afford the greatest financial recovery by the failing institution's depositors.".

Amend sec. 21, page 7, line 42, after "*act*", by inserting: ", *the institution which acquired the depository institution or holding company pursuant to that section*".

Amend sec. 24, page 8, by deleting lines 17 through 32 and inserting:

"Sec. 24. *1. If a failing depository institution is acquired pursuant to section 20 of this act by a depository institution organized under the laws of another state or a holding company whose subsidiaries principally conduct their operations in another state, the failing institution must at all times thereafter have invested not less than 60 percent of the aggregate of its deposits from Nevada in qualified investments as a condition of its continued operation.*".

Amend sec. 24, page 8, line 33, by deleting "*3.*" and inserting "*2.*".

Amend sec. 24, page 8, line 42, by deleting "*4.*" and inserting "*3.*".

Amend sec. 24, page 9, line 1, by deleting: "*a merger or*" and inserting "*an*".

Amend sec. 24, page 9, line 2, by deleting "*or 2.*" and inserting an italicized period.

Amend sec. 24, page 9, by deleting line 3 and inserting:

"*4. The restrictions on investments imposed in this*".

Amend sec. 24, page 9, by deleting line 6 and inserting: "*tions of the acquiring institution or holding*".

Amend sec. 24, page 9, line 8, by deleting "*or merger.*" and inserting an italized period.

Amend sec. 24.5, page 9, line 19, by deleting "*financial*".

Amend sec. 24.5, page 9, line 20, by deleting "*financial*".

Amend the bill as a whole by adding a new section designated section 31.5, following section 31, to read as follows:

"Sec. 31.5. Section 13 of chapter 2, Statutes of Nevada 1984, at page 6, is hereby amended to read as follows:

Sec. 13. 1. The legislature intends to allow a bank holding company which controls a bank in another state to acquire a bank in Nevada only under the conditions and limitations imposed in sections 1 to 8, inclusive, of this act [,] *and in Senate Bill No. 26 of the 63rd session,* and to this end those provisions of this act are not severable. Except as provided in subsection 2, if any provisions of sections 1 to 8, inclusive, of this act, or any application thereof to any person, thing or circumstance is held invalid, the other provisions of sections 1 to 8, inclusive, of this act become ineffective.

2. If a bank holding company has received the administrator's approval pursuant to section 3 of this act to acquire a bank and a provision of sections 1 to 8, inclusive, of this act is subsequently held invalid, the bank holding company may acquire the bank or maintain ownership of it subject to the provisions of sections 1 to 8, inclusive, of this act which can be given effect without the provision declared invalid by the court. The approval given by the administrator remains effective if the bank holding company and the bank continue to exercise only those powers granted by this act.".

Amend the bill as a whole by adding new sections designated sections 35.1, 35.3 and 35.5, following section 35, to read as follows:

"Sec. 35.1. Section 18 of Senate Bill No. 26 of the 63rd session of the legislature is hereby amended to read as follows:

Sec. 18. Except as provided in sections [19 to 24, inclusive,] *20, 21 and 22* of this act, no foreign depository institution or holding company whose operations are principally conducted in [a reciprocal] *another* state may acquire or merge with a depository institution organized under the laws of this state or a holding company whose operations are principally conducted in this state unless the institution or holding company to be acquired was in operation on July 1, 1985.

Sec. 35.3. Section 20 of Senate Bill No. 26 of the 63rd session of the legislature is hereby amended to read as follows:

Sec. 20. 1. If the administrator considers it necessary to protect depositors, creditors and other customers of a failing depository institution or a failing holding company which controls a depository institution, he may solicit offers from and authorize or require the acquisition of the institution or company by or its merger with another institution or company in the following order of priority:

(a) A depository institution of the same class organized under the laws of this state or a holding company whose subsidiaries are of the same class and whose operations are principally conducted in this state.

(b) Any other depository institution licensed under the laws of this state or of the United States if its principal office is located in this state, including institutions which have offices in other states.

(c) [A depository institution licensed under the laws of another state or of the United States whose operations are principally conducted in a reciprocal state, or a holding company for such an institution.

(d)] A depository institution licensed under the laws of another state or of the United States [which does not meet the requirements of paragraph (a), (b) or (c),] or a holding company for such an institution.

The administrator shall solicit written offers from all eligible institutions, regardless of the order of priority established by this subsection, and wait at least 30 days after solicitation before selecting the institution to be approved.

2. The selection of an institution must be made in accordance with the order of priority established in subsection 1 only if such a selection affords the greatest financial recovery by the failing institution's depositors of all offers received. If it does not, the administrator may negotiate with the institutions submitting offers, following that order of priority, and accept that offer which would afford the greatest financial recovery by the failing institution's depositors.

Sec. 35.5. Section 21 of Senate Bill No. 26 of the 63rd session of the legislature is hereby amended to read as follows:

Sec. 21. [Except as provided in section 24 of this act, any] *Any* depository institution or holding company which is acquired pursuant to section 20 of this act, the institution which acquired the depository institution or holding company pursuant to that section or the institution which results from a merger pursuant to that section has all rights, powers and privileges of any other depository institution in this state which is of the same class.".

Amend sec. 36, page 15, line 21, by deleting "authorize," and inserting: "authorize before December 31, 1988, except as provided in section 20 of this act,".

Amend sec. 36, page 15, line 31, by inserting after the period: "The legislature intends to allow acquisitions, mergers and expansion by or with institutions or their holding companies which are organized under the laws of other states or the United States, which principally conduct their operations in other states, under the conditions specified in this act and in chapter 2, Statutes of Nevada 1984, at page 1.".

Amend sec. 37, page 15, by deleting lines 32 through 37 and inserting:

"Sec. 37. 1. Section 2 of this act becomes effective at 12:01 a.m. on July 1, 1985.

2. Sections 13, 14, 19 and 24 of this act expire by limitation on December 31, 1988.

3. Sections 24.5, 32 and 33 to 35.5, inclusive, and subsection 2 of section 31 of this act become effective on December 31, 1988.

4. Section 18 of this act expires by limitation on July 1, 1990.

5. Section 32.5 of this act becomes effective on July 1, 1990.".

Amend the bill as a whole by deleting section 38.

Assemblyman Kerns moved the adoption of the amendment.

Remarks by Assemblymen Kerns and Schofield.

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 12:08 p.m.

ASSEMBLY IN SESSION

At 12:16 p.m.

Mr. Speaker pro Tempore presiding.

Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Commerce, 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: Do pass.

JOHN DUBOIS, *Chairman*

Mr. Speaker:

Your Committee on Labor and Management, 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: Amend, and do pass as amended.

BARBARA ZIMMER, *Chairman*

Mr. Speaker:

Your Committee on Health and Welfare, to which were referred Assembly Bills Nos. 184, 581, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

DAVID D. NICHOLAS, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which was referred Senate 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.

JOHN MARVEL, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Zimmer moved that Assembly Bill No. 142 be taken from the Chief Clerk's desk and placed on the General File.

Motion carried.

By the Committee on Legislative Functions:

Assembly Concurrent Resolution No. 54—Directing the legislative commission to study the feasibility of requiring insurance for the driver instead of the motor vehicle.

GENERAL FILE AND THIRD READING

Assembly Bill No. 296.

Bill read third time.

Remarks by Assemblymen Beyer, Rader and Little.
Roll call on Assembly Bill No. 296:
YEAS—35.
NAYS—Bogaert, DuBois, Horne, Little, O'Donnell, Roberts—6.
Absent—Sedway.

Assembly Bill No. 296 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 363.
Bill read third time.
Remarks by Assemblyman Fairchild.
Roll call on Assembly Bill No. 363:
YEAS—36.
NAYS—Banner, Collins, Jeffrey, Price, Thompson—5.
Absent—Sedway.

Assembly Bill No. 363 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 402.
Bill read third time.
Remarks by Assemblyman Getto.
Roll call on Assembly Bill No. 402:
YEAS—41.
NAYS—None.
Absent—Sedway.

Assembly Bill No. 402 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 Francis moved that Assembly Bills Nos. 184, 456, 579, 581, 608, 653, 655, 715; Senate Bills Nos. 131, 136, 139, 147, 272, 283, 291, 376 and 378 be placed on the Second Reading File.
Motion carried.

Assemblyman Francis moved that Assembly Bills Nos. 107 and 310 be placed on the General File.
Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 469.
Bill read third time.
Remarks by Assemblyman Thomas.
Roll call on Assembly Bill No. 469:
YEAS—37.
NAYS—Fairchild, Lambert, Little, Roberts—4.
Absent—Sedway.

Assembly Bill No. 469 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 517.

Bill read third time.

Remarks by Assemblyman Sader.

Roll call on Assembly Bill No. 517:

YEAS—41.

NAYS—None.

Absent—Sedway.

Assembly Bill No. 517 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 664.

Bill read third time.

Remarks by Assemblymen Beyer, Humke, Stone, Williams, Little and Schofield.

Roll call on Assembly Bill No. 664:

YEAS—27.

NAYS—Arberry, Banner, Bergevin, Collins, Dini, Jeffrey, Kerns, Marvel, Price, Schofield, Stone, Swain, Thompson, Williams—14.

Absent—Sedway.

Assembly Bill No. 664 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 676.

Bill read third time.

Remarks by Assemblyman Nicholas.

Roll call on Assembly Bill No. 676:

YEAS—41.

NAYS—None.

Absent—Sedway.

Assembly Bill No. 676 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 699.

Bill read third time.

Remarks by Assemblymen Nicholas, Price and Getto.

Roll call on Assembly Bill No. 699:

YEAS—41.

NAYS—None.

Absent—Sedway.

Assembly Bill No. 699 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 44.

Bill read third time.

Remarks by Assemblymen Malone, Spriggs and Stone.

Roll call on Senate Bill No. 44:

YEAS—41.

NAYS—None.

Absent—Sedway.

Senate Bill No. 44 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Francis moved that Assembly Bills Nos. 424, 153; Senate Bill No. 254; Assembly Bills Nos. 142, 107 and 310 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. 424.

Bill read third time.

The following amendment was proposed by the Committee on Transportation:

Amendment No. 1293.

Amend section 1, page 1, by deleting lines 3 through 9 and inserting:

"*A manufacturer of a new truck or van whose gross vehicle weight is 8,500 pounds or less shall affix to the windshield or window of such truck or van a document specifying the retail price suggested by him and all other information necessary to comply substantially with the requirements of 15 U.S.C. § 1232, as it existed on January 1, 1958.*".

Amend the title of the bill, to read as follows:

"An Act relating to the sale of motor vehicles; requiring the manufacturer of certain new trucks or vans to affix suggested price; and providing other matters properly relating thereto.".

Amend the summary of the bill to read as follows: "Requires manufacturer of certain trucks and vans to affix suggested price. (BDR 52-1127)".

Assemblyman Rader moved the adoption of the amendment.

Remarks by Assemblyman Rader.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Malone moved that Senate Bill No. 185 be placed on the Second Reading File.

Remarks by Assemblyman Malone.

Motion carried.

Assemblyman Stone moved that Assembly Bill No. 653 be taken from the Second Reading File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Stone.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 153.

Bill read third time.

The following amendment was proposed by Assemblyman Thompson:

Amendment No. 1257.

Amend section 1, page 1, line 15, by deleting "*liability*" and inserting "*ability*".

Amend section 1, page 2, after line 25, by inserting:

"*4. The peace officers' standards and training committee shall establish minimum standards of eligibility and training for private guards whose duties include the protection of private property during the pendency of a strike, work stoppage or other dispute. An employer shall not assign any private guard to such duty unless he is certified by the committee as meeting those standards.*

5. A private guard shall not take any action on behalf of his employer against a picket during the pendency of a strike, work stoppage or other dispute unless the security guard is on the private property he is employed to protect.".

Amend section 1, page 2, line 26, by deleting "*4.*" and inserting "*6.*".

Amend the title of the bill, second line, after "strike;", by inserting: "requiring certain training and prohibiting certain actions by private guards employed to protect private property;".

Assemblyman Thompson moved the adoption of the amendment.

Remarks by Assemblymen Thompson, Zimmer, Malone, Jeffrey, Price, Craddock, Francis and Nevin.

Assemblymen Schofield, Zimmer and Jeffrey moved the previous question.

Motion carried.

The question being on the motion to adopt Amendment No. 1257 to Assembly Bill No. 153.

Amendment lost.

The following amendment was proposed by the Committee on Labor and Management.

Amendment No. 1258.

Amend section 1, page 1, line 3, by deleting: "*or work stoppage,*" and inserting: "*, work stoppage or other dispute,*".

Amend section 1, page 1, line 6, after "*federal*", by inserting "*court or*".

Amend section 1, page 1, line 15, by deleting "*liability*" and inserting "*ability*".

Amend section 1, page 2, line 17, by deleting: "*or stoppage of work*" and inserting: "*, work stoppage or other dispute*".

Amend section 1, page 2, by deleting lines 26 and 27, and inserting:

"*4. Each county shall adopt by ordinance a procedure by which it may grant a variance from the provisions of paragraph (b) of subsection 1.*

5. Any person who violates the prohibitions of this section or of a variance granted pursuant to subsection 4 is guilty of a misdemeanor. This section does not preclude civil action or additional criminal prosecution based upon acts which are prohibited by this section.".

Assemblyman Zimmer moved the adoption of the amendment.

Remarks by Assemblyman Zimmer.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 254.

Bill read third time.

Assemblyman Humke moved that Senate Bill No. 254 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Humke.

Motion carried.

Assembly Bill No. 142.

Bill read third time.

The following amendment was proposed by the Committee on Labor and Management:

Amendment No. 1265.

Amend section 1, page 1, line 5, after "*reasons*", by inserting: ", *other than injury or illness,*".

Amend the title of the bill, second line, by deleting "any reason" and inserting "reasons".

Assemblyman Zimmer moved the adoption of the amendment.

Remarks by Assemblyman Zimmer.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Stone moved that Assembly Bill No. 456 be taken from the Second Reading File and re-referred to the Committee on Judiciary.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 107.

Bill read third time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1269.

Amend sec. 2, page 2, line 38, by deleting "*trapping,*".

Amend sec. 2, page 2, line 39, after "2." by inserting: "*To any citizen of*

the United States who has not attained his 16th birthday and who has been a bona fide resident of the State of Nevada for 6 months immediately preceding his application for a license, upon payment of $5 for an annual trapping license.

3.".

Amend sec. 2, page 3, line 1, by deleting "*$14.25*" and inserting "*$15.00*".

Amend sec. 2, page 3, line 4, by deleting "[50.00] *75.00*" and inserting "50.00".

Amend sec. 2, page 3, line 7, by deleting "3." and inserting "[3.] *4.*".

Amend sec. 2, page 3, line 15, by deleting "4." and inserting "[4.] *5.*".

Amend sec. 2, page 3, line 24, by deleting "*15*" and inserting "*20*".

Amend sec. 2, page 3, line 25, by deleting "*10*" and inserting "*12*".

Amend sec. 2, page 3, line 27, by deleting "*125*" and inserting "*150*".

Amend sec. 2, page 3, line 28, by deleting "*150*" and inserting "*100*".

Amend sec. 2, page 3, line 31, by deleting "5." and inserting "[5.] *6.*".

Amend the bill as a whole by renumbering sections 3 through 8 as sections 4 through 9 and adding a new section designated section 3, following section 2, to read as follows:

"Sec. 3. NRS 502.245 is hereby amended to read as follows:

502.245 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:

(a) Is 65 years of age or older; or

(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]	*$3*
Fishing license	[2]	*3*
Combined hunting and fishing license	[4]	*5*

3. For the purposes of this section, "severe physical handicap" means a physical disability which materially limits the person's ability to engage in gainful employment.".

Amend sec. 3, page 4, line 11, before "Nonresident" by inserting an open bracket.

Amend sec. 3, page 4, line 12, after "125" by inserting a closed bracket.

Amend sec. 8, page 5, by deleting line 27 and inserting:

"Sec. 9. 1. This section and sections 1, 6, 7 and 8 of this act become effective upon passage and approval.

2. Sections 2, 3, 4 and 5 of this act become effective on March 1, 1986, except that:

(a) Any increase in the fee for an exportation permit or trapping license; and

(b) Any new fee for a trapping license,

set forth in section 3 may not be imposed before July 1, 1986.".

Assemblyman Getto moved the adoption of the amendment.

Remarks by Assemblyman Getto.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 310.

Bill read third time.

The following amendment was proposed by the Committee on Legislative Functions:

Amendment No. 1212.

Amend section 1, page 1, line 2, by deleting the brackets.

Amend section 1, page 1, lines 9 and 10, by deleting: "[the total expenditures] *each expenditure*" and inserting: "the total expenditures".

Amend section 1, pages 1 and 2, by deleting lines 15 through 18 on page 1 and lines 1 and 2 on page 2 and inserting: "were ratified by the registrant. [The]

2. *If his expenditures during the previous month exceed $300, the* report must include a [monthly] compilation of expenditures, *itemized in the manner required by the regulations of the director,* in the following categories:

(a) Entertainment;

(b) Gifts and loans; and".

Amend section 1, page 2, line 3, by deleting "[(c)] *3.*" and inserting "(c)".

Assemblyman Bogaert moved the adoption of the amendment.

Remarks by Assemblyman Bogaert.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Francis moved that Assembly Bill No. 665 be placed at the top of the General File.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 665.

Bill read third time.

Remarks by Assemblyman Humke.

Roll call on Assembly Bill No. 665:

YEAS—37.

NAYS—Fairchild, Horne, Little, Roberts—4.

Absent—Sedway.

Assembly Bill No. 665 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 Francis moved that Senate Bills Nos. 122, 144, 223, 252, 297, 335, 404, 426, 462, 479; Senate Joint Resolution No. 37 and Senate Bill No. 183 be taken from the General File and placed on the General File for the next legislative day.

Motion carried.

UNFINISHED BUSINESS

REPORTS OF CONFERENCE COMMITTEES

Mr. Speaker:

The first Committee on Conference concerning Assembly Bill No. 241, 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. C8, which is attached to and hereby made a part of this report.

VIRGIL M. GETTO	DONALD R. MELLO
DAVID E. HUMKE	NICHOLAS (NICK) HORN
BOB COFFIN	WILLIAM J. RAGGIO
Assembly Committee on Conference	*Senate Committee on Conference*

Amendment No. C8.

Amend sec. 2, page 1, by deleting lines 12 through 16 and inserting:

"1. The sum of $491,075 to be used by the office of the director for medical care for offenders.".

Amend sec. 2, page 2, line 1, by deleting: "4. The sum of $89,452" and inserting: "2. The sum of $50,000".

Amend sec. 2, page 2, by deleting lines 2 through 5 and inserting: "tional center for the cost of keeping offenders.

3. The sum of $50,000 to be used by the southern Nevada correctional center for the cost of keeping offenders.".

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. There is hereby appropriated from the state general fund to the interim finance committee the sum of $95,000 for allocation to the department of prisons. The money must be allocated to the northern Nevada restitution center and the southern Nevada restitution center based upon documented shortages of money for the fiscal year 1984-1985.

Sec. 4. The appropriations made by this act are supplemental to those made by section 33 of chapter 453, Statutes of Nevada 1983, at page 1182.".

Amend the title of the bill, first line, after "Act", by inserting: "relating to the department of prisons;".

Assemblyman Getto moved that the Assembly adopt the report of the first Committee on Conference concerning Assembly Bill No. 241.

Remarks by Assemblyman Getto.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 184.

Bill read second time.

The following amendment was proposed by the Committee on Health and Welfare:

Amendment No. 1263.

Amend sec. 2, page 1, after line 12 by inserting: "Sanitarian does not include any person who engages in the practice of engineering as defined in NRS 625.050.".

Amend sec. 13, page 3, after line 16, by inserting:

"2. Shall provide for an annual audit of its fiscal records.".

Amend sec. 13, page 3, line 17, by deleting "2." and inserting "3.".

Amend sec. 15, page 3, line 37, by deleting "and".

Amend sec. 15, page 3, line 38, by deleting the period and inserting: ";

(d) Passes a written or oral examination administered by the board; and

(e) Completes all the requirements of this subsection before July 1, 1989.".

Amend sec. 15, page 3, line 39, by deleting "shall" and inserting "may".

Amend sec. 16, page 4, by deleting lines 5 and 6 and inserting: "tions for registration. The examination must be the written examination certified by the".

Amend sec. 16, page 4, after line 8, by inserting:

"2. If the application is made pursuant to subsection 2 of section 15 of this act, the board may use the written examination certified by the National Environmental Health Association or a written or oral examination prepared by the board.".

Amend the bill as a whole by renumbering section 26 as section 27 and adding a new section designated section 26, following section 25, to read as follows:

"Sec. 26. NRS 218.825 is hereby amended to read as follows:

218.825 1. Each of the boards and commissions created by the provisions of chapters 623 to 625, inclusive, chapters 628 to 644, inclusive, and chapters 654 and 656 of NRS *and sections 2 to 25, inclusive, of this act,* shall engage the services of a certified public accountant or public accountant, or firm of either of such accountants, to audit all of its fiscal records once each year for the preceding fiscal year or once every other year for the 2 preceding fiscal years. The cost of the audit must be paid by the board or commission audited.

2. A report of each such audit must be filed by the board or commission with the legislative auditor and the director of the budget on or before December 1 of each year in which an audit is conducted. All audits must be conducted in accordance with generally accepted auditing standards and all financial statements must be prepared in accordance with generally accepted principles of accounting for special revenue funds.

3. The legislative auditor shall audit the fiscal records of any such board or commission whenever directed to do so by the legislative commission. When the legislative commission directs such an audit, it shall also determine who is to pay the cost of the audit.''.

Amend the bill as a whole by adding a new section designated section 28, following section 26, to read as follows:

''Sec. 28. Section 26 of this act becomes effective at 12:01 a.m. on July 1, 1985.''.

Assemblyman Nicholas moved the adoption of the amendment.

Remarks by Assemblyman Nicholas.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 579.

Bill read second time.

The following amendment was proposed by the Committee on Labor and Management:

Amendment No. 1259.

Amend sec. 2, page 1, by deleting lines 6 through 9 and inserting: ''*ment from an occupational disease which occurred before July 1, 1973, is entitled to a 20 percent increase in those benefits without regard to any limitation on wages imposed by this chapter on the amount of those benefits.*''.

Amend sec. 3, page 1, by deleting lines 13 through 16 and inserting: ''tional disease which occurred before July 1, 1973, is entitled to a 20 percent increase in that compensation without regard to any limitation on wages imposed by this chapter on the amount of that compensation.''.

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 616.510 is hereby amended to read as follows:

616.510 1. [The following persons shall be] *A person is* conclusively presumed to be totally dependent upon an injured or deceased employee [:

(a) A spouse upon a spouse whom the spouse has not voluntarily abandoned at the time of the injury.

(b) A] *if the person is a* natural, posthumous or adopted child , [or children,] whether legitimate or illegitimate, under the age of 18 years, or over that age if physically or mentally incapacitated from wage earning, *and* there [being] *is* no surviving parent. Stepparents may be regarded in this chapter as parents if the fact of dependency is shown, and a stepchild or stepchildren may be regarded in this chapter as a natural child or children if the existence and fact of dependency are shown.

2. Questions as to who [shall constitute] *constitutes* dependents and the extent of their dependency [shall] *must* be determined as of the date of the accident or injury to the employee, and their right to any benefit [shall become fixed as of such] *becomes fixed at that* time, irrespective of any subsequent change in conditions, and the benefits [shall be] *are* directly

recoverable by and payable to the dependent or dependents entitled thereto, or to their legal guardians or trustees.

3. The presumptions of this section [shall] *do* not apply in favor of aliens who are nonresidents of the United States at the time of *the* accident, injury to, or death of the employee.".

Amend sec. 4, page 1, line 18, by deleting "provided in" and inserting: "*otherwise* provided [in".

Amend sec. 4, page 1, by deleting line 19 and inserting: "616.6282,] *by specific statute,* the amount of compensa-".

Amend the bill as a whole by adding a new section designated section 6, following section 4, to read as follows:

"Sec. 6. 1. The increases provided in sections 2 and 3 of this act must be funded by:

(a) An increase in rates of premiums for employers who are insured by the state industrial insurance system for the fiscal year beginning July 1, 1985, and ending June 30, 1986, which is equal to the cost imposed by sections 2 and 3 of this act for that period, less the proportionate share of that cost assessed against self-insured employers; and

(b) An assessment against self-insured employers who were insured by the system during the fiscal year beginning July 1, 1983, and ending June 30, 1984, of a percentage of the cost imposed by sections 2 and 3 of this act which is equal to the percentage of the total premiums paid to the system in the fiscal year beginning July 1, 1983, and ending June 30, 1984, that were paid by self-insured employers.

2. The increases provided in sections 2 and 3 of this act must not be paid for any period before July 1, 1985.".

Amend the title of the bill, second line, after "paid", by inserting: "to certain claimants".

Amend the summary of the bill, first line, after "compensation", by inserting: "for certain claimants".

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. 581.

Bill read second time.

The following amendment was proposed by the Committee on Health and Welfare:

Amendment No. 1097.

Amend section 1, page 1, by deleting lines 2 through 18 and inserting:

"639.2583 If a practitioner has prescribed a drug by brand name and has *not* indicated that a substitution [may be made,] *is prohibited,* a pharmacist:

1. Shall, in a case where he is being paid for the drug by a governmental agency; and

2. May, in any other case,

fill the prescription with another drug which is available to him, is less expensive than the drug prescribed, is biologically equivalent, has the same active ingredient or ingredients of the same strength, quantity and form of dosage and is of the same generic type as the drug prescribed. The pharmacist may also make such a substitution if the prescription was written by a practitioner from outside this state and indicates that a substitution may be made.".

Amend sec. 2, page 2, by deleting lines 1 through 14 and inserting:

"Sec. 2. 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] *a line* 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."] *the printed words "dispense only as written" and a box near that statement for the purpose of indicating that a substitution may not be made.*

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. 3, page 2, by deleting lines 15 through 27 and inserting:

"Sec. 3. This act becomes effective on July 1, 1986.".

Amend the title, first line, by deleting "requiring" and inserting "allowing".

Amend the summary by deleting "Requiring" and inserting "Allows".

Assemblyman Humke moved the adoption of the amendment.

Remarks by Assemblymen Humke and Lambert.

Assemblyman Humke moved that Assembly Bill No. 581 be taken from the Second Reading File and placed on the Chief Clerk's desk.

Motion carried.

Assembly Bill No. 608.

Bill read second time.

The following amendment was proposed by the Committee on Labor and Management:

Amendment No. 1298.

Amend section 1, page 1, by deleting lines 3 through 9 and inserting:

"*1. If an employer or insurer requests a hearing before a hearing officer or appeals officer, and the hearing results in a decision favorable to the*

employee, the employee is entitled to receive reimbursement from the insurer for:

(a) His actual expenses necessarily incurred for travel to and from the hearing, if he is required to travel at least 20 miles one way from his residence or place of employment to the hearing; and

(b) Any regular wages lost as a result of his attending the hearing.

2. The department shall adopt regulations governing the procedure and forms to be used for the reimbursement provided by subsection 1.".

Amend the title of the bill to read as follows:

"An Act relating to industrial insurance; requiring reimbursement of an employee for certain expenses if the employer or insurer requests a hearing; and providing other matters properly relating thereto.".

Amend the summary of the bill to read as follows: "Requires reimbursement of employee for certain expenses if employer or insurer contests claim for industrial insurance. (BDR 53-1627)".

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. 655.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1271.

Amend the bill as a whole by adding new sections designated sections 6 through 9, following section 5, to read as follows:

"Sec. 6. NRS 463.625 is hereby amended to read as follows:

463.625 The commission may exempt a publicly traded corporation from compliance with:

1. The provisions of subsection 4 of NRS 463.510.

2. Some or all of the provisions of NRS 463.585 to 463.615, inclusive. To the extent of such *an* exemption, [such] *the* corporation shall comply instead with the provisions of NRS 463.635 to 463.645, inclusive [.] , *except as otherwise ordered by the commission.*

Sec. 7. NRS 463.639 is hereby amended to read as follows:

463.639 [After] *1. Except as provided in subsection 2, after* the publicly traded corporation has registered pursuant to this chapter, and while the subsidiary holds a gaming license, the publicly traded corporation shall:

[1.] *(a)* Report promptly to the commission in writing any change in its officers, directors or employees who are actively and directly engaged in the administration or supervision of the gaming activities of the corporate or limited partnership gaming licensee.

[2.] *(b)* Each year furnish to the commission a profit and loss statement and a balance sheet of the publicly traded corporation as of the end of the year, and, upon request of the commission therefor, a copy of the publicly traded corporation's federal income tax return within 30 days after the return

is filed with the Federal Government. All profit and loss statements and balance sheets [shall] *must* be submitted within 120 days after the close of the fiscal year to which they relate, and may be those filed by the publicly traded corporation with or furnished by it to the Securities and Exchange Commission.

[3.] *(c)* Mail to the commission a copy of any statement, or amendment thereto, received from a stockholder or group of stockholders pursuant to section 13(d) of the Securities Exchange Act of 1934, as amended, within 10 days after receiving the statement or amendment thereto, and report promptly to the commission in writing any changes in ownership of record of its equity securities which indicate that any person has become the owner of record of more than 10 percent of its outstanding equity securities of any class.

[4.] *(d)* Upon request of the commission, furnish to it a copy of any document filed by the publicly traded corporation with the Securities and Exchange Commission or with any national or regional securities exchange, including documents considered to be confidential in nature, or any document furnished by it to any of its equity security holders of any class.

2. A publicly traded corporation which was created under the laws of a foreign country shall, instead of complying with subsection 1:

(a) Each year furnish to the commission a profit and loss statement and a balance sheet of the publicly traded corporation as of the end of the year, and, upon request of the commission therefor, a copy of the publicly traded corporation's federal income tax return within 30 days after the return is filed with the Federal Government. All profit and loss statements and balance sheets must be submitted within 120 days after the close of the fiscal year to which they relate, and may be those filed by the publicly traded corporation with or furnished by it to the foreign governmental agency that regulates the sale of its securities.

(b) Mail to the commission a copy of any statement, or amendment thereto, received from a stockholder or group of stockholders pursuant to law, within 10 days after receiving the statement or amendment thereto, and report promptly to the commission in writing any changes in ownership of record of its equity securities which indicate that any person has become the owner of record of more than 10 percent of its outstanding equity securities of any class.

(c) Upon request of the commission, furnish to it a copy of any document filed by the publicly traded corporation with the foreign governmental agency that regulates the sale of its securities or with any national or regional securities exchange, including documents considered to be confidential in nature, or any document furnished by it to any of its equity security holders of any class.

Sec. 8. NRS 463.643 is hereby amended to read as follows:

463.643 1. Each person who acquires, directly or indirectly, beneficial ownership of any voting security in a publicly traded corporation which

is registered with the commission may be required to be found suitable if the commission has reason to believe that his acquisition of such ownership would otherwise be inconsistent with the declared policy of this state.

2. Each person who, individually or in association with others, acquires, directly or indirectly, beneficial ownership of more than 5 percent of any class of voting securities of a publicly traded corporation registered with the commission, and who is required to report such acquisition to the Securities Exchange Commission pursuant to section 13(d)(1) or section 16(a) of the Securities Exchange Act of 1934, as amended (15 U.S.C. §§ 78m(d)(1) and 78p(a) respectively), shall file a copy of that report, and any amendments thereto, with the commission within 10 days after filing that report with the Securities Exchange Commission.

3. Each person who, individually or in association with others, acquires, directly or indirectly, the beneficial ownership of more than 10 percent of any class of voting securities of a publicly traded corporation registered with the commission, and who is required to report the acquisition pursuant to section 13(d)(1) or section 16(a) of the federal Securities Exchange Act of 1934, as amended (15 U.S.C. §§ 78m(d)(1) and 78p(a) respectively), must be found suitable by the commission.

4. *A person who acquires beneficial ownership of any voting security in a publicly traded corporation created under the laws of a foreign country which is registered with the commission shall file such reports and is subject to such a finding of suitability as the commission may prescribe.*

5. Any person required by the commission or by this section to be found suitable shall:

(a) Apply for a finding of suitability within 30 days after the commission requests that he do so; and

(b) Together with the application, deposit with the board a sum of money which, in the opinion of the board, will be adequate to pay the anticipated costs and charges incurred in the investigation and processing of the application, and deposit such additional sums as are required by the board to pay final costs and charges.

[5.] *6.* Any person required by the commission or this section to be found suitable who is found unsuitable by the commission shall not hold directly or indirectly the beneficial ownership of any voting security of a publicly traded corporation which is registered with the commission beyond that period of time prescribed by the commission.

[6.] *7.* The violation of subsection [4 or] 5 *or 6* is a gross misdemeanor.

Sec. 9. This act becomes 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. 715.

Bill read second time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1303.

Amend sec. 2, page 1, line 7, by deleting "general" and inserting "highway".

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. 131.

Bill read second time.

The following amendments were proposed by the Committee on Commerce:

Amendment No. 1184.

Amend sec. 10, page 2, line 18, by deleting the semicolon and inserting: "*which are strictly relevant to the complaint;*".

Amend sec. 12, page 3, line 11, by inserting after the period: "*If the person to whom the subpena was directed objects that the material not produced is not strictly relevant, the burden is upon the administrator to show probable relevance.*".

Amend sec. 13, page 3, by inserting between lines 14 and 15:

"2. *If an owner fails to pay the fee within 30 days after receiving written notice of its amount, a penalty of 50 percent of the amount of the fee must be added. The owner is not entitled to any reimbursement of this penalty from his tenants.*".

Amend sec. 13, page 3, line 15, by deleting "2." and inserting "*3.*".

Amend the bill as a whole by deleting sections 15 and 16 and adding new sections designated sections 15 and 16, following section 14, to read as follows:

"Sec. 15. 1. There is hereby appropriated from the state general fund to the manufactured housing division of the department of commerce for the fiscal year 1985-1986 the sum of $20,000 for the enforcement of the provisions of this act.

2. The manufactured housing division shall repay this amount to the state general fund on or before June 30, 1986, from fees collected pursuant to section 13 of this act.

Sec. 16. Sections 10, 11 and 12 of this act become effective on January 1, 1986.".

Amendment No. 1233.

Amend sec. 13, page 3, line 14, by deleting "*located*" and inserting "*occupied*".

Assemblyman Schofield moved the adoption of the amendments.

Remarks by Assemblyman Schofield.

Amendments adopted.

Bill ordered reprinted, re-engrossed and to the Concurrent Committee on Ways and Means.

Senate Bill No. 136.

Bill read second time.

The following amendment was proposed by the Committee on Health and Welfare:

Amendment No. 1287.

Amend sec. 10, page 3, line 24, by deleting "*contain*".

Amend sec. 13, page 6, line 46, after the semicolon by inserting "*and*".

Amend sec. 13, page 7, by deleting lines 1 through 3.

Amend sec. 13, page 7, by deleting "*(6)*" and inserting "*(5)*".

Amend sec. 13, page 7, after line 11 by inserting:

"*5. The decision of the director is a final decision for the purposes of judicial review.*".

Amend sec. 14, page 7, by deleting lines 12 through 26 and inserting:

"Sec. 14. (Deleted by amendment.)".

Amend sec. 18, page 8, line 35, by deleting: "facilities] *institutions* and" and inserting "facilities and]".

Amend sec. 18, page 8, line 37, before "The" by inserting an open bracket.

Amend sec. 18, page 8, line 38, by deleting "[commissioner] *director*" and inserting "commissioner".

Amend sec. 18, page 8, line 39, by deleting the brackets.

Amend sec. 18, page 8, by deleting line 40 and inserting: "and one-half by admitted health insurers.] *The maximum*".

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 233B.039 is hereby amended to read as follows:

233B.039 1. The following agencies are entirely exempted from the requirements of this chapter:

(a) The governor.

(b) The department of prisons.

(c) The University of Nevada System.

(d) The department of the military.

(e) The state gaming control board.

(f) The Nevada gaming commission.

(g) The state board of parole commissioners.

(h) The welfare division of the department of human resources.

(i) The state board of examiners acting pursuant to chapter 217 of NRS.

2. The department of education is subject to the provisions of this chapter for the purpose of regulation-making but not with respect to any contested case.

3. The Nevada state board of accountancy is not subject to the provisions of this chapter for the purpose of adopting rules of professional conduct for accountants and auditors.

4. The special provisions of:

(a) [NRS 439A.105 for the review of decisions involving the issuance of letters of approval for health facilities and agencies;

(b)] Chapter 612 of NRS for the distribution of regulations by and the judicial review of decisions of the employment security department;

[(c)] *(b)* Chapters 616 and 617 of NRS for the determination of contested claims; and

[(d)] *(c)* Chapter 703 of NRS for the judicial review of decisions of the public service commission of Nevada,

prevail over the general provisions of this chapter.

5. The provisions of NRS 233B.122, 233B.124, 233B.125 and 233B.126 do not apply to the department of human resources in the adjudication of contested cases involving the issuance of letters of approval for health facilities and agencies.

6. The provisions of this chapter do not apply to any order for immediate action, including but not limited to quarantine and the treatment or cleansing of infected or infested animals, objects or premises, made under the authority of the state board of agriculture, the state board of health, the state board of sheep commissioners or any other agency of this state in the discharge of a responsibility for the preservation of human or animal health or for insect or pest control.".

Amend sec. 28, page 12, line 13, after "439A.019,", by inserting "439A.105,".

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. 139.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1273.

Amend sec. 11, page 6, line 30, by deleting "6" and inserting "7".

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. 147.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 1234.

Amend sec. 7.7, page 4, line 35, by deleting the italicized period and inserting: "*, including institutions whose parent corporation has offices or operations in other states.*".

Amend sec. 7.7, page 4, line 43, by deleting the italicized period and inserting: "*, whether or not its principal place of business is in another state.*".

Amend sec. 7.7, page 5, by deleting line 6 and inserting: "*all offers*

received. The administrator may not accept any offer which affords the corporation's depositors a smaller financial recovery than they would receive if the corporation were liquidated. If the administrator receives one or more acceptable offers he may negotiate with".

Amend sec. 7.7, page 5, line 7, after "*submitting*", by inserting "*acceptable*".

Amend sec. 7.7, page 5, line 12, by deleting "*institution, that*" and inserting: "*institution or its parent or affiliate, that*".

Amend sec. 7.7, page 5, line 15, after the italicized period, by inserting: "*If the institution which acquires or merges with the thrift company does not own or operate a bank or a savings and loan association in this state it may acquire, establish or operate one such bank or association. The legislature intends that this subsection authorize an institution or its parent or affiliate which is organized under the laws of another state or of the United States and which principally conducts its operations in another state to acquire, establish or operate a bank or savings and loan association in this state.*

4. If the institution which acquires or merges with a thrift company pursuant to subsection 3, or a parent or affiliate of that institution, has acquired a bank located in Nevada pursuant to NRS 666.128, the limitations imposed by NRS 666.132 no longer apply to the operations of the institution or its parent or affiliate.".

Amend the bill as a whole by adding a new section designated section 18.5, following section 18, to read as follows:

"Sec. 18.5. NRS 677.340 is hereby amended to read as follows:

677.340 1. [No] *Except as provided in section 7.7 of this act, no* person doing business under the law of:

(a) Any other state; or

(b) The United States if the principal office of the business is not located in Nevada,

relating to banks, savings and loan associations or persons licensed under chapter 675 of NRS is eligible to become a licensee under 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.

2. Except as provided in subsection 3, a subsidiary of a parent corporation:

(a) One or more of whose other subsidiaries is engaged in any of the activities listed in 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.

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 the bill as a whole by adding a new section designated section 47.5, following section 47, to read as follows:

"Sec. 47.5. NRS 666.132 is hereby amended to read as follows:

666.132 1. A bank holding company which controls a bank in another state may acquire only one bank which is located in Nevada. If approved by the administrator, *except as provided in section 7.7 of this act,* the acquisition is subject to the following conditions:

(a) The total capital stock of the bank to be acquired must be at least $5,000,000.

(b) The acquired bank may not hold a license pursuant to chapter 677 of NRS.

(c) Except as further limited in paragraph (d), the acquired bank must not solicit loans, deposits or other financial business from residents of Nevada unless the solicitation is part of a general solicitation which is also directed to residents of other states.

(d) The acquired bank may not solicit commercial loans in Nevada. The acquired bank may make a loan:

(1) At the request of another financial institution which will also lend money to the person who will receive the loan; or

(2) To another financial institution.

2. For the purposes of this section:

(a) If the acquired bank is prohibited from soliciting a type of business, then the bank holding company and its subsidiaries are also prohibited from soliciting such business for the acquired bank.

(b) "Solicit" means to request a person to engage in an activity or transaction or to advertise a desire to engage in such conduct.".

Amend the bill as a whole by adding a new section designated section 50.5, following section 50, to read as follows:

"Sec. 50.5. The legislature intends to allow acquisitions of or merger with thrift companies in this state by institutions or their parent corporations which are organized under the laws of other states or of the United States, which principally conduct their operations in other states, under the conditions specified in this act.".

Assemblyman DuBois moved the adoption of the amendment.

Remarks by Assemblyman DuBois.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 272.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1268.

Amend sec. 40, page 16, line 8, by deleting "Alternative" and inserting: "In lieu of the requirements set forth in subsections 1 and 2, alternative".

Amend the bill as a whole by renumbering sections 51 through 53 as sections 52 through 54 and adding a new section designated section 51, following section 50, to read as follows:

"Sec. 51. Section 16 of Senate Bill No. 334 of this session is hereby amended to read as follows:

Sec. 16. NRS 119A.230 is hereby amended to read as follows:

119A.230 1. The administrator may *impose a fine or* suspend, revoke or reissue, subject to conditions, any sales agent's license issued under the provisions of this chapter at any time if the sales agent has, by false or fraudulent application or representation, obtained a license or, whether or not acting as a sales agent, is found guilty of:

(a) Making any material misrepresentation;

(b) Making any false promises of a character likely to influence, persuade or induce;

(c) Engaging in any fraudulent, misleading or oppressive sales techniques or tactics;

(d) Accepting a commission or valuable consideration as a sales agent for the performance of any of the acts specified in this chapter from any person except a licensed project broker with whom the sales agent is associated or the developer by whom he is employed;

(e) Failing, within a reasonable time, to account for or remit or turn over to the project broker any money which comes into his possession and which belongs to others; [or]

(f) Violating any of the provisions of this chapter or sections 2 to 46, inclusive, of *Senate Bill No. 272 of this session* or of any regulation adopted pursuant to either chapter, or willfully aiding or abetting another to do so [.] *; or*

(g) A felony or other crime of moral turpitude or has entered a plea of nolo contendere to a felony or other crime of moral turpitude.

2. The administrator may investigate the actions of any sales agent or any person who acts in such a capacity within the State of Nevada.

3. The administrator may refer any complaint for the revocation or suspension of a sales agent's license to the real estate commission or to a hearing officer designated by the director of the department of commerce. The real estate commission or the hearing officer shall report its findings and recommendations to the administrator.".

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. 283.

Bill read second time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1302.

Amend section 1, page 1, line 3, by deleting "$493,136" and inserting "$293,136".

Amend section 1, page 1, line 5, by deleting "$355,000" and inserting "$155,000".

Assemblyman Thomas moved the adoption of the amendment.

Remarks by Assemblyman Thomas.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 291.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 1274.

Amend section 1, page 1, line 6, after "taxation" by inserting: "*within 30 days after the close of the legislative session*".

Amend section 1, page 1, line 7, by deleting "*all*".

Amend section 1, page 1, by deleting line 8 and inserting "*ing:*".

Amend section 1, page 1, by deleting lines 10 through 14 and inserting:

"*(b) The lodging and meals of its officers, lobbyists or employees.*

(c) The amount of money spent on entertainment, gifts or other expenses which are required to be reported pursuant to NRS 218.900 to 218.944, inclusive.".

Amend section 1, page 1, line 15, after "*spent*" by inserting: "*in Carson City*".

Amend section 1, pages 1 and 2, by deleting line 17 on page 1 and lines 1 and 2 on page 2 and inserting:

"*(e) An identification of the fund, account or other source against which the expenses were charged.*".

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. 376.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1260.

Amend sec. 6, page 3, line 7, before "*victims*" by inserting "*compensation of*".

Amend sec. 6, page 3, by deleting line 9 and inserting: "*violation of NRS 200.366, 200.710, 200.720, 200.730 or 201.230.*".

Amend sec. 11, page 3, by deleting lines 42 and 43 and inserting: "of NRS 200.366, 200.710, 200.720, 200.730 or 201.230 are subject to forfeiture. A proceeding for their forfei-".

Amend sec. 11, page 4, line 4, by deleting: "200.710, 200.720 or" and inserting: "200.366, 200.710, 200.720,".

Amend sec. 11, page 4, by deleting line 5 and inserting "200.730 or 201.230.]".

Amend the bill as a whole by adding a new section designated section 14, following section 13, to read as follows:

"Sec. 14. Section 11 of this act becomes effective at 12:01 a.m. on July 1, 1985.".

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. 378.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 1266.

Amend sec. 5, page 2, line 44, by deleting: "*privately or publicly,*" and inserting an italicized comma.

Amend sec. 5, page 2, line 45, by deleting "*$1,000,*" and inserting "*$500,*".

Assemblyman DuBois moved the adoption of the amendment.

Remarks by Assemblyman DuBois.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 185.

Bill read second time.

The following amendment was proposed by the Committee on Transportation:

Amendment No. 1237.

Amend the bill as a whole by renumbering sections 3 through 7 as sections 8 through 12 and adding new sections designated sections 3 through 7, following section 2, to read as follows:

"Sec. 3. NRS 481.019 is hereby amended to read as follows:

481.019 1. The department of motor vehicles *and public safety* is hereby created.

2. The department [of motor vehicles] is vested with the powers and authority provided in this chapter and shall carry out the purposes of this chapter.

Sec. 4. NRS 481.023 is hereby amended to read as follows:

481.023 Except as otherwise provided therein, the department [of motor vehicles] shall execute, administer and enforce, and perform the functions and duties provided in:

1. Title 43 of NRS relating to vehicles.

2. Chapter 706 of NRS relating to licensing of motor vehicle carriers and the use of public highways by [such] *those* carriers.

3. Chapter 366 of NRS relating to imposition and collection of taxes on special fuels used for motor vehicles.

4. Chapter 233F relating to the state communications system.

5. Chapter 453 of NRS relating to controlled substances and chapter 454 of NRS relating to dangerous drugs.

Sec. 5. NRS 481.027 is hereby amended to read as follows:

481.027 1. The department of motor vehicles *and public safety* shall control the manner and type of use of the public highways by the public, and the department of transportation shall control the physical aspects of the public highways.

2. The functions of the department of motor vehicles *and public safety* concerning highway safety must not be duplicated by any other agency, department, commission or officer of the State of Nevada.

Sec. 6. NRS 481.031 is hereby amended to read as follows:

481.031 The office of director of the department of motor vehicles *and public safety* is hereby created.

Sec. 7. NRS 481.035 is hereby amended to read as follows:

481.035 1. The director:

(a) Is appointed by the governor. He must be selected with special reference to his training, experience, capacity and interest in the field of motor vehicle administration.

(b) Is entitled to hold office for a term of 4 years from and after his appointment or until his successor is appointed.

(c) Is in the unclassified service of the state.

(d) 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.

2. There is hereby created in the department of motor vehicles *and public safety* the office of deputy director, which office is in the unclassified service of the state. The deputy director:

(a) Is appointed by the director, and must be selected with special reference to his training, experience, capacity and interest in the field of motor vehicle administration.

(b) 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.''.

Amend the bill as a whole by renumbering sections 8 and 9 as sections 14 and 15 and adding a new section designated section 13, following section 7, to read as follows:

''Sec. 13. NRS 481.130 is hereby amended to read as follows:

481.130 There is hereby created within the department of motor vehicles *and public safety* a division to be known as the Nevada highway patrol.''.

Amend section 8, pages 4 and 5, by deleting lines 37 through 44 on page 4 and lines 1 and 2 on page 5 and inserting:

''481.140 The Nevada highway patrol is composed of the following personnel appointed by the director *:* [of the department of motor vehicles:]

1. One chief; and

2. Such number of inspectors, [patrolmen and other employees] *supervisors, troopers and commercial officers* as the director determines necessary to perform the duties set forth in NRS 481.180, within the limits of legislative appropriations therefor.''.

Amend the bill as a whole by renumbering section 10 as section 17 and adding a new section designated section 16, following section 9, to read as follows:

"Sec. 16. NRS 481.150 is hereby amended to read as follows:

481.150 1. The chief of the Nevada highway patrol [shall be] *is* the chief officer of the Nevada highway patrol and [shall have and exercise all of] *has* the powers and duties provided in NRS 481.180, which [powers and duties shall] *must* be performed under the direction and supervision of the director . [of the department of motor vehicles.]

2. When requested by the governor to preserve order, protect life or property [,] and enforce the laws of this state, the chief may use such [number] *personnel* of *the* Nevada highway patrol [personnel] as may be necessary for [such] *that* purpose. When so acting, [such personnel shall have and exercise general police powers.] *the personnel have the powers of peace officers.* Their salaries and expenses incidental to [such operations shall] *those operations must* be paid out of appropriations for the department [of motor vehicles] from the *state* general fund.".

Amend sec. 10, pages 5 and 6, by deleting lines 31 through 44 on page 5 and lines 1 through 15 on page 6 and inserting: "any person guilty of any violation of the law contributing to the happening of such an accident.

[3. To act as field agents and inspectors in the enforcement of the provisions of chapter 482 of NRS relating to the registration of motor vehicles.

4. To act as field agents, inspectors and instructors in the enforcement of the provisions of chapter 483 of NRS relating to the licensing of operators of motor vehicles.

5. To act as field agents and inspectors in the enforcement of the provisions of chapter 706 of NRS relating to motor vehicle carriers.

6. To act as field agents and inspectors of the department of taxation in the enforcement of the provisions of chapter 365 of NRS relating to the imposition and collection of taxes on gasoline used in and for motor vehicles on the public highways of this state.

7. To act as field agents and inspectors in the enforcement of the provisions of chapter 366 of NRS relating to the imposition and collection of taxes on special fuels used in and for motor vehicles on the public highways of this state.

8. To act as field agents and inspectors in the enforcement of the provisions of chapters 485, 486 and 487 of NRS relating to motor vehicle safety responsibility, motorcycles and garages, repair shops and parking areas.

9. To enforce the provisions of chapter 408 of NRS relating to roadside parks and rest areas in this state.

10.] *(c) To enforce the provisions of chapters 365, 366, 408, 482, 483, 485, 486, 487 and 706 of NRS.*

(d) To maintain the central repository for Nevada records of criminal history and to carry out the provisions of chapter 179A of NRS.

[11.] *(e)* To perform such other duties in connection with [and consistent with] the duties [listed] *specified* in this section, as may be imposed by the director.".

Amend the bill as a whole by renumbering section 11 as section 84 and adding new sections designated sections 18 through 83, following section 10, to read as follows:

"Sec. 18. NRS 482.225 is hereby amended to read as follows:

482.225 1. When application is made to the department for registration of a vehicle purchased in this state from a person other than a retailer required to be registered with the department of taxation or of a vehicle purchased outside this state and not previously registered within this state where the registrant or owner at the time of purchase was not a resident of or employed in this state, the department or its agent shall determine and collect any sales or use tax due and shall remit the tax to the department of taxation except as otherwise provided in NRS 482.260.

2. If the registrant or owner of the vehicle was a resident of the state, or employed within the state, at the time of the purchase of that vehicle, it is presumed that the vehicle was purchased for use within the state and the representative or agent of the department of taxation shall collect the tax and remit it to the department of taxation.

3. Until all applicable taxes and fees are collected, the department shall refuse to register the vehicle.

4. In any county [with a population of] *whose population is* less than 30,000, the department [of motor vehicles] shall designate the county assessor as the agent of the department for the collection of any sales or use tax.

5. If the registrant or owner desires to refute the presumption stated in subsection 2 that he purchased the vehicle for use in this state, he must pay the tax to the department and then may submit his claim for exemption in writing, signed by him or his authorized representative, to the department together with his claim for refund of tax erroneously or illegally collected.

6. If the department finds that the tax has been erroneously or illegally collected, the tax must be refunded.

Sec. 19. NRS 482.368 is hereby amended to read as follows:

482.368 1. Except as provided in subsection 2, the department shall provide suitable distinguishing plates for exempt vehicles. These plates must be provided at cost and must be displayed on the vehicles in the same manner as provided for privately owned vehicles. Any license plates authorized by this section must be immediately returned to the department when the vehicle for which they were issued ceases to be used exclusively for the purpose for which it was exempted from the privilege and use tax.

2. License plates furnished for:

(a) Those automobiles which are maintained for and used by the governor or under the authority and direction of the chief parole and probation officer,

the state contractors' board and auditors, the state fire marshal, the investigation division of the department [of motor vehicles] and any authorized federal or out-of-state law enforcement agency;

(b) One automobile used by the department of prisons, two automobiles used by the Nevada girls training center, and four automobiles used by the Nevada youth training center;

(c) Vehicles of a city, county or the state, except any assigned to the state industrial insurance system, if authorized by the department for purposes of law enforcement or work related thereto or such other purposes as are approved upon proper application and justification; and

(d) Automobiles maintained for and used by investigators of the following:

(1) The state gaming control board;

(2) The division of brand inspection of the state department of agriculture;

(3) The attorney general;

(4) Duly appointed city or county juvenile officers;

(5) District attorney offices;

(6) Sheriff offices; and

(7) Police departments in the state,

must not bear any distinguishing mark which would serve to identify the automobiles as owned by the state, county or city. These license plates must be issued annually for $12 per plate or, if issued in sets, per set.

3. The director may enter into agreements with departments of motor vehicles of other states providing for exchanges of license plates of regular series for automobiles maintained for and used by investigators of the law enforcement agencies enumerated in paragraph (d) of subsection 2, subject to all of the requirements imposed by that paragraph, except that the fee required by that paragraph may not be charged.

4. Applications for the licenses must be made through the head of the department, board, bureau, commission, school district or irrigation district, or through the chairman of the board of county commissioners of the county or town or through the mayor of the city, owning or controlling the vehicles, and no plate or plates may be issued until a certificate has been filed with the department showing that the name of the department, board, bureau, commission, county, city, town, school district or irrigation district, as the case may be, and the words "For Official Use Only" have been permanently and legibly affixed to each side of the vehicle, except those automobiles enumerated in subsection 2.

5. For the purposes of this section, "exempt vehicle" means a vehicle exempt from the privilege tax, except one owned by the United States.

6. The department shall adopt regulations governing the use of all license plates provided for in this section. Upon a finding by the department of any violation of its regulations, it may revoke the violator's privilege of registering vehicles pursuant to this section.

Sec. 20. NRS 483.030 is hereby amended to read as follows:

483.030 "Administrator" means the director . [of the department of motor vehicles.]

Sec. 21. NRS 483.340 is hereby amended to read as follows:

483.340 1. The department shall [(] upon payment of the required fee [)] issue to every applicant qualifying therefor a driver's license indicating the type or class of vehicles the licensee may drive, which license must bear thereon a distinguishing number assigned to the licensee, the full name, date of birth, residence address, and a brief description of the licensee, and a space upon which the licensee shall write his usual signature with pen and ink immediately upon receipt of the license. No license is valid until it has been so signed by the licensee.

2. The department may issue a driver's license for [identification] purposes *of identification* only for use by officers of local police and sheriffs' departments, agents of the investigation division of the department [of motor vehicles] while engaged in special undercover [narcotics or prostitution] investigations *relating to narcotics or prostitution* and agents of the state gaming control board while engaged in investigations pursuant to NRS 463.140. No such license may be issued for use by any federal agent or investigator under any circumstances. An application for such a license must be made through the head of the police or sheriff's department, the chief of the investigation division or the chairman of the state gaming control board. Such a license is exempt from the fees required by NRS 483.410. The department, by regulation, shall provide for the cancellation of any such driver's license upon the completion of the special investigation for which it was issued.

3. Information pertaining to the issuance of a driver's license under subsection 2 is confidential.

4. It is unlawful for any person to use a driver's license issued under subsection 2 for any purpose other than the special investigation for which it was issued.

5. A person may attach to his driver's license any document which identifies him as a donor of all or part of his body pursuant to NRS 451.500 to 451.585, inclusive.

Sec. 22. NRS 483.650 is hereby amended to read as follows:

483.650 As used in the Driver License Compact:

1. "Executive head," with reference to this state, means the governor.

2. "Licensing authority," with reference to this state, means the department . [of motor vehicles.]

Sec. 23. NRS 483.670 is hereby amended to read as follows:

483.670 1. Whenever an application for an instruction permit or for an operator's or chauffeur's license is received from a person previously licensed in another state, the department [of motor vehicles] shall request a copy of the operator's record from [such] *the* other state. When received, the operator's record [shall become a] *becomes* part of [the operator's] *his*

record in this state with the same effect as though entered on [the operator's] *his* record in this state in the original instance.

2. Whenever the department [of motor vehicles] receives a request for an operator's record from another licensing state the record [shall] *must* be forwarded without charge.

Sec. 24. NRS 483.680 is hereby amended to read as follows:

483.680 The department [of motor vehicles] shall furnish to the appropriate authorities of any other party state any information or documents reasonably necessary to facilitate the administration of Articles III, IV and V of the Driver License Compact.

Sec. 25. NRS 483.700 is hereby amended to read as follows:

483.700 No person [shall] *may* operate a [driver training school,] *school for training drivers,* or engage in the business of giving instruction for hire in driving motor vehicles or in the preparation of an applicant for an examination given by the department [of motor vehicles] for a driver's license, unless he has secured a license therefor from the department [of motor vehicles] as provided in NRS 483.700 to 483.780, inclusive.

Sec. 26. NRS 483.710 is hereby amended to read as follows:

483.710 An applicant for a license to operate a school for training drivers must:

1. Be of good moral character.

2. Maintain an established place of business open to the public which is not within 200 feet of any building used by the department [of motor vehicles] as an office.

3. Have the equipment necessary to give proper instruction in the operation of motor vehicles.

4. Be 21 years of age or older.

5. Hold a valid driving instructor's certificate issued by the state department of education in accordance with regulations prescribed by the state board of education governing the qualifications of instructors in privately owned schools for training drivers.

6. File with the department a surety bond in the amount of $10,000 to the department, executed by the applicant as principal with a corporation authorized to transact surety business in this state as surety. The bond must be continuous in form and conditioned that the operator conduct the business of the school as an instructional institution without fraud or fraudulent representation. Upon application by an operator, the department may reduce the amount of the bond required to an amount not less than $5,000 if the operator has satisfactorily conducted his school for the 5 years immediately preceding the application for reduction.

Sec. 27. NRS 483.720 is hereby amended to read as follows:

483.720 An applicant for a license as an instructor for a [driver training school shall:] *school for training drivers must:*

1. Be of good moral character;

2. Pass such examination as the department [of motor vehicles] may

require on traffic laws, safe driving practices and operation of motor vehicles;

3. Be physically able to operate a motor vehicle safely and train others in the operation of motor vehicles;

4. Hold a valid Nevada driver's license;

5. Be 21 years of age or older; *and*

6. Hold a valid driving instructor's certificate issued by the state department of education in accordance with regulations prescribed by the state board of education governing the qualifications of instructors in privately owned [driver training schools.] *schools for training drivers.*

Sec. 28. NRS 483.730 is hereby amended to read as follows:

483.730 1. The department [of motor vehicles] shall issue a license to operate a [driver training school,] *school for training drivers* or to act as an instructor for *such* a [driver training] school, if it is satisfied that the applicant has met the qualifications required by NRS 483.700 to 483.780, inclusive.

2. The license [shall be] *is* valid for [a period of] 2 years [from] *after* the date of issuance, unless canceled, suspended or revoked by the department [of motor vehicles,] and may be renewed subject to the same conditions as the original license.

Sec. 29. NRS 483.740 is hereby amended to read as follows:

483.740 1. A person operating a [driver training] school *for training drivers* shall maintain [bodily injury and property damage] liability insurance on motor vehicles used in driving instruction, insuring the liability of the driving school, the driving instructor, and any person taking instruction, in at least the following amounts:

(a) For bodily injury to or death of one person in any one accident, $20,000;

(b) For bodily injury to or death of two or more persons in any one accident, $40,000; and

(c) For damage to property of others in any one accident, $10,000.

2. Evidence of [such] *the* insurance coverage in the form of a certificate from the insurance carrier [shall] *must* be filed with the department [of motor vehicles] and the certificate [shall] *must* stipulate that the insurance [shall] *may* not be canceled except upon 10 days' written notice to the department . [of motor vehicles.]

Sec. 30. NRS 483.760 is hereby amended to read as follows:

483.760 The department [of motor vehicles] may cancel, suspend, revoke or refuse to renew any license granted pursuant to NRS 483.700 to 483.780, inclusive:

1. If the licensee permits fraud or engages in fraudulent practices either with reference to the applicant or the department [of motor vehicles,] or induces or countenances fraud or fraudulent practices on the part of any applicant for driver's license.

2. If the licensee fails to comply with any of the provisions of NRS

483.700 to 483.780, inclusive, or any of the regulations or requirements of the department [of motor vehicles] made pursuant thereto.

3. If the licensee or any employee or agent of the licensee solicits [driver training or instruction] *persons for enrollment in a school for training drivers* in an office of the department [of motor vehicles] or within 200 feet of any such office.

4. If the licensee or any employee or agent of the licensee follows the identical course of training which is used by the department [of motor vehicles] in giving an examination for a driver's license.

Sec. 31. NRS 483.780 is hereby amended to read as follows:

483.780 The department [of motor vehicles] shall charge the following fees for licenses issued under the provisions of NRS 483.700 to 483.780, inclusive:

[Driver training school license] *License for a school for training drivers* $50

[Driving instructor's license] *License for a driving instructor* 10

Sec. 32. NRS 483.800 is hereby amended to read as follows:

483.800 1. The following sources shall submit, within 30 days of learning such information, to the department [of motor vehicles] the name, address, birth date, social security number, visual acuity and any other information which may be required by regulation of the department, of persons who are blind or night-blind or whose vision is severely impaired and shall designate whether the person is blind, night-blind or has severely impaired vision:

(a) Hospitals, medical clinics and similar institutions which treat persons who are blind, night-blind or whose vision is severely impaired; and

(b) Agencies of the state and political subdivisions which provide special tax consideration for blindness.

2. When any source described in [paragraphs (a) and (b) of] subsection 1 learns that vision has been restored to any person whose name appears in the registry established pursuant to subsection 3, the fact of restoration of vision must be reported to [such] *the* registry within 30 days [of learning such] *after learning of that* fact.

3. The department may establish a registry for the purposes of this section and adopt regulations governing reports to and operation of the registry.

4. The department shall maintain a file of the names, addresses, birth dates and social security numbers of persons who are blind or night-blind or whose vision is severely impaired.

5. All information learned by the department pursuant to this section is confidential and any person who, without the consent of the [individual] *person* concerned, reveals [such] *that* information for purposes other than those specified in this section, or other than for administration of the *program for* supplemental security income , [program,] including state

supplementary assistance and services to the aged, blind or disabled pursuant to chapter 422 of NRS, or services to the blind pursuant to NRS 426.520 to 426.610, inclusive, is guilty of a misdemeanor.

Sec. 33. NRS 483.820 is hereby amended to read as follows:

483.820 1. Every resident of this state 10 years of age or older who does not hold a Nevada driver's license and makes an application as provided in this chapter is entitled to receive an identification card.

2. The department [of motor vehicles] shall charge and collect the same fees for issuance of an original, duplicate or changed identification card, other than a card issued to a minor, as for a driver's license. The department shall charge and collect a fee of $3 for an original identification card issued to a minor, and a fee of $2 for a duplicate card, new photograph, change of name, change of address or any combination.

Sec. 34. NRS 483.830 is hereby amended to read as follows:

483.830 The director [of the department of motor vehicles] shall:

1. Prepare suitable identification cards.

2. Prepare and furnish application forms for [such] *those* cards.

3. Receive applications, grant or deny them and maintain files of applications.

4. Issue identification cards, recall and cancel cards when necessary, and maintain records adequate to preserve the integrity of the [identification card system.] *system for identification cards.*

Sec. 35. NRS 483.850 is hereby amended to read as follows:

483.850 1. Every application for an identification card [shall] *must* be made upon a form provided by the department [of motor vehicles and shall] *and* include:

(a) The applicant's full name.

(b) His social security number, if any.

(c) His date of birth.

(d) His state of legal residence.

(e) His current address.

(f) A statement that he does not possess a valid Nevada driver's license.

2. When the form is completed, the applicant shall sign the form and verify the contents before a person authorized to administer oaths.

Sec. 36. NRS 483.860 is hereby amended to read as follows:

483.860 Every applicant for an identification card shall furnish proof of his age by presenting a birth certificate, baptismal certificate or other proof acceptable to the department [of motor vehicles] and shall provide such other corroboration of the matters stated in his application as are required of applicants for a driver's license.

Sec. 37. NRS 483.870 is hereby amended to read as follows:

483.870 1. An identification card once issued remains valid so long as the person does not become licensed to drive a motor vehicle [,] and the facts and circumstances declared in the application and stated in the card do

not change. An identification card [shall] *must* be surrendered upon issuance of a driver's license.

2. The holder of an identification card shall promptly report any change in [such] *the* information *declared in the application and stated in the card* to the department . [of motor vehicles.]

3. Any change occurring in the holder's address or name [(] as the result of marriage or otherwise [)] or any loss of an identification card [shall] *must* be reported within 10 days [of] *after* the occurrence to the department.

Sec. 38. NRS 483.880 is hereby amended to read as follows:

483.880 1. Upon furnishing information that his identification card is lost or destroyed and paying the prescribed fee, the person to whom the original was issued may obtain a duplicate.

2. If the original of a duplicated card is subsequently recovered or a lost card is found, the person having possession shall return it immediately to the department . [of motor vehicles.]

Sec. 39. NRS 483.890 is hereby amended to read as follows:

483.890 A person who:

1. Forges or alters an identification card or knowingly possesses an altered or forged identification card;

2. Refuses to surrender an identification card for cancellation when so directed by the department ; [of motor vehicles;]

3. Lends his identification card to another person for the other's use or uses a card issued to another person; or

4. Willfully fails to surrender to the department [of motor vehicles] within 10 days *after* another's identification card [coming] *comes* into his possession or to return it to the proper holder,

is guilty of a misdemeanor.

Sec. 40. NRS 484.138 is hereby amended to read as follows:

484.138 "Revocation of driver's license" means the termination by formal action of the department [of motor vehicles] of a person's license to drive a motor vehicle.

Sec. 41. NRS 484.229 is hereby amended to read as follows:

484.229 1. Except as provided in subsections 2, 3 and 4, the driver of a vehicle which is in any manner involved in an accident on a highway or on premises to which the public has access, if the accident results in bodily injury to or the death of any person or total damage to any vehicle or item of property to an apparent extent of $350 or more, shall, within 10 days after the accident, forward a written report of the accident to the department . [of motor vehicles.] Whenever damage occurs to a motor vehicle, the operator shall attach to the accident report an estimate of repairs or a statement of the total loss from an established repair garage, an insurance adjuster employed by an insurer licensed to do business in this state, an adjuster licensed under chapter 684A of NRS [, or a motor vehicle physical damage] *or an* appraiser licensed under chapter 684B of NRS. The department may require the driver

or owner of the vehicle to file supplemental written reports whenever the original report is insufficient in the opinion of the department.

2. A report is not required from any person if the accident was investigated by a law enforcement agency and the report of the investigating officer contains:

(a) The name and address of the insurance company providing coverage to each person involved in the accident;

(b) The number of each policy; and

(c) The dates on which the coverage begins and ends.

3. The driver of a vehicle subject to the jurisdiction of the Interstate Commerce Commission or the public service commission of Nevada need not submit in his report the information requested pursuant to subsection 3 of NRS 484.247 until the 10th day of the month following the month in which the accident occurred.

4. A written accident report is not required under this chapter from any person who is physically incapable of making a report, during the period of his incapacity. Whenever the driver is physically incapable of making a written report of an accident as required in this section and he is not the owner of the vehicle, the owner shall within 10 days after knowledge of the accident make the report not made by the driver.

5. All written reports required in this section to be forwarded to the department by drivers or owners of vehicles involved in accidents are without prejudice to the person so reporting and are for the confidential use of the department or other state agencies having use of the records for accident prevention , [purposes,] except that the department may disclose to a person involved in an accident or to his insurer the identity of another person involved in the accident when his identity is not otherwise known or when he denies his presence at the accident. The department may also disclose the name of his insurer and the number of his policy.

6. No written report forwarded under the provisions of this section may be used as evidence in any trial, civil or criminal, arising out of an accident except that the department shall furnish upon demand of any party to such a trial, or upon demand of any court, a certificate showing that a specified accident report has or has not been made to the department in compliance with law, and, if the report has been made, the date, time and location of the accident, the names and addresses of the drivers, the owners of the vehicles involved and the investigating officers. [Such a] *The* report may be used as evidence when necessary to prosecute charges filed in connection with a violation of NRS 484.236.

Sec. 42. NRS 484.238 is hereby amended to read as follows:

484.238 The state registrar of vital statistics shall on or before the 10th day of each month report in writing to the department [of motor vehicles] the death of any person resulting from a vehicle accident, giving the time and place of accident and the circumstances relating thereto.

Sec. 43. NRS 484.243 is hereby amended to read as follows:

484.243 1. Every police officer who investigates a vehicle accident of which *a* report must be made as required in this chapter, or who otherwise prepares a written report as a result of an investigation either at the time of and at the scene of the accident or thereafter by interviewing the participants or witnesses, shall forward a written report of [such] *the* accident to the department [of motor vehicles] within 10 days after his investigation of the accident.

2. [Such] *The* written reports required to be forwarded by police officers and the information contained therein [shall not be] *are not* privileged or [held] confidential.

3. Every sheriff, chief of police or office of the Nevada highway patrol receiving any report required under NRS 484.223 to 484.241, inclusive, shall immediately prepare a copy thereof and [forthwith file such] *file the* copy with the department.

Sec. 44. NRS 484.247 is hereby amended to read as follows:

484.247 1. The department [of motor vehicles] shall prepare and upon request supply to police departments, sheriffs and other appropriate agencies or persons forms for written accident reports as required in this chapter, suitable with respect to the persons required to make the reports and the purposes to be served. The forms must be designed to call for sufficiently detailed information to disclose with reference to an accident the cause, conditions then existing, the persons and vehicles involved, the name and address of the insurance company, the number of the policy providing coverage and the dates on which the coverage begins and ends.

2. The form prepared for a report to be made by persons pursuant to NRS 484.229 must call for such information as is required by the drivers' license division of the department [of motor vehicles] to enable it to determine whether the requirements for the deposit of security under chapter 485 of NRS are inapplicable. The division may rely upon the accuracy of information supplied by a driver or owner on [such a] *the* form unless the division has reason to believe that the information is erroneous.

3. Every accident report required to be made in writing must be made on the appropriate form approved by the department and must contain all the information required therein unless it is not available.

Sec. 45. NRS 484.249 is hereby amended to read as follows:

484.249 The department [of motor vehicles] shall tabulate and analyze all accident reports received in compliance with this chapter and shall publish annually, or at more frequent intervals, statistical information based thereon as to the number and circumstances of vehicle accidents.

Sec. 46. NRS 484.251 is hereby amended to read as follows:

484.251 1. It is unlawful and, unless otherwise declared in this chapter with respect to a particular offense, it is a misdemeanor for any person to do any act forbidden or fail to perform any act required in this chapter.

2. The court may order any person who is twice convicted of violating a

provision of this chapter to pay tuition for and attend a [drivers' training] school *for driver training* which is approved by the department [of motor vehicles] for retraining such drivers. The person so ordered may choose from those so approved the school which he will attend. A person who willfully fails to comply with such an order is guilty of a misdemeanor.

Sec. 47. NRS 484.263 is hereby amended to read as follows:

484.263 1. Except as otherwise provided in subsection 5, a person shall not:

(a) Operate a motor vehicle registered or required to be registered in this state without having security covering the vehicle as required by NRS 485.185.

(b) Operate or knowingly permit the operation of a motor vehicle without having evidence of current insurance in the vehicle.

(c) Fail or refuse to surrender, upon demand, to a peace officer or to an authorized representative of the department proof of security.

2. Except as provided in subsection 3, any person who violates subsection 1 shall be fined not less than $100 nor more than $500.

3. A person may not be fined if he presents evidence to the court that the security required by NRS 485.185 was in effect at the time demand was made for it.

4. Failure to deposit security if so required by the provisions of NRS 485.190 is prima facie evidence of violation of the provisions of this section.

5. The provisions of paragraphs (b) and (c) of subsection 1 do not apply if the motor vehicle in question displays a valid permit issued by the department [of motor vehicles] pursuant to NRS 482.3212, 482.396, 482.423 or 482.424 authorizing the movement or operation of that vehicle within the state for a limited [period of] time.

Sec. 48. NRS 484.345 is hereby amended to read as follows:

484.345 Any signal required by this chapter to be made by a driver when making a turn or a stop [shall] *must* be given either by means of a hand and arm or by a signal lamp or signal device of a type approved by the department [of motor vehicles, but when] , *except if* a vehicle is so constructed or loaded that a hand and arm signal would not be visible both to the front and rear of [such vehicle then such signals shall] *the vehicle, the signals must* be given by a signal lamp or signal device.

Sec. 49. NRS 484.3792 is hereby amended to read as follows:

484.3792 1. Any person who violates the provisions of NRS 484.379:

(a) For the first offense within 7 years, is guilty of a misdemeanor. Unless he is allowed to undergo treatment as provided in NRS 484.3794, 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 NRS 484.3794, sentence him to imprisonment for not less than 2 days nor more than 6 months in jail, or 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.

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.

(b) For a second offense within 7 years, is guilty of a misdemeanor. Except as provided in NRS 484.3794, the court shall sentence him to imprisonment for not less than 10 days nor more than 6 months in jail and fine him not less than $500 nor more than $1,000.

(c) For a third or subsequent offense within 7 years, shall be punished by imprisonment in the state prison for not less than 1 year nor more than 6 years and must be further punished by a fine of not less than $2,000 nor more than $5,000. An offender so imprisoned must be segregated insofar as practicable from offenders whose crimes were violent, and must be assigned to an institution of minimum security or, if space is available, to an honor camp, restitution center or similar facility.

2. Any offense which occurred within 7 years immediately preceding the date of the principal offense or after the principal offense constitutes a prior offense for the purposes of this section when evidenced by a conviction, without regard to the sequence of the offenses and convictions. The facts concerning a prior offense must be alleged in the complaint, indictment or information, must not be read to the jury or proved at trial but must be proved at the time of sentencing and, if the principal offense is alleged to be a felony, must also be shown at the preliminary examination or presented to the grand jury.

3. No person convicted of violating the provisions of NRS 484.379 may be released on probation, and no sentence imposed for violating those provisions may be suspended. No prosecuting attorney may dismiss a charge of violating the provisions of NRS 484.379 in exchange for a plea of guilty or nolo contendere to a lesser charge or for any other reason unless he knows or it is obvious that the charge is not supported by probable cause or cannot be proved at the time of trial.

4. Any term of confinement imposed under the provisions of this section may be served intermittently at the discretion of the judge or justice of the 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. This discretion must be exercised after considering all the circumstances surrounding the offense, and the family and employment of the offender, but any sentence of 30 days or less must be served within 6 months [from] *after* the date of conviction or within 6 months after the date of sentencing if the offender underwent treatment

pursuant to NRS 484.3794. Any [segment of] time for which the offender is confined must consist of not less than 24 consecutive hours.

5. Jail sentences simultaneously imposed under this section and NRS 483.560 or 485.330 must run consecutively.

6. As used in this section, unless the context otherwise requires, "offense" means a violation of NRS 484.379 or 484.3795 or homicide resulting from the driving of a vehicle while under the influence of intoxicating liquor or a controlled substance, or the violation of a law of any other jurisdiction which prohibits the same conduct.

Sec. 50. NRS 484.385 is hereby amended to read as follows:

484.385 1. As agent for the department, the officer who directed that a test be given under NRS 484.382 or 484.383 or who obtained the result of such a test shall immediately serve an order of revocation of the license, permit or privilege to drive on a person who fails to submit to the test or has 0.10 percent or more by weight of alcohol in his blood, if that person is present, and shall seize his license or permit to drive. The officer shall then advise him of his right to administrative and judicial review of the revocation and to have a temporary license, and shall issue him a temporary license on a form approved by the department if he requests one, which is effective for only 7 days including the date of issuance. The officer shall immediately transmit the person's license or permit to the department along with the written certificate required by subsection 2.

2. When a police officer has served an order of revocation of a driver's license, permit or privilege on a person pursuant to subsection 1, or later receives the result of an evidentiary test which indicates that a person, not then present, had 0.10 percent or more by weight of alcohol in his blood, the officer shall immediately prepare and transmit to the department, together with the seized license or permit and a copy of the result of the test, if any, a written certificate that he had:

(a) An articulable suspicion that the person had been driving or in actual physical control of a vehicle while under the influence of intoxicating liquor or a controlled substance and that the person refused to submit to a required preliminary test;

(b) Reasonable grounds to believe that the person had been driving or in actual physical control of a vehicle while under the influence of intoxicating liquor or a controlled substance and the person refused to submit to a required evidentiary test; or

(c) Reasonable grounds to believe that the person had been driving or in actual physical control of a vehicle with 0.10 percent or more by weight of alcohol in his blood, as determined by a chemical test.

The certificate must also indicate whether the officer served an order of revocation on the person and whether he issued the person a temporary license.

3. The department, upon receipt of such a certificate for which an order of revocation has not been served, after examining the certificate and copy of

the result of the chemical test, if any, and finding that revocation is proper, shall issue an order revoking the person's license, permit or privilege to drive by mailing the order to the person at his last known address. The order must indicate the grounds for the revocation and the period during which the person is not eligible for a license, permit or privilege to drive and state that the person has a right to administrative and judicial review of the revocation and to have a temporary license. The order of revocation becomes effective 5 days after mailing.

4. Notice of an order of revocation and notice of the affirmation of a prior order of revocation or the cancellation of a temporary license provided in NRS 484.387 is sufficient if it is mailed to the person's last known address as shown by any application for a license. The date of mailing may be proved by the certificate of any officer or employee of the department , [of motor vehicles,] specifying the time of mailing the notice. [Such a] *The* notice is presumed to have been received upon the expiration of 5 days after it is deposited, postage prepaid, in the United States mail.

Sec. 51. NRS 484.387 is hereby amended to read as follows:

484.387 1. At any time while a person is not eligible for a license, permit or privilege to drive following an order of revocation issued pursuant to NRS 484.385, he may request in writing a hearing by the department to review the order of revocation, but he is only entitled to one hearing. The hearing must be conducted within 15 days after receipt of the request, or as soon thereafter as is practicable, in the county where the requester resides unless the parties agree otherwise. The director of the department of motor vehicles or his agent may issue subpenas for the attendance of witnesses and the production of relevant books and papers and may require a reexamination of the requester. The department shall issue an additional temporary license for a period which is sufficient to complete the administrative review.

2. The scope of the hearing must be limited to the issue whether [or not] the person failed to submit to a test or had 0.10 percent or more by weight of alcohol in his blood at the time of the test. Upon an affirmative finding on this issue, the department shall affirm the order of revocation. If a negative finding is made on the issue, the order of revocation must be rescinded.

3. If, after the hearing, the order of revocation is affirmed, the person whose license, privilege or permit has been revoked is entitled to a review of the same issue in district court in the same manner as provided by NRS 483.520. The reviewing court may issue a stay of the revocation upon appropriate terms if a substantial question is presented for review which is supported by affidavits or relevant portions of the record of the hearing. The court shall notify the department upon the issuance of a stay and the department shall issue an additional temporary license for a period which is sufficient to complete the review.

4. If a hearing officer grants a continuance of a hearing at the request of the person whose license was revoked, or a court does so after issuing a stay of the revocation, the officer or court shall notify the department, and the

department shall cancel the temporary license and notify the holder by mailing the order of cancellation to his last known address.

Sec. 52. NRS 484.388 is hereby amended to read as follows:

484.388 1. There is hereby created the committee on testing for intoxication, consisting of five members.

2. The director [of the department of motor vehicles] or his delegate is the chairman of the committee. The remaining members of the committee are appointed by the director and serve at his pleasure. At least three of the members appointed by the director must be technically qualified in fields related to testing for intoxication. Not more than three members of the committee may be from any one county.

3. The committee shall meet at the call of the director and as frequently as the committee deems necessary. Three members of the committee constitute a quorum. If a member is unable to attend a meeting, he may be represented by an alternate approved by the director.

4. Any person who is aggrieved by a decision of the committee may appeal in writing to a hearing officer of the department.

Sec. 53. NRS 484.3882 is hereby amended to read as follows:

483.3882 1. The committee on testing for intoxication shall adopt regulations consisting of a list of those devices, described by manufacturer and type, which it certifies as designed and manufactured to be accurate and reliable for the purpose of testing a person's breath to determine the percent by weight of alcohol in the person's blood. The committee may:

(a) Certify those devices of which it approves which are on the list of qualified products meeting the requirements for evidential breath- testing devices of the National Highway Traffic Safety Administration; or

(b) Establish its own standards and procedures for evaluating those devices and obtain evaluations of the devices from the director [of the department of motor vehicles] or his agent.

2. If such a device has been certified by the committee to be accurate and reliable pursuant to subsection 1, it is presumed that, as designed and manufactured, the device is accurate and reliable for the purpose of testing a person's breath to determine the percent by weight of alcohol in the person's blood.

3. If the committee finds it necessary or desirable, it may provide for certification pursuant to subsection 1 of devices which are used to test a person's blood or urine to determine the amount of alcohol or the presence of a controlled substance in the person's blood.

4. This section does not preclude the admission of evidence of the amount of alcohol in a person's blood where the information is obtained through the use of a device other than one of a type certified by the committee.

Sec. 54. NRS 484.3884 is hereby amended to read as follows:

484.3884 1. The committee on testing for intoxication shall adopt regulations which:

(a) Prescribe standards and procedures for calibrating devices used for testing a person's breath to determine the percent by weight of alcohol in the person's blood. The regulations must specify the period within which a law enforcement agency that uses such a device must calibrate it or have it calibrated by the director [of the department of motor vehicles] or his agent.

(b) Establish methods for ascertaining the competence of persons to calibrate such devices and provide for the examination and certification of [such] *those* persons by the department. A certificate issued by the department may not be made effective for longer than 3 years.

(c) Prescribe the form and contents of records respecting the calibration of such devices which must be kept by a law enforcement agency and any other records respecting the maintenance or operation of those devices which it finds should be kept by such an agency.

2. The director [of the department] shall issue a certificate to any person who is found competent to calibrate such a device or examine others on their competence in that calibration.

3. If the committee finds it necessary or desirable, it may adopt regulations that require the calibration of devices which are used to test a person's blood or urine to determine the amount of alcohol or the presence of a controlled substance in the person's blood and the certification of persons who make [such] *those* calibrations.

Sec. 55. NRS 484.3886 is hereby amended to read as follows:

484.3886 1. The committee on testing for intoxication shall adopt regulations which:

(a) Establish methods for ascertaining the competence of persons to:

(1) Operate devices for testing a person's breath to determine the percent by weight of alcohol in the person's blood.

(2) Examine prospective operators and determine their competence.

(b) Provide for certification of operators and examiners by the department . [of motor vehicles.] A certificate issued by the department may not be made effective for longer than 3 years.

A person who is certified as an examiner is presumed to be certified as an operator.

2. The director [of the department] shall issue a certificate to any person who is found competent to operate such a device or examine others on their competence in that operation.

3. A court shall take judicial notice of the certification of a person to operate devices of one of the certified types. If a test to determine the amount of alcohol in a person's blood has been performed with a certified type of device by a person who is certified pursuant to this section, it is presumed that the person operated the device properly.

4. The committee may adopt regulations which:

(a) Provide for the certification of persons who operate devices for testing a person's blood or urine to determine the amount of alcohol or presence of a controlled substance in the person's blood and the certification of persons who examine [such] *those* operators.

(b) Prescribe the essential procedures for the proper operation of the various types of devices.

5. This section does not preclude the admission of evidence of a test of a person's breath, blood or urine where the test has been performed by a person other than one who is certified pursuant to this section.

Sec. 56. NRS 484.394 is hereby amended to read as follows:

484.394 1. Any coroner, or other public official performing like duties, shall in all cases [of motor vehicle accidents where a death or deaths have occurred as a result of such accidents,] *in which a death has occurred as a result of an accident involving a motor vehicle,* whether the person killed is a driver, passenger, or pedestrian, cause to be drawn from each decedent, within 8 hours of [such] *the* accident, a blood sample [or samples] to be analyzed for the presence and amount of alcohol.

2. The findings of [such examinations shall be] *the examinations are* a matter of public record and [shall] *must* be reported to the department [of motor vehicles] by the coroner or [such] other public official within 30 days of [such] *the* death.

3. Blood alcohol analyses [shall be] *are* acceptable only if made by laboratories licensed to perform this function.

Sec. 57. NRS 484.513 is hereby amended to read as follows:

484.513 1. Every bicycle when in use at nighttime [shall] *must* be equipped with a lamp on the front which [shall emit] *emits* a white light visible from a distance of at least 500 feet to the front and with a red reflector on the rear of a type approved by the department [of motor vehicles which shall] *which must* be visible from all distances from 50 feet to 300 feet to the rear when directly in front of lawful lower beams of head lamps on a motor vehicle. A lamp emitting a red light visible from a distance of 500 feet to the rear may be used in addition to the red reflector.

2. No person [shall] *may* operate a bicycle unless it is equipped with a bell or other device capable of giving a signal audible for a distance of at least 100 feet, [but] *except* a bicycle [shall] *must* not be equipped with nor shall any person use upon a bicycle any siren or whistle.

3. Every bicycle [shall] *must* be equipped with a brake which will enable the operator to make the [braked] wheels skid on dry, level, clean pavement.

Sec. 58. NRS 484.609 is hereby amended to read as follows:

484.609 1. It [shall be] *is* unlawful for any person [, firm, company or corporation] to operate or cause to be operated upon the public highways of the State of Nevada any out-of-state or foreign privately owned motor vehicle equipped with a red light or [lights or with a siren or sirens] *siren* attached thereto as a part of the equipment of the vehicle.

2. This section is not intended to repeal, amend or in any manner change the [present] existing law insofar as it applies to domestic and foreign motor vehicles except in the particular instance set out in subsection 1 [; nor shall] *and* this section *does not* apply to motor vehicles registered in foreign states

having reciprocal arrangements made with the department [of motor vehicles] in relation to the use of red lights and sirens upon out-of-state motor vehicles.

3. A violation of the provisions of this section is punishable by a fine of not more than $250.

Sec. 59. NRS 484.623 is hereby amended to read as follows:

484.623 1. It is unlawful for any person to sell, offer for sale or drive any motor vehicle manufactured after January 1, 1970, unless [such] *the* vehicle is equipped with safety glazing material wherever glazing materials are used in [such] *the* vehicle for partitions, doors, windows, windshields or wind deflectors.

2. It is unlawful for any person to sell or offer for sale any camper manufactured after January 1, 1970, [and it is unlawful] *or* for any person to drive such a motor vehicle registered in this state which is equipped with a camper, unless [such] *the* camper is equipped with safety glazing materials wherever glazing materials are used in outside windows and doors. As used in this subsection, "camper" means any structure designed to be loaded onto, or affixed to, a motor vehicle to provide temporary living quarters for recreation, travel or other use.

3. As used in this section, "safety glazing materials" means glazing materials so constructed, treated or combined with other materials as to reduce substantially, in comparison with ordinary sheet glass, the likelihood of injury to persons by objects from exterior sources or by [such] *the* safety glazing materials when they may be cracked or broken.

4. The department [of motor vehicles] shall establish specifications or requirements for approved safety glazing material which [shall] *must* not be lower in standard than those specifications or requirements for safety glazing material established by the American National Standards Institute Safety Code Z26.1-1950, and shall maintain a list of approved safety glazing material.

Sec. 60. NRS 484.641 is hereby amended to read as follows:

484.641 1. It is unlawful to drive a passenger car manufactured after January 1, 1968, on a highway unless it is equipped with at least two lap-type safety belt assemblies for use in the front seat positions.

2. It is unlawful to drive a passenger car manufactured after January 1, 1970, on a highway, unless it is equipped with a lap-type safety belt assembly for each permanent passenger-seating position. This requirement [shall] *does* not apply to the rear seats of vehicles operated by a police department or sheriff's office.

3. It is unlawful to drive a passenger car manufactured after January 1, 1970, unless it is equipped with at least two shoulder-harness-type safety belt assemblies for use in the front seating positions.

4. The department [of motor vehicles shall except such] *shall exempt those* types of motor vehicles or seating positions from the requirements of this section when compliance would be impractical.

5. It is unlawful for any person to distribute, have for sale, offer for sale or sell any safety belt or shoulder harness assembly for use in a motor vehicle unless it meets current minimum standards and specifications of the United States Department of Transportation.

Sec. 61. NRS 484.643 is hereby amended to read as follows:

484.643 1. It is unlawful for any person to operate a motor vehicle, whether it is an emergency vehicle or otherwise, without tire chains or snow tires upon any street or highway, under icy or snowy conditions, when the highway is marked or posted with signs for the requirement of chains or snow tires.

2. The director [of the department of motor vehicles] may adopt regulations defining "snow tire." The director shall consider regulations of the Federal Highway Administration and the National Highway Traffic Safety Administration and publications of the Rubber Manufacturers Association. The regulations must specify minimum standards for patterns of tread on snow tires which will provide adequate traction in mud and snow.

Sec. 62. NRS 484.644 is hereby amended to read as follows:

484.644 1. Except as provided in subsection 2, a person shall not operate or leave standing on any highway any motor vehicle which is required by state or federal law to be equipped with a device for the control of pollution from motor vehicles unless the device is correctly installed and in operating condition. A person shall not disconnect, alter or modify any such required device.

2. The provisions of this section do not apply to:

(a) An alteration or modification found by the state environmental commission not to reduce the effectiveness of the required device.

(b) Motor vehicles which have been licensed by the department [of motor vehicles] as experimental vehicles.

(c) Any vehicle which has been granted a waiver or exemption from the regulations for the control of emissions from motor vehicles.

Sec. 63. NRS 484.646 is hereby amended to read as follows:

484.646 1. After September 15, 1975, when any vehicle or combination of vehicles designed for and is operated at speeds of 25 miles per hour or less is moved on a highway, whether pulled, towed or self-propelled [and whether] in daytime or nighttime, the vehicle or combination [shall] *must* have displayed [a] *an emblem for* slow moving [vehicle emblem,] *vehicles,* except as provided in subsection 3.

2. Use of [the slow moving vehicle] *such an* emblem is restricted to the type of vehicle or combination specified in subsection 1, and the use of the emblem on any other type of vehicle or any stationary object on or beside a highway is unlawful.

3. A vehicle or combination of vehicles of the type specified in subsection 1 is not required to have displayed [a slow moving vehicle emblem] *such an emblem* if the vehicle or combination is moved only on a highway not open to public use or is guarded by flagmen or flares.

4. The requirement for [a slow moving vehicle] *such an* emblem is in addition to any lights or warning flags required by this chapter.

5. The department [of motor vehicles] shall adopt standards for [the slow moving vehicle emblem] *emblems for slow moving vehicles* which conform to standards adopted by the American Society of Agricultural Engineers.

6. The emblem [shall] *must* be mounted, with a point up, on a plane perpendicular to the direction of travel, and located on the rear of the vehicle.

Sec. 64. NRS 484.695 is hereby amended to read as follows:

484.695 1. Peace officers and vehicle safety inspectors of the department , [of motor vehicles,] in pursuance of assigned duty, having reasonable cause to believe that any vehicle or combination of vehicles is not equipped as required by this chapter or is in such unsafe condition as to endanger the driver or other occupant or any person upon a public highway or does not comply with any [tire or brake] standards *for tires or brakes* that may be established by the department [of motor vehicles] pursuant to subsection 4, may require the driver thereof to stop and submit the vehicle or combination of vehicles to an inspection of the mechanical condition or equipment thereof and such [test] *tests* with reference thereto as may be appropriate.

2. If a vehicle or combination of vehicles is found to be in an unsafe mechanical condition or is not equipped as required by this chapter or does not comply with any [tire or brake] standards *for tires or brakes* that may be established by the department [of motor vehicles] pursuant to subsection 4, the peace officer or vehicle safety inspector causing the inspection to be made may give the owner of the vehicle a written traffic citation or notice of vehicle equipment violation and further require the owner of the vehicle to produce in court or the office of the peace officer or vehicle safety inspector satisfactory evidence that the vehicle or its equipment has been made to conform with the requirements of this chapter and regulations adopted thereunder.

3. The director [of the department of motor vehicles] may establish *centers for* vehicle safety inspection [centers] at the [department of motor vehicles] branch offices *of the department* for the purpose of inspecting vehicles intended to be registered in the state. Safety inspections at these centers are limited to examination of tires and brakes on motor vehicles which have an unladen weight of not more than 6,000 pounds and which were manufactured more than 2 years [prior to] *before* the date of inspection.

4. The director shall adopt regulations prescribing the standards for tires and brakes.

Sec. 65. NRS 484.755 is hereby amended to read as follows:

484.755 1. Authority for the enforcement of the provisions of NRS 484.745 to 484.757, inclusive, is vested in the Nevada highway patrol . [and in motor carrier field agents under the jurisdiction of the department of motor vehicles.]

2. Any officer of the Nevada highway patrol [or motor carrier field agent] having reason to believe that the weight of a vehicle and load is unlawful may require the driver to stop and submit to a weighing of the [same] *vehicle* either by means of portable or stationary scales and may require that [such] *the* vehicle be driven to the nearest public scales, if they are within 5 miles.

3. Whenever an officer [or agent] upon weighing a vehicle and load as provided in subsection 2 determines that the weight is unlawful, he may require the driver to stop in a suitable place and remove such portion of the load as may be necessary to reduce the gross weight of the vehicle to those limits permitted under NRS 484.745 to 484.757, inclusive. All materials so unloaded must be cared for by the carrier of the material and at his expense. The officer [or agent] may allow the driver of the inspected vehicle to continue on his journey if any overload does not exceed by more than 5 percent the limitations prescribed by NRS 484.745 to 484.757, inclusive, but the penalties provided in NRS 484.757 must be imposed for the overload violation.

4. Any driver of a vehicle who fails or refuses to stop and submit the vehicle and load to a weighing, or who fails or refuses when directed by an officer of the Nevada highway patrol [or motor carrier field agent] upon a weighing of the vehicle to stop and otherwise comply with the provisions of NRS 484.745 to 484.757, inclusive, is guilty of a misdemeanor.

Sec. 66. NRS 484.773 is hereby amended to read as follows:

484.773 The department [of motor vehicles] shall adopt reasonable regulations providing for:

1. Minimum [binder] requirements *for binders* to secure loads on vehicles against dangerous displacement and governing the loading and securement of loads for transportation over public highways by vehicles, except loads containing radioactive waste.

2. Safety chains and cables for combinations of vehicles.

Sec. 67. NRS 484.787 is hereby amended to read as follows:

484.787 1. Except as provided in NRS 484.789, authorized emergency vehicles are vehicles publicly owned and operated in the performance of the duty of:

(a) A police or fire department.

(b) A sheriff's office.

(c) The Nevada highway patrol.

(d) The division of forestry of the department of conservation and natural resources in responding to a fire.

(e) A public ambulance agency.

(f) A public lifeguard or lifesaving agency.

2. A vehicle publicly maintained in whole or in part by the state, or by a city or county, and privately owned and operated by a regularly salaried member of a police department, sheriff's office or traffic law enforcement department, is an authorized emergency vehicle if:

(a) The vehicle has a permit, pursuant to NRS 484.789, from the department ; [of motor vehicles;]

(b) The person operates the vehicle in responding to emergency calls or fire alarms, or at the request of the Nevada highway patrol or in the pursuit of actual or suspected violators of the law; and

(c) The state, county or city does not furnish a publicly owned vehicle for the purposes stated in paragraph (b).

3. Every authorized emergency vehicle must be equipped with at least one flashing red warning lamp visible from the front and a siren for use as provided in this chapter, which lamp and siren must be in compliance with standards approved by the department . [of motor vehicles.] In addition, an authorized emergency vehicle may display revolving, flashing or steady red or blue warning lights to the front, sides or rear of the vehicle.

4. A person shall not operate a vehicle with any lamp or device displaying a red light visible from directly in front of the center of the vehicle except an authorized emergency vehicle, a school bus or an official vehicle of a regulatory agency.

5. A person shall not operate a vehicle with any lamp or device displaying a blue light, except an authorized emergency vehicle.

Sec. 68. NRS 484.789 is hereby amended to read as follows:

484.789 1. The department [of motor vehicles] may issue [authorized emergency vehicle] permits *for authorized emergency vehicles* to vehicles required to be operated primarily for the immediate preservation of life or property or for the apprehension of [law violators. Such permits shall] *violators of the law. The permits must* not be issued to vehicles when there are available comparable [emergency-type] services provided by agencies referred to in NRS 484.787.

2. The issuance of [authorized emergency vehicle] *the* permits to vehicles under this section [shall] *must* be limited to:

(a) Agencies designated in NRS 484.787;

(b) Vehicles owned or operated by an agency of the United States engaged primarily in law enforcement work; and

(c) Ambulances designed and operated exclusively as such.

3. The following are not emergency vehicles and [shall] *must* not be permitted to operate as such:

(a) Tow cars;

(b) [Public utility vehicles;] *Vehicles used by public utilities;*

(c) Vehicles used in merchant patrols;

(d) Vehicles used in private escort service;

(e) Privately owned vehicles of volunteer firemen;

(f) Privately owned vehicles of reserve members of a police department or a sheriff's office; and

(g) Vehicles of private detectives.

Sec. 69. NRS 485.033 is hereby amended to read as follows:

485.033 "Division" means the drivers' license division of the department [of motor vehicles] or any other division to which the director has assigned responsibility for administration of this chapter.

Sec. 70. NRS 485.108 is hereby amended to read as follows:

485.108 "Registered owner" means a person whose name appears in the records of the registration division of the department [of motor vehicles] as the person to whom the vehicle is registered.

Sec. 71. NRS 485.137 is hereby amended to read as follows:

485.137 1. The division shall publish a leaflet which summarizes and explains the requirements and provisions of this chapter.

2. The department [of motor vehicles] shall:

(a) Make copies of [such] *the* leaflet available without charge to all licensed drivers in this state, to all public school pupils who are of driving age, and to the public.

(b) Cause a copy of [such] *the* leaflet to be delivered to each applicant for a new registration of a vehicle.

(c) Enclose a copy of [such] *the* leaflet with each application for a renewal *of* registration of a vehicle which is mailed to the applicant pursuant to law.

Sec. 72. NRS 485.210 is hereby amended to read as follows:

485.210 1. No policy or bond is effective under NRS 485.190 unless issued by an insurance company or surety company authorized to do business in this state, except as provided in subsection 2 of this section, or unless the policy or bond is subject, if the accident has resulted in bodily injury or death, to a limit, exclusive of interest and costs, of not less than $15,000 because of bodily injury to or death of one person in any one accident and, subject to the limit for one person, to a limit of not less than $30,000 because of bodily injury to or death of two or more persons in any one accident and, if the accident has resulted in injury to or destruction of property, to a limit of not less than $10,000 because of injury to or destruction of property of others in any one accident.

2. No policy or bond is effective under NRS 485.190 with respect to any vehicle which was not registered in this state or to any vehicle which was registered elsewhere than in this state at the effective date of the policy or bond or the most recent renewal thereof, unless the insurance company or surety company issuing that policy or bond is authorized to do business in this state or, if the company is not authorized to do business in this state, unless it executes a power of attorney authorizing the director [of the department of motor vehicles] to accept service on its behalf of notice or process in any action upon that policy or bond arising out of an accident.

Sec. 73. NRS 485.309 is hereby amended to read as follows:

485.309 1. The nonresident owner of a motor vehicle not registered in this state may give proof of financial responsibility by filing with the division a written certificate [or certificates] of an insurance carrier authorized to transact business in the state in which the motor vehicle [or motor vehicles] described in [such] *the* certificate is registered, or if [such] *the* nonresident does not own a motor vehicle, [then] in the state in which the insured

resides, [provided such] *if the* certificate otherwise conforms to the provisions of this chapter, and the division shall accept [the same] *it* upon condition that [such] *the* insurance carrier complies with the following provisions with respect to the policies so certified:

(a) [Such] *The* insurance carrier shall execute a power of attorney authorizing the director [of the department of motor vehicles] to accept service on its behalf of notice or process in any action arising out of a motor vehicle accident in this state; and

(b) [Such] *The* insurance carrier shall agree in writing that [such] *the* policies shall be deemed to conform with the laws of this state relating to the terms of [motor vehicle liability policies issued herein.] *liability policies for motor vehicles.*

2. If any insurance carrier not authorized to transact business in this state, which has qualified to furnish proof of financial responsibility, defaults in any such undertakings or agreements, the division shall not thereafter accept as proof any certificate of [such] *that* carrier whether theretofore filed or thereafter tendered as proof, so long as [such] *the* default continues.

Sec. 74. NRS 485.326 is hereby amended to read as follows:

485.326 The department [of motor vehicles] shall suspend the license of any person convicted of violating NRS 485.185 and the registration of the vehicle described on the report of conviction. The license and registration must remain suspended until he shows proof of financial responsibility as set forth in NRS 485.307. He shall maintain proof of financial responsibility for 3 years after the reinstatement of his license and registration in accordance with the provisions of this chapter, and if he fails to do so , the division shall suspend his license and registration.

Sec. 75. NRS 486.011 is hereby amended to read as follows:

486.011 As used in NRS [486.021] *486.031* to 486.381, inclusive, unless the context otherwise requires, the words and terms defined in NRS [486.021] *486.031* to 486.057, inclusive, have the meanings ascribed to them in those sections.

Sec. 76. NRS 486.231 is hereby amended to read as follows:

486.231 1. The department [of motor vehicles] shall adopt standards for protective headgear and protective glasses, goggles or face shields to be worn by the drivers and passengers of motorcycles and transparent windscreens for motorcycles.

2. Except as provided in this section, when any motorcycle, except a trimobile or moped, is being driven on a highway, the driver and passenger shall wear protective headgear securely fastened on the head and protective glasses, goggles or face shields meeting those standards. Drivers and passengers of trimobiles shall wear protective glasses, goggles or face shields which meet those standards.

3. When a motorcycle or a trimobile is equipped with a transparent windscreen meeting those standards, the driver and passenger are not required to wear glasses, goggles or face shields.

4. When a motorcycle is being driven in a parade authorized by a local

authority, the driver and passenger are not required to wear the protective devices provided for in this section.

5. When a three-wheel motorcycle, on which the driver and passengers ride within an enclosed cab, is being driven on a highway, the driver and passengers are not required to wear the protective devices required by this section.

Sec. 77. NRS 486.241 is hereby amended to read as follows:

486.241 1. A person shall not sell, offer for sale or distribute any protective headgear, glasses, goggles or face shields for use by any drivers or passengers of motorcycles or transparent windscreens for motorcycles unless [such] *the* equipment is of a type and specification meeting the standards therefor adopted by the department . [of motor vehicles.]

2. The provisions of this section [shall] *do* not prohibit the sale of protective headgear, glasses, goggles or face shields which comply with the rules and regulations adopted by the United States Department of Transportation.

Sec. 78. NRS 487.007 is hereby amended to read as follows:

487.007 As used in this chapter the term "state agency" means:

1. The manufactured housing division of the department of commerce with regard to mobile homes and commercial coaches.

2. The department of motor vehicles *and public safety* with regard to all other vehicles subject to registration under the laws of this state.

Sec. 79. NRS 487.160 is hereby amended to read as follows:

487.160 1. The department, after notice and hearing, may suspend, revoke or refuse to renew a license of an automobile wrecker upon determining that the automobile wrecker:

(a) Is not lawfully entitled thereto;

(b) Has made, or knowingly or negligently permitted, any illegal use of that license;

(c) Has failed to return a certificate of dismantling to the state agency when and as required of him by NRS [487.040] *487.050* to 487.190, inclusive; or

(d) Has failed to surrender to the state agency certificates of ownership for vehicles before beginning to dismantle or wreck the vehicles.

2. The applicant or licensee may, within 30 days after receipt of the notice of refusal, suspension or revocation, petition the department in writing for a hearing.

3. Hearings under this section and appeals therefrom must be conducted in the manner prescribed in NRS 482.353 and 482.354.

4. The department may suspend, revoke or refuse to renew a license of an automobile wrecker, or deny a license to an applicant therefor, if the licensee or applicant:

(a) Does not have or maintain an established place of business in this state.

(b) Made a material misstatement in any application.

(c) Willfully fails to comply with any provision of NRS [487.040] *487.050* to 487.190, inclusive.

(d) Fails to furnish and keep in force any bond required by NRS [487.040] *487.050* to 487.190, inclusive.

(e) Fails to discharge any final judgment entered against him when the judgment arises out of any misrepresentation of a vehicle, trailer or semitrailer.

(f) Fails to maintain any license or bond required by a political subdivision of this state.

(g) Has been convicted of a felony.

(h) Has been convicted of a misdemeanor or gross misdemeanor for a violation of a provision of this chapter.

5. If an application for a license as an automobile wrecker is denied, the applicant may not submit another application for at least 6 months after the date of the denial.

6. The department may refuse to review a subsequent application for licensing submitted by any person who violates any provision of this chapter.

7. For the purposes of this section, failure to adhere to the directives of the state agency advising the licensee of his noncompliance with any provision of NRS [487.040] *487.050* to 487.190, inclusive, or regulations of the state agency, within 10 days after the receipt of those directives, is prima facie evidence of willful failure to comply.

Sec. 80. NRS 487.190 is hereby amended to read as follows:

487.190 The provisions of NRS [487.040] *487.050* to 487.180, inclusive, do not apply to work or service vehicles owned by an automobile wrecker.

Sec. 81. NRS 487.200 is hereby amended to read as follows:

487.200 Any person who violates any of the provisions of NRS [487.040] *487.050* to 487.190, inclusive, is guilty of a misdemeanor.

Sec. 82. NRS 487.210 is hereby amended to read as follows:

487.210 As used in NRS 487.220 to 487.300, inclusive [:

1. "Abandoned] *, unless the context otherwise requires, "abandoned* vehicle" means any vehicle which the owner has discarded.

[2. "Department" means the department of motor vehicles.]

Sec. 83. NRS 487.230 is hereby amended to read as follows:

487.230 1. Any sheriff, constable, member of the Nevada highway patrol, investigator of the bureau of enforcement of the registration division [or inspector or field agent of the motor carrier division] of the department, designated employees of the manufactured housing division of the department of commerce, special investigator employed by the office of any district attorney or marshal or policeman of any city or town who has reason to believe that a vehicle has been abandoned in his jurisdiction may remove the vehicle from any public property or, at the request of the owner or

person in possession or control of any private property, from that private property.

2. Any person who removes an abandoned vehicle pursuant to subsection 1 shall take the vehicle to the nearest garage or other place designated by the state agency or political subdivision for storage.".

Amend sec. 11, pages 6 and 7, by deleting lines 25 through 46 on page 6 and lines 1 through 9 on page 7 and inserting:

"2. ["Department" means the department of wildlife.

3.] "Legal owner" means a secured party under a security agreement relating to a vessel or a renter or lessor of a vessel to the state or any political subdivision of the state under a lease [, lease-sale or rental-purchase] *or an* agreement *to lease and sell or to rent and purchase* which grants possession of the vessel to the lessee for a period of 30 consecutive days or more.

[4.] *3.* "Motorboat" means any vessel propelled by machinery, whether or not the machinery is the principal source of propulsion, but does not include a vessel which has a valid marine document issued by the Bureau of Customs of the United States Government or any federal agency successor thereto.

[5.] *4.* "Operate" means to navigate or otherwise use a motorboat or a vessel.

[6.] *5.* "Owner" means:

(a) A person having all the incidents of ownership, including the legal title of a vessel, whether or not [the person] *he* lends, rents or pledges the vessel; and

(b) A debtor under a security agreement relating to a vessel.

"Owner" does not include a person defined as a "legal owner" under subsection [3.] *2.*

[7.] *6.* "Registered owner" means the person registered by the commission as the owner of a vessel.

[8.] *7.* "Vessel" means every description of watercraft, other than a seaplane on the water, used or capable of being used as a means of transportation on water.

[9.] *8.* "Waters of this state" means any waters within the territorial limits of this state.".

Amend the bill as a whole by deleting section 12.

Amend the bill as a whole by renumbering section 13 as section 128 and adding new sections designated sections 85 through 127, following section 11, to read as follows:

"Sec. 85. NRS 488.065 is hereby amended to read as follows:

488.065 1. Every motorboat on the waters of this state must be numbered and titled, except as provided in subsection 4 and NRS 488.175.

2. Upon receipt of an original application for a certificate of ownership or for transfer of a certificate of ownership on an undocumented motorboat, the department *of wildlife* may assign an appropriate builder's hull number to the motorboat whenever there is no builder's number thereon, or when the builder's number has been destroyed or obliterated. The builder's number

must be permanently marked on an integral part of the hull which is accessible for inspection.

3. A person shall not operate or give permission for the operation of any motorboat on the waters of this state unless:

(a) The motorboat is numbered in accordance with the provisions of this chapter, with applicable federal law or with the federally approved numbering system of another state;

(b) The certificate of number awarded to the motorboat is in effect;

(c) The identifying number set forth in the certificate of number is displayed on each side of the bow of the motorboat; and

(d) A valid certificate of ownership has been issued to the owner of any motorboat required to be numbered under this chapter.

4. Any person who purchases or otherwise owns a motorboat before January 1, 1972, is not required to obtain title for the motorboat until he transfers any portion of his ownership in the motorboat to another person.

Sec. 86. NRS 488.075 is hereby amended to read as follows:

488.075 1. The owner of each motorboat requiring numbering by this state shall file an application for a number and for a certificate of ownership with the department *of wildlife* on forms approved by it accompanied by:

(a) Proof of payment of Nevada sales or use tax as evidenced by proof of sale by a Nevada dealer or by a certificate of use tax paid issued by the department of taxation, or by proof of exemption from those taxes as provided in NRS 372.320.

(b) Proof of compliance with the requirements of chapter 361 of NRS, evidenced by a receipt for personal property tax paid on the motorboat or by an assessor's certificate declaring no immediate tax collection on the motorboat under the provisions of NRS 361.505 was deemed necessary.

(c) Such evidence of ownership as the department *of wildlife* may require. The department *of wildlife* shall not issue a number, a certificate of number or a certificate of ownership until this evidence is presented to it.

2. The department *of wildlife* shall not issue or renew a certificate of number if it has been notified by a county assessor before December 1 of any year that the owner is delinquent in the payment of personal property taxes as required by chapter 361 of NRS. The notice must be in such form as the department *of wildlife* may prescribe. Upon receipt of an application from an owner who is delinquent in the payment of personal property taxes, the department *of wildlife* shall notify the owner that the taxes are delinquent. The department *of wildlife* may forward the certificate to the county assessor for release on payment of the taxes or may hold the certificate pending proof of payment of the taxes.

3. The application must be signed by the owner of the motorboat and must be accompanied by a fee of $7.50 for the certificate of number and a fee of $5 for the certificate of ownership. All fees received by the department *of wildlife* under the provisions of this chapter must be deposited in the wildlife account in the state general fund and may be expended only for the

administration and enforcement of the provisions of this chapter. Upon receipt of the application in approved form, the department *of wildlife* shall:

(a) Enter the application upon the records of its office and issue to the applicant a certificate of number stating the number awarded to the motorboat, a certificate of ownership stating the same information and the name and address of the registered owner and the legal owner.

(b) Immediately give to the county assessor of the county in which the motorboat is situated a notice containing the name and address of the owner and information identifying the motorboat.

4. The owner shall paint on or attach to each side of the bow of the motorboat the identification number in such manner as may be prescribed by regulations of the department *of wildlife* in order that the number may be clearly visible. The number must be maintained in legible condition.

5. The certificate of number must be pocket size and must be available at all times for inspection on the motorboat for which issued, whenever the motorboat is in operation.

6. The department *of wildlife* shall provide by regulation for the issuance of numbers to manufacturers and dealers which may be used interchangeably upon motorboats operated by the manufacturers and dealers in connection with the demonstration, sale or exchange of those motorboats. The fee for each such number is $7.50.

Sec. 87. NRS 488.105 is hereby amended to read as follows:

488.105 If an agency of the United States Government has in force an overall system of identification numbering for motorboats within the United States, the numbering system employed pursuant to the provisions of this chapter by the department [shall] *of wildlife must* be in conformity therewith.

Sec. 88. NRS 488.115 is hereby amended to read as follows:

488.115 1. The department *of wildlife* may award any certificate of number directly or may authorize any person to act as agent for the awarding thereof. If a person accepts [such] *the* authorization, he may be assigned a block of numbers and certificates therefor which upon award, in conformity with the provisions of this chapter and with any [rules and] regulations of the commission, [shall be] *is* valid as if awarded directly by the department [.] *of wildlife.* At the time [that] an agent forwards [moneys] *the money* collected to the department *of wildlife* he may retain the amount set by the department *of wildlife* for awarding certificates of number, which [amount shall] *must* not exceed 10 percent of the [funds] *money* collected nor more than 25 cents per certificate of number in any instance.

2. All records of the department *of wildlife* made or kept pursuant to this section are public records.

Sec. 89. NRS 488.135 is hereby amended to read as follows:

488.135 The department *of wildlife* shall fix a day and month of the year on which certificates of number due to expire during the calendar year [shall lapse and no longer be of any force and effect] *lapse* unless renewed pursuant to the provisions of this chapter.

Sec. 90. NRS 488.145 is hereby amended to read as follows:

488.145 1. The owner shall furnish the department *of wildlife* notice of the destruction or abandonment of any motorboat numbered under this chapter, within 10 days thereof.

2. Such destruction or abandonment [shall terminate] *terminates* the certificate of number for [such] *the* motorboat.

Sec. 91. NRS 488.155 is hereby amended to read as follows:

488.155 1. Any holder of a certificate of number and a certificate of ownership shall notify the department *of wildlife* within 10 days, if his address no longer conforms to the address appearing on [such] *the* certificates and shall, as a part of [such] *the* notification, furnish the department *of wildlife* with his new address. The department *of wildlife* shall give written notice of [such] *the* new address to the appropriate county assessor.

2. The commission may provide in its [rules and] regulations for the surrender of [such] *the* certificates bearing the former address and its replacement with new certificates bearing the new address or for the alteration of outstanding certificates to show the new address of the holder.

Sec. 92. NRS 488.175 is hereby amended to read as follows:

488.175 1. Except as provided in subsection 2, a motorboat need not be numbered pursuant to the provisions of this chapter if it is:

(a) Already covered by a number in effect which has been awarded or issued to it pursuant to federal law or a federally approved numbering system of another state if the boat has not been on the waters of this state for a period in excess of 90 consecutive days.

(b) A motorboat from a country other than the United States temporarily using the waters of this state.

(c) A public vessel of the United States, a state or a political subdivision of a state.

(d) A ship's lifeboat.

(e) A motorboat belonging to a class of boats which has been exempted from numbering by the department *of wildlife* after it has found that the numbering of motorboats of that class will not materially aid in their identification; and, if an agency of the Federal Government has a numbering system applicable to the class of motorboats to which the motorboat in question belongs, after the department *of wildlife* has further found that the motorboat would also be exempt from numbering if it were subject to the federal law.

2. The department [, pursuant to department regulation, may issue] *of wildlife may, by regulation, provide for the issuance of* exempt numbers for motorboats not required to be registered under the provisions of this chapter.

3. A motorboat need not be titled pursuant to the provisions of this chapter, if it is already covered by a certificate of ownership which has been awarded or issued to it pursuant to the title system of another state.

Sec. 93. NRS 488.1793 is hereby amended to read as follows:

488.1793 Except as otherwise provided for the creation or transfer of a security interest, no transfer of title to or any interest in any motorboat

required to be numbered under this chapter [shall be] *is* effective until one of the following conditions is fulfilled:

1. The transferor has properly endorsed and delivered the certificate of ownership and has delivered the certificate of number to the transferee as provided in this chapter, and the transferee has, within the prescribed time, delivered [such] *the* documents to the department *of wildlife* or placed them in the United States mail addressed to the department *of wildlife* with the transfer fee.

2. The transferor has delivered to the department *of wildlife* or placed in the United States mail addressed to the department [such] *of wildlife the* appropriate documents for the transfer of ownership pursuant to the sale or transfer.

Sec. 94. NRS 488.1795 is hereby amended to read as follows:

488.1795 Upon receipt of a properly endorsed certificate of ownership and the certificate of number of any motorboat, the transferee shall within 10 days file [such] *the* certificates accompanied by a fee of $5 with the department *of wildlife* and thereby make application for a new certificate of ownership and a new certificate of number.

Sec. 95. NRS 488.1797 is hereby amended to read as follows:

488.1797 1. [Prior to] *Before* the issuance of any certificate of ownership, the department *of wildlife* shall obtain a statement in writing signed by the transferee or transferor, showing:

(a) The date of the sale or other transfer of ownership of the motorboat.

(b) The name and address of the seller or transferor.

(c) The name and address of the buyer or transferee.

2. Upon receipt of the properly endorsed certificate of ownership, the certificate of number and the required fee and statement of information, the department *of wildlife* shall issue a new certificate of ownership and a new certificate of number to the transferee. The previous number may be reassigned to the transferee.

3. The department *of wildlife* shall give notice of [such] *the* transfer to the appropriate county assessor.

Sec. 96. NRS 488.1801 is hereby amended to read as follows:

488.1801 Any owner of any motorboat numbered under this chapter who sells or transfers his title or any interest in [such] *the* motorboat shall within 10 days notify the department *of wildlife* of the sale or transfer and [shall] furnish the following information:

1. The name and address of the legal owner and transferee; and

2. Such description of the motorboat as may be required by the department [.] *of wildlife.*

Sec. 97. NRS 488.1803 is hereby amended to read as follows:

488.1803 Any dealer upon transferring by sale, lease or otherwise any motorboat, whether new or used, required to be numbered under this chapter, shall, upon obtaining proof of payment of personal property taxes as required by chapter 361 of NRS, give written notice of the transfer to the

department *of wildlife* upon an appropriate form provided by it. The notice, accompanied by a [movable personal property tax receipt, shall] *tax receipt for movable personal property, must* be given within 3 days after the sale, but a dealer need not give the notice when selling or transferring a new unnumbered motorboat to another dealer.

Sec. 98. NRS 488.1813 is hereby amended to read as follows:

488.1813 1. If a certificate of ownership is lost, stolen, damaged or mutilated, *an* application for transfer may be made upon a form provided by the department *of wildlife* for a duplicate certificate of ownership. The transferor shall write his signature and address in the appropriate spaces provided upon the application and file it together with the proper fees for *a* duplicate certificate of ownership and transfer.

2. The department *of wildlife* may receive the application and examine into the circumstances of the case and may require the filing of affidavits or other information, and when the department *of wildlife* is satisfied that the applicant is entitled to a transfer of ownership, it may transfer the ownership of the motorboat, and issue a new certificate of ownership, and certificate of number to the person [or persons] found to be entitled thereto.

Sec. 99. NRS 488.1823 is hereby amended to read as follows:

488.1823 1. No security interest in any motorboat required to be numbered under this chapter, whether [such] *the* number was awarded [prior or subsequent to] *before or after* the creation of [such] *the* security interest, is perfected until the secured party or his successor or assignee has deposited with the department *of wildlife* a properly endorsed certificate of ownership to [such] *the* motorboat subject to the security interest.

2. [Such certificate shall] *The certificate must* show the secured party as legal owner if the motorboat is then numbered under this chapter, or if not so numbered, the registered owner shall file an initial application for a certificate of number and for a certificate of ownership and the certificate of ownership issued thereunder [shall] *must* contain the name and address of the legal owner.

3. Upon compliance with subsections 1 and 2, the security interest is perfected and the records of the department [shall] *of wildlife must* show the secured party or his successor or assignee as the legal owner of [such] *the* motorboat.

Sec. 100. NRS 488.1827 is hereby amended to read as follows:

488.1827 The department *of wildlife* may suspend or revoke any certificate of ownership, certificate of number or number of any motorboat if it is satisfied that any such certificate or number was fraudulently obtained, or that the appropriate fee was not paid.

Sec. 101. NRS 488.195 is hereby amended to read as follows:

488.195 1. The exhaust of every internal combustion engine used on any motorboat [shall] *must* be effectively muffled by equipment so constructed and used as to muffle the noise of the exhaust in a reasonable manner.

2. The use of cutouts is prohibited.

3. Subsections 1 and 2 do not apply to:

(a) Motorboats competing in a regatta or boat race approved as provided in NRS 488.305;

(b) Such motorboats while on trial runs between the hours of 9 a.m. and 5 p.m. and during a period not to exceed 48 hours immediately preceding [such] *the* regatta or boat race;

(c) Such motorboats while competing in official trials for speed records during a period not to exceed 48 hours immediately following [such] *the* regatta or boat race; or

(d) Any motorboat operating under a separate permit issued by the department *of wildlife* for [the purpose of] tuning engines, making test or trial runs or competing in official trials for speed records other than in connection with regattas or boat races.

4. The department *of wildlife* shall issue permits for the purposes enumerated in paragraph (a) of subsection 3, under such conditions and restrictions as the commission determines necessary to prevent a public nuisance and to assure the public safety. The commission may adopt [rules and] regulations to carry out the provisions of this subsection.

Sec. 102. NRS 488.197 is hereby amended to read as follows:

488.197 1. No vessel [shall] *may* be equipped with nor shall any person use or install upon a vessel a siren, except as otherwise provided in this chapter.

2. Any authorized emergency vessel, when approved by the department [,] *of wildlife* may be equipped with a siren capable of sound audible under normal conditions from a distance of not less than 500 feet, but [such siren shall] *the siren must* not be used except [when such] *if the* vessel is operated in response to an emergency call or in the immediate pursuit of an actual or suspected violator of the law, in which event the operator of the vessel shall sound the siren when necessary to warn persons of the approach thereof.

Sec. 103. NRS 488.215 is hereby amended to read as follows:

488.215 1. The operator of a vessel involved in a collision, accident or other casualty shall, so far as he can do so without serious danger to his own vessel, crew and passengers, render to other persons affected by the casualty such assistance as may be practicable and as may be necessary [in order] to save them from or minimize any danger caused by the casualty, and shall give his name, address and identification of his vessel in writing to any person injured and to the owner of any property damaged in the casualty.

2. In the case of collision, accident or other casualty involving a vessel, the operator thereof, if the casualty results in death or injury to a person or damage to property in excess of $200, shall file with the department *of wildlife* a full description of the casualty, including such information as the commission may, by regulation, require.

Sec. 104. NRS 488.225 is hereby amended to read as follows:

488.225 In accordance with any request made by an authorized official

or agency of the United States, any information compiled or otherwise available to the department *of wildlife* pursuant to NRS 488.215 [shall] *must* be transmitted to [such] *the* official or agency of the United States.

Sec. 105. NRS 488.305 is hereby amended to read as follows:

488.305 1. The department *of wildlife* may authorize the holding of regattas, motorboat or other boat races, marine parades, tournaments or exhibitions on any waters of this state. The commission shall adopt regulations concerning the safety of motorboats and other vessels and persons thereon, either observers or participants.

2. Whenever a regatta, motorboat or other boat race, marine parade, tournament or exhibition is proposed to be held, the person in charge thereof shall, at least 30 days prior thereto, file an application with the department *of wildlife* for permission to hold the regatta, motorboat or other boat race, marine parade, tournament or exhibition. It may not be conducted without the written authorization of the department [.] *of wildlife.*

3. The application must set forth the date, time and location where it is proposed to hold the regatta, motorboat or other boat race, marine parade, tournament or exhibition, and it [shall] *must* not be conducted without the written authorization of the department [.] *of wildlife.*

4. The provisions of this section do not exempt any person from compliance with applicable federal law or regulation, but nothing contained in this section requires the securing of a state permit pursuant to this section if a permit therefor has been obtained from an authorized agency of the United States.

Sec. 106. NRS 488.355 is hereby amended to read as follows:

488.355 1. Every game warden, sheriff and other peace officer of this state and its political subdivisions shall enforce the provisions of this chapter and may stop and board any vessel subject to the provisions of this chapter.

2. [All boats] *Any boat* located upon *the* waters of this state [shall be] *is* subject to inspection by the department *of wildlife* or any lawfully designated agent or inspector thereof at any time [for the purpose of determining whether such] *to determine whether the* boat is equipped in compliance with the provisions of this chapter.

3. [All boats] *Any boat* located upon *the* waters of this state [shall be] *is* subject to inspection by the health division of the department of human resources or any lawfully designated agent or inspector thereof at any time [for the purpose of determining whether such] *to determine whether the* boat is equipped in compliance with the provisions of NRS 488.315 to 488.335, inclusive.

Sec. 107. NRS 489.601 is hereby amended to read as follows:

489.601 1. Except as provided in NRS 489.611, any manufacturer, dealer or rebuilder having an established place of business in this state, and owning or controlling any new or used manufactured home, mobile home or commercial coach, may move the manufactured home, mobile home or commercial coach for the purposes of display, maintenance, sale or

exchange if there is displayed on it a special plate issued to the manufacturer, dealer or rebuilder as provided by this section.

2. Upon issuance of a manufacturer's, dealer's or rebuilder's license pursuant to this chapter, the division [will] *shall* furnish to the licensee one or more special plates for use on manufactured homes, mobile homes and commercial coaches pursuant to subsection 1. Each plate must have displayed upon it the identification number which is assigned to the manufacturer, dealer or rebuilder and may, at the discretion of the division, have a different letter or symbol on each plate. The plates may be used interchangeably on the manufactured homes, mobile homes or commercial coaches.

3. The division shall , by regulation , determine the number of plates to which each manufacturer, dealer or rebuilder is entitled.

4. The department [of motor vehicles] shall supply the division with the special plates.

5. There must be paid to the division a fee of $12 at the time application for a special plate is made, and by the division to the department , [of motor vehicles,] a fee of $5.50 for each special plate.

Sec. 108. NRS 4.370 is hereby amended to read as follows:

4.370 1. Except as limited by subsection 2, justices' courts have jurisdiction of the following civil actions and proceedings and no others except as provided by specific statute:

(a) In actions arising on contract for the recovery of money only, if the sum claimed, exclusive of interest, does not exceed $1,250.

(b) In actions for damages for injury to the person, or for taking, detaining or injuring personal property, or for injury to real property where no issue is raised by the verified answer of the defendant involving the title to or boundaries of the real property, if the damage claimed does not exceed $1,250.

(c) Except as provided in paragraph (k) in actions for a fine, penalty or forfeiture not exceeding $1,250, given by statute or the ordinance of a county, city or town, where no issue is raised by the answer involving the legality of any tax, impost, assessment, toll or municipal fine.

(d) In actions upon bonds or undertakings conditioned for the payment of money, if the sum claimed does not exceed $1,250, though the penalty may exceed that sum.

(e) In actions to recover the possession of personal property, if the value of the property does not exceed $1,250.

(f) To take and enter judgment on the confession of a defendant, when the amount confessed, exclusive of interest, does not exceed $1,250.

(g) Of actions for the possession of lands and tenements where the relation of landlord and tenant exists.

(h) Of actions when the possession of lands and tenements has been unlawfully or fraudulently obtained or withheld, if damages are sought and the damages claimed do not exceed $1,250.

(i) Of suits for the collection of taxes, where the amount of the tax sued for does not exceed $1,250.

(j) Of actions for the enforcement of mechanics' liens, where the amount of the lien sought to be enforced, exclusive of interest, does not exceed $1,250.

(k) In actions for a fine imposed for a violation of NRS 484.757.

2. The jurisdiction conferred by this section does not extend to civil actions, other than for forcible entry or detainer, in which the title of real property or mining claims or questions affecting the boundaries of land are involved.

3. Justices' courts have jurisdiction of all misdemeanors and no other criminal offenses except as provided by specific statute.

4. Except as provided in subsections 5 and 6, in criminal cases the jurisdiction of justices of the peace extends to the limits of their respective counties.

5. In the case of any arrest made by a member of the Nevada highway patrol , [or by an inspector or field agent of the motor carrier division of the department of motor vehicles,] the jurisdiction of the justices of the peace extends to the limits of their respective counties and to the limits of all counties which have common boundaries with their respective counties.

6. Each justice's court has jurisdiction of any violation of a regulation governing vehicular traffic on an airport within the township in which the court is established.

Sec. 109. NRS 14.070 is hereby amended to read as follows:

14.070 1. The use and operation of a motor vehicle over the public roads, streets or highways, or in any other area open to the public and commonly used by motor vehicles, in the State of Nevada by any person, either as principal, master, agent or servant, shall be deemed an appointment by the operator, on behalf of himself and his principal or master, his executor, administrator or personal representative, of the director of the department of motor vehicles *and public safety* to be his true and lawful attorney upon whom may be served all legal process in any action or proceeding against him, his principal or master, his executor, administrator or personal representative, growing out of such use or resulting in damage or loss to person or property, and the use or operation signifies his agreement that any [such] process against him which is so served has the same legal force and validity as though served upon him personally within the State of Nevada.

2. Service of process must be made by leaving a copy of the process with a fee of $5 in the hands of the director of the department of motor vehicles *and public safety* or in his office, and [such] *the* service shall be deemed sufficient upon the operator if notice of service and a copy of the process is sent by registered or certified mail by the plaintiff to the defendant at the address supplied by the defendant in his accident report, if any, and if not, at the best address available to the plaintiff, and a return receipt signed by the defendant or a return of the [Post Office Department] *United States Postal Service* stating that the defendant refused to accept delivery or could not be located, or that the address was insufficient, and the plaintiff's affidavit of

compliance therewith are attached to the original process and returned and filed in the action in which it was issued. Personal service of notice and a copy of the process upon the defendant, wherever found outside of this state, by any person qualified to serve like process in the State of Nevada is the equivalent of mailing, and may be proved by the affidavit of the person making [such] *the* personal service appended to the original process and returned and filed in the action in which it was issued.

3. The court in which the action is pending may order such continuances as may be necessary to afford the defendant reasonable opportunity to defend the action.

4. The fee of $5 paid by the plaintiff to the director of the department of motor vehicles *and public safety* at the time of the service must be taxed in his costs if he prevails in the suit. The director of the department of motor vehicles *and public safety* shall keep a record of all service of process, *including* the day and hour of service.

5. The foregoing provisions of this section with reference to the service of process upon an operator defendant are not exclusive, [but] *except* if the operator defendant is found within the State of Nevada , he must be served with process in the State of Nevada.

6. The provisions of this section apply to nonresident motorists and to resident motorists who have left the state or cannot be found within the state following an accident which is the subject of an action for which process is served pursuant to this section.

Sec. 110. 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, a controlled substance whose use or possession 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 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 to prove the identity of the person from whom the affiant received the blood or urine or purported controlled substance for analysis and the amount of alcohol or the presence or absence of a controlled substance, chemical, poison or organic solvent, as the case may be.

2. A person's affidavit is admissible in evidence in any criminal or administrative proceeding to prove:

(a) That he has been certified by the director of the department of motor vehicles *and public safety* as being competent to operate devices of a type which have been certified by the committee on testing for intoxication as accurate and reliable for testing a person's breath, blood or urine to determine the amount by weight of alcohol in his blood;

(b) The identity of a person from whom the affiant obtained a sample of breath, blood or urine;

(c) That the affiant tested the sample using a device of a type so certified and that the device was functioning properly; and

(d) The amount of alcohol that he found in the person's blood.

3. The affidavit of a person who prepared a chemical solution or gas which has been used in calibrating a device for testing another's breath to determine the amount of alcohol in his blood is admissible in evidence in any criminal or administrative proceeding to prove:

(a) The affiant's occupation;

(b) That he prepared a solution or gas having the chemical composition which is specified by the manufacturer of the device as necessary for accurately calibrating it; and

(c) The name of the law enforcement agency or laboratory to which he delivered the solution or gas.

4. The affidavit of a person who calibrates a device for testing another's breath to determine the amount of alcohol in his blood is admissible in evidence in any criminal or administrative proceeding to prove:

(a) The affiant's occupation;

(b) That on a specified date he calibrated such a device at a named law enforcement agency by using the procedures and equipment prescribed in the regulations of the committee on testing for intoxication;

(c) That the calibration was performed within the period required by the committee's regulations; and

(d) Upon completing the calibration of the device, it was operating properly.

5. The affidavit of a person who withdraws a sample of blood from another for [the purpose of] analysis by an expert as mentioned in subsection 1 is admissible in any criminal or administrative proceeding to prove:

(a) The occupation of the affiant;

(b) The identity of the person from whom the affiant withdrew the sample;

(c) 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

(d) The person to whom the affiant delivered it.

6. The affidavit of a person who 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 may be admitted in any criminal or administrative proceeding to prove:

(a) The occupation of the affiant;

(b) The fact 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

(c) The identity of the person to whom the affiant delivered it.

7. The committee on testing for intoxication shall adopt regulations which prescribe the form of the affidavits described in this section.

Sec. 111. NRS 62.221 is hereby amended to read as follows:

62.221 Whenever any child is found to have violated a traffic law or ordinance, the judge, or his duly authorized representative, shall forward to the department of motor vehicles [,] *and public safety,* in the form required by NRS 483.450, a record of [such] *the* violation, other than violation of a law or ordinance governing standing or parking, and may [, in his discretion, do one, some] *do any* or all of the following:

1. Impose a fine.
2. Recommend to the department of motor vehicles *and public safety* the suspension of the child's driver's license.
3. Require that the child attend and complete a traffic survival course.
4. Order that the child or his parents pay the reasonable cost of the child's attending the traffic survival course.
5. Order the child to be placed on a work detail [in order] to repay any fine imposed.
6. Order the child placed on probation.

Sec. 112. NRS 62.360 is hereby amended to read as follows:

62.360 1. The court shall make and keep records of all cases brought before it.

2.. The records may be opened to inspection only by order of the court to persons having a legitimate interest therein except that a release without a court order may be made of any:

(a) Records of traffic violations which are being forwarded to the department of motor vehicles [;] *and public safety;* and

(b) Records which have not been sealed and are required by the department of parole and probation for preparation of presentence reports pursuant to NRS 176.135.

3. The clerk of the court shall prepare and cause to be printed forms for social and legal records and other papers as may be required.

4. Whenever the conduct of a juvenile with respect to whom the jurisdiction of the juvenile court has been invoked may be the basis of a civil action, any party to the civil action may petition the court for release of the child's name, and upon satisfactory showing to the court that the purpose in obtaining the information is for use in a civil action brought or to be brought in good faith, the court shall order the release of the child's name and authorize its use in the civil action.

Sec. 113. NRS 108.310 is hereby amended to read as follows:

108.310 Subject to the provisions of NRS 108.315, the lien created in NRS 108.270 to 108.360, inclusive, may be satisfied as follows:

1. The lien claimant shall give written notice to the person on whose account the storing, maintaining, keeping, repairing, labor, fuel, supplies, facilities, services or accessories were made, done or given, and to any other person known to have or to claim an interest in the motor vehicle, aircraft, motorcycle, motor or aircraft equipment, aircraft parts or trailer, upon which the lien is asserted, and to the:

(a) Manufactured housing division of the department of commerce with

regard to mobile homes and commercial coaches as defined in chapter 489 of NRS; or

(b) [Motor vehicle registration] *Registration* division of the department of motor vehicles *and public safety* with regard to all other items included in this section.

2. In accordance with the terms of a notice so given, a sale by auction may be had to satisfy any valid claim which has become a lien on the motor vehicle, aircraft, motorcycle, motor or aircraft equipment, aircraft parts or trailer. The sale must be had in the place where the lien was acquired, or, if that place is manifestly unsuitable for the purpose, at the nearest suitable place.

3. After the time for the payment of the claim specified in the notice has elapsed, an advertisement of the sale, describing the motor vehicle, aircraft, motorcycle, motor or aircraft equipment, aircraft parts or trailer to be sold, and stating the name of the owner or person on whose account it is held, and the time and place of the sale, must be published once a week for 2 consecutive weeks, being 3 successive weekly issues, in a newspaper published in the place where the sale is to be held, but if no newspaper is published in that place then in some newspaper published in this state and having a general circulation in that place. The sale must not be held less than 15 days [from] *after* the time of the first publication.

4. From the proceeds of the sale the lien claimant who furnished the services, labor, fuel, accessories, facilities or supplies shall satisfy his lien, including the reasonable charges of notice, advertisement and sale. The balance, if any, of the proceeds must be delivered, on demand, to the person to whom he would have been bound to deliver, or justified in delivering, the motor vehicle, aircraft, motorcycle, motor or aircraft equipment, aircraft parts or trailer.

Sec. 114. NRS 108.315 is hereby amended to read as follows:

108.315 1. Any keeper of a trailer park who desires to enforce a lien for unpaid rent or rent and utilities under the provisions of NRS 108.270 to 108.360, inclusive, shall, within 15 days after the rent is 30 days past due, make a demand in writing upon the registered owner of the trailer, for the amount due, stating that a lien is claimed on the trailer. A copy of the demand must be sent to every holder of a security interest in the trailer by registered or certified mail.

2. For the purpose of obtaining the name and address of a holder of a security interest in the trailer, the trailer park keeper shall request that information before making the demand for payment from the:

(a) Manufactured housing division of the department of commerce with regard to mobile homes and commercial coaches as defined in chapter 489 of NRS.

(b) Department of motor vehicles *and public safety* with regard to all other vehicles.

The state agency shall supply that information from its records or, if the

trailer is registered in another state, territory or country, obtain the information from the appropriate agency of that state, territory or country.

3. No trailer may be sold for delinquent rent or rent and utilities until 4 months have elapsed after the first default in payment. At least 10 days before a sale, a written notice must be sent to every holder of a security interest in the trailer by registered or certified mail stating that a sale by auction of the trailer is to be made pursuant to the provisions of NRS 108.310.

Sec. 115. NRS 176.061 is hereby amended to read as follows:

176.061 The state controller shall distribute the money received to the following public agencies in the following amounts for each $7 received, up to the amount authorized by the legislature:

1. Six dollars to the office of the court administrator for allocation as follows:

(a) One dollar for the administration of the courts.

(b) One dollar for the development of a uniform system for judicial records.

(c) One dollar for continuing judicial education.

(d) Three dollars for the supreme court.

2. One dollar for the peace officers' standards and training committee of the department of motor vehicles *and public safety* to be used for the continuing education of persons whose primary duty is law enforcement. Any amounts received in excess of the amounts authorized for expenditure must be deposited to the credit of the state general fund.

Sec. 116. NRS 179.495 is hereby amended to read as follows:

179.495 1. Within a reasonable time but not later than 90 days after the termination of the period of an order or any extension thereof, the judge who issued the order shall cause to be served on the chief of the investigation division of the department of motor vehicles [,] *and public safety,* persons named in the order and any other parties to intercepted communications, an inventory which must include notice of:

(a) The fact of the entry and a copy of the order.

(b) The fact that during the period wire or oral communications were or were not intercepted.

The inventory filed pursuant to this section is confidential and must not be released for inspection unless subpenaed by a court of competent jurisdiction.

2. The judge, upon receipt of a written request from any person who was a party to an intercepted communication or from [such] *the* person's attorney, shall make available to [such] *the* person or his counsel those portions of the intercepted communications which contain his conversation. On an ex parte showing of good cause to a district judge, the serving of the inventory required by this section may be postponed for such time as the judge may provide.

Sec. 117. NRS 179.515 is hereby amended to read as follows:

179.515 1. In January of each year, the attorney general and the district attorney of each county shall report to the Administrative Office of the United States Courts the information required to be reported pursuant to 18 U.S.C. § 2519. A copy of the report must be filed with the investigation division of the department of motor vehicles [.] *and public safety.* In the case of a joint application by the attorney general and a district attorney both shall make the report.

2. Every justice of the supreme court or district judge who signs an order authorizing or denying an interception shall, within 30 days after the termination of the order or any extension thereof, file with the investigation division of the department of motor vehicles *and public safety* on forms approved by the division a report containing the same information required to be reported pursuant to 18 U.S.C. § 2519. The report must also indicate whether a party to an intercepted wire communication had consented to the interception.

3. The willful failure of any officer to report any information known to him which is required to be reported pursuant to subsection 1 or 2 constitutes malfeasance in office and, in such cases, the secretary of state shall, when the wrong becomes known to him, institute legal proceedings for the removal of that officer.

4. The investigation division of the department of motor vehicles *and public safety* shall, on or before April 30 of each year, compile a report consisting of a summary and analysis of all reports submitted to the division pursuant to this section during the previous calendar year. The report is a public record and may be inspected by any person during the regular office hours of the division.

Sec. 118. NRS 179A.070 is hereby amended to read as follows:

179A.070 1. "Record of criminal history" means information contained in records collected and maintained by agencies of criminal justice, the subject of which is a natural person, consisting of descriptions which identify the subject and notations of arrests, detention, indictments, informations or other formal criminal charges and dispositions of charges, including dismissals, acquittals, convictions, sentences, correctional supervision and release, occurring in Nevada. The term includes only information contained in memoranda of formal transactions between a person and an agency of criminal justice in this state. The term is intended to be equivalent to the phrase "criminal history record information" as used in federal regulations.

2. "Record of criminal history" does not include:

(a) Investigative or intelligence information, reports of crime or other information concerning specific persons collected in the course of the enforcement of criminal laws.

(b) Information concerning juveniles.

(c) Posters, announcements or lists intended to identify fugitives or wanted persons and aid in their apprehension.

(d) Original records of entry maintained by agencies of criminal justice if the records are chronological and not cross-indexed in any other way.

(e) Records of application for and issuance, suspension, revocation or renewal of occupational licenses, including permits to work in the gaming industry.

(f) Court indices and records of public judicial proceedings, court decisions and opinions, and information disclosed during public judicial proceedings.

(g) Records of traffic violations constituting misdemeanors.

(h) Records of traffic offenses maintained by the department of motor vehicles *and public safety* for the purpose of regulating the issuance, suspension, revocation or renewal of drivers' or other operators' licenses.

(i) Announcements of actions by the state board of pardons commissioners and the state board of parole commissioners.

(j) Records which originated in an agency other than an agency of criminal justice in this state.

Sec. 119. NRS 179A.080 is hereby amended to read as follows:

179A.080 The director of the department of motor vehicles *and public safety* is responsible for administering this chapter and may adopt regulations for that purpose. The director shall:

1. Establish regulations for the security of the system of Nevada records of criminal history so that it is adequately protected from fire, theft, loss, destruction, other hazards and unauthorized access.

2. Adopt regulations and standards for personnel employed by agencies of criminal justice in positions of responsibility for maintenance and dissemination of records of criminal history.

3. Provide for audits of [information] *informational* systems by qualified public or private agencies, organizations or persons.

Sec. 120. NRS 179A.150 is hereby amended to read as follows:

179A.150 1. The central repository and each state, municipal, county or metropolitan police agency shall permit a person, who is or believes he may be the subject of a record of criminal history maintained by that agency, to appear in person during normal business hours of the agency and inspect any recorded information held by that agency pertaining to him. This right of access does not extend to data contained in intelligence, investigative or other related files, and does not include any information other than that defined as a record of criminal history.

2. Each such agency shall adopt regulations and make available necessary forms to permit inspection and review of Nevada records of criminal history by those persons who are the subjects thereof. The regulations must specify:

(a) The reasonable periods [of time] during which the records are available for inspection;

(b) The requirements for proper identification of the persons seeking access to the records; and

(c) The reasonable charges or fees, if any, for inspecting records.

3. Each such agency shall procure for and furnish to any person who requests it and pays a reasonable fee therefor, all of the information contained in the central repository which pertains to the person making the request.

4. The director of the department of motor vehicles *and public safety* shall adopt regulations governing:

(a) All challenges to the accuracy or sufficiency of records of criminal history by the person who is the subject of the allegedly inaccurate or insufficient record;

(b) The correction of any record of criminal history found by the director to be inaccurate, insufficient or incomplete in any material respect;

(c) The dissemination of corrected information to those persons or agencies which have previously received inaccurate or incomplete information; and

(d) A time limit of not more than 90 days within which an inaccurate or insufficient record of criminal history must be corrected and the corrected information disseminated. The corrected information must be sent to each person who requested the information in the 12 months preceding the date on which the correction was made, to the address given by each person who requested the information when the request was made.

Sec. 121. NRS 200.033 is hereby amended to read as follows:

200.033 The only circumstances by which murder of the first degree may be aggravated are:

1. The murder was committed by a person under sentence of imprisonment.

2. The murder was committed by a person who was previously convicted of another murder or of a felony involving the use or threat of violence to the person of another.

3. The murder was committed by a person who knowingly created a great risk of death to more than one person by means of a weapon, device or course of action which would normally be hazardous to the lives of more than one person.

4. The murder was committed while the person was engaged, alone or with others, in the commission of or an attempt to commit or flight after committing or attempting to commit, any robbery, sexual assault, arson in the first degree, burglary or kidnaping in the first 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.

5. The murder was committed [for the purpose of avoiding or preventing] *to avoid or prevent* a lawful arrest or [effecting] *to effect* an escape from custody.

6. The murder was committed by a person, for himself or another, for the purpose of receiving money or any other thing of monetary value.

7. The murder was committed upon a peace officer or fireman who was killed while engaged in the performance of his official duty or because of an act performed in his official capacity, and the defendant knew or reasonably should have known that the victim was a peace officer or fireman. For purposes of this subsection "peace officer" means sheriffs of counties and their deputies, marshals and policemen of cities and towns, the chief and agents of the investigation division of the department of motor vehicles [,] *and public safety,* personnel of the Nevada highway patrol, and the director, deputy director, correctional officers and other employees of the department of prisons when carrying out the duties prescribed by the director of the department.

8. The murder involved torture, depravity of mind or the mutilation of the victim.

9. The murder was committed upon one or more persons at random and without apparent motive.

Sec. 122. NRS 205.465 is hereby amended to read as follows:

205.465 1. It is unlawful for any person to possess, sell or transfer any document for the purpose of establishing a false status, occupation, membership, license or identity for himself or any other person.

2. A person who sells or transfers any such document 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. A person who possesses any such document is guilty of a misdemeanor.

3. Subsection 1 does not:

(a) Preclude the adoption by a city or county of an ordinance prohibiting the possession of any such document.

(b) Prohibit the possession or use of [such] *those* documents by officers of local police, sheriff and metropolitan police departments and by agents of the investigation division of the department of motor vehicles *and public safety* while engaged in undercover *investigations relating to* narcotics or prostitution . [investigations.]

Sec. 123. NRS 233F.050 is hereby amended to read as follows:

233F.050 "Coordinator of communications" means the supervisor of the communications subdivision of the Nevada highway patrol division [.] *of the department of motor vehicles and public safety.*

Sec. 124. NRS 233F.121 is hereby amended to read as follows:

233F.121 The director of the department of motor vehicles *and public safety* may appoint the supervising radio technician of the Nevada highway patrol division as the ex officio coordinator of communications.

Sec. 125. NRS 233F.131 is hereby amended to read as follows:

233F.131 The coordinator of communications shall:

1. Administer the provisions of this chapter, subject to the administrative supervision of the chief of the Nevada highway patrol.

2. Supervise the operation and maintenance of the communications system and provide for its joint use by state agencies, except as provided in NRS 233F.110.

3. Procure, install, maintain and purchase or lease communications equipment, facilities and services.

4. Upon request, assist agencies in the design, procurement, maintenance and repair of communications systems.

5. Prepare specifications for the annual procurement of radio equipment by the state purchasing division.

6. Enter into and administer agreements involving the state communications system.

7. Develop a comprehensive system of equitable billing and charges for services provided to agencies using the state communications system. [Such] *The* charges must reflect as nearly as practicable the actual share of costs incurred on behalf of or for services provided to an agency.

8. Advise agencies of the state as to systems or methods to be used to meet [communications] *the* requirements *for communications* efficiently and effectively.

9. Ensure that maintenance is performed on the state communications system efficiently and economically.

10. Standardize policies and procedures for the joint use of the state communications system.

11. Consolidate communications buildings and facilities for the joint use of all state agencies.

12. Perform such other duties in connection with each of his specified duties, and consistent therewith, as may be imposed by the director of the department of motor vehicles *and public safety* or the board.

Sec. 126. NRS 242.131 is hereby amended to read as follows:

242.131 1. The department shall provide state agencies and elected state officers with all of their required design of systems, programming and use of equipment for data processing, and all agencies and officers must use those services and equipment, except as provided in subsection 2.

2. The following agencies may negotiate with the department for its services or the use of its equipment, subject to the provisions of this chapter, and the department shall provide such services and the use of such equipment as may be mutually agreed:

(a) Court administrator;

(b) Department of motor vehicles [;] *and public safety;*

(c) Department of transportation;

(d) Employment security department;

(e) Legislative counsel bureau;

(f) State industrial insurance system;

(g) State controller;

(h) State gaming control board and Nevada gaming commission; and

(i) University of Nevada System.

3. Any state agency or elected state officer who uses the services of the department and desires to withdraw substantially from that use must apply to the director for approval. The application must set forth justification for the withdrawal. If the director denies the application, the agency or officer must:

(a) If the legislature is in regular or special session, obtain the approval of the legislature by concurrent resolution.

(b) If the legislature is not in regular or special session, obtain the approval of the interim finance committee. The director shall, within 45 days after receipt of the application, forward the application together with his recommendation for approval or denial to the interim finance committee. The interim finance committee has 45 days after the application and recommendation are submitted to its secretary within which to consider the application. Any application which is not considered by the committee within the 45-day period shall be deemed approved.

4. If the demand for services or use of equipment exceeds the capability of the department to provide them, the department may contract with other agencies or independent contractors to furnish the required services or use of equipment and is responsible for the administration of the contracts.

Sec. 127. NRS 245.125 is hereby amended to read as follows:

245.125 1. Except as provided in subsection 2:

(a) Each county officer or employee who, in his official capacity, receives any money belonging to a person, partnership, corporation, association or other entity, other than the county or himself, shall immediately deposit it with the county treasurer and obtain a receipt for it.

(b) Money deposited in accordance with this subsection is not part of the public [funds] *money* of the county.

(c) Money deposited with the county treasurer in accordance with this subsection [shall] *must* be paid to the owner upon the presentation of a certificate from the officer or employee who deposited the money, attesting that payment of the money is authorized by law and that the person or other entity requesting payment is the owner of the money and entitled to possession of it.

2. The provisions of subsection 1 do not apply:

(a) In counties where ordinances establishing central receiving and disbursing systems have been enacted pursuant to NRS 244.207.

(b) To money collected by a county assessor as agent for the department of motor vehicles *and public safety* which [shall] *must* be remitted to the state at least weekly.

(c) To money directed by court order to be deposited with the clerk of the court.

(d) To amounts paid to the clerk of the court pursuant to support orders made pursuant to chapter 130 of NRS.".

Amend the bill as a whole by renumbering section 14 as section 134 and

adding new sections designated sections 129 through 133, following section 13, to read as follows:

"Sec. 129. NRS 286.421 is hereby amended to read as follows:

286.421 1. Beginning July 1, 1985, a participating public employer shall pay on behalf of an employee the contributions required by subsection 1 of NRS 286.410 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.

2. Except for persons chosen by election or appointment to serve in elective offices of a political subdivision of this state, any such payment of the employee's portion of the 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 employees' salaries.

3. Except in the case of the elective officers described in subsection 2, 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. 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.

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 is paying the basic contribution on behalf of an employee 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 is paying the basic contribution on behalf of its employees may, to the extent that the respective percentage rates of the 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 the 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. Public employers other than the State of Nevada 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; *and*

(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.

Sec. 130. NRS 334.010 is hereby amended to read as follows:

334.010 1. No automobile may be purchased by any department, office, bureau, [official] *officer* or employee of the state without prior written consent of the state board of examiners.

2. All such automobiles may be used for official purposes only.

3. All such automobiles, except:

(a) Automobiles maintained for and used by the governor;

(b) Automobiles used by or under the authority and direction of the chief parole and probation officer, the state contractors' board and auditors, the state fire marshal, the investigation division of the department of motor vehicles *and public safety* and investigators of the state gaming control board and the attorney general;

(c) One automobile used by the department of prisons;

(d) Two automobiles used by the Nevada girls training center;

(e) Three automobiles used by the Nevada youth training center; and

(f) Four automobiles used by the youth parole bureau of the youth services division of the department of human resources,

must be labeled by painting the words "State of Nevada" and "For Official Use Only" thereon in plain lettering. The director of the department of general services or his representative shall prescribe the size and location of the label for all such automobiles.

4. Any officer or employee of the State of Nevada who violates any provision of this section is guilty of a misdemeanor.

Sec. 131. NRS 356.200 is hereby amended to read as follows:

356.200 1. With unanimous consent of their bondsmen, county officers, other than county treasurers, may deposit county money received in their respective offices in any insured bank, or any insured savings and loan association located in the State of Nevada.

2. Whenever the written consent of any bondsman [or bondsmen] to such a deposit has not been obtained, the bondsman [or bondsmen] must, upon giving notice as required by law, be released from all responsibility on the bond of such an officer.

3. [Such] *The* accounts must be kept in the name of the county in such manner as the board of county commissioners may prescribe.

4. The balances in [such] *the* insured banks or savings and loan associations, as certified by the proper officer thereof, and by oath of the county treasurer, may be counted as cash.

5. All money deposited in any depository bank or savings and loan association by such a county officer may be drawn out by him on check or order payable only to the county treasurer or his order, but every county assessor may also withdraw money received in payment [of motor vehicle] *for* license fees *for motor vehicles* by check or order payable to the department of motor vehicles [,] *and public safety,* and may also withdraw money received in payment [of motor vehicle] *for* use taxes *for motor vehicles* by check or order payable to the department of taxation.

6. The county officer shall keep a register which shows the amount of county money on deposit and lists every check or order drawn upon the depository bank or savings and loan association, numbering the items consecutively.

7. The county officer maintaining [such] a deposit in any depository bank shall draw upon the deposit not later than the 1st Monday of each month and whenever the deposit exceeds $100 for the full amount of county money deposited therein, [such] a withdrawal to be by check or order payable to the county treasurer, and shall thereupon deliver the withdrawal to the county treasurer.

8. This section does not apply to any deposit made by the clerk of any court pursuant to NRS 355.210.

Sec. 132. NRS 361.535 is hereby amended to read as follows:

361.535 1. If the person, company or corporation so 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] *the* 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] *the* 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 [,] *and public safety* , the county assessor shall, [prior to such] *before* publication, send a copy of [such] *the* notice by registered or certified mail to [such] *the* legal owner. The cost of [such] *the* 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] *the* property is to be sold.

After the expiration of 5 days from the date of the second publication of [such] *the* 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. 133. NRS 361.561 is hereby amended to read as follows:

361.561 As used in NRS 361.562 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 *and public safety* 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 to 361.5644, inclusive.".

Amend the bill as a whole by renumbering section 15 as section 144, and

adding new sections, designated sections 135 through 143, following section 14, to read as follows:

"Sec. 135. NRS 366.620 is hereby amended to read as follows:

366.620 1. If the ownership of a motor vehicle subject to the lien provided for by NRS 366.590 is transferred, whether by operation of law or otherwise, no certificate of registration or certificate of ownership with respect to [such] *the* motor vehicle [shall] *may* be issued by the department [of motor vehicles] to the transferee or person otherwise entitled thereto until the department has issued a certificate that [such] *the* lien has been removed.

2. No license issued under chapter 706 of NRS with respect to a motor vehicle which becomes subject to the lien provided for by NRS 366.590 [shall] *may* be transferred until the department has issued a certificate that [such] *the* lien has been removed.

Sec. 136. NRS 371.020 is hereby amended to read as follows:

371.020 As used in this chapter [:] *, unless the context otherwise requires:*

1. "Department" means the department of motor vehicles [.] *and public safety.*

2. "Vehicle" means any vehicle required to be registered pursuant to the provisions of chapter 482 or 706 of NRS, except mobile homes as defined in NRS 482.067.

Sec. 137. NRS 374.070 is hereby amended to read as follows:

374.070 1. "Sales price" means the total amount for which tangible property is sold, valued in money, whether paid in money or otherwise, without any deduction on account of any of the following:

(a) The cost of the property sold.

(b) The cost of the materials used, labor or service cost, interest charged, losses, or any other expenses.

(c) The cost of transportation of the property [prior to] *before* its purchase.

2. The total amount for which property is sold includes all of the following:

(a) Any services that are a part of the sale.

(b) Any amount for which credit is given to the purchaser by the seller.

3. "Sales price" does not include any of the following:

(a) Cash discounts allowed and taken on sales.

(b) The amount charged for property returned by customers when the entire amount charged therefor is refunded either in cash or credit; but this exclusion [shall] *does* not apply in any instance when the customer, in order to obtain the refund, is required to purchase other property at a price greater than the amount charged for the property that is returned.

(c) The amount charged for labor or services rendered in installing or applying the property sold.

(d) The amount of any tax (not including, however, any manufacturers' or

importers' excise tax) imposed by the United States upon or with respect to retail sales, whether imposed upon the retailer or the consumer.

(e) The amount of any tax imposed by the State of Nevada upon or with respect to the storage, use or other consumption of tangible personal property purchased from any retailer.

(f) The amount of any allowance against the selling price given by a retailer for the value of a used vehicle which is taken in trade on the purchase of another vehicle.

4. For the purpose of a sale of a vehicle by a seller who is not required to be registered with the department of taxation, the sales price is the value established by the department of motor vehicles *and public safety* or the county assessor, as agent of the department, based on the depreciated value of the vehicle as determined in accordance with the schedule in NRS 374.113. To determine the original price from which the depreciation is calculated, the department of motor vehicles *and public safety* 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.

Sec. 138. NRS 392.400 is hereby amended to read as follows:

392.400 1. All vehicles used in the transportation of pupils must be:

(a) In good condition and state of repair.

(b) Well equipped, and must contain sufficient room and seats so that the driver and each pupil being transported have a seat inside the vehicle. Each pupil shall remain seated when the vehicle is in motion.

(c) Inspected semiannually by the department of motor vehicles *and public safety* to ensure that the vehicles are mechanically safe and meet the minimum specifications established by the state board of education. The department of motor vehicles *and public safety* shall make written recommendations to the superintendent of schools of the school district wherein any such vehicle is operating for the correction of any defects discovered thereby.

2. If the superintendent of schools fails or refuses to take appropriate action to have [such] *the* defects corrected within 10 days after receiving notice of them from the department of motor vehicles [,] *and public safety,* he is guilty of a misdemeanor, and upon conviction thereof may be removed from office.

3. Except as otherwise provided in subsection 4, all vehicles used for transporting pupils must meet the specifications established by regulation of the state board of education.

4. Any bus which is purchased and used by a school district [for the

purpose of transporting] *to transport* pupils to and from extracurricular activities is exempt from the specifications adopted by the state board of education if the bus meets the federal safety standards for motor vehicles which were applicable at the time the bus was manufactured and delivered for introduction in interstate commerce.

5. Any person violating any of the requirements of this section is guilty of a misdemeanor.

Sec. 139. NRS 392.410 is hereby amended to read as follows:

392.410 1. When operated for the transportation of pupils to or from school, every school bus must be equipped with a flashing red-light system of a type approved by the department of motor vehicles [,] *and public safety,* and installed at the expense of the school district or operator. The driver shall operate this signal:

(a) When pupils are unloading from the bus.

(b) When the bus is stopped [for the purpose of loading] *to load* pupils.

(c) In times of emergency or accident.

2. In addition to the equipment required by subsection 1 and except as provided in subsection 4 of NRS 392.400, each school bus must be equipped and identified as required by the regulations of the state board of education.

3. The agents and employees of the department of motor vehicles *and public safety* shall inspect school buses to determine whether the provisions of this section concerning equipment and identification of [such] *the* school buses have been complied with, and shall report any violations discovered thereby to the superintendent of schools of the school district wherein the vehicles are operating.

4. If the superintendent of schools fails or refuses to take appropriate action to correct any such violation within 10 days after receiving notice of it from the department of motor vehicles [,] *and public safety,* he is guilty of a misdemeanor, and upon conviction thereof [shall] *must* be removed from office.

5. Any person who violates any of the provisions of this section is guilty of a misdemeanor.

Sec. 140. NRS 394.190 is hereby amended to read as follows:

394.190 1. The provisions of NRS 392.400 and 392.410 relating to the condition, equipment and identification of vehicles used for the transportation of pupils [shall] apply to private schools.

2. All such vehicles [shall be] *are* subject to inspection at all times by agents and employees of the department of motor vehicles [,] *and public safety,* who shall report any violations discovered thereby to the executive head of [such] *the* private school.

3. If the executive head of [such] *the* private school [shall fail or refuse,] *fails or refuses to take appropriate action to correct any such violation* within 10 days after receiving [such] *the* report from the department of motor vehicles [, to take appropriate action to correct any such violation, he shall be] *and public safety, he is* guilty of a misdemeanor.

Sec. 141. NRS 439.270 is hereby amended to read as follows:

439.270 1. The state board of health shall define epilepsy for the purposes of the reports hereinafter referred to in this section.

2. All physicians shall report immediately to the health division, in writing, the name, age and address of every person diagnosed as a case of epilepsy.

3. The health division shall report, in writing, to the department of motor vehicles *and public safety* the name, age and address of every person reported to it as a case of epilepsy.

4. [Such reports shall be] *The reports are* for the information of the department of motor vehicles *and public safety* and [shall] *must* be kept confidential and used solely [for the purpose of determining] *to determine* the eligibility of any person to operate a vehicle on the streets and highways of this state.

5. A violation of this section [shall constitute] *is* a misdemeanor.

Sec. 142. NRS 444.740 is hereby amended to read as follows:

444.740 1. Regulations of the commission must provide for safety in packaging, handling, transport and disposal of hazardous waste, including safety of vehicles and drivers, and may provide for the licensing and other necessary regulation of generators and transporters, including shippers, brokers and carriers, both intrastate and interstate, who transport that waste or cause it to be transported into or through Nevada or for disposal in Nevada.

2. The regulations may include provisions for:

(a) Fees to pay the cost of inspection and other regulation; *and*

(b) Administrative penalties of not more than $2,500 per violation or $10,000 per shipment for violations by persons licensed by the department, and the criminal prosecution of violations of its regulations by persons who are not licensed by the department.

3. Designated employees of the department, [inspectors and peace officers of the motor carrier division of the department of motor vehicles,] the public service commission of Nevada and the Nevada highway patrol shall enforce the regulations of the commission relating to the transport and handling of hazardous waste, as they affect the safety of drivers and vehicles and the leakage or spill of that waste from packages.

Sec. 143. NRS 445.451 is hereby amended to read as follows:

445.451 1. The state environmental commission is hereby created in the state department of conservation and natural resources. The commission consists of:

(a) The director of the department of wildlife;

(b) The state forester firewarden;

(c) The state engineer;

(d) The executive director of the state department of agriculture;

(e) The executive director of the department of minerals;

(f) A member of the state board of health to be designated by that board; and

(g) Four members appointed by the governor one of whom is a person who is a general engineering contractor or a general building contractor licensed pursuant to chapter 624 of NRS.

2. The governor shall appoint the chairman of the commission from among the members.

3. A majority of the members constitutes a quorum and a majority of those present must concur in any decision.

4. Each member who is appointed by the governor is entitled to receive a salary of $60 for each day's attendance at a meeting of the commission.

5. Any person who receives or has during the previous 2 years received a significant portion of his income, as defined by any applicable state or federal law, directly or indirectly from one or more holders of or applicants for a permit required by NRS 445.131 to 445.354, inclusive, is disqualified from serving as a member of the commission. This subsection does not apply to any person who receives or has received during the previous 2 years, a significant portion of his income from any department or agency of state government which may be a holder of or an applicant for a permit required by NRS 445.131 to 445.354, inclusive.

6. The state department of conservation and natural resources shall provide technical advice, support and assistance to the commission. All state officers, departments, commissions and agencies, including the department of transportation, the department of wildlife, the department of human resources, the University of Nevada System, the state public works board, the department of motor vehicles [,] *and public safety,* the public service commission of Nevada and the state department of agriculture may also provide technical advice, support and assistance to the commission.".

Amend the bill as a whole by renumbering section 16 as section 148, and adding new sections designated as sections 145 through 147, following section 15, to read as follows:

"Sec. 145. NRS 445.625 is hereby amended to read as follows:

445.625 1. The commission, in cooperation with the department of motor vehicles [,] *and public safety,* shall adopt regulations which establish procedures for collecting, interpreting and correlating information concerning programs to control emissions from motor vehicles and any benefits which result from an inspection program.

2. All information received by the commission or the department *of motor vehicles and public safety* is open to public inspection.

Sec. 146. NRS 445.630 is hereby amended to read as follows:

445.630 1. In any county [having a population of] *whose population is* 100,000 or more, the commission shall, in cooperation with the department of motor vehicles *and public safety* and any local air pollution control agency, adopt regulations for the control of [motor vehicle] emissions *from motor vehicles* in areas of the county designated by the commission.

2. In [counties having a population of] *any county whose population is* less than 100,000, if the commission determines that it is feasible and practicable to carry out a program of inspecting and testing motor vehicles

and [motor vehicle emission control systems,] *systems for the control of emissions from motor vehicles,* and if carrying out the program is deemed necessary to achieve or maintain *the* prescribed [ambient air quality] standards *for the quality of ambient air* in areas of the state designated by the commission, the commission shall, in cooperation with the department of motor vehicles *and public safety* and any local air pollution control agency established under NRS 445.546 which has jurisdiction in a designated area, adopt regulations and transportation controls as may be necessary to carry out the program.

3. The regulations shall distinguish between light-duty and heavy-duty motor vehicles and may prescribe:

(a) Appropriate criteria and procedures for the approval, installation and use of [motor vehicle pollution control devices;] *devices for the control of emissions from motor vehicles;* and

(b) Requirements for the proper maintenance of [motor vehicle pollution control] *such* devices and motor vehicles.

4. The regulations shall establish:

(a) Requirements by which the department of motor vehicles *and public safety* shall license authorized stations to inspect, repair, adjust and install [motor vehicle pollution control devices,] *devices for the control of emissions for motor vehicles,* including criteria by which any person may become qualified to inspect, repair, adjust and install those devices.

(b) Requirements by which the department of motor vehicles *and public safety* may license an owner or lessee of a fleet of three or more vehicles as a fleet station if the owner or lessee complies with the regulations of the commission. The fleet station shall only certify vehicles which constitute that fleet.

(c) Requirements by which the department provides for inspections of motor vehicles owned by this state and any of its political subdivisions.

5. The commission shall consider, before adopting any regulation or establishing any criteria pursuant to paragraph (a) of subsection 3:

(a) The availability of devices adaptable to specific makes, models and years of motor vehicles.

(b) The effectiveness of those devices for reducing the emission of each type of air pollutant under conditions in this state.

(c) The capability of those devices for reducing any particular type or types of pollutants without significantly increasing the emission of any other type or types of pollutant.

(d) The capacity of any manufacturer to produce and distribute the particular device in such quantities and at such times as will meet the estimated needs in Nevada.

(e) The reasonableness of the retail cost of the device and the cost of its installation and maintenance over the life of the device and the motor vehicle.

(f) The ease of determining whether any such installed device is functioning properly.

Sec. 147. NRS 445.632 is hereby amended to read as follows:

445.632 1. The department of motor vehicles *and public safety* shall adopt regulations which:

(a) Prescribe requirements for licensing authorized stations and fleet stations;

(b) Prescribe the manner in which the stations inspect motor vehicles and issue evidence of compliance;

(c) Prescribe the diagnostic equipment necessary to perform the required inspection;

(d) Provide for any fee, bond or insurance which is necessary to carry out the provisions of NRS 445.610 to 445.670, inclusive; and

(e) Provide for the issuance of a pamphlet for distribution to owners of motor vehicles. The pamphlet [shall] *must* contain information explaining the reasons for and the methods of the inspections.

2. The department *of motor vehicles and public safety* shall issue a copy of the regulations to each authorized station and to each fleet station.".

Amend the bill as a whole by renumbering sections 17 through 19 as sections 173 through 175 and adding new sections designated sections 149 through 172, following section 16, to read as follows:

"Sec. 149. NRS 445.650 is hereby amended to read as follows:

445.650 The provisions of NRS 445.640 do not apply to:

1. Transfer of registration or ownership between:

(a) Husband and wife; or

(b) Companies whose principal business is leasing of vehicles, if there is no change in the lessee or operator of the vehicle.

2. Motor vehicles which are subject to prorated registration pursuant to the provisions of NRS 706.801 to 706.861, inclusive, and which are not based in this state.

3. Transfer of registration if evidence of compliance was issued within 90 days before the transfer.

4. Motor vehicles which have been licensed by the department of motor vehicles *and public safety* as experimental vehicles.

Sec. 150. NRS 445.660 is hereby amended to read as follows:

445.660 In furtherance of the provisions of NRS 445.610 to 445.710, inclusive, and the enforcement thereof, the state department of conservation and natural resources shall consult with the department of motor vehicles *and public safety* and furnish them with technical information, including testing techniques, procedures for quality assurance and standards adopted by the commission and instruction for emission control features and equipment.

Sec. 151. NRS 445.670 is hereby amended to read as follows:

445.670 1. Except as provided in subsection 2, [registration] branch offices of the department of motor vehicles *and public safety* and county tax assessor offices, acting as *agents of the* department [agents] in the collection of [registration fees,] *fees for registration,* shall not register a vehicle which

is based in areas of this state designated by the commission until evidence of compliance with NRS 445.610 to 445.710, inclusive, has been provided.

2. An owner or lessee of a fleet of three or more vehicles may, upon application to the department of motor vehicles [,] *and public safety,* submit evidence of compliance for his motor vehicles in a manner determined by [the] *that* department.

Sec. 152. NRS 445.700 is hereby amended to read as follows:

445.700 1. In areas of the state where and when a program is commenced pursuant to NRS 445.630 to 445.670, inclusive, the following fees must be paid to the department of motor vehicles *and public safety* and accounted for in the pollution control fund which is hereby created as a special revenue fund:

(a) For the issuance and annual renewal of license for an authorized station or a fleet station..... $25

(b) For each set of 25 forms certifying emission control compliance..... 75

(c) For each form issued to a fleet station..... 3

2. All fees must be used by that department as needed to carry out the provisions of NRS 445.610 to 445.710, inclusive.

3. The department of motor vehicles *and public safety* may prescribe by regulation routine *fees for* inspection [fees] at the prevailing shop labor rate, including maximum charges for those fees, and for the posting of those fees in a conspicuous place at the authorized station.

Sec. 153. NRS 445.705 is hereby amended to read as follows:

445.705 It is unlawful for any person to:

1. Possess any unauthorized evidence of compliance;

2. Make, issue or use any imitation or counterfeit evidence of compliance;

3. Willfully and knowingly fail to comply with the provisions of NRS 445.610 to 445.670, inclusive, or any regulation adopted by the department of motor vehicles [;] *and public safety;* or

4. Issue evidence of compliance if he is not a licensed inspector of an authorized station or a fleet station.

Sec. 154. NRS 445.710 is hereby amended to read as follows:

445.710 1. A violation of any provision of NRS 445.610 to 445.710, inclusive, relating to motor vehicles, or any [rule or regulation promulgated] *regulation adopted* pursuant thereto relating to motor vehicles, is a misdemeanor. The provisions of NRS 445.610 to 445.710, inclusive, or any [rule or regulation promulgated] *regulation adopted* pursuant thereto, [shall] *must* be enforced by any peace officer.

2. Satisfactory evidence that the motor vehicle or its equipment conforms to [such provisions, rules] *those provisions* or regulations, when supplied by the owner of [such] *the* motor vehicle to the department of motor vehicles *and public safety* within 10 days after the issuance of a citation pursuant to subsection 1 , may be accepted by the court as a complete or partial mitigation of the offense.

Sec. 155. NRS 451.573 is hereby amended to read as follows:

451.573 1. A person who makes a gift of all or part of his body may attach written permission for a physician to carry out the appropriate procedures on a driver's license or an identification card issued by the department of motor vehicles [.] *and public safety.*

2. The department and its representatives are not liable for damages in a civil action or subject to prosecution in any criminal proceeding on account of any entry on or document attached to a driver's license or an identification card issued by the department.

Sec. 156. NRS 453.076 is hereby amended to read as follows:

453.076 "Division" means the investigation division of the department of motor vehicles [.] *and public safety.*

Sec. 157. NRS 453.690 is hereby amended to read as follows:

453.690 1. Every person or institution authorized to dispense or administer narcotic drugs shall furnish to the health division of the department, the investigation division of the department of motor vehicles *and public safety* and the state board of pharmacy such information as the health division or the board may require by [regulations.] *regulation.*

2. Every public official or employee having duties to perform with respect to narcotic drugs shall furnish to the health division of the department, the investigation division of the department of motor vehicles *and public safety* and the state board of pharmacy such information as the regulations of the health division or the board may require.

Sec. 158. NRS 454.700 is hereby amended to read as follows:

454.700 Members, inspectors and investigators of the board, inspectors of the Food and Drug Administration and agents of the investigation division of the department of motor vehicles *and public safety* may remove any record required to be kept by state or federal law or regulation including prescriptions from a prescription file, if the record in question is considered necessary as evidence in a criminal action or an administrative proceeding, or contemplated proceeding, and if a true copy containing all of the information appearing on the record is substituted therefor. Both the copy and the original record must be dated and initialed by the member, inspector, investigator and agent and by the registered pharmacist in charge, indicating that all of the information appearing on the original record, on that date, also appears on the copy thereof.

Sec. 159. NRS 459.250 is hereby amended to read as follows:

459.250 1. [Inspectors and peace officers of the motor carrier division of the department of motor vehicles,] *Peace officers of* the public service commission of Nevada and the Nevada highway patrol shall enforce those provisions of NRS 459.221 and 706.441 which govern the transport and handling of radioactive waste as they affect the safety of drivers or vehicles, the leakage or spill of radioactive waste from its package or the emission of ionizing radiation in an unsafe amount as established by the regulations of the state board of health.

2. The [inspector or] peace officer may:

(a) Impound a vehicle with unsafe equipment; or

(b) Detain a vehicle, if any [such] waste has leaked or spilled from its package or if he has detected the emission of ionizing radiation in an unsafe amount, and order the driver of the vehicle to park it in a safe place, as determined by an officer designated by the health division of the department of human resources, pending remedial action by that division.

3. After a vehicle has been so detained, an officer designated by the health division of the department of human resources may order:

(a) The vehicle to be impounded;

(b) The leaked or spilled waste to be cleaned up;

(c) The contents of any unsafe or leaking package to be repackaged; or

(d) Any other appropriate precaution or remedy,

at the expense of the shipper or broker, carrier or other person who is responsible as determined by the health division of the department of human resources.

Sec. 160. NRS 582.090 is hereby amended to read as follows:

582.090 1. The state sealer of weights and measures shall designate a reasonable fee to be charged by public weighmasters for weighing. [Such fee shall] *The fee must* be retained by the public weighmaster as compensation for his services.

2. The department of motor vehicles [,] *and public safety,* under the provisions of chapters 482 and 706 of NRS, may collect a fee, not to exceed $1, for each vehicle weighed by [the] *that* department.

Sec. 161. NRS 617.135 is hereby amended to read as follows:

617.135 "Police officer" includes a sheriff, deputy sheriff or city policeman, an officer of the Nevada highway patrol, [a field agent or inspector of the motor carrier division of the department of motor vehicles, a vehicle emission control officer or investigator in the registration division of that department,] *an officer or investigator for the control of emissions from vehicles of the registration division of the department of motor vehicles and public safety,* a member of the police department of the University of Nevada System, or a uniformed employee of the department of prisons whose position requires regular and frequent contact with the offenders imprisoned and subjects the employee to recall in emergencies.

Sec. 162. NRS 639.236 is hereby amended to read as follows:

639.236 1. All prescriptions filled in any pharmacy must be serially numbered and filed in the manner prescribed by regulation of the board. Prescriptions for controlled substances listed in Schedule II pursuant to chapter 453 of NRS must be filed separately from other prescriptions or in a readily retrievable manner as the board may provide by regulation. All prescriptions must be retained on file for at least 5 years.

2. Each prescription on file must bear the date on which it was originally filled and be personally signed or initialed by the registered pharmacist who filled it.

3. Files of prescriptions are open to inspection by members, inspectors

and investigators of the board and by inspectors of the Food and Drug Administration and agents of the investigation division of the department of motor vehicles [.] *and public safety.*

Sec. 163. NRS 639.238 is hereby amended to read as follows:

639.238 1. Prescriptions filled and on file in a pharmacy are not a public record. A pharmacist shall not divulge the contents of any prescription or provide a copy of any prescription, except to:

(a) The patient for whom the original prescription was issued;

(b) The practitioner who originally issued the prescription;

(c) A practitioner who is then treating the patient;

(d) A member, inspector or investigator of the board or an inspector of the Food and Drug Administration or an agent of the investigation division of the department of motor vehicles [;] *and public safety;*

(e) An agency of state government charged with the responsibility of providing medical care for the patient;

(f) An insurance carrier, on receipt of written authorization signed by the patient or his legal guardian, authorizing the release of such information; or

(g) Any person [duly] authorized by a district court order.

2. Any copy of a prescription for a controlled substance as defined in chapter 453 of NRS or a dangerous drug as defined in chapter 454 of NRS, issued to a person authorized by this section to receive such *a* copy, must contain all of the information appearing on the original prescription and be clearly marked on its face, "Copy, Not Refillable—For Reference Purposes Only"; and such a copy must bear the name or initials of the registered pharmacist who prepared the copy.

3. If a copy of a prescription for any controlled substance as defined in chapter 453 of NRS or a dangerous drug as defined in chapter 454 of NRS is furnished to the customer, the original prescription must be voided and notations made thereon showing the date and the name of the person to whom the copy was furnished.

4. If, at the express request of a customer, a copy of a prescription for any controlled substance or dangerous drug is furnished to another pharmacist, the original prescription must be voided and notations made thereon showing the date and the name of the pharmacist to whom the copy was furnished. The pharmacist receiving the copy shall call the prescribing practitioner for a new prescription.

Sec. 164. NRS 639.239 is hereby amended to read as follows:

639.239 Members, inspectors and investigators of the board, inspectors of the Food and Drug Administration and agents of the investigation division of the department of motor vehicles *and public safety* are authorized to remove an original prescription from a prescription file, if the prescription in question is considered necessary as evidence in a criminal action or an administrative proceeding, or contemplated proceeding, and if a true copy containing all of the information appearing on the prescription is substituted therefor. Both the copy and the original prescription must be dated and

initialed by the member, inspector, investigator and agent and by the registered pharmacist in charge, indicating that all of the information appearing on the original prescription, on that date, also appears on the copy thereof.

Sec. 165. NRS 690B.020 is hereby amended to read as follows:

690B.020 1. No policy insuring against liability arising out of the ownership, maintenance or use of any motor vehicle may be delivered or issued for delivery in this state with respect to any motor vehicle registered or principally garaged in this state unless coverage is provided therein or supplemental thereto for the protection of persons insured thereunder who are legally entitled to recover damages, from owners or operators of uninsured or hit-and-run motor vehicles, for bodily injury, sickness or disease, including death, resulting from the ownership, maintenance or use of the uninsured or hit-and-run motor vehicle; but no such coverage is required in or supplemental to a policy issued to the State of Nevada or any political subdivision thereof, or where rejected in writing, on a form furnished by the insurer describing the coverage being rejected, by an insured named therein, or upon any renewal of such a policy unless the coverage is then requested in writing by the named insured. The coverage required in this section may be referred to as "uninsured vehicle coverage."

2. The amount of coverage to be provided must be not less than the minimum limits for bodily injury liability insurance provided for under [the Motor Vehicle Safety Responsibility Act (] chapter 485 of NRS , [),] but may be in an amount not to exceed the bodily injury coverage purchased by the policyholder.

3. For the purposes of this section the term "uninsured motor vehicle" means a motor vehicle:

(a) With respect to which there is not available at the department of motor vehicles *and public safety* evidence of financial responsibility as required by chapter 485 of NRS;

(b) With respect to the ownership, maintenance or use of which there is no bodily injury liability insurance or bond applicable at the time of the accident, or, to the extent of such deficiency, any bodily injury liability insurance or bond in force is less than the amount required by NRS 485.210;

(c) With respect to the ownership, maintenance or use of which the company writing any applicable bodily injury liability insurance or bond denies coverage or is insolvent;

(d) Used without the permission of its owner if there is no bodily injury liability insurance or bond applicable to the operator; or

(e) The owner or operator of which is unknown or after reasonable diligence cannot be found if:

(1) The bodily injury or death has resulted from physical contact of the automobile with the named insured or the person claiming under him or with an automobile which the named insured or such a person is occupying; and

(2) The named insured or someone on his behalf has reported the accident within the time required by NRS 484.223 to 484.227, inclusive, to

the police department of the city where it occurred, or if it occurred in an unincorporated area, to the sheriff of the county or to the Nevada highway patrol.

4. For the purposes of this section the term "uninsured motor vehicle" also includes, subject to the terms and conditions of coverage, an insured other motor vehicle where:

(a) The liability insurer of the other motor vehicle is unable because of its insolvency to make payment with respect to the legal liability of its insured within the limits specified in its policy;

(b) The occurrence out of which legal liability arose took place while the uninsured motor vehicle coverage required under paragraph (a) was in effect; and

(c) The insolvency of the liability insurer of the other motor vehicle existed at the time of, or within 2 years after, the occurrence.

Nothing contained in this subsection prevents any insurer from providing insolvency protection to its insureds under more favorable terms.

5. If payment is made to any person under uninsured motor vehicle coverage, and subject to the terms of the coverage, to the extent of such payment the insurer is entitled to the proceeds of any settlement or recovery from any person legally responsible for the bodily injury as to which payment was made, and to amounts recoverable from the assets of the insolvent insurer of the other motor vehicle.

6. A vehicle involved in a collision which results in bodily injury or death shall be presumed to be an uninsured motor vehicle if no evidence of financial responsibility is supplied to the department of motor vehicles *and public safety* in the manner required by chapter 485 of NRS within 60 days after the collision occurs.

Sec. 166. NRS 703.155 is hereby amended to read as follows:

703.155 1. The commission and its inspectors have police power for the enforcement of all regulations of the commission or the department of motor vehicles *and public safety* pertaining to chapters 704, 705 and 706 of NRS.

2. The commission and its inspectors are peace officers for the enforcement of chapters 482, 704, 705 and 706 of NRS.

3. The commission and its inspectors are peace officers for the enforcement of chapters 483 and 484 of NRS for vehicles which are regulated pursuant to chapter 706 of NRS.

4. Inspectors may carry firearms in the performance of their duties.

Sec. 167. NRS 706.061 is hereby amended to read as follows:

706.061 "Department" means the department of motor vehicles [.] *and public safety.*

Sec. 168. NRS 706.836 is hereby amended to read as follows:

706.836 Each fee required to be paid by NRS 706.801 to 706.861, inclusive, [shall] *must* be payable to the same department as if NRS 706.801 to 706.861, inclusive, had not been adopted, except that the department of

motor vehicles *and public safety* is hereby authorized to accept the [registration] fees for vehicles registering under the plan and issue such identification devices as are provided for in subsection 4 of NRS 706.826.

Sec. 169. NRS 706.841 is hereby amended to read as follows:

706.841 1. Each operator shall qualify to operate under NRS 706.801 to 706.861, inclusive, by filing an application for that purpose with the department of motor vehicles *and public safety* before the time any fee becomes delinquent.

2. The application must:

(a) Show the total mileage of motor vehicles operated by the person in all states and in this state during the preceding statutory licensing period and describe and identify each vehicle to be operated during the *period of* registration [period] in such detail as the department may require.

(b) Be accompanied by a fee, unless the department is satisfied that the fee is secured, to be computed as follows:

(1) Divide the number of in-state miles by the total number of fleet miles;

(2) Determine the total amount of money necessary, whether for fees or taxes, to register all vehicles in the fleet for which registration is requested;

(3) Multiply the amount determined under subparagraph (2) by the fraction obtained under subparagraph (1);

(4) To the product obtained under subparagraph (3), add a service charge of $4 for each motor vehicle listed in the application; and

(5) To the sum obtained in subparagraph (4), add a minimum charge of $3 for the privilege tax for each motor vehicle listed in the application pursuant to NRS 371.030.

Sec. 170. NRS 706.846 is hereby amended to read as follows:

706.846 Upon the payment of all fees required under NRS 706.801 to 706.861, inclusive, or upon being satisfied that [such] *the* fee is secured and upon compliance with the laws of this state in order to register [such] *the* vehicles, the department of motor vehicles *and public safety* shall register them, and [shall] issue plates, licenses, emblems, certificates or other devices for [such] *the* vehicles in the same manner as otherwise provided by law, except that [such vehicles shall not be] *the vehicles may not be* so registered unless they are registered and [have paid fees] *the fees for the vehicles have been paid* pursuant to law in some other state.

Sec. 171. NRS 706.8822 is hereby amended to read as follows:

706.8822 The administrator shall conduct administrative hearings and make final decisions, subject to appeal by any aggrieved party to the taxicab authority, in the following matters:

1. Any violation relating to the issuance of or transfer of [motor carrier] license plates *for motor carriers* required by either the taxicab authority or the department of motor vehicles [;] *and public safety;*

2. Complaints against certificate holders;

3. Complaints against taxicab drivers;

4. Applications for, or suspension or revocation of, drivers' permits which may be required by the administrator; and

5. Imposition of monetary penalties.

Sec. 173. NRS 706.8828 is hereby amended to read as follows:

706.8828 1. A certificate holder shall file with the administrator, and keep in effect at all times, a policy of insurance with an insurance company licensed to do business in the State of Nevada.

2. The insurance policy specified in subsection 1 must:

(a) Provide the following coverage:

For injury to one person in any one accident	$100,000
For injury to two or more persons in any one accident	300,000
For property damage in any one accident	10,000

(b) Contain a clause which states substantially that the insurance carrier may only cancel the policy upon 30 days' written notice to the certificate holder and administrator; and

(c) Contain such other [notice] provisions *concerning notice* as may be required by law to be given to the certificate holder.

3. If an insurance policy is canceled, the certificate holder shall not operate or cause to be operated any taxicab that was covered by the policy until other insurance is furnished.

4. A certificate holder to whom the drivers' license division of the department of motor vehicles *and public safety* has issued a certificate of self-insurance may self-insure the first $50,000, combined single-limit, per accident, of the coverage required by subsection 2.".

Amend sec. 18, page 9, line 47, by deleting "and 481.0491" and inserting: "481.0491, 482.025, 482.027, 483.060, 485.029, 486.021 and 487.040".

Amend sec. 19, page 10, by deleting lines 1 and 2 and inserting:

"Sec. 175. 1. This section and section 173 of this act become effective upon passage and approval.

2. Sections 14, 17, 19, 26, 41, 44, 74, 115, 120, 125 and 166 of this act become effective at 12:01 a.m. on July 1, 1985.

3. Section 67 of this act becomes effective at 12:02 a.m. on July 1, 1985.".

Amend the bill as a whole by adding a new section designated section 176, following section 19, to read as follows:

"Sec. 176. The legislative counsel shall, in preparing the supplement to Nevada Revised Statutes with respect to any section which is not amended by this act or is further amended by another act:

1. Appropriately correct any reference to an officer or agency whose designation is changed by this act, according to the function performed.

2. If an internal reference is made to a section repealed by this act, delete the reference or correct it by reference to the superseding section, if any.".

Amend the title of the bill to read as follows:

"An Act relating to motor vehicles; changing the name of the department of motor vehicles to the department of motor vehicles and public

safety; transfering enforcement of the laws governing motor carriers from the motor carrier division to the Nevada highway patrol; and providing other matters properly relating thereto.''.

Assemblyman Malone moved the adoption of the amendment.

Remarks by Assemblyman Malone.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

REFERENCE OF MEASURES TO COMMITTEES

Assembly Concurrent Resolution No. 53.

Assemblyman Francis moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

Assembly Concurrent Resolution No. 54.

Assemblyman Francis moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

Senate Bill No. 424.

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

Motion carried.

Senate Bill No. 438.

Assemblyman Francis moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 481.

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

Motion carried.

Senate Bill No. 483.

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

Motion carried.

Senate Bill No. 504.

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

Motion carried.

Senate Concurrent Resolution No. 40.

Assemblyman Francis moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

Senate Concurrent Resolution No. 57.

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

Motion carried.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bills Nos. 50, 211, 224, 250, 353, 403, 426, 491, 675; Senate Bills Nos. 28, 62, 126, 197, 268, 279, 338, 339, 400, 434, 492; Senate Joint Resolutions Nos. 29, 30.

REMARKS FROM THE FLOOR

Assemblyman Francis requested that the following remarks be entered in the Journal.

MR. SPEAKER:

I would like to take the privilege of the chair and welcome back my good friend, Assemblyman Sedway.

ASSEMBLYMAN SEDWAY:

Thank you, Mr. Speaker, to you and to members of this honorable body which has given me great pleasure and much aggravation at various times. I want you to know how I feel about all of you. As you know I had a heart attack about 10 days ago. I survived for lots of reasons; among which is the fact that I made sure I would outlive Bill Bilyeu and Charlie Joerg regardless of what happens. Each for different reasons, of course.

We come here once every two years to perform a duty for the people of the State of Nevada. We come from different philosophies and different points of view. Hopefully, even with those differences, we are here for the best interest of the people of this state. I know that Bill Bilyeu has the same feelings about the State of Nevada that I do. His happens to be a little different—digging holes in the ground out in the middle of nowhere. Besides that, he is a fine person, as you all are.

I know that your prayers were with me during the time when I needed it and it helped because I'm here. I want you to know I'm going to get better. I'm going to get stronger. And if it's possible, I'm going to get meaner because I'm coming back. The things that were important to me that I lost are not lost forever because I'm going to win and the people of the State of Nevada are going to win. Those are the people that we are here to serve—those who cannot help themselves. We all want this state to be a great state. It takes the efforts of every one of us. We can't do it alone. Regardless of how you feel about someone else today on a simple little matter, I know that in the long run we will rise together in the best interest of the people of this state. But, remember one thing, the Psalm that says, "Yea, though I walk through the valley of the shadow of death, I shall fear no evil." I walked through the valley of the shadow of death and I came through it. It made me tougher and stronger and meaner and more determined to do the things that I think are important. If you think I'm kidding, come back two years from now because I'm going to be here; tougher, stronger and meaner than ever and get through the things that are important to me and to everybody in the State of Nevada. If you think I'm kidding, come back.

MR. SPEAKER:

I'll be here, Marvin, my friend, I am looking forward to it.

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. Shelly Case and Vicky Vessie.

On request of Assemblyman Schofield, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Jack Schofield.

On request of Assemblyman Ham, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Ruth Hazard.

On request of Assemblyman Thomas, the privilege of the floor of the Assembly Chamber for this day was extended to Elders Kevin Lightheart and Steven Anderson.

Assemblyman Francis moved that the Assembly adjourn until Wednesday, May 29, 1985 at 10 a.m.

Motion carried.

Assembly adjourned at 1:38 p.m.

Approved: BYRON L. BILYEU
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE ONE HUNDRED AND TWENTY-NINTH DAY

CARSON CITY (Wednesday), May 29, 1985

Assembly called to order at 10:04 a.m.

Mr. Speaker presiding.

Roll called.

All present except Assemblyman Sedway, who was excused.

Prayer by the Chaplain, Father Timothy Twomey.

Father in Heaven, we thank You for the blessings of this day and Your love to us so generously given. We pray, Lord, this morning to keep our legislators in Your love and care. Let the light of Your divine wisdom direct their deliberations. Let it shine forth in all the proceedings here this day so that they tend to the preservation of peace, the promotion of happiness, the increase of industry, sobriety and useful knowledge and the perpetuation to us all of the blessings of equal liberty. That we do have, in fact, fairness for all. We ask this in the name of the Lord. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Kerns 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. 393, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

CHARLES W. JOERG, *Chairman*

Mr. Speaker:

Your Committee on Health and Welfare, to which were referred Senate Bills Nos. 286, 320, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

DAVID D. NICHOLAS, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 28, 1985

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 504, 549, 558, 562, 580, 617.

Also, I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bills Nos. 159, 274, 338, 341, 447, 496, 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. 455.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 217, 249, 446, 484, 485, 506.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bill No. 333, 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. 37, 207, 263, 447.

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. 253, 312.

Also, I have the honor to inform your honorable body that the Senate on this day appointed Senators Rawson, Hickey and Wilson as a first Committee on Conference concerning Senate Bill No. 8.

Also, I have the honor to inform your honorable body that the Senate on this day appointed Senators Robinson, Rhoads and Redelsperger as a first Committee on Conference concerning Senate Bill No. 143.

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. 107.

Also, I have the honor to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 54.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Assembly Concurrent Resolution No. 42.
Assemblyman Bogaert moved the adoption of the resolution.
Remarks by Assemblyman Bogaert.
Resolution adopted, as amended.

Senate Concurrent Resolution No. 54.
Resolution read.

INTRODUCTION AND FIRST READING OF LEGISLATION

Senate Bill No. 217.
Bill read first time.

Senate Bill No. 249.
Bill read first time.

Senate Bill No. 446.
Bill read first time.

Senate Bill No. 455.
Bill read first time.

Senate Bill No. 484.
Bill read first time.

Senate Bill No. 485.
Bill read first time.

Senate Bill No. 506.
Bill read first time.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Commerce, to which were referred Assembly Bill No. 647; Senate Bill No. 267, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN DUBOIS, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, 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.

LOUIS W. BERGEVIN, *Chairman*

UNFINISHED BUSINESS

REPORTS OF CONFERENCE COMMITTEES

Mr. Speaker:

The first Committee on Conference concerning Senate Bill No. 143, 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. C10, which is attached to and hereby made a part of this report.

BOB L. KERNS	ROBERT E. ROBINSON
BOB THOMAS	DEAN A. RHOADS
JAMES W. SCHOFIELD	KENNETH K. REDELSPERGER
Assembly Committee on Conference	*Senate Committee on Conference*

Amendment No. C10.

Amend the bill as a whole by deleting section 22 and renumbering section 23 as section 22.

Amend sec. 23, page 12, by deleting line 1 and inserting:

"Sec. 23. Section 7 of this act becomes effective at 12:01".

Assemblyman Kerns moved that the Assembly adopt the report of the first Committee on Conference concerning Senate Bill No. 143.

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Schofield moved that Senate Bill No. 254 be taken from the Chief Clerk's desk and placed at the top of the General File.

Remarks by Assemblyman Schofield.

Motion carried.

Assemblyman DuBois moved that Senate Bill No. 27 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman DuBois.

Motion carried.

Assemblyman Humke moved that Assembly Bill No. 581 be taken from the Chief Clerk's desk and placed on the Second Reading File.

Motion carried.

Assemblyman Bergevin moved that Assembly Bill No. 567 be taken from the Chief Clerk's desk and placed on the General File immediately following Assembly Bill No. 719.

Remarks by Assemblyman Bergevin.

Motion carried.

Assemblyman Nevin moved that Assembly Bill No. 608 be placed on the General File immediately following Assembly Bill No. 567.

Motion carried.

Assemblyman Malone moved that the vote whereby Senate Bill No. 333 was passed be rescinded.

Remarks by Assemblyman Malone.

Motion carried.

Assemblyman Malone moved that Assembly Bill No. 424 be placed on the General File.

Motion carried.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 274.

The following Senate amendment was read:

Amendment No. 1157.

Amend sec. 3, page 1, by deleting lines 10 and 11 and inserting:

"*(b) A prospective witness in any criminal prosecution if he is less than 14 years of age.*".

Amend sec. 3, page 2, line 9, after "*to*" by inserting: "*or in lieu of*".

Amend sec. 3, page 2, line 19, after "*hear*" by inserting "*and see*".

Amend sec. 3, page 2, line 20, by deleting: "*, if he so desired,*".

Amend sec. 4, page 2, line 27, by deleting: "*14 years of age or less,*" and inserting: "*less than 14 years of age,*".

Amend sec. 5, page 2, line 32, by deleting "*clude the*" and inserting: "*clude:*

1. The".

Amend sec. 5, page 2, by inserting after line 33:

"*2. A victim or prospective witness from testifying at a proceeding without the use of his videotaped deposition or testimony.*".

Assemblyman Stone moved that the Assembly concur in the Senate amendment to Assembly Bill No. 274.

Remarks by Assemblyman Stone.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 338.

The following Senate amendment was read:

Amendment No. 1128.

Amend section 1, page 1, by deleting lines 4 through 6 and inserting:

"violation of this chapter, the seller is guilty of murder . [of the second degree.] *If convicted of murder in the second degree, he shall be punished as provided in subsection 5 of NRS 200.030. If convicted of murder in the first degree, he shall be punished as provided in subsection 4 of NRS 200.030, except that the punishment of death may be imposed only if the requirements of paragraph (a) of subsection 4 of that section have been met and if*".

Amend the bill as a whole by adding a new section designated section 2, following section 1, to read as follows:

"Sec. 2. NRS 200.010 is hereby amended to read as follows:

200.010 Murder is the unlawful killing of a human being, with malice aforethought, either express or implied, or caused by a controlled substance which was sold to a [minor] *person* in violation of chapter 453 of NRS. The unlawful killing may be effected by any of the various means by which death may be occasioned.".

Amend the title of the bill by deleting lines 1 and 2 and inserting:

"An Act relating to controlled substances; changing the penalty to murder in the first or second degree for selling a controlled substance that".

Amend the summary of the bill by deleting "Increases" and inserting "Changes".

Assemblyman Stone moved that the Assembly concur in the Senate amendment to Assembly Bill No. 338.

Remarks by Assemblyman Stone.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 341.

The following Senate amendment was read:

Amendment No. 1160.

Amend section 1, page 1, by deleting line 2 and inserting: "the provisions set forth as sections 2 to 5, inclusive, of this act.".

Amend section 1, page 1, line 3, before "1." by inserting "Sec. 2.".

Amend section 1, page 1, by deleting line 7 and inserting: "*authority may be exercised by:*".

Amend section 1, page 2, line 16, by deleting "*6.*" and inserting "Sec. 3.".

Amend the bill as a whole by adding new sections designated sections 4 and 5, following section 1, to read as follows:

"Sec. 4. *Within 30 days after a corporation is notified that a creditor or stockholder has applied to the court for the appointment of a receiver or trustee for the corporation, the corporation shall file with the secretary of state a notice of that application, specifying:*

1. The date of the application;

2. The name and address of the court where the application was filed; and

3. The number assigned to the case by the court.

Sec. 5. *Within 30 days after a corporation is notified that a creditor or*

stockholder has applied to the court for an order dissolving the corporation pursuant to NRS 78.650, the corporation shall file with the secretary of state a notice of that application, specifying:

1. The date of the application;

2. The name and address of the court in which the application was filed; and

3. The number assigned to the case by the court.".

Amend the title of the bill, second line, after "bankruptcy;" by inserting: "requiring that the secretary of state be notified when applications for bankruptcy, dissolution or receivership are filed;".

Amend the summary of the bill, second line, by deleting the period and inserting: "and requires notification of secretary of state of certain matters.".

Assemblyman Stone moved that the Assembly concur in the Senate amendment to Assembly Bill No. 341.

Remarks by Assemblyman Stone.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 496.

The following Senate amendment was read:

Amendment No. 1115.

Amend section 1, page 2, lines 7 and 8, by deleting: "*appointing a guardian for that child.*" and inserting a period.

Assemblyman Stone moved that the Assembly concur in the Senate amendment to Assembly Bill No. 496.

Remarks by Assemblyman Stone.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 447.

The following Senate amendment was read:

Amendment No. 1202.

Amend section 1, page 1, line 3, by deleting: "*A public utility*" and inserting: "*Any public utility, except a community antenna television company,*".

Amend section 1, page 1, line 20, after "*public utility*", and inserting: ", *except a community antenna television company,*".

Amend sec. 2, page 2, line 44, after "*public utility,*", by inserting: "*except a community antenna television company,*".

Assemblyman Bergevin moved that the Assembly concur in the Senate amendment to Assembly Bill No. 447.

Remarks by Assemblyman Bergevin.

Motion carried.

Bill ordered enrolled.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Natural Resources, Agriculture and Mining, to which was referred Assembly Bill No. 718, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

VIRGIL M. GETTO, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which was re-referred Senate Bill No. 460, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass, as amended.

JOHN MARVEL, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which were referred Assembly Bill No. 724; Senate Bills Nos. 68, 398, 432, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN MARVEL, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Ways and Means, to which was referred Assembly Bill No. 312, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN MARVEL, *Chairman*

Mr. Speaker:

Your Committee on Taxation, to which was referred Assembly Bill No. 422, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

CHARLES W. JOERG, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Assembly Bill No. 712, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

LOUIS W. BERGEVIN, *Chairman*

SECOND READING AND AMENDMENT

Assembly Bill No. 581.

Bill read second time.

The following amendment was proposed by the Committee on Health and Welfare:

Amendment No. 1097.

Amend section 1, page 1, by deleting lines 2 through 18 and inserting:

"639.2583 If a practitioner has prescribed a drug by brand name and has *not* indicated that a substitution [may be made,] *is prohibited,* a pharmacist:

1. Shall, in a case where he is being paid for the drug by a governmental agency; and

2. May, in any other case,

fill the prescription with another drug which is available to him, is less expensive than the drug prescribed, is biologically equivalent, has the same

active ingredient or ingredients of the same strength, quantity and form of dosage and is of the same generic type as the drug prescribed. The pharmacist may also make such a substitution if the prescription was written by a practitioner from outside this state and indicates that a substitution may be made.".

Amend sec. 2, page 2, by deleting lines 1 through 14 and inserting:

"Sec. 2. 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] *a line* 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."] *the printed words "dispense only as written" and a box near that statement for the purpose of indicating that a substitution may not be made.*

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. 3, page 2, by deleting lines 15 through 27 and inserting:

"Sec. 3. This act becomes effective on July 1, 1986.".

Amend the title, first line, by deleting "requiring" and inserting "allowing".

Amend the summary by deleting "Requiring" and inserting "Allows".

Assemblyman Humke moved the adoption of the amendment.

Remarks by Assemblymen Humke and Dini.

Amendment adopted.

Bill ordered reprinted, 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 10:36 a.m.

ASSEMBLY IN SESSION

At 10:47 a.m.

Mr. Speaker presiding.

Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Judiciary, to which was re-referred Assembly Bill No. 630, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JAMES STONE, *Chairman*

Mr. Speaker:

Your Committee on Health and Welfare, to which was referred Senate Bill No. 322, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

DAVID D. NICHOLAS, *Chairman*

Mr. Speaker:

Your Committee on Health and Welfare, 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: Amend, and do pass as amended.

DAVID D. NICHOLAS, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Ways and Means, to which was referred Assembly Bill No. 524, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN MARVEL, *Chairman*

GENERAL FILE AND THIRD READING

Senate Bill No. 254.

Bill read third time.

Assemblyman Schofield moved that Senate Bill No. 254 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 Joerg moved that Senate Bill No. 360 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. 360.

Bill read third time.

Remarks by Assemblyman Joerg.

Roll call on Senate Bill No. 360:

YEAS—38.

NAYS—O'Donnell, Roberts, Zimmer—3.

Absent—Sedway.

Senate Bill No. 360 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Assemblyman Joerg moved that all rules be suspended and that Senate Bill No. 360 be immediately transmitted to the Senate.

Motion carried unanimously.

Assembly Bill No. 143.

Bill read third time.

Remarks by Assemblyman O'Donnell.

Roll call on Assembly Bill No. 143:

YEAS—41.

NAYS—None.

Absent—Sedway.

Assembly Bill No. 143 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 Assemblymen Getto, Dini and Stone.

Roll call on Assembly Bill No. 251:

YEAS—41.

NAYS—None.

Absent—Sedway.

Assembly Bill No. 251 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 Lambert.

Roll call on Assembly Bill No. 392:

YEAS—41.

NAYS—None.

Absent—Sedway.

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. 411.

Bill read third time.

Remarks by Assemblyman Marvel.

Roll call on Assembly Bill No. 411:

YEAS—41.

NAYS—None.

Absent—Sedway.

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. 420.
Bill read third time.
Remarks by Assemblymen Price, Zimmer and DuBois.
Roll call on Assembly Bill No. 420:
YEAS—32.
NAYS—Beyer, DuBois, Fairchild, Getto, Humke, Lambert, Little, O'Donnell, Zimmer—9.
Absent—Sedway.

Assembly Bill No. 420 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 479.
Bill read third time.
Remarks by Assemblyman Sader.
Roll call on Assembly Bill No. 479:
YEAS—39.
NAYS—Collins, Ham—2.
Absent—Sedway.

Assembly Bill No. 479 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 628.
Bill read third time.
Remarks by Assemblymen Bogaert, Price, Stone, Collins, DuBois and O'Donnell.
Assemblymen Humke, Thompson and Roberts moved the previous question.
Motion carried.
The question being on the passage of Assembly Bill No. 628.
Roll call on Assembly Bill No. 628:
YEAS—39.
NAYS—Banner, Coffin—2.
Absent—Sedway.

Assembly Bill No. 628 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assemblyman Marvel moved that the Assembly recess subject to the call of the Chair.
Motion carried.

Assembly in recess at 11:18 a.m.

ASSEMBLY IN SESSION

At 11:25 a.m.

Mr. Speaker presiding.

Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

By the Committee on Legislative Functions:

Assembly Concurrent Resolution No. 55—Directing the legislative commission to conduct an interim study on the addition of adjacent territory to Clark County.

INTRODUCTION AND FIRST READING OF LEGISLATION

By the Committee on Ways and Means:

Assembly Bill No. 725—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, 1985, and ending June 30, 1986, and beginning July 1, 1986, and ending June 30, 1987; and providing other matters properly relating thereto.

GENERAL FILE AND THIRD READING

Assembly Bill No. 652.

Bill read third time.

Remarks by Assemblymen Malone, Price, Dini, Thomas, Stone, Horne, Banner and Getto.

Assemblymen Jeffrey, Thompson and Nicholas moved the previous question.

Motion carried.

The question being on the passage of Assembly Bill No. 652.

Roll call on Assembly Bill No. 652:

YEAS—36.

NAYS—Beyer, Collins, Little, McGaughey, Price—5.

Absent—Sedway.

Assembly Bill No. 652 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Francis moved that Assembly Bills Nos. 422, 647, 712; Senate Bills Nos. 267, 321, 393 be placed on the Second Reading File.

Motion carried.

Assemblyman Francis moved that Assembly Bills Nos. 312, 524 and 630 be placed on the General File immediately following Assembly Bill No. 608.

Motion carried.

Assemblyman Francis moved that Senate Bill No. 26 be placed on the General File.

Motion carried.

Assemblyman Getto moved that Assembly Bills Nos. 724 and 718 be 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.

Assembly in recess at 11:42 a.m.

ASSEMBLY IN SESSION

At 11:43 a.m.

Mr. Speaker pro Tempore presiding.

Quorum present.

GENERAL FILE AND THIRD READING

Assembly Bill No. 680.

Bill read third time.

Remarks by Assemblyman Tebbs.

Roll call on Assembly Bill No. 680:

YEAS—41.

NAYS—None.

Absent—Sedway.

Assembly Bill No. 680 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 703.

Bill read third time.

Remarks by Assemblyman Zimmer.

Roll call on Assembly Bill No. 703:

YEAS—40.

NAYS—None.

Absent—Sedway.

Not voting—Dini.

Assembly Bill No. 703 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 719.

Bill read third time.

Remarks by Assemblyman Rader.

Roll call on Assembly Bill No. 719:

YEAS—41.

NAYS—None.

Absent—Sedway.

Assembly Bill No. 719 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 567.

Bill read third time.

The following amendment was proposed by Assemblyman Bergevin:

Amendment No. 1314.

Amend section 1, page 1, line 2, after "inclusive,", by inserting "*and section 2 of this act,*".

Amend section 1, page 1, by deleting line 10 and inserting: "tern and the Nevada state park system.".

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 426.640 is hereby amended to read as follows:

426.640 For the purposes of providing blind persons with remunerative employment, enlarging the economic opportunities of blind persons and stimulating blind persons to greater efforts to make themselves self-supporting with independent livelihoods, blind persons licensed under the provisions of NRS 426.630 to 426.720, inclusive, by the bureau [have] *:*

1. Have priority of right to operate vending stands in or on any public buildings or properties where the locations are determined to be suitable, pursuant to the procedure provided in NRS 426.630 to 426.720, inclusive.

2. May operate vending stands in or on buildings or properties of the Nevada state park system, with the approval of the administrator of the division of state parks, on a parity with any other vendor.".

Amend the title of the bill by deleting first and second lines and inserting: "An Act relating to blind persons; authorizing their operation of vending stands in state parks on a parity with other vendors; and providing other".

Amend the summary of the bill to read: "Authorizes blind persons to operate vending stands in state parks on parity with others. (BDR 38-1736)".

Assemblyman Bergevin moved the adoption of the amendment.

Remarks by Assemblyman Bergevin.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 608.

Bill read third time.

Remarks by Assemblyman Nevin.

Roll call on Assembly Bill No. 608:

YEAS—41.

NAYS—None.

Absent—Sedway.

Assembly Bill No. 608 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 312.

Bill read third time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1326.

Amend section 1, page 1, line 3, by deleting: "establish facilities which".

Amend section 1, page 1, line 12, by deleting "facilities" and inserting "equipment".

Amend section 1, page 1, line 14, by deleting: "The director [may] *shall* first".

Amend section 1, page 1, by deleting lines 15 through 17.

Amend section 1, page 2, line 5, by deleting: "Equip and operate facilities" and inserting: "Provide equipment, space and management".

Amend section 1, page 2, line 13, by deleting "facilities" and inserting "equipment".

Amend sec. 3, page 3, line 11, after "housing," by inserting "transportation,".

Amend sec. 3, page 3, line 13, by deleting: "prisoners' personal property" and inserting "offenders' employment".

Amend sec. 3, page 3, line 19, by deleting "deems" and inserting "considers".

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 become effective at 12:01 a.m. on July 1, 1985.".

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. 524.

Bill read third time.

The following amendment was proposed by Assemblyman Swain:

Amendment No. 1165.

Amend sec. 16, page 4, line 35, after "*be*", by inserting "*permanently*".

Amend sec. 16, page 4, line 36, after "*certificate*", by inserting: "*or other document suitable as proof of the child's identity*".

Amend sec. 16, page 4, line 38, by deleting "*birth certificate*" and inserting "*identifying document*".

Amend sec. 16, page 4, line 39, by deleting the comma and inserting: "*within 30 days after the child is conditionally enrolled,*".

Amend sec. 21, page 5, line 32, after "*not*", by inserting "*permanently*".

Amend sec. 21, page 5, line 33, after "*certificate*", by inserting: "*or other document suitable as proof of the child's identity*".

Amend sec. 21, page 5, line 35, by deleting "*birth certificate*" and inserting "*identifying document*".

Amend sec. 21, page 5, line 36, by deleting the comma and inserting: "*within 30 days after the child is conditionally admitted*".

Assemblyman Humke moved the adoption of the amendment.

Remarks by Assemblyman Humke.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 630.

Bill read third time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1306.

Amend section 1, page 1, line 2, by deleting "*and 3*" and inserting ", *3 and 4*".

Amend sec. 2, page 1, line 19, by deleting "*license; or*" and inserting "*license;*".

Amend sec. 2, page 1, line 20, by deleting "*(c) Impose*" and inserting: "*(c) If it is a second violation within 1 year, impose a fine of not more than $500; or*

(d) If it is a third or subsequent violation within 1 year, impose".

Amend the bill as a whole by renumbering sections 4 and 5 as sections 5 and 6 and adding a new section designated section 4, following section 3, to read as follows:

"Sec. 4. *A licensed barbershop may share the use of a main entrance or other facilities with a cosmetological establishment, even if the cosmetological establishment is a separate business entity. If such facilities are shared, each facility must be separately designated.*".

Amend the bill as a whole by renumbering section 6 as section 8 and adding a new section designated section 7, following section 5, to read as follows:

"Sec. 7. Chapter 644 of NRS is hereby amended by adding thereto a new section to read as follows:

A cosmetological establishment may share the use of a main entrance or other facilities with a barbershop, even if the barbershop is a separate business entity. If such facilities are shared, each facility must be separately designated.".

Amend the title of the bill, second line, after "board;" by inserting:

"allowing a barbershop to share facilities with a cosmetological establishment;".

Amend the summary of the bill, first line, after "Authorizes" by inserting: "sharing of facilities by barbershop and cosmetological establishment and".

Assemblyman Williams moved the adoption of the amendment.

Remarks by Assemblyman Williams.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 72.

Bill read third time.

Remarks by Assemblymen Jeffrey and O'Donnell.

Roll call on Senate Bill No. 72:

YEAS—41.

NAYS—None.

Absent—Sedway.

Senate Bill No. 72 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 Francis moved that Assembly Bills Nos. 424, 724 and 718 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. 424.

Bill read third time.

Remarks by Assemblyman Rader.

Roll call on Assembly Bill No. 424:

YEAS—41.

NAYS—None.

Absent—Sedway.

Assembly Bill No. 424 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 724.

Bill read third time.

Remarks by Assemblymen Getto, Nicholas and Thomas.

Roll call on Assembly Bill No. 724:

YEAS—40.

NAYS—Jeffrey.

Absent—Sedway.

Assembly Bill No. 724 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 718.

Bill read third time.

Remarks by Assemblyman Getto.

Roll call on Assembly Bill No. 718:

YEAS—41.

NAYS—None.

Absent—Sedway.

Assembly Bill No. 718 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Francis moved that all rules be suspended and that Assembly Bills Nos. 143, 251, 392, 411, 420, 479, 628, 652, 680, 703, 719, 424, 724, 718, 608 and Assembly Concurrent Resolution No. 42 be immediately transmitted to the Senate.

The motion, having received a two-thirds majority, Mr. Speaker declared it carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 122.

Bill read third time.

Remarks by Assemblyman Thompson.

Roll call on Senate Bill No. 122:

YEAS—40.

NAYS—Roberts.

Absent—Sedway.

Senate Bill No. 122 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 124.

Bill read third time.

Remarks by Assemblyman Beyer.

Roll call on Senate Bill No. 124:

YEAS—40.

NAYS—Stone.

Absent—Sedway.

Senate Bill No. 124 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 144.

Bill read third time.

Remarks by Assemblyman Williams.

Roll call on Senate Bill No. 144:

YEAS—40.

NAYS—Collins.

Absent—Sedway.

Senate Bill No. 144 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Coffin moved that the vote whereby Assembly Bill No. 628 was immediately transmitted to the Senate be rescinded.

Remarks by Assemblymen Coffin, Humke, Bogaert, Nicholas and Sader.

The motion, having failed to receive a two-thirds majority, Mr. Speaker declared it lost.

Assemblyman Zimmer moved that Assembly Bill No. 153 be placed at the top of the General File.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 153.

Bill read third time.

Remarks by Assemblymen Zimmer, Thompson, Jeffrey, Bilyeu, Nevin, Roberts, Schofield, Rader, Craddock, O'Donnell, Williams, Humke and Price.

Assemblyman Getto requested that the following remarks be entered in the Journal.

ASSEMBLYMAN ZIMMER:

A.B. 153 is a landmark piece of legislation that provides safety to the citizens of Nevada and to the tourists that come to Nevada. We are all painfully aware of the violence that occurred during the last major strike in Clark County and the effects it had on our people, our image and our economy. Judge Thompson had the strength and good judgment to issue a temporary restraining order that limited the number of pickets on the street and thus reduced the danger to the public and to the participants. This bill is a mirror of that restraining order. The Supreme Court has ruled that picketing is a freedom of speech and in no way would this legislature wish to infringe on that right. The opposition will argue that this bill is unconstitutional because of that freedom. But I submit to this body that this argument is invalid. Our legislative counsel and other noted labor attorneys said that this bill does not limit the freedom of speech. This bill, while limiting the number of pickets, would insure the safety of the participants while guaranteeing their right to freedom of speech. The safety of the citizens of the State of Nevada is of paramount importance to this legislature. We as a body can pass no legislation that addresses that safety as significantly as A.B. 153. I would like to read to you Section 1, Article 1 of our Nevada Constitution: "All men are by nature free and equal to have certain inalienable rights among which are those of enjoying and defending life and liberty; acquiring, possessing

and protecting property and pursuing and obtaining safety and happiness." Your Committee on Labor and Management recommends a "do pass."

ASSEMBLYMAN THOMPSON:

I stand in opposition to this bill. I think today we have before us an issue that on the surface appears to be a labor and management issue. But this issue has roots that run to the beginning of our nation. We talk a lot in these chambers about the rights of people and their needs. I have served three sessions in this house—that's not a lot compared to some of the people here—but I have not seen anything that even came close to this bill. I, too, like the chairman of the Labor and Management Committee would like to read something to you. However, this is from the United States Constitution. The First Amendment provides freedom of religion, speech and press; rights of assembly and petition. "Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof or bridging the freedom of speech or of the press or of the right of the people peacefully to assemble and to petition the government for a redress of grievances."

I think today these rights are being challenged by this bill. The proponents of this bill, because of one incident in Las Vegas, are willing to water down these rights. Not only the rights of Nevada citizens, but every citizen of our nation. There was violence in the strike in Las Vegas, but I might add on both sides. Not all strikes and demonstrations are violent. But I think because of this one incident, we are willing to draft this bill which I think is unconstitutional. I don't think the bill should ever have been drafted to begin with. We are willing to throw out these First Amendment rights for a one time incident. Not all strikes are violent. By and large, they are not violent.

I think if we pass this bill we are going to cost the taxpayers of this state money in the end as this bill is unconstitutional. It will certainly be challenged in court and the State of Nevada will be put into a position to defend a bill that we passed that will be unconstitutional.

ASSEMBLYMAN JEFFREY:

I rise in opposition to this bill, also. The chairman of the Labor and Management Committee was correct when she said this was landmark legislation. During the hearings on this bill, the attorney representing management who, by the way, was out of Beverly Hills complained about the out-of-state help in the strike. He said that two or three other states had passed this kind of legislation. I have here a research paper from our research department answering several questions that were asked. First of all, this Beverly Hills attorney misled the committee. It appears that there are no state laws which deal directly with the regulation of picketing during a labor strike. I checked with the National Conference of State Legislators and the United States Department of Labor. Neither of these organizations could locate a state with such a law. Review of the labor statutes of the other western states also indicate that the laws in these states contain no specific provision to regulate picketing during a labor strike. Four proposals relating to picketing and strike violence have been introduced in three states, Arizona, Florida and Iowa, during the 1985 session of their legislatures. The two measures in Florida and the senate bill in Iowa are apparently in their original committees. The proposal in Arizona passed the legislature but was vetoed by the governor.

Then the question was asked as to the preemption by federal law. He states here that the National Labor Relations Act as amended includes a prohibition against the use of violence by unions to interfere with the rights of employees. Under the NLRA, it is an unfair labor practice for a union to impede the policies of this law by engaging in violent misconduct that has the effect of restraining or coercing employees. The NLRB generally has jurisdiction over cases involving unfair labor practices. The NLRB has the authority to impose the following sanctions or remedies for situations pertaining to unfair labor practices which include incidents of strike violence, cease and desist orders, temporary injunctions, withholding of a bargaining order and decertification of a union.

State and federal courts have the authority to issue injunctions against violent actions, award compensatory and punitive damage and prosecute persons or groups under criminal

statutes. Our research department contacted the NLRB regional director in Oakland, California and the attorney in the office of the general counsel of NLRB in Washington, D.C. They provided the following comments on sections of the bill. "The major problem with A.B. 153 is the provision which would make it unlawful to picket on private property without the owner's permission. This provision would be preempted by federal law because many NLRB and federal court decisions have affirmed the right of employees to picket peacefully on the property of an employer.

In the case of Seattle vs. First National Bank in the NLRB which was decided by the NLRB in 1979, and enforced by the 9th Circuit U.S. Court of Appeals in 1980, they did find that it was legal to picket. In fact, this was a case where they picketed on one of the upper floors of a bank building because that was where they had to go to get their message to the public. This and other cases cited in the court decision state that the employees have the right to picket on private property. The National Labor Relations Act guarantees employees the right to engage in organized activities. These activities include the right to strike and the right to picket. These rights are derived from the rights of free speech and assembly which are guaranteed by the First Amendment to the United States Constitution.

The two people that were contacted from the NLRB were Mr. Francis and Ms. Farrell. They both indicate that some of the provisions of A.B. 153 could infringe upon these rights by limiting the rights of employees to picket and to peacefully express their grievances with an employer. Employees have the right to publicize their dispute with their employer. According to Mr. Francis, the private property of an employer in some cases may be the only place where employees can get their message across reflecting that a dispute exists with the employer.

As far as the strike in Las Vegas is concerned, I think the state court acted under their authority and that is also backed up by this research. The state courts have the authority to issue injunctions and limit the number of picketers in a labor dispute particularly if there was a threat to the property or access to the property of an employer. However, Ms. Farrell stated there should be a valid state interest to be protected if the state is to encroach on the right to picket by limiting the number of persons who may engage in this activity.

I think this bill is an unfortunate overreaction to the culinary strike in Las Vegas. One thing to keep in mind, however, is there are probably a hundred different labor organizations doing business in the State of Nevada and this legislation affects all of them. Building trades in particular have a stake in the picketing on private property. There have been many times that has been done and many times it has been upheld.

I think this bill is blatantly unfair. If you will read all of the instances on page two that talk about the areas that are misdemeanors, not one of these affects management. I can tell you that there was management harrassment on those picket lines as well as from labor. But there is not one instance here where management can be touched under this legislation. I think that the one provision, along with several others, that may very well shoot this bill down in court, and there is no doubt it will go to court if it is passed, is on page two starting on line 22. This provision says that only ten people can congregate for any purpose, even to eat, near a picket line. Now, if that doesn't attack the right of free assembly, I'll have to put in with you. I think this is a terrible bill. It does nothing but precipitate more unrest between labor and management and I urge its defeat.

ASSEMBLYMAN BILYEU:

I rise in support of this bill. I have heard, with interest, the arguments of my distinguished colleagues and I respect those arguments. I do not think it behooves us, predicated upon a possible court challenge or a possible question of constitutionality, to overlook the merits of this bill. Inherent in the right to peaceably assemble, the right to strike is, in fact, the very words used in argument that is to peaceably assemble. The right to petition for redress of grievances is, in fact, a constitutional right. But it must be done so within the boundaries of nonviolence in order for it to be effective or else it becomes a mob.

Now, one can argue about specific provisions or paragraphs of this bill. But, in fact, if

you look at the bill it does say that it applies not only in the case of strike but also in the case of work stoppages or in other areas as well. What conduct does it prevent? It prevents persons from using language or words to threaten to do harm to a person or his property or designed to incite fear in any person attempting to enter or leave any property. It prohibits such acts as knowingly to spread, drop, throw or otherwise knowingly to disperse nails, tacks, staples, glass or other objects in the entrance to or exits from any property. It prevents people from intentionally operating vehicles so as to delay, impede or interfere with the ability of a person or vehicles to enter or leave any property. Those kind of acts have no business in peaceful assembly. Those kinds of acts have no business in terms of petitioning for the redress of wrongs. I would urge each and every one of us to carefully consider A.B. 153 and I urge a "do pass."

ASSEMBLYMAN NEVIN:

I am opposed to A.B. 153. Many reasons were discussed and I have to go along with the feeling that it is unconstitutional. On page two, line 3, section C it reads, "knowingly to threaten, molest, assault, or in any manner physically touch the person, clothing, or vehicle." Who is going to determine that it was knowingly done. If somebody walks by someone and touches their clothing they can be placed under arrest. I think that is going too far. Section D states, "Intentionally to operate a motor vehicle as to delay, impede, interfere the ability of the person". Who is going to say that person pulling into a driveway intentionally pulled into that driveway or business to slow down and impede. I think this language is wide open and has a lot of holes in it. I think it will be challenged in court and I urge your "no" vote on this bill.

ASSEMBLYMAN THOMPSON:

I think the Speaker touched on the subject I am talking about. Because of an incident of violence, and I might add the violence was on both sides, we are going to pass a bill that in the end is going to cost everybody in the State of Nevada money to fight this in court. If you look at the bill, on page two, everything in there is already against the law. It is not lawful for you to spread tacks in the road or to hit people. These things are already illegal. I think because of this incident we are going to have a reaction to something that happened that is negatively going to affect people's rights and their pocketbooks.

ASSEMBLYMAN ROBERTS:

A.B. 153 is welcomed by several entities in my district including the union labor members and also by the residents. I must say there was a lot of damage and a lot of problems in District 18 when Sam's Town was on strike. The residents asked why they had to plow through two or three hundred people to get to their homes because the intersections that had nothing to do with Sam's Town were blocked. They blocked the sidewalks and intentionally walked in front of people. There were nails thrown, cars being hit with signs and there were no police around. These were just everyday events that happened in District 18. The reason I'm supporting this bill is because I was requested by my constituents to support A.B. 153. I think this bill gives rights to the picketers because they are being protected as well as the residents. I believe it is a very fair bill.

ASSEMBLYMAN SCHOFIELD:

I rise in extreme opposition to this bill and for this reason. I'm not usually on one side or the other relative to management or labor organizations but I do want to bring out one point that I think we are all missing on this particular issue. That is the three forms of government that this nation was founded on; the judicial, administrative and legislative.

As spoken by some of the proponents for this bill concerning the decision that was made by the district judge to, in fact, limit these pickets. I think that is a right granted by our Constitution to the judicial. We have a right as legislators to legislate, to pass laws, which we have. Some of them good and some of them bad. I charge you to take a look at the decisions that we will be making on this. We would be not only holding the judges who do, in fact, judge in the judicial from doing what their job is by telling them what we are going to do concerning this which is against the right of the people. The people are

everyone, including my colleague from District 18 and his comment on everyone's rights. The right of the people to not be blocked. But I submit to you that is a law enforcement problem which is another end of our administrative form of government and as far as I'm concerned I think we would be doing the people of this state an injustice and the people of this country an injustice to try to pass this type of legislation when, in fact, it should be handled by the judicial.

I would urge you to amend this bill to further go toward the law enforcement to give them a little more arm and try not to pass legislation that will take the rights of the judges away and take the rights of the people away, which is the right to peaceful assembly and is part of the Constitution.

I am not questioning whether or not it is constitutional. There are many measures that we have spoken on in these halls in the last ten years that I have been here and that have been passed where there have been constitutional questions within this body. Some of them have been filed against the particular issue as far as the Constitution was concerned. I am not questioning the constitutionality; I am questioning what right we have to take those rights away from the other areas of government. I certainly urge you to, at least, vote "no" on this bill.

ASSEMBLYMAN RADER:

I rise to support this bill, and I have a unique perspective on it. I am, possibly, the only member of this body who actually participated in that strike. I am a card-carrying member of the International Alliance of Theatrical Stage Employees, Local 720, in Las Vegas. I had the privilege of walking the picket line before and after Judge Thompson's order.

I can tell you that, for my own safety and the safety of the citizens in general, it was much better after the order. This bill just codifies the order. We were still able to get our message across after the order. I personally walked the line and discouraged people in a lawful manner from going into gaming establishments that were being struck. You can still do the job with this bill. Without this bill, you are going to have violence. You are going to have people crowding the entrances and exits so that the customers can't come in.

As to the constitutionality, organized labor had a golden chance to determine that during the strike when they appealed Judge Thompson's order to the Ninth Circuit Court, and they broke off that appeal. They had the chance then, if they had pressed that appeal, to get a definitive answer from the Ninth Circuit Court of Appeals as to whether Judge Thompson's ruling was constitutional. I think it is too late for them to come and try to get that answer now when they already had a chance.

ASSEMBLYMAN CRADDOCK:

It has already been pointed out that a big part of this bill, if it should become statute, would be repetitive and major. I would like to conclude my remarks very briefly by asking one question of the Chairman of the Labor and Management Committee; that is simply this, how are we, or anyone else, going to determine whether or not people are peaceably assembled by mere numbers? It would seem to me that twenty people can peaceably asemble or one can get rowdy.

ASSEMBLYMAN O'DONNELL:

I will be brief. I think the comments by my colleague from North Las Vegas were apropos when he stated that he walked the picket line before and after. We are not prohibiting assemblage; all we are doing is making it reasonable. Everyone knows what a strike is, and no one in my district was happy when the strike was called. This bill does exactly what the restraining order does. If the restraining order was so unconstitutional, then why wasn't the restraining order enjoined?

I submit to you that the person who was run over in the Caesar's Palace parking lot and had his ribs crushed and was in the hospital, surely has his rights, too. I said in committee, and I'll say on this floor today, this is a landmark measure in common sense, and I support it.

ASSEMBLYMAN WILLIAMS:

I rise in opposition to this bill. Anybody in this Chamber who is familiar with my district will understand that I do not come from a labor district. When we listened to this bill in committee, we heard attorneys on both sides. I am convinced that this bill exceeds Judge Thompson's order. I am convinced that this bill puts a limitation on citizens' constitutional rights. I am convinced that the State of Nevada should not have to go to court and spend money to find out about the constitutionality which I believe is a legitimate issue. I would urge you not to support this. I think the right of free assembly is a basic tenet in our country, and I think it is something that we all need to defend and protect.

ASSEMBLYMAN HUMKE:

I rise to speak in favor of the measure. The previous speaker and several others who are opposed talked about the rights of free speech and assembly, but this bill is a permissible regulation of those rights which are guaranteed under the First Amendment. There is a long, long line of court cases which show that it is permissible to regulate. A previous speaker from a district in Henderson asked, "What is the valid state interest that is to be protected?" That valid state interest is to protect the health, safety and welfare of all of the citizens of the state under the police powers of the United States and the Nevada Constitution. This bill does not fail due to vagueness nor to over-breadth. There are clear references to inciting and language to fighting words. There is, essentially, no discretion built in, discretion being a negative thing that could be authorized by a local official; there are standards built in. The bill does not fail due to constitutionality, and I think it is a good one.

ASSEMBLYMAN PRICE:

I think it is no surprise to my colleagues that I rise in opposition to Assembly Bill 153. I am not so sure that it has been clearly stated, but the problem with interfering with the rights of strikers and picketing is, in my opinion, not a constitutional question. It is a matter of jurisdiction between federal and state law. Having had experience in that area over the years running a labor union, I can tell you that everything that I have ever learned in court cases that I have seen in the past have indicated, as Mr. Jeffrey made very clear, that the jurisdiction of the rights of picketers is in the federal arena and not in the state arena. So, it doesn't make sense to me, other than the fact that I can understand political philosophy and where the votes come from, that we should be passing a bill of this nature and subject matter in our halls.

On the question of the constitutionality, if you look at the end of line three where it talks about other disputes, we are not talking about labor disputes; we are talking about any type of a dispute that may arise. One of the things that comes to mind, at least in Las Vegas, is when we had people picketing last year over that business that was selling memberships that were invalid. The people couldn't get the products that they paid for in the membership and they were out there picketing on private property.

I can remember another time, many years ago, when we had protesters and picketers going up and down the strip concerning food and welfare rights. There are many reasons people have been picketing all types of businesses, organizations, etc. that have nothing to do with labor, but they have inherent rights to assembly and to picket. What my honorable colleague that walked the picket line actually brought up is the right and the very positive part about the law now.

If, in fact, there is violence, or someone thinks there is violence, or someone thinks there are too many people on the picket line, under federal law they can go to court and get an injunction and go through that process. And that's good and it should remain that way. But it doesn't make since for us to close our eyes to a long, long history of what is federal jurisdiction and what is local jurisdiction and pass a law simply because of what happened last year, right, wrong, or indifferent.

ASSEMBLYMAN JEFFREY:

I would like, first of all, to say that as far as Judge Thompson's order is concerned, and

the authority that he had to place that order, I don't think that anybody argues with that. State courts definitely do have the right to decide issues of public safety. I don't argue that now, nor have I ever. There have been times in the past when such orders have been placed that I totally agreed with and much of the order that Judge Thompson placed I agreed with.

I didn't agree with the right to assemble off of the property being picketed and that was one of the areas that was appealed. When the first appeal was placed, it was stricken down by one judge on the Ninth Circuit; Judge Foley's order to Metro to not enforce the order was rewritten, was upheld and was never challenged by either side. Thankfully, the strike came to an end. Nobody likes a strike. This strike in Las Vegas was one that labor did not want to get into. They were forced into it. That's beside the point and has nothing to do with this bill.

But, again, if you will go to page one of the bill and look at the language starting on lines five through ten, under the provisions of this bill, it is illegal to picket on private property, a right that has been established many times in court, without getting an order from a federal court or agency. That section alone is going to cause come real legal problems with this bill and I think it is enough to throw it out in itself. Now, if you take a look at page two, I agree with Mr. Speaker and the statements that he made about activities that should be stopped or prevented, but I submit to you that most of these are covered under present law. Take a look at the language from line three to line seven and then again line eleven to line thirteen, and you will see what I mean when I say that this is an unfair bill. It is illegal, "Knowingly to threaten, molest, assault, or in any manner physically touch the person, clothing or vehicle of any person attempting to enter or leave any property."

Now, there is not one word there about management harassment, and those same kinds of things happened on these picket lines. Where is the protection for the striker here? Starting on line eleven, "To use language or words threatening to do harm to a person or his property or designed to incite fear in any person attempting to enter or leave any property." Again, where is the protection for the striker here? This is a one-way bill. It protects the property of management during a labor dispute, but it does not do one thing to protect the rights of the strikers.

As far as the person who was run over at the entrance to Caesar's Palace, I agree that was an unfortunate incident. I would like to point out that that person was run over by a security guard, and there was much more violence on the part of the security guards in this strike than there was on the part of the strikers.

ASSEMBLYMAN CRADDOCK:

Since I did not get a response to my direct question earlier, I would now extend that question to the entire membership. Let me repose it. How are we, or anyone else, to determine whether or not people are peaceably assembled by mere numbers? We have in excess of twenty here; we have far in excess of two; we seem to be peaceably assembled, but I am not certain that the determination can be made in any shape or fashion. I don't understand how the bill could be workable even if we did pass it out and it was not found to be unconstitutional.

Roll call on Assembly Bill No. 153:

YEAS—26.

NAYS—Arberry, Banner, Coffin, Collins, Craddock, Jeffrey, Little, Nevin, Sader, Schofield, Stone, Swain, Thomas, Thompson, Williams—15.

Absent—Sedway.

Assembly Bill No. 153 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 Price gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 153 was this day passed.

REFERENCE OF MEASURES TO COMMITTEES

Assembly Bill No. 725.

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

Motion carried.

Assembly Concurrent Resolution No. 55.

Assemblyman Francis moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

Senate Bill No. 217.

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

Motion carried.

Senate Bill No. 249.

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

Motion carried.

Senate Bill No. 446.

Assemblyman Francis moved that the bill be referred to the Committee on Legislative Functions.

Motion carried.

Senate Bill No. 455.

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

Motion carried.

Senate Bill No. 484.

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

Motion carried.

Senate Bill No. 485.

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

Motion carried.

Senate Bill No. 506.

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

Motion carried.

Senate Concurrent Resolution No. 54.

Assemblyman Francis moved that the resolution be referred to the Committee on Government Affairs.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Concurrent Committee on Health and Welfare, to which was referred Assembly Bill No. 533, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

DAVID D. NICHOLAS, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Ways and Means, to which was referred Assembly Bill No. 533, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN MARVEL, *Chairman*

Assemblyman Francis moved that the Assembly recess until 4 p.m.

Motion carried.

Assembly in recess at 12:58 p.m.

ASSEMBLY IN SESSION

At 4:04 p.m.

Mr. Speaker presiding.

Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Judiciary, to which were referred Assembly Bill No. 565; Senate 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.

JAMES STONE, *Chairman*

Mr. Speaker:

Your Committee on Transportation, to which was referred Senate Bill No. 504, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

MIKE MALONE, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Senate Bill No. 73, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

LOUIS W. BERGEVIN, *Chairman*

UNFINISHED BUSINESS

RECEDE FROM ASSEMBLY AMENDMENTS

Assemblyman Bergevin moved that the Assembly do not recede from its action on Senate Bill No. 312, 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 Kerns, Collins and Price as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Senate Bill No. 312.

SECOND READING AND AMENDMENT

Assembly Bill No. 422.

Bill read second time.

The following amendment was proposed by the Committee on Taxation:

Amendment No. 1330.

Amend section 1, page 1, line 2, by deleting "5," and inserting "9,".

Amend sec. 2, page 1, line 3, by deleting "*act, "fund"* " and inserting: "*act:*

1. "Fund" ".

Amend sec. 2, page 1, by inserting after line 4:

"*2. "Supplemental fund" means the supplemental fund for assistance to indigent persons.*".

Amend sec. 3, page 1, line 9, by deleting "*section 5*" and inserting: "*sections 5 and 9*".

Amend sec. 3, page 1, line 10, by deleting "*or*".

Amend sec. 3, page 1, line 11, by deleting "*that*" and inserting "*care*".

Amend sec. 4, page 2, by inserting between lines 11 and 12:

"*3. For each fiscal year beginning on or after July 1, 1985, the board of county commissioners of each county shall, before the end of the fiscal year, remit to the state treasurer from the money in the fund an amount of money equivalent to three-tenths of one cent on each $100 of assessed valuation of all taxable property in the county for credit to the supplemental fund.*".

Amend sec. 4, page 2, line 12, by deleting "*3.*" and inserting "*4.*".

Amend sec. 5, page 2, line 16, after "*year*", by deleting the comma.

Amend the bill as a whole by renumbering sections 6 through 12 as sections 10 through 16 and adding new sections designated sections 6 through 9, following section 5, to read as follows:

"Sec. 6. *1. The supplemental fund for medical assistance to indigent persons is created. Any money recovered pursuant to section 9 of this act and the interest earned on the money in the supplemental fund must be deposited for credit to the supplemental fund.*

2. If the balance in the supplemental fund exceeds $1,000,000 on May 1, the excess must be credited pro rata against the amounts due from the respective counties.

Sec. 7. *The board of trustees of the fund for hospital care to indigent persons shall administer the supplemental fund and for that purpose may:*

1. Enter into all necessary contracts and agreements.

2. Employ personnel as necessary and prescribe their compensation and working conditions.

3. Enter into agreements with the department of administration to obtain services of attorneys, auditors and accountants.

4. Rent, lease, purchase or otherwise procure or receive real or personal property.

5. Adopt regulations necessary for carrying out the provisions of sections 6 to 9, inclusive, of this act.

Sec. 8. *1. If during any fiscal year the amount of money expended by a county to provide assistance to those persons eligible pursuant to NRS 428.090 exceeds the amount available to a county under the provisions of section 5 of this act, the board of county commissioners may apply to the board of trustees of the fund for hospital care to indigent persons for reimbursement or partial reimbursement of unpaid charges for hospital care in excess of $25,000 to any one person which have been incurred by a person certified as indigent by the board of county commissioners pursuant to NRS 428.090.*

2. The board of county commissioners must certify that each person on whose account application is made is indigent and the county has expended 90 percent of the amount of money available to that county pursuant to section 5 of this act. The application must be in such form and contain such information as the board of trustees requires.

Sec. 9. *1. The board of trustees of the fund for hospital care to indigent persons shall review the application and approve or disapprove reimbursement of all or part of the unpaid charges in excess of $25,000. If reimbursement or partial reimbursement is approved, payment to the county must be made from the supplemental fund, to the extent money is available in the supplemental fund, and the county must reimburse the provider of care for the care given to any one indigent person which exceeds $25,000 but only to the extent of the money reimbursed or partially reimbursed to the county from the supplemental fund on account of that patient.*

2. Upon payment to the county, the board of trustees:

(a) Is subrogated to the right of the county to recover unpaid charges from the indigent person or from other persons responsible for his support, to the extent of the reimbursement or partial reimbursement paid; and

(b) Has a lien upon the proceeds of any recovery by the county from the indigent person or other person responsible for his support, to the extent of the reimbursement or partial reimbursement paid from the supplemental fund.''.

Amend sec. 12, page 5, line 10, by deleting the period and inserting: ''and expires by limitation on June 30, 1987.''.

Amend the title of the bill, third line, after ''fund;'', by inserting: ''providing for a supplemental fund for the benefit of all counties;''.

Amend the summary of the bill to read: "Provides for separate funds for medical assistance to indigent persons and for levy of tax ad valorem to support these funds. (BDR 38-1755)".

Assemblyman Williams moved the adoption of the amendment.

Remarks by Assemblyman Williams.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 647.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 1315.

Amend the bill as a whole by deleting sections 1 through 3 and adding new sections designated sections 1 through 3, following the enacting clause, to read as follows:

"Section 1. Chapter 631 of NRS is hereby amended by adding thereto a new section to read as follows:

A licensed dentist may, to the extent necessary for the exercise of due care in the practice of dentistry, perform a complete physical evaluation and compile a medical history of a patient before admitting the patient to a hospital for the purpose of practicing dentistry.

Sec. 2. Chapter 449 of NRS is hereby amended by adding thereto a new section to read as follows:

In the management of a hospital, no discrimination may be made against physicians or dentists licensed under the laws of this state, and all such physicians and dentists have privileges in treating patients in the hospital in accordance with their training and ability.

Sec. 3. Chapter 608 of NRS is hereby amended by adding thereto a new section to read as follows:

Any employer who provides benefits for health care to his employees shall provide the same benefits and pay providers of health care in the same manner as a policy of insurance pursuant to chapters 689A and 689B of NRS.".

Amend sec. 5, pages 3 and 4, by deleting lines 7 through 45 on page 3 and lines 1 and 2 on page 4 and inserting:

"Sec. 5. (Deleted by amendment.)".

Amend sec. 6, page 4, by deleting line 6 and inserting: "arrange for dental care or pay for or reimburse".

Amend sec. 6, page 4, line 7, by deleting "*discount of*".

Amend sec. 6, page 4, by deleting lines 8 and 9 and inserting: "prepay , *make periodic payments* or pay through insurance for that care.".

Amend the bill as a whole by adding new sections designated sections 7 and 8, following section 6, to read as follows:

"Sec. 7. 1. The commissioner of insurance may employ or contract with a person who has knowledge and training concerning health maintenance organizations to assist him in the execution of his duties under the provisions of chapter 695C of NRS.

2. The commissioner of insurance may, by regulation, impose fees upon health maintenance organizations holding certificates of authority pursuant to chapter 695C of NRS to pay the cost of employing a person pursuant to subsection 1. The fees must be proportionate to the premiums received by a health maintenance organization, and the total amount collected by the commissioner from all health maintenance organizations must not exceed the sum of $70,000.

Sec. 8. Section 7 of this act expires by limitation on July 1, 1987.".

Amend the title of the bill to read as follows:

"An Act relating to practitioners of the healing arts; permitting dentists to perform certain acts before admitting a patient to a hospital; requiring employers who provide benefits for health care to employees to do so in the same manner as a policy of health insurance or group plan; broadening the definition of a plan for dental care; authorizing the imposition of certain fees on health maintenance organizations; and providing other matters properly relating thereto.".

Assemblyman DuBois moved the adoption of the amendment.

Remarks by Assemblyman DuBois.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 712.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 1321.

Amend section 1, page 1, line 1, by deleting "477" and inserting "472".

Amend section 1, page 1, by deleting lines 3 through 6 and inserting:

"*1. The state forester firewarden may:*

(a) In a district formed pursuant to NRS 473.034; and

(b) In an area designated pursuant to paragraph (d) of subsection 1 of NRS 472.040, including any land within the 1/2-mile radius surrounding such an area,

enforce the provisions of Appendix II-A of the Uniform Fire Code of the International Conference of Building Officials in the form most recently adopted by that conference before July 1, 1985, regarding the clearance of brush, dense undergrowth and other vegetation around and adjacent to a structure".

Amend section 1, page 1, line 7, by deleting "*native grass*".

Amend section 1, page 1, line 9, by deleting "*regulations*" and inserting: "*enforcement of these provisions*".

Amend the title of the bill, first line, by deleting "fire marshal;" and inserting "forester firewarden;".

Amend the summary of the bill, first line, by deleting "fire marshal" and inserting: "forester firewarden".

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. 267.
Bill read second time.
The following amendment was proposed by the Committee on Commerce:
Amendment No. 1181.
Amend sec. 13, page 4, by deleting lines 23 and 24 and inserting:
"*4. "Escrow agency" means:*
(a) Any person who employs one or more escrow agents; or
(b) An escrow agent who administers escrows on his own behalf.".
Amend sec. 13, page 4, by deleting lines 27 and 28.
Amend sec. 20, page 8, by deleting lines 14 through 42 and inserting:
"(a) [Is] *In the case of an escrow agency, is* insolvent;
(b) [Is of bad business repute or has demonstrated his unworthiness to transact the business of agent;
(c) Does not conduct his business in accordance with law or has violated any provisions of this chapter;
(d) Is] *Has violated any provision of this chapter or any regulation adopted pursuant thereto or has aided and abetted another to do so;*
(c) In the case of an escrow agency, is in such *a* financial condition that he cannot continue in business with safety to his customers;
[(e) Has been guilty of]
(d) Has committed fraud in connection with any transaction governed by this chapter;
[(f)] *(e)* Has *intentionally or knowingly* made any [misrepresentions] *misrepresentation* or false statement to, or concealed any essential or material fact from, any [person] *principal or designated agent of a principal* in the course of the escrow business;
[(g)] *(f)* Has *intentionally or* knowingly made or caused to be made to the administrator any false representation of *a* material fact or has suppressed or withheld from the administrator any information which the applicant or licensee possesses [, and which if submitted by him would have rendered the applicant or licensee ineligible to be licensed under this chapter;
(h)] *;*
(g) Has failed *without reasonable cause* to [account to persons interested for all escrows received;
(i) Has not delivered, after a reasonable time, to persons entitled thereto, escrows held or agreed to be delivered by the licensee as and when paid for and due to be delivered;
(j)] *furnish to the parties of an escrow their respective statements of the settlement within a reasonable time after the close of escrow;*
(h) Has failed without reasonable cause to deliver, within a reasonable time after the close of escrow, to the respective parties of an escrow

transaction any money, documents or other properties held in escrow in violation of the provisions of the escrow instructions;".

Amend sec. 20, page 8, line 43, by deleting "*(k)*" and inserting "*(i)*".

Amend sec. 20, page 9, line 1, by deleting "*(l)*" and inserting "*(j)*".

Amend sec. 20, page 9, line 3, by deleting "*(m) Has*" and inserting: "*(k) In the case of an escrow agency, has*".

Amend sec. 20, page 9, line 5, by deleting "*(n)*" and inserting "*(l)*".

Amend sec. 20, page 9, line 7, by deleting: "*(o) Has failed*" and inserting: "*(m) Has failed, before the close of escrow,*".

Amend sec. 20, page 9, line 8, by deleting: "*failed to follow the*" and inserting: "*intentionally failed to follow the written*".

Amend sec. 20, page 9, line 9, by deleting "*parties;*" and inserting: "*parties and accepted by the holder of the escrow;*".

Amend sec. 20, page 9, line 10, by deleting "*(p)*" and inserting "*(n)*".

Amend sec. 26, page 12, by deleting lines 9 through 19 and inserting:

"645A.160 All money deposited in escrow to be delivered upon the close of the escrow or upon any other contingency [shall be deposited in a bank and] *must be* kept separate [, distinct and apart from funds] *from money* belonging to the escrow agent [. Such funds, when deposited, are to] *or agency and must be deposited in a federally insured financial institution unless another financial institution has been designated in writing in the instructions for the escrow. The money when deposited must* be designated as "trust funds [,]" *or* "escrow accounts" or under some other appropriate name indicating that the [funds are not the funds] *money is not the money* of the escrow agent [.] *or agency.*".

Amend sec. 35, page 17, by deleting lines 33 through 36 and inserting:

"*(b) Demonstrate competency in matters relating to escrows by:*

(1) Having at least 1 year of recent experience with respect to escrows of a sufficient nature to allow him to fulfill the responsibilities of an escrow officer; or

(2) Passing a written examination concerning escrows as prescribed by the commissioner;".

Amend sec. 35, page 17, line 37, by deleting "*(d)*" and inserting "*(c)*".

Amend sec. 35, page 17, line 39, by deleting "*(e)*" and inserting "*(d)*".

Amend sec. 36, page 18, by deleting lines 4 through 38 and inserting:

"*(a) In the case of a title agent, is insolvent;*

(b) Has violated any provision of this chapter or any regulation adopted pursuant thereto or has aided and abetted another to do so;

(c) In the case of a title agent, is in such a financial condition that he cannot continue in business with safety to his customers;

(d) Has committed fraud in connection with any transaction governed by this chapter;

(e) Has intentionally or knowingly made any misrepresentation or false statement to, or concealed any essential or material fact known to him from, any principal or designated agent of the principal in the course of the escrow business;

(f) Has intentionally or knowingly made or caused to be made to the commissioner any false representation of a material fact or has suppressed or withheld from him any information which the applicant or licensee possesses;

(g) Has failed without reasonable cause to furnish to the parties of an escrow their respective statements of the settlement within a reasonable time after the close of escrow;

(h) Has failed without reasonable cause to deliver, within a reasonable time after the close of escrow, to the respective parties of an escrow transaction any money, documents or other properties held in escrow in violation of the provisions of the escrow instructions;

(i) Has refused to permit an examination by the commissioner of his books and affairs or has refused or failed, within a reasonable time, to furnish any information or make any report that may be required by the commissioner under the provisions of this chapter;

(j) Has been convicted of a felony or any misdemeanor of which an essential element is fraud;

(k) In the case of a title agent, has failed to maintain complete and accurate records of all transactions within the last 7 years;

(l) Has commingled the money of others with his own or converted the money of others to his own use;

(m) Has failed, before the close of escrow, to obtain written instructions concerning any essential or material fact or intentionally failed to follow the written instructions which have been agreed upon by the parties and accepted by the holder of the escrow; or".

Amend sec. 36, page 18, line 39, by deleting "*(p)*" and inserting "*(n)*".

Amend sec. 36, page 19, line 1, after "omission", by inserting: "*directly arising from the business activities of a title agent*".

Amend sec. 36, page 19, line 4, by deleting "*title agent*" and inserting "*title agent:*".

Amend sec. 36, page 19, line 5, by deleting "*failed*" and inserting "*(a) Failed*".

Amend sec. 36, page 19, line 7, by deleting "*license.*" and inserting: "*license; or*

(b) Instructed an escrow officer to commit an act which would be cause for the revocation of the escrow officer's license and the escrow officer committed the act. An escrow officer is not subject to disciplinary action for committing such an act under instruction by the title agent.".

Amend sec. 36, page 19, by deleting lines 8 through 11.

Amend sec. 36.5, page 19, line 12, by deleting "*1.*".

Amend sec. 36.5, page 19, line 18, by deleting: "*(a) Has been guilty of*" and inserting: "*1. Has committed*".

Amend sec. 36.5, page 19, by deleting lines 20 through 35 and inserting:

"2. *Has failed without reasonable cause to furnish to the parties of an escrow their respective statements of the settlement within a reasonable time after the close of escrow;*

3. Has failed without reasonable cause to deliver, within a reasonable time after the close of escrow, to the respective parties of an escrow transaction any money, documents or other properties held in escrow in violation of the provisions of the escrow instructions;

4. Has commingled the money of others with his own or converted the money of others to his own use;

5. Has failed, before the close of escrow, to obtain written instructions concerning any essential or material fact or intentionally failed to follow the written instructions which have been agreed upon by the parties and accepted by the holder of the escrow; or

6. Has failed to disclose in writing that he is acting in the dual capacity of escrow agent or agency and undisclosed principal in any escrow transaction.".

Amend the bill as a whole by adding a new section designated section 36.7, following section 36.5, to read as follows:

"Sec. 36.7. *1. A title agent or title insurer shall notify the division in writing within 10 days after any change in the name or the location of the business of the agent or insurer or any change of association by the holder of a license as an escrow officer. Upon the surrender of the existing license and payment of the required fee, the division shall issue a new license to the agent or insurer for the unexpired term of the license.*

2. An escrow officer who transfers his association must apply to the division for the reissuance of his license. The division shall reissue the license for the unexpired term upon application and payment of the required fee if:

(a) The transfer is into an association with a licensed title agent or title insurer; and

(b) The agent or insurer certifies that the escrow agent is employed or will be employed by the agent or insurer.

3. Failure to give notice as required by this section constitutes cause for the imposition of a fine not to exceed $500 against the licensee or the suspension or revocation of his license.".

Amend sec. 38, page 20, line 4, by deleting "*bank*" and inserting "*financial institution*".

Amend sec. 38, page 20, line 6, by deleting "*clearly*".

Amend sec. 38, page 20, by deleting lines 7 and 8 and inserting: "*"trust funds" or "escrow accounts" or under some other appropriate name indicating that the money is not the money of the title insurer, title agent or escrow officer.*

4. The commissioner shall adopt regulations defining the term "commingling" for the purposes of this chapter and prescribing acceptable business practices for title agents and escrow officers for handling money deposited in escrow.".

Amend the bill as a whole by adding a new section designated section 38.5, following section 38, to read as follows:

"Sec. 38.5. *1. The commissioner shall classify as confidential the financial statements of a title agent, escrow officer and title insurer and those records and information obtained by the division which:*

(a) Are obtained from a governmental agency upon the express condition that they remain confidential.

(b) Consist of information compiled by the division in the investigation of possible violations of this chapter. This paragraph does not limit examination by the legislative auditor or any other person pursuant to a court order.

2. The contents of the file for an escrow are confidential and, subject to the rights to discover the contents by subpena or other lawful process, must not be disclosed without the express written consent of one party of the escrow other than the holder of the escrow.".

Amend sec. 39, page 20, line 9, by deleting: "*insurer, title agent and escrow officer*" and inserting: "*insurer and title agent*".

Amend sec. 39, page 20, line 10, after "*business*", by inserting: "*or branch office*".

Amend sec. 39, page 20, line 13, by deleting: "*insurer, title agent and escrow officer*" and inserting "*insurer and title agent*".

Amend sec. 42, page 21, line 5, after "[.]", by inserting: ", *title insurer*".

Amend sec. 43, page 21, line 14, by deleting "*officer,*" and inserting: "*officer employed by the title insurer,*".

Amend sec. 43, page 21, line 23, by deleting: "its [agents] *title agents*" and inserting: "[its] *the title* agents".

Amend sec. 43, page 21, line 24, after "*officers*", by inserting "*it employs*".

Amend sec. 45, page 21, line 29, after the period by inserting: "A person who is employed in this state as an escrow officer on or before July 1, 1985, may apply for a license pursuant to section 35 of this act before January 1, 1986, but is not required to satisfy the requirements of paragraph (b) of subsection 1 of that section.".

Amend sec. 46, page 21, line 32, by deleting "Section" and inserting: "Except as provided in section 45 of this act, section".

Assemblyman DuBois moved the adoption of the amendment.

Remarks by Assemblyman DuBois.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 321.

Bill read second time.

The following amendment was proposed by Assemblyman Nicholas:

Amendment No. 1319.

Amend the bill as a whole by renumbering sections 1 through 5 as sections 2 through 6 and adding a new section designated section 1, preceding section 1, to read as follows:

"Section 1. NRS 689A.030 is hereby amended to read as follows:

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")] *"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 . [;]

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; and] , *unless the policy provides coverage only for a specified disease or provides for the payment of a specific amount of money if the insured is hospitalized or receiving health care in his home.*

10. If the policy provides coverage for services rendered by a hospital, health and care facility or other similar services it must provide coverage for such services when rendered by a hospice.".

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. 393.

Bill read second time.

The following amendment was proposed by the Committee on Taxation:

Amendment No. 1244.

Amend section 1, page 1, by deleting line 9 and inserting: "*may by resolution levy a common rate of taxes ad valorem for*".

Amend section 1, page 1, lines 12 and 13, by deleting "*of levy*".

Amend section 1, page 1, line 15, by deleting "*levy*" and inserting "*common rate*".

Amend section 1, page 1, by inserting after line 15:

"*3. If the towns provide more than one common service, the common rate must include all the common service. A separate rate may be levied for a capital improvement in any town, or for a service provided only in the town where that rate is levied.*".

Assemblyman Francis moved the adoption of the amendment.

Remarks by Assemblyman Francis.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Malone moved that Senate Bill No. 185 be placed on the General File.

Motion carried.

Assemblyman Getto moved that Assembly Bill No. 107 be placed on the General File.

Motion carried.

Assemblyman Marvel moved that Assembly Bill No. 533 be placed on the Second Reading File.

Remarks by Assemblyman Marvel.

Motion carried.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 159.

The following Senate amendments were read:

Amendment No. 1094.

Amend the bill as a whole by renumbering sections 9 through 14 as sections 10 through 15 and adding a new section designated section 9, following section 8, to read as follows:

"Sec. 9. NRS 689B.120 is hereby amended to read as follows:

689B.120 1. All [group health insurance policies] *policies of group health insurance* delivered or issued for delivery in this state providing for hospital, surgical or major medical expense insurance, or any combination of these coverages, on an expense-incurred basis must contain a provision that the employee or member is entitled to have issued to him by the insurer a policy of health insurance when the employee or member is no longer covered by the group policy.

2. The requirement in subsection 1 does not apply to policies providing benefits only for specific diseases or accidental injuries, and it applies to other policies only if:

(a) The termination of coverage under the group policy is not due to termination of the group policy itself unless the termination of the group policy has resulted from failure of the policyholder to remit the required premiums;

(b) The termination is not due to failure of the employee or member to remit any required contributions;

(c) The employee or member has been continuously insured under [the] *any* group policy *of the employer* for at least 3 consecutive months immediately before the termination; and

(d) The employee or member applies in writing for the converted policy and pays his first premium to the insurer no later than 31 days after the termination.".

Amend sec. 11, page 4, line 22, by deleting "12 and 13" and inserting "13 and 14".

Amend sec. 12, page 4, line 30, by deleting "*or insurers;*" and inserting a semicolon.

Amendment No. 1251.

Amend sec. 8, page 3, line 40, after "*valid*" and inserting "*group*".

Amend sec. 11, page 4, line 35, by deleting "[shall] *must*" and inserting "must".

Amend sec. 11, page 4, line 39, by deleting "[such] *the*" and inserting "the".

Amend sec. 11, page 4, line 41, by deleting "[shall,]" and inserting "[must,]".

Amend sec. 11, page 4, line 43, after the period, by inserting: "If the effective date of the termination is within 3 years after the date of reinstatement of a license, registration or privilege, the division shall suspend the license and registration or privilege.".

Amend the bill as a whole by adding a new section designated section 16, following section 15, to read as follows:

"Sec. 16. Section 11 of this act becomes effective at 12:01 a.m. on July 1, 1985.".

Assemblyman DuBois moved that the Assembly concur in the Senate amendments to Assembly Bill No. 159.

Remarks by Assemblyman DuBois.

Motion carried.

Bill ordered enrolled.

SECOND READING AND AMENDMENT

Assembly Bill No. 533.

Bill read second time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1337.

Amend section 1, page 1, line 2, by deleting: "2, 3 and 4" and inserting "2 and 3".

Amend sec. 2, page 1, line 5, by deleting "*with*" and inserting "*for*".

Amend sec. 2, page 1, after line 15 by inserting:

"*3. The decision of the department regarding the eligibility of an applicant is a final decision for the purposes of judicial review.*".

Amend sec. 4, page 2, by deleting lines 7 through 9 and inserting:

"Sec. 4. The department of human resources is hereby directed to withdraw $500,000 from the federal money set aside for Nevada as its rebate and incentive under Title 19 of the Social Security Act for using less money than had been projected for the federal fiscal year 1984 and deposit it with the state treasurer for credit to the state general fund.".

Amend the bill as a whole by adding new sections designated sections 5 and 6, following section 4, to read as follows:

"Sec. 5. 1. There is hereby appropriated from the state general fund to the department of human resources for a program to provide financial assistance to physically disabled persons established pursuant to section 2 of this act:

For the fiscal year 1986-87 250,000

2. Any balance of the sums appropriated by subsection 1 remaining at the end of the respective fiscal years must not be committed for expenditure after June 30 and reverts to the state general fund as soon as all payments of money committed have been made.

3. If the money available for the program for a fiscal year is projected to be insufficient to make full payment of the amounts of assistance determined necessary by the department, the department shall prorate its assistance so that the same prorated reduction is made to the assistance paid to each person receiving assistance.

Sec. 6. Section 4 of this act becomes effective upon passage and approval.".

Amend the title of the bill, third line, after "independently;" by inserting:

"requiring the department to withdraw certain available federal money; making an appropriation;".

Assemblyman Marvel moved the adoption of the amendment.

Remarks by Assemblyman Marvel.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

GENERAL FILE AND THIRD READING

Senate Bill No. 183.

Bill read third time.

Remarks by Assemblyman Malone.

Roll call on Senate Bill No. 183:

YEAS—41.

NAYS—None.

Absent—Sedway.

Senate Bill No. 183 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 223.

Bill read third time.

Remarks by Assemblyman Bogaert.

Roll call on Senate Bill No. 223:

YEAS—41.

NAYS—None.

Absent—Sedway.

Senate Bill No. 223 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 252.

Bill read third time.

The following amendment was proposed by the Committee on Taxation:

Amendment No. 1333.

Amend sec. 4, page 3, line 14, after "budget" by inserting: "and a copy of the local government's report of its proposed expenditures for the following fiscal year".

Amend sec. 4, page 3, after line 17, by inserting: "The report must be written in the same detail as its chart of accounts. The total amount of the expenditures contained in this report equal the total amount of expenditures contained in its tentative budget for each department and fund listed in that budget.".

Amend sec. 4, page 3, line 39, by deleting "also".

Assemblyman Roberts moved the adoption of the amendment.

Remarks by Assemblyman Roberts.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 257.
Bill read third time.
Remarks by Assemblymen Dini and Rader.
Roll call on Senate Bill No. 257:

YEAS—33.
NAYS—Collins, Horne, Lambert, Little, O'Donnell, Rader, Roberts, Spriggs—8.
Absent—Sedway.

Senate Bill No. 257 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 297.
Bill read third time.
Remarks by Assemblyman Williams.
Roll call on Senate Bill No. 297:

YEAS—39.
NAYS—Price.
Absent—Sedway.
Not voting—Lambert.

Senate Bill No. 297 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 310.
Bill read third time.
Remarks by Assemblyman Bogaert.
Roll call on Senate Bill No. 310:

YEAS—40.
NAYS—Malone.
Absent—Sedway.

Senate Bill No. 310 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 Kerns.
Roll call on Senate Bill No. 335:

YEAS—39.
NAYS—Coffin.
Absent—Sedway.
Not voting—Price.

Senate Bill No. 335 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 373.
Bill read third time.
Remarks by Assemblyman Spriggs.

Roll call on Senate Bill No. 373:

YEAS—41.

NAYS—None.

Absent—Sedway.

Senate Bill No. 373 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 404.

Bill read third time.

Remarks by Assemblyman Fairchild.

Roll call on Senate Bill No. 404:

YEAS—41.

NAYS—None.

Absent—Sedway.

Senate Bill No. 404 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 Assemblymen Stone and Malone.

Roll call on Senate Bill No. 426:

YEAS—36.

NAYS—Arberry, Fairchild, Horne, Little, Roberts—5.

Absent—Sedway.

Senate Bill No. 426 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 456.

Bill read third time.

Roll call on Senate Bill No. 456:

YEAS—33.

NAYS—Bergevin, Collins, Craddock, Horne, McGaughey, Price, Spriggs, Tebbs—8.

Absent—Sedway.

Senate Bill No. 456 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 Senate Bill No. 288, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN DUBOIS, *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which were referred Assembly Bill No. 505, Senate

Bill No. 130, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN DUBOIS, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which was referred Senate Bill No. 383, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JAMES STONE, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Humke moved that Senate Bill No. 254 be taken from the Chief Clerk's desk and placed on the General File.

Motion carried.

UNFINISHED BUSINESS

REPORTS OF CONFERENCE COMMITTEES

Mr. Speaker:

The first Committee on Conference concerning Assembly Bill No. 290, consisting of the undersigned members, has met, and reports that:

It has agreed to recommend that the amendment of the Senate be concurred in.

VIRGIL M. GETTO	JOE NEAL
JOSEPH E. DINI, JR.	JOHN M. VERGIELS
GAYLYN J. SPRIGGS	LAWRENCE E. JACOBSEN
Assembly Committee on Conference	*Senate Committee on Conference*

Assemblyman Getto moved that the Assembly adopt the report of the first Committee on Conference concerning Assembly Bill No. 290.

Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 462.

Bill read third time.

Remarks by Assemblyman Spriggs.

Roll call on Senate Bill No. 462:

YEAS—41.

NAYS—None.

Absent—Sedway.

Senate Bill No. 462 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 470.

Bill read third time.

Remarks by Assemblymen Marvel and Thomas.

Roll call on Senate Bill No. 470:

YEAS—35.

NAYS—Lambert, Malone, Rader, Roberts, Swain, Williams—6.

Absent—Sedway.

Senate Bill No. 470 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 479.

Bill read third time.

Remarks by Assemblyman Zimmer.

Roll call on Senate Bill No. 479:

YEAS—40.

NAYS—Thomas.

Absent—Sedway.

Senate Bill No. 479 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 488.

Bill read third time.

Remarks by Assemblymen Marvel, Williams, Thomas, Joerg, Bogaert, Price, Coffin, Humke, Schofield, Thompson and Swain.

Assemblymen Nicholas, Humke and Roberts moved the previous question.

Motion carried.

The question being on the passage of Senate Bill No. 488.

Roll call on Senate Bill No. 488:

YEAS—30.

NAYS—Collins, Craddock, Fairchild, Joerg, McGaughey, Price, Sader, Schofield, Stone, Williams, Mr. Speaker—11.

Absent—Sedway.

Senate Bill No. 488 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 5 p.m.

ASSEMBLY IN SESSION

At 5:05 p.m.

Mr. Speaker pro Tempore presiding.

Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Concurrent Committee on Economic Development and Tourism, 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.

DAVID E. HUMKE, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Natural Resources, Agriculture and Mining, 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.

VIRGIL M. GETTO, *Chairman*

Mr. Speaker:

Your Committee on Natural Resources, Agriculture and Mining, to which were referred Senate Bills Nos. 67, 350, 354, 366, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

VIRGIL M. GETTO, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 29, 1985

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 45, 98, 207, 332, 458, 584, 600, 603, 620, 710.

Also, I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bills Nos. 229, 302, 374, 387, 475, 633, 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. 502 and requests a conference, and appointed Senators Ryan, Robinson and Shaffer 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. 241.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Bills Nos. 428, 507, 510, 511.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 345, 465, 475, 494, 495.

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. 193, 256, 295, 360, 399.

Also, I have the honor to inform your honorable body that the Senate on this day appointed Senators Foley, Townsend and Ryan as a 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. 143.

MARY JO MONGELLI
Assistant Secretary of the Senate

INTRODUCTION AND FIRST READING OF LEGISLATION

Senate Bill No. 345.
Bill read first time.

Senate Bill No. 428.
Bill read first time.

Senate Bill No. 465.
Bill read first time.

Senate Bill No. 475.
Bill read first time.

Senate Bill No. 494.
Bill read first time.

Senate Bill No. 495.
Bill read first time.

Senate Bill No. 507.
Bill read first time.

Senate Bill No. 510.
Bill read first time.

Senate Bill No. 511.
Bill read first time.

REFERENCE OF MEASURES TO COMMITTEES

Senate Bill No. 345.
Assemblyman Francis moved that the bill be referred to the Committee on Ways and Means.
Motion carried.

Senate Bill No. 428.
Assemblyman Francis moved that the bill be referred to the Committee on Judiciary.
Motion carried.

Senate Bill No. 465.
Assemblyman Francis moved that the bill be referred to the Committee on Taxation.
Motion carried.

Senate Bill No. 475.
Assemblyman Francis moved that the bill be referred to the Committee on Taxation.
Motion carried.

Senate Bill No. 494.
Assemblyman Francis moved that the bill be referred to the Committee on Government Affairs.
Motion carried.

Senate Bill No. 495.
Assemblyman Francis moved that the bill be referred to the Committee on Labor and Management.
Motion carried.

Senate Bill No. 507.
Assemblyman Francis moved that the bill be referred to the Committee on Government Affairs.
Motion carried.

Senate Bill No. 510.

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

Motion carried.

Senate Bill No. 511.

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

Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 489.

Bill read third time.

Remarks by Assemblyman Humke.

Roll call on Senate Bill No. 489:

YEAS—41.

NAYS—None.

Absent—Sedway.

Senate Bill No. 489 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 496.

Bill read third time.

Remarks by Assemblyman Beyer.

Roll call on Senate Bill No. 496:

YEAS—36.

NAYS—Horne, Little, McGaughey, Roberts, Williams—5.

Absent—Sedway.

Senate Bill No. 496 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 500.

Bill read third time.

Remarks by Assemblyman Getto.

Roll call on Senate Bill No. 500:

YEAS—41.

NAYS—None.

Absent—Sedway.

Senate Bill No. 500 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 5:24 p.m.

ASSEMBLY IN SESSION

At 5:25 p.m.

Mr. Speaker presiding.

Quorum present.

GENERAL FILE AND THIRD READING

Senate Joint Resolution No. 37.

Resolution read third time.

Remarks by Assemblymen Bergevin, Coffin, Williams, Price, Nicholas, Collins, Thomas, Bogaert and DuBois.

Roll call on Senate Joint Resolution No. 37:

YEAS—24.

NAYS—Arberry, Coffin, Collins, DuBois, Fairchild, Francis, Jeffrey, Little, Nevin, Price, Roberts, Sader, Swain, Thomas, Thompson, Williams, Zimmer—17.

Absent—Sedway.

Senate Joint Resolution No. 37 having received a constitutional majority, Mr. Speaker declared it passed.

Resolution ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Stone moved that Assembly Bill No. 653 be taken from the Chief Clerk's desk and placed on the Second Reading File.

Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 333.

Bill read third time.

Remarks by Assemblyman Malone.

Roll call on Senate Bill No. 333:

YEAS—40.

NAYS—Spriggs.

Absent—Sedway.

Senate Bill No. 333 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 26.

Bill read third time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 1332.

Amend sec. 26, page 10, by deleting line 1 and inserting: "and employees of the agencies of the state shall make available".

Amend sec. 26, page 10, line 2, by deleting "sible".

Amend sec. 37, page 17, line 15, by deleting: "Section 2 of this act becomes" and inserting: "Sections 2 and 26 of this act become".

Assemblyman DuBois moved the adoption of the amendment.

Remarks by Assemblyman DuBois.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 185.

Bill read third time.

The following amendment was proposed by the Committee on Transportation:

Amendment No. 1348.

Amend sec. 137, page 62, line 18, by deleting: "[prior to] *before*" and inserting "before".

Amend sec. 137, page 62, line 29, by deleting: "[shall] *does*" and inserting "does".

Amend sec. 137, page 63, by deleting lines 1 through 16 and inserting: "price is the value established in the manner set forth in section 1 of [this act.] *Senate Bill No. 279 of this session.*".

Amend sec. 161, pages 72 and 73, by deleting lines 37 through 44 on page 72 and lines 1 through 3 on page 73, and inserting:

"617.135 "Police officer" includes:

1. A sheriff, deputy sheriff or city policeman;

2. A chief, inspector *supervisor, commercial officer,* or [patrolman] *trooper* of the Nevada highway patrol;

3. [A field agent or inspector of the motor carrier division of the department of motor vehicles;

4.] A chief, investigator or agent of the investigation division of the department of motor vehicles [;

5. A vehicle emission control] *and public safety;*

4. An officer *or investigator for the control of emissions from vehicles* of the registration division of the department of motor vehicles [;

6.] *and public safety;*

5. An investigator of the bureau of enforcement of the registration division of the department of motor vehicles [;

7.] *and public safety;*

6. A member of the police department of the University of Nevada System; and

[8.] *7.* A uniformed employee of the department of prisons whose position requires regular and frequent contact with the offenders imprisoned and subjects the employee to recall in emergencies.".

Amend sec. 166, page 76, by deleting lines 2 through 11 and inserting:

"703.155 1. The employees of the commission whom it designates as inspectors and as manager of transportation have police power for the enforcement of all regulations of the commission or the department of motor vehicles *and public safety* pertaining to chapters 704, 705 and 706 of NRS.

2. The commission's inspectors and the manager of transportation are peace officers for the enforcement of chapters 482, 704, 705 and 706 of NRS.

3. The commission's inspectors and the manager of transportation are peace officers for the enforcement of chapters 483 and 484 of NRS for vehicles which are regulated pursuant to chapter 706 of NRS.

4. Inspectors and the manager of transportation may carry firearms in the performance of their duties.".

Amend the bill as a whole by renumbering sections 174 through 176 as sections 175 through 177, and adding a new section designated section 174, following section 173, to read as follows:

"Sec. 174. Section 1 of Senate Bill No. 279 of this session is hereby amended to read as follows:

Section 1. Chapter 374 of NRS is hereby amended by adding thereto a new section to read as follows:

1. For the purposes of this section, "authorized appraisal" means an appraisal of the value of a motor vehicle made by:

(a) An employee of the department of motor vehicles and public safety on its behalf;

(b) A county assessor or his employee as an agent of the department of motor vehicles and public safety; or

(c) A person licensed by the department of motor vehicles and public safety as a dealer, rebuilder or automobile wrecker.

2. When computing the tax on the sale of a vehicle by a seller who is not required to be registered by the department of taxation, the department of motor vehicles and public safety or county assessor as an agent of the department of taxation shall, if an authorized appraisal is submitted:

(a) Require the submission of a notarized copy of the bill of sale for the particular vehicle; and

(b) Use as the vehicle's sales price the amount stated on the authorized appraisal, the cost of the vehicle as evidenced by the copy of the bill of sale or $100, whichever is greater.

3. The department of motor vehicles and public safety shall establish and make available a form for an authorized appraisal.

4. The department of motor vehicles and public safety shall retain a copy of the appraisal and bill of sale considered pursuant to subsection 2 with its record of the collection of the tax.

5. A fee which does not exceed $10 may be charged and collected for each authorized appraisal made. Any money so collected by the department of motor vehicles and public safety for such an appraisal made by its employees must be deposited with the state treasurer to the credit of the motor vehicle fund. Any money so collected by a county assessor must be deposited with the county treasurer to the credit of the county's general fund.

6. If an authorized appraisal is not submitted, the department of motor vehicles and public safety or the county assessor as an agent of the department of taxation shall establish the sales price as a value which is based on the depreciated value of the vehicle as determined in accordance with the schedule in NRS 374.113. To determine the original price from which the

depreciation is calculated, the department of motor vehicles and public safety 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. 175, page 78, line 10, by deleting "section 173" and inserting: "sections 173 and 174".

Amend sec. 175, page 78, line 12, by deleting: "and 166 of" and inserting: ", 137 and 161 of".

Amend sec. 175, page 78, by deleting line 14 and inserting:

"3. Sections 67 and 166 of this act become effective at 12:02 a.m. on July 1,".

Assemblyman Rader moved the adoption of the amendment.

Remarks by Assemblyman Rader.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 107.

Bill read third time.

Remarks by Assemblyman Getto.

Roll call on Assembly Bill No. 107:

YEAS—37.

NAYS—Collins, Price, Roberts, Stone—4.

Absent—Sedway.

Assembly Bill No. 107 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 5:35 p.m.

ASSEMBLY IN SESSION

At 5:48 p.m.

Mr. Speaker pro Tempore presiding.

Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Rader gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Joint Resolution No. 37 was this day passed.

UNFINISHED BUSINESS

RECEDE FROM ASSEMBLY AMENDMENTS

Assemblyman DuBois moved that the Assembly do not recede from its action on Senate Bill No. 253, that a conference be requested, and that Mr. Speaker pro Tempore 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 pro Tempore appointed Assemblymen Jeffrey, Bogaert and Thompson as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Senate Bill No. 253.

GENERAL FILE AND THIRD READING

Senate Bill No. 254.

Bill read third time.

The following amendment was proposed by Assemblymen Humke and Schofield:

Amendment No. 1346.

Amend sec. 16, page 5, line 5, by deleting "*1.*".

Amend sec. 16, page 5, line 9, by deleting "*75*" and inserting "*65*".

Amend sec. 16, page 5, by deleting lines 14 through 17.

Amend sec. 16.5, page 5, line 23, by deleting "*75*" and inserting "*65*".

Amend sec. 18, page 5, line 32, by deleting the bracket.

Amend sec. 18, page 5, line 35, by deleting "within" and inserting ". [within".

Amend sec. 18, page 5, by deleting lines 36 through 43 and inserting: "makes a demand therefor.]".

Assemblyman Humke moved the adoption of the amendment.

Remarks by Assemblyman Humke.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

SECOND READING AND AMENDMENT

Assembly Bill No. 653.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1335.

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 463 of NRS is hereby amended by adding thereto a new section to read as follows:

A license to operate 15 or fewer slot machines at an establishment in which the operation of slot machines is incidential to the primary business

conducted at the establishment may only be granted to the operator of the primary business or to a licensed operator of a slot machine route.".

Amend section 1, page 1, line 5, by deleting: "[or payable for the" and inserting: "or payable for the [".

Amend section 1, page 1, line 7, by deleting "*for the*".

Amend section 1, page 1, by deleting lines 9 through 11 and inserting: "*machines upon the business premises of others at three or more locations.*".

Amend the title of the bill, second line, before "and" by inserting: "restrict the granting of licenses to operate slot machines on the premises of another;".

Amend the summary of the bill to read as follows: "Restricts operation of slot machine routes. (BDR 41-1746).".

Assemblyman Stone moved the adoption of the amendment.

Remarks by Assemblyman Stone.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Natural Resources, Agriculture and Mining, to which was referred Assembly Bill No. 707, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

VIRGIL M. GETTO, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman DuBois moved that Assembly Bill No. 505 be placed on the Second Reading File.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 505.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 1347.

Amend sec. 3, page 2, lines 17 and 18, by deleting the brackets.

Amend sec. 3, page 2, line 21, by deleting the brackets.

Amend sec. 5, pages 3 and 4, by deleting lines 14 through 45 on page 3 and lines 1 through 24 on page 4 and inserting:

"704.020 1. "Public utility" includes:

(a) Any person who owns, operates, manages or controls any railroad or part of a railroad as a common carrier in this state, or cars or other equipment used thereon, or bridges, terminals, or sidetracks, or any docks or wharves or storage elevators used in connection therewith, whether or not they are owned by the railroad.

(b) Telephone companies and other companies which provide telecommunication or a related service to the public.

(c) Radio or broadcasting instrumentalities providing common or contract service.

(d) All companies which own cars of any kind or character, used and operated as a part of railroad trains, in or through this state. All duties required of and penalties imposed upon any railroad or any officer or agent thereof are, insofar as applicable, required of and imposed upon the owner or operator of any telephone, radio and broadcasting companies, companies providing telecommunication or related services to the public and companies which own cars of any kind or character, used and operated as a part of railroad trains in or through this state, and their officers and agents, and the commission may supervise and control all such companies and persons to the same extent as railroads.

[(e) Community antenna television companies.]

2. "Public utility" also includes:

(a) Any person who owns, operates or controls any ditch, flume, tunnel or tunnel and drainage system, charging rates, fares or tolls, directly or indirectly.

(b) Any plant or equipment, or any part of a plant or equipment, within the state for the production, delivery or furnishing for or to other persons, including private or municipal corporations, heat, gas, coal slurry, light, power in any form or by any agency, water for business, manufacturing, agricultural or household use, or sewerage service, whether or not within the limits of municipalities.

The commission may supervise, regulate and control all such utilities, subject to the provisions of this chapter and to the exclusion of the jurisdiction, regulation and control of such utilities by any municipality, town or village, unless otherwise provided by law.

3. The provisions of this chapter and the term "public utility" apply to:

(a) All charges connected with the transportation of persons or property, including icing charges and mileage charges.

(b) All railroads, express companies, car companies, and all associations of persons, whether or not incorporated, that do any business as a common carrier upon or over any line of railroad within this state.

(c) Any common or contract carrier engaged in the transportation of passengers and property, except common or contract motor carriers subject to the provisions of chapter 706 of NRS.".

Amend sec. 11, pages 6 through 8, by deleting lines 24 through 48 on page 6, lines 1 through 48 on page 7 and lines 1 through 9 on page 8 and inserting:

"Sec. 11. Chapter 711 of NRS is hereby amended by adding thereto a new section to read as follows:

A governing body may grant an exclusive franchise to a community antenna television company.".

Amend the bill as a whole by deleting sections 12 through 14 and inserting:

"Secs. 12-14. (Deleted by amendment.)".

Amend the bill as a whole by adding a new section designated section 14.5, following section 14, to read as follows:

"Sec. 14.5. NRS 318.1193 is hereby amended to read as follows:

318.1193 No district proposing to furnish television facilities, as provided in NRS 318.1192, may be organized which includes any area already served by a community antenna television company unless [:

1. In counties having a population of less than 250,000, application is made to the public service commission of Nevada and the commission determines it necessary to revoke in whole or in part the certificate of the community antenna television company for the area involved; or

2. In counties having a population of 250,000 or more,] the 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 to that area.".

Amend sec. 15, page 8, line 44, by deleting: "[under NRS 711.190 and" and inserting: "under NRS 711.190 [and".

Amend sec. 16, page 9, line 14, by deleting "text" and inserting "context".

Amend sec. 16, page 9, by deleting lines 34 through 37 and inserting:

"6. "Person" includes a government, a governmental agency and a political subdivision of a government.".

Amend sec. 16, page 9, line 41, after "such", by inserting "a".

Amend sec. 17, page 10, line 6, by deleting "such" and inserting "the".

Amend sec. 17, page 10, by deleting lines 11 through 14 and inserting:

"4. "Person" includes a government, a governmental agency and a political subdivision of a government.".

Amend sec. 17, page 10, line 21, after "such", by inserting "a".

Amend sec. 18, page 10, by deleting line 27 and inserting:

"Sec. 18. NRS 711.050, 711.080 to 711.170, inclusive, and 711.220 are".

Amend the bill as a whole by adding new sections designated sections 19 and 20, following section 18, to read as follows:

"Sec. 19. The systems of tariffs in effect on the effective date of this act remain effective until the appropriate governing bodies adopt ordinances governing community antenna television companies.

Sec. 20. Section 5 of this act becomes effective at 12:01 a.m. on July 1, 1985.".

Amend the title of the bill, second through fourth lines, by deleting: "prohibiting the use of public easements for such systems without the consent and compensation of the owner of the property;".

Assemblyman DuBois moved the adoption of the amendment.

Remarks by Assemblyman DuBois.
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. 11, 240, 301, 418, 434, 532, 618; Senate Bills Nos. 37, 207, 216, 263, 429, 430, 447, 452, 493; Assembly Joint Resolution No. 27; Senate Joint Resolution No. 20, Assembly Concurrent Resolutions Nos. 50, 51.

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 Cannon.

On request of Assemblyman Bogaert, the privilege of the floor of the Assembly Chamber for this day was extended to Mesdames Miller, Thorpe, Bergin, Halley, Sherrod, Reviglio, Larive, Bernarda and students from Our Lady of Snows School: Eddie Archuletta, Jennifer Barkman, Melissa Batchelder, Donald Bergin, Reiny Bernarda, Fabio Casagrande, Aileen Crowe, Nate Donahoe, Deena Eastwood, Vincent Estacio, Scott Evans, Luke Frey, Heather Golnick, Steve Halley, Jennifer Harcourt, Xan Harris, John Holliday, Matt Johnson, Christine Kaskie, Peter Kendig, Alicia Koontz, Lisa Larive, Michael Maloney, Hubert McCoskey, Tim O'Mara, Erick Panelli, Nick Reviglio, Zack Settewongse, Ryan Tolotti, Becky Thorpe, Darl Venner and Monty Washington.

On request of Assemblyman Joerg, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Lane and students from the Martha Gleason School: Dan Hinton, Joseph Jaramillo, Joe Sanchez, Robert Shull, David Utley, Brenda Barte, Sheryl Bohn, Heather Danner, Christina Fitzgerald, Lindy Hannah, Sunshine Hefferon, Shayne LeBaron, Lorann Marcin, Erin O'Shaughnessy, Michele Smalls, Brandie Smith, Jessica Thomas, Jamie Cook, Brian Dally, Bobby Forseth, Micah Smith, Carrie Wakefield, Jim Hadd, Brandon Plotnick, Jamie Wilson, Dereh Collis and Mandy Weger.

On request of Assemblyman Nicholas, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Laura Klinski, Sherri Schiessl, Cindy Porath, Mr. Ron Kallies and students from the Shepherd of the Mountains Lutheran School: Tina Bakke, Jenny Sisson, Becky Kallies, Tony Cruz, Michelle Rousseau, Chris Kallies, John Cruz, Kerry Tabbert, Cara Chapman, Christina Sisson, Nate Kallies, Mike Stucker, Mike Snyder, Clint Jackson, Nathan Hope, Sam Vanderwall, Dennis Krause, Emily Schiessl, Rick Petersen, Adam Porath and Brian Juarez.

Assemblyman Francis moved that the Assembly adjourn until Thursday, May 30, 1985 at 10:30 a.m.

Motion carried.

Assembly adjourned at 5:58 p.m.

Approved: BYRON L. BILYEU
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE ONE HUNDRED AND THIRTIETH DAY

CARSON CITY (Thursday), May 30, 1985

Assembly called to order at 10:36 a.m.

Mr. Speaker presiding.

Roll called.

All present except Assemblyman Sedway, who was excused.

Prayer by the Chaplain, Assemblyman Bruce R. Bogaert.

Almighty God, Heavenly Father, we thank You for these many months that You have given us special attention. We hope and pray that we have been able to do Your work in the best manner possible with our potential. We especially ask this day and in the closing days of the session that You give us special attention so that we might complete Your work in the best possible manner. We hope that You will be with us to give us patience and the guidance and especially the wisdom to do Your work in the way that we best can. We hope that when we leave You will remember us and help us to go back into our regular lives and to better ourselves as we have attempted in these months to better our fellow man. These things we ask in Your Name, Oh Lord. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Francis 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 Ways and Means, to which was referred Assembly Bill No. 725, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN MARVEL, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Natural Resources, Agriculture and Mining, to which was referred Senate Bill No. 199, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

VIRGIL M. GETTO, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Ways and Means, to which was referred Senate Bill No. 199, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN MARVEL, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which were referred Senate Bills Nos. 394, 455, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JAMES STONE, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Senate Bill No. 507, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

LOUIS W. BERGEVIN, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Senate Concurrent Resolution No. 54, has had the same under consideration, and begs leave to report the same back with the recommendation: Be adopted.

LOUIS W. BERGEVIN, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 29, 1985

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. 169, 322, 329, 507, and respectfully requests your honorable body to concur in said amendments.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Senate Concurrent Resolution No. 54.

Assemblyman Bergevin moved the adoption of the resolution.

Remarks by Assemblyman Bergevin.

Resolution adopted.

Assemblyman Marvel moved that Assembly Bill No. 533 be placed on the General File.

Motion carried.

Assemblyman Jeffrey moved that Senate Bill No. 68 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblymen Marvel, Jeffrey, Getto, Rader, Thompson and Francis.

Motion carried on a division of the house.

UNFINISHED BUSINESS

REPORTS OF CONFERENCE COMMITTEES

Mr. Speaker:

The first Committee on Conference concerning Senate Bill No. 134, consisting of the undersigned members, has met, and reports that:

It has agreed to recommend that the amendment of the Assembly be concurred in.

JOSEPH E. DINI, JR.	DONALD R. MELLO
GAYLYN SPRIGGS	RANDOLPH J. TOWNSEND
PATRICIA LITTLE	LAWRENCE E. JACOBSEN
Assembly Committee on Conference	*Senate Committee on Conference*

Assemblyman Dini moved that the Assembly adopt the report of the first Committee on Conference concerning Senate Bill No. 134.

Remarks by Assemblyman Dini.

Motion carried.

Mr. Speaker:

The first Committee on Conference concerning Senate Bill No. 208, 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. C12, which is attached to and hereby made a part of this report.

BILL O'DONNELL	ANN O'CONNELL
MORSE ARBERRY, JR.	ROBERT E. ROBINSON
COURTENAY SWAIN	DEAN A. RHOADS
Assembly Committee on Conference	*Senate Committee on Conference*

Amendment No. C12.

Amend sec. 31, page 12, line 41, by deleting "[shall] *must*" and inserting "must".

Amend sec. 31, page 13, line 14, by deleting "[shall be] *is*" and inserting "is".

Amend sec. 31, page 13, by deleting lines 24 and 25 and inserting:

"(8) One county recorder, who is ex officio county auditor in counties in which a county comptroller has not been appointed.".

Amend sec. 31, page 13, line 28, by deleting "[shall] *must*" and inserting "must".

Amend sec. 39, page 18, line 38, by deleting "[shall] *must*" and inserting "must".

Amend sec. 39, page 19, line 8, by deleting "location monument," and inserting: "monument of location,".

Assemblyman O'Donnell moved that the Assembly adopt the report of the first Committee on Conference concerning Senate Bill No. 208.

Remarks by Assemblyman O'Donnell.

Motion carried.

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. C11, which is attached to and hereby made a part of this report.

LOUIS W. BERGEVIN	THOMAS J. HICKEY
BOB L. KERNS	SUE WAGNER
JOAN LAMBERT	NICHOLAS J. HORN
Assembly Committee on Conference	*Senate Committee on Conference*

Amendment No. C11.

Amend sec. 3, page 2, line 2, by deleting: "child care services bureau;" and inserting: "bureau of services for child care;".

Amend sec. 7, page 3, line 8, by deleting "vocational" and inserting "occupational".

Amend sec. 7, page 3, by deleting lines 10 and 11 and inserting: "dren and those [youth] *children* who leave school without being graduated from high school, and promote adequate".

Amend the bill as a whole by adding a new section designated section 9, following section 8, to read as follows:

"Sec. 9. Sections 3 and 7 of this act become effective at 12:01 a.m. on July 1, 1985.".

Assemblyman Bergevin moved that the Assembly adopt the report of the first Committee on Conference concerning Senate Bill No. 65.

Remarks by Assemblyman Bergevin.

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Humke moved that Senate Bill No. 254 be placed on the General File.

Motion carried.

Assemblyman Nicholas moved that Assembly Bill No. 581 be placed on the General File.

Motion carried.

Assemblyman Malone moved that Senate Bill No. 185 be placed on the General File.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 142.

Bill read third time.

Remarks by Assemblymen Zimmer and Jeffrey.

Roll call on Assembly Bill No. 142:

YEAS—26.

NAYS—Arberry, Banner, Collins, Craddock, Jeffrey, Nevin, Price, Rader, Roberts, Sader, Schofield, Stone, Swain, Thompson, Williams—15.

Absent—Sedway.

Assembly Bill No. 142 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 184.

Bill read third time.

Remarks by Assemblyman Nevin.

Roll call on Assembly Bill No. 184:

YEAS—41.

NAYS—None.

Absent—Sedway.

Assembly Bill No. 184 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 310.

Bill read third time.

Remarks by Assemblyman Bogaert.

Roll call on Assembly Bill No. 310:

YEAS—41.

NAYS—None.

Absent—Sedway.

Assembly Bill No. 310 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 Zimmer.

Roll call on Assembly Bill No. 579:

YEAS—41.

NAYS—None.

Absent—Sedway.

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. 646.

Bill read third time.

Remarks by Assemblyman Rader.

Roll call on Assembly Bill No. 646:

YEAS—41.

NAYS—None.

Absent—Sedway.

Assembly Bill No. 646 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 655.

Bill read third time.

Remarks by Assemblyman Ham.

Roll call on Assembly Bill No. 655:

YEAS—41.

NAYS—None.

Absent—Sedway.

Assembly Bill No. 655 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 707.

Bill read third time.

Remarks by Assemblyman Dini.

Roll call on Assembly Bill No. 707:

YEAS—41.

NAYS—None.

Absent—Sedway.

Assembly Bill No. 707 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 715.

Bill read third time.

Remarks by Assemblyman Nevin.

Roll call on Assembly Bill No. 715:

YEAS—40.

NAYS—Thomas.

Absent—Sedway.

Assembly Bill No. 715 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 67.

Bill read third time.

Remarks by Assemblyman Schofield.

Roll call on Senate Bill No. 67:

YEAS—41.

NAYS—None.

Absent—Sedway.

Senate Bill No. 67 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 73.

Bill read third time.

Remarks by Assemblymen Kerns, Stone, Bergevin, Dini and Lambert.

Roll call on Senate Bill No. 73:

YEAS—41.

NAYS—None.

Absent—Sedway.

Senate Bill No. 73 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Francis moved that Assembly Bills Nos. 312, 505, 524, 567, 630, 647, 653 and 712 be placed at the top of the General File.

Motion carried.

Assemblyman Francis moved that Assembly Bills Nos. 533 and 581 be taken from their positions on the General File and placed on the General File immediately following Assembly Bill No. 712.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Commerce, to which was referred Senate Bill No. 128, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN DUBOIS, *Chairman*

Mr. Speaker:

Your Committee on Natural Resources, Agriculture and Mining, to which were referred Assembly Joint Resolutions Nos. 4, 5, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

VIRGIL M. GETTO, *Chairman*

Mr. Speaker:

Your Committee on Transportation, to which was referred Assembly Bill No. 373, 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.

MIKE MALONE, *Chairman*

Mr. Speaker:

Your Committee on Taxation, 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.

CHARLES W. JOERG, *Chairman*

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 302.

The following Senate amendment was read:

Amendment No. 1262.

Amend the bill as a whole by adding a new section designated section 41.5, following section 41, to read as follows:

"Sec. 41.5. NRS 648.135 is hereby amended to read as follows:

648.135 1. Before issuing any license or annual renewal thereof, the board shall require satisfactory proof that the applicant or licensee [has effective public liability insurance coverage] *is covered by a policy of insurance for protection against liability to third persons* written by an insurance company authorized to do business in this state and providing limits of liability *:* [in amounts of not less than:]

(a) *In amounts not less than* $100,000 for the death or injury of one person in any one incident , [.

(b)] $300,000 for the death or injury of two or more persons in any one incident [.

(c)] , *and* $20,000 for the damage or destruction of property of another in any one incident [.] *; or*

(b) In an amount of at least $300,000 for both personal injury or death and the damage or destruction of property.

2. Every licensee shall maintain the insurance [coverage] required by

this section . [in full force and effect.] The license of every such licensee is automatically suspended during any period such coverage is not in effect.

3. Proof of [such insurance coverage shall] *insurance must* be in such form as the board may require.".

Assemblyman DuBois moved that the Assembly concur in the Senate amendment to Assembly Bill No. 302.

Remarks by Assemblyman DuBois.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 475.

The following Senate amendment was read:

Amendment No. 1309.

Amend sec. 2, page 2, line 11, by deleting "Management" and inserting "The term".

Amend sec. 2, page 2, by deleting lines 13 through 15 and inserting:

"(a) Any bank, *thrift company, credit union,* trust company, savings and loan association or any mortgage or farm loan association licensed under the laws of this state or of the United States, [when".

Amend sec. 2, page 2, lines 16 and 17, by deleting "corporate powers." and inserting "license.".

Amend sec. 2, page 2, after line 32 by inserting:

"(g) The State of Nevada or a political subdivision thereof.".

Amend sec. 4, page 3, line 44, by deleting "Section" and inserting:

"1. Section 2 of this act becomes effective at 12:01 a.m. on July 1, 1985.

2. Section".

Assemblyman DuBois moved that the Assembly concur in the Senate amendment to Assembly Bill No. 475.

Remarks by Assemblyman DuBois.

Motion carried.

Bill ordered enrolled.

GENERAL FILE AND THIRD READING

Assembly Bill No. 312.

Bill read third time.

Remarks by Assemblyman Marvel.

Roll call on Assembly Bill No. 312:

YEAS—40.

NAYS—Collins.

Absent—Sedway.

Assembly Bill No. 312 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 505.

Bill read third time.

Remarks by Assemblymen DuBois, Coffin and Dini.
Roll call on Assembly Bill No. 505:
YEAS—40.
NAYS—Thomas.
Absent—Sedway.

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. 524.
Bill read third time.
Remarks by Assemblyman Humke.
Roll call on Assembly Bill No. 524:
YEAS—41.
NAYS—None.
Absent—Sedway.

Assembly Bill No. 524 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 Bergevin.
Roll call on Assembly Bill No. 567:
YEAS—41.
NAYS—None.
Absent—Sedway.

Assembly Bill No. 567 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 630.
Bill read third time.
Remarks by Assemblymen Williams, Collins, Coffin, Stone and Thompson.
Roll call on Assembly Bill No. 630:
YEAS—32.
NAYS—Arberry, Banner, Coffin, Collins, Jeffrey, Marvel, Nevin, Schofield, Tebbs—9.
Absent—Sedway.

Assembly Bill No. 630 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 647.
Bill read third time.
Remarks by Assemblyman Williams.

Roll call on Assembly Bill No. 647:

YEAS—39.
NAYS—Bergevin, O'Donnell—2.
Absent—Sedway.

Assembly Bill No. 647 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 Roberts.

Roll call on Assembly Bill No. 653:

YEAS—40.
NAYS—None.
Absent—Sedway.
Not voting—Dini.

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. 712.

Bill read third time.

Remarks by Assemblymen Bergevin and Nevin.

Roll call on Assembly Bill No. 712:

YEAS—38.
NAYS—Humke, Nicholas, Mr. Speaker—3.
Absent—Sedway.

Assembly Bill No. 712 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 533.

Bill read third time.

Remarks by Assemblyman Nicholas.

Roll call on Assembly Bill No. 533:

YEAS—41.
NAYS—None.
Absent—Sedway.

Assembly Bill No. 533 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 581.

Bill read third time.

Remarks by Assemblymen Humke, Williams, Schofield and Bogaert.

Roll call on Assembly Bill No. 581:

YEAS—41.
NAYS—None.
Absent—Sedway.

Assembly Bill No. 581 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 Health and Welfare, to which was referred Senate Bill No. 64, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

DAVID D. NICHOLAS, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Francis moved that all rules be suspended and that Assembly Bills Nos. 142, 184, 310, 312, 505, 524, 533, 567, 579, 581, 630, 646, 647, 653, 655, 707, 712, and 715 be immediately transmitted to the Senate.

Motion carried unanimously.

Assemblyman Banner moved that Senate Bill No. 64 be placed on the Second Reading File.

Remarks by Assemblyman Banner.

Motion carried.

Assemblyman Malone moved that Assembly Bill No. 373 be placed on the Second Reading File.

Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 136.

Bill read third time.

Remarks by Assemblyman Nicholas.

Roll call on Senate Bill No. 136:

YEAS—41.

NAYS—None.

Absent—Sedway.

Senate Bill No. 136 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 11:59 a.m.

ASSEMBLY IN SESSION

At 12 noon.

Mr. Speaker pro Tempore presiding.

Quorum present.

GENERAL FILE AND THIRD READING

Senate Bill No. 139.
Bill read third time.
Remarks by Assemblyman Stone.
Roll call on Senate Bill No. 139:

YEAS—41.
NAYS—None.
Absent—Sedway.

Senate Bill No. 139 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed, as amended.
Bill ordered transmitted to the Senate.

Senate Bill No. 147.
Bill read third time.
Remarks by Assemblymen DuBois, Nevin and Stone.
Roll call on Senate Bill No. 147:

YEAS—40.
NAYS—None.
Absent—Sedway.
Not voting—Marvel.

Senate Bill No. 147 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed, as amended.
Bill ordered transmitted to the Senate.

Senate Bill No. 272.
Bill read third time.
Remarks by Assemblymen Sader and Humke.
Roll call on Senate Bill No. 272:

YEAS—41.
NAYS—None.
Absent—Sedway.

Senate Bill No. 272 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed, as amended.
Bill ordered transmitted to the Senate.

Senate Bill No. 283.
Bill read third time.
Remarks by Assemblyman Tebbs.
Roll call on Senate Bill No. 283:

YEAS—41.
NAYS—None.
Absent—Sedway.

Senate Bill No. 283 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed, as amended.
Bill ordered transmitted to the Senate.

Senate Bill No. 286.
Bill read third time.

Remarks by Assemblyman Fairchild.
Roll call on Senate Bill No. 286:
YEAS—41.
NAYS—None.
Absent—Sedway.

Senate Bill No. 286 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 288.
Bill read third time.
Remarks by Assemblyman Collins.
Roll call on Senate Bill No. 288:
YEAS—41.
NAYS—None.
Absent—Sedway.

Senate Bill No. 288 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 291.
Bill read third time.
Remarks by Assemblyman Bergevin.
Roll call on Senate Bill No. 291:
YEAS—41.
NAYS—None.
Absent—Sedway.

Senate Bill No. 291 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 12:18 p.m.

ASSEMBLY IN SESSION

At 12:19 p.m.
Mr. Speaker presiding.
Quorum present.

GENERAL FILE AND THIRD READING

Senate Bill No. 320.
Bill read third time.
Remarks by Assemblyman Little.
Roll call on Senate Bill No. 320:
YEAS—41.
NAYS—None.
Absent—Sedway.

Senate Bill No. 320 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 322.

Bill read third time.

Remarks by Assemblyman Fairchild.

Roll call on Senate Bill No. 322:

YEAS—41.

NAYS—None.

Absent—Sedway.

Senate Bill No. 322 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 350.

Bill read third time.

Remarks by Assemblyman Nicholas.

Roll call on Senate Bill No. 350:

YEAS—37.

NAYS—Bergevin, Dini, Malone, Stone—4.

Absent—Sedway.

Senate Bill No. 350 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 Getto.

Roll call on Senate Bill No. 354:

YEAS—41.

NAYS—None.

Absent—Sedway.

Senate Bill No. 354 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Francis moved that Assembly Joint Resolutions Nos. 4, 5 and Senate Bill No. 128 be placed on the Second Reading File.

Motion carried.

UNFINISHED BUSINESS

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker appointed Assemblymen Zimmer, Spriggs and Price as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Assembly Bill No. 502.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Ways and Means, to which was referred Assembly Bill No. 686, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN MARVEL, *Chairman*

GENERAL FILE AND THIRD READING

Senate Bill No. 366.

Bill read third time.

Remarks by Assemblyman Getto.

Roll call on Senate Bill No. 366:

YEAS—41.

NAYS—None.

Absent—Sedway.

Senate Bill No. 366 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 376.

Bill read third time.

Remarks by Assemblyman Stone.

Roll call on Senate Bill No. 376:

YEAS—41.

NAYS—None.

Absent—Sedway.

Senate Bill No. 376 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 12:30 p.m.

ASSEMBLY IN SESSION

At 12:36 p.m.

Mr. Speaker presiding.

Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Humke moved that Senate Bill No. 432 be taken from the General File and placed on the Chief Clerk's desk.

Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 378.

Bill read third time.

Remarks by Assemblyman Fairchild.
Roll call on Senate Bill No. 378:
YEAS—41.
NAYS—None.
Absent—Sedway.

Senate Bill No. 378 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 12:38 p.m.

ASSEMBLY IN SESSION

At 12:39 p.m.
Mr. Speaker pro Tempore presiding.
Quorum present.

GENERAL FILE AND THIRD READING

Senate Bill No. 398.
Bill read third time.
Remarks by Assemblyman Beyer.
Roll call on Senate Bill No. 398:
YEAS—41.
NAYS—None.
Absent—Sedway.

Senate Bill No. 398 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 460.
Bill read third time.
Remarks by Assemblyman Nicholas.
Roll call on Senate Bill No. 460:
YEAS—41.
NAYS—None.
Absent—Sedway.

Senate Bill No. 460 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed, as amended.
Bill ordered transmitted to the Senate.

Senate Bill No. 466.
Bill read third time.
Remarks by Assemblymen Schofield, DuBois and O'Donnell.
Roll call on Senate Bill No. 466:
YEAS—41.
NAYS—None.
Absent—Sedway.

Senate Bill No. 466 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 504.

Bill read third time.

Remarks by Assemblyman Malone.

Roll call on Senate Bill No. 504:

YEAS—41.

NAYS—None.

Absent—Sedway.

Senate Bill No. 504 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.

Bill ordered transmitted to the Senate.

Senate Joint Resolution No. 19.

Resolution read third time.

Remarks by Assemblymen Nicholas and Getto.

Roll call on Senate Joint Resolution No. 19:

YEAS—41.

NAYS—None.

Absent—Sedway.

Senate Joint Resolution No. 19 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.

Resolution ordered transmitted to the Senate.

Senate Bill No. 254.

Bill read third time.

Remarks by Assemblymen Humke, Jeffrey, Bogaert and DuBois.

Roll call on Senate Bill No. 254:

YEAS—28.

NAYS—Arberry, Banner, Coffin, Craddock, Dini, Jeffrey, Little, McGaughey, Malone, Price, Roberts, Thompson, Williams—13.

Absent—Sedway.

Senate Bill No. 254 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 185.

Bill read third time.

Remarks by Assemblyman Rader.

Roll call on Senate Bill No. 185:

YEAS—40.

NAYS—Collins.

Absent—Sedway.

Senate Bill No. 185 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed, as amended.

Bill ordered transmitted to the Senate.

SECOND READING AND AMENDMENT

Assembly Bill No. 565.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1275.

Amend the bill as a whole by deleting sections 1 through 6 and adding a new section designated section 1, following the enacting clause, to read as follows:

"Section 1. NRS 211.115 is hereby amended to read as follows:

211.115 In a county in which a metropolitan police department is established, the governing body of any participating city may appoint a person to administer its jail. *The person so appointed and his subordinate jailers have the powers of peace officers.*".

Amend the title of the bill to read:

"An Act relating to jails; conferring the powers of peace officers upon jailers of city jails who are not otherwise police officers; and providing other matters properly relating thereto.".

Amend the summary of the bill to read: "Confers powers of peace officer upon city jailers. (BDR 14-1625)".

Assemblyman Stone moved the adoption of the amendment.

Remarks by Assemblyman Stone.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 39.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 731.

Amend the bill as a whole by deleting sections 1 through 4 and inserting:

"Section 1. Chapter 52 of NRS is hereby amended by adding thereto a new section to read as follows:

A prisoner may execute any instrument by signing his name immediately following a declaration "under penalty of perjury" with the same legal effect as if he had acknowledged it or sworn to its truth before a person authorized to administer oaths. As used in this section, "prisoner" means a person confined in any jail or prison, or any facility for the detention of juvenile offenders, in this state.".

Amend the title of the bill to read:

"An Act relating to prisoners; providing an alternative method for their execution of certain instruments; and providing other matters properly relating thereto.".

Amend the summary of the bill by deleting: "certain law enforcement agencies." and inserting "prisoners.".

Assemblyman O'Donnell moved the adoption of the amendment.

Remarks by Assemblymen O'Donnell and Stone.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 130.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 1322.

Amend sec. 4, page 2, by deleting line 8 and inserting: "*exceeds the amount which is being obtained from the insured*".

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. *A mortgage company shall not assign all or a part of its interest in a mortgage unless the company:*

1. Obtains title insurance for the mortgaged property; and

2. Records the assignment in the office of the county recorder of the county in which the property is located.".

Amend sec. 9, page 3, by deleting lines 42 and 43 and inserting: "who [is certified or registered] *holds a permit to engage in the practice of public accounting* in this state [.] *which has not been revoked or suspended.* The financial state-".

Amend sec. 9, page 4, by deleting line 3 and inserting:

"3. *If a licensee maintains any accounts described in subsection 1 of NRS 645B.175, the financial statement submitted pursuant to this section must be audited. If the licensee maintains any accounts described in subsection 3 of NRS 645B.175, those accounts must be audited. The public accountant who prepares the report of an audit shall submit a copy of the report to the administrator at the same time as he submits the report to the company. The administrator shall by regulation prescribe the scope of audits pursuant to this subsection.*

4. The filing fees are:".

Amend sec. 9, page 4, line 16, by deleting "4." and inserting "[4.] *5.*".

Amend sec. 10, page 4, line 29, by deleting "*and*".

Amend sec. 10, page 4, line 30, after "*(b)*", by inserting: "*Include such other information as the administrator by regulation requires; and*

(c)".

Amend sec. 11, page 5, line 11, by deleting the open bracket.

Amend sec. 11, page 5, line 13, by deleting the closed bracket.

Amend sec. 11, page 5, line 17, by deleting "[(j)] *(i)*" and inserting "(j)".

Amend sec. 11, page 5, line 19, by deleting "[(k)] *(j)*" and inserting "(k)".

Amend sec. 11, page 5, line 22, by deleting "[(l)] *(k)*" and inserting "(l)".

Amend sec. 11, page 5, line 24, by deleting "[(m)] *(l)*" and inserting "(m)".

Amend sec. 11, page 5, line 37, by deleting "*(h),*" and inserting "*(i),*".

Amend sec. 11, page 5, line 38, by deleting: "*(j), (k) or (l)*" and inserting: "*(k), (l) or (m)*".

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 645B.190 is hereby amended to read as follows:

645B.190 The provisions of this chapter do not apply to:

1. Any person doing business under the laws of this state or the United States relating to banks, mutual savings banks, trust companies, savings and loan associations, common and consumer finance companies, industrial loan companies, credit unions, thrift companies, insurance companies or real estate investment trusts as defined in 26 U.S.C. § 856.

2. An attorney at law rendering services in the performance of his duties as attorney at law.

3. A real estate broker rendering services in the performance of his duties as a real estate broker.

4. [Any firm or corporation:

(a) Whose principal purpose or activity is lending money on real property which is secured by means of a trust deed or a mortgage which is insured or guaranteed by the Department of Housing and Urban Development or the Veterans' Administration; or

(b) Approved by the Federal National Mortgage Association as a seller or servicer, whose principal purpose or activity is lending money on real property secured by means of a trust deed or a mortgage which complies with the underwriting standards of the Federal National Mortgage Association.

5.] Any person doing any act under order of any court.

[6.] *5.* Any one natural person, or husband and wife, who provides funds for investment in loans secured by a lien on real property, on his own account.

[7.] *6.* Agencies of the United States and of this state and its political subdivisions, including the public employees' retirement system.

[8.] *7.* A seller of real property who offers credit secured by a mortgage of the property sold.".

Amend sec. 13, page 7, line 11, by deleting "*645B.175:*" and inserting: "*645B.170, 645B.175 or 645B.180:*".

Amend sec. 14, page 7, line 20, by deleting "645B.040," and inserting "645B.040 and".

Amend sec. 14, page 7, line 21, by deleting: "645B.170 and 645B.180".

Amend the bill as a whole by adding a new section designated section 16, following section 15, to read as follows:

"Sec. 16. The amendatory provisions of section 12.5 of this act do not apply to a firm or corporation which was doing business in Nevada on July 1, 1985, if its business was exempt from the provisions of chapter 645B of NRS before that date.".

Assemblyman DuBois moved the adoption of the amendment.

Remarks by Assemblyman DuBois.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 383.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1343.

Amend sec. 7, page 3, line 25, by deleting "*local*" and inserting "*appropriate*".

Amend sec. 8, page 3, line 39, after the semicolon by inserting "*and*".

Amend sec. 8, page 3, line 41, by deleting the semicolon and inserting a period.

Amend sec. 8, page 3, by deleting lines 42 through 45.

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. 64.

Bill read second time.

The following amendment was proposed by the Committee on Health and Welfare:

Amendment No. 1367.

Amend sec. 8, page 2, by deleting lines 39 and 40 and inserting:

"*3. If the board determines that the conduct of the reg-*".

Amend sec. 11, page 3, line 8, after "*practice*", by inserting: "*allopathic or homeopathic*".

Amend the bill as a whole by deleting sections 15 through 17 and inserting:

"Secs. 15 through 17. (Deleted by amendment.)".

Amend sec. 26, page 6, line 17, by deleting the period and inserting: ", except in the manner authorized by NRS 630A.220.".

Amend sec. 29, page 7, line 5, by deleting "*have been*" and inserting "*are*".

Amend sec. 29, page 7, line 7, after "*state*", by inserting: ", *are actually engaged in the practice of medicine in this state*".

Amend sec. 35, page 9, line 1, by deleting: "*licenses, certificates or cards*" and inserting: "*licenses and certificates*".

Amend sec. 44, page 13, line 6, by deleting "*30*" and inserting "*90*".

Amend sec. 51, pages 15 and 16, by deleting lines 44 through 46 on page 15 and lines 1 and 2 on page 16 and inserting:

"Sec. 51. (Deleted by amendment.)".

Amend sec. 52, page 17, line 11, by deleting "*$800*" and inserting "*$400*".

Amend sec. 56, page 20, by deleting lines 8 and 9 and inserting:

"(a) Professional conduct which] *conduct:*

(a) Which is intended to deceive ; or [which]

(b) Which the board [by regulation] has determined is [unethical; or".

Amend sec. 56, page 20, line 12, by deleting "*is*".

Amend sec. 56, page 20, line 13, by deleting: "*a canon of ethics or of* ".

Amend sec. 59, page 22, by deleting line 16 and inserting "*the committee.*".

Amend sec. 59, page 22, by deleting lines 17 and 18.

Amend sec. 60, page 22, line 29, by deleting: "*or its committee*".

Amend sec. 60, page 22, line 34, by deleting "*others*" and inserting "*other examinations*".

Amend sec. 60, page 22, by deleting line 42 and inserting: "by the board.".

Amend sec. 64, page 24, line 2, by deleting "*241.020.*" and inserting: "*241.020, unless the licensee under investigation requests that the proceeding be subject to those requirements.*".

Amend sec. 64, page 24, line 7, by deleting "*held*" and inserting "*heard*".

Amend sec. 70, page 27, lines 3 and 4, by deleting: "board [:] *or its panel or committee:*" and inserting "board:".

Amend sec. 70, page 27, line 7, by deleting: "*or others* whom" and inserting: "[whom] *or other examinations*".

Amend sec. 73, page 28, line 16, by deleting "*Practices*" and inserting: "*Except as otherwise provided by specific statute, practices*".

Amend the bill as a whole by renumbering sections 76 and 77 as sections 77 and 78 and adding a new section designated section 76, following section 75, to read as follows:

"Sec. 76. Section 1 of chapter 131, Statutes of Nevada 1985, is hereby amended to read as follows:

Section 1. NRS 630.287 is hereby amended to read as follows:

630.287 The board [may require physicians who are licensed under this chapter to comply with continuing education requirements adopted by the board as a prerequisite to annual registration.] *shall, as a prerequisite for the:*

1. Renewal of a certificate as a physician's assistant; or

2. Biennial registration of the holder of a license to practice medicine, require each holder to comply with the requirements for continuing education adopted by the board.".

Amend sec. 76, page 29, line 33, before "NRS", by inserting "1.".

Amend sec. 76, page 29, line 34, by deleting "630.303,".

Amend sec. 76, page 29, line 35, by deleting: ", 630.380 and 630.410" and inserting "and 630.380".

Amend sec. 76, page 29, after line 35, by inserting:

"2. NRS 630.410 is hereby repealed.".

Amend the bill as a whole by adding a new section designated section 79, following section 77, to read as follows:

"Sec. 79. 1. This section and section 76 of this act become effective upon passage and approval.

2. Section 26 and subsection 2 of section 77 of this act become effective at 12:01 a.m. on July 1, 1985.".

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. 373.

Bill read second time.

The following amendment was proposed by the Committee on Transportation:

Amendment No. 1359.

Amend section 1, page 1, by deleting line 2 and inserting: "thereto a new section to read as follows:

"Vehicle for service at airports" means a vehicle for hire other than a taxicab with a maximum capacity of less than 23 passengers, as determined by the manufacturer's specifications and recommendations for the comfort and safety of passengers, which is used to transport passengers to or from a county airport, except that the term does not include a vehicle which:

1. Operates as a part of a prearranged tour;

2. Picks up passengers pursuant to a prior arrangement with the passenger or his agent; or

3. Is provided to or used by passengers on the basis of an hourly charge.".

Amend the bill as a whole by deleting sections 2 through 4 and renumbering sections 5 and 6 as sections 2 and 3.

Amend sec. 5, page 2, line 2, after "inclusive," by inserting: "*and section 1 of this act*".

Amend sec. 5, page 2, lines 5, 7, 10 and 11, by deleting the brackets on each line.

Amend sec. 5, page 2, lines 14 and 15, by deleting: "*, buses and limousines*" and inserting: "*and vehicles for service at airports*".

Amend sec. 6, page 2, line 20, by deleting: "*sections 2, 3 and 4*" and inserting "*section 1*".

Amend the bill as a whole by deleting section 7 and renumbering section 8 as section 4.

Amend sec. 8, page 2, lines 29 and 30, by deleting: "*, bus or limousine* business" and inserting: "business *or a business which operates vehicles for service at airports*".

Amend sec. 8, page 2, lines 35 and 36, by deleting the brackets on each line.

Amend the bill as a whole by deleting section 9 and renumbering sections 10 and 11 as sections 5 and 6.

Amend section 10, page 2, by deleting line 43 and inserting:

"706.8818 1. A taxicab authority,".

Amend sec. 10, page 2, line 44, by deleting "*transportation,*".

Amend sec. 10, page 3, lines 4, 8 and 11, by deleting the brackets on each line.

Amend sec. 10, page 3, lines 13 and 14, by deleting: "*, bus or limousine* business" and inserting: "business *or the operation of vehicles for service at airports*".

Amend sec. 10, page 3, lines 15, 19 and 26, by deleting the brackets on each line.

Amend sec. 10, page 3, after line 26, by inserting:

"*6. The taxicab authority shall adopt regulations:*

(a) Governing the conduct of drivers of taxicabs and vehicles for service at airports while driving to or from county airports; and

(b) Prescribing the type of distinctive insignia for identifying vehicles for service at airports and the method of displaying the insignia.

7. Vehicles for service at airports are subject to regulations of the public service commission governing the qualifications and conduct of drivers and the safety and inspection of vehicles, unless those regulations conflict with the regulations adopted by the taxicab authority pursuant to subsection 6.

8. Officers of the taxicab authority and the public service commission's inspectors have concurrent duties to enforce the laws governing vehicles for service at airports.".

Amend sec. 11, page 3, line 28, by deleting the brackets.

Amend sec. 11, page 3, by deleting line 31 and inserting: "for taxicab service;".

Amend sec. 11, page 3, by deleting line 33 and inserting: "to operate a taxicab service [;] *or vehicles for service at airports;*".

Amend sec. 11, page 3, line 35, by deleting: "*, bus or*".

Amend sec. 11, page 3, by deleting line 36 and inserting: "business [;] *or a business which operates vehicles for service at airports;* and".

Amend sec. 11, page 3, line 37, by deleting the brackets.

Amend sec. 11, page 3, line 38, by deleting: "*vehicles of each class*" and inserting: "*or vehicles for service at airports*".

Amend the bill as a whole by deleting section 12 and renumbering sections 13 through 15 as sections 7 through 9.

Amend section 13, page 4, lines 6 and 7, by deleting: "*, bus and limousine businesses*" and inserting: "*business and the business of operating vehicles for service at airports*".

Amend sec. 14, page 4, line 23, by deleting the brackets.

Amend sec. 14, page 4, line 25, by deleting "[taxicab]" and inserting "taxicab".

Amend sec. 14, page 4, by deleting line 28 and inserting:

"3. Complaints against taxicab drivers [;] *or drivers of vehicles for service at airports;*".

Amend sec. 15, page 4, line 34, by deleting the brackets.

Amend sec. 15, page 4, by deleting line 36 and inserting:

"1. Allocation of taxicabs [;] *and vehicles for service at airports; and*".

Amend sec. 15, page 4, line 38, by deleting the period and inserting: "[.] *or of the right to operate vehicles for service at airports.*".

Amend the bill as a whole by deleting section 16 and renumbering sections 17 through 20 as sections 10 through 13.

Amend sec. 17, page 5, line 37, by deleting the brackets.

Amend sec. 17, page 6, by deleting line 2 and inserting: "allocations [,] *for taxicabs,* the taxicab authority shall allocate the".

Amend sec. 17, page 6, by deleting lines 13 through 17 and inserting: "*allocations or a change in existing allocations for vehicles for service at airports, the taxicab authority shall prescribe a system of allocations which it considers reasonable.*".

Amend sec. 18, page 6, line 21, after "*for the*", by inserting "*taxicab*".

Amend sec. 18, page 6, line 30, by deleting: ", *buses and limousines*" and inserting: "*and vehicles for service at airports*".

Amend sec. 18, page 6, line 35, by deleting: ", *buses and limousines*" and inserting: "*and vehicles for service at airports*".

Amend sec. 18, page 6, line 40, after "*certificates*", by inserting: "*for the operation of the taxicab businesses*".

Amend sec. 18, page 6, lines 45 and 46, by deleting: "[taxicabs.] *vehicles regulated by the authority.*" and inserting "taxicabs.".

Amend sec. 18, page 7, line 4, after "*for the*", by inserting "*taxicab*".

Amend sec. 19, page 7, lines 8 and 9, by deleting "taxicab] *the*" and inserting "] *the* taxicab".

Amend sec. 19, page 7, line 11, after "*for the*", by inserting "*taxicab*".

Amend sec. 19, page 7, lines 12 and 13, by deleting: ", *bus and limousine businesses*" and inserting: "*businesses and vehicles for service at airports*".

Amend sec. 19, page 7, line 18, by deleting all brackets.

Amend sec. 19, page 7, line 20, by deleting the brackets.

Amend sec. 19, page 7, by deleting line 24 and inserting:

"*(b) A fee of $200 per year for each vehicle for service at airports.*".

Amend sec. 19, page 7, line 25, by deleting the brackets.

Amend sec. 19, page 7, line 27, after "*for the*", by inserting "*taxicab*".

Amend sec. 20, page 7, line 29, by deleting ", *bus or*".

Amend sec. 20, page 7, by deleting line 30 and inserting: "business *or the operation of vehicles for service at airports* unless he:".

Amend sec. 20, page 7, line 36, by deleting the brackets.

Amend sec. 20, page 7, line 37, after "2.", by inserting: "*The public service commission shall not issue certificates of public convenience and necessity after July 1, 1985, allowing the operation of vehicles for service at airports.*

3.".

Amend sec. 20, page 7, line 38, by deleting the brackets.

Amend sec. 20, page 7, line 41, by deleting "3." and inserting "[3.] *4.*".

Amend sec. 20, page 8, line 3, by deleting: "4. The [taxicab]" and inserting: "[4.] *5.* The taxicab".

Amend sec. 20, page 8, line 6, by deleting: "5. The [taxicab]" and inserting: "[5.] *6.* The taxicab".

Amend sec. 20, page 8, line 10, by deleting "6." and inserting "[6.] *7.*".

Amend sec. 20, page 8, line 12, by deleting the brackets.

Amend the bill as a whole by deleting sections 21 through 26 and renumbering section 27 as section 14.

Amend sec. 27, page 10, by deleting lines 13 and 14.

Amend the bill as a whole by deleting sections 28 through 32 and renumbering section 33 as section 15.

Amend sec. 33, page 12, line 40, by deleting: ", *bus and limousine*" and inserting: "*or as a vehicle for service at airports*".

Amend sec. 33, page 13, line 13, by deleting: ", *bus or limousine*".

Amend sec. 33, page 13, line 14, by deleting "phernalia." and inserting: "phernalia [.] *or paraphernalia for vehicles for service at airports.*".

Amend the bill as a whole by deleting sections 34 through 48.

Amend the title of the bill to read as follows:

"An Act relating to transportation to and from airports; extending the authority of the taxicab authority to vehicles which provide such transportation; and providing other matters properly relating thereto.".

Amend the summary of the bill to read as follows: "Extends authority of taxicab authority to vehicles which provide transportation to and from airports. (BDR 58-788)".

Assemblyman Malone moved the adoption of the amendment.

Remarks by Assemblyman Malone.

Amendment adopted.

Assemblyman Stone moved that Assembly Bill No. 373 be re-referred to the Committee on Ways and Means.

Motion carried.

Bill ordered reprinted, engrossed and to the Committee on Ways and Means.

Assembly Joint Resolution No. 4.

Resolution read second time.

The following amendment was proposed by the Committee on Natural Resources, Agriculture and Mining:

Amendment No. 1362.

Amend the resolution, page 1, after line 6, by inserting:

"WHEREAS, This resolution is not intended as an expression of support for or opposition to the placement of such a facility in Nevada; and".

Amend the resolution, page 1, line 7, by deleting "If" and inserting: "The merits of the issue aside, if".

Amend the resolution, page 2, line 23, after "the" by inserting: "search for the site and the".

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. 5.

Resolution read second time.

The following amendment was proposed by the Committee on Natural Resources, Agriculture and Mining:

Amendment No. 1361.

Amend the resolution, page 1, after line 3, by inserting:

"WHEREAS, This resolution is not intended as an expression of support for or opposition to the placement of such a facility in Nevada; and".

Amend the resolution, page 1, line 4, after "The" by inserting: "merits of the issue aside, the".

Assemblyman Schofield moved the adoption of the amendment.

Remarks by Assemblyman Schofield.

Amendment adopted.

Resolution ordered reprinted, engrossed and to third reading.

Senate Bill No. 128.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 1349.

Amend section 1, page 2, by deleting lines 3 through 10.

Amend section 1, page 2, line 11, by deleting "*3*" and inserting "*2*".

Amend section 1, page 2, after line 21, by inserting:

"*3. Any documents or writings of a private nature, having little or no apparent value, need not be offered for sale, but must be retained, unless claimed by the owner, for 6 months. After that time, they may be destroyed. Any documents of legal significance, including wills, codicils, deeds, mortgages, policies for insurance, contracts, certificates of birth or notes or other evidence of indebtedness must be retained by the lessor or subsequent custodian, unless claimed by the owner, for 8 years after the box is opened. After that time, they may be destroyed.*".

Amend sec. 7, page 5, line 43, by deleting "[shall] *must*" and inserting: "must".

Amend sec. 7, page 6, line 3, by deleting "[shall] *must*" and inserting "must".

Amend sec. 7, page 6, line 4, by deleting "[shall] *must*" and inserting "must".

Amend sec. 7, page 6, line 5, by deleting "[shall] *must*" and inserting "must".

Amend sec. 7, page 6, by deleting lines 8 through 28 and inserting:

"2. If the contents of the safe-deposit box have not been claimed within 6 months of the mailing of the certificate, the lessor may send [a further] *another* notice to the last known address of the lessee stating that, unless the accumulated charges are paid within 30 days, the contents of the box will be sold at public or private sale at a specified time and place, or, in the case of securities listed on a stock exchange, will be sold upon the exchange on or after a specified date. The time, place and manner of sale must also be

posted conspicuously on the premises of the lessor and advertised once in a newspaper of general circulation in the community. Except as otherwise provided in subsection 3, if the articles are not claimed, they may then be sold in accordance with the notice.

3. Any document which has legal significance, [such as] *including* a will, *codicil,* deed, mortgage, policy of insurance, certificate of birth, marriage or death, contract or *other* evidence of [debt, must not be sold or destroyed] *indebtedness must be retained* by the lessor [sooner than] *or subsequent custodian, unless claimed by the owner, for* 8 years after the box is opened pursuant to subsection 1.

1. *After that time, they may be destroyed.* Any other documents or writings of a private nature, if they have little or no apparent value, need not be offered for sale, but must be retained, unless claimed by the owner, for 6 months, after which they may be destroyed.".

Amend sec. 7, page 6, line 31, by deleting "[shall] *must*" and inserting "must".

Amend sec. 7, page 6, line 33, by deleting: "[shall] *must* be *deposited in*" and inserting: "must be deposited in".

Amend sec. 7, page 6, line 35, by deleting "[shall] *must*" and inserting "must".

Amend sec. 7, page 6, line 37, by deleting: "[Any items remaining unsold may be destroyed.]".

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 becomes effective at 12:01 a.m. on July 1, 1985.".

Assemblyman DuBois moved the adoption of the amendment.

Remarks by Assemblyman DuBois.

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 Price moved that the vote whereby Assembly Bill No. 153 was passed be reconsidered.

Remarks by Assemblyman Price.

Motion lost.

In compliance with a notice given on a previous day, Assemblyman Rader moved that the vote whereby Senate Joint Resolution No. 37 was passed be reconsidered.

Remarks by Assemblyman Rader.

Assemblymen Stone, Francis and Getto requested a roll call on Assemblyman Rader's motion.

Roll call on Assemblyman Rader's motion:

YEAS—22.

NAYS—Arberry, Bergevin, Beyer, Coffin, Collins, Craddock, Dini, Jeffrey, Kerns, Lambert, Nevin, Price, Sader, Schofield, Spriggs, Swain, Tebbs, Thompson, Williams—19.

Absent—Sedway.

The motion having received a majority, Mr. Speaker pro Tempore declared it carried.

Assemblyman Bergevin moved that Senate Joint Resolution No. 37 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. 558; Senate Bills Nos. 44, 256, 360, 399.

REMARKS FROM THE FLOOR

Assemblyman Price requested that his remarks be entered in the Journal.

I would like the record to reflect that I was opposed to A.B. 153. I voted with the prevailing side to give notice of reconsideration.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Lambert, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Vickie Finley.

On request of Mr. Speaker, the privilege of the floor of the Assembly Chamber for this day was extended to Mesdames Barbara Nicholas, Sue Nicholas, Glynn, Guymon, Mr. Rose, Peracchino, Austin, and students from the McCloud Middle School: Knox Marshall, Gary Clark, Bill Pellizer, Keith Wright, Joe Butler, Corey Gendreau, Steve Vigus, Kevin Bayless, Chad Cain, Scott Austin, Randy White, Michelle Windsor, Julie Hofer, Tracey Bailey, Marsha Sparks, Jessie Thompson, Shawn Gray, Jennifer Guyman, Kim Payne, Nickie Nicholas, Rhonda Paolinetti, Brenda Eastman, Valisha Wiggins, Hayley Quiring, Dawn Cary, LeAnn Glynn, Shelly Paolinetti and Trina Hopper.

Assemblyman Francis moved that the Assembly adjourn until Friday, May 31, 1985 at 10 a.m.

Motion carried.

Assembly adjourned at 1:17 p.m.

Approved: BYRON L. BILYEU
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE ONE HUNDRED AND THIRTY-FIRST DAY

CARSON CITY (Friday), May 31, 1985

Assembly called to order at 10:04 a.m.

Mr. Speaker presiding.

Roll called.

All present except Assemblyman Sedway, who was excused.

Prayer by the Chaplain, Assemblyman Steven C. Francis.

Father in Heaven, we stand before You, mere mortal people endeavoring to resolve legislative problems that can only be solved with the help of Your infinite wisdom and the strength of Your Holy Spirit. Lord, I pray that You fill this room so that each person feels the same holy presence that the founding fathers called upon while this nation was still in its infancy to help them solve the legislative problems of this, our beloved republic. Lord, I pray that You touch each heart present so that the historians may set pen to paper that on this day these people did legislate; transcending the aspirations of partisan politics or personal gain. That on this day, Lord, these people did truly legislate for the better of humanity and to the glory of God. To this Lord we pray. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Francis 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 Bill No. 709, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

BRUCE R. BOGAERT, *Chairman*

Mr. Speaker:

Your Committee on Taxation, 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.

CHARLES W. JOERG, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which were referred Assembly Bill No. 497; Senate Bills Nos. 121, 345, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN MARVEL, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Senate Bill No. 494, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

LOUIS W. BERGEVIN, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Senate Bill No. 499, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

LOUIS W. BERGEVIN, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which was referred Senate Bill No. 511, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN MARVEL, *Chairman*

Mr. Speaker:

Your Committee on Legislative Functions, to which were referred Assembly Concurrent Resolution No. 46; Senate Concurrent Resolutions Nos. 40, 41, 44, has had the same under consideration, and begs leave to report the same back with the recommendation: Be adopted.

BRUCE R. BOGAERT, *Chairman*

Mr. Speaker:

Your Committee on Elections, to which was referred Senate Bill No. 439, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JANE HAM, *Chairman*

Mr. Speaker:

Your Committee on Labor and Management, to which was referred Assembly Bill No. 285, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

BARBARA ZIMMER, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 30, 1985

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 289, 402, 417, 515, 517, 550, 588, 609, 680, 688, 695, 703, 718, 719.

Also, I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bills Nos. 19, 49, 182, 330, 372, 389, 480, 598, 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. 290.

Also, I have the honor to inform your honorable body that the Senate on this day passed Assembly Joint Resolutions Nos. 26, 29.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Bills Nos. 380, 382, 512, 513, 514.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bill No. 463.

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, 196, 363, 373, 442.

Also, I have the honor to inform your honorable body that the Senate on this day appointed Senators Glover, O'Connell and Shaffer as a first Committee on Conference concerning Senate Bill No. 253.

Also, I have the honor to inform your honorable body that the Senate on this day

appointed Senators Glover, Bilbray and Redelsperger as a first Committee on Conference concerning Senate Bill No. 312.

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.

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. 134.

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. 208.

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. 253.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen Bogaert, Bilyeu, Rader, Lambert, O'Donnell, Getto, Joerg, Ham, Thomas, Zimmer, Nevin, Swain, Tebbs, Arberry, Sader, Horne, Schofield, Jeffrey, Dini, Francis, Kerns, McGaughey, Williams, Little, Fairchild, Banner, Marvel, Malone, Bergevin, Price, Collins, DuBois, Stone, Beyer, Thompson, Nicholas, Humke, Roberts, Craddock, Coffin, Spriggs and Sedway:

Assembly Resolution No. 8—Commending the attachés of the Assembly.

WHEREAS, The effective operation of any legislature is dependent upon the hard work and dedication of its staff; and

WHEREAS, The attachés of the Assembly have proven to be diligent in their pursuit of excellence and tireless in their service to the members of this body; and

WHEREAS, It is through the largely unseen and thankless efforts of the staff of this legislature that the interests of the people of this state are served in such an efficient and productive manner; now, therefore, be it

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, That the members of the Assembly of the 63rd session of the Nevada legislature commend and thank Carol Moore, Joan Anderson, Amy Phelps, Linda Corbett, R. J. Clason, Todd Westergard, Gus West, Christy Canatsey, Greg Gardella, Ramona Jones, Elaine Fisher, Pat Hatch, Nancy Brown, Darlene Cain, Jeanne Church, Sandra Baxter Hines, Clare Jones, Jean Kvam, Gloria Lohner, Janet Murino, Carole Jean McGraw, Marjorie Robertson, Deborah Redican, Janine Sagues, Judy Sappenfield, Priscilla Taylor, Colleen White, Deborah Zuspan, Erma Hewitson, Heather Anderson, Sharon Brown, Jeanie Davis, Jody Dunn, Ila Glaze, Kay Graves, Verna Napier, Yhvona Martin, Gladys Nemeth, Christine Shaw, Charise Selover, Gina Kangas, Maxine Morrison, Terry Carmona, Diane Kerrigan, Evelyn Larkin, Joan Polichio, Evelyn Shewan, Henry Gardner, Charles Daniels, William Marks, Wilfred Wick, Lavelle Johnson, Sally Dunfield, Morse Burley, Silvia Campbell, Mary Carel, Edward Cordisco, Jr., Nancy Dickson, Charlene Ethridge, Martha Laird, Jack Loy, Jane Mathis, Shanna Pozzi, Jane Ternau and Harold Wright for their conscientious attitudes and efficient work in assisting the proceedings of the Assembly; and be it further

RESOLVED, That a copy of this resolution be prepared and transmitted forthwith by the legislative counsel to each attaché of the Assembly.

Assemblyman Bogaert moved the adoption of the resolution.

Remarks by Assemblymen Bogaert and Thomas.

Resolution adopted.

REMARKS FROM THE FLOOR

Assemblyman Beyer requested that the following remarks be entered in the Journal.

ASSEMBLYMAN BOGAERT:

I think we'll all have some remarks about our staff and the members of the staff we worked most directly with. I think they have had to put up with a lot from us. It's not over yet. Their dedication has been shown over and over again and it will continue in the next few days ahead. I think we all realize and are grateful for their hard work, dedication and effort. I know they are here in the same spirit as we are to do the best job for the State of Nevada and we all appreciate it.

ASSEMBLYMAN THOMAS:

You know, we people in the private sector are always patting ourselves on the back about the great employees we have and what a great job we do because we are out there in the competitive world. I can tell you one thing this is one of the smoothest, best well oiled machines I've ever seen—this Legislative Counsel Bureau. I think it is a tribute to the people who work here; I've never seen better anywhere. It has been a privilege to work with you.

ASSEMBLYMAN GETTO:

I didn't want to pass up this opportunity to say a few words. I've been here, along with my colleague, longer than any other legislator and it has been many years since I have had the opportunity to have a secretary. I want to pay tribute to my secretary, Nancy, who has received the brunt of all the phone calls on a bill that has received more attention than any other. Everybody was telling me how terrible that I had to take all the pressure from the public. Really, Nancy took that. I thought I was going to lose her two or three times but she did stay with me. Thank you, Nancy.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Francis moved that Assembly Bill No. 565; Assembly Joint Resolutions Nos. 4, 5; Senate Bills Nos. 39, 64, 128, 130 and 383 be placed on the General File.

Motion carried.

Assemblyman Dini moved that Senate Bill No. 26 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 10:23 a.m.

ASSEMBLY IN SESSION

At 10:56 a.m.

Mr. Speaker presiding.

Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Judiciary, to which were referred Senate Bills Nos. 368, 381, 510,

has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JAMES STONE, *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which were referred Senate Bills Nos. 163, 438, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN DUBOIS, *Chairman*

Mr. Speaker:

Your Committee on Natural Resources, Agriculture and Mining, to which was referred Assembly Joint Resolution No. 30, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

VIRGIL M. GETTO, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 30, 1985

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. 56, 503, 515.

MARY JO MONGELLI
Assistant Secretary of the Senate

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 329.

The following Senate amendment was read:

Amendment No. 1247.

Amend sec. 4, page 2, line 12, by deleting "*ment,*" and inserting: "*ment for a temporary, total disability,*".

Amend sec. 4, page 2, line 14, after the period, by inserting: "*If the overpayment is solely the result of the insurer's clerical error, the insurer shall assess the amount overpaid to its account for administrative expenses and, if necessary, credit the account of the claimant's employer.*".

Assemblyman Zimmer moved that the Assembly concur in the Senate amendment to Assembly Bill No. 329.

Remarks by Assemblymen Zimmer and Jeffrey.

Motion carried.

The following Senate amendment was read:

Amendment No. 1280.

Amend the bill as a whole by renumbering sections 5 and 6 as sections 6 and 7 and adding a new section designated section 5, to read as follows:

"Sec. 5. NRS 616.1703 is hereby amended to read as follows:

616.1703 1. The system must be supervised by a board of directors which consists of seven members appointed by the governor.

2. [Three members of the board must represent organized labor, three members must represent policyholders of the system, and one member must represent the public and be knowledgeable in insurance, investments, or

organization and management. The representatives of organized labor must be selected by the governor from a list submitted to him by the Nevada State Branch of the American Federation of Labor and Congress of Industrial Organizations. Two representatives of policyholders must represent major employers and all must be selected by the governor from lists submitted to him by employers' organizations.

3. Initial appointments for each representative group] *The governor shall appoint:*

(a) One representative selected from a list submitted to him by the Nevada State Branch of the American Federation of Labor and Congress of Industrial Organizations;

(b) An employee who is not a member of a union and is not employed by a self-insured employer;

(c) A representative of public employees who is not an employee of the system;

(d) A representative of employers insured under the system, who employ at least 500 persons;

(e) A representative of employers insured under the system who are engaged in the business of hotels, gaming, tourism and similar enterprises and who are not self-insured;

(f) A representative of employers insured under the system, who employ less than 500 persons; and

(g) A representative of the general public.

3. After the initial appointments, all appointments must be for terms [of 2, 3 and 4 years, and all subsequent appointments for terms] of 4 years.

4. If a member of the board fails to complete his term of office, the governor shall appoint a person to succeed him as a member of the board for the unexpired portion of the term. The successor member must be appointed in the same manner and possess the same general qualifications as his predecessor in office.".

Amend the bill as a whole by adding a new section designated section 8, following section 6, to read as follows:

"Sec. 8. The members of the board of directors of the state industrial insurance system serving on the board on July 1, 1985, may complete their terms. If a vacancy occurs on the board, the governor shall appoint a person qualified pursuant to subsection 2 of NRS 616.1703 to fill that vacancy.".

Amend the title of the bill, fourth line, after the semicolon, by inserting: "changing the composition of the board of directors of the system;".

Assemblyman Zimmer moved that the Assembly concur in the Senate amendment to Assembly Bill No. 329.

Remarks by Assemblymen Zimmer, Jeffrey, Thompson, Banner, Bogaert and Price.

Assemblymen Schofield, Dini and Thompson requested a roll call on Assemblyman Zimmer's motion.

Roll call on Assemblyman Zimmer's motion:

YEAS—16.

NAYS—Arberry, Banner, Bergevin, Bogaert, Coffin, Collins, Craddock, Dini, Jeffrey, Kerns, Little, Malone, Marvel, Nevin, Nicholas, Price, Rader, Roberts, Sader, Schofield, Stone, Swain, Thompson, Williams—24.

Absent—Humke, Sedway—2.

The motion having failed to receive a majority, Mr. Speaker declared it lost.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Thompson moved that Senate Bill No. 27 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. 389.

The following Senate amendment was read:

Amendment No. 1198.

Amend the bill as a whole by renumbering sections 1 through 14 as sections 9 through 22 and adding new sections designated as sections 1 through 8, preceding section 1, to read as follows:

"Section 1. Chapter 349 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 4, inclusive, of this act.

Sec. 2. *"Historic structure" means a building, facility or other structure which is eligible for listing in the state register of historic places under NRS 383.085.*

Sec. 3. *1. The director has all the powers necessary to accomplish the purposes set forth in NRS 349.560, but these powers must be exercised for the health, safety, convenience, prosperity and welfare of the inhabitants of this state.*

2. NRS 349.400 to 349.670, inclusive, and sections 2 to 8, inclusive, of this act must be liberally construed in conformity with the purposes set forth in NRS 349.560.

Sec. 4. *The director may not, under NRS 349.400 to 349.670, inclusive, and sections 2 to 8, inclusive, of this act:*

1. Operate any manufacturing, industrial, warehousing or commercial enterprise or an organization for research and development or any health and care facility to which he provided assistance; or

2. Assist any manufacturing, industrial, warehousing or commercial enterprise or an organization for research and development to locate in a county or city which would compete substantially with an enterprise or organization already established in the county or city for substantially the same intrastate markets.

Sec. 5. NRS 349.400 is hereby amended to read as follows:

349.400 As used in NRS 349.400 to 349.670, inclusive, *and sections 2 to 4, inclusive, of this act,* unless the context otherwise requires, the words and terms defined in NRS 349.410 to 349.540, inclusive, *and section 2 of this act* have the meanings ascribed to them in those sections.

Sec. 6. NRS 349.510 is hereby amended to read as follows:

349.510 "Project" means:

1. Any land, building or other improvement and all real and personal properties necessary in connection therewith, excluding inventories, raw materials and working capital, whether or not in existence, suitable for new construction, improvement, rehabilitation or redevelopment for [a manufacturing, industrial, warehousing, commercial or research and development enterprise, a health and care facility or a supplemental facility for a health and care facility; or] *:*

(a) Industrial uses, including assembling, fabricating, manufacturing, processing or warehousing;

(b) Research and development relating to commerce or industrcy, including professional, administrative and scientific offices and laboratories;

(c) Commercial enterprises;

(d) Civic and cultural enterprises open to the general public, including theaters, museums and exhibitions, together with buildings and other structures, machinery, equipment, facilities and appurtenances thereto which the director deems useful or desirable in connection with the conduct of any such enterprise;

(e) An educational institution operated by a nonprofit organization not otherwise directly funded by the state which is accredited by a nationally recognized educational accrediting association; or

(f) Health and care facilities and supplemental facilities for health and care;

2. Any real or personal property appropriate for addition to a hotel, motel, apartment building, casino or office building to protect it or its occupants from fire [.] *; or*

3. The preservation of any historic structure or its restoration for its original or another use, if the plan has been approved by the division of historic preservation and archaeology of the state department of conservation and natural resources.

Sec. 7. NRS 349.560 is hereby amended to read as follows:

349.560 [1.] It is the intent of the legislature to authorize the director to finance, acquire, own, lease, improve and dispose of properties to [the end that the director may be able to promote industry and develop trade by inducing manufacturing, industrial, warehousing, commercial and research and development enterprises to locate in, remain or expand in this state, in order to assist in relieving the serious threat of extensive unemployment in parts of this state, in securing and maintaining a balanced and stable economy in all parts of this state and in furthering the use of its agricultural products and natural resources, and to enhance public safety by protecting

hotels, motels, apartment buildings, casinos, office buildings and their occupants from fire. It is, therefore, the intention of the legislature to vest the director with all powers that may be necessary to enable him to accomplish those purposes , which powers must in all respects be exercised for the benefit of the inhabitants of this state for the promotion of their safety, welfare, convenience and prosperity.

2. It is also the intent of the legislature to authorize the director to finance, acquire, own, lease, improve and dispose of property so that health and care facilities and supplemental facilities for health and care facilities may be acquired, developed, expanded and maintained by enterprisers who will provide health care of high quality at reasonable rates for the benefit of the residents of the community in which the facilities are situated.

3. It is not intended hereby that the director himself be authorized to operate any such manufacturing, industrial, warehousing, commercial or research and development enterprise or health and care facility.

4. The director may not by virtue of NRS 349.400 to 349.670, inclusive, assist any manufacturing, industrial, warehousing, commercial or research and development enterprise which would offer substantial competition to an existing enterprise within the county or city whose intrastate markets are substantially the same.

5. NRS 349.400 to 349.670, inclusive, must be liberally construed in conformity with this declaration of purpose.] *:*

1. Promote industry and employment and develop trade by inducing manufacturing, industrial, warehousing and commercial enterprises and organizations for research and development to locate in, remain or expand in this state to further prosperity throughout the state and to further the use of the agricultural products and the natural resources of this state.

2. Enhance public safety by protecting hotels, motels, apartment buildings, casinos, office buildings and their occupants from fire.

3. Promote the public health by enabling a private enterprise to acquire, develop, expand and maintain health and care facilities and supplemental facilities for health and care facilities which will provide services of high quality at reasonable rates to the residents of the community in which the facilities are situated.

4. Promote the educational, cultural, economic and general welfare of the public by financing civic and cultural enterprises, certain educational institutions and the preservation or restoration of historic structures.

Sec. 8. NRS 349.580 is hereby amended to read as follows:

349.580 The director shall not finance a project unless, before financing:

1. The director finds that:

(a) The project to be financed has been approved for financing pursuant to the requirements of NRS 244A.669 to 244A.763, inclusive, *and sections 15, 16 and 17 of this act,* or 268.512 to 268.568, inclusive; and

(b) There has been a request by a city or county to have the director issue bonds to finance the project; or

2. The director finds and both the [state board of finance] *board* and the governing body of the city or county where the project is to be located approve the findings of the director that:

(a) The project consists of any land, building or other improvement and all real and personal properties necessary in connection therewith, excluding inventories, raw materials and working capital, whether or not in existence, suitable for new construction, improvement, *preservation, restoration,* rehabilitation or redevelopment [for] *:*

(1) For manufacturing, industrial, warehousing, [commercial or] *civic, cultural or commercial enterprises, educational institutions or organizations for* research and development [enterprises or for] *;*

(2) For a health and care facility or a supplemental facility for a health and care facility [, or of] *;*

(3) Of real or personal property appropriate for addition to a hotel, motel, apartment building, casino or office building to protect it or its occupants from fire; *or*

(4) Of a historic structure;

(b) The project will provide a public benefit;

(c) The contemplated lessee, purchaser or other obligor has sufficient financial resources to place the project in operation and to continue its operation, meeting the obligations of the lease, purchase contract or financing agreement;

(d) There are sufficient safeguards to assure that all money provided by the department will be expended solely for the purposes of the project;

(e) There are existing and projected needs for the project and the project would alleviate an existing shortage of facilities or services in the state;

(f) The project would be compatible with existing facilities in the area adjacent to the location of the project;

(g) The [purpose of the financing of the project is not solely to provide tax-free financing to the lessee, purchaser or other obligor;] *project is compatible with the plan of the state for economic diversification and development or for the marketing and development of tourism in this state;*

(h) Through *the* advice of counsel or other reliable source that the project has received all approvals by the local, state and federal governments which may be necessary to proceed with construction, improvement, rehabilitation or redevelopment of the project; and

(i) There has been a request by a city, county, lessee, purchaser, other obligor or other enterprise to have the director issue *revenue bonds for* industrial development [revenue bonds] to finance the project.".

Amend section 1, page 1, line 2, by deleting: "2 and 3" and inserting: "10 and 11".

Amend sec. 3, page 2, line 16, by deleting "2" and inserting "*10*".

Amend sec. 4, page 2, line 24, by deleting: "*2 and 3*" and inserting: "*10 and 11*".

Amend sec. 5, page 2, lines 28 and 29, by deleting: "*2 and 3*" and inserting: "*10 and 11*".

Amend sec. 6, page 2, line 34, by deleting: "7, 8 and 9" and inserting: "15, 16 and 17".

Amend sec. 8, page 2, line 42, by deleting: "*7, 8 and 9*" and inserting: "*15, 16 and 17*".

Amend sec. 9, page 2, line 46, by deleting: "*7, 8 and 9*" and inserting: "*15, 16 and 17*".

Amend sec. 10, page 3, line 12, by deleting: "*7, 8 and 9*" and inserting: "*15, 16 and 17*".

Amend sec. 10, page 3, line 14, by deleting "*7*" and inserting "*15*".

Amend the title of the bill, first line, by deleting "local governments;" and inserting "public securities;".

Amend the title of the bill, third line, after "structure;", by inserting: "enlarging the uses of certain state revenue bonds;".

Amend the summary of the bill to read: "Enlarges permissible uses of revenue bonds. (BDR 30-1228)".

Assemblyman Bergevin moved that the Assembly do not concur in the Senate amendment to Assembly Bill No. 389.

Remarks by Assemblyman Bergevin.

Motion carried.

Bill ordered transmitted to the Senate.

Assembly Bill No. 169.

The following Senate amendments were read:

Amendment No. 1209.

Amend sec. 23, page 9, line 6, after "resources", by inserting: "*and any other agency or entity of the state owning land in the area, including the University of Nevada and the Colorado River Commission,*".

Amendment No. 1101.

Amend sec. 31, page 16, line 9, by inserting after the period: "The board of directors of the district comprising Clark County shall meet with the committee at least three times: on or before January 1, 1986, July 1, 1986, and January 1, 1987.".

Amendment No. 1188.

Amend sec. 30, page 15, line 40, by deleting "February 1," and inserting "August 1,".

Amend sec. 30, page 15, by deleting line 42 and inserting: "that support, and submit the chosen method of financing for the required approval at the primary election in 1986.".

Amendment No. 1327.

Amend sec. 24.3, page 12, line 9, by inserting after the period: "*A district for which a tax is levied pursuant to this subsection is not entitled to receive any distribution of supplemental city-county relief tax.*".

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 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 local governments 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 354.59805, 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 , [and] any redevelopment agency, *and any other local government excluded by specific statute,* 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 NRS 354.59811 and 354.59816. 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.".

Assemblyman Bergevin moved that the Assembly concur in the Senate amendments to Assembly Bill No. 169.

Remarks by Assemblyman Bergevin.

Motion carried.

Bill ordered enrolled.

REMARKS FROM THE FLOOR

Assemblyman Price requested that his remarks be entered in the Journal.

I would like the record to reflect that I was opposed to Amendment No. 1327 to Assembly Bill No. 169.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Malone moved that the vote whereby Assembly Bill No. 291 was refused passage be rescinded.

Remarks by Assemblyman Williams.

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

Assembly in recess at 11:23 a.m.

ASSEMBLY IN SESSION

At 11:34 a.m.

Mr. Speaker presiding.

Quorum present.

Assemblyman Malone withdrew his motion.

Assemblyman Francis moved that Senate Bill No. 494 be placed on the General File.

Motion carried.

Assemblyman Roberts moved that Senate Bill No. 393 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Roberts.

Motion carried.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 598.

The following Senate amendment was read:

Amendment No. 1338.

Amend section 1, page 1, line 2, by deleting "7," and inserting "6,".

Amend the bill as a whole by deleting section 6 and renumbering section 7 as section 6.

Amend the bill as a whole by deleting section 8 and renumbering section 9 as section 7.

Amend the bill as a whole by adding a new section designated section 8, following section 9, to read as follows:

"Sec. 8. NRS 675.295 is hereby repealed.".

Assemblyman DuBois moved that the Assembly concur in the Senate amendment to Assembly Bill No. 598.

Remarks by Assemblyman DuBois.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 182.

The following Senate amendment was read:

Amendment No. 1221.

Amend section 1, page 1, after line 12, by inserting:

"*2. Each hearing officer appointed pursuant to paragraph (c) of subsection 1 must be a resident of this state who is a graduate of:*

(a) An accredited law school; or

(b) An accredited, 4-year college and has at least 5 years' experience in public administration,

and who has completed a course of instruction in administrative law, relating to the provisions of this chapter, offered by the office of the district attorney for the county. This course must consist of at least 4 hours of instruction in a classroom.".

Amend section 1, page 1, line 13, by deleting "2." and inserting "*3.*".

Amend the title of the bill, third line, before "and" by inserting: "establishing qualifications for those hearing officers;".

Assemblyman Stone moved that the Assembly concur in the Senate amendment to Assembly Bill No. 182.

Remarks by Assemblyman Stone.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 229.

The following Senate amendments were read:

Amendment No. 1171.

Amend section 1, page 1, line 6, by deleting "*or*" and inserting ",".

Amend section 1, page 1, line 7, by deleting the period and inserting: ", *a person to whom he is related by blood, a person with whom he is or was actually residing or with whom he has a child in common, his minor child or a minor child of that person.*".

Amend section 1, page 1, after line 13 by inserting:

"*3. Statistics must be compiled from these reports and made available as a public record detailing the number of investigations and arrests made pursuant to this section and the nature of any mitigating circumstances which prevented an arrest.*".

Amend sec. 3, page 2, line 37, by deleting "*or*" and inserting ",".

Amend sec. 3, page 3, by deleting line 38 and inserting: ", *a person to whom he is related by blood, a person with whom he is or was actually residing or with whom he has a child in common, his minor child or a minor child of that person must appear before a magistrate to have the magistrate set his bail.*".

Amend sec. 4, page 3, line 12, by deleting "*or*" and inserting ",".

Amend sec. 4, page 3, between lines 12 and 13 by inserting: ", *a person to whom he is related by blood, a person with whom he is or was actually residing or with whom he has a child in common, his minor child or a minor child of that person,*".

Amend sec. 4, page 3, line 13, after "*court*" by inserting: "*:*

(1) For an offender convicted of a first offense,".

Amend sec. 4, page 3, by deleting lines 15 through17 and inserting: "*his family.*

(2) Shall not grant probation to or suspend the sentence of a person who has previously been convicted of such an offense.".

Amend the title of the bill by deleting second and third lines and inserting: "batteries; requiring bail to be set by a magistrate for a person arrested for certain batteries; prohibiting the suspension of a sentence under certain".

Amend the summary of the bill by deleting: "delay of bail" and inserting: "bail set by magistrate".

Amendment No. 1227.

Amend sec. 2, page 1, line 15, by deleting "this section," and inserting: "subsections 3 and 4,".

Amend sec. 2, page 2, line 1, after "officer", by inserting: "or an officer of the Drug Enforcement Administration designated by the Attorney General of the United States for that purpose".

Amend sec. 2, page 2, line 15, by deleting: "the peace officer" and inserting "he".

Amend sec. 2, page 2, line 17, by deleting: "the peace officer" and inserting "he".

Amend sec. 2, page 2, after line 28, by inserting:

"4. An officer of the Drug Enforcement Administration may only make an arrest pursuant to subsections 1 and 2 for a violation of chapter 453 of NRS.".

Amend the bill as a whole by adding a new section designated section 5, following section 4, to read as follows:

"Sec. 5. Section 2 of this act becomes effective at 12:01 a.m. on July 1, 1985.".

Assemblyman Stone moved that the Assembly do not concur in the Senate amendments to Assembly Bill No. 229.

Remarks by Assemblyman Stone.

Motion carried.

Bill ordered transmitted to the Senate.

Assembly Bill No. 480.

The following Senate amendment was read:

Amendment No. 1219.

Amend section 1, page 1, by deleting lines 6 through 9 and inserting: "*that percentage only if two consecutive samples of the person's breath are taken.*".

Assemblyman Stone moved that the Assembly concur in the Senate amendment to Assembly Bill No. 480.

Remarks by Assemblyman Stone.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 507.

The following Senate amendment was read:

Amendment No. 1316.

Amend section 1, page 1, line 3, by deleting: "*the dispute involves at least $500 and*".

Amend section 1, page 1, by deleting line 5 and inserting: "*faction and the dispute involves:*

(a) At least $500, the licensee shall immediately notify the board [.] *; or*

(b) Less than $500, the licensee shall inform the patron, in writing, of his right to request that the board conduct an investigation.

The board,".

Amend section 1, page 1, line 11, by deleting the period and inserting: "*or a request to conduct an investigation from the patron.*".

Amend section 1, page 1, line 12, after "board", by inserting "*or patron*".

Assemblyman Stone moved that the Assembly do not concur in the Senate amendment to Assembly Bill No. 507.

Remarks by Assemblyman Stone.

Motion carried.

Bill ordered transmitted to the Senate.

Assembly Bill No. 633.

The following Senate amendment was read:

Amendment No. 1252.

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 by deleting lines 1 through 3 and inserting:

"An Act relating to special funds; changing the schedule of repayment of an".

Assemblyman Marvel moved that the Assembly do not concur in the Senate amendment to Assembly Bill No. 633.

Remarks by Assemblyman Marvel.

Motion carried.

Bill ordered transmitted to the Senate.

Assembly Bill No. 322.

The following Senate amendment was read:

Amendment No. 1317.

Amend section 1, page 1, line 2, by deleting "$237,342" and inserting "$346,867".

Assemblyman Marvel moved that the Assembly do not concur in the Senate amendment to Assembly Bill No. 322.

Remarks by Assemblyman Marvel.

Motion carried.

Bill ordered transmitted to the Senate.

Assembly Bill No. 19.

The following Senate amendments were read:

Amendment No. 1129.

Amend section 1, page 1, by deleting line 5, and inserting: "[from taxes,] :".

Amend section 1, page 1, line 6, by deleting "*Taxes*" and inserting "*From taxes*".

Amend section 1, page 1, line 8, by deleting "*Assessments*" and inserting: "*For bonds issued by an irrigation district, from assessments*".

Amend sec. 2, page 1, by deleting line 16 and inserting "*$300,000,000.*".

Amend the bill as a whole by adding a new section designated section 3, following section 2, to read as follows:

"Sec. 3. 1. There is hereby appropriated from the state general fund to the state treasurer for an additional employee to assist in administering the municipal bond bank:

For January 1, 1986 to June 30, 1986 ..... $10,000

For the fiscal year 1986-1987 9,000

2. Any balance of the sums appropriated by subsecion 1 remaining at the end of the respective fiscal years must not be committed for expenditure after June 30 and reverts to the state general fund as soon as all payments of money committed have been made.".

Amend the title of the bill, second line, after "purchase;" by inserting: "making an appropriation to the state treasurer for an additional employee;".

Amend the summary of the bill by deleting the period and inserting: "and authorizes additional employee.".

Amend the fiscal note, second line, after "Insurance:" by deleting "No." and inserting "Contains Appropriation.".

Amendment No. 1320.

Amend the bill as a whole by deleting section 3 and adding a new section designated section 3, following section 2, to read as follows:

"Sec. 3. In addition to any other money the state treasurer is authorized to expend, he may expend from the fund for the municipal bond bank the sum of $19,000 for the fiscal year 1986-1987 for an additional employee to assist in administering the municipal bond bank.".

Amend the title of the bill by deleting line 3 and inserting: "authorizing the state treasurer to employ an additional employee; and".

Assemblyman Marvel moved that the Assembly do not concur in the Senate amendments to Assembly Bill No. 19.

Remarks by Assemblyman Marvel.

Motion carried.

Bill ordered transmitted to the Senate.

Assembly Bill No. 330.

The following Senate amendment was read:

Amendment No. 1286.

Amend section 1, page 1, line 3, by deleting "$744,392" and inserting "$756,664".

Assemblyman Marvel moved that the Assembly do not concur in the Senate amendment to Assembly Bill No. 330.

Remarks by Assemblyman Marvel.

Motion carried.

Bill ordered transmitted to the Senate.

REPORTS OF CONFERENCE COMMITTEES

Mr. Speaker:

The first Committee on Conference concerning Senate Bill No. 253, consisting of the undersigned members, has met, and reports that:

It has agreed to recommend that the amendments of the Assembly be concurred in.

JOHN (JACK) JEFFREY	ALAN H. GLOVER
DANNY L. THOMPSON	ANN O'CONNELL
BRUCE R. BOGAERT	RAYMOND C. SHAFFER
Assembly Committee on Conference	*Senate Committee on Conference*

Assemblyman Jeffrey moved that the Assembly adopt the report of the first Committee on Conference concerning Senate Bill No. 253.

Remarks by Assemblyman Jeffrey.

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Senate Bill No. 68 be taken from the Chief Clerk's desk and placed on the General File.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Legislative Functions, to which was referred Assembly Concurrent Resolution No. 49, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and be adopted as amended.

BRUCE R. BOGAERT, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 31, 1985

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. 63.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Senate Concurrent Resolution No. 63.

Resolution read.

Assembly Concurrent Resolution No. 46.

Assemblyman Bogaert moved the adoption of the resolution.

Remarks by Assemblyman Bogaert.

Resolution adopted.

Senate Concurrent Resolution No. 40.

Assemblyman Bogaert moved the adoption of the resolution.

Remarks by Assemblyman Bogaert.

Resolution adopted.

Senate Concurrent Resolution No. 41.

Assemblyman Bogaert moved the adoption of the resolution.

Remarks by Assemblyman Bogaert.

Resolution adopted.

Senate Concurrent Resolution No. 44.

Assemblyman Bogaert moved the adoption of the resolution.

Remarks by Assemblyman Bogaert.

Resolution adopted.

Assembly Concurrent Resolution No. 49.

Resolution read.

The following amendment was proposed by the Committee on Legislative Functions:

Amendment No. 1411.

Amend the resolution, page 1, by deleting lines 14 and 15 and inserting:

"1. Each legislator may submit to the legislative counsel:
(a) Before a legislative session, a total of 15 requests; and
(b) During a legislative session, a total of 5 requests,
for the drafting of bills and".

Assemblyman Bogaert moved the adoption of the amendment.

Remarks by Assemblyman Bogaert.

Amendment adopted.

Resolution ordered reprinted and engrossed.

INTRODUCTION AND FIRST READING OF LEGISLATION

By the Committee on Ways and Means:

Assembly Bill No. 726—An Act relating to public schools; apportioning the state distributive school fund for the biennium 1985-1987; making an appropriation; authorizing certain expenditures; and providing other matters properly relating thereto.

Senate Bill No. 56.
Bill read first time.

Senate Bill No. 380.
Bill read first time.

Senate Bill No. 382.
Bill read first time.

Senate Bill No. 463.
Bill read first time.

Senate Bill No. 503.
Bill read first time.

Senate Bill No. 512.
Bill read first time.

Senate Bill No. 513.
Bill read first time.

Senate Bill No. 514.
Bill read first time.

Senate Bill No. 515.
Bill read first 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 11:58 a.m.

ASSEMBLY IN SESSION

At 11:59 a.m.

Mr. Speaker pro Tempore presiding.

Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Francis moved that Assembly Bills Nos. 285, 497; Senate Bills Nos. 121, 163, 345, 368, 381, 438, 439, 499 and 510 be placed on the Second Reading File.

Motion carried.

Assemblyman Francis moved that Assembly Bill No. 709; Assembly Joint Resolution No. 30; Senate Bills Nos. 481 and 511 be placed on the General File.

Motion carried.

Assemblyman Francis moved that Assembly Bill No. 565; Assembly Joint Resolutions Nos. 4, 5; Assembly Bill No. 709 and Assembly Joint Resolution No. 30 be taken from their positions on the General File and placed on the General File immediately following Assembly Bill No. 725.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 422.

Bill read third time.

Remarks by Assemblymen Williams, Bilyeu, Dini, Collins, Nicholas, Thomas, Getto and Price.

Roll call on Assembly Bill No. 422:

YEAS—33.

NAYS—DuBois, Little, Malone, O'Donnell, Roberts, Zimmer—6.

Absent—Humke, Sedway—2.

Not voting—Nicholas.

Assembly Bill No. 422 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 686.

Bill read third time.

Remarks by Assemblymen Nicholas and Horne.

Roll call on Assembly Bill No. 686:

YEAS—30.

NAYS—Fairchild, Horne, Little, McGaughey, Malone, Rader, Roberts, Stone, Thomas—9.

Absent—Humke, Sedway—2.

Not voting—Getto.

Assembly Bill No. 686 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 725.

Bill read third time.

Remarks by Assemblymen Marvel, Thomas, Dini, Coffin, Bilyeu, Collins and Price.

Roll call on Assembly Bill No. 725:
YEAS—40.
NAYS—None.
Absent—Humke, Sedway—2.

Assembly Bill No. 725 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 565.
Bill read third time.
Remarks by Assemblymen Stone and Nevin.
Roll call on Assembly Bill No. 565:
YEAS—40.
NAYS—None.
Absent—Humke, Sedway—2.

Assembly Bill No. 565 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 12:32 p.m.

ASSEMBLY IN SESSION

At 12:33 p.m.
Mr. Speaker presiding.
Quorum present.

GENERAL FILE AND THIRD READING

Assembly Joint Resolution No. 4.
Resolution read third time.
Remarks by Assemblymen Schofield, Williams and Getto.
Roll call on Assembly Joint Resolution No. 4:
YEAS—39.
NAYS—Williams.
Absent—Humke, Sedway—2.

Assembly Joint Resolution No. 4 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Resolution ordered transmitted to the Senate.

Assembly Joint Resolution No. 5.
Resolution read third time.
Remarks by Assemblymen Schofield and Williams.
Roll call on Assembly Joint Resolution No. 5:
YEAS—39.
NAYS—Williams.
Absent—Humke, Sedway—2.

Assembly Joint Resolution No. 5 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Resolution ordered transmitted to the Senate.

Assembly Bill No. 709.

Bill read third time.

Remarks by Assemblyman Bogaert.

Roll call on Assembly Bill No. 709:

YEAS—40.

NAYS—None.

Absent—Humke, Sedway—2.

Assembly Bill No. 709 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Joint Resolution No. 30.

Resolution read third time.

Remarks by Assemblymen Getto, Price and Marvel.

Roll call on Assembly Joint Resolution No. 30:

YEAS—40.

NAYS—None.

Absent—Humke, Sedway—2.

Assembly Joint Resolution No. 30 having received a constitutional majority, Mr. Speaker declared it passed.

Resolution ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Francis moved that all rules be suspended and that Assembly Bills Nos. 422, 686, 725, 565; Assembly Joint Resolutions Nos. 4, 5; Assembly Bill No. 709 and Assembly Joint Resolution No. 30 be immediately transmitted to the Senate.

Motion carried unanimously.

REFERENCE OF MEASURES TO COMMITTEES

Senate Bill No. 515.

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

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Francis moved that Senate Bill No. 163 be taken from the Second Reading File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Francis.

Motion carried.

Assemblyman Joerg moved that all rules be suspended and that Assembly Bills Nos. 389, 329, 19, 229, 322, 330, 507, 633; Assembly Concurrent

Resolution No. 46; Senate Concurrent Resolutions Nos. 40, 41 and 44 be immediately transmitted to the Senate.

Motion carried unanimously.

Assemblyman Francis moved that the Assembly recess until 2:30 p.m.

Motion carried.

Assembly in recess at 12:49 p.m.

ASSEMBLY IN SESSION

At 2:39 p.m.

Mr. Speaker presiding.

Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Senate Bill No. 332, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

LOUIS W. BERGEVIN, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 31, 1985

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 469, 665.

Also, I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bills Nos. 96, 183, 276, 348, 492, 539, 595, 627, 634, 642, 660, 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. 172.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 490, 498.

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. 254, 378.

Also, I have the honor to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolutions Nos. 3, 33, 34, 43, 45, 47, 53, 59, 60, 62.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Senate Concurrent Resolution No. 3.

Resolution read.

Senate Concurrent Resolution No. 33.

Resolution read.

Senate Concurrent Resolution No. 34.

Resolution read.

Senate Concurrent Resolution No. 43.
Resolution read.

Senate Concurrent Resolution No. 45.
Resolution read.

Senate Concurrent Resolution No. 47.
Resolution read.

Senate Concurrent Resolution No. 53.
Resolution read.

Senate Concurrent Resolution No. 59.
Resolution read.

Senate Concurrent Resolution No. 60.
Resolution read.

Senate Concurrent Resolution No. 62.
Resolution read.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Natural Resources, Agriculture and Mining, to which was referred Assembly Bill No. 485, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

VIRGIL M. GETTO, *Chairman*

Assemblyman Dini moved that the Assembly recess subject to the call of the Chair.

Motion carried.

Assembly in recess at 2:43 p.m.

ASSEMBLY IN SESSION

At 3:54 p.m.

Mr. Speaker pro Tempore presiding.

Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Legislative Functions, 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: Amend, and do pass as amended.

BRUCE R. BOGAERT, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

By the Committee on Government Affairs:

Assembly Concurrent Resolution No. 56—Admonishing Clark County and the City of Las Vegas to settle their differences on the treatment of waste water.

INTRODUCTION AND FIRST READING OF LEGISLATION

By the Committee on Transportation:

Assembly Bill No. 727—An Act relating to franchises for the sale of motor vehicles; prohibiting the termination of a franchise by the manufacturer or distributor upon the death of a dealer if the dealer has designated a successor in interest, or upon divorce; and providing other matters properly relating thereto.

Senate Bill No. 490.

Bill read first time.

Senate Bill No. 498.

Bill read first time.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 49.

The following Senate amendment was read:

Amendment No. 1217.

Amend sec. 2, page 2, line 13, after "*revenue*", by inserting: "*the basic revenue from taxes ad valorem and the revenues from taxes ad valorem allowed by NRS 354.59805*".

Assemblyman Bergevin moved that the Assembly concur in the Senate amendment to Assembly Bill No. 49.

Remarks by Assemblyman Bergevin.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 96.

The following Senate amendment was read:

Amendment No. 1308.

Amend section 1, page 1, line 15, by deleting: "*tax secured roll at the taxable*" and inserting: "*secured tax roll at the assessed*".

Amend section 1, page 2, by deleting lines 7 through 10 and inserting: "for that year by applying a factor for improvements, if any, and a factor for land to the assessed value for the preceding year. The factor for improvements must reasonably represent the change, if any, in the taxable value of typical improvements in the area since the preceding year, and must take into account all applicable depreciation and".

Amend section 1, page 2, by deleting lines 13 through 15 and inserting: "county assessor and approved by the commission. The factor for land must be so chosen that the median ratio of the assessed value of the land to the taxable value of the land in each area subject to the factor is not less than 30 percent nor more than 35".

Amend sec. 4, page 5, by deleting line 30 and inserting:

"Sec. 4. Sections 1 and 3 of this act become effective at 12:01 a.m. on".

Assemblyman Bergevin moved that the Assembly concur in the Senate amendment to Assembly Bill No. 96.

Remarks by Assemblyman Bergevin.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 539.

The following Senate amendment was read:

Amendment No. 1248.

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 sections 4 and 5.

Assemblyman Bergevin moved that the Assembly concur in the Senate amendment to Assembly Bill No. 539.

Remarks by Assemblyman Bergevin.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 276.

The following Senate amendments were read:

Amendment No. 893.

Amend sec. 8, page 7, lines 22 and 23, by deleting: "*on an original financing statement or an amendment.*" and inserting an italicized period.

Amend sec. 9, page 8, line 33, after "*$6*", by deleting the period, and inserting: ", *plus $1 for each additional debtor.*".

Amendment No. 1356.

Amend sec. 7, page 6, line 3, after "5th", by inserting "working".

Amend sec. 18, page 11, by deleting line 35 and inserting:

"517.040 1. Within 90 days after posting the notice of location".

Amend sec. 18, page 11, line 36, by deleting "notice,".

Amend sec. 18, page 11, line 38, by deleting "claim boundary".

Amend sec. 18, page 11, line 43, by deleting "such".

Amend sec. 18, pages 11 and 12, by deleting line 45 on page 11 and lines 1 through 10 on page 12 and inserting: "tance to a natural landmark or a readily identifiable artificial landmark which is customarily shown on a map, including, without limitation, a bench mark or the point at which two roads intersect.".

Amend sec. 18, page 12, by deleting line 12 and inserting: "lands are surveyed lands, the quarter section and section in which the landmark and".

Amend sec. 18, page 12, line 13, by deleting "is" and inserting "are".

Amend sec. 18, page 12, line 18, by deleting "location notice," and inserting: "notice of location,".

Amend sec. 18, page 12, line 23, after "maintain," by inserting: ", in accordance with the regulations of the department of minerals,".

Amend sec. 18, page 12, by deleting line 30 and inserting: "The map is a public record.".

Amend sec. 18, page 12, line 35, by deleting "location certificate" and inserting: "certificate of location".

Amend sec. 19, page 12, line 38, by deleting "shall" and inserting "must".

Amend sec. 19, page 12, line 41, by deleting: ", the size to" and inserting: ". The size of each sheet must".

Amend sec. 19, page 12, line 45, by deleting "[shall] *must*" and inserting "must".

Amend sec. 19, page 13, by deleting lines 2 through 12 and inserting: "kind, size and location and giving other data relating thereto.

(b) Bearing or witness monuments, the basis of bearings, bearing and length of lines and the scale of the map.

(c) The name and legal description of the tract in which the survey is located and any ties to adjoining tracts.

(d) The tie to Coast and Geodetic Survey Control System, if points of the system are established in the area in which the survey is made.

(e) A memorandum of oaths, if any.

(f) The signature and seal of the surveyor.

(g) Dates of the survey.

(h) The name of the person or persons for whom the survey is made.".

Amend sec. 19, page 13, by inserting after line 14:

"3. If the land surveyed is described in terms of area, the record of the survey must show the area of the land surveyed in the following manner:

(a) In acres, calculated to the nearest one-hundredth of an acre, if the area is 2 acres or more; or

(b) In square feet if the area is less than 2 acres.".

Amend sec. 20, page 13, line 15, by deleting: "Section 12 of this act becomes" and inserting: "Sections 7, 12 and 19 of this act become".

Assemblyman Bergevin moved that the Assembly concur in the Senate amendments to Assembly Bill No. 276.

Remarks by Assemblyman Bergevin.

Motion carried.

Bill ordered enrolled.

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 4 p.m.

ASSEMBLY IN SESSION

At 4:01 p.m.

Mr. Speaker presiding.

Quorum present.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 183.

The following Senate amendment was read:

Amendment No. 1369.

Amend sec. 16, page 3, line 8, by deleting: "["Group care facility"]

"Residential" and inserting: "Except as otherwise provided in subsection 2, ["group care facility"] *"residential"* ".

Amend sec. 16, page 3, line 12, by deleting: "Four or more" and inserting "Any".

Amend sec. 16, page 3, line 13, by deleting "persons" and inserting "person".

Amend sec. 16, page 3, line 17, by deleting the period and inserting: "or any natural person who provides care, not for profit, for fewer than four persons in his own home.".

Amend sec. 54, page 15, line 27, by deleting "and".

Amend sec. 54, page 15, line 29, by deleting the period and inserting: "; and

(d) The costs likely to be incurred for the treatment or procedure and any alternative treatment or procedure.".

Amend sec. 73, pages 23 and 24, by deleting lines 4 through 46 on page 23 and lines 1 through 4 on page 24 and inserting:

"Sec. 73. (Deleted by amendment.)".

Amend sec. 84, page 29, line 8, after the semicolon, by inserting "and".

Amend sec. 84, page 29, line 9, by deleting the semicolon and inserting a period.

Amend sec. 84, page 29, by deleting lines 10 through 19.

Amend sec. 92, page 32, line 20, by deleting "The" and inserting: "Except as otherwise provided in subsection 2, the".

Amend sec. 92, page 32, by deleting lines 36 through 44 and inserting:

"2. A [health and care facility] medical facility or facility for the dependent is exempt from the provisions of paragraph (b) of subsection 1 with regard to the door to a patient's room if smoking in the patient's room is prohibited or permitted only when:

(a) An employee of the facility is present; or

(b) Smoking material is wholly contained within a device designed for such use and approved by the state fire marshal.".

Amend sec. 92, page 32, line 46, by deleting: "allow an exception to the requirement" and inserting: "grant an exception from the provisions".

Amend sec. 92, page 33, by deleting lines 2 through 4 and inserting: "building will not be hindered thereby.

4. When an exception is allowed pursuant to subsection 3, the authority shall record the details of and reasons for the exception".

Amend sec. 97, page 35, line 27, by deleting "this state" and inserting: "any state or country, the District of Columbia or a territory or possession of the United States".

Amend sec. 97, page 35, by deleting lines 32 through 38 and inserting:

"2. The remaining members must be residents of Nevada who:

(a) Are not licensed in any state to practice any healing art;

(b) Are not actively engaged in the administration of any [health and care facility;] *medical facility or facility for the dependent as defined in chapter 449 of NRS;* and

(c) Do not have a pecuniary interest in any matter pertaining to [any health and care facility,] *such a facility,* except as a patient or potential patient.".

Amend sec. 121, page 49, line 17, by deleting: "Section 91 of this act becomes" and inserting: "Sections 16, 54, 84, 91, 92 and 97 of this act become".

Assemblyman Nicholas moved that the Assembly concur in the Senate amendment to Assembly Bill No. 183.

Remarks by Assemblyman Nicholas.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 595.

The following Senate amendment was read:

Amendment No. 1363.

Amend sec. 22, page 10, line 21, by deleting: "is guilty of a gross misdemeanor," and inserting: "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 sec. 23, page 10, line 46, by deleting "1. A" and inserting:

"1. A practitioner may purchase supplies of poisons, dangerous drugs and devices from a pharmacy if he presents to the pharmacy a written order signed by him.

2. A".

Amend sec. 23, page 11, line 12, by deleting "2." and inserting "3.".

Amend sec. 23, page 11, line 13, by deleting "such sales." and inserting: "any purchase made pursuant to this section.".

Amend the bill as a whole by adding a new section designated section 28, following section 27, to read as follows:

"Sec. 28. Sections 22 and 23 of this act become effective at 12:01 a.m. on July 1, 1985.".

Assemblyman Nicholas moved that the Assembly concur in the Senate amendment to Assembly Bill No. 595.

Remarks by Assemblyman Nicholas.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 642.

The following Senate amendment was read:

Amendment No. 1341.

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 board of trustees of a county or district hospital may, by resolution:

1. Mortgage or pledge the personal property of the hospital, including accounts receivable, and enter into agreements for the sale and leasing back to the hospital of its personal property in order to provide security for acquiring money for the operation of the hospital; and

2. Acquire real property for the expansion of the hospital by entering into a contract for purchase of a type and duration and on such terms as the governing body determines, including a contract secured by a mortgage or other security interest in the real property.

Sec. 3. Section 2 of this act expires by limitation on June 30, 1987.".

Amend the title of the bill by deleting the second line and inserting: "authorizing the board of trustees to enter into certain agreements for the mortgage or sale of personal property and the purchase of real property; and providing other matters properly relating thereto.".

Amend the summary of the bill, first line, by deleting the period and inserting: "and allows board of trustees to enter into certain agreements concerning real or personal property.".

Assemblyman Nicholas moved that the Assembly concur in the Senate amendment to Assembly Bill No. 642.

Remarks by Assemblyman Nicholas.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 348.

The following Senate amendment was read:

Amendment No. 1340.

Amend sec. 4, page 2, by deleting line 26 and inserting: "forged [, expired or revoked;] or *is the expired or revoked credit card of another;*".

Amend sec. 4, page 2, line 34, by inserting an open bracket before "as".

Amend sec. 4, page 2, line 36, after "Where", by inserting: "] *by imprisonment in the state prison for not less than 1 year nor more than 10 years, or by a fine of not more than $10,000, or by both fine and imprisonment.*

2. Any person who, with intent to defraud, uses a credit card to obtain money, goods, property, services or anything of value where the credit card was issued in his name and which he knows is revoked or expired, shall be punished, where".

Amend sec. 4, page 2, line 38, by deleting "the" and inserting "[the".

Amend sec. 4, page 2, line 39, by deleting "ished" and inserting "ished]".

Amend sec. 4, page 2, by deleting line 42 and inserting:

"(b) Less than $100, [the violater shall be punished] for a misdemeanor.".

Assemblyman Stone moved that the Assembly concur in the Senate amendment to Assembly Bill No. 348.

Remarks by Assemblyman Stone.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 634.

The following Senate amendment was read:

Amendment No. 1329.

Amend section 1, page 2, line 6, by placing brackets around "a".

Amend section 1, page 2, by deleting line 27 and inserting: "between [each] *the respective classes or* series of each class, as to *designation, voting,*".

Amend sec. 4, page 6, by deleting lines 3 through 5 and inserting:

"[2. Any and all shares issued for the consideration prescribed or fixed, in accordance with the provisions of this section, shall be fully paid.]".

Amend sec. 5, page 6, line 7, after "restate" by inserting: ", *or amend and restate,*".

Assemblyman Stone moved that the Assembly concur in the Senate amendment to Assembly Bill No. 634.

Remarks by Assemblyman Stone.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 492.

The following Senate amendment was read:

Amendment No. 1339.

Amend sec. 3, page 2, after line 44, by inserting:

"(g) Vehicles which escort funeral processions.".

Amend sec. 3, page 3, line 1, by deleting "*(g)*" and inserting "*(h)*".

Amend sec. 3, page 3, line 5, by deleting "operation" and inserting "mounting".

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 becomes effective at 12:01 a.m. on July 1, 1985.".

Assemblyman Malone moved that the Assembly concur in the Senate amendment to Assembly Bill No. 492.

Remarks by Assemblyman Malone.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 660.

The following Senate amendments were read:

Amendment No. 1318.

Amend section 1, page 1, line 1, before "There", by inserting "1.".

Amend section 1, page 1, line 2, by deleting: "to grant to:" and inserting: "the sum of $25,000.".

Amend section 1, page 1, after line 2, by inserting:

"2. The commission on tourism shall transfer to the commission on economic development the sum of $200,000 each year for fiscal years 1985-1986 and 1986-1987.

3. The commission on economic development shall use the money appropriated by subsection 1 and transferred pursuant to subsection 2 to grant to:".

Amend section 1, page 1, line 3, by deleting "1." and inserting "(a)".

Amend section 1, page 1, line 5, by deleting "2." and inserting "(b)".

Amend section 1, page 1, line 8, by deleting "3." and inserting "(c)".

Amend section 1, page 1, after line 9, by inserting:

"(d) The City of Hawthorne for the refurbishing of the community center, the sum of $100,000.".

Amend the title of the bill to read as follows:

"An Act relating to the commission on economic development; making an appropriation for grants for certain local projects; transferring money from the commission on tourism to that commission for those grants; and providing other matters properly relating thereto.".

Amend the summary of the bill, first line, after "appropriations", by inserting: "and transfers certain money".

Amendment No. 1381.

Amend section 1, page 1, line 2, by deleting "25,000." and inserting "$425,000.".

Amend section 1, page 1, lines 3 and 4, by deleting: "commission on economic development" and inserting: "state general fund".

Amend section 1, page 1, line 7, by deleting: "and transferred pursuant to subsection 2".

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 becomes effective upon passage and approval.".

Amend the title of the bill, third line, by deleting: "that commission for those grants;" and inserting: "the state general fund;".

Amend the summary of the bill to read as follows: "Makes appropriation to commission on economic development for certain local projects and requires transfer of certain money to state general fund. (BDR S-1890)".

Assemblyman Marvel moved that the Assembly concur in the Senate amendments to Assembly Bill No. 660.

Remarks by Assemblyman Marvel.

Motion carried.

Bill ordered enrolled.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Francis moved that Senate Bill No. 163 be taken from the Chief Clerk's desk and placed on the Second Reading File immediately following Senate Bill No. 121.

Motion carried.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 372.

The following Senate amendment was read:

Amendment No. 1205.

Amend the bill as a whole by renumbering section 2 as section 5 and adding new sections designated sections 2 through 4, following section 1, to read as follows:

"Sec. 2. There is hereby appropriated from the state general fund to the department of museums and history the sum of $50,000 to conduct a study of possible alternatives for the use of the Union Pacific Railroad line located between Henderson, Nevada and Boulder City, Nevada.

Sec. 3. The department of museums and history shall:

1. Offer its services to and cooperate with the White Pine Historical Railroad Foundation in carrying out the project described in section 1 of this act; and

2. Oversee the development of the project and any expenditures made therefor.

Sec. 4. Any remaining balance of the appropriation made by section 2 of this act must not be committed for expenditure after June 30, 1987, and reverts to the state general fund as soon as all payments of money committed have been made.".

Amend the title of the bill, second line, after "railroad;", by inserting: "making an appropriation to the department of museums and history for the study of alternatives for the use of a portion of the Union Pacific Railroad line;".

Amend the summary of the bill to read as follows: "Makes appropriations to White Pine Historical Railroad Foundation and department of museums and history. (BDR S-1795)".

Assemblyman Humke moved that the Assembly concur in the Senate amendment to Assembly Bill No. 372.

Remarks by Assemblyman Humke.

Motion carried.

Bill ordered enrolled.

REFERENCE OF MEASURES TO COMMITTEES

Assembly Bill No. 726.

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

Motion carried.

Assembly Bill No. 727.

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

Motion carried.

Assembly Concurrent Resolution No. 56.

Assemblyman Francis moved that the resolution be referred to the Committee on Government Affairs.

Motion carried.

Senate Bill No. 56.

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

Motion carried.

Senate Bill No. 380.

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

Motion carried.

Senate Bill No. 382.

Assemblyman Francis moved that the bill be referred to the Concurrent Committees on Ways and Means and Taxation.

Motion carried.

Senate Bill No. 463.

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

Motion carried.

Senate Bill No. 490.

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

Motion carried.

Senate Bill No. 498.

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

Motion carried.

Senate Bill No. 503.

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

Motion carried.

Senate Bill No. 512.

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

Motion carried.

Senate Bill No. 513.

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

Motion carried.

Senate Bill No. 514.

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

Motion carried.

Senate Concurrent Resolution No. 3.

Assemblyman Francis moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

Senate Concurrent Resolution No. 33.

Assemblyman Francis moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

Senate Concurrent Resolution No. 34.

Assemblyman Francis moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

Senate Concurrent Resolution No. 43.

Assemblyman Francis moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

Senate Concurrent Resolution No. 45.

Assemblyman Francis moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

Senate Concurrent Resolution No. 47.

Assemblyman Francis moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

Senate Concurrent Resolution No. 53.

Assemblyman Francis moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

Senate Concurrent Resolution No. 59.

Assemblyman Francis moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

Senate Concurrent Resolution No. 60.

Assemblyman Francis moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

Senate Concurrent Resolution No. 62.

Assemblyman Francis moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

Senate Concurrent Resolution No. 63.

Assemblyman Francis moved that the resolution be referred to the Committee on Ways and Means.

Motion carried.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 627.

The following Senate amendment was read:

Amendment No. 1304.

Amend section 1, page 2, by deleting line 10 and inserting:

"3. The [Nevada tax commission] *interim finance committee* may direct the state controller to".

Amend section 1, page 2, by deleting line 14 and inserting: "basic services for which it was created [.] , *but:*

(a) Until the balance in the fund reaches $7,500,000 no such distribution may be made; and

(b) The next $2,500,000 transferred into the fund is available for distribution pursuant to this subsection.

In making such a determina-".

Amend section 1, page 2, line 15, by deleting "tax commission" and inserting: "[tax commission] *committee*".

Amend section 1, page 2, line 17, by deleting "tax commission" and inserting: "[tax commission] *committee*".

Amend section 1, page 2, by deleting lines 22 through 24 and inserting: "probable, and events of an uncommon nature, such as judgments and other uninsured losses or] *a decrease in total revenue of at least 5 percent, and* natural disasters. The [tax commission] *committee* shall consider the general eco-".

Amend the bill as a whole by renumbering section 2 as section 3 and adding a new section designated as section 2, following section 1, to read as follows:

"Sec. 2. NRS 354.5988 is hereby amended to read as follows:

354.5988 1. If actual receipts from the supplemental city-county relief tax for any fiscal year exceed the estimate previously made by the executive director of the department of taxation, the excess receipts must be deposited in the reserve fund for the supplemental city-county relief tax which is hereby created in the state treasury. There must also be deposited in this fund any proceeds of that tax which become available when for any local government the supplemental city-county relief tax otherwise distributable to it exceeds the combined amount allowable to it from the supplemental city-county relief tax and taxes ad valorem. Money in this fund must not be used for any purpose other than distribution to local governments pursuant to this section. The interest earned upon the money in the fund must be added to the principal of the fund.

2. The money in this fund must be used to increase the distribution to

local governments when the actual receipts from the supplemental city-county relief tax are less than the estimates previously made by the director of the department of taxation. Whenever the money in the fund at the beginning of any fiscal year exceeds [$10,000,000,] *$12,500,000* this excess must be distributed to local governments in the following fiscal year in the same proportion as current receipts are distributed for that fiscal year, except that the distribution to each local government must be so limited that it does not receive from this distribution, from distributions pursuant to NRS 377.057 and from taxes ad valorem a total amount greater than its maximum allowable combined revenue. This distribution must be included in the executive director's estimate of money to be received by each local government from the supplemental city-county relief tax.

3. The interim finance committee may direct the state controller to make a special distribution from the fund if it determines that 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, but:

(a) Until the balance in the fund reaches [$7,500,000] *$10,000,000* no such distribution may be made; and

(b) The next $2,500,000 transferred into the fund is available for distribution pursuant to this subsection.

In making such a determination, the committee shall consider the recommendation of the executive director of the department of taxation. The executive director and the committee shall consider, without limitation, the effect of a sudden and unusual decrease in population served, a decrease in total revenue of at least 5 percent, and natural disasters. The committee shall consider the general economic condition of the community and of the state and the effect of each proposal on the taxpayer, and make written findings of the facts supporting the distribution. The total amount which may be distributed pursuant to this subsection must not exceed 25 percent of the amount in the fund at the beginning of that fiscal year.''.

Amend sec. 2, page 2, by deleting line 30 and inserting:

''Sec. 3. 1. This section and section 1 of this act become effective upon passage and approval.

2. Section 2 of this act becomes effective on July 1, 1987.''.

Assemblyman Joerg moved that the Assembly do not concur in the Senate amendment to Assembly Bill No. 627.

Remarks by Assemblyman Joerg.

Motion carried.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman DuBois moved that Assembly Bill No. 285 be taken from the Second Reading File and placed on the Chief Clerk's desk.

Remarks by Assemblyman DuBois.

Motion carried.

Assemblyman Dini moved that Senate Bill No. 64 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Dini.

Motion carried.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 387.

The following Senate amendment was read:

Amendment No. 1223.

Amend section 1, page 1, line 12, after "*years*"', by inserting *"practical"*.

Assemblyman Getto moved that the Assembly concur in the Senate amendment to Assembly Bill No. 387.

Remarks by Assemblyman Getto.

Motion carried.

Bill ordered enrolled.

SECOND READING AND AMENDMENT

Assembly Bill No. 497.

Bill read second time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1360.

Amend the bill as a whole by adding new sections designated sections 2 and 3, following section 1, to read as follows:

"Sec. 2. There is hereby appropriated from the state general fund to the buildings and grounds division of the department of general services the sum of $77,937 for the payment of increased charges by Carson City as a result of section 1 of this act.

Sec. 3. This act becomes effective January 1, 1987.".

Amend the title of the bill, second line, after "system;", by inserting: "making an appropriation;".

Assemblyman Marvel moved the adoption of the amendment.

Remarks by Assemblyman Marvel.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 121.

Bill read second time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1344.

Amend section 1, page 1, line 1, by deleting "1." before "There".

Amend section 1, page 1, line 2, by deleting "$10,000,000" and inserting "$7,000,000".

Amend section 1, page 1, line 8, by deleting: "subsection 2 of this section and section 2" and inserting "section 3".

Amend section 1, page 1, after line 9, by inserting:

"Sec. 2. 1. There is hereby appropriated from the state general fund to the department of education the sum of $3,000,000 for distribution to county school districts for the purchase of equipment for programs of vocational education.

2. Except as otherwise provided in subsection 3, the money distributed pursuant to this section must be distributed in a ratio of $100 from this appropriation for the respective amount listed for each school district, in cash or in kind, obtained from private sources for the purchase of equipment for programs of vocational education:

School District	Matching Amount Required
Esmeralda	$5.00
Eureka	5.00
Lander	5.00
Lincoln	5.00
Mineral	5.00
Pershing	5.00
Storey	5.00
White Pine	5.00
Churchill	7.50
Humboldt	7.50
Lyon	7.50
Nye	7.50
Carson City	12.50
Douglas	12.50
Elko	12.50
Clark	20.00
Washoe	20.00

3. If the state board of education determines that a particular school district has attempted in good faith to raise the required amount of matching money and is unable to do so, the board may waive a portion of the required amount and distribute the money to the school district.".

Amend section 1, page 1, by deleting line 10 and inserting:

"Sec. 3. 1. Any money allocated to a school district pursuant to section 1 or 2 of this act must".

Amend section 1, page 1, line 13, by deleting "subsection 1." and inserting "those sections.".

Amend sec. 2, page 1, line 14, by deleting "Sec. 2." and inserting "2.".

Amend sec. 2, page 1, line 15, after "1", by inserting "or 2".

Amend the bill as a whole by renumbering sections 3 through 6 as sections 4 through 7.

Amend sec. 3, page 2, line 1, after "1", by inserting "or 2".

Amend sec. 3, page 2, line 4, by deleting: "section 1 of this act" and inserting "those sections".

Amend sec. 5, page 2, line 16, by deleting "appropriation" and inserting "appropriations".

Amend sec. 5, page 2, line 17, by deleting "tion 1" and inserting: "tions 1 and 2".

Amend the title of the bill, second line, after "programs", by deleting the semicolon and inserting: "and the purchase of equipment for vocational education;".

Assemblyman Marvel moved the adoption of the amendment.

Remarks by Assemblyman Marvel.

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 4:29 p.m.

ASSEMBLY IN SESSION

At 4:30 p.m.

Mr. Speaker pro Tempore presiding.

Quorum present.

SECOND READING AND AMENDMENT

Senate Bill No. 163.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 1267.

Amend sec. 6, page 2, lines 11 and 12, by deleting: ", *modification of behavior and hypnosis.*" and inserting: "*and modification of behavior.*".

Amend sec. 10, page 2, line 36, by deleting "*employed*" and inserting "*certified*".

Amend sec. 31, page 7, by deleting lines 23 through 26 and inserting:

"641.020 As used in this chapter, unless the context otherwise requires [:".

Amend sec. 31, page 8, by deleting lines 3 and 4 and inserting: "remuneration.] , *the words and terms defined in sections 2 to 9, inclusive, of*".

Amend sec. 33, page 8, by deleting lines 16 through 28 and inserting:

"641.220 1. To renew a certificate issued pursuant to this chapter, each person must, on or before the first day of January of each odd-numbered year:

(a) Apply to the board for renewal;

(b) Pay the biennial [registration fee set by the board;] *fee for registration;* and

(c) Submit evidence to the board of his completion of the requirements for continuing education.

2. The board shall, as a prerequisite for the renewal of a certificate, require each holder to comply with the requirements for continuing education adopted by the board.".

Amend the bill as a whole by adding a new section designated section 48, following section 47, to read as follows:

"Sec. 48. Section 33 of this act becomes effective:

1. At 12:01 a.m. on July 1, 1985, to facilitate the adoption of any necessary regulations and for other administrative matters.

2. At 12:01 a.m. on July 1, 1986, to impose the requirements for continuing education as a prerequisite for the renewal of any license on or after that date.".

Assemblyman Francis moved the adoption of the amendment.

Remarks by Assemblymen Francis, Ham, DuBois, Jeffrey, Williams and Schofield.

Assemblyman Schofield moved that Senate Bill No. 163 be taken from the Second Reading File and placed on the Chief Clerk's desk.

Remarks by Assemblymen Schofield, Francis, Williams and DuBois.

Assemblyman Francis moved that Assemblyman Schofield's motion be amended and that Senate Bill No. 163 be taken from its position on the Second Reading File and placed at the bottom of the Second Reading File.

Assemblyman Schofield withdrew his motion.

Remarks by Assemblymen Price, DuBois, Jeffrey, Thompson and Williams.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 345.

Bill read second time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1374.

Amend sec. 12, page 2, by deleting line 37 and inserting: "*from that office for cause.*".

Assemblyman Marvel moved the adoption of the amendment.

Remarks by Assemblyman Marvel.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 368.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1387.

Amend sec. 2, page 1, line 15, by inserting an open bracket before: "of the appointment".

Amend sec. 2, page 1, line 16, by deleting "[shall] *must*" and inserting "shall".

Amend sec. 2, page 2, line 1, by deleting "newspaper , [;]" and inserting "newspaper;".

Amend sec. 2, page 2, line 3, by deleting "[shall] *must*" and inserting "shall".

Amend sec. 2, page 2, line 7, by deleting: "publication , [;]" and inserting "publication;".

Amend sec. 2, page 2, lines 8 and 9, by deleting "[shall] *must*" and inserting "shall".

Amend sec. 2, page 2, line 10, by deleting: [() , *including* both" and inserting "(both".

Amend sec. 2, page 2, line 11, by deleting ", [being included)]" and inserting "being included)".

Amend sec. 2, page 2, line 13, by deleting the open bracket.

Amend sec. 4, page 2, line 42, by deleting the closed bracket.

Amend sec. 4, page 2, by deleting line 43, and inserting: "or administrator shall publish notice] *Notice must be given* to creditors in the man-".

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. 381.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1375.

Amend sec. 13, page 6, line 1, after "practicing" by inserting: "in the State of Nevada".

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. 438.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 1377.

Amend section 1, page 1, line 3, after "administrator" by inserting: ", for good cause shown,".

Amend sec. 6, page 3, line 43, by deleting: "Sections 1, 2 and 4 of this act expire" and inserting: "Section 1 of this act expires".

Assemblyman DuBois moved the adoption of the amendment.

Remarks by Assemblyman DuBois.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 439.

Bill read second time.

The following amendment was proposed by the Committee on Elections:
Amendment No. 1378.

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, following the enacting clause, to read as follows:

"Section 1. NRS 293.177 is hereby amended to read as follows:

293.177 1. Except as provided in NRS 293.165, no name may be printed on a ballot to be used at a primary election unless the person named has filed a declaration of candidacy, or an acceptance of a candidacy, and paid the fee required by NRS 293.193 not earlier than January 1 of the year in which the election is to be held nor later than 5 p.m. of the 1st Wednesday in [July.] *June.*

2. A declaration of candidacy or an acceptance of a candidacy required to be filed by this section must be in substantially the following form:

DECLARATION OF CANDIDACY OF.....FOR THE OFFICE OF.....

STATE OF NEVADA)
) ss.
COUNTY OF.....)

For the purpose of having my name placed on the official primary ballot as a candidate for the.....Party nomination for the office of.....
....., I, the undersigned.....,
do swear (or affirm) that I reside at No....., ...
Street, in the City (or Town) of ....., County of.....,
State of Nevada; that I am a registered voter of the election precinct in which I reside; that my actual, as distinguished from constructive, residence therein began on a date 30 days or more prior to the date of close of filing of declarations of candidacy for this office; that I am registered as a member of the.....Party; that I have not changed the designation of my political party affiliation on an official affidavit of registration in any state since September 1 prior to the closing filing date for this election; that I generally believe in and intend to support the concepts found in the principles and policies of such political party in the coming election; that if nominated as a nonpartisan candidate or as a candidate of the.....Party at the ensuing election I will accept such nomination and not withdraw; that I will not knowingly violate any election law or any law defining and prohibiting corrupt and fraudulent practice in campaigns and elections in this state; and that I will qualify for the office if elected thereto; and my name shall appear on all ballots as here designated.

.....
(Designation of name)

.....
(Signature of candidate for office)

Subscribed and sworn to before
me this .....day of ....., 19.....

.....

Notary Public (or other officer
authorized to administer an oath)

3. A person may be a candidate under the name by which he is a voter, or under any other name which he has borne and by which he is known in the community where he resides.

4. The party designation in nonpartisan elections must not be shown on the declaration of candidacy.".

Amend section 1, page 1, by deleting lines 4 through 8 and inserting: "at the polling place on election day. [Such ballot shall] *The ballot must* be prepared and ready for distribution not later than [25 days prior to the election] *:*

(a) Twenty-five days before a general election in which it is to be used [.] *;*

(b) Twenty-five days before a primary election for persons who reside within the boundaries of the United States; or

(c) Forty-five days before a primary election for persons who do not reside within the boundaries of the United States.".

Amend the title of the bill, first line, after "elections;", by inserting: "advancing the date to file a declaration or acceptance of candidacy;".

Assemblyman Ham moved the adoption of the amendment.

Remarks by Assemblyman Ham.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 499.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 1264.

Amend section 1, page 1, line 2, by deleting: "No person may" and inserting: "[No person may] *A person shall not*".

Amend section 1, page 1, line 7, by deleting: "no person may" and inserting: "[no person may] *a person shall not*".

Amend section 1, page 2, line 16, by deleting "*may*" and inserting "*does*".

Amend section 1, page 2, line 17, after "*annuity.*", by inserting: "*In such a case, the fee must be set forth in a written contract signed by the client before the consultation begins.*".

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. 510.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:
Amendment No. 1392.

Amend sec. 8, page 5, line 6, after "*act.*", by inserting:

"*3. If the court does not find sufficient grounds to authorize a physician to perform the abortion, it shall enter an order to that effect within 1 judicial day after the interview. If the court does not enter an order either authorizing or denying the performance of the abortion within 1 judicial day after the interview, authorization shall be deemed to have been granted.*

4.".

Amend the bill as a whole by deleting sections 13 and 14.

Assemblyman O'Donnell moved the adoption of the amendment.

Remarks by Assemblymen O'Donnell, Swain and Stone.

Assemblyman Sader requested that Assemblyman Swain's remarks be entered in the Journal.

I rise in opposition to Amendment 1392 to S.B. 510 specifically because of the deletion of Section 13 which appropriates $20,000 to employ outside counsel for any litigation arising as a result of this act.

In 1981 this legislative body passed a similar bill which was challenged successfully in the courts. An injunction was then placed on our abortion statutes. That action cost the taxpayers of this state $50,000. I know for a fact that a lawyer has already been hired to handle the constitutional attack on this bill and that the case is already being prepared.

The author of this bill recognized that possibility and quite appropriately attached $20,000 to the bill to pay for its defense. Twenty thousand dollars will not even begin to cover the costs that will be incurred in the forthcoming battle. I suggest to you that the removal of the $20,000 appropriation is merely a bit of political maneuvering designed to avoid the necessity of sending this bill to our Ways and Means Committee where it rightfully belongs.

If the proponents of S.B. 510 think that by removing Section 13 they are eliminating the fiscal impact of this bill, they are sorely mistaken. We heard testimony in committee that 517 minors received abortions in this state in 1984. If only half of that number needed court appointed counsel as per Section 2, at the probably insufficient rate of $400 per occurrence the cost to the counties would be $114,800.

I submit to you that the $20,000 appropriation belongs in this bill and I urge you to defeat this amendment.

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 4:58 p.m.

ASSEMBLY IN SESSION

At 5:10 p.m.

Mr. Speaker presiding.

Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Dini moved that Senate Bill No. 64 be taken from the Chief Clerk's desk and placed on the General File.

Remarks by Assemblyman Dini.
Motion carried.

Assemblyman Bergevin moved that Senate Bill No. 332 be placed on the Second Reading File.
Motion carried.

Assemblyman Francis moved that Assembly Bill No. 485 and Senate Bill No. 478 be placed on the Second Reading File.
Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Ways and Means, to which was referred Assembly Bill No. 540, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN MARVEL, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which was referred Senate Bill No. 515, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN MARVEL, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which was re-referred 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.

JAMES STONE, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 31, 1985

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 107, 312, 579, 610, 653, 655.

Also, I have the honor to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolutions Nos. 38, 42.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bill No. 471.

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. 136, 139, 272, 376.

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. 185, 283, 460.

MARY JO MONGELLI
Assistant Secretary of the Senate

INTRODUCTION AND FIRST READING OF LEGISLATION

Senate Bill No. 471.
Bill read first time.

REFERENCE OF MEASURES TO COMMITTEES

Senate Bill No. 471.

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

Motion carried.

SECOND READING AND AMENDMENT

Senate Bill No. 332.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 1410.

Amend sec. 3, page 2, line 33, after "as", by inserting: "otherwise provided in section 1 of [this act] *Assembly Bill No. 491 of this session* or as".

Amend sec. 3, page 3, line 5, by deleting: "a longer period" and inserting "more".

Amend sec. 3, page 3, line 12, by deleting: "12-month period." and inserting: "12 months for which data were available when the application was prepared.".

Amend sec. 3, page 3, line 16, by deleting: "most recent 12 consecutive".

Amend sec. 3, page 3, by deleting line 17 and inserting: "same 12 months, adjusted for".

Amend sec. 3, page 3, line 19, by deleting "depreciation expenses," and inserting: "expenses for depreciation,".

Amend sec. 3, page 3, lines 22 and 23, by deleting: "the actual 12-month results of operations [;] ," and inserting: "those 12 months,".

Amend sec. 3, page 3, line 26, by deleting "depreciation expenses," and inserting: "expenses for depreciation,".

Amend sec. 3, page 3, line 29, by deleting "certification period" and inserting: "period for certification".

Amend sec. 3, page 3, line 36, after "4.", by inserting: "*In addition to changes in revenue, expenses and costs which have been experienced, the commission may consider estimated revenues, expenses, investments and costs of capital for a future period of operation. The estimates must be calculated on an annual basis to provide in prospective rates, to the extent possible, for the recovery of costs which the utility will incur after the rates become effective. The estimated rate base must include the average for the plant and property used and useful in providing service during the future period of operation.*

5.".

Amend sec. 3, page 3, line 44, by deleting "5." and inserting "[5.] *6.*".

Amend sec. 3, page 4, line 3, by deleting "[allow] *order*" and inserting "allow".

Amend sec. 3, page 4, by deleting line 10 and inserting:

"[6.] *7.* Except as provided in subsection [7] *8* or in section 1 of [Senate Bill No. 290,] *chapter 180, Statutes of Nevada 1985,*".

Amend sec. 3, page 4, line 11, by deleting "180, Statutes of Nevada 1985".

Amend sec. 3, page 4, line 15, by deleting "rate increases" and inserting: "increases in rates".

Amend sec. 3, page 4, line 20, by deleting "7." and inserting "[7.] *8.*".

Amend sec. 7, page 6, line 1, by deleting "12:01" and inserting "12:02".

Amend the title of the bill, second line, after "utilities;", by inserting: "authorizing the use of future estimates in determining rates;".

Assemblyman Bergevin moved the adoption of the amendment.

Remarks by Assemblymen Bergevin and Price.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 485.

Bill read second time.

The following amendment was proposed by Assemblyman Ham:

Amendment No. 1419.

Amend section 1, page 1, by deleting lines 3 through 20 and inserting: "*Each contract for the sale of real property on which is located a well registered with the state engineer for the development and use of underground water for domestic purposes must include a provision which states that the state engineer may require the well to be plugged pursuant to the provisions of NRS 534.180.*".

Amend sec. 2, page 2, line 2, after "*2*", by inserting ", *3*".

Amend sec. 2, page 2, line 3, by deleting "*3*" and inserting "*4*".

Amend sec. 2, page 2, by deleting line 16 and inserting:

"3. *The state engineer may require the plugging of such a well if water can be furnished to the site by a political subdivision of this state or a public utility whose rates and service are regulated by the public service commission of Nevada if:*

(a) Water from the well becomes unfit to drink; or

(b) The well fails to function and needs to be replaced or deepened.

4. The".

Amend sec. 2, page 2, line 25, by deleting "4." and inserting "[4.] *5.*".

Amend the title of the bill to read as follows:

"An Act relating to underground water; requiring notice to be given to a purchaser of real property concerning the authority of the state engineer to prohibit use of domestic wells; extending circumstances under which the state engineer may prohibit the use of a domestic well; and providing other matters properly relating thereto.".

Amend the summary of the bill to read as follows: "Revises provisions concerning use of domestic wells for underground water. (BDR 48-1301)".

Assemblyman Ham moved the adoption of the amendment.

Remarks by Assemblyman Ham.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 478.

Bill read second time.

The following amendment was proposed by the Committee on Legislative Functions:

Amendment No. 1412.

Amend section 1, page 2, line 2, by deleting "travel" and inserting "[travel]".

Amend section 1, page 2, line 4, by deleting "; and" and inserting: "[; and] *for:*

(1) His actual expenses in moving, to and from Carson City for the session; and

(2) Travel to and from his home or temporary residence or for traveling to and from legislative committee and subcommittee meetings or hearings or for individual travel within the state which relates to legislative business, computed at the rate of 27 cents per mile; and".

Amend section 1, page 2, lines 5 and 6, by deleting "legislature, for" and inserting: "legislature [,] for".

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 Taxation, to which were referred Assembly Bills Nos. 164, 555, 556, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

CHARLES W. JOERG, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which was referred Senate Bill No. 191, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN MARVEL, *Chairman*

UNFINISHED BUSINESS

REPORTS OF CONFERENCE COMMITTEES

Mr. Speaker:

The first Committee on Conference concerning Senate Bill No. 312, consisting of the undersigned members, has met, and reports that:

It has agreed to recommend that the amendment of the Assembly be concurred in.

BOB L. KERNS	ALAN H. GLOVER
GENE COLLINS	JAMES H. BILBRAY
ROBERT E. PRICE	KENNETH K. REDELSPERGER
Assembly Committee on Conference	*Senate Committee on Conference*

Assemblyman Kerns moved that the Assembly adopt the report of the first Committee on Conference concerning Senate Bill No. 312.

Remarks by Assemblyman Kerns.

Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 199.

Bill read third time.

Remarks by Assemblymen Thompson, Dini, Kerns and Beyer.

Roll call on Senate Bill No. 199:

YEAS—32.

NAYS—DuBois, Horne, Lambert, Little, Malone, O'Donnell, Roberts, Stone, Zimmer—9.

Absent—Sedway.

Senate Bill No. 199 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 Roberts.

Roll call on Senate Bill No. 252:

YEAS—41.

NAYS—None.

Absent—Sedway.

Senate Bill No. 252 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 267.

Bill read third time.

Remarks by Assemblyman Thomas.

Roll call on Senate Bill No. 267:

YEAS—41.

NAYS—None.

Absent—Sedway.

Senate Bill No. 267 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 321.

Bill read third time.

Remarks by Assemblyman Banner.

Roll call on Senate Bill No. 321:

YEAS—39.
NAYS—Stone.
Absent—Sedway.
Not voting—Coffin.

Senate Bill No. 321 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 394.

Bill read third time.

Remarks by Assemblyman Zimmer.

Roll call on Senate Bill No. 394:

YEAS—38.
NAYS—Bergevin, Little, O'Donnell—3.
Absent—Sedway.

Senate Bill No. 394 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 455.

Bill read third time.

Remarks by Assemblyman Stone.

Roll call on Senate Bill No. 455:

YEAS—41.
NAYS—None.
Absent—Sedway.

Senate Bill No. 455 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 465.

Bill read third time.

Remarks by Assemblymen Bergevin and Price.

Roll call on Senate Bill No. 465:

YEAS—41.
NAYS—None.
Absent—Sedway.

Senate Bill No. 465 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 507.

Bill read third time.

Remarks by Assemblyman Jeffrey.

Roll call on Senate Bill No. 507:

YEAS—41.
NAYS—None.
Absent—Sedway.

Senate Bill No. 507 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Joint Resolution No. 37.

Resolution read third time.

Remarks by Assemblymen Rader, Sader, Humke, Craddock and DuBois.

Assemblyman Humke requested that the following remarks be entered in the Journal.

ASSEMBLYMAN RADER:

This was a close call for me when we had the vote the first time. I accepted the policy arguments for and against it on both sides. But after I voted it was called to my attention by some former legislators, both of them of the Democratic persuasion, that this body has worked for a long time to become a co-equal partner in government. And the abuses that exist on the federal level between the legislative and executive branch, and perhaps in the big industrial states, simply doesn't exist here and the bill is not really needed. We heard all the testimony about the governor's influence and powers with the budget. The bottom line for me was when I reexamined my position because I really believe I can do a better job of representing my district if I've got this vote and the governor doesn't have the line item veto.

ASSEMBLYMAN SADER:

I also rise in opposition to S.J.R. 37. I think S.J.R. 37 represents a fundamental shift in the power between the executive branch and the legislative branch. As such, all of us as legislators should take a close look at this bill for what we are here to do, and constitutionally authorized, which is to set taxes and levels of state and local government spending. Setting local and state government spending is probably as important and effective means to exercise power given to us by the constitution that the legislative branch has. This bill gives away part of that power by giving the power of selective veto to the governor. This is not just over the budget, however, because the power of selective veto also gives any governor a tremendous amount of leverage over any legislation he cares about in these halls. As such, it really shifts fundamentally much of the power reserved to us to the governor because of the leverage given for selective vetos.

I believe some proponents of this bill honestly believe it will aid in fiscal responsibility because of the problem we see on the federal level with Congress particularly on costly riders on unassociated bills allowing for excess spending and large budget deficits. This, however, is not the situation in the State of Nevada. It is not the situation for several reasons. First, we have a constitutional requirement to balance our budget. Second, this, as well as allowing for the governor to reduce budgets, it could also allow the governor to increase budgets by withholding money the legislature thinks is important in order to get increases in other budgets. This would also allow any governor, whether Democrat or Republican, whether he is a conservative or liberal, beyond the philosophical, into the institutional to exercise more power than he should have.

Nevada already has a situation in which the governor makes our budgets. The governor controls who is going to testify. The governor controls what that person is going to say. Now, we are going to give the governor the ability to actually veto what we do. In doing so, we, I think, as citizens who do not have a staff of citizen legislators give to a professional governor with a great deal of staff, the kind of power that he should not have and that the constitution does not contemplate. If you believe that we have a fundamental differentiation between the legislative and the judicial branches; if you believe that we should keep that distinction; if you think we have checks and balances that preserve that power, then you should vote against this bill.

Roll call on Senate Joint Resolution No. 37:

YEAS—7.

NAYS—Arberry, Beyer, Coffin, Collins, Dini, DuBois, Fairchild, Francis, Getto, Ham, Horne, Humke, Jeffrey, Joerg, Little, McGaughey, Malone, Marvel, Nevin, Nicholas, O'Donnell, Price, Rader, Roberts, Sader, Schofield, Stone, Swain, Tebbs, Thomas, Thompson, Williams, Zimmer, Mr. Speaker—34.

Absent—Sedway.

Senate Joint Resolution No. 37 having failed to receive a constitutional majority, Mr. Speaker declared it lost.

Senate Bill No. 39.

Bill read third time.

Remarks by Assemblyman Williams.

Roll call on Senate Bill No. 39:

YEAS—41.

NAYS—None.

Absent—Sedway.

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. 128.

Bill read third time.

Remarks by Assemblyman Tebbs.

Roll call on Senate Bill No. 128:

YEAS—39.

NAYS—None.

Absent—Sedway.

Not voting—Marvel, Price—2.

Senate Bill No. 128 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 130.

Bill read third time.

Remarks by Assemblyman Kerns.

Roll call on Senate Bill No. 130:

YEAS—41.

NAYS—None.

Absent—Sedway.

Senate Bill No. 130 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 383.

Bill read third time.

Remarks by Assemblyman Williams.

Roll call on Senate Bill No. 383:

YEAS—41.

NAYS—None.

Absent—Sedway.

Senate Bill No. 383 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 27.

Bill read third time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 1350.

Amend sec. 3, page 2, line 37, by deleting the period and inserting: ", or 10 days after the next examination conducted by the board, whichever is later.".

Assemblyman Thomas moved the adoption of the amendment.

Remarks by Assemblyman Thomas.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 494.

Bill read third time.

Remarks by Assemblyman Kerns.

Roll call on Senate Bill No. 494:

YEAS—41.

NAYS—None.

Absent—Sedway.

Senate Bill No. 494 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 68.

Bill read third time.

The following amendment was proposed by Assemblyman Jeffrey:

Amendment No. 1370.

Amend the bill as a whole by adding a new section designated section 3, following section 2, to read as follows:

"Sec. 3. 1. There is hereby appropriated from the state general fund to the department of prisons for the purpose of paying employees who are required to travel to and from the Southern Nevada Correctional Center or the Southern Desert Correctional Center the sum of $3 per day for such travel:

For the fiscal year 1985-86 ..... $250,000

For the fiscal year 1986-87 250,000

Any balance of the sums appropriated by this section remaining at the end of the respective fiscal years must not be committed for expenditure after

June 30 and reverts to the state general fund as soon as all payments of money committed have been made.''.

Amend the title of the bill, second line, after ''prospective employees;'' by inserting: ''making an appropriation;''.

Assemblyman Jeffrey moved the adoption of the amendment.

Remarks by Assemblymen Jeffrey, Marvel, Getto, Thompson, Horne, Banner, Fairchild, Price, Craddock and Schofield.

Assemblymen Schofield, Jeffrey and Roberts requested a roll call on Assemblyman Jeffrey's motion.

Roll call on Assemblyman Jeffrey's motion:

YEAS—23.

NAYS—Bergevin, Beyer, Bogaert, Francis, Getto, Ham, Horne, Joerg, Kerns, Lambert, McGaughey, Marvel, O'Donnell, Spriggs, Stone, Tebbs, Zimmer, Mr. Speaker—18.

Absent—Sedway.

The motion having received a majority, Mr. Speaker declared the amendment adopted.

Assemblyman Marvel moved that Senate Bill No. 68 be re-referred to the Committee on Ways and Means.

Assemblymen Schofield, Jeffrey and Thompson requested a roll call on Assemblyman Marvel's motion.

Roll call on Assemblyman Marvel's motion:

YEAS—22.

NAYS—Arberry, Banner, Coffin, Collins, Craddock, Dini, DuBois, Fairchild, Jeffrey, Little, Malone, Nevin, Price, Roberts, Sader, Schofield, Swain, Thompson, Williams—19.

Absent—Sedway.

The motion having received a majority, Mr. Speaker declared it carried.

Bill ordered reprinted, re-engrossed and to the Committee on Ways and Means.

Senate Bill No. 481.

Bill read third time.

Remarks by Assemblyman Bergevin.

Roll call on Senate Bill No. 481:

YEAS—40.

NAYS—Stone.

Absent—Sedway.

Senate Bill No. 481 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Francis moved that Assembly Bills Nos. 164, 540, 555, 556; Senate Bill No. 191 be placed on the Second Reading File.

Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 511.

Bill read third time.

Remarks by Assemblyman Marvel.

Roll call on Senate Bill No. 511:

YEAS—40.

NAYS—Sader.

Absent—Sedway.

Senate Bill No. 511 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 64.

Bill read third time.

Remarks by Assemblyman Banner.

Assemblyman Humke requested that Assemblyman Banner's remarks be entered in the Journal.

ASSEMBLYMAN BANNER:

S.B. 64, second reprint, has been around here since January 30. It provides provision to NRS 630. These are the statutes related to physicians and physician assistants and is sometimes called the Medical Practice Act. This regulates the licensing and disciplining of physicians and physician assistants in the State of Nevada. The major changes proposed are:

1. Standardization of competency level of practicing physicians through uniform qualifications for licensure.
2. Making disciplinary procedures against physicians more efficient from the initial investigation through the adjudication of complaints.
3. Monitoring the ongoing maintenance of physician competency through the requirement of continuing medical education.
4. Eliminating inconsistent and contradictory segments of NRS 630 which are a result of years of amendments to NRS 630.
5. Enlarging the Board of Medical Examiners and thus increasing the percentage of lay involvement.

This bill has been around here a long time. It has been lobbied all over the place and we have had considerable hearings. I'm sure everybody in here knows how they are going to vote.

Roll call on Senate Bill No. 64:

YEAS—41.

NAYS—None.

Absent—Sedway.

Senate Bill No. 64 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. 164.

Bill read second time.

The following amendment was proposed by the Committee on Taxation:

Amendment No. 1430.

Amend section 1, page 1, line 4, by deleting the brackets.

Amend section 1, page 1, line 6, by deleting the open bracket.

Amend section 1, page 1, by deleting line 7 and inserting: "1, [1985.] *1987.*".

Amend sec. 2, page 1, line 16, by deleting the open bracket.

Amend sec. 2, page 1, line 17, by deleting "1986,]" and inserting "[1986,] *1988,*".

Amend sec. 2, page 1, line 19, by deleting the open bracket.

Amend sec. 2, page 1, by deleting line 20 and inserting: "ber of [1986] *1988* is due on July 31, [1986,] *1988,* and must be based on the".

Amend sec. 2, page 1, line 21, by deleting "1986.]" and inserting "[1986.] *1988.*".

Amend sec. 3, page 2, by deleting line 4 and inserting:

"Sec. 7. 1. This section and sections 1, 3 and 6 of this".

Amend sec. 3, page 2, line 6, by deleting the open bracket.

Amend sec. 3, page 2, line 7, by deleting "1985." and inserting "[1985.] *1987.*".

Amend sec. 3, page 2, by deleting line 9 and inserting "1, [1986.".

Amend sec. 3, page 2, by deleting line 11 and inserting "1986.] *1988.*".

Amend sec. 4, page 2, line 18, by deleting the open bracket.

Amend sec. 4, page 2, by deleting line 19 and inserting "[1985.] *1987.*".

Amend the bill as a whole by deleting section 5.

Amend the title of the bill, first line, by deleting "repealing" and inserting "temporarily postponing".

Amend the summary of the bill by deleting "Repeals" and inserting "Temporarily postpones".

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. 540.

Bill read second time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1431.

Amend section 1, page 1, line 6, by deleting: "$7,992,372 and $8,287,036," and inserting: "$8,167,620 and $8,543,916,".

Amend section 1, page 1, by deleting line 9 and inserting: "Nevada, including the judicial branch of government, as fixed by the 63rd session of the legislature and".

Amend section 1, page 1, line 13, by deleting "January" and inserting "July".

Amend section 1, page 1, line 15, by deleting "January 1,".

Amend section 1, page 1, by deleting line 16.

Amend section 1, page 1, line 17, by deleting: "fiscal period beginning".

Amend section 1, page 1, by deleting line 18 and inserting: "sum of $2,586,499, to provide a maximum adjustment of salaries of 3".

Amend section 1, page 2, line 2, by deleting "National".

Amend section 1, page 2, line 2, by deleting "January" and inserting "July".

Amend section 1, page 2, line 4, by deleting "National".

Amend section 1, page 2, line 6, by deleting "September 1985," and inserting "March 1986,".

Amend section 1, page 2, line 7, by deleting "4" and inserting "3".

Amend section 1, page 2, line 8, after "3.", by inserting: "There is hereby appropriated from the state general fund to the state board of examiners for the fiscal year beginning July 1, 1986, and ending June 30, 1987, the sum of $499,648, to provide a maximum adjustment of salaries of 3 percent for unclassified employees of the respective departments, commissions and agencies of the State of Nevada, including the judicial branch of government, based on the movement of the Consumer Price Index, except those employees whose salaries have been retained, to take effect July 1, 1986, and to be effective through June 30, 1987. The percentage increase must be determined by using the Consumer Price Index published by the Bureau of Labor Statistics of the United States Department of Labor for the months of October 1984 through March 1986, not to exceed 3 percent.

4.".

Amend section 1, page 2, line 11, after "Nevada", by inserting: ", including the judicial branch of government,".

Amend section 1, page 2, line 15, by deleting the period and inserting: ", or, for fiscal year 1986-1987, to pay the salaries of the unclassified employees.".

Amend sec. 2, page 2, line 20, by deleting: "$1,327,573 and $1,359,946," and inserting: "$1,339,043 and $1,372,754,".

Amend sec. 2, page 2, line 23, by deleting: "62nd and 63rd sessions" and inserting "63rd session".

Amend sec. 2, page 2, line 27, by deleting "January" and inserting "July".

Amend sec. 2, page 2, line 29, by deleting "January 1,".

Amend sec. 2, page 2, by deleting line 30.

Amend sec. 2, page 2, line 31, by deleting: "cal period beginning".

Amend sec. 2, page 2, by deleting line 32 and inserting: "of $415,570, to provide a maximum adjustment of salaries of 3 percent".

Amend sec. 2, page 2, line 34, by deleting "National".

Amend sec. 2, page 2, line 36, by deleting "January" and inserting "July".

Amend sec. 2, page 2, line 38, by deleting "National".

Amend sec. 2, page 2, by deleting line 40 and inserting: "months of October 1984 through March 1986, not to exceed 3 per-".

Amend sec. 2, page 2, line 42, after "3.", by inserting: "There is hereby appropriated from the state highway fund to the state board of examiners for the fiscal year beginning July 1, 1986, and ending June 30, 1987, the sum of $28,100, to provide a maximum adjustment of salaries of 3 percent for unclassified employees of the department of motor vehicles and the public service commission and for deputy attorneys general assigned to the department of motor vehicles or the department of transportation, based on the movement of Consumer Price Index, except those employees whose salaries have been retained, to take effect July 1, 1986, and to be effective through June 30, 1987. The percentage increase must be determined by using the Consumer Price Index published by the Bureau of Labor Statistics of the United States Department of Labor for the months of October 1984 through March 1986, not to exceed 3 percent.

4.".

Amend sec. 2, page 2, line 44, by deleting "vehicles and" and "vehicles,".

Amend sec. 2, page 2, line 45, before "out" by inserting: "and the office of the attorney general".

Amend sec. 2, page 3, line 2, after "of the", by inserting: "classified employees of the".

Amend sec. 2, page 3, line 3, by deleting the period and inserting: ", or, for fiscal year 1986-1987, to pay the salaries of the employees listed in subsection 3.".

Amend sec. 3, page 3, line 8, by deleting: "$1,837,175 and $2,026,973," and inserting: "$1,949,589 and $2,016,608,".

Amend sec. 3, page 3, line 11, by deleting: "62nd and 63rd sessions" and inserting "63rd session".

Amend sec. 3, page 3, line 14, by deleting "January" and inserting "July".

Amend sec. 3, page 3, line 16, by deleting "January 1,"

Amend sec. 3, page 3, by deleting line 17.

Amend sec. 3, page 3, line 18, by deleting: "cal period beginning".

Amend sec. 3, page 3, by deleting line 19 and inserting: "of $610,482, to provide a maximum adjustment of 3 percent".

Amend sec. 3, page 3, line 21, by deleting "National".

Amend sec. 3, page 3, line 22, by deleting "January" and inserting "July".

Amend sec. 3, page 3, line 25, by deleting "National".

Amend sec. 3, page 3, line 26, by deleting "Septem-".

Amend sec. 3, page 3, by deleting line 27 and inserting: "March 1986, not to exceed 3 percent.".

Amend sec. 3, page 3, line 28, after "3.", by inserting: "There is hereby appropriated from the state general fund to the University of Nevada System for the fiscal years beginning July 1, 1985, and ending June 30, 1986, and beginning July 1, 1986, and ending June 30, 1987, the sums of $6,120,324

and $6,233,260, respectively, for the purpose of increasing the salaries of the professional employees of the University of Nevada System, except those employees whose salaries have been retained, to become effective July 1, 1985.

4. There is hereby appropriated from the state general fund to the University of Nevada System for the fiscal year beginning July 1, 1986, and ending June 30, 1987, the sum of $1,886,976, for the purpose of increasing the salaries of the professional employees of the University of Nevada System, based on the movement of the Consumer Price Index, except those employees whose salaries have been retained, to take effect July 1, 1986, and to be effective through June 30, 1987. The percentage increase must be determined by using the Consumer Price Index published by the Bureau of Labor Statistics of the United States Department of Labor for the months of October 1984 through March 1986, not to exceed 3 percent.

5.".

Amend sec. 3, page 3, line 31, by deleting "this section" and inserting: "subsections 1 and 2".

Amend sec. 4, page 3, line 37, by deleting: "1, 2 and 3" and inserting: "1 and 2 and subsections 1 and 2 of section 3".

Amend sec. 4, page 3, line 40, after the period, by inserting: "Any balance of that money must not be committed for expenditure after June 30, 1987, and reverts to the fund from which it was appropriated as soon as all payments of money committed have been made.".

Amend the bill as a whole by adding new sections designated sections 5 through 8, following section 4, to read as follows:

"Sec. 5. 1. To effect a salary increase of approximately 11 percent, there is hereby appropriated from the state general fund to the legislative fund for the fiscal years beginning July 1, 1985, and ending June 30, 1986, and beginning July 1, 1986, and ending June 30, 1987, the sums of $395,349 and $422,209, respectively, for the purpose of meeting any deficiencies which may be created between the appropriated money as fixed by the 63rd session of the legislature and the requirements for salaries of the employees of the legislative counsel bureau and of interim legislative operations, except those employees whose salaries have been retained, to become effective July 1, 1985.

2. There is hereby appropriated from the state general fund to the legislative fund for the fiscal year beginning July 1, 1986, and ending June 30, 1987, the sum of $117,058, to provide a maximum adjustment of salaries of 3 percent for employees listed in subsection 1, based on the movement of the Consumer Price Index, except those employees whose salaries have been retained, to take effect July 1, 1986, and to be effective through June 30, 1987. The percentage increase must be determined by using the Consumer Price Index published by the Bureau of Labor Statistics of the United States Department of Labor for the months of October 1984 through March 1986, not to exceed 3 percent.

3. The money appropriated for fiscal years 1985-1986 and 1986-1987, in this section is available for both fiscal years 1985-1986 and 1986-1987, and may be transferred from one fiscal year to the other. Any balance of the money appropriated in this section must be carried forward for use in the next legislative session and does not revert to the state general fund.

Sec. 6. 1. Employees filling the following positions in the classified service may receive annual salaries not to exceed the following specified amounts, effective July 1, 1985:

Chief, dental health services (Range A)	$57,639
Chief, dental health services (Range B)	60,398
Chief, dental health services (Range C)	63,344
Chief, maternal and child health (Range A)	60,398
Chief, maternal and child health (Range B)	65,944
Chief, maternal and child health (Range C)	67,350
Chief, community health services	60,398
Senior physician (Range A)	57,639
Senior physician (Range B)	63,300
Senior physician (Range C)	65,945
Senior psychiatrist (Range A)	63,300
Senior psychiatrist (Range B)	65,944
Senior psychiatrist (Range C)	67,350
Senior public health dentist (Range A)	50,102
Senior public health dentist (Range B)	55,007
Senior public health dentist (Range C)	57,681
State health officer (Range A)	65,944
State health officer (Range B)	67,350
State health officer (Range C)	68,760
Welfare medical care officer	57,681
Senior institutional dentist (Range A)	50,102
Senior institutional dentist (Range B)	57,681
Clinic director, rural	39,920

As used in this section a senior psychiatrist (Range B) is a psychiatrist eligible for certification by the American Board of Psychiatry. A senior psychiatrist (Range C) is a psychiatrist certified by the American Board of Psychiatry. A senior psychiatrist (Range A) is a psychiatrist not so certified or eligible.

2. The employees filling the positions listed in subsection 1, except those whose salaries have been retained, may receive an adjustment of salary effective July 1, 1986 of:

(a) A maximum of 3 percent based on any increase in the Consumer Price Index published by the Bureau of Labor Statistics of the United States Department of Labor for the months of October 1984 through March 1986, not to exceed 3 percent; and

(b) If the balance of the state general fund as projected pursuant to section 7 of this act is:

(1) At least $55,000,000 but less than $60,000,000, 1 percent; or

(2) At least $60,000,000, 2 percent,

in addition to the increase provided in paragraph (a).

Sec. 7. On or before May 31, 1986, the state board of examiners shall project the unappropriated balance of the state general fund as of July 1, 1986, using all relevant information known to it.

Sec. 8. 1. In addition to other increases provided for the fiscal year 1986-1987, 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 1986-1987, according to the projections by the state board of examiners made pursuant to section 7 of this act:

(a) If the projected balance is at least $55,000,000 but less than $60,000,000:

(1) From the state general fund to the state board of examiners for:

Classified employees of the state $871,061

Unclassifiemployees of the state 172,189

Classified and professional employees of the University of Nevada System 832,486

(2) From the state highway fund to the state board of examiners for positions in the department of motor vehicles, public service commission and attorney general's office which are supported from that fund:

Classified employees $138,524

Unclassified employees 9,367

(3) From the state general fund to the legislative fund for employees of the legislative counsel bureau and interim legislative operations $39,022

(4) From the state general fund to the state distributive school fund $3,702,436

This additional appropriation, if any, must be apportioned in the same proportions per pupil as established by the department of education for the various school districts for fiscal year 1986-1987.

(b) If the projected balance is at least $60,000,000:

(1) From the state general fund to the state board of examiners for:

Classified employees of the state $1,742,122

Unclassified employees of the state 344,378

Classified and professional employees of the University of Nevada System 1,664,972

(2) From the state highway fund to the state board of examiners for positions in the department of motor vehicles, public service commission and attorney general's office which are supported from that fund:

Classified employees $277,043

Unclassified employees 18,734

(3) From the state general fund to the legislative fund for employees of the legislative counsel bureau and interim legislative operations $78,044

(4) From the state general fund to the distributive school fund 7,404,872

This additional appropriation, if any, must be apportioned in the same proportions per pupil as established by the department of education for the various school districts for fiscal year 1986-1987.

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, including the judicial branch of government, in such proportion as to enable each to pay to its classified, professional and unclassified employees, including those persons whose positions are listed in section 6 of this act, except any whose salaries have been retained, the percentage of increase, if any, in their respective salaries specified in this section.

3. If the total appropriations are not sufficient to provide the specified increase, the appropriations must be prorated and the increase reduced proportionately.

4. Any balance of the contingent appropriations made by this section must not be committed for expenditure after June 30, 1987, and reverts to the fund from which it was appropriated as soon as all payments of money committed have been made, except that any balance of the money appropriated to the legislative fund must be carried forward for use in the next legislative session and does not revert to the state general fund.".

Amend the title of the bill, first line, after "Act", by inserting: "relating to public employees;".

Amend the title of the bill, second line, by deleting "classified" and inserting "certain".

Amend the title of the bill, third line, after "Nevada;", by inserting: "increasing the salaries of certain employees;".

Amend the summary of the bill to read: "Provides for increases in salaries of employees of the state. (BDR S-1518)".

Assemblyman Marvel moved the adoption of the amendment.

Remarks by Assemblyman Marvel.

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 Taxation:

Amendment No. 1371.

Amend the bill as a whole by renumbering sections 2 through 5 as sections 3 through 6 and adding a new section designated section 2, following section 1, to read as follows:

"Sec. 2. NRS 370.165 is hereby amended to read as follows:

370.165 There is hereby levied a tax upon the purchase or possession of cigarettes by a consumer in the State of Nevada at the rate of [5] *9* mills per cigarette but not less than [10] *18* cents for each package. The tax may be represented and precollected by the affixing of a revenue stamp or other approved evidence of payment to each package, packet or container in which

cigarettes are sold. The tax must be precollected by the wholesale or retail dealer, and must be recovered from the consumer by adding the amount of the tax to the selling price. Each person who sells cigarettes at retail shall prominently display on his premises a notice that the tax is included in the selling price and is payable under the provisions of this chapter.".

Amend sec. 4, page 3, by deleting lines 10 and 11 and inserting:

"Sec. 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 [5] *9* mills per cigarette, but not less than [10] *18* cents for each 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. 5, page 3, line 14, by deleting: "This act becomes" and inserting: "[This act becomes] *Sections 1, 3, 4 and 5 of this act become*".

Amend sec. 5, page 3, line 16, by deleting "authorized." and inserting "authorized [.".

Amend sec. 5, page 3, line 17, by deleting "effective" and inserting "effective] *and*".

Amend sec. 5, page 3, by deleting lines 20 and 21 and inserting:

"[3.] *2.* Sections 2, 4.5 and 6 of this act become effective [for all other purposes] on July 1, [1985.".

Amend sec. 5, page 3, line 22, after the bracket by inserting: "*1987.*

3.".

Amend the bill as a whole by adding a new section designated section 6.5, following section 5, to read as follows:

"Sec. 6.5. 1. Section 20 of chapter 604, Statutes of Nevada 1983, at page 1952, is hereby repealed.

2. Section 24 of chapter 604, Statutes of Nevada 1983, as amended by section 43, Statutes of Nevada 1983, at page 51, is hereby amended to read as follows:

Sec. 24. 1. This section and section 19 of this act shall become effective upon passage and approval.

2. Section 16 of this act shall become effective at 12:01 a.m. on July 1, 1983.

3. [Sections 14.3, 14.5, 14.7 and 20 of this act shall become effective on July 1, 1985.

4.] The remaining sections of this act shall become effective on July 1, 1983.

[5.] *4.* Sections 1 to 14, inclusive, of this act expire by limitation on July 1, 1985.".

Amend sec. 6, page 3, by deleting lines 24 through 28 and inserting:

"Sec. 7. 1. This section and sections 6 and 6.5 of this act become effective upon passage and approval.

2. Sections 1, 3 and 4 of this act become effective upon the expiration of the amendment to 26 U.S.C. § 5701 made by section 283 of Public Law 97-248 if it expires before July 1, 1987, except that if it expires before July 1, 1985, those sections become effective on July 1, 1985.

3. Sections 2 and 5 of this act become effective upon the expiration of the amendment if it expires on or after July 1, 1987.".

Amend the title of the bill, first line, by deleting: "retaining the present rate of tax on cigarettes;" and inserting: "temporarily extending the increased rate of tax on cigarettes and the tax on other products made from tobacco;".

Amend the summary of the bill, first line, by deleting: "Retains present rate of tax on cigarettes" and inserting: "Temporarily extends increased rate of tax on cigarettes and tax on other tobacco,".

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. 556.

Bill read second time.

The following amendment was proposed by the Committee on Taxation:

Amendment No. 1376.

Amend section 1, page 1, line 1, by deleting "2" and inserting "3".

Amend section 1, page 1, line 2, by deleting "repealed." and inserting: "amended to read as follows:

Sec. 3. 1. This section and section 1 of this act shall become effective June 1, 1983.

2. Section 2 of this act shall become effective on July 1, [1985.] *1987.*".

Amend the title of the bill to read as follows:

"An Act relating to taxation; temporarily extending the increased rates of the tax on alcoholic beverages; and providing other matters properly relating thereto.".

Amend the summary of the bill to read as follows: "Temporarily extends increased rates of tax on alcoholic beverages. (BDR S-856)".

Assemblyman Joerg moved the adoption of the amendment.

Remarks by Assemblyman Joerg.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 191.

Bill read second time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1424.

Amend section 1, page 1, by deleting lines 2 through 8 and inserting: "to the Tahoe Regional Planning Agency for the fiscal year 1985-1986 for the evaluation of individual lots:

On July 1, 1985	$18,750
On October 1, 1985	18,750
On January 1, 1986	18,750
On April 1, 1986	18,750".

Amend the bill as a whole by renumbering sections 2 and 3 as sections 8 and 9 and adding new sections designated sections 2 through 7, following section 1, to read as follows:

"Sec. 2. There is hereby appropriated from the state general fund to the interim finance committee the sum of $125,000 for allocation to the Tahoe Regional Planning Agency for evaluation of individual lots during fiscal year 1986-1987.

Sec. 3. 1. The Tahoe Regional Planning Agency shall report to the interim finance committee quarterly during fiscal years 1985-1986 and 1986-1987 on the expenditures incurred with the money appropriated and allocated in sections 1 and 2 of this act. The money appropriated and allocated pursuant to sections 1 and 2 of this act may only be used by the agency if funding is provided to it by California to evaluate lots. No money may be expended on the evaluation of individual lots unless money has been provided by the State of California for the same program in California.

2. The Tahoe Regional Planning Agency shall investigate the feasibility of funding the evaluation of individual lots using fees charged to the individual owners of lots or fees charged to the counties in which the lots are located. A report must be made to the interim finance committee on or before December 31, 1985, addressing this investigation.

Sec. 4. 1. There is hereby appropriated from the state general fund to the Tahoe Regional Planning Agency for expenses relating to litigation over the agency's regional plan:

On July 1, 1985	$21,875
On October 1, 1985	21,875
On January 1, 1986	21,875
On April 1, 1986	21,875
On July 1, 1986	21,875
On October 1, 1986	21,875
On January 1, 1987	21,875
On April 1, 1987	21,875

2. The Tahoe Regional Planning Agency must submit to the interim finance committee quarterly reports during fiscal years 1985-1986 and 1986-1987 pertaining to the status of the litigation over the agency's regional plan and the expenditures incurred.

3. The Tahoe Regional Planning Agency shall consider employing specialists in trials and their own legal counsel for this litigation and report progress in this area quarterly during fiscal years 1985-1986 and 1986-1987 to the interim finance committee.

Sec. 5. There is hereby appropriated from the state general fund to the Tahoe Regional Planning Agency for various studies and a program of public awareness the sum of $53,331.

Sec. 6. 1. There is hereby appropriated from the state general fund to the Tahoe Regional Planning Agency for allocation to the Tahoe Regional Transportation District the sum of $30,000.

2. There is hereby appropriated from the state general fund to the interim finance committee for allocation to the Tahoe Regional Planning Agency the sum of $30,000 for the agency's subsequent allocation to the Tahoe Regional Transportation District. The allocation by the interim finance committee to the agency is contingent upon California's participation in this program during fiscal year 1986-1987.

Sec. 7. The interim finance committee shall consider California's ratification of any pending adjustments of the Tahoe Regional Planning Compact when allocating money pursuant to this act.".

Amend sec. 2, page 1, lines 9 and 10, by deleting: "appropriation made by section 1 of" and inserting: "appropriations made by".

Amend sec. 3, page 1, by deleting line 13 and inserting:

"Sec. 9. Sections 2 and 5 and subsection 2 of section 6 of this act become effective on July 1, 1986.".

Amend the title of the bill to read:

"An Act relating to the Tahoe Regional Planning Agency; requiring the agency to conduct studies and evaluate lots; making appropriations; and providing other matters properly relating thereto.".

Amend the summary of the bill to read: "Makes appropriations to and for Tahoe Regional Planning Agency and requires certain studies. (BDR S-1356)".

Assemblyman Nicholas moved the adoption of the amendment.

Remarks by Assemblyman Nicholas.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

UNFINISHED BUSINESS

RECEDE FROM ASSEMBLY AMENDMENTS

Assemblyman Bogaert moved that the Assembly do not recede from its action on Senate Bill No. 460, 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 Bogaert.

Motion carried.

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker appointed Assemblymen Francis, Dini 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. 460.

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bills Nos. 45, 98, 159, 207, 241, 274, 302, 332, 338, 341, 447, 458, 475,

496, 504, 549, 562, 580, 584, 600, 603, 617, 620, 710; Senate Bills Nos. 107, 113, 122, 124, 134, 143, 144, 183, 193, 196, 223, 257, 295, 297, 310, 333, 335, 353, 363, 404, 442, 426, 456, 462, 470, 479, 488, 489, 496, 500; Senate Concurrent Resolution No. 61.

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 Ms. Silvia Campbell.

On request of Assemblyman Fairchild, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Evelyn Larkin.

On request of Assemblyman Rader, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Elaine Fisher.

On request of Assemblyman Roberts, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Tim Hudspeth.

On request of Assemblyman Schofield, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Jane Ternau.

On request of Assemblyman Horne, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Shanna Pozzi.

On request of Assemblyman Bergevin, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Jean Church, C. J. McGraw and Sharon Brown.

On request of Assemblyman Zimmer, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Sandra Hines.

Assemblyman Francis moved that the Assembly adjourn until Saturday, June 1, 1985 at 9 a.m.

Motion carried.

Assembly adjourned at 6:39 p.m.

Approved: BYRON L. BILYEU
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE ONE HUNDRED AND THIRTY-SECOND DAY

CARSON CITY (Saturday), June 1, 1985

Assembly called to order at 9:11 a.m.

Mr. Speaker presiding.

Roll called.

All present except Assemblyman Sedway, who was excused.

Prayer by the Chaplain, The Reverend Terry Arnold.

The Psalmist once said, "This is the day the Lord has made, let us rejoice and be glad in it." With that thought in mind, let us pray. Our Father, we rejoice in our responsibilities and ask You to grant us wisdom and patience to fulfill those responsibilities today. We pray this in the name of our Lord and Saviour, Jesus Christ. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Francis 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 Ways and Means, to which were referred Assembly Bill No. 726; Senate Bill No. 512, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN MARVEL, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which was referred Senate Bill No. 513, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN MARVEL, *Chairman*

Mr. Speaker:

Your Committee on Labor and Management, to which was referred Senate Bill No. 495, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

BARBARA ZIMMER, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs to which was referred Senate Bill No. 471, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

LOUIS W. BERGEVIN, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 31, 1985

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 604, 686, 725.

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. 19 and requests a conference, and appointed Senators Horn, Vergiels 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. 322 and requests a conference, and appointed Senators Gibson, Mello 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. 329 and requests a conference, and appointed Senators Glover, Rhoads 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 respectfully refused to recede from its action on Assembly Bill No. 330 and requests a conference, and appointed Senators Raggio, Neal 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 respectfully refused to recede from its action on Assembly Bill No. 389 and requests a conference, and appointed Senators Wagner, Horn and Rhoads 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. 633 and requests a conference, and appointed Senators Neal, Vergiels 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 Senate Bill No. 226.

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. 291.

Also, I have the honor to inform your honorable body that the Senate on this day refused to adopt the report of the first Committee on Conference concerning Senate Bill No. 312 and requests a second conference, and appointed Senators Shaffer, Vergiels and Rhoads as a second Committee on Conference to meet with a like committee of the Assembly for the further consideration of Senate Bill No. 312.

MARY JO MONGELLI
Assistant Secretary of the Senate

UNFINISHED BUSINESS

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker appointed Assemblymen Bergevin, Schofield and Spriggs as a second Committee on Conference to meet with a like committee of the Senate for the further consideration of Senate Bill No. 312.

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

Assembly in recess at 9:17 a.m.

ASSEMBLY IN SESSION

At 9:35 a.m.

Mr. Speaker presiding.

Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

By the Committee on Legislative Functions:

Assembly Concurrent Resolution No. 57—Directing the legislative commission to study planned growth of cities in Clark County.

By Assemblymen Bilyeu, Joerg, Francis, Kerns, Dini, Jeffrey, Rader, Lambert, O'Donnell, Banner, Getto, Ham, Thomas, Zimmer, Nevin, Swain, Tebbs, Spriggs, Arberry, Coffin, Craddock, Horne, Roberts, Humke, Schofield, Nicholas, Thompson, Beyer, Stone, DuBois, Collins, McGaughey, Price, Bogaert, Bergevin, Williams, Malone, Little, Marvel, Sader, Fairchild and Sedway:

Assembly Concurrent Resolution No. 58—Commending the superintendent of the state printing and micrographics division of the department of general services and his staff for their services to the 63rd session of the Nevada legislature.

WHEREAS, The superintendent of the state printing and micrographics division of the department of general services and his staff have worked many long hours to meet the demands of the 63rd session of the Nevada legislature; and

WHEREAS, Their tasks this session have been completed with exemplary efficiency and promptness; and

WHEREAS, The high standards and professional attitude of the superintendent and his staff have been reflected throughout this session in the quality of the work they have produced; now, therefore, be it

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, THE SENATE CONCURRING, That the members of the 63rd session of the legislature hereby express their gratitude and commend all members of the staff of the state printing and micrographics division 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 micrographics division of the department of general services.

Assemblyman Bogaert moved the adoption of the resolution.

Remarks by Assemblyman Bogaert.

Resolution adopted.

Assemblyman Humke moved that Senate Bill No. 432 be taken from the Chief Clerk's desk and placed on the General File.

Motion carried.

Assemblyman Francis moved that Assembly Bills Nos. 164, 485, 497, 540, 555 and 556 be placed at the top of the General File.

Motion carried.

Assemblyman Francis moved that Senate Bills Nos. 27, 121, 163, 191, 332, 345, 368, 381, 438, 439, 478 and 499 be placed on the General File immediately following Senate Bill No. 432.

Motion carried.

UNFINISHED BUSINESS

RECEDE FROM ASSEMBLY AMENDMENTS

Assemblyman Malone moved that the Assembly do not recede from its action on Senate Bill No. 185, 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, Stone 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. 185.

Mr. Speaker appointed Assemblymen Marvel, Getto 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. 19.

Mr. Speaker appointed Assemblymen Marvel, Dini 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. 322.

Mr. Speaker appointed Assemblymen Nicholas, Beyer and Coffin as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Assembly Bill No. 330.

Mr. Speaker appointed Assemblymen DuBois, Dini 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. 633.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Francis moved that Senate Bill No. 510 be placed on the General File.

Motion carried.

Assemblyman Francis moved that Senate Bill No. 393 be taken from the Chief Clerk's desk and placed on the General File.

Motion carried.

Assembly Concurrent Resolution No. 49.

Assemblyman Bogaert moved the adoption of the resolution.

Remarks by Assemblyman Bogaert.

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

Assembly in recess at 9:43 a.m.

ASSEMBLY IN SESSION

At 9:44 a.m.

Mr. Speaker pro Tempore presiding.

Quorum present.

Remarks by Assemblymen Bilyeu, Thomas and Beyer.

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 9:45 a.m.

ASSEMBLY IN SESSION

At 9:46 a.m.
Mr. Speaker presiding.
Quorum present.

Remarks by Assemblymen Price, Getto, Nicholas and Swain.
Resolution adopted, as amended.

INTRODUCTION AND FIRST READING OF LEGISLATION

Senate Bill No. 226.
Bill read first time.

GENERAL FILE AND THIRD READING

Assembly Bill No. 164.
Bill read third time.
Remarks by Assemblyman Joerg.
Roll call on Assembly Bill No. 164:
YEAS—41.
NAYS—None.
Absent—Sedway.

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. 485.
Bill read third time.
Remarks by Assemblymen Ham, McGaughey, Getto, O'Donnell, Craddock, Jeffrey and Fairchild.
Roll call on Assembly Bill No. 485:
YEAS—39.
NAYS—Little, McGaughey—2.
Absent—Sedway.

Assembly Bill No. 485 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 497.
Bill read third time.
Remarks by Assemblymen Marvel and Joerg.
Roll call on Assembly Bill No. 497:
YEAS—41.
NAYS—None.
Absent—Sedway.

Assembly Bill No. 497 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 540.
Bill read third time.
Remarks by Assemblymen Marvel, Nevin and Beyer.
Roll call on Assembly Bill No. 540:
YEAS—40.
NAYS—None.
Absent—Joerg, Sedway—2.

Assembly Bill No. 540 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

UNFINISHED BUSINESS

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker appointed Assemblymen Bergevin, Kerns 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. 389.

Mr. Speaker appointed Assemblymen Zimmer, O'Donnell and Horne as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Assembly Bill No. 329.

GENERAL FILE AND THIRD READING

Assembly Bill No. 555.
Bill read third time.
Remarks by Assemblyman Bergevin.
Roll call on Assembly Bill No. 555:
YEAS—40.
NAYS—None.
Absent—Joerg, Sedway—2.

Assembly Bill No. 555 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 Assemblyman Bergevin.
Roll call on Assembly Bill No. 556:
YEAS—40.
NAYS—None.
Absent—Joerg, Sedway—2.

Assembly Bill No. 556 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

REMARKS FROM THE FLOOR

Assemblyman Francis requested that his remarks be entered in the Journal.

I would like the record to reflect that Assemblyman Joerg missed the roll call votes as he was attending his daughter's graduation exercises.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Francis moved that all rules be suspended and that Assembly Bills Nos. 164, 485, 497, 540, 555, 556 and Assembly Concurrent Resolution No. 49 be immediately transmitted to the Senate.

Motion carried unanimously.

Assemblyman Nevin moved that Senate Bill No. 26 be taken from the Chief Clerk's desk and placed on the General File.

Remarks by Assemblyman Dini.

Assemblyman Nevin withdrew his motion.

REFERENCE OF MEASURES TO COMMITTEES

Assembly Concurrent Resolution No. 57.

Assemblyman Francis moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

Senate Bill No. 226.

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

Motion carried.

Assemblyman Francis moved that the Assembly recess until 2:30 p.m.

Motion carried.

Assembly in recess at 10:31 a.m.

ASSEMBLY IN SESSION

At 2:43 p.m.

Mr. Speaker presiding.

Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Concurrent Committee on Ways and Means, to which was referred Assembly Bill No. 460, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN MARVEL, *Chairman*

Mr. Speaker:

Your Committee on Labor and Management, to which was referred Senate Bill No. 219, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

BARBARA ZIMMER, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which were referred Senate Bills Nos. 231, 428, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JAMES STONE, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which were referred Senate Bills Nos. 380, 483, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JAMES STONE, *Chairman*

Mr. Speaker:

Your Committee on Transportation, to which was referred Assembly Bill No. 727, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

MIKE MALONE, *Chairman*

Mr. Speaker:

Your Committee on Legislative Functions, to which were referred Assembly Concurrent Resolutions Nos. 31, 35, 36, 39, 41, 52, 53, 54, has had the same under consideration, and begs leave to report the same back with the recommendation: Be adopted.

BRUCE R. BOGAERT, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which were referred Senate Bills Nos. 498, 503, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

LOUIS W. BERGEVIN, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Assembly Concurrent Resolution No. 56, has had the same under consideration, and begs leave to report the same back with the recommendation: Be adopted.

LOUIS W. BERGEVIN, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 31, 1985

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. 22, 386, 514, 605, 696, 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 concurred in the Assembly amendment to Senate Bill No. 291.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Zimmer moved that Senate Bill No. 495 be re-referred to the Committee on Labor and Management.

Motion carried.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 386.

The following Senate amendment was read:

Amendment No. 1399.

Amend section 1, page 1, line 4, by deleting "*experimental or*".

Amend the title of the bill, first and second lines, by deleting "experimental or".

Amend the summary of the bill, first line, by deleting "experimental or".

Assemblyman Nicholas moved that the Assembly concur in the Senate amendment to Assembly Bill No. 386.

Remarks by Assemblyman Nicholas.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 514.

The following Senate amendment was read:

Amendment No. 1396.

Amend sec. 2, page 2, line 19, by deleting "*a*" and inserting: "*one or more*".

Amend sec. 2, page 2, line 20, by deleting "*person*" and inserting "*persons*".

Assemblyman Nicholas moved that the Assembly concur in the Senate amendment to Assembly Bill No. 514.

Remarks by Assemblyman Nicholas.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 696.

The following Senate amendments were read:

Amendment No. 1365.

Amend sec. 4, page 1, by deleting lines 9 through 13 and inserting:

"Sec. 4. *"Medical malpractice" means the failure of a physician, hospital or employee of a hospital, in rendering services, to use the reasonable care, skill or knowledge ordinarily used under similar circumstances.*".

Amend sec. 5, page 1, by deleting lines 14 through 17 and inserting:

"Sec. 5. *"Physician" means a person licensed pursuant to chapter 630 or 633 of NRS.*".

Amend sec. 8, page 2, line 1, by deleting ", *shall:*" and inserting an italicized colon.

Amend sec. 8, page 2, line 2, by deleting "*Select*" and inserting "*Shall select*".

Amend sec. 8, page 2, line 3, by deleting "*Schedule*" and inserting "*Shall schedule*".

Amend sec. 8, page 2, line 4, by deleting "*Obtain*" and inserting "*Shall obtain*".

Amend sec. 8, page 2, line 5, by deleting "*and*".

Amend sec. 8, page 2, after line 5, by inserting:

"*4. May authorize extensions of time for the proceedings involving a screening panel; and*".

Amend sec. 8, page 2, line 6, by deleting "*4. Adopt*" and inserting: "*5. May adopt*".

Amend sec. 11, page 2, by deleting line 35 and inserting:

"Sec. 11. *1. Within 15 days after the expiration of the time in which to answer the complaint*".

Amend sec. 11, page 2, line 36, by deleting "*claim*".

Amend sec. 11, page 2, line 41, after "*any,*", by inserting: "*and a concise statement of the ground for any challenge,*".

Amend sec. 11, page 3, line 7, by deleting the period and inserting: "*of the members remaining after any challenges for cause.*".

Amend sec. 11, page 3, line 17, after the period by inserting: "*If any member so selected declines to serve, the division shall immediately and randomly select a replacement from the list.*".

Amend sec. 13, page 3, line 31, by deleting "*15*" and inserting "*30*".

Amend sec. 14, page 3, line 34, by deleting: "*A screening panel*" and inserting "*The division*".

Amend sec. 14, page 3, line 37, by deleting "*and*" and inserting "*or*".

Amend sec. 14, page 3, line 38, by deleting: "*chairman of the screening panel*" and inserting "*division*".

Amend sec. 14, page 3, line 41, by deleting "*and*" and inserting "*or*".

Amend sec. 14, page 3, by deleting line 43 and inserting: "*or papers has been subpenaed by the division pursuant to this*".

Amend sec. 14, page 3, line 46, by deleting "*and*" and inserting "*or*".

Amend sec. 14, page 4, line 4, by deleting "*and*" and inserting "*or*".

Amend sec. 14, page 4, line 14, by deleting "*screening panel,*" and inserting "*division,*".

Amend sec. 15, page 4, line 19, by deleting: "*only the relevant*" and inserting "*all the*".

Amend sec. 15, page 4, line 20, by deleting: "*made available to it,*" and inserting ",".

Amend sec. 15, page 4, line 24, by deleting "*possibility*" and inserting "*probability*".

Amend sec. 15, page 4, line 34, after "*findings*", by inserting: "*must be rendered within 30 days after the review and*".

Amend sec. 15, page 4, by deleting line 36 and inserting: "*and the testimony of medical experts (if any were called) we find that there is a reasonable probabil-*".

Amend sec. 15, page 4, line 37, by deleting "*or*".

Amend sec. 15, page 4, by deleting line 39 and inserting: "*and the testimony of medical experts (if any were called) we find that there is no reasonable proba-*".

Amend sec. 15, page 4, line 40, by deleting the period and inserting: "*; or*

(c) Based upon a review of the written medical records of this claim and the testimony of medical experts (if any were called) we are unable to reach a decision on the issue of medical malpractice.".

Amend sec. 17, page 5, line 6, by deleting the comma and inserting: "*or counsel for a patient,*".

Amend sec. 17, page 5, by deleting line 9 and inserting: "*transferred to a requesting party or the authority issuing the subpena.*".

Amend sec. 18, page 5, by deleting lines 11 and 12 and inserting:

"Sec. 18. *1. If the screening panel finds in favor of the claimant*".

Amend sec. 18, page 5, line 16, by deleting "*negative,*" and inserting: "*not in favor of the claimant,*".

Amend sec. 18, page 5, line 17, by deleting "*in cash*".

Amend sec. 18, page 5, line 18, by deleting "*trial.*" and inserting: "*a final adjudication on the merits.*".

Amend sec. 18.5, page 5, line 26, by deleting "*possibility*" and inserting "*probability*".

Amend sec. 18.5, page 5, line 28, after "*physician's*", by inserting "*insurer*".

Amend sec. 18.5, page 5, line 29, by deleting: ", *as a special proceeding,*".

Amend sec. 18.5, page 5, line 31, after the period, by inserting: "*The judge may, for good cause shown, waive the attendance of any party. The judge shall decide what information the parties may submit at the* conference.".

Amend sec. 18.5, page 5, by deleting lines 32 and 33 and inserting:

"*2. In any such action, the responsive pleading of the defendant must be accompanied by a notice to the clerk of the court that the case is ready for a conference for settlement. The clerk shall immediately notify the judge of the receipt of that notice. The judge shall notify the parties, within 7 days after the receipt ot the notice, of the time and place of the conference, which must not be later than 60 days after the receipt of the notice. The judge may, for good*".

Amend sec. 18.5, page 5, line 36, after "*determine*", by inserting ",".

Amend sec. 18.5, pages 5 and 6, by deleting lines 37 through 45 on page 5 and line 1 on page 6 and inserting: "*solely from the information submitted at the conference, the reasonable value of the claim for purposes of settlement and shall so notify the parties.*

4. Within 14 days after receipt of the determination of the judge, the defendant shall offer to the plaintiff the amount determined by the judge or reject the determination. If the defendant rejects the determination, he shall post a $5,000 bond or its equivalent with".

Amend sec. 18.5, page 6, line 2, by deleting: "*trial. If, at trial,*" and inserting: "*a final adjudication on the merits. If*".

Amend sec. 18.5, page 6, line 3, by deleting "*settlement,*" and inserting "*determination,*".

Amend sec. 18.5, page 6, after line 5 by inserting:

"*5. Within 14 days after the receipt of the defendant's offer of the amount determined by the judge, the plaintiff shall accept or reject the offer.*

If the plantiff rejects the offer, he shall post a $5,000 bond or its equivalent with the division pending a final adjudication on the merits. If the plaintiff is awarded an amount equal to or less than the amount of the offer, the bond is forfeited, and the money must be deposited in the account for the screening panels.

6. Upon application of either party filed within 14 days after the posting of a bond pursuant to this section, the judge who presided over the conference shall recuse himself from further proceedings concerning the action, and another judge must be appointed to take his place. No fee may be charged for filing this application.".

Amend sec. 18.5, page 6, line 6, by deleting "*6.*" and inserting "*7.*".

Amend sec. 18.6, page 6, after line 11, by inserting:

"*1. If testimony of a medical expert was given at the review by the screening panel:*".

Amend sec. 18.6, page 6, line 15, by deleting "*experts.*" and inserting: "*a medical expert based upon his review of those records.*".

Amend sec. 18.6, page 6, after line 17 by inserting:

"*2. If testimony of a medical expert was not given at the review by the screening panel:*

During the course of this trial certain evidence was admitted concerning the findings of a screening panel. The findings of the panel were based solely upon a review of the medical records. These findings are to be given the same weight as any other evidence, but are not conclusive on your determination of the case.".

Amendment No. 1416.

Amend the bill as a whole, page 1, by deleting line 15 and inserting:

"Sec. 6. *If a person brings an action in court for medical malpractice concerning a member of his family, no bond may be required pursuant to section 18 or 18.5 of this act.*

Sec. 7. (Deleted by amendment.)".

Amend sec. 18.5, page 6, by deleting lines 29 through 32.

Amend the bill as a whole by adding a new section designated section 18.7, following section 18.6, to read as follows:

"Sec. 18.7. *A bond is not subject to forfeiture pursuant to section 18 or 18.5 of this act until there is a final adjudication on the merits. If a claim is settled before a final adjudication on the merits is made, the bond may be exonerated by stipulation of the parties.*".

Assemblyman Stone moved that the Assembly concur in the Senate amendments to Assembly Bill No. 696.

Remarks by Assemblyman Stone.

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 2:52 p.m.

ASSEMBLY IN SESSION

At 2:58 p.m.

Mr. Speaker presiding.

Quorum present.

REMARKS FROM THE FLOOR

Assemblyman Beyer requested that the following remarks be entered in the Journal.

Whereas, Jennifer Jo Salls is a mathematics teacher and department chairman at Robert McQueen High School; and

Whereas, Mrs. Salls has been honored by the Sigma Xi Chapter of the National Honor Society for Scientists for encouraging students into science and mathematics careers; and

Whereas, in the summer of 1984, Mrs. Salls was chosen as one of six instructors nationwide to teach the nation's most gifted students in science and mathematics at the Rickover Science Institute in McLean, Virginia; and

Whereas, Mrs. Salls was selected as a 1984 Presidential Awards winner for the State of Nevada in science and mathematics; and

Whereas, Mrs. Salls has been selected as the State of Nevada "Teacher of the Year for 1985" as acknowledgment of her excellence as an instructor for the youth in the State of Nevada;

Now, therefore, be it resolved by the Assembly of the State of Nevada,

That Mrs. Jennifer Salls be commended and congratulated for her achievements and that she be wished success in representing the State of Nevada as a candidate for the nation's Teacher of the Year Award; and be it further

Resolved, that this Resolution be entered into the Journal of the Assembly of the State of Nevada; and be it further

Resolved, that a copy of this Resolution be prepared and transmitted forthwith by the Chief Clerk of the Assembly to Mrs. Jennifer Jo Salls.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Commerce, to which was referred 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.

JOHN DUBOIS, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Ways and Means, to which was referred Assembly 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.

JOHN MARVEL, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Natural Resources, Agriculture and Mining, 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: Do pass.

VIRGIL M. GETTO, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Ways and Means, 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: Do pass.

JOHN MARVEL, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which was referred 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.

JAMES STONE, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Francis moved that Senate Bills Nos. 219, 231, 428 and 513 be placed on the Second Reading File.

Motion carried.

Assemblyman Francis moved that Assembly Bills Nos. 460, 726 and 727 be placed at the top of the General File.

Motion carried.

Assemblyman Francis moved that Senate Bills Nos. 380, 471, 483, 498, 503 and 512 be placed on the General File.

Motion carried.

Assemblyman O'Donnell moved that Senate Bill No. 345 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman O'Donnell.

Motion carried.

Assemblyman Francis moved that Assembly Bill No. 726 be taken from the General File and placed on the Chief Clerk's desk.

Motion carried.

Assemblyman Nevin moved that Senate Bill No. 26 be taken from the Chief Clerk's desk and placed on the General File.

Remarks by Assemblyman Dini.

Motion carried.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 22.

The following Senate amendment was read:

Amendment No. 1299.

Amend the bill as a whole by renumbering section 5 as section 8 and adding new sections designated as sections 5 through 7, following section 4, to read as follows:

"Sec. 5. 1. For the fiscal year commencing July 1, 1985, and ending June 30, 1986, and for the fiscal year commencing July 1, 1986, and ending June 30, 1987, a tax ad valorem of 2 cents on each $100 of assessed valuation of taxable property is hereby levied and directed to be collected, in the manner provided in chapter 361 of NRS, on all taxable property in this state, including the net proceeds of mines and mining claims, except such property as is by law exempt from taxation.

2. The proceeds of the tax levied by subsection 1 are hereby appropriated

for each fiscal year to the consolidated bond interest and redemption fund to discharge the obligations of the State of Nevada as they are respectively due in that fiscal year. Any balance of money appropriated by this section remaining at the end of the respective fiscal years does not revert to the state general fund.

Sec. 6. 1. On or before July 1, 1985, and July 1, 1986, the state controller shall estimate the amount of the proceeds of the tax levied by section 5 of this act. If the amount is less than the total obligation of the State of Nevada for payment of the interest on and principal of bonds which will become due in that fiscal year, he shall reserve in the state general fund an amount which is sufficient to pay the remainder of the total obligation. The state controller may revise the estimate and the amount reserved.

2. If the money in the consolidated bond interest and redemption fund is insufficient to pay those obligations as they become due, the state controller shall cause the money reserved to be transferred from the state general fund to the consolidated bond interest and redemption fund. The amount reserved is hereby contingently appropriated for that purpose. Any balance of the sums appropriated by this subsection remaining at the end of the respective fiscal years must not be committed for expenditure after June 30 and reverts to the state general fund as soon as all payments of money committed have been made.

3. The state controller shall report to the legislature or, if the legislature is not in session, to the interim finance committee:

(a) The amount of any estimate made pursuant to subsection 1 and the amount of money reserved in the state general fund based upon the estimate;

(b) The amount of money transferred from the state general fund pursuant to subsection 2; and

(c) The amount of money which reverts to the state general fund pursuant to subsection 2.

Sec. 7. 1. There is hereby appropriated from the state general fund to the state board of examiners the sum of $125,000 for payment of any costs of the initial issuance and sale of the bonds issued pursuant to this act.

2. Any remaining balance of the appropriation made by subsection 1 must not be committed for expenditure after June 30, 1987, and reverts to the state general fund as soon as all payments of money committed have been made.".

Amend the title of the bill, second line, after "River;" by inserting: "levying a tax ad valorem to support the consolidated bond interest and redemption fund; making appropriations from the state general fund to support the consolidated bond interest and redemption fund and to pay the cost of issuing the bonds authorized by this act;".

Amend the summary of the bill, second line, by deleting the period and inserting: "and makes appropriations.".

Assemblyman Marvel moved that the Assembly concur in the Senate amendment to Assembly Bill No. 22.

Remarks by Assemblymen Marvel, Price and Joerg.
Motion carried.
Bill ordered enrolled.

MOTIONS, RESOLUTIONS AND NOTICES

Assembly Concurrent Resolution No. 31.
Assemblyman Bogaert moved the adoption of the resolution.
Resolution adopted.

Assembly Concurrent Resolution No. 35.
Assemblyman Bogaert moved the adoption of the resolution.
Remarks by Assemblyman Bogaert.
Resolution adopted.

Assembly Concurrent Resolution No. 36.
Assemblyman Bogaert moved the adoption of the resolution.
Remarks by Assemblyman Bogaert.
Resolution adopted.

Assembly Concurrent Resolution No. 39.
Assemblyman Bogaert moved the adoption of the resolution.
Remarks by Assemblymen Bogaert, Stone, Nicholas and Thomas.
Resolution adopted.

Assembly Concurrent Resolution No. 41.
Assemblyman Bogaert moved the adoption of the resolution.
Remarks by Assemblyman Bogaert.
Resolution adopted.

Assembly Concurrent Resolution No. 52.
Assemblyman Bogaert moved the adoption of the resolution.
Remarks by Assemblyman Bogaert.
Resolution adopted.

Assembly Concurrent Resolution No. 53.
Assemblyman Bogaert moved the adoption of the resolution.
Remarks by Assemblyman Bogaert.
Resolution adopted.

Assembly Concurrent Resolution No. 54.
Assemblyman Bogaert moved the adoption of the resolution.
Remarks by Assemblyman Bogaert.
Resolution adopted.

Assembly Concurrent Resolution No. 56.
Assemblyman Bogaert moved the adoption of the resolution.
Remarks by Assemblymen Bogaert and Craddock.
Resolution adopted.

By Assemblyman Beyer:

Assembly Concurrent Resolution No. 59—Directing the legislative commission to appoint a committee to study a plan to improve education in this state.

By Assemblymen Bilyeu and Dini:

Assembly Resolution No. 9—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, Bob L. Kerns, Robert M. Sader, James W. Schofield and Danny L. Thompson and Mrs. Barbara A. Zimmer are designated as the regular assembly members; Mr. Byron Bilyeu and Mr. Charles W. Joerg are designated as the first and second alternate members, respectively, for Mr. Louis W. Bergevin; Mrs. Joan A. Lambert and Mr. Bruce R. Bogaert are designated as the first and second alternate members, respectively, for Mr. Bob L. Kerns; Mrs. Courtenay C. Swain and Mr. Joseph E. Dini, Jr. are designated as the first and second alternate members, respectively, for Mr. Robert M. Sader; Mrs. Myrna T. Williams and Mr. Morse Arberry, Jr. are designated as the first and second alternate members, respectively, for Mr. James W. Schofield; Mr. Robert E. Price and Mr. Robert G. Craddock are designated as the first and second alternate members, respectively, for Mr. Danny L. Thompson; and Mr. Steven C. Francis and Mr. O. Charles Horne are designated as the first and second alternate members, respectively, for Mrs. Barbara A. Zimmer.

Assemblyman Dini moved the adoption of the resolution.

Remarks by Assemblyman Dini.

Resolution adopted.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Judiciary, to which was referred Senate Bill No. 217, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JAMES STONE, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, June 1, 1985

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. 38.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Senate Joint Resolution No. 38.

Resolution read first 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 3:21 p.m.

ASSEMBLY IN SESSION

At 3:22 p.m.

Mr. Speaker pro Tempore presiding.

Quorum present.

UNFINISHED BUSINESS

REPORTS OF CONFERENCE COMMITTEES

Mr. Speaker:

The first Committee on Conference concerning Assembly Bill No. 389, 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. C13, which is attached to and hereby made a part of this report.

LOUIS W. BERGEVIN	SUE WAGNER
BOB L. KERNS	NICHOLAS (NICK) J. HORN
BRUCE R. BOGAERT	DEAN A. RHODES
Assembly Committee on Conference	*Senate Committee on Conference*

Amendment No. C13.

Amend sec. 7, pages 3 and 4, by deleting line 46 on page 3 and line 1 on page 4 and inserting:

"*3. Promote the public health by enabling the acquisition, development, expansion and maintenance of health and care facilities and*".

Assemblyman Bergevin moved that the Assembly adopt the report of the first Committee on Conference concerning Assembly Bill No. 389.

Remarks by Assemblyman Bergevin.

Motion carried.

SECOND READING AND AMENDMENT

Senate Bill No. 219.

Bill read second time.

The following amendment was proposed by the Committee on Labor and Management:

Amendment No. 1449.

Amend Section 1, page 1, line 2, by deleting: "2 to 5, inclusive," and inserting: "2, 3 and 4".

Amend Sec. 5, page 2, by deleting lines 14 through 21 and inserting:

"Sec. 5. (Deleted by amendment.)".

Amend Sec. 7, page 3, line 7, after "not", by inserting: "*a health maintenance organization or*".

Amend Sec. 7, page 3, line 9, by deleting the bracket.

Amend Sec. 7, page 3, line 10, before "Making", by inserting an open bracket.

Amend Sec. 7, page 3, lines 30 and 31, by deleting: ", *except as authorized in section 5 of this act.*

3. Practicing" and inserting "Practicing".

Assemblyman O'Donnell moved the adoption of the amendment.

Remarks by Assemblyman O'Donnell.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 231.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1433.

Amend the bill as a whole by deleting section 1 and renumbering sections 2 through 4 as sections 1 through 3.

Amend sec. 2, page 2, by deleting line 34 and inserting: "this chapter or chapter 464 of NRS:

(1) Not less than $10,000 nor more than $250,000 for each separate violation of any regulation adopted pursuant to section 1 of Senate Bill No. 452 of the 63rd session of the Nevada legislature which is the subject of an initial or subsequent complaint; or

(2) Except as otherwise provided in subparagraph 1 of this paragraph, not more than $100,000 for each".

Amend sec. 2, page 2, line 42, by deleting "provisions" and inserting "provision".

Amend the bill as a whole by adding a new section designated section 4, following section 4, to read as follows:

"Sec. 4. Section 1 of this act becomes effective at 12:01 a.m. on July 1, 1985.".

Amend the title of the bill, first and second lines, by deleting: "authorize the employment of independent legal counsel by the commission;".

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. 428.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1438.

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 151.090 is hereby amended to read as follows:

151.090 1. When a petition for final distribution is filed, the petitioner shall give notice of the hearing of the petition *by mail* to all persons [interested in the estate] *individually entitled to notice* as provided in NRS [155.020.] *155.010.*

2. The court may order such further notice as it may deem proper.".

Amend sec. 3, page 2, by deleting lines 11 through 13 and inserting:

"issuance of letters testamentary [,] or for letters of administration [, shall] *must* be given:".

Amend the bill as a whole by deleting sections 4 and 5.

Amend the title of the bill to read:

"An Act relating to the disposition of property; requiring additional information in the petitions for probate of a will and for letters of administration; eliminating the requirement of public notice of the hearing of a final account and petition for distribution; and providing other matters properly relating thereto.".

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. 513.

Bill read second time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1418.

Amend sec. 6, page 4, line 18, by deleting "Project 85-66." and inserting: "Projects 85-1 and 85-66.".

Assemblyman Marvel moved the adoption of the amendment.

Remarks by Assemblyman Marvel.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

GENERAL FILE AND THIRD READING

Assembly Bill No. 460.

Bill read third time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1379.

Amend sec. 6, page 3, line 7, after "*recommending*", by inserting: ", *by ranking in order of qualifications,*".

Amend sec. 6, page 3, lines 11 and 12, by deleting "*those applicants*" and inserting: "*the highest ranked applicant*".

Amend sec. 6, page 3, line 13, after "*services.*", by inserting: "*If a mutually satisfactory agreement cannot be reached with that applicant, the selection board may terminate the negotiations upon notification to the applicant and initiate negotiations with the other applicants, in order of their ranking, until a mutually satisfactory agreement is reached.*".

Amend sec. 6, page 3, line 15, after "*select*", by inserting "*and* rank".

Assemblyman Beyer moved the adoption of the amendment.

Remarks by Assemblyman Beyer.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 727.
Bill read third time.
Remarks by Assemblyman Price.
Roll call on Assembly Bill No. 727:

YEAS—41.
NAYS—None.
Absent—Sedway.

Assembly Bill No. 727 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.
Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Francis moved that all rules be suspended and that Assembly Bill No. 727; Assembly Concurrent Resolutions Nos. 31, 35, 36, 39, 41, 52, 53, 54 and 56 be immediately transmitted to the Senate.
Motion carried unanimously.

Assemblyman Bergevin moved that Senate Bill No. 345 be taken from the Chief Clerk's desk and re-referred to the Committee on Government Affairs.
Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 38.
Bill read third time.
The following amendment was proposed by the Committee on Judiciary:
Amendment No. 1407.
Amend section 1, page 1, by deleting lines 3 through 12 and inserting: "*A person who is present solely to improve his own personal skill or knowledge by observing the rendering of care by a practitioner of a healing art is*".
Amend section 1, page 1, by deleting lines 15 through 18 and inserting: "*rendering of that care and is not compensated for that care.*".
Amend the bill as a whole by adding a new section designated section 2, following section 1, to read as follows:
"Sec. 2. Chapter 631 of NRS is hereby amended by adding a new section to read as follows: *The liability of any person retained as an independent contractor by the board to judge the qualifications of an applicant for licensure by the board is limited to the same extent as is provided in NRS 41.035 for a member of the board.*".
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. 515.
Bill read third time.
Remarks by Assemblyman Marvel.

Roll call on Senate Bill No. 515:

YEAS—38.
NAYS—Fairchild, Little, Rader—3.
Absent—Sedway.

Senate Bill No. 515 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 432.

Bill read third time.

Remarks by Assemblymen Humke and Bilyeu.

Roll call on Senate Bill No. 432:

YEAS—39.
NAYS—Banner, Roberts—2.
Absent—Sedway.

Senate Bill No. 432 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 27.

Bill read third time.

Remarks by Assemblymen Thomas, Ham and Humke.

Roll call on Senate Bill No. 27:

YEAS—35.
NAYS—Bogaert, Fairchild, Ham, Humke, Little, Roberts—6.
Absent—Sedway.

Senate Bill No. 27 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 3:52 p.m.

ASSEMBLY IN SESSION

At 4:13 p.m.

Mr. Speaker presiding.

Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Commerce, to which was referred Senate Bill No. 397, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN DUBOIS, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, June 1, 1985

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. 227, 276, 365, 454, 497.

MARY JO MONGELLI
Assistant Secretary of the Senate

INTRODUCTION AND FIRST READING OF LEGISLATION

Senate Bill No. 227.
Bill read first time.

Senate Bill No. 276.
Bill read first time.

Senate Bill No. 365.
Bill read first time.

Senate Bill No. 454.
Bill read first time.

Senate Bill No. 497.
Bill read first time.

GENERAL FILE AND THIRD READING

Senate Bill No. 121.
Bill read third time.
Remarks by Assemblyman Beyer.
Roll call on Senate Bill No. 121:

YEAS—41.
NAYS—None.
Absent—Sedway.

Senate Bill No. 121 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 Assemblymen Williams, Ham, Francis, Schofield and DuBois.
Roll call on Senate Bill No. 163:

YEAS—30.
NAYS—Bogaert, Fairchild, Ham, Lambert, Little, McGaughey, Malone, Rader, Roberts, Schofield, Spriggs—11.
Absent—Sedway.

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. 191.

Bill read third time.

Remarks by Assemblymen Nicholas, Humke, Dini, Stone, Malone, Bergevin and Price.

Roll call on Senate Bill No. 191:

YEAS—30.

NAYS—Fairchild, Horne, Little, McGaughey, Malone, O'Donnell, Rader, Roberts, Tebbs, Thomas—10.

Absent—Sedway.

Not voting—Getto.

Senate Bill No. 191 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 332.

Bill read third time.

Remarks by Assemblymen Bergevin and Price.

Roll call on Senate Bill No. 332:

YEAS—38.

NAYS—Coffin, Nevin, Price—3.

Absent—Sedway.

Senate Bill No. 332 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Francis moved that Assembly Bill No. 261 be placed on the General File.

Motion carried.

Assemblyman Francis moved that Senate Bills Nos. 206, 217, 390 and 397 be placed on the Second Reading File.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 261.

Bill read third time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1432.

Amend the bill as a whole by renumbering section 1 as section 13 and adding new sections designated sections 1 through 12, following the enacting clause, to read as follows:

"Section 1. Chapter 209 of NRS is hereby amended by adding thereto a new section to read as follows:

1. If a victim of an offender provides his current address to the director

and makes a written request for notification of the offender's release or escape, the director shall notify the victim if the offender:

(a) Will be released into the community for the purpose of employment, training or education, or for any other purpose for which release is authorized; or

(b) Has escaped from the custody of the department of prisons.

2. An offender must not be temporarily released into the community for any purpose unless notification of the release has been given to every victim of the offender who has requested notification and has provided his current address.

3. The director may not be held responsible for any injury proximately caused by his failure to give any notice required pursuant to subsection 1 or 2 if no address was provided to the director or the address provided is inaccurate or not current.

4. As used in this section, "victim" has the meaning ascribed to it in NRS 213.005.

Sec. 2. Chapter 217 of NRS is hereby amended by adding thereto the provisions set forth as sections 3, 4 and 5 of this act.

Sec. 3. *"Appeals officer" means an appeals officer of the hearings division of the department of administration.*

Sec. 4. *The chief of the hearings division of the department of administration may prepare and disseminate information describing the benefits available pursuant to this chapter to victims of crime.*

Sec. 5. *1. The board of county commissioners of each county shall provide by ordinance for the counseling of victims of sexual abuse and any relatives living with the victims. A relative is not eligible to receive counseling if he committed the sexual abuse for which counseling is sought. The counseling may be provided only upon request by the victim or eligible relative.*

2. As used in this section, "sexual abuse" has the meaning ascribed to it in NRS 200.5011.

Sec. 5. NRS 217.020 is hereby amended to read as follows:

217.020 As used in NRS 217.010 to 217.270, inclusive, unless the context otherwise requires, the words and terms defined in NRS 217.030 to 217.070, inclusive, *and sections 3 of this act* have the meanings ascribed to them in those sections.

Sec. 6. NRS 217.050 is hereby amended to read as follows:

217.050 "Personal injury" means:

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 200.710, 200.720 or 200.730, any harm which results in a need for medical treatment or any psychological or psychiatric counseling, or both [.] *; or*

3. Any harm which results from sexual abuse.

Sec. 7. NRS 217.070 is hereby amended to read as follows:

217.070 "Victim" means:

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 200.710, 200.720 or 200.730 [.] *; or*

3. A minor who was sexually abused, as "sexual abuse" is defined in NRS 200.5011.

Sec. 8. NRS 217.095 is hereby amended to read as follows:

217.095 1. A person is eligible for [a preliminary] *an emergency* award under this section if [his income, including any benefits or pensions, is not more than $750 per month. The board may require an applicant to submit proof of his monthly income.] *he lacks financial resources which would allow him to pay compensable costs before a final award is made.*

2. A person may request [a preliminary] *an emergency* award in his application to the board for compensation. [A preliminary] *An emergency* award may be made to:

(a) Replace money lost as a direct consequence of criminal action if the applicant needs to replace the lost money to pay his expenses for the next 30 days. An award pursuant to this paragraph must not exceed $400.

(b) Pay for the replacement or repair of lost or damaged property which is essential to the physical or psychological health of the applicant. *Such property includes, but is not limited to, eyeglasses, dentures and other prosthetic devices, and locks, windows and doors of the victim's dwelling.* An award pursuant to this paragraph must not exceed $1,000.

[A preliminary] *An emergency* award must be granted if the applicant submits sufficient evidence to establish a prima facie case for granting compensation pursuant to NRS 217.010 to 217.270, inclusive, and to satisfy the requirements of this section.

3. The board shall refer the application for [a preliminary] *an emergency* award and any supporting documents to a compensation officer within 2 working days after the application is received. The compensation officer shall investigate the application and [:

(a) Grant a preliminary award; or

(b) Submit] *submit* a report to a hearing officer [recommending that the application be denied,] within 5 days after receiving the application. The hearing officer shall render a decision on any report submitted to him within 3 days after its receipt.

4. *No award may be made pursuant to this section unless the application is submitted within 45 days after the date of the personal injury or death on which the claim is based or, if an application could not reasonably been submitted within that period, within 15 days after an application could reasonably have been submitted.*

5. The amount of any [preliminary] *emergency* award must be deducted from any award subsequently granted.

Sec. 9. NRS 217.110 is hereby amended to read as follows:

217.110 1. Upon receipt of an application for compensation, the *clerk of the* board *shall deny it if the applicant's ineligibility is apparent from the facts stated in the application. Otherwise, he* shall refer the application, together with the reports of the treating or examining physicians, to a compensation officer within 5 days. *The applicant may appeal the denial to an appeals officer within 15 days after the decision.*

2. The compensation officer shall *review the application to determine whether the applicant qualifies for compensation. The compensation officer may deny the claim if the applicant's ineligibility is apparent from the facts stated in the application. The applicant may appeal the denial to an appeals officer within 15 days after the decision. If the appeals officer determines that the applicant may be entitled to compensation, he shall order the compensation officer to complete an investigation and report pursuant to subsection 3. If the appeals officer denies the appeal, the board may review the application and approve the denial or order an investigation and report. The appeals officer shall render his decision within 10 days after receiving notice of the appeal. He shall notify the applicant of his decision by certified mail, return receipt requested.*

3. If the compensation officer does not deny the application pursuant to subsection 2, or if he is ordered to proceed by the appeals officer or the board, he shall conduct his investigation and submit his report and recommendation to a hearing officer within 60 days after his receipt of the application [.] *or order.* If in conducting his investigation the compensation officer believes that reports on the previous medical history of the victim, or an examination of the victim and a report of that examination, or a report on the cause of death of the victim by an impartial medical expert would aid him in making his recommendation, the compensation officer may order the reports.

[3.] *4.* Within 15 days after the hearing officer receives the report and recommendation of the compensation officer, the hearing officer shall render a decision in the case, including any order directing the payment of compensation, or give notice to the applicant that a hearing will be held. The hearing must be held within 20 days after the notice is given.

Sec. 10. NRS 217.115 is hereby amended to read as follows:

217.115 The [time] limitations *of time* in NRS 217.110 and 217.113 may be waived by the applicant or, upon good cause shown, by the hearing officer [.] *or appeals officer.*

Sec. 11. NRS 217.117 is hereby amended to read as follows:

217.117 1. The applicant may, within 15 days after the hearing officer renders his decision, appeal the decision to *an appeals officer. The appeals officer may hold a hearing or render a decision without a hearing. If the appeals officer holds a hearing he must give notice to the applicant, hold the hearing within 20 days after the notice, and render his decision in the case within 10 days after the hearing. The appeals officer must render a decision*

in each case within 45 days after receiving the appeal and the record, whether or not a hearing is held. The appeals officer may affirm, modify or reverse the decision of the hearing officer.

2. The applicant may, within 15 days after the appeals officer renders his decision, appeal the decision to the board. The board shall consider the appeal on the record at its next scheduled meeting if the appeal and the record are received by the board at least 5 days before the meeting. Within 10 days after the meeting the board shall render its decision in the case or give notice to the applicant that a hearing will be held. The hearing must be held within 30 days after the notice is given and the board shall render its decision in the case within 10 days after the hearing.

[2.] *3.* The board may on its own motion, within 15 days after the [hearing] *appeals* officer renders his decision, modify or reverse the decision.

[3.] *4.* The decision of the board is final and not subject to judicial review.

Sec. 12. NRS 217.180 is hereby amended to read as follows:

217.180 1. In determining whether to make an order for compensation, the hearing officer shall consider the provocation, consent or any other behavior of the victim which directly or indirectly contributed to his injury or death, the prior case or social history, if any, of the victim, need of the victim or his dependents for financial aid and other relevant matters.

2. If the claimant has received or is likely to receive any amount on account of his injuries or the death of another from:

(a) The person who committed the crime which caused the victim's injury or from anyone paying on behalf of the offender;

(b) Insurance;

(c) The employer of the victim; or

(d) Any other private or public source or program of assistance,

he shall report the amounts received or which he is likely to receive to the compensation officer . [and the hearing officer shall reduce the award of compensation by that amount.] Any of those sources which is obligated to pay any amount after the award of compensation shall pay the board any amount of compensation which has been paid to the claimant and pay the remainder of the amount due to the claimant. *The hearing officer shall deduct the amounts which the claimant has received or is likely to receive from those sources from the victim's total expenses.*

3. An order for compensation may be made whether or not any person is prosecuted or convicted of any offense arising from the act on which the claim for compensation is based.".

Amend section 1, page 2, line 5, before "The", by inserting an open bracket.

Amend section 1, page 2, by deleting lines 15 through 17 and inserting:

"3.] No award may be made [for less than $100 or] for more than $15,000 . [except in the case of a minor who was involved in the production of pornography.]".

Amend the bill as a whole by renumbering sections 2 and 3 as sections 16 and 17 and adding new sections designated sections 14 and 15, following section 1, to read as follows:

"Sec. 14. NRS 217.210 is hereby amended to read as follows:

217.210 1. [No] *Except as provided in subsection 3, no* order for the payment of compensation may be made unless the application is made within 1 year after the date of the personal injury or death on which the claim is based, and the personal injury or death was the result of an incident or offense which was reported to the police within 5 days of its occurrence or, if the incident or offense could not reasonably have been reported within that period, within 5 days of the time when a report could reasonably have been made.

2. A claim with respect to which information has been requested from a claimant by the compensation officer or hearing officer remains open for 1 year after the request is made. If a claimant does not submit the requested information within 1 year after the request is made, the claim must be denied.

3. The limitations upon payment of compensation established in subsection 1 do not apply to a minor who is sexually abused or who is involved in the production of pornography. Such a minor must apply for compensation before reaching 18 years of age.

Sec. 15. NRS 217.220 is hereby amended to read as follows:

217.220 1. Except as otherwise provided in [subsection 2,] *subsections 2, 3 and 4,* 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] *the* vehicle, boat or airplane was used as a weapon in a deliberate attempt to harm the victim;

[(e)] *(d)* Was not a resident of the State of Nevada at the time the incident upon which the claim is based occurred; or

[(f)] *(e)* 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 200.710, 200.720 or 200.730.

3. The provisions of paragraphs (a) and (b) of subsection 1 do not apply to a minor who was a victim of sexual abuse, as that term is defined in NRS 200.5011.

4. A victim who is a relative of the offender or who, at the time of the personal injury or death of the victim, was living with the offender in a continuing relationship may be awarded compensation if:

(a) The offender would not profit by the compensation of the victim; and

(b) The victim cooperates with agencies of law enforcement. Such cooperation does not require prosecution of the offender.

5. The hearing officer may deny an award if he determines that the claimant will not suffer serious financial hardship. *In determining whether a claimant will suffer serious financial hardship, the hearing officer shall not consider:*

(a) The value of the victim's dwelling;

(b) The value of one motor vehicle owned by the victim; or

(c) The savings and investments of the victim up to an amount equal to the victim's annual salary.".

Amend sec. 2, page 2, by deleting lines 25 through 30 and inserting: "as other claims against the state are paid. *The state board of examiners shall estimate quarterly:*

(a) The revenue in the fund which is available for the payment of compensation; and

(b) The anticipated expenses for the next quarter.

If the estimated expenses for the quarter exceed the available revenue, all claims paid in that quarter must be reduced in the same proportion as the expenses exceeded the revenue.".

Amend the bill as a whole by renumbering section 4 as section 24 and adding new sections designated sections 18 through 23, following section 3, to read as follows:

"Sec. 18. NRS 217.300 is hereby amended to read as follows:

217.300 [1. Any victim of sexual assault may request and receive initial emergency medical care at a hospital for any physical injuries which resulted from the sexual assault.

2. Any costs incurred for such treatment shall be charged to and paid by the county in whose jurisdiction the offense was committed.] *The county in whose jurisdiction a sexual assault is committed shall pay any costs incurred for medical care for any physical injuries resulting from the assault which is provided to the victim not later than 72 hours after the victim first arrives for treatment.*

Sec. 19. NRS 217.310 is hereby amended to read as follows:

217.310 1. If any victim of sexual assault requires medical treatment for physical injuries as a result of the sexual assault, in addition to any initial emergency medical care provided, or if any victim or spouse of such a victim suffers emotional trauma as a result of the sexual assault, the victim or spouse may, upon submitting an affidavit as required by subsection 2, apply to the board of county commissioners in the county where the sexual assault occurred for treatment at county expense.

2. The board shall approve an application for treatment upon receiving an affidavit from the applicant declaring that:

(a) The applicant is a victim of sexual assault or spouse of such a victim;

(b) The sexual assault occurred in the county; and

(c) The victim requires medical treatment for physical injuries, or the victim or spouse has suffered emotional trauma,
as a result of the sexual assault.

3. *A victim who has suffered emotional trauma may select a relative or close friend to receive counseling with the victim if the counselor agrees that such companionship will be helpful to the victim. If the victim's application for treatment is approved, counseling for the relative or friend must also be approved.*

4. The filing of a report with the appropriate law enforcement agency is a prerequisite to qualify for treatment under the provisions of this section.

Sec. 20. NRS 217.320 is hereby amended to read as follows:

217.320 1. Upon approval by the board of county commissioners as provided in NRS 217.310, medical treatment for the victim's physical injuries or treatment in the form of psychological, psychiatric and marital counseling for the victim , [and] the victim's spouse *and any other eligible person* must be made available at a county hospital or other facility with which the board may contract for the purpose of providing such treatment.

2. Any costs for treatment provided pursuant to this section, not exceeding $1,000, shall be paid by the county which authorized the treatment.

Sec. 21. NRS 217.340 is hereby amended to read as follows:

217.340 No order for treatment pursuant to NRS 217.310 and 217.320 may be made by the board of county commissioners unless:

1. The application for treatment is made within 60 days after the date of the sexual assault; [and] *or*

2. The sexual assault was reported to the police within 3 days after its occurrence, or if the offense could not reasonably have been reported within that period, within 3 days after the time when a report could reasonably have been made.

Sec. 22. NRS 449.244 is hereby amended to read as follows:

449.244 1. Any costs incurred by a hospital for:

(a) The examination of the victim of a sexual offense, when [such] *the* examination is performed for the purposes of gathering evidence for possible prosecution of the person who committed the offense; or

(b) Initial emergency medical care for the victim,
[shall] *must* not be charged directly [or indirectly] to the victim. [Such costs shall] *The costs must* be charged to the county in whose jurisdiction the offense was committed.

2. Whenever costs are incurred by a hospital for treatment which has been approved by the board of county commissioners pursuant to NRS 217.310 for the victim of a sexual assault [or the spouse of such a victim, or both,] *and any other person eligible for treatment,* the costs of the treatment, not to exceed $1,000, must be charged to the county which authorized the treatment. Any remainder must be handled the same as other hospital costs.

Sec. 23. Section 3 of chapter 181, Statutes of Nevada 1985, is hereby amended to read as follows:

"Sec. 3. NRS 217.260 is hereby amended to read as follows:

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. The state board of examiners shall estimate quarterly:

(a) The revenue in the fund which is available for the payment of compensation; and

(b) The anticipated expenses for the next quarter.

If the estimated expenses for the quarter exceed the available revenue, all claims paid in that quarter must be reduced in the same proportion as the expenses exceeded the revenue.

2. Money deposited in the fund which is recovered from a forfeiture of assets pursuant to NRS 200.760 and the interest and income earned on that money must be used for the counseling and medical treatment [of minors who are involved in the production of pornography] *victims of crimes committed* in violation of NRS *200.366,* 200.710, 200.720 [or 200.730.] *, 200.730 or 201.230.*

3. The interest and income earned on the money in the fund for the compensation of victims of crime, after deducting any applicable charges, must be credited to the fund.".

Amend sec. 4, page 3, by deleting lines 9 through 11 and inserting:

"Sec. 24. This section and sections 16 and 23 of this act become effective upon passage and approval.".

Amend the title of the bill to read as follows:

"An Act making various changes relating to victims of crimes; making an appropriation; and providing other matters properly relating thereto.".

Amend the summary of the bill to read as follows: "Makes various changes relating to victims of crimes. (BDR 16-98)".

Assemblyman Humke moved the adoption of the amendment.

Remarks by Assemblyman Humke.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

SECOND READING AND AMENDMENT

Senate Bill No. 206.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1452.

Amend sec. 8, page 7, by deleting lines 42 and 43 and inserting:

"*(d) Distribute the residue of its money and property as follows:*

(1) Assets held by the corporation on the condition that upon dissolution

they be returned, transferred or conveyed must be returned, transferred or conveyed as required;

(2) Assets received and held by the corporation subject to limitations permitting their use only for charitable, religious, eleemosynary, benevolent, educational or similar purposes, but not held upon a condition requiring return, transfer or conveyance upon dissolution, must be transferred or conveyed to one or more domestic or foreign corporations, societies or organizations engaged in activities substantially similar to those of the dissolving corporation, pursuant to a plan of distribution;

(3) Other assets, if any, must be distributed in accordance with the provisions of the articles of incorporation or the by-laws to the extent that the articles of incorporation or by-laws determine the distributive rights of members, or any class or classes of members, or provide for distribution to others; and

(4) Any remaining assets may be distributed to such persons, societies, organizations or domestic or foreign corporations, whether for profit or nonprofit, as may be specified in a plan of distribution,".

Amend sec. 13, page 9, line 7, by deleting "78.360,".

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. 217.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1451.

Amend sec. 2, page 1, line 9, by deleting: "*within 90 days*" and inserting: "*not sooner than 90 days nor later than 5 years*".

Amend sec. 2, page 1, by deleting lines 14 through 16 and inserting:

"*3. If the amount due as stated in the notice of lien is reduced by payments and any person listed in subsection 2 of section 3 gives written notice of that reduction to the county or district hospital which recorded the lien, the county or district hospital shall amend the notice of lien stating the amount then due, within 10 days after it receives the written notice.*".

Amend sec. 3, page 2, by deleting lines 5 and 6 and inserting:

"*(a) Lifetime of the owner of the property, his spouse, his dependent adult child if that child is mentally or physically disabled or a joint tenant if he was a joint tenant at the time of the patient's discharge; or*".

Amend sec. 3, page 2, by deleting lines 8 and 9 and inserting: "*if the owner or joint tenant resides on the property, or his spouse, dependent or minor child resides on the property and has acquired title thereto.*".

Amend sec. 4, page 2, by deleting lines 13 and 14 and inserting: "*ant to subsection 1 after payment of the charges is liable in a civil action for treble damages, if the plaintiff in the action gives the county or district hospital at*

least 15 days' written notice of its failure to release the lien and the release has not been recorded.".

Amend the title of the bill, second line, by deleting: "providing a penalty;".

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. 390.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 1439.

Amend sec. 7, page 2, line 16, after "*For*", by inserting: "manicurists, electrologists, aestheticians,".

Amend sec. 7, page 2, after line 22, by inserting:

"*(e) For facilities for demonstrations, $60.*".

Amend sec. 7, page 2, lines 28 and 29, by deleting: "*hairdresser and cosmetician, cosmetician,*" and inserting "*cosmetologist, aesthetician,*".

Amend the bill as a whole by renumbering sections 8 and 9 as sections 20 and 21 and adding new sections designated sections 8 through 19, following section 7, to read as follows:

"Sec. 8. NRS 644.022 is hereby amended to read as follows:

644.022 ["Cosmetician" or "aesthetician"] *"Aesthetician"* means any person who engages in the practices of:

1. Beautifying, massaging, cleansing or stimulating the skin of the human body, except the scalp, by the use of cosmetic preparations, antiseptics, tonics, lotions or creams or any device, electrical or otherwise, for the care of the skin;

2. Applying makeup or eyelashes to any person , tinting eyelashes and eyebrows and lightening hair on the body except the scalp; and

3. Removing superfluous hair from the body of any person by the use of depilatories, waxing or tweezers,

but does not include the branches of cosmetology of a [hairdresser,] *cosmetologist,* electrologist or manicurist.

Sec. 9. NRS 644.023 is hereby amended to read as follows:

644.023 "Cosmetologist" means a person who [has received a license from the board to practice as a manicurist, electrologist or hairdresser and cosmetician.] *engages in the practices of:*

1. Cleansing, stimulating or massaging the scalp or cleansing or beautifying the hair by the use of cosmetic preparations, antiseptics, tonics, lotions or creams.

2. Cutting, trimming or shaping the hair.

3. Arranging, dressing, curling, waving, cleansing, singeing, bleaching, tinting, coloring or straightening the hair of any person with the hands, mechanical or electrical apparatus or appliances, or by other means, or

similar work incident to or necessary for the proper carrying on of the practice or occupation provided by the terms of this chapter.

4. Removing superfluous hair from the body of any person by the use of electrolysis to remove the hair from the surface of the body where the growth is a blemish, or by the use of depilatories, waxing or tweezers.

5. Manicuring the nails of any person.

Sec. 10. NRS 644.024 is hereby amended to read as follows:

644.024 "Cosmetology" includes the occupation of a cosmetologist [or beauty culturist and includes the branches of a cosmetician, hairdresser,] , *aesthetician,* electrologist or manicurist.

Sec. 11. NRS 644.028 is hereby amended to read as follows:

644.028 "Junior operator" means a person engaged in learning the [occupations of a hairdresser and cosmetician in a hairdressing or] *occupation of a cosmetologist in a* cosmetological establishment.

Sec. 12. NRS 644.040 is hereby amended to read as follows:

644.040 1. No person is eligible for appointment as a member of the board:

(a) Who is not licensed as a *manicurist, electrologist, aesthetician or* cosmetologist under the provisions of this chapter.

(b) Who is not, at the time of appointment, either actually engaged in conducting a cosmetological establishment, or actually engaged in the practice of a branch of cosmetology.

(c) Who is not at least 25 years of age.

(d) Who has not been a resident of this state for at least 3 years immediately before his appointment.

2. Not more than one member of the board may be connected, directly or indirectly, with any school of cosmetology, or have been so connected while previously serving as a member of the board.

Sec. 13. NRS 644.090 is hereby amended to read as follows:

644.090 The board shall:

1. Hold examinations as to the qualifications of all applicants for registration, except as otherwise provided in this chapter, whose applications have been submitted to it in proper form.

2. Issue certificates of registration and licenses to such applicants as may be entitled thereto.

3. Register *facilities for demonstrations,* cosmetological establishments and schools of cosmetology.

4. Report to the proper prosecuting officers all violations of this chapter coming within its knowledge.

5. Inspect *facilities for demonstrations,* schools of cosmetology and cosmetological establishments to ensure compliance with *the* statutory requirements and adopted regulations of the board. This authority extends to any member of the board or its authorized employees.

Sec. 14. NRS 644.110 is hereby amended to read as follows:

644.110 The board shall adopt reasonable regulations:

1. For carrying out the provisions of this chapter.

2. For conducting examinations of applicants for registration.

3. For governing the recognition of, and the credits to be given to, the study of cosmetology under a *licensed manicurist, electrologist, aesthetician or* cosmetologist or in a school of cosmetology licensed under the laws of another state or territory of the United States or the District of Columbia.

4. For governing the conduct of schools of cosmetology. The regulations must include but need not be limited to, provisions:

(a) Prohibiting schools from requiring that students purchase beauty supplies for use in the course of study;

(b) Prohibiting schools from deducting earned hours of school credit or any other compensation earned by a student as a punishment for misbehavior of the student;

(c) Providing for lunch and coffee recesses for students during school hours; and

(d) Allowing a member or an authorized employee of the board to review the records of a student's training and attendance.

5. Governing the courses of study and practical training required of persons for treating the skin of the human body, except the scalp.

6. For governing the conduct of cosmetological establishments and facilities for demonstrations.

Sec. 15. NRS 644.120 is hereby amended to read as follows:

644.120 1. The board may adopt such regulations governing sanitary conditions as it deems necessary with particular reference to the precautions to be employed to prevent the creating or spreading of infectious or contagious diseases in *facilities for demonstrations,* cosmetological establishments or schools of cosmetology, or in the practice of a [hairdresser and cosmetician.] *cosmetologist.*

2. No regulation governing sanitary conditions thus adopted has any effect until it has been approved by the state board of health.

3. A copy of all regulations governing sanitary conditions which are adopted must be furnished to each person [, firm or corporation] to whom a certificate of registration and license is issued for the conduct of a *facility for demonstrations,* cosmetological establishment, school of cosmetology or practice of cosmetology.

Sec. 16. NRS 644.130 is hereby amended to read as follows:

644.130 The board shall keep a [registration] record containing the name, known places of business, and the date and number of the certificate of registration of every registered *manicurist, electrologist, aesthetician and* cosmetologist, together with the names and addresses of all *facilities for demonstrations,* cosmetological establishments and schools of cosmetology registered pursuant to this chapter. The record must also contain the facts which the applicants for registfation claimed in their applications to justify their registration.

Sec. 17. NRS 644.190 is hereby amended to read as follows:

644.190 1. It is unlawful for any person to conduct or operate a

cosmetological establishment, school of cosmetology, [hairdressing shop, beauty parlor] *facility for demonstrations* or any other place of business in which any one or any combination of the occupations of cosmetology are taught or practiced until licensed under the provisions of this chapter.

2. It is unlawful for any person to engage in, or attempt to engage in, the practice of cosmetology or any branch [or branches] thereof, whether for compensation or otherwise, [until] *unless he is* licensed under the provisions of this chapter.

3. This chapter does not prohibit:

(a) Any junior operator from engaging in any one or any combination of the occupations of cosmetology under the immediate supervision of a licensed [hairdresser and cosmetician.] *cosmetologist.*

(b) Any student in any school of cosmetology, legally established under the provisions of this chapter, from engaging, in the school and as a student, in work connected with any branch or any combination of branches of cosmetology in the school.

(c) An electrologist's apprentice from participating in a course of practical training and study.

Sec. 18. NRS 644.200 is hereby amended to read as follows:

644.200 The board shall admit to examination for a certificate of registration as a registered [hairdresser and cosmetician,] *cosmetologist,* at any meeting of the board held to conduct examinations, any person who has made application to the board in proper form and paid the fee required by this chapter, and who before or on the date of the examination:

1. Is not less than 18 years of age.
2. Is of good moral character and temperate habits.
3. Is a resident of Nevada.
4. Has successfully completed the 10th grade in school or its equivalent. Testing for equivalency must be pursuant to applicable state or federal requirements.
5. Has had any one of the following:

(a) Training of at least 1,800 hours, extending over a school term of 10 months, in a school of cosmetology approved by the board.

(b) Practice of the occupation of a [hairdresser and cosmetician for a period of] *cosmetologist for* 4 years outside this state.

(c) Service for at least 3,600 hours in not less than 2 years as a junior operator in a licensed cosmetological establishment in which all of the occupations of a cosmetologist are practiced.

Sec. 19. NRS 644.207 is hereby amended to read as follows:

644.207 The board shall admit to examination for a certificate of registration as [a cosmetician] *an aesthetician* any person who has made application to the board in proper form and paid the fee required by this chapter, and who:

1. Is at least 18 years of age;
2. Is of good moral character and temperate habits;

3. Is a resident of Nevada;

4. Has successfully completed the 10th grade in school or its equivalent; and

5. Has received a minimum of 600 hours of training, which included theory, modeling and practice, in a licensed school of cosmetology or 1200 hours as a junior operator, or who has practiced the occupation of [a cosmetician] *an aesthetician* full time for at least 1 year or its equivalent before July 1, 1981.".

Amend sec. 9, page 2, line 43, by deleting: "hairdresser and cosmetician, [$20.]" and inserting: "[hairdresser and cosmetician, $20.] *cosmetologist,*".

Amend sec. 9, page 3, line 5, by deleting: "a cosmetician, [$15.]" and inserting: "[a cosmetician, $15.] *an aesthetician,*".

Amend the bill as a whole by renumbering section 10 as section 27 and adding new sections designated sections 22 through 26, following section 9, to read as follows:

"Sec. 22. NRS 644.240 is hereby amended to read as follows:

644.240 1. Examinations for [certificates] *a certificate* of registration as [hairdressers and cosmeticians] *a cosmetologist* must include:

(a) Practical demonstrations in shampooing the hair, hairdressing, hair styling, finger waving, hair coloring, manicuring, makeup, thermal curling, marcelling, facial massage, scalp massage with the hands, and cutting, trimming or shaping hair.

(b) Written or oral tests in antisepsis, sterilization, sanitation, and the use of mechanical apparatus and electricity as applicable to the practice of the [occupations of a hairdresser and cosmetician.] *occupation of a cosmetologist.*

2. The examinations may include such other demonstrations and tests as the board may require.

Sec. 23. NRS 644.250 is hereby amended to read as follows:

644.250 1. Every applicant who [shall pass a satisfactory] *passes an* examination, conducted by the board to determine his fitness in the practice of the [occupations of a hairdresser and cosmetician, shall] *occupation of a cosmetologist, must* receive from the board a certificate of registration as a [hairdresser and cosmetician.] *cosmetologist.*

2. The certificate of registration [shall entitle] *entitles* the holder thereof, without additional cost, to a license to engage in the practice of the [occupations of a hairdresser and cosmetician up to and including] *occupation of a cosmetologist through* June 30 following the date of issue [.] *of the license.*

Sec. 24. NRS 644.260 is hereby amended to read as follows:

644.260 1. The board shall issue a certificate of registration as [a cosmetician,] *an aesthetician,* electrologist or manicurist to each applicant who passes a satisfactory examination, conducted by the board to determine his fitness to practice that occupation of cosmetology.

2. The certificate of registration entitles the holder, without additional

cost, to a license to engage in practice as [a cosmetician,] *an aesthetician,* electrologist or manicurist [up to and including] *through* June 30 following the date of issue [.] *of the license.*

Sec. 25. NRS 644.265 is hereby amended to read as follows:

644.265 1. The board shall grant, without examination, a certificate of registration as [a cosmetician] *an aesthetician* to any person who:

(a) Has practiced the occupation of [a cosmetician] *an aesthetician* full time for at least 1 year or its equivalent before July 1, 1981, in a jurisdiction which has requirements similar to those of this state; and

(b) Applies before January 1, 1982, to the board in proper form and pays the required fee.

2. A certificate of registration issued pursuant to this section authorizes the holder to practice the occupation of [a cosmetician] *an aesthetician* in a licensed cosmetological establishment. A certificate issued pursuant to this section expires on July 1, 1983, and is not renewable.

3. The board shall admit to examination for a certificate of registration as [a cosmetician] *an aesthetician* any person to whom a certificate is issued pursuant to this section and who, before or after the expiration of the certificate, makes a proper application to the board for the examination and pays the required fee.

Sec. 26. NRS 644.280 is hereby amended to read as follows:

644.280 1. Every certificate of registration and every license issued by the board must be signed by the president and attested by the secretary and must bear the impress of the board's seal.

2. Every certificate is prima facie evidence of the right of the holder thereof to a license as a registered [hairdresser and cosmetician, a cosmetician, an electrologist or a manicurist,] *cosmetologist, aesthetician, electrologist or manicurist,* as the case may be.".

Amend the bill as a whole by renumbering sections 11 through 15 as sections 29 through 33, and adding a new section designated section 28, following section 10, to read as follows:

"Sec. 28. NRS 644.300 is hereby amended to read as follows:

644.300 Every registered [hairdresser and cosmetician, cosmetician,] *cosmetologist, aesthetician,* electrologist or manicurist shall, within 30 days after changing his place of business, as designated on the books of the board, notify the secretary of the board of his new place of business. Upon receipt of the notification, the secretary shall make the necessary change in the register.".

Amend sec. 12, page 3, lines 40 and 41, by deleting: "hairdresser and cosmetician, cosmetician, electrologist, [and manicurist] *manicurist*" and inserting: "[hairdresser and cosmetician, cosmetician, electrologist, and] *cosmetologist, aesthetician, electrologist,* manicurist".

Amend sec. 12, page 3, line 44, by deleting "[2." and inserting "2.[".

Amend sec. 12, page 4, line 10, after "photograph.]", by inserting: "*The board shall adopt regulations governing the proration of the fee required for initial licenses issued for less than 1 1/2 years.*".

Amend sec. 13, page 4, lines 12 and 13, by deleting: "hairdresser and cosmetician, cosmetician," and inserting: "[hairdresser and cosmetician, cosmetician,] *cosmetologist, aesthetician,*".

Amend sec. 13, page 4, line 20, by deleting: "hairdresser and cosmetician, cosmetician," and inserting: "[hairdresser and cosmetician, cosmetician,] *cosmetologist, aesthetician,*".

Amend the bill as a whole by renumbering sections 16 and 17 as sections 36 and 37, and adding new sections designated sections 34 and 35, following section 15, to read as follows:

"Sec. 34. NRS 644.360 is hereby amended to read as follows:

644.360 1. Every holder of a license issued by the board to operate a cosmetological establishment *or a facility for demonstrations* shall display the license in a conspicuous place in the principal office or place of business of the holder.

2. [It is the responsibility of the] *The* operator of a cosmetological establishment [to] *shall* employ only licensed *manicurists, electrologists, aestheticians and* cosmetologists at [such] *his* establishment.

Sec. 35. NRS 644.370 is hereby amended to read as follows:

644.370 A cosmetological establishment must, at all times, be [in charge of and] under the immediate supervision of a licensed *manicurist, electrologist, aesthetician or* cosmetologist.".

Amend the bill as a whole by renumbering sections 18 through 22 as sections 39 through 43 and adding a new section designated section 38, following section 17, to read as follows:

"Sec. 38. NRS 644.408 is hereby amended to read as follows:

644.408 A student must receive the following amount of instruction in the classroom before commencing work on the public:

1. A student enrolled as a [hairdresser and cosmetician] *cosmetologist* must receive 250 hours or the equivalent of 32 days.

2. A student enrolled as a manicurist must receive 40 hours or the equivalent of 5 days.

3. A student enrolled as an electrologist's apprentice must receive 150 hours or the equivalent of 20 days.".

Amend sec. 18, page 7, by deleting lines 12 and 13 and inserting:

"*2. The license of every demonstrator expires on July 1 of the next succeeding odd-numbered year.*

3. The board shall adopt regulations governing the proration of the fee required for initial licenses issued for less than 1 ½ years.".

Amend sec. 19, page 7, line 19, by deleting: "hairdressers and cosmeticians, cosmeticians," and inserting: "[hairdressers and cosmeticians, cosmeticians,] *cosmetologists, aestheticians,*".

Amend sec. 19, page 7, line 37, by deleting: "hairdressers and cosmeticians, cosmeticians," and inserting: "[hairdressers and cosmeticians, cosmeticians,] *cosmetologists, aestheticians,*".

Amend sec. 21, page 8, by deleting line 19 and inserting:

"Sec. 42. NRS 644.027, 644.0275 and 644.390 are hereby repealed.".

Amend sec. 22, page 8, by deleting line 20 and inserting:

"Sec. 43. Sections 8 and 14 of this act become effective at 12:01 a.m. on July 1, 1985.".

Amend the title of the bill, second line, after "fees;", by inserting: "changing the names of certain occupations of cosmetology;".

Amend the summary of the bill to read as follows: "Makes various changes relating to cosmetology. (BDR 54-1379)".

Assemblyman DuBois moved the adoption of the amendment.

Remarks by Assemblyman DuBois.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 397.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 1437.

Amend sec. 1.5, page 1, lines 5 and 6, by deleting: "*hairdresser, manicurist or specialist in skin care*" and inserting "*a cosmetologist*".

Amend sec. 3, page 1, lines 10 and 11, by deleting: "*a specialist in the care of skin*" and inserting "*an aesthetician*".

Amend sec. 13, page 3, line 39, by deleting "*section*" and inserting: "*sections 1.5 and*".

Amend sec. 14, pages 3 and 4, by deleting lines 42 through 45 on page 3 and lines 1 through 4 on page 4 and inserting:

"644.022 ["Cosmetician" or "aesthetician"] *"Aesthetician"* means any person who engages in the practices of:

1. Beautifying, massaging, cleansing or stimulating the skin of the human body, except the scalp, by the use of cosmetic preparations, antiseptics, tonics, lotions or creams or any device, electrical or otherwise, for the care of the skin;

2. Applying makeup or eyelashes to any person, tinting eyelashes and eyebrows and lightening hair on the body except the scalp; and".

Amend sec. 14, page 4, line 9, by deleting: "of] a hair dresser," and inserting: "of a hairdresser,] *a cosmetologist,*".

Amend sec. 15, page 4, by deleting lines 12 through 14 and inserting:

"644.023 "Cosmetologist" means a person who [has received a license from the board to practice as a manicurist, electrologist or hairdresser and cosmetician.] *engages in the practices of:*

1. Cleansing, stimulating or massaging the scalp or cleansing or beautifying the hair by the use of cosmetic preparations, antiseptics, tonics, lotions or creams.

2. Cutting, trimming or shaping the hair.

3. Arranging, dressing, curling, waving, cleansing, singeing, bleaching, tinting, coloring or straightening the hair of any person with the hands, mechanical or electrical apparatus or appliances, or by other means, or

similar work incident to or necessary for the proper carrying on of the practice or occupation provided by the terms of this chapter.

4. Removing superfluous hair from the body of any person by the use of electrolysis to remove the hair from the surface of the body where the growth is a blemish, or by the use of depilatories, waxing or tweezers.

5. Manicuring the nails of any person.".

Amend sec. 18, page 4, line 34, by deleting "*needle-shaped electrode.*" and inserting "*needle.*".

Amend sec. 19, pages 4 and 5, by deleting lines 35 through 45 on page 4 and lines 1 through 7 on page 5 and inserting:

"Sec. 19. NRS 644.040 is hereby amended to read as follows:

644.040 1. No person is eligible for appointment as a member of the board:

(a) Who is not licensed as a *manicurist, electrologist, aesthetician or* cosmetologist under the provisions of this chapter.

(b) Who is not, at the time of appointment, either actually engaged in conducting a cosmetological establishment, or actually engaged in the practice of a branch of cosmetology.

(c) Who is not at least 25 years of age.

(d) Who has not been a resident of this state for at least 3 years immediately before his appointment.

2. Not more than one member of the board may be connected, directly or indirectly, with any school of cosmetology, or have been so connected while previously serving as a member of the board.".

Amend sec. 23, page 5, line 39, before "cosmetologist", by inserting: "*licensed manicurist, electrologist, aesthetician or*".

Amend sec. 23, page 6, line 7, by deleting "*5.*" and inserting:

"5. Governing the courses of study and practical training required of persons for treating the skin of the human body, except the scalp.

6.".

Amend sec. 25, page 6, line 26, by deleting "*licensed*" and inserting: "*manicurist, electrologist, aesthetician and*".

Amend sec. 27, page 7, line 13, by deleting "*hairdresser,*" and inserting "*cosmetologist,*".

Amend sec. 27, page 7, line 26, by deleting: "hairdresser [and cosmetician]" and inserting: [hairdresser and cosmetician] *cosmetologist*".

Amend sec. 29, page 8, lines 22 and 23, by deleting: "a period of" and inserting: "[a period of]".

Amend sec. 30, page 8, line 26, by deleting: "*a specialist in the care of skin*" and inserting "*an aesthetician*".

Amend sec. 30, page 8, line 38, by deleting: "*specialist in the care of skin*" and inserting "*aesthetician*".

Amend sec. 32, page 9, line 3, by deleting: "hairdresser , [and cosmetician,]" and inserting: [hairdresser and cosmetician] *cosmetologist,*".

Amend sec. 32, page 9, line 6, by deleting: "a [cosmetician,] *specialist in the care of skin,*" and inserting: "[a cosmetician,] *an aesthetician,*".

Amend sec. 32, page 9, line 13, by deleting "or examinations." and inserting: ". [or examinations.]".

Amend sec. 34, page 9, line 27, by deleting "*hairdresser*" and inserting "*cosmetologist*".

Amend sec. 34, page 9, line 39, by deleting "*hairdresser;*" and inserting "*cosmetologist;*".

Amend sec. 35, page 9, line 45, by deleting "*hairdresser,*" and inserting "*cosmetologist, aesthetician,*".

Amend sec. 35, page 10, line 1, by deleting: "*specialist in the care of skin,*".

Amend sec. 40, page 11, line 3, after "*licensed*" by inserting: "*manicurist, electrologist, aesthetician or*".

Amend sec. 42, page 11, by deleting line 32 and inserting: "cosmetician, electrologist, and] manicurist, *electrologist, aesthetician, cosmetologist and instructor*".

Amend sec. 43, page 12, line 6, by deleting: "cian, electrologist or manicurist]" and inserting: "cian, electrologist or] manicurist , *electrologist, aesthetician,*".

Amend sec. 43, page 12, line 10, by deleting: "trologist or manicurist]" and inserting: "trologist or] manicurist , *electrologist, aesthetician,*".

Amend sec. 43, page 12, lines 13 and 14, by deleting: "or manicurist]" and inserting: "or] manicurist , *electrologist, aesthetician,*".

Amend the bill as a whole by adding a new section designated section 43.5, following section 43, to read as follows:

"Sec. 43.5. NRS 644.340 is hereby amended to read as follows:

644.340 1. Any person desiring to operate a *facility for demonstrations or a* cosmetological establishment in which any one or a combination of the occupations of cosmetology are practiced must apply to the board for a [certificate of registration and] license, through the owner, manager or person in charge, upon forms prepared and furnished by the board. Each application must contain proof of the particular requisites for [registration] *a license* provided for in this chapter, and must be verified by the oath of the maker.

2. Upon receipt by the board of the application accompanied by the biennial [registration fee,] *fee for a license,* the board shall issue to the applicant the required [certificate of registration and] license.

3. The biennial [registration] fee for a *license for a facility for demonstrations or a* cosmetological establishment is $36. If a license is issued for 12 months or less, the fee is $20.".

Amend sec. 45, page 12, line 44, after "licensed", by inserting: "*manicurists, electrologists, aestheticians* and".

Amend the bill as a whole by adding a new section designated section 45.5, following section 45, to read as follows:

"Sec. 45.5. NRS 644.370 is hereby amended to read as follows:

644.370 A cosmetological establishment must, at all times, be [in charge of and] under the immediate supervision of a licensed *manicurist, electrologist, aesthetician or* cosmetologist.".

Amend sec. 47, page 13, line 37, by deleting "and all" and inserting "[and all]".

Amend sec. 49, page 14, lines 14 and 15, by deleting: "in charge of and" and inserting: "[in charge of and]".

Amend sec. 49, page 14, line 21, by deleting: "over a period of" and inserting: "[over a period of]".

Amend sec. 49, page 14, line 24, by deleting "*hairdresser.*" and inserting "*cosmetologist.*".

Amend sec. 50, page 15, line 22, by deleting: "hairdresser [and cosmetician]" and inserting: "[hairdresser and cosmetician] *cosmetologist*".

Amend sec. 50, page 15, line 28, by deleting: "*a specialist in the care of skin*" and inserting "*an aesthetician*".

Amend sec. 52, page 16, line 5, by deleting: "gists and manicurists]" and inserting: "gists and] manicurists , *electrologists, aestheticians and*".

Amend sec. 52, page 16, by deleting line 22 and inserting: "than [hairdressers and cosmeticians, cosmeticians, electrologists and manicurists licensed under this chapter, and junior operators] *licensed manicurists, electrologists, aestheticians,*".

Amend sec. 56, page 18, line 9, after "NRS", by inserting "644.027,".

Amend sec. 57, page 18, by deleting lines 14 and 15 and inserting: "renewal, must be issued a license as an aesthetician or cosmetologist.".

Amend the bill as whole by adding a new section designated section 58, following section 57, to read as follows:

"Sec. 58. Sections 14 and 23 of this act become effective at 12:01 a.m. on July 1, 1985.".

Assemblyman Collins moved the adoption of the amendment.

Remarks by Assemblyman Collins.

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 Concurrent Resolution No. 63, has had the same under consideration, and begs leave to report the same back with the recommendation: Be adopted.

JOHN MARVEL, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Senate Concurrent Resolution No. 63.

Assemblyman Marvel moved the adoption of the resolution.

Remarks by Assemblyman Marvel.

Resolution adopted.

REFERENCE OF MEASURES TO COMMITTEES

Assembly Concurrent Resolution No. 59.

Assemblyman Francis moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

Senate Bill No. 227.

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

Motion carried.

Senate Bill No. 276.

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

Motion carried.

Senate Bill No. 365.

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

Motion carried.

Senate Bill No. 454.

Assemblyman Francis moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

Senate Bill No. 497.

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

Motion carried.

Senate Joint Resolution No. 38.

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

Motion carried.

Assemblyman Francis moved that the Assembly recess until 7 p.m.

Motion carried.

Assembly in recess at 5:09 p.m.

ASSEMBLY IN SESSION

At 7:11 p.m.

Mr. Speaker presiding.

Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Judiciary, to which were referred Senate Bills Nos. 239, 296, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JAMES STONE, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, June 1, 1985

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 153, 180, 422, 424, 505, 581, 646, 652, 707.

Also, I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bills Nos. 400, 533, 599, 602, 651, 724, 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. 229 and requests a conference, and appointed Senators Bilbray, Rawson 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. 507 and requests a conference, and appointed Senators Bilbray, Rawson and Hickey 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. 627 and requests a conference, and appointed Senators Ryan, Shaffer and Redelsperger 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. 389.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Bill No. 518.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bill No. 474.

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. 39, 64, 128, 252, 267, 321, 383.

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. 130.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Francis moved that all rules be suspended and that Senate Bills Nos. 27, 121, 163, 191, 332, 432 and 515 be immediately transmitted to the Senate.

Motion carried unanimously.

INTRODUCTION AND FIRST READING OF LEGISLATION

Senate Bill No. 474.

Bill read first time.

Senate Bill No. 518.

Bill read first time.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Dini moved that Senate Bill No. 26 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. 26.

Bill read third time.

The following amendment was proposed by Assemblyman Dini:

Amendment No. 1444.

Amend the bill as a whole by adding a new section designated section 24.3, following section 24, to read as follows:

"Sec. 24.3. NRS 666.132 is hereby amended to read as follows:

666.132 1. [A] *Except as provided in subsection 3, a* bank holding company which controls a bank in another state may acquire only one bank which is located in Nevada. If approved by the administrator, the acquisition is subject to the following conditions [:] *, except as provided in subsection 3:*

(a) The total capital stock of the bank to be acquired must be at least $5,000,000.

(b) The acquired bank may not hold a license pursuant to chapter 677 of NRS.

(c) Except as further limited in paragraph (d), the acquired bank must not solicit loans, deposits or other financial business from residents of Nevada unless the solicitation is part of a general solicitation which is also directed to residents of other states.

(d) The acquired bank may not solicit commercial loans in Nevada. The acquired bank may make a loan:

(1) At the request of another financial institution which will also lend money to the person who will receive the loan; or

(2) To another financial institution.

2. For the purposes of this section:

(a) If the acquired bank is prohibited from soliciting a type of business, then the bank holding company and its subsidiaries are also prohibited from soliciting such business for the acquired bank.

(b) "Solicit" means to request a person to engage in an activity or transaction or to advertise a desire to engage in such conduct.

3. The limitations imposed in subsection 1 apply only for the first 2 1/2 years after the bank holding company has received all necessary approvals from the state and the Federal Government for the acquisition of the bank.".

Amend sec. 37, page 17, by deleting line 19 and inserting:

"3. Sections 32 and 33 to 35.5, inclusive,".

Amend sec. 37, page 17, line 20, by deleting "section 31".

Amend sec. 37, page 17, by deleting line 22 and inserting:

"5. Sections 24.5 and 32.5 and subsection 2 of section 31 of this act become effective on July 1, 1990.".

Assemblyman Dini moved the adoption of the amendment.

Remarks by Assemblymen Dini, Kerns, Price and DuBois.

Conflict of interest declared by Assemblyman Price.

Assemblymen Dini, Jeffrey and Thompson requested a roll call on Assemblyman Dini's motion.

Roll call on Assemblyman Dini's motion:

YEAS—24.

NAYS—Beyer, Bogaert, Fairchild, Ham, Horne, Kerns, Lambert, Little, Nevin, O'Donnell, Roberts, Spriggs, Tebbs, Thomas, Williams—15.

Not voting—Marvel, Price—2.

Absent—Sedway.

The motion having received a majority, Mr. Speaker declared the amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Nevin moved that the vote whereby Amendment No. 1444 to Senate Bill No. 26 was adopted be rescinded.

Assemblymen Nevin, Jeffrey and Thompson requested a roll call on Assemblyman Nevin's motion.

Roll call on Assemblyman Nevin's motion:

YEAS—16.

NAYS—Arberry, Banner, Bergevin, Coffin, Collins, Craddock, Dini, DuBois, Francis, Getto, Jeffrey, Joerg, McGaughey, Malone, Rader, Roberts, Sader, Schofield, Spriggs, Swain, Thompson, Zimmer, Mr. Speaker—23.

Not voting—Marvel, Price—2.

Absent—Sedway.

The motion having failed to receive a majority, Mr. Speaker declared it lost.

Assemblyman Nevin moved that Senate Bill No. 26 be placed on the Chief Clerk's desk.

Remarks by Assemblymen Dini, Jeffrey, DuBois and Nevin.

Motion lost.

Senate Bill No. 368.

Bill read third time.

Remarks by Assemblyman Ham.

Roll call on Senate Bill No. 368:

YEAS—41.

NAYS—None.

Absent—Sedway.

Senate Bill No. 368 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 7:38 p.m.

ASSEMBLY IN SESSION

At 7:50 p.m.

Mr. Speaker presiding.

Quorum present.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 724.

The following Senate amendment was read:

Amendment No. 1394.

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 387.1233 is hereby amended to read as follows:

387.1233 1. Except as otherwise provided in subsection 2, basic support of each school district must be computed by:

(a) Multiplying the basic support guarantee per pupil established for that school district for that school year by the sum of:

(1) Six-tenths the count of pupils enrolled in the kindergarten department on the last day of the first school month of the school year.

(2) The count of pupils enrolled in grades 1 to 12, inclusive, on the last day of the first school month of the school year.

(3) The count of handicapped minors receiving special education pursuant to the provisions of NRS 388.440 to 388.520, inclusive, on the last day of the first school month of the school year.

(4) The count of children detained in detention homes and juvenile forestry camps receiving instruction pursuant to the provisions of NRS 388.550 to 388.570, inclusive, on the last day of the first school month of the school year.

(5) One-fourth the average daily attendance—highest 3 months of part-time pupils enrolled in classes and taking courses necessary to receive a high school diploma.

(b) Multiplying the number of special education program units maintained and operated by the amount per program established for that school year.

(c) Adding the amounts computed in paragraphs (a) and (b).

2. If the sum of the counts prescribed in subparagraphs (1) to (4), inclusive, of paragraph (a) of subsection 1 is less than the sum similarly obtained for [:

(a) The] *the* immediately preceding school year, the larger sum must be used in computing basic support . [; or

(b) Both of the two next preceding school years and the decrease from the immediately preceding school year is more than 5 percent, the sum for the first of the two preceding school years must be used in computing basic support.]

3. Pupils who are excused from attendance at examinations or have completed their work in accordance with the rules of the board of trustees must be credited with attendance during that period.

Sec. 3. Section 2 of this act becomes effective on July 1, 1987.".

Assemblyman Marvel moved that the Assembly do not concur in the Senate amendment to Assembly Bill No. 724.

Remarks by Assemblyman Marvel.

Motion carried.

Bill ordered transmitted to the Senate.

Assembly Bill No. 599.

The following Senate amendment was read:

Amendment No. 1405.

Amend sec. 2, page 2, line 3, by deleting "vehicles." and inserting: "vehicles [.] *except for the purposes of section 1 of this act.*".

Assemblyman Stone moved that the Assembly concur in the Senate amendment to Assembly Bill No. 599.

Remarks by Assemblyman Stone.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 651.

The following Senate amendment was read:

Amendment No. 1398.

Amend sec. 2, page 1, line 5, by deleting "*order*" and inserting: "*enter a judgment ordering*".

Amend sec. 3, page 1, line 17, by deleting: "*an order of*".

Amend sec. 3, page 1, by deleting lines 18 through 20 and inserting: "*a judgment ordering an additional visit may, upon a judgment of the court, be found guilty of contempt and sentenced to imprisonment in the county* jail.".

Amend sec. 3, page 2, line 1, by deleting "*offense.*".

Assemblyman Stone moved that the Assembly concur in the Senate amendment to Assembly Bill No. 651.

Remarks by Assemblyman Stone.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 533.

The following Senate amendment was read:

Amendment No. 1388.

Amend sec. 4, page 2, line 13, by deleting "$500,000" and inserting "$609,525".

Assemblyman Nicholas moved that the Assembly concur in the Senate amendment to Assembly Bill No. 533.

Remarks by Assemblyman Nicholas.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 400.

The following Senate amendment was read:

Amendment No. 1389.

Amend sec. 16, page 3, by deleting lines 24 through 27 and inserting: "and employees necessary to the efficient operation of the division.".

Assemblyman Bergevin moved that the Assembly concur in the Senate amendment to Assembly Bill No. 400.

Remarks by Assemblyman Bergevin.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 374.

The following Senate amendments were read:

Amendment No. 1078.

Amend sec. 26, pages 8 and 9, by deleting lines 17 through 45 on page 8, and lines 1 and 2 on page 9 and inserting:

"Sec. 26. (Deleted by amendment.)".

Amendment No. 1077.

Amend sec. 7, page 2, line 29, by deleting: "*The system and each*" and inserting "*Each*".

Amend sec. 15, page 5, line 3, by deleting "*a hearing*" and inserting "*an appeals*".

Amend sec. 17, page 5, by deleting line 41.

Amend sec. 17, page 5, line 42, by deleting "*(b) A*" and inserting: "*(a) Upon written request, one*".

Amend sec. 17, page 5, line 44, by deleting "*(c)*" and inserting "*(b)*".

Amend sec. 17, page 6, by deleting lines 2 and 3 and inserting:

"*(2) Select a physician in accordance with the provisions of NRS 616.342;*".

Amend sec. 17, page 6, line 4, after "*industrial*", by inserting "*claimants'* ".

Amend sec. 17, page 6, line 5, by deleting the semicolon and inserting: "*before the appeals officer;*".

Amend sec. 17, page 6, line 6, by deleting: "*of industrial relations;*" and inserting ";".

Amend sec. 17, page 6, by deleting lines 7 through 9 and inserting:

"*(5) When applicable, receive compensation for:*".

Amend sec. 17, page 6, line 12, by deleting "*or*".

Amend sec. 17, page 6, line 13, after the semicolon, by inserting "*or*".

Amend sec. 17, page 6, after line 13, by inserting:

"*(v) All medical costs related to his injury or disease;*".

Amend sec. 17, page 6, line 15, by deleting "*work;*" and inserting "*gainful employment;*".

Amend sec. 28, page 9, line 45, after "industrial", by inserting "claimants".

Amend sec. 29, page 10, line 5, by deleting "agent and" and inserting: "agent , [and]".

Amend sec. 29, page 10, line 6, by deleting the period and inserting: "[.] *and the administrator or his designated agent.*".

Amend sec. 31, page 10, line 42, by deleting "*requirements*" and inserting "*criteria*".

Amend sec. 31, page 11, line 3, by deleting "*insurer's services*" and inserting: "*services of private carriers and the system*".

Amend sec. 34, page 12, line 1, by deleting "state industrial" and inserting: "the state industrial claimants".

Amend sec. 34, page 12, line 4, after "trial", by inserting "claimants".

Amend sec. 34, page 12, line 6, by deleting "*administrator.*" and inserting "*department.*".

Amend sec. 34, page 12, line 8, after "industrial", by inserting "claimants".

Amend sec. 34, page 12, line 11, after "of", by inserting "the".

Amend sec. 34, page 12, line 12, after "industrial", by inserting "claimants".

Amend sec. 38, page 13, by deleting lines 15 through 22 and inserting: "commission form of government, or a contractor under such governmental entities, is the employer, the provisions of this chapter for the payment of compensation and the amount thereof, and, unless the employer is self-insured, for the payment of premiums to [the state insurance fund and the accident benefit fund,] *an insurer,* for any injury sustained by an employee are conclu-".

Amend sec. 50, page 17, by deleting lines 21 through 40 and inserting:

"Sec. 50. (Deleted by amendment.)".

Amend sec. 65, pages 25 and 26, by deleting lines 37 through 45 on page 25 and lines 1 through 37 on page 26 and inserting:

"616.647 1. [The administrator may impose an administrative fine, not to exceed $500 for each violation, if the insurer or employer intentionally or repeatedly:

(a) Induces] *If the administrator has reason to believe that an insurer or employer has:*

(a) Induced a claimant for compensation to fail to report an accidental injury or occupational disease [.

(b) Persuades] *;*

(b) Persuaded a claimant to settle for an amount which is less than reasonable [.

(c) Persuades] *;*

(c) Persuaded a claimant to settle for an amount which is less than reasonable while a hearing or an appeal is pending [.

(d) Persuades] *;*

(d) Persuaded a claimant to accept less than the compensation found to be due him [.

(e) Refuses] *by a hearing officer or appeals officer;*

(e) Refused to pay or [delays] *unreasonably delayed* payment to a claimant of compensation found to be due him [.

(f) Makes] *by a hearing officer or appeals officer;*

(f) Made it necessary for a claimant to resort to proceedings against the employer or insurer for compensation found to be due him [.

(g) Fails] *by a hearing officer or appeals officer;*

(g) Intentionally or repeatedly failed to comply with [department] *the* regulations *of the department* for the acceptance and rejection of claims,

determination and calculation of a claimant's average monthly wage, determination and payment of compensation, delivery of accident benefits and reporting relating to these matters [.

(h) Fails] ;

(h) Failed to comply with the department's regulations covering the payment of an assessment relating to the funding of costs of administration of this chapter and chapter 617 of NRS [.

2. If the employer requests a hearing concerning the fine imposed pursuant to subsection 1,] *; or*

(i) Failed to report to the administrator a change of insurer or the cancellation, termination or other lapse of coverage for industrial insurance,

the administrator shall set a date for a hearing . [within 20] *The date must be no sooner than 30* days after [receiving the appeal request, and shall give the employer at least 10 business days'] notice *is served upon the insurer or employer* of the *alleged action and the* time and place of the hearing.

2. If, after an evidentiary hearing, the administrator determines that the insurer or employer has committed the alleged act, the administrator may impose an administrative fine not to exceed $5,000 for each such action.

3. A record of the hearing must be kept but it need not be transcribed unless it is requested by the *insurer or* employer and [he] *the party requesting the transcript* pays the cost of transcription.

4. [Within 5 business days after the hearing, the administrator shall either affirm or disaffirm the fine and give the employer written notice thereof by certified mail.] *If an employer has been found by a court to have discharged or threatened to discharge an employee for exercising his rights pursuant to this chapter, the administrator may impose an administrative fine not to exceed $5,000 on that employer.*

5. Two or more fines of [$500] *$5,000* levied by the administrator in 1 year for [violations] *acts* enumerated in [subsection 1] *subsections 1 and 4* must be considered by the commissioner as evidence for the possible revocation of a certificate of self- insurance.

6. The commissioner may withdraw the certification of a self-insured employer if, after a hearing, it is shown that the self-insured employer committed any of the [violations] *acts* enumerated in [subsection 1.] *subsections 1 and 4.*".

Amend sec. 78, page 31, line 7, after "*employer*", by inserting: "*or an employer covered under the provisions of subsection 2 of NRS 616.255 and NRS 616.256*".

Amend sec. 78, page 31, line 12, after the period by inserting: "*The formulas may utilize actual expenditures for claims.*".

Amend sec. 78, page 31, line 13, by inserting an open bracket before "The".

Amend sec. 78, page 31, line 15, by inserting a closed bracket after "3.".

Amend sec. 78, page 31, line 19, by deleting "4." and inserting "[4.] *3.*".

Amend sec. 78, page 31, line 26, by deleting the period and inserting: "[.] , *including the costs of the office and the staff of the director.*".

Amend sec. 105, page 39, line 28, by deleting: "*, within 30 days after*" and inserting: "*on the same date as*".

Amend sec. 134, page 50, line 44, after "*of the*", by inserting: "*division of industrial insurance regulation of the*".

Amend sec. 140, page 52, after line 8, by inserting:

"3. Sections 1 to 136, inclusive, of this act expire by limitation on July 1, 1991.".

Amendment No. 1201.

Amend sec. 29, page 9, by deleting lines 20 and 21 and inserting: "the employee or his designated agent, the employer or this designated agent and the administrator or his designated agent.".

Amend sec. 29, page 9, line 23, by inserting after the period: "Copies of materials in the file which are requested by the administrator or his designated agent must be provided free of charge.".

Amend sec. 29, page 9, by deleting line 26 and inserting:

"5. If a claim has been closed for at least 1 year, the insurer may microphotograph or film any of its records relating to that claim. The".

Amend sec. 31, page 10, line 3, by deleting: "the staff of".

Amend sec. 31, page 10, by deleting lines 11 through 14 and inserting: "by the insurer.

(b) To judicial review of any final decision.

5.] Prescribe by regulation the criteria [by which an insurer who orders rehabilitative services for an injured worker must provide those services.

6.] *for the rehabilitation of claimants and evaluate the services provided by the insurer.*

5. Prescribe by regulation the method for reimbursing an injured worker for expenses necessarily incurred for travel more than 20 miles one way from his residence or place of employment to his destination as a result of an industrial injury.".

Amend sec. 31, page 10, line 15, by deleting "*5.*" and inserting "*6.*".

Amend sec. 31, page 10, line 18, by deleting "*6.*" and inserting "*7.*".

Amend sec. 31, page 10, line 23, by deleting "*7.*" and inserting "*8.*".

Amend sec. 65, pages 24 and 25, by deleting lines 28 through 46 on page 24 and lines 1 through 44 on page 25 and inserting:

"616.647 1. If the administrator has reason to believe that an insurer or employer has:

(a) Induced a claimant for compensation to fail to report an accidental injury or occupational disease;

(b) Persuaded a claimant to settle for an amount which is less than reasonable;

(c) Persuaded a claimant to settle for an amount which is less than reasonable while a hearing or an appeal is pending;

(d) Persuaded a claimant to accept less than the compensation found to be due him by a hearing officer or appeals officer;

(e) Refused to pay or unreasonably delayed payment to a claimant of compensation found to be due him by a hearing officer or appeals officer;

(f) Made it necessary for a claimant to resort to proceedings against the employer or insurer for compensation found to be due him by a hearing officer or appeals officer;

(g) Intentionally or repeatedly failed to comply with department regulations for the acceptance and rejection of claims, determination and calculation of a claimant's average monthly wage, determination and payment of compensation, delivery of accident benefits and reporting relating to these matters; [or]

(h) Failed to comply with the department's regulations covering the payment of an assessment relating to the funding of costs of administration of this chapter and chapter 617 of NRS [,] *; or*

(i) Failed to report to the administrator a change of insurer or the cancellation, termination or other lapse of coverage for industrial insurance,

the administrator shall set a date for a hearing. The date must be no sooner than 30 days after notice is served upon the insurer or employer of the alleged action and the time and place of the hearing.

2. If, after an evidentiary hearing, the administrator determines that the insurer or employer has committed the alleged act, the administrator may impose an administrative fine not to exceed [$500] *$5,000* for each such action.

3. A record of the hearing must be kept but it need not be transcribed unless it is requested by the insurer or employer and [he] *the party requesting the transcript* pays the cost of transcription.

4. *If an employer has been found by a court to have discharged or threatened to discharge an employee for exercising his rights pursuant to this chapter, the administrator may impose an administrative fine not to exceed $5,000 on that employer.*

5. Two or more fines of [$500] *$5,000* levied by the administrator in 1 year for acts enumerated in [subsection 1] *subsections 1 and 4* must be considered by the commissioner as evidence for the possible revocation of a certificate of [self-insurance.

5.] *authority to provide industrial insurance.*

6. The commissioner may withdraw the certification of a self-insured employer if, after a hearing, it is shown that the self-insured employer committed any of the acts enumerated in [subsection 1.] *subsections 1 and 4.*".

Amend sec. 78, page 30, by deleting lines 25 through 27 and inserting:

"2. Federal grants may partially defray the costs of:".

Amend sec. 78, page 30, line 31, by deleting "[4] *3.*" and inserting "3.".

Amend sec. 78, page 30, by deleting line 33 and inserting: "expenses of administering the program of workmen's compensation, includ-".

Amend sec. 78, page 30, by deleting lines 38 and 39 and inserting: "inspection, including the costs of the office and staff of the director.".

Amendment No. 1281.

Amend sec. 54, page 18, by deleting line 26 and inserting: "[the] *each* month, plus the amount of tips reported to him by every employee who has elected to report his tips and whose tips in cash totaled $20 or more for the month; and".

Amend the bill as a whole by adding a new section designated section 135.5, following section 135, to read as follows:

"Sec. 135.5. Section 1 of Assembly Bill No. 224 of this session is hereby amended to read as follows:

Section 1. Chapter 616 of NRS is hereby amended by adding thereto a new section to read as follows:

1. An employee may elect to report the amount he receives as tips for the purpose of the calculation of compensation by submitting to his employer a written notice of election to report his tips. The employee must make his election separately for each pay period before the end of the next pay period. The declaration may not be amended.

2. Upon receipt of such notice the employer shall:

(a) Make a copy of each report which the employee has filed with the employer to report the amount of his tips to the United States Internal Revenue Service;

(b) Stamp or attach to the copy a declaration to be signed by the employee under penalty of perjury which states that the contents of the report are true;

(c) Require the employee to sign the declaration;

(d) Submit the copy to the system or if the employer is self-insured [,] *or insured by a private carrier,* retain the copy for his records; and

(e) If he is not self-insured [,] *or insured by a private carrier,* pay the system the premiums for the reported tips at the same rate as he pays on regular wages.

3. An employee who elects to report his tips is not eligible to receive increased compensation based on those tips until 3 months after his employer receives the notice of election to report his tips.

4. The department shall adopt regulations specifying the form of the declaration required pursuant to subsection 2.

5. The system , *the private carrier* or the self-insured employer shall calculate compensation for an employee on the basis of wages paid by the employer plus the amount of tips reported after the employee has become eligible for increased compensation pursuant to subsection 3.".

Amendment No. 1079.

Amend sec. 76, page 30, line 24, by deleting "Nevada" and inserting "this state".

Amend sec. 76, page 30 by deleting lines 37 and 38 and inserting: "same amount of compensation from the trust fund for pensions for silicosis and other disabilities.".

Assemblyman DuBois moved that the Assembly concur in the Senate amendments to Assembly Bill No. 374.

Remarks by Assemblyman DuBois.

Motion carried.

Bill ordered enrolled.

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker appointed Assemblymen Swain, Williams and Rader as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Assembly Bill No. 229.

Mr. Speaker appointed Assemblymen Sader, O'Donnell and Williams as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Assembly Bill No. 507.

Mr. Speaker appointed Assemblymen Francis, Price and Horne as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Assembly Bill No. 627.

CONSIDERATION OF SENATE AMENDMENTS

Assemblyman Marvel moved that the vote whereby the Assembly refused to concur in Senate Amendment No. 1394 to Assembly Bill No. 724 be rescinded.

Remarks by Assemblyman Marvel.

Assemblyman Marvel moved that the Assembly concur in the Senate amendment to Assembly Bill No. 724.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 605.

The following Senate amendment was read:

Amendment No. 1383.

Amend sec. 3, page 2, line 10, by deleting "regular".

Amend sec. 3, page 2, line 11, by deleting "hunting deer." and inserting: "the controlled general hunt.".

Amend sec. 3, page 2, by deleting lines 12 and 13 and inserting: "to take one buck, while guided by a master guide licensed pursuant to chapter 504 of NRS.".

Assemblyman Getto moved that the Assembly concur in the Senate amendment to Assembly Bill No. 605.

Remarks by Assemblyman Getto.

Motion carried.

Bill ordered enrolled.

RECEDE FROM ASSEMBLY AMENDMENTS

Assemblyman DuBois moved that the Assembly do not recede from its action on Senate Bill No. 130, 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 DuBois.

Motion carried.

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker appointed Assemblymen DuBois, Dini 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. 130.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Francis moved that Senate Bills Nos. 239 and 296 be placed on the Second Reading File.

Motion carried.

By the Committee on Legislative Functions:

Assembly Concurrent Resolution No. 60—Directing the legislative commission to study the problems concerning the relationship between state law and federal law with respect to the acquisition of water for beneficial uses on federal land in Nevada.

By the Committee on Government Affairs:

Assembly Concurrent Resolution No. 61—Directing the legislative commission to study the care provided by the state to persons who are mentally ill or mentally retarded.

By the Committee on Legislative Functions:

Assembly Concurrent Resolution No. 62—Directing the legislative commission to conduct a study of the problems relating to requiring the secretary of state to establish and maintain a central registry for fictitious names of enterprises transacting business in this state.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Concurrent Committee on Legislative Functions, 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.

BRUCE R. BOGAERT, *Chairman*

Mr. Speaker:

Your Committee on Legislative Functions, to which was referred Assembly Joint Resolution No. 31, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

BRUCE R. BOGAERT, *Chairman*

UNFINISHED BUSINESS

REPORTS OF CONFERENCE COMMITTEES

Mr. Speaker:

The first Committee on Conference concerning Assembly Bill No. 19, consisting of the undersigned members, has met, and reports that:

It has agreed to recommend that the amendments of the Senate be concurred in.

JOHN W. MARVEL	NICHOLAS (NICK) J. HORN
VIRGIL M. GETTO	JOHN M. VERGIELS
DANNY L. THOMPSON	LAWRENCE E. JACOBSEN
Assembly Committee on Conference	*Senate Committee on Conference*

Assemblyman Marvel moved that the Assembly adopt the report of the first Committee on Conference concerning Assembly Bill No. 19.

Remarks by Assemblyman Marvel.

Motion carried.

Mr. Speaker:

The second Committee on Conference concerning Assembly Bill No. 33, consisting of the undersigned members, has met, and reports that:

No decision was reached.

CHARLES W. JOERG	HELEN A. FOLEY
ROBERT M. SADER	SUE WAGNER
BILL R. O'DONNELL	RAYMOND D. RAWSON
Assembly Committee on Conference	*Senate Committee on Conference*

Assemblyman Joerg moved that the Assembly adopt the report of the second Committee on Conference concerning Assembly Bill No. 33.

Remarks by Assemblyman Joerg.

Motion carried.

Mr. Speaker:

The first Committee on Conference concerning Senate Bill No. 8, 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.

MYRNA WILLIAMS	RAYMOND D. RAWSON
MORSE ARBERRY, JR.	THOMAS J. HICKEY
JANE HAM	THOMAS R. C. WILSON
Assembly Committee on Conference	*Senate Committee on Conference*

Assemblyman Stone moved that the Assembly adopt the report of the first Committee on Conference concerning Senate Bill No. 8.

Remarks by Assemblyman Stone.

Motion carried.

Mr. Speaker:

The first Committee on Conference concerning Senate Bill No. 185, consisting of the undersigned members, has met, and reports that:

It has agreed to recommend that the amendments of the Assembly be concurred in.

MIKE MALONE	RANDOLPH J. TOWNSEND
JAMES A. STONE	JOE NEAL
LEONARD V. NEVIN	DEAN A. RHOADS
Assembly Committee on Conference	*Senate Committee on Conference*

Assemblyman Malone moved that the Assembly adopt the report of the first Committee on Conference concerning Senate Bill No. 185.

Remarks by Assemblyman Malone.

Motion carried.

Mr. Speaker:

The first Committee on Conference concerning Assembly Bill No. 322, consisting of the undersigned members, has met, and reports that:

It has agreed to recommend that the amendment of the Senate be concurred in.

JOHN W. MARVEL	JAMES I. GIBSON
JOSEPH E. DINI, JR.	DONALD R. MELLO
BOB THOMAS	WILLIAM J. RAGGIO
Assembly Committee on Conference	*Senate Committee on Conference*

Assemblyman Marvel moved that the Assembly adopt the report of the first Committee on Conference concerning Assembly Bill No. 322.

Remarks by Assemblyman Marvel.

Motion carried.

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker appointed Assemblymen Roberts, Rader and Arberry as a second Committee on Conference to meet with a like committee of the Senate for the further consideration of Senate Bill No. 8.

SECOND READING AND AMENDMENT

Senate Bill No. 239.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1425.

Amend sec. 5, page 2, line 25, by deleting the italicized period and inserting: "*or unless he is an officer or employee of the licensee.*".

Amend sec. 5, page 2, by deleting lines 39 through 42.

Amend sec. 7, page 3, line 15, after "played", by inserting "*with cards*".

Amend sec. 22, page 9, by deleting lines 12 through 20 and inserting:

"Sec. 22. (Deleted by amendment.)".

Amend sec. 27, page 11, by deleting lines 28 through 37 and inserting:

"Sec. 27. (Deleted by amendment.)".

Amend the bill as a whole by deleting section 35.

Assemblyman Stone moved the adoption of the amendment.

Remarks by Assemblyman Stone.

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 8:11 p.m.

ASSEMBLY IN SESSION

At 8:26 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. 506, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN MARVEL, *Chairman*

Mr. Speaker:

Your Committee on Natural Resources, Agriculture and Mining, to which was referred Senate Concurrent Resolution No. 57, has had the same under consideration, and begs leave to report the same back with the recommendation: Be adopted.

VIRGIL M. GETTO, *Chairman*

Mr. Speaker:

Your Committee on Taxation, to which were referred Senate Bills Nos. 352, 475, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

CHARLES W. JOERG, *Chairman*

Mr. Speaker:

Your Committee on Taxation, to which was referred Assembly Bill No. 554, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

CHARLES W. JOERG, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Senate Concurrent Resolution No. 57.

Assemblyman Getto moved the adoption of the resolution.

Remarks by Assemblyman Getto.

Resolution adopted.

SECOND READING AND AMENDMENT

Senate Bill No. 296.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1458.

Amend sec. 9, page 3, by deleting lines 38 and 39 and inserting:

"*5. Agrees to a period of time within which he will give notice to the landlord of the termination of his tenancy which is longer than the term of the lease,*".

Amend the bill as a whole by deleting section 14 and renumbering sections 15 and 16 as sections 14 and 15.

Amend sec. 15, page 6, line 38, by deleting "Condemnation" and inserting "[Condemnation".

Amend sec. 15, page 6, line 40, by deleting "[or] *and*" and inserting "or".

Amend sec. 15, page 6, line 43, by deleting "6." and inserting "6.]".

Amend sec. 15, page 6, line 45, by deleting "7." and inserting "[7.] *6.*".

Amend the title of the bill, third and fourth lines, by deleting: "prohibiting a landlord from requiring a tenant to pay certain moving expenses;".

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. 381.

Bill read third time.

Remarks by Assemblyman Stone.

Roll call on Senate Bill No. 381:

YEAS—41.

NAYS—None.

Absent—Sedway.

Senate Bill No. 381 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 438.

Bill read third time.

Remarks by Assemblyman Fairchild.

Roll call on Senate Bill No. 438:

YEAS—41.

NAYS—None.

Absent—Sedway.

Senate Bill No. 438 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 439.

Bill read third time.

Remarks by Assemblyman Ham.

Roll call on Senate Bill No. 439:

YEAS—41.

NAYS—None.

Absent—Sedway.

Senate Bill No. 439 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 478.

Bill read third time.

Remarks by Assemblymen Bogaert, Malone, Price, Thompson, Zimmer, Getto, Joerg, O'Donnell and Rader.

Assemblymen Jeffrey, Nicholas and Thompson moved the previous question.

Motion carried.

The question being on the passage of Senate Bill No. 478.

Roll call on Senate Bill No. 478:

YEAS—39.

NAYS—DuBois, Malone—2.

Absent—Sedway.

Senate Bill No. 478 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 499.

Bill read third time.

Remarks by Assemblymen Banner, Coffin and Price.

Conflict of interest declared by Assemblyman Coffin.

Roll call on Senate Bill No. 499:

YEAS—31.

NAYS—Craddock, Horne, Lambert, Little, McGaughey, Malone, Marvel, Price, Roberts—9.

Absent—Sedway.

Not voting—Coffin.

Senate Bill No. 499 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 510.

Bill read third time.

Remarks by Assemblyman O'Donnell.

Roll call on Senate Bill No. 510:

YEAS—33.

NAYS—Banner, Kerns, Lambert, Marvel, Nevin, Spriggs, Swain, Williams—8.

Absent—Sedway.

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

Bill ordered transmitted to the Senate.

Senate Bill No. 393.

Bill read third time.

The following amendment was proposed by Assemblyman Roberts:

Amendment No. 1440.

Amend sec. 4, page 2, line 34, by inserting "1." before "If".

Amend sec. 4, page 2, after line 42, by inserting:

"2. *If the imposition of a common levy results in the increase or decrease of the rate of levy of taxes ad valorem imposed in an unincorporated town for the common service, the rate for that town must be increased*

or decreased in proportional increments for the first 3 fiscal years in which the common levy is imposed until the rate for that town equals the common rate calculated pursuant to subsection 1.''.

Assemblyman Roberts moved the adoption of the amendment.

Remarks by Assemblymen Roberts, Francis, Bergevin, Jeffrey and Williams.

Assemblyman Coffin requested that the following remarks be entered in the Journal.

ASSEMBLYMAN ROBERTS:

I request the support of Amendment No. 1440. This is a three year equalization to equal the parity tax to make it fair. It is government's responsibility to be fair in judgment, especially when the government created the problem. Should we penalize the citizens of East Las Vegas, Sunrise Manor, and Spring Valley because of government error. On the other hand, should we continue to overtax Paradise and Winchester. I say no.

There should be equalization. That is why this amendment is being proposed. The East Las Vegas residents have had special assessments, in fact, recently a $300,000 building was built which they paid for themselves. Nobody else paid for it but the residents of East Las Vegas. The interesting thing is they didn't even receive the interest on that money they have had for three years. I asked the county where the money is and nobody can answer that question. Not only that, we just refunded $3 million to Winchester and Paradise and I just want the body to know I believe in parity but I believe the amendment would help equalize this. This all started in 1980. In 1978 and 1979, East Las Vegas, Paradise, Winchester, and Sunrise Manor were equalized and tax was the same. The funny thing in 1979 and 1980, East Las Vegas and Sunrise Manor paid more for assessment than Paradise and Winchester. After 1980 to 1981, 1981 to 1982, 1982 to 1983, 1983 to 1984, 1984 to 1985, Paradise and Winchester did pay more. All I'm asking this body is to be fair and not penalize these people at 15 cents in one area, 17 cents in another area, and 19 cents in another area by penalizing them with a one shot. These taxes were created as years went on. These people did not get penalized or taxed on one shot. This is what you are doing to these other three districts.

ASSEMBLYMAN FRANCIS:

I rise in opposition to this amendment. S.B. 393 provides a vehicle whereby tax rate parity can be achieved in urban unincorporated towns which are contiguous and which receive like services. An equalized levy would assure that the tax effort for common services is commonly shared. In recent years, such tax rates have continued to drift apart. For example, in Clark County, those town entities that have enjoyed substantially lower tax rates over the past few years have already had the benefit of a lesser tax burden for a considerable period of time. Relief for those town entities which have been supporting higher tax rates is already overdue.

It is important to note that the concept of phasing in a common tax levy as proposed by this amendment has already been proposed. It was rejected by the Senate and by the Assembly Taxation Committee. The rationale for that action is convincing. Aside from any possible technical difficulties associated with computing a phased-in tax rate, what this amendment does, does not seem to be the best philosophically to first recognize that disparity has occurred and then to retain that disparity for three more years by phasing in a solution.

Fairness is 100 percent effort. To phase in equity is an attempt to be first 50 percent fair and then 75 percent fair and finally fair. In the interest of providing 100 percent fairness, as it is needed, I suggest there be no further amendments to this bill except for Mr. Price's amendment.

ASSEMBLYMAN BERGEVIN:

There is one point that has been missed by everybody. If we phase this in on a three

year period, it totally destroys the distribution of the SCCRT. You cannot phase in a tax rate on this basis and maintain the proper distribution of SCCRT as it will affect some of these communities if you phase it on a three year period, which will be exceeding their maximum allowable revenue and will not be able to levy that kind of a tax. The bill, as written, declares this area to be one taxable area which equalizes the taxes, equalizes the distribution of the SCCRT and keeps the tax package intact.

ASSEMBLYMAN JEFFREY:

I, too, rise in opposition to the amendment. The district that I represent probably has among the highest, if not the highest, ad valorem tax rate in Clark County. It may be if this were done several years ago our rate may not be what it is now.

ASSEMBLYMAN WILLIAMS:

I, also, rise in opposition to this amendment. To suggest that we can do this a little at a time is like saying somebody might be a little bit pregnant.

Amendment lost.

The following amendment was proposed by Assemblyman Price:

Amendment No. 1441.

Amend sec. 4, page 2, line 34, by inserting "*1.*" before "*If*".

Amend sec. 4, page 2, by inserting after line 42:

"2. *Whether or not a common levy has been established, each board of county commissioners shall cause to be prepared and made available as a public record a document showing:*

(a) The services provided throughout the county and financed from the rate levied for the county as such; and

(b) The services provided in each area for which an additional rate is levied and financed from that rate.".

Assemblyman Price moved the adoption of the amendment.

Remarks by Assemblyman Price.

Assemblyman Coffin requested that Assemblyman Price's remarks be entered in the Journal.

Amendment 1441 allows the county to actually make available upon request the services that are provided by the base rate on the county. That is the rate that we in Henderson, North Las Vegas, and Las Vegas, all through the county pay and the services provided for the money collected in those special districts. I would urge your adoption. The county has no objections to this language.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 380.

Bill read third time.

Remarks by Assemblyman Rader.

Roll call on Senate Bill No. 380:

YEAS—40.
NAYS—None.
Absent—Sedway.
Not voting—Dini.

Senate Bill No. 380 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 9:07 p.m.

ASSEMBLY IN SESSION

At 9:08 p.m.
Mr. Speaker pro Tempore presiding.
Quorum present.

GENERAL FILE AND THIRD READING

Senate Bill No. 471.
Bill read third time.
Remarks by Assemblyman Bergevin.
Roll call on Senate Bill No. 471:

YEAS—41.
NAYS—None.
Absent—Sedway.

Senate Bill No. 471 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 483.
Bill read third time.
Remarks by Assemblyman Swain.
Roll call on Senate Bill No. 483:

YEAS—41.
NAYS—None.
Absent—Sedway.

Senate Bill No. 483 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 Natural Resources, Agriculture and Mining, to which was referred Senate Bill No. 485, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

VIRGIL M. GETTO, *Chairman*

Mr. Speaker:

Your Committee on Legislative Functions, to which was re-referred Assembly Concurrent Resolution No. 43, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and be adopted as amended.

BRUCE R. BOGAERT, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Francis moved that Assembly Bills Nos. 255, 554; Senate Bills Nos. 485 and 506 be placed on the Second Reading File.
Motion carried.

Assemblyman Francis moved that Senate Bill No. 277 be placed on the General File.

Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 498.

Bill read third time.

Remarks by Assemblyman Schofield.

Roll call on Senate Bill No. 498:

YEAS—41.

NAYS—None.

Absent—Sedway.

Senate Bill No. 498 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 503.

Bill read third time.

Remarks by Assemblyman Price.

Roll call on Senate Bill No. 503:

YEAS—41.

NAYS—None.

Absent—Sedway.

Senate Bill No. 503 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 512.

Bill read third time.

Remarks by Assemblyman Marvel.

Roll call on Senate Bill No. 512:

YEAS—41.

NAYS—None.

Absent—Sedway.

Senate Bill No. 512 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 277.

Bill read third time.

Remarks by Assemblymen Jeffrey, Price, Getto, Bilyeu and Thomas.

Assemblyman Coffin requested that the following remarks be entered in the Journal.

ASSEMBLYMAN JEFFREY:

I don't think I need to tell anyone what a problem water is in the State of Nevada, especially in Clark County where we have a high growth rate at the present time. S.B. 277 appropriates $600,000 each year of the coming biennium for the study and testing of aquifers of deep carbon rocks in eastern and southern Nevada. The bill also allows any

political subdivision or special district of the state, including the Las Vegas Valley Water District to continue for the same purpose and allows for the acceptance of contributions. In addition to the $600,000 annually for the state general fund, the Las Vegas Valley Water District has already committed $200,000 as a match in the current fiscal year to the United States Geological Service. Additionally, it has directly committed $50,000 to the Desert Research Institute. In addition, the water district has budgeted $200,000 next year to assist with the study.

The U.S. Department of the Interior has also committed funding in support of this project. Testimony received indicated that this would be in the range of $800,000 annually. For a $600,000 appropriation with the matches that the water district and Federal Government are committed to put it, we will have over $1,600,000 for this study. I think it is very important to Clark County and eastern Nevada. It may be a great benefit to the State of Nevada in the future.

ASSEMBLYMAN PRICE:

I will be supporting the bill but I do have a couple of questions. When Commissioner Broadbent first talked about this study when he appeared before us here, I was under the impression that the Federal Government would be handling a larger load on this. It seems to me that with the proposed nuclear repository in our county and the testing that has been going on for water and testing the flow of water around our state that we actually are contributing money that they will benefit from. Whereas, just a very few days ago we passed A.J.R. 5 which asks the Federal Government to provide us with mitigating costs for the types of surveys they are doing in conjunction. The water is an important thing. Was there any discussion during the hearings on the fact that they will be benefiting from these studies?

The second question is all of the maps that I have seen over the years done for the state show that the water flow comes out of Utah, down through the underground, through our basin and out to California. I wonder if, also, we are spending this money benefiting other states, particularly to the north, and they will get the benefit with us spending all the money.

ASSEMBLYMAN GETTO:

We did not receive any testimony in committee as far as the geological aspect that the Federal Government would receive more benefit. In regard to the second question, we received testimony that the deep aquifer system does extend into Utah but there is a sharp divide in that the two systems are not connected. The fact that we must remember is that this probably is one of the few studies where the government will be participating 50 percent. I think that is very important and timely now looking into the future. This study will extend over a period of 12 years. I would like to correct one of the statements. The state's participation is $600,000 per year but also there will be efforts for private money to be matched. If we wait on this project, there won't be any federal matching and that's the important thing.

ASSEMBLYMAN BILYEU:

I rise in support of this most meritorious bill. We are asked to spend some money and this is a good thing to spend it on. One of the fallouts of the MX proposal was we found that in this arid waterless state that we had the potential for a vast amount of water underground. We have been afforded the opportunity with matching federal funds to begin to map and tap that resource. It is an opportunity that this state, which is so water deprived, cannot, in fact, afford to lose. I strongly urge each and every one of you to vote yes for this bill.

ASSEMBLYMAN THOMAS:

I, too, rise in support of this bill. If the Federal Government benefits in any way from this it will be perhaps in learning where to put the radiological waste deposits should we get stuck with them. If, in truth, there is the aquifer that we think there is and we have the amount of water that the hydrologists think there is, we are going to have to find out how

to develop that before we risk contamination with any nuclear waste. It is very important we do this and do it now. We know the water is down there but we don't know how fast can we withdraw it; how fast can we use the water; and what is the replenishment rate. We know where the water comes from. We don't know what the replenishment rate is and that is what we need to establish and it must be done right away.

Roll call on Senate Bill No. 277:

YEAS—41.

NAYS—None.

Absent—Sedway.

Senate Bill No. 277 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assembly Concurrent Resolution No. 43.

Resolution read.

The following amendment was proposed by Assemblyman Bogaert:

Amendment No. 1472.

Amend the resolution, page 1, line 18, by deleting "therein;" and inserting: "therein and determine whether such a unification would result in improved services at lower costs;".

Assemblyman Bogaert moved the adoption of the amendment.

Remarks by Assemblyman Bogaert.

Amendment adopted.

Resolution ordered reprinted and engrossed.

SECOND READING AND AMENDMENT

Assembly Bill No. 255.

Bill read second time.

The following amendment was proposed by the Committee on Legislative Functions:

Amendment No. 1464.

Amend section 1, page 1, line 3, by deleting "*shall*" and inserting "*may*".

Amend section 1, page 1, line 4, by deleting "*state department*" and inserting: "*agency of the state*".

Amend section 1, page 1, line 8, by deleting: "*shall specify the manner*" and inserting: "*may specify the manner and the priority*".

Amend sec. 2, page 1, by deleting lines 13 through 16 and inserting:

"218.610 As used in NRS 218.610 to 218.893, inclusive, *and section 1 of this act,* "agency of the state" includes all offices, departments, boards, commissions or institutions of the state, and the state industrial insurance system.".

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. 554.

Bill read second time.

The following amendment was proposed by the Committee on Taxation:

Amendment No. 1429.

Amend section 1, page 1, line 5, by deleting the bracket.

Amend section 1, page 1, line 7, by deleting "1984," and inserting "[1984,] *1986,*".

Amend section 1, page 1, by deleting line 9 and inserting "[1985.] *1987.*".

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 17 of chapter 245, Statutes of Nevada 1983, at page 561, is hereby amended to read as follows:

Sec. 17. 1. This section, and sections 1 to 3, inclusive, and 5 to 16, inclusive, of this act shall become effective upon passage and approval.

2. Section 4 of this act [shall become] *becomes* effective on July 1, [1985.] *1987.*".

Amend the title of the bill by deleting the first line and inserting: "An Act relating to taxation; temporarily extending the increased rate of the tax on insurance premiums; delaying certain changes in the distribution of certain taxes from projects for the generation and transmission of electricity; and pro-".

Amend the summary of the bill to read as follows: "Temporarily extends increased rate on tax on insurance premiums and delays provision for special distribution of taxes collected from generating facilities. (BDR 57-1858).".

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. 485.

Bill read second time.

The following amendment was proposed by the Committee on Natural Resources, Agriculture and Mining:

Amendment No. 1469.

Amend sec. 3, page 1, line 16, by deleting "*is*" and inserting: "*:*

(1) Is".

Amend sec. 3, page 1, line 17, by deleting the period and inserting: "*; and*

(2) Has not been previously engaged in efforts to protect wild horses.".

Amend sec. 6, page 2, by deleting line 39 and inserting:

"*(a) Promote the management and protection of wild horses;*".

Amend sec. 10, page 4, line 4, by deleting the comma and inserting: "and has not been previously engaged in efforts to protect wild horses,".

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 Taxation, to which was referred Assembly Bill No. 678, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

CHARLES W. JOERG, *Chairman*

SECOND READING AND AMENDMENT

Senate Bill No. 506.

Bill read second time.

The following amendment was proposed by the Committee on Economic Development and Tourism:

Amendment No. 1401.

Amend sec. 2, page 1, by deleting lines 7 and 8 and inserting: "nor shall appoint a director of the office from a list of three names submitted to him by the commission on economic development. The director shall report to the commission.".

Amend sec. 2, page 2, line 4, by deleting "the economic" and inserting "economic".

Amend sec. 2, page 2, line 5, by deleting "The office".

Amend sec. 2, page 2, by deleting lines 6 and 7 and inserting: "It may also provide assistance to private enterprises in this state and to local and other state authorities concerned with economic development, as determined by the commission on economic development. The director shall report the activities of the office to the commission.".

Amend sec. 3, page 2, line 11, after "office", by inserting: "to represent the interests of this state".

Assemblyman Humke moved the adoption of the amendment.

Remarks by Assemblymen Humke, Dini, Jeffrey and Bilyeu.

Amendment adopted on a division of the house.

Bill ordered reprinted, re-engrossed and to third reading.

REFERENCE OF MEASURES TO COMMITTEES

Assembly Concurrent Resolution No. 60.

Assemblyman Francis moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

Assembly Concurrent Resolution No. 61.

Assemblyman Francis moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

Assembly Concurrent Resolution No. 62.

Assemblyman Francis moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

Senate Bill No. 474.

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

Motion carried.

Senate Bill No. 518.

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

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Francis moved that Assembly Bill No. 678 be placed on the Second Reading File.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 678.

Bill read second time.

The following amendment was proposed by the Committee on Taxation:

Amendment No. 1466.

Amend section 1, page 1, line 19, after "2.", by inserting: "*A person may apply to the commission on economic development for such a deferment. If the purchase is consistent with the commission's plan for industrial development and diversification, the board shall certify the person's eligibility for deferment to the Nevada tax commission.*

3. Upon receipt of such a certification, the commission shall verify the sale, the price paid and the date of the sale and assign the applicable period for payment of the deferred tax. The commission may require security for the payment in an amount which does not exceed the amount of tax deferred.

4.".

Amend sec. 2, page 2, line 22, after "2.", by inserting: "*A person may apply to the commission on economic development for such a deferment. If the purchase is consistent with the commission's plan for industrial development and diversification, the board shall certify the person's eligibility for deferment to the Nevada tax commission.*

3. Upon receipt of such a certification, the commission shall verify the sale, the price paid and the date of the sale and assign the applicable period

for payment of the deferred tax. The commission may require security for the payment in an amount which does not exceed the amount of tax deferred.

4.".

Assemblyman Arberry moved the adoption of the amendment.

Remarks by Assemblyman Arberry.

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. 169, 182, 289, 402, 417, 469, 480, 515, 517, 550, 588, 598, 609, 665, 680, 688, 695, 703, 718, 719; Senate Bills Nos. 65, 67, 73, 208, 286, 288, 320, 322, 350, 354, 366, 373, 398, 466, 504; Assembly Joint Resolutions Nos. 26, 29; Senate Joint Resolution No. 19; Senate Concurrent Resolution 54.

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. Dee Davis.

Assemblyman Francis moved that the Assembly adjourn until Sunday, June 2, 1985 at 9 a.m.

Motion carried.

Assembly adjourned at 9:47 p.m.

Approved:

BYRON L. BILYEU
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE ONE HUNDRED AND THIRTY-THIRD DAY

CARSON CITY (Sunday), June 2, 1985

Assembly called to order at 9:02 a.m.

Mr. Speaker pro Tempore presiding.

Roll called.

All present except Assemblyman Sedway, who was excused.

Prayer by the Chaplain, The Reverend Bill Eardensohn.

Our Father, You have said in Your Word to give thanks in all things. Father, today, as business is urgent and as tempers could possibly run short, we pray that You would provide special grace and a special ability and wisdom to do Your work and to be obedient to Your commands. We pray in Jesus' Name. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Francis 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 Francis moved that Assembly Bills Nos. 261 and 678 be placed at the top of the General File.

Motion carried.

Assemblyman Francis moved that all rules be suspended and Assembly Bill No. 255 be placed at the top of the General File.

Motion carried unanimously.

Assemblyman Francis moved that Assembly Bill No. 726 be taken from the Chief Clerk's desk and placed at the top of the General File.

Motion carried.

Assemblyman Francis moved that Senate Bills Nos. 26, 239, 296, 390, 393, 397 and 485 be 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 9:08 a.m.

ASSEMBLY IN SESSION

At 9:30 a.m.

Mr. Speaker presiding.

Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Concurrent Committee on Legislative Functions, to which were referred Assembly Joint Resolutions Nos. 16, 17, has had the same under consideration, and begs leave to report the same back without recommendation.

BRUCE R. BOGAERT, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Ways and Means, to which were referred Assembly Joint Resolutions Nos. 16, 17, has had the same under consideration, and begs leave to report the same back without recommendation.

JOHN MARVEL, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which was referred Senate Bill No. 514, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN MARVEL, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which were referred Senate Bills Nos. 227, 497, 518, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN MARVEL, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was re-referred Senate Bill No. 345, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

LOUIS W. BERGEVIN, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which were referred Senate Bills Nos. 226, 463, 474, 490, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

LOUIS W. BERGEVIN, *Chairman*

Mr. Speaker:

Your Committee on Labor and Management, to which was referred Senate Bill No. 454, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

BARBARA ZIMMER, *Chairman*

Mr. Speaker:

Your Committee on Taxation, to which were referred Assembly Joint Resolution No. 22; Senate Joint Resolution No. 11 of the 62nd Session, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

CHARLES W. JOERG, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, June 1, 1985

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 316, 364, 390, 411, 497, 524, 540, 542, 583, 585, 586, 587, 643, 702, 712.

Also, I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bill No. 251, 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. 19.

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. 33.

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. 322.

Also, I have the honor to inform your honorable body that the Senate on this day passed Assembly Joint Resolutions Nos. 4, 5, 23, 25, 30.

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. 27, 121, 332.

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. 191.

Also, I have the honor to inform your honorable body that the Senate on this day appointed Senators Townsend, Neal and Rhoads as a first Committee on Conference concerning Senate Bill No. 185.

Also, I have the honor to inform your honorable body that the Senate on this day appointed Senators Rawson, Townsend and Mello as a first Committee on Conference concerning Senate Bill No. 460.

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. 8 and requests a second conference, and appointed Senators Foley, Wagner and Ryan as a second Committee on Conference to meet with a like committee of the Assembly for the further consideration of Senate Bill No. 8.

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. 185.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Assembly Concurrent Resolution No. 43.

Assemblyman Bogaert moved the adoption of the resolution.

Remarks by Assemblyman Bogaert.

Resolution adopted, as amended.

Assemblyman Arberry moved that Assembly Bill No. 678 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Arberry.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Legislative Functions, to which was referred Senate Bill No. 446, 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.

BRUCE R. BOGAERT, *Chairman*

Mr. Speaker:

Your Committee on Legislative Functions, to which was referred Assembly Bill No. 720, 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.

BRUCE R. BOGAERT, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Bogaert moved that Senate Bill No. 446 be re-referred to the Committee on Ways and Means.

Motion carried.

Assemblyman Bogaert moved that Assembly Bill No. 720 be re-referred to the Committee on Ways and Means.

Motion carried.

Assemblyman Francis moved that Senate Bill No. 454 be placed on the Second Reading File.

Motion carried.

SECOND READING AND AMENDMENT

Senate Bill No. 454.

Bill read second time.

The following amendment was proposed by the Committee on Labor and Management:

Amendment No. 1465.

Amend sec. 3, page 2, by deleting lines 29 through 34 and inserting:

"2. *The labor commissioner shall survey all contractors annually to ascertain the wages paid in each county on contracts whose amount is $100,000 or more. The prevailing wage for any class of workers in a county is:*

(a) Any single wage which is paid to a majority of the workers of that class in that county; or

(b) If there is no such single wage, then the average of all wages paid to workers of that class in that county.".

Amend sec. 3, page 2, line 37, after "*wage;*", by inserting "*or*".

Amend sec. 3, page 2, by deleting lines 38 through 43 and inserting:

"*(b) Receives an objection from any public body or any person entitled under subsection 5 to be heard within 30 days after his determination, with evidence to substantiate that a different wage prevails.*".

Assemblyman Zimmer moved the adoption of the amendment.

Remarks by Assemblymen Zimmer, Jeffrey and O'Donnell.

Assemblymen Schofield, Coffin and Jeffrey requested a roll call on Assemblyman Zimmer's motion.

Roll call on Assemblyman Zimmer's motion:

YEAS—21.

NAYS—Arberry, Banner, Coffin, Collins, Craddock, Dini, Jeffrey, Kerns, Little, Malone, Nevin, Price, Roberts, Sader, Schofield, Stone, Swain, Thomas, Thompson, Williams—20.

Absent—Sedway.

The motion having received a majority, Mr. Speaker declared the amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Nevin moved that Senate Bill No. 26 be taken from its position on the General File and placed at the bottom of the General File.

Motion carried.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 251.

The following Senate amendment was read:

Amendment No. 1391.

Amend sec. 6, page 2, line 26, by deleting "only".

Amend sec. 6, page 2, by deleting line 27 and inserting: "on March 1, 1986.".

Assemblyman Getto moved that the Assembly concur in the Senate amendment to Assembly Bill No. 251.

Remarks by Assemblyman Getto.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 602.

The following Senate amendment was read:

Amendment No. 1386.

Amend sec. 3, page 2, line 5, by deleting the period and inserting: ", *but not more than the amount provided in NRS 73.010 as the jurisdictional limit for small claims in justices' courts.*".

Assemblyman Stone moved that the Assembly concur in the Senate amendment to Assembly Bill No. 602.

Remarks by Assemblyman Stone.

Motion carried.

Bill ordered enrolled.

REPORTS OF CONFERENCE COMMITTEES

Mr. Speaker:

The first Committee on Conference concerning Assembly Bill No. 329, consisting of the undersigned members, has met, and reports that:

It has agreed to recommend that the amendment of the Senate be concurred in.

BARBARA A. ZIMMER	ALAN G. GLOVER
BILL R. O'DONNELL	DEAN A. RHOADS
O. CHARLES HORNE	RANDOLPH J. TOWNSEND
Assembly Committee on Conference	*Senate Committee on Conference*

Assemblyman Zimmer moved that the Assembly adopt the report of the first Committee on Conference concerning Assembly Bill No. 329.

Remarks by Assemblymen Zimmer, Thompson, Horne, Jeffrey, Banner and Rader.

Assemblymen Schofield, Jeffrey and Craddock requested a roll call on Assemblyman Zimmer's motion.

Roll call on Assemblyman Zimmer's motion:

YEAS—19.

NAYS—Arberry, Banner, Bergevin, Coffin, Collins, Craddock, Dini, Getto, Jeffrey, Kerns, Lambert, Little, Nevin, Nicholas, Price, Rader, Sader, Schofield, Stone, Swain, Thompson, Williams—22.

Absent—Sedway.

The motion having failed to receive a majority, Mr. Speaker declared it lost.

Mr. Speaker:

The first Committee on Conference concerning Assembly Bill No. 330, consisting of the undersigned members, has met, and reports that:

It has agreed to recommend that the amendment of the Senate be concurred in.

DAVID D. NICHOLAS	WILLIAM R. RAGGIO
ERIK BEYER	JOE NEAL
BOB COFFIN	DONALD R. MELLO
Assembly Committee on Conference	*Senate Committee on Conference*

Assemblyman Nicholas moved that the Assembly adopt the report of the first Committee on Conference concerning Assembly Bill No. 330.

Remarks by Assemblyman Nicholas.

Motion carried.

Mr. Speaker:

The first Committee on Conference concerning Assembly Bill No. 633, consisting of the undersigned members, has met, and reports that:

It has agreed to recommend that the amendment of the Senate be concurred in.

JOH B. DUBOIS	JOE NEAL
JOSEPH E. DINI, JR.	JOHN M. VERGIELS
BOB THOMAS	LAWRENCE E. JACOBSEN
Assembly Committee on Conference	*Senate Committee on Conference*

Assemblyman DuBois moved that the Assembly adopt the report of the first Committee on Conference concerning Assembly Bill No. 633.

Remarks by Assemblyman DuBois.

Motion carried.

Mr. Speaker:

The first Committee on Conference concerning Assembly Bill No. 502, 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. C15, which is attached to and hereby made a part of this report.

BARBARA A. ZIMMER	BOB RYAN
GAYLYN J. SPRIGGS	ROBERT E. ROBINSON
ROBERT (BOB) E. PRICE	RAYMOND C. SHAFFER
Assembly Committee on Conference	*Senate Committee on Conference*

Amendment No. C15.

Amend sec. 3, page 2, after line 9, by inserting:

"Section 1. Section 34 of the above-entitled act, being chapter 397, Statutes of Nevada 1955, at page 769, is hereby amended to read as follows:

Sec. 34. *1.* An excise tax is hereby imposed on the storage, use, or other consumption in this state of tangible personal property purchased from any retailer on or after July 1, 1955, for storage, use, or other consumption in this state at the rate of 2 percent of the sales price of the property.

2. The tax is imposed with respect to all property which was acquired out of state in a transaction that would have been a taxable sale if it had occurred within this state.".

Amend sec. 3, page 2, line 10, by deleting "Section 1." and inserting "Sec. 2.".

Amend sec. 3, page 2, line 30, by deleting "2." and inserting "3.".

Amend sec. 3, page 2, line 32, by deleting "3." and inserting "4.".

Amend sec. 4, page 2, line 37, by deleting the question mark and inserting: "and purchases outside the state like purchases in the state?".

Amend sec. 4, page 2, line 44, by deleting the period and inserting: ", and purchases made outside the state would be taxed the same as if made in the state.".

Amend the title of the bill, third line, by deleting the semicolon and inserting: "and impose the use tax on sales which would have been taxable if made in Nevada;".

Amend the summary of the bill by deleting the period and inserting: "and impose use tax on certain sales in other states.".

Assemblyman Zimmer moved that the Assembly adopt the report of the first Committee on Conference concerning Assembly Bill No. 502.

Remarks by Assemblyman Zimmer.

Motion carried.

Mr. Speaker:

The first Committee on Conference concerning Senate Bill No. 460, consisting of the undersigned members, has met, and reports that:

It has agreed to recommend that the amendment of the Assembly be concurred in.

STEVEN C. FRANCIS	RAYMOND D. RAWSON
JOSEPH E. DINI, JR.	RANDOLPH J. TOWNSEND
ROBERT M. SADER	DONALD R. MELLO
Assembly Committee on Conference	*Senate Committee on Conference*

Assemblyman Francis moved that the Assembly adopt the report of the first Committee on Conference concerning Senate Bill No. 460.

Remarks by Assemblyman Francis.

Motion carried.

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker appointed Assemblymen Jeffrey, Thompson and Williams as a second Committee on Conference to meet with a like committee of the Senate for the further consideration of Assembly Bill No. 329.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, June 1, 1985

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. 164, 555, 556, 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. 323, 516.

Also, I have the honor to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 64.

MARY JO MONGELLI
Assistant Secretary of the Senate

INTRODUCTION AND FIRST READING OF LEGISLATION

Senate Bill No. 323.

Bill read first time.

Senate Bill No. 516.

Bill read first time.

REFERENCE OF MEASURES TO COMMITTEES

Senate Bill No. 323.

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

Motion carried.

Senate Bill No. 516.

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

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 726.

Bill read third time.

Remarks by Assemblymen Beyer and Horne.

Roll call on Assembly Bill No. 726:
YEAS—40.
NAYS—Little.
Absent—Sedway.

Assembly Bill No. 726 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 10:08 a.m.

ASSEMBLY IN SESSION

At 10:09 a.m.
Mr. Speaker pro Tempore presiding.
Quorum present.

GENERAL FILE AND THIRD READING

Assembly Bill No. 255.
Bill read third time.
Remarks by Assemblyman DuBois.
Roll call on Assembly Bill No. 255:
YEAS—41.
NAYS—None.
Absent—Sedway.

Assembly Bill No. 255 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 10:11 a.m.

ASSEMBLY IN SESSION

At 10:22 a.m.
Mr. Speaker presiding.
Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Francis moved that Senate Bill No. 514 be placed on the Second Reading File.
Motion carried.

Assemblyman Francis moved that Assembly Joint Resolutions Nos. 16, 17, 22 and Senate Bill No. 345 be placed on the General File immediately following Assembly Bill No. 261.
Motion carried.

Assemblyman Francis moved that for the balance of the session, all rules be suspended and that all bills and resolutions passed or adopted by the Assembly be immediately transmitted to the Senate.

Motion carried unanimously.

Assemblyman Stone moved that Senate Bill No. 428 be taken from the General File and placed on the Chief Clerk's desk.

Motion carried.

Senate Concurrent Resolution No. 64.

Assemblyman Joerg moved the adoption of the resolution.

Remarks by Assemblyman Joerg.

Assemblyman Francis requested that Assemblyman Joerg's remarks be entered in the Journal.

Although I never knew Mr. Cashell, I have had the opportunity to know his son, Lieutenant Governor Cashell, who, I think, is friends with most, if not all, of us. He has been a real asset to the State of Nevada. If his father was anything like him, we know he was also a real community leader. At this time I would like to ask that we observe a moment of silence for the Cashell family.

Resolution adopted unanimously.

REMARKS FROM THE FLOOR

Assemblyman Francis requested that Mr. Speaker's remarks be entered in the Journal.

I never had the privilege of meeting Mr. Cashell myself but I did have the privilege of meeting about 30 residents of Longview, Texas all of whom knew Mr. Cashell. It was in Dallas, Texas that I met them. It was an interesting thing. I would have liked to have met the gentleman because the remarks that were addressed concerning him were full of love, respect, dedication to his community and to his church. From the remarks of the people in Longview, Texas, he was a credit to his community, state and nation. A fine human being.

UNFINISHED BUSINESS

REPORTS OF CONFERENCE COMMITTEES

Mr. Speaker:

The first Committee on Conference concerning Senate Bill No. 130, 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. C16, which is attached to and hereby made a part of this report.

JOHN B. DUBOIS
BOB THOMAS
JOSEPH E. DINI, JR.
Assembly Committee on Conference

ANN O'CONNELL
RANDOLPH J. TOWNSEND
ROBERT E. ROBINSON
Senate Committee on Conference

Amendment No. C16.

Amend sec. 12.5, page 7, by deleting line 35 and inserting:

"4. [Any] *Except as otherwise provided in this subsection, any* firm or corporation:".

Amend sec. 12.5, page 7, line 37, before "trust", by inserting an open bracket.

Amend sec. 12.5, page 7, line 39, after "Administration; or", by inserting "] *mortgage;*".

Amend sec. 12.5, page 7, line 41, by deleting "servicer," and inserting "servicer [,".

Amend sec. 12.5, page 7, line 44, after the period, by inserting "] *; and*

(c) Approved by the Department of Housing and Urban Development and the Veteran's Administration.

A firm or corporation is not exempt from the provisions of this chapter pursuant to this subsection if it maintains any accounts described in subsection 1 or 3 of NRS 645B.175. A firm or corporation which is exempted pursuant to this subsection must submit annually as a condition of its continued exemption a certified statement by an independent certified public accountant that the firm or corporation does not maintain any such accounts. This subsection does not prohibit an exempt firm or corporation from maintaining accounts described in NRS 645B.170.".

Amend sec. 12.5, page 7, line 45, by deleting the closed bracket.

Amend sec. 12.5, page 8, line 1, by deleting "[6.] *5.*" and inserting "6.".

Amend sec. 12.5, page 8, line 4, by deleting "[7.] *6.*" and inserting "7.".

Amend sec. 12.5, page 8, line 6, by deleting "[8.] *7.*" and inserting "8.".

Amend sec. 16, page 9, by deleting lines 1 through 4 and inserting:

"Sec. 16. A firm or corporation which claims an exemption from the provisions of chapter 645B of NRS pursuant to subsection 4 of NRS 645B.190, as amended by section 12.5 of this act, must on or before January 1, 1986, submit proof to the administrator of financial institutions that it is so exempt. The exemption does not apply if the firm or corporation does not submit such proof.".

Assemblyman DuBois moved that the Assembly adopt the report of the first Committee on Conference concerning Senate Bill No. 130.

Remarks by Assemblyman DuBois.

Motion carried.

SECOND READING AND AMENDMENT

Senate Bill No. 514.

Bill read second time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1470.

Amend section 1, page 1, line 5, before "or" by inserting: ", for the reduction of the number of pupils in each class of the first, second and third grades to 22 or less".

Amend sec. 5, page 2, line 21, by deleting "; and" and inserting a semicolon.

Amend sec. 5, page 2, line 23, by deleting "act." and inserting "act; and".

Amend sec. 5, page 2, after line 23, by inserting:

"3. A description of the efforts made to reduce the number of pupils in each class of the first, second and third grades to 22 or less.".

Assemblyman Nicholas moved the adoption of the amendment.

Remarks by Assemblyman Nicholas.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Joerg moved that Assembly Bill No. 678 be taken from the Chief Clerk's desk and placed at the top of the General File.

Remarks by Assemblyman Joerg.

Motion carried.

UNFINISHED BUSINESS

RECEDE FROM ASSEMBLY AMENDMENTS

Assemblyman Marvel moved that the Assembly do not recede from its action on Senate Bill No. 283, 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 Marvel.

Motion carried.

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker appointed Assemblymen Tebbs, Beyer 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. 283.

RECEDE FROM ASSEMBLY AMENDMENTS

Assemblyman Marvel moved that the Assembly do not recede from its action on Senate Bill No. 191, 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 Marvel.

Motion carried.

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker appointed Assemblymen Nicholas, Bergevin and Dini as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Senate Bill No. 191.

GENERAL FILE AND THIRD READING

Assembly Bill No. 678.

Bill read third time.

The following amendment was proposed by the Committee on Taxation:

Amendment No. 1477.

Amend section 1, page 2, line 2, by deleting "*the board*" and inserting "*it*".

Amend section 1, page 2, line 5, after "*the*", by inserting "*Nevada tax*".

Amend section 1, page 2, line 7, by deleting "*The commission*" and inserting "*It*".

Amend sec. 2, page 2, line 35, by deleting "*the board*" and inserting "*it*".

Amend sec. 2, page 2, line 38, after "*the*", by inserting "*Nevada tax*".

Amend sec. 2, page 2, line 40, by deleting "*The commission*" and inserting "*It*".

Assemblyman Joerg moved the adoption of the amendment.

Remarks by Assemblyman Joerg.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Dini moved that Assembly Bill No. 460 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. 460.

Bill read third time.

The following amendment was proposed by Assemblyman Dini:

Amendment No. 1473.

Amend sec. 2, page 1, line 5, by deleting "*state,*" and inserting: "*state or unless federal law otherwise requires,*".

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. 261.

Bill read third time.

Remarks by Assemblyman Swain.

Roll call on Assembly Bill No. 261:

YEAS—41.

NAYS—None.

Absent—Sedway.

Assembly Bill No. 261 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 Assemblyman Bogaert.

Roll call on Assembly Joint Resolution No. 16:

YEAS—17.

NAYS—Banner, Bergevin, Beyer, Coffin, Craddock, Dini, DuBois, Francis, Getto, Horne, Jeffrey, Joerg, Lambert, Little, McGaughey, Malone, Marvel, Stone, Swain, Tebbs, Thomas, Thompson, Zimmer, Mr. Speaker—24.

Absent—Sedway.

Assembly Joint Resolution No. 16 having failed to receive a constitutional majority, Mr. Speaker declared it lost.

Assembly Joint Resolution No. 17.

Resolution read third time.

Remarks by Assemblymen Price, Jeffrey, Thomas, Swain, Joerg and Humke.

Roll call on Assembly Joint Resolution No. 17:

YEAS—13.

NAYS—Arberry, Banner, Bergevin, Beyer, Coffin, Dini, DuBois, Francis, Getto, Horne, Humke, Jeffrey, Joerg, Lambert, Little, Malone, Marvel, O'Donnell, Schofield, Spriggs, Stone, Swain, Tebbs, Thomas, Thompson, Williams, Zimmer, Mr. Speaker—28.

Absent—Sedway.

Assembly Joint Resolution No. 17 having failed to receive a constitutional majority, Mr. Speaker declared it lost.

Assembly Joint Resolution No. 22.

Resolution read third time.

Remarks by Assemblyman Joerg.

Roll call on Assembly Joint Resolution No. 22:

YEAS—38.

NAYS—Bergevin, Price, Roberts—3.

Absent—Sedway.

Assembly Joint Resolution No. 22 having received a constitutional majority, Mr. Speaker declared it passed.

Resolution ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Joerg moved that Senate Joint Resolution No. 11 of the 62nd Session be placed at the top of the General File.

Motion carried.

GENERAL FILE AND THIRD READING

Senate Joint Resolution No. 11 of the 62nd Session.

Resolution read third time.

Remarks by Assemblymen Joerg and Collins.

Roll call on Senate Joint Resolution No. 11 of the 62nd Session:

YEAS—38.

NAYS—Bergevin, Price, Roberts—3.

Absent—Sedway.

Senate Joint Resolution No. 11 of the 62nd Session having received a constitutional majority, Mr. Speaker declared it passed.

Resolution ordered transmitted to the Senate.

Senate Bill No. 345.

Bill read third time.

The following amendment was proposed by Assemblyman Bilyeu:

Amendment No. 1471.

Amend sec. 12, page 2, line 28, by deleting "*seven*" and inserting "*six*".

Amend sec. 12, page 2, by deleting lines 34 through 36 and inserting:

"*3. The governor shall appoint to the commission three residents of the state, one of whom must be, if available and willing to serve, a retired justice or judge of this state who was not removed or retired*".

Amend sec. 12, page 2, line 38, by deleting "*four*" and inserting "*three*".

Amend sec. 16, page 5, by deleting line 45 and inserting: "*(b) Upon the commission's own motion*".

Amend sec. 16, page 6, lines 6 and 7, by deleting: "*as soon as is practicable*" and inserting: "*immediately by certified mail*".

Amend sec. 16, page 6, by deleting lines 26 through 29 and inserting:

"*(d) It is an opinion requested pursuant to subsection 2, the commission determines that there is insufficient basis to render an opinion and the person about whom the opinion was requested has asked the commission to make public the reasons for not rendering the opinion.*".

Amend sec. 24, page 9, line 35, by deleting "four" and inserting "three".

Amend sec. 24, page 9, by deleting line 38.

Amend sec. 24, page 9, line 39, by deleting "(b)" and inserting "(a)".

Amend sec. 24, page 9, line 40, by deleting "(c)" and inserting "(b)".

Amend sec. 24, page 9, line 41, by deleting "(d)" and inserting "(c)".

Assemblyman O'Donnell moved the adoption of the amendment.

Remarks by Assemblymen O'Donnell, Coffin and Humke.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Assembly Joint Resolution No. 31.

Resolution read third time.

Remarks by Assemblymen Little, Rader, Nicholas, DuBois, Bogaert, Coffin, Humke and Thomas.

Assemblyman Bogaert requested that the following remarks be entered in the Journal.

ASSEMBLYMAN LITTLE:

I feel this resolution is very good for the state and for the country. I have a very short statement that I will read. America's budgetary woes would not be nearly so severe if our economy were not groaning under the strain of financing two military budgets, our own and a significant portion of the Soviet Unions. The great irony for Americans who will be asked to tighten their belts in order to pay for our defense needs is that much of the

additional money that must be spent on defense is required to offset Soviet weapons that probably could not have been built without our assistance. It is madness to be asked to defend ourselves against an enemy we have helped to create and continue to strengthen. It is also madness to be asked to disarm while tyrants seek world domination. Sanity demands that we freeze the flow of U.S. technology, know how, U.S. loans and loan guarantees, and U.S. tax dollars to our avowed enemies.

This solution to arms race will not only save the U.S. taxpayers billions, it will also prevent national suicide. Right now we are spending over $200 billion on defense. I have nothing against spending money on defense, but I feel that when it is not needed that we should discontinue the practice. I feel this resolution is necessary, that we voice our feelings to Congress that we support this resolution and in so doing keep our money here in the states by not having to send so much to Washington. I ask your support on this resolution.

ASSEMBLYMAN RADER:

I rise to support this resolution because how many times do we have to relearn our history. When the western allies compromised against Adolph Hitler in Munich in 1938, there was a lesson learned that if they had stood firm, they had not compromised and remained militarily strong, had limited relationships with the Nazi government, we would not have had World War II.

The only reason the Soviet Union is beginning to even talk seriously about arms negotiations is because the United States for the past four years has stood firm, been resolute, invaded Grenada, talked about limiting relations with them and talked about making them be honest with their dealings with the rest of the world.

This kind of a resolution reenforces that message that we are sending. The only way we are going to get any respect or any serious negotiations from them is to stand strong. That is why I support this resolution.

ASSEMBLYMAN NICHOLAS:

As one of the many veterans in this body that has been involved in an active conflict with Communism, one form or the other, declared or undeclared, I will only suggest that as far as the main direction of this bill is concerned, I am very much in favor of it. It has one problem, however. It stipulates the word "trade" here. Trade can certainly be both strategic and nonstrategic items. No question that half of the gear being used by the Russians came, at least in theory, from us.

As far as the wheat and corn from our farmers, the agricultural products that we are finding more and more in demand around the world, that particular direction which can make a difference in the terrible problem we have with balance of trade, there is that one word I have to differ with. I'm going to vote for it because I think there is enough in it that needs to be said but I wish that word were out.

ASSEMBLYMAN DUBOIS:

I think our relations with Russia are very loose. I think it is about time we tighten that up. Right now, for instance, in Argentina, that's not Russia, but it is a country that is not particularly friendly to us, is building a nuclear plant from technology supplied by companies that are located in western Germany, Italy and the United States. With that technology they will be able to build a nuclear bomb. I support this resolution. I think we should send a message to Congress.

ASSEMBLYMAN BOGAERT:

I stand in favor of this resolution for two reasons. Number one, it is Pat Little's birthday and I do this in her honor. Our Communist enemies cringe when they have to be faced with the reality that our masses have a voice in government. But they do respect that and they do understand that. This is another way to send them a message that says the people of this country, who do elect their officials and have to be behind those elected officials in their decisions, really mean business.

ASSEMBLYMAN HUMKE:

I support this resolution. If it makes Communists cringe, I'm for it.

ASSEMBLYMAN THOMAS:

I, too, support this resolution. I agree with Mr. Nicholas about trade. But I would feel a lot better about trade with those guys if they ever would pay us for what we give them.

Assemblymen Price, Swain and Humke moved the previous question.

Motion carried.

The question being on the passage of Assembly Joint Resolution No. 31.

Roll call on Assembly Joint Resolution No. 31:

YEAS—37.

NAYS—Banner, Nevin, Sader, Swain—4.

Absent—Sedway.

Assembly Joint Resolution No. 31 having received a constitutional majority, Mr. Speaker declared it passed.

Resolution ordered transmitted to the Senate.

Senate Bill No. 38.

Bill read third time.

Remarks by Assemblyman Stone.

Roll call on Senate Bill No. 38:

YEAS—41.

NAYS—None.

Absent—Sedway.

Senate Bill No. 38 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. 627, 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.

STEVEN C. FRANCIS	BOB RYAN
ROBERT (BOB) E. PRICE	RAYMOND C. SHAFFER
O. CHARLES HORNE	KENNETH K. REDELSPERGER
Assembly Committee on Conference	*Senate Committee on Conference*

Assemblyman Francis moved that the Assembly adopt the report of the first Committee on Conference concerning Assembly Bill No. 627.

Remarks by Assemblyman Francis.

Motion carried.

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker appointed Assemblymen Joerg, Bergevin and Dini as a second Committee on Conference to meet with a like committee of the Senate for the further consideration of Assembly Bill No. 627.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 164.

The following Senate amendment was read:

Amendment No. 1460.

Amend section 1, page 1, line 4, by deleting "1." and inserting "[1.]".

Amend section 1, page 1, line 6, by inserting an open bracket before "2.".

Amend section 1, page 1, by deleting line 7 and inserting "1985.]".

Amend sec. 2, page 1, line 17, by inserting an open bracket before "until".

Amend sec. 2, page 1, by deleting line 18 and inserting: "25, 1986,] must be prepaid in the manner provided in NRS".

Amend sec. 2, page 2, line 1, by inserting an open bracket before "4.".

Amend sec. 2, page 2, by deleting line 2 and inserting: "of 1986 is due on July 31, 1986, and must be".

Amend sec. 2, page 2, line 3, by deleting the open bracket before "1986.".

Amend sec. 2, page 2, by deleting line 4.

Amend sec. 3, page 2, by deleting line 8 and inserting:

"Sec. 7. [1. This section and section 1, 3 and 6 of this] *This* act".

Amend sec. 3, page 2, line 10, by inserting an open bracket before "2.".

Amend sec. 3, page 2, by deleting line 11 and inserting: "July 1, 1985.".

Amend sec. 3, page 2, by deleting line 13 and inserting "1986.]".

Amend sec. 3, page 2, by deleting lines 14 and 15.

Amend sec. 4, page 2, line 22, by inserting an open bracket before "3.".

Amend sec. 4, page 2, by deleting line 23 and inserting "1985.]".

Amend the bill as a whole by adding a new section designated section 5, following section 4, to read as follows:

"Sec. 5. 1. Sections 3 and 7 of chapter 310, Statutes of Nevada 1981, as amended by chapter 528, Statutes of Nevada 1981, at pages 1090 and 1092, respectively, are hereby repealed.

2. Section 2 of chapter 60, Statutes of Nevada 1983, as amended by chapter 492, Statutes of Nevada 1983, at page 1334, and sections 4 and 5 of chapter 60, Statutes of Nevada 1983, at pages 217 and 219, respectively, are hereby repealed.

3. Section 11 of chapter 492, Statutes of Nevada 1983, at page 1336, is hereby repealed.".

Amend the title of the bill, first line, by deleting "temporarily postponing" and inserting "repealing".

Amend the summary of the bill, first line, by deleting "Temporarily postpones" and inserting "Repeals".

Assemblyman Joerg moved that the Assembly do not concur in the Senate amendment to Assembly Bill No. 164.

Motion carried.

Bill ordered transmitted to the Senate.

Assembly Bill No. 555.

The following Senate amendment was read:

Amendment No. 1462.

Amend sec. 2, pages 1 and 2, by deleting lines 13 through 17 on page 1 and lines 1 through 7 on page 2 and inserting:

"Sec. 2. (Deleted by amendment.)".

Amend sec. 3, page 2, by deleting line 23 and inserting: "[2.5] *6.5* mills per cigarette, but not less than [5] *13* cents for each".

Amend sec. 5, page 3, by deleting lines 25 through 33 and inserting:

"Sec. 5. Sections 2, 4.5 and 6 of Assembly Bill No. 18 of this session are hereby repealed.".

Amend sec. 6, page 3, by deleting lines 43 through 45 and inserting:

"[3. Sections 2, 4.5 and 6 of this act become effective for all other purposes on July 1, 1985.

4.]".

Amend sec. 6, page 3, line 46, by deleting "*3.*" and inserting "*2.*".

Amend sec. 6.5, page 4, by deleting line 4 and inserting: "by chapter 80, Statutes of Nevada 1985, at page 212, is hereby amended".

Amend sec. 7, page 4, line 16, after "and", by inserting "5,".

Amend sec. 7, page 4, line 20, by deleting: "if it expires before July 1, 1987," and inserting a comma.

Amend sec. 7, page 4, by deleting lines 23 and 24.

Amend the title of the bill, first line, by deleting: "temporarily extending" and inserting "retaining".

Amend the summary of the bill, first line, by deleting: "Temporarily extends" and inserting "Retains".

Assemblyman Joerg moved that the Assembly do not concur in the Senate amendment to Assembly Bill No. 555.

Motion carried.

Bill ordered transmitted to the Senate.

Assembly Bill No. 556.

The following Senate amendment was read:

Amendment No. 1463.

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. Section 2 of chapter 220, Statutes of Nevada 1983, at page 514, is hereby repealed.".

Amend section 1, page 1, line 3, by deleting "1. This" and inserting "[1.] This".

Amend section 1, page 1, line 5, by deleting "2. Section" and inserting: "[2. Section".

Amend section 1, page 1, by deleting line 6 and inserting "1985.]".

Amend the title of the bill, first line, by deleting "temporarily extending" and inserting "retaining".

Amend the summary of the bill by deleting "Temporarily extends" and inserting "Retains".

Assemblyman Joerg moved that the Assembly do not concur in the Senate amendment to Assembly Bill No. 556.

Motion carried.

Bill ordered transmitted to the Senate.

Assemblyman Francis moved that the Assembly recess until 3 p.m.

Motion carried.

Assembly in recess at 11:25 a.m.

ASSEMBLY IN SESSION

At 3:06 p.m.

Mr. Speaker presiding.

Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Stone moved that Senate Bill No. 428 be taken from the Chief Clerk's desk and placed on the General File.

Remarks by Assemblyman Stone.

Motion carried.

Assemblyman Francis moved that Senate Bill No. 506 be placed on the General File immediately following Assembly Bill No. 720.

Motion carried.

Assemblyman DuBois moved that Senate Bill No. 390 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman DuBois.

Motion carried.

Assemblyman DuBois moved that Senate Bill No. 397 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman DuBois.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Legislative Functions, to which were referred Assembly Concurrent Resolutions Nos. 45, 57, 59, 60, 61, 62; Senate Concurrent Resolutions Nos. 3, 45, 47, 59, 60, 62, has had the same under consideration, and begs leave to report the same back with the recommendation: Be adopted.

BRUCE R. BOGAERT, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which was re-referred Assembly Bill No. 720, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN MARVEL, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which was referred Senate Bill No. 516, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN MARVEL, *Chairman*

Mr. Speaker:

Your Committee on Legislative Functions, to which was referred Senate Joint Resolution No. 6, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

BRUCE R. BOGAERT, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, 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.

JOHN MARVEL, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Ways and Means, to which was referred Senate 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.

JOHN MARVEL, *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.

LOUIS W. BERGEVIN, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Francis moved that Assembly Bills Nos. 460, 678 and 720 be placed at the top of the General File.

Motion carried.

Assemblyman Francis moved that Senate Bills Nos. 206, 226, 227, 454, 463, 474, 490, 497, 514, 516, 518 and Senate Joint Resolution No. 6 be placed on the General File.

Motion carried.

Assemblyman Humke moved that Senate Bill No. 160 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.

Assembly in recess at 3:13 p.m.

ASSEMBLY IN SESSION

At 3:22 p.m.

Mr. Speaker presiding.

Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Natural Resources, Agriculture and Mining, to which was referred Senate Joint Resolution No. 38, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

VIRGIL M. GETTO, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assembly Concurrent Resolution No. 45.

Assemblyman Bogaert moved the adoption of the resolution.

Remarks by Assemblyman Bogaert.

Resolution adopted.

Assembly Concurrent Resolution No. 57.

Assemblyman Bogaert moved the adoption of the resolution.

Remarks by Assemblymen Bogaert and Williams.

Assemblymen Williams, O'Donnell and Humke requested a roll call on Assemblyman Bogaert's motion.

Roll call on Assemblyman Bogaert's motion:

YEAS—28.

NAYS—Craddock, DuBois, Fairchild, Ham, Humke, Jeffrey, Little, Nicholas, O'Donnell, Price, Roberts, Thompson, Williams—13.

Absent—Sedway.

The motion having received a majority, Mr. Speaker declared the resolution adopted.

Assembly Concurrent Resolution No. 59.

Assemblyman Bogaert moved the adoption of the resolution.

Remarks by Assemblyman Bogaert.

Resolution adopted.

Assembly Concurrent Resolution No. 60.

Assemblyman Bogaert moved the adoption of the resolution.

Remarks by Assemblyman Bogaert.

Resolution adopted.

Assembly Concurrent Resolution No. 61.

Assemblyman Bogaert moved the adoption of the resolution.

Remarks by Assemblyman Bogaert.

Resolution adopted.

Assembly Concurrent Resolution No. 62.

Assemblyman Bogaert moved the adoption of the resolution.

Remarks by Assemblyman Bogaert.

Resolution adopted.

Senate Concurrent Resolution No. 3.

Assemblyman Bogaert moved the adoption of the resolution.

Remarks by Assemblyman Bogaert.

Resolution adopted.

Senate Concurrent Resolution No. 45.
Assemblyman Bogaert moved the adoption of the resolution.
Remarks by Assemblyman Bogaert.
Resolution adopted.

Senate Concurrent Resolution No. 47.
Assemblyman Bogaert moved the adoption of the resolution.
Remarks by Assemblyman Bogaert.
Resolution adopted.

Senate Concurrent Resolution No. 59.
Assemblyman Bogaert moved the adoption of the resolution.
Remarks by Assemblyman Bogaert.
Resolution adopted.

Senate Concurrent Resolution No. 60.
Assemblyman Bogaert moved the adoption of the resolution.
Remarks by Assemblyman Bogaert.
Resolution adopted.

Senate Concurrent Resolution No. 62.
Assemblyman Bogaert moved the adoption of the resolution.
Remarks by Assemblyman Bogaert.
Resolution adopted.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Natural Resources, Agriculture and Mining, to which was referred Senate Bill No. 451, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

VIRGIL M. GETTO, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, June 2, 1985

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 363, 565, 601, 709.

Also, I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bills Nos. 83, 236, 379, 567, 608, 628, 647, 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. 329.

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. 330.

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. 502.

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. 633.

Also, I have the honor to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolutions Nos. 23, 28, 31, 35, 36, 40, 41, 52, 53, 54, 56.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Bill No. 519.

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. 163, 438, 510.

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. 368, 478.

Also, I have the honor to inform your honorable body that the Senate on this day appointed Senators Robinson, Townsend and O'Connell as a first Committee on Conference concerning Senate Bill No. 130.

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. 130.

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. 460.

Also, I have the honor to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 65.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Senate Concurrent Resolution No. 65.

Resolution read.

INTRODUCTION AND FIRST READING OF LEGISLATION

Senate Bill No. 519.

Bill read first time.

REFERENCE OF MEASURES TO COMMITTEES

Senate Bill No. 519.

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

Motion carried.

Senate Concurrent Resolution No. 65.

Assemblyman Francis moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Senate Bill No. 519, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

LOUIS W. BERGEVIN, *Chairman*

UNFINISHED BUSINESS

REPORTS OF CONFERENCE COMMITTEES

Mr. Speaker:

The first Committee on Conference concerning Assembly Bill No. 229, 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.

COURTENAY C. SWAIN	JAMES H. BILBRAY
MYRNA T. WILLIAMS	RAYMOND D. RAWSON
ART RADAR	BOB RYAN
Assembly Committee on Conference	*Senate Committee on Conference*

Assemblyman Swain moved that the Assembly adopt the report of the first Committee on Conference concerning Assembly Bill No. 229.

Remarks by Assemblyman Swain.

Motion carried.

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker appointed Assemblymen Sader, Zimmer and Stone as a second Committee on Conference to meet with a like committee of the Senate for the further consideration of Assembly Bill No. 229.

RECEDE FROM ASSEMBLY AMENDMENTS

Assemblyman Bogaert moved that the Assembly do not recede from its action on Senate Bill No. 478, 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 Jeffrey, Francis 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. 478.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 567.

The following Senate amendment was read:

Amendment No. 1435.

Amend section 1, page 1, lines 2 and 3, by deleting: "*and section 2 of this act,*".

Amend section 1, page 1, by deleting line 10 and inserting: "tem . [and the Nevada state park system.]".

Amend the bill as a whole by deleting section 2 and renumbering section 3 as section 2.

Amend the title of the bill to read as follows:

"An Act relating to blind persons; extending their priority to operate vending stands in public buildings and on public property to the state parks; and providing other matters properly relating thereto.".

Amend the summary of the bill to read: "Extends priority of blind persons to operate vending stands to state parks. (BDR 38-1736)".

Assemblyman Bergevin moved that the Assembly do not concur in the Senate amendment to Assembly Bill No. 567.

Remarks by Assemblyman Bergevin.

Motion carried.

Bill ordered transmitted to the Senate.

REPORTS OF CONFERENCE COMMITTEES

Mr. Speaker:

The second Committee on Conference concerning Senate Bill No. 312, consisting of the undersigned members, has met, and reports that:

It has agreed to recommend that the amendment of the Assembly be receded from.

It has agreed to recommend that the bill be further amended as set forth in Amendment No. C17, which is attached to and hereby made a part of this report.

LOUIS W. BERGEVIN	RAYMOND C. SHAFFER
JAMES W. SCHOFIELD	JOHN M. VERGIELS
GAYLYN J. SPRIGGS	DEAN A. RHOADS
Assembly Committee on Conference	*Senate Committee on Conference*

Amendment No. C17.

Amend section 1, page 1, by deleting line 1 and inserting:

"Section 1. NRS 523.167 is hereby amended to read as follows:

523.167 1. [The office's standards for conservation of energy which govern the construction of buildings must include, for construction commencing] *In a county whose population is 100,000 or more, a building whose construction began* on or after October 1, 1983, [a prohibition against the installation of systems] *must not contain a system* using electric resistance for heating spaces [in the buildings except where:

(a) A system of heating spaces by electric resistance] *unless:*

(a) The system is merely supplementary to another means of heating;

(b) Under the particular circumstances no other primary means of heating the spaces is a feasible or economical alternative to heating by electric resistance; or

(c) The office 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 office's standards must] *This section does* not prohibit the use of incandescent or fluorescent lighting.".

Amend the title of the bill, first line, by deleting "repealing" and inserting: "narrowing the application of".

Amend the summary of the bill, first line, by deleting "Repeals" and inserting: "Narrows application of".

Assemblyman Bergevin moved that the Assembly adopt the report of the first Committee on Conference concerning Senate Bill No. 312.

Remarks by Assemblyman Bergevin.

Motion carried.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 647.

The following Senate amendment was read:

Amendment No. 1426.

Amend sec. 2, page 1, by deleting lines 9 through 12 and inserting: "*No dentist may be:*

1. Automatically admitted to membership on the medical staff of a hospital solely because he is licensed as a dentist in this state or is authorized pursuant to section 1 of this act to perform certain functions; or

2. Denied admission to membership on the medical staff of a hospital merely because he is licensed as a dentist and not as a physician.".

Amend the bill as a whole by deleting sections 7 and 8.

Amend the title of the bill by deleting the fifth and sixth lines and inserting: "dental care; and providing other matters properly relating thereto.".

Assemblyman DuBois moved that the Assembly do not concur in the Senate amendment to Assembly Bill No. 647.

Motion carried.

Bill ordered transmitted to the Senate.

Assembly Bill No. 379.

The following Senate amendment was read:

Amendment No. 1447.

Amend sec. 6, page 2, line 30, by deleting the period and inserting: ", *if he allows refunds.*".

Amend sec. 8, page 3, line 11, after "inclusive,", by inserting: "[and] sections 2 and 3 of [this act] *Assembly Bill No. 98 of the 63rd session of the Nevada legislature*".

Amend sec. 11, page 5, line 15, by deleting "apply", and inserting: "request in writing that the attorney general represent him in instituting an appropriate legal proceeding, including, without limitation, an application".

Amend sec. 11, page 5, line 20, by deleting "practices.", and inserting "practice.".

Amend sec. 11, page 5, line 27, by deleting: "deceptive trade practices." and inserting: "any deceptive trade practice.".

Amend sec. 14, page 6, by deleting line 28 and inserting: "plaint brought by the commissioner, the director, the district attorney of".

Amend sec. 14, page 6, line 29, after "this state" by inserting: "or the attorney general".

Amend sec. 14, page 6, lines 31 and 32 by deleting "shall retain" and inserting "retains".

Amend sec. 14, page 6, lines 35 and 36 by deleting: "and [NRS] 598.570 to 598.600, inclusive," and inserting: "to 598.600 inclusive, and section 2 of [this act,] *Assembly Bill No. 98 of the 63rd session of the Nevada legislature,*".

Amend sec. 14, page 6, by deleting lines 37 through 39 and inserting: "willfully engaged in a deceptive trade practice, the commissioner, the director, the district attorney of any county in this state or the attorney general bringing the action may recover a civil penalty".

Amend sec. 14, page 6, line 41, after "3. Any" by inserting "natural".

Amend sec. 14, page 6, by deleting lines 43 through 46 and inserting: "tive trade practice:

(a) For the first offense, is guilty of a misdemeanor.

(b) For the second offense, is guilty of a gross misdemeanor.

(c) For the third and all subsequent offenses, 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 sec. 14, page 7, line 1, by deleting "[4. As" and inserting "4. [As".

Amend sec. 14, page 7, by deleting lines 3 through 5 and inserting: "*Any offense which occurred within 10 years immediately preceding the date of the principal offense or after the principal offense constitutes a prior offense for the purposes of subsection 3 when evidenced by a conviction, without regard to the sequence of the offenses and convictions.*".

Amend the bill as a whole by deleting sections 15 through 18, and renumbering sections 19 through 21 as sections 15 through 17.

Amend the bill as a whole by adding a new section designated Sec. 18, following Sec. 21, to read as follows:

"Sec. 18. Sections 8, 11 and 14 of this act become effective at 12:01 a.m. on July 1, 1985.".

Assemblyman DuBois moved that the Assembly concur in the Senate amendment to Assembly Bill No. 379.

Remarks by Assemblyman DuBois.

Motion carried.

Bill ordered enrolled.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman DuBois moved that Senate Bill No. 390 be taken from the Chief Clerk's desk and placed on the General File.

Motion carried.

Assemblyman DuBois moved that Senate Bill No. 397 be taken from the Chief Clerk's desk and placed on the General File.

Motion carried.

UNFINISHED BUSINESS

RECEDE FROM ASSEMBLY AMENDMENTS

Assemblyman Stone moved that the Assembly do not recede from its action on Senate Bill No. 368, 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 Sader, O'Donnell and Ham as a first

Committee on Conference to meet with a like committee of the Senate for the further consideration of Senate Bill No. 368.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 83.

The following Senate amendment was read:

Amendment No. 1455.

Amend section 1, page 2, line 1, by deleting "*without*" and inserting "*with*".

Assemblyman Stone moved that the Assembly concur in the Senate amendment to Assembly Bill No. 83.

Remarks by Assemblyman Stone.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 236.

The following Senate amendment was read:

Amendment No. 1422.

Amend section 1, page 1, line 5, after "2.", by inserting: "*A district attorney who is permitted to engage in the private practice of law shall disqualify himself from any criminal prosecution of a person who has been involved in a matter related to his private practice of law.*

3.".

Assemblyman Stone moved that the Assembly concur in the Senate amendment to Assembly Bill No. 236.

Remarks by Assemblyman Stone.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 628.

The following Senate amendment was read:

Amendment No. 1436.

Amend the bill as a whole by deleting sections 1 through 13 and adding a new section designated section 1, following the enacting clause, to read as follows:

"Section 1. Chapter 453 of NRS is hereby amended by adding thereto a new section to read as follows:

1. In addition to any criminal penalty imposed for a violation of the provisions of NRS 453.011 to 453.551, inclusive, any person who unlawfully possesses, sells or participates in any way in a sale of a controlled substance classified in schedule I or II is subject to a civil penalty in an amount not to exceed $1,000,000 for each violation. This penalty must be recovered in a civil action, brought in the name of the State of Nevada by the attorney general or by any district attorney in a court of competent jurisdiction.

2. As used in this section:

(a) "Each violation" includes a continuous or repetitive violation arising out of the same act.

(b) "Sell" includes exchange, barter, solicitation or receipt of an order, transfer to another for sale or resale and any other transfer for any consideration or a promise obtained directly or indirectly.".

Amend the title of the bill to read as follows:

"An Act relating to controlled substances; imposing a civil penalty on any person who unlawfully possesses, sells or participates in a sale of certain controlled substances; and providing other matters properly relating thereto.".

Amend the summary of the bill to read as follows: "Imposes civil penalty on person who unlawfully possesses, sells or participates in sale of certain controlled substances. (BDR 32-1215)".

Assemblyman Stone moved that the Assembly do not concur in the Senate amendment to Assembly Bill No. 628.

Motion carried.

Bill ordered transmitted to the Senate.

Assembly Bill No. 608.

The following Senate amendment was read:

Amendment No. 1456.

Amend section 1, page 1, line 4, by deleting "*officer,*" and inserting: "*officer relating to a claim for compensation,*".

Amend section 1, page 1, line 8, by deleting "*at least*" and inserting "*more than*".

Assemblyman Zimmer moved that the Assembly concur in the Senate amendment to Assembly Bill No. 608.

Remarks by Assemblyman Zimmer.

Motion carried.

Bill ordered enrolled.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Bergevin moved that Assembly Bill No. 585 be returned from enrollment.

Motion carried.

Assemblyman Bergevin moved that the vote whereby Assembly Bill No. 585 was passed be rescinded.

Motion carried.

Assemblyman Bergevin moved that Assembly Bill No. 585 be taken from its position on the General File and placed at the top of the General File.

Motion carried.

UNFINISHED BUSINESS

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.

DAVID E. HUMKE	HELEN A. FOLEY
LEONARD V. NEVIN	RANDOLPH J. TOWNSEND
BILL R. O'DONNELL	BOB RYAN
Assembly Committee on Conference	*Senate Committee on Conference*

Assemblyman Humke moved that the Assembly adopt the report of the first Committee on Conference concerning Senate Bill No. 19.

Remarks by Assemblyman Humke.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 585.

Bill read third time.

The following amendment was proposed by Assemblyman Bergevin:

Amendment No. 1487.

Amend section 1, page 2, line 11, by deleting "[1]" and inserting "[1.5]".

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 becomes effective at 12:01 a.m. on July 1, 1985.".

Assemblyman Bergevin moved the adoption of the amendment.

Remarks by Assemblyman Bergevin.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 460.

Bill read third time.

Remarks by Assemblymen DuBois and Ham.

Roll call on Assembly Bill No. 460:

YEAS—40.

NAYS—Ham.

Absent—Sedway.

Assembly Bill No. 460 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 678.

Bill read third time.

Remarks by Assemblyman Arberry.

Roll call on Assembly Bill No. 678:

YEAS—41.

NAYS—None.

Absent—Sedway.

Assembly Bill No. 678 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Marvel moved that Senate Bill No. 382 be placed on the Second Reading File.

Motion carried.

SECOND READING AND AMENDMENT

Senate Bill No. 382.

Bill read second time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1467.

Amend section 1, page 1, line 5, by deleting "7" and inserting "5".

Amend sec. 2, page 1, line 12, by deleting "3 and 4" and inserting: "3 to 6, inclusive,".

Amend sec. 4, page 1, by deleting lines 15 through 17 and inserting:

"Sec. 4. *The registration fees for a motortruck, truck tractor, bus or combination of vehicles having a declared gross weight of 10,000 pounds or more which is registered on the basis of a calendar year must be reduced by*".

Amend sec. 4, page 1, by deleting lines 19 and 20 and inserting: "*ning of the year and rounded to the nearest dollar.*".

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. *In addition to any other applicable fee listed in NRS 482.480:*

1. There must be paid to the department a fee of $15 for the registration of every motortruck, truck tractor or bus which has a declared gross weight of less than 6,000 pounds.

2. There must be paid to the department for the registration of every motortruck, truck tractor or bus which has a declared gross weight of 6,000 pounds or more, fees according to the following schedule:

6,000 to and including 6,499	*$17*
6,500 to and including 6,999	*19*
7,000 to and including 7,499	*21*
7,500 to and including 7,999	*23*
8,000 to and including 8,499	*27*
8,500 to and including 8,999	*30*
9,000 to and including 9,999	*33*
10,000 to and including 11,999	*48*

For each additional increase of 2,000 pounds or fraction thereof, an additional fee of $8 must be charged. The maximum fee is $320.

Sec. 6. *In addition to any other applicable fee listed in NRS 482.480, there must be paid to the department:*

1. For every trailer or semitrailer having an unladen weight of 1,000 pounds or less, a flat registration fee of $6.

2. For every trailer having an unladen weight of more than 1,000 pounds, a flat registration fee of $12.".

Amend the bill as a whole by deleting section 6 and renumbering sections 7 through 11 as sections 8 through 12.

Amend sec. 7, page 3, line 32, by deleting "*7*" and inserting "*5*".

Amend sec. 8, page 4, line 5, by deleting "$12." and inserting: "[$12.] *$15.*".

Amend sec. 8, page 4, line 6, by deleting "$12." and inserting: "[$12.] *$15.*".

Amend sec. 8, page 4, line 10, by deleting: "*10,000 pounds or less,*" and inserting: "*less than 10,000 pounds,*".

Amend sec. 8, page 4, line 12, by deleting "every [trailer" and inserting "[every trailer".

Amend sec. 8, page 4, line 23, by deleting the closed bracket.

Amend sec. 8, page 4, by deleting lines 24 through 26.

Amend sec. 8, page 4, line 27, by deleting the open bracket.

Amend sec. 8, page 5, by deleting lines 3 through 6 and inserting: "7. Except as provided in subsection 8, for]".

Amend sec. 8, page 5, line 7, by deleting "*6. For*".

Amend sec. 8, page 5, line 14, by deleting "*7.*" and inserting "*5.*".

Amend sec. 8, page 5, line 18, by deleting "*8.*" and inserting "*6.*".

Amend sec. 8, page 5, by deleting lines 23 through 25 and inserting:

"[11.] *7.* For every travel trailer, the registration fee is [$12.] *$15.* A vehicle which is [properly registered] *registered without proration* under this section is exempt from the provisions of NRS [706.506,] 706.516, 706.521 and 706.526.".

Amend sec. 10, page 6, line 17, by deleting: "*10,000 pounds or less*" and inserting: "*less than 10,000 pounds*".

Amend sec. 11, page 6, line 24, by deleting "*9*" and inserting "*10*".

Amend the bill as a whole by renumbering sections 12 through 17 as sections 15 through 20 and adding new sections designated sections 13 and 14, following section 11, to read as follows:

"Sec. 13. NRS 365.170 is hereby amended to read as follows:

365.170 1. Every dealer shall, not later than the 25th day of each calendar month:

(a) Render to the department a statement of all motor vehicle fuel and fuel for jet or turbine-powered aircraft sold, distributed or used by him in the State of Nevada, as well as all such fuel sold, distributed or used in this state by a purchaser thereof upon which sale, distribution or use the dealer has assumed liability for the tax thereon under NRS 365.020, during the preceding calendar month; and

(b) Pay an excise tax of:

(1) One cent per gallon on all fuel for jet or turbine-powered aircraft;

(2) [Eight] *Nine* cents per gallon on petroleum-ethanol mixture; or

(3) [Nine] *Ten* cents per gallon on all other motor vehicle fuel,

so sold, distributed or used, in the manner and within the time prescribed in this chapter.

2. The department for good cause may extend for not to exceed 30 days the time for making any report or return required under this chapter. The extension may be granted at any time if:

(a) A request therefor has been filed with the department within or before the period for which the extension may be granted; and

(b) A remittance of the estimated tax is made when due.

Any dealer to whom an extension is granted shall pay, in addition to any delinquent tax due, interest at the rate of one-half of 1 percent per month, or fraction thereof, from the date on which the tax would have been due without the extension to the date of payment.

3. Any report, return, remittance to cover a payment or claim for credit or refund required by this chapter which is transmitted through the United States mail shall be deemed filed or received by the department on the date shown by the post office cancellation mark stamped upon the envelope containing it, or on the date it was mailed if proof satisfactory to the department establishes that the document or remittance was timely deposited in the United States mail properly addressed to the department.

Sec. 14. NRS 366.190 is hereby amended to read as follows:

366.190 A tax is hereby imposed at the rate of [12] *13* cents per gallon on the sale or use of special fuels.".

Amend sec. 12, page 7, line 2, by deleting: "the purpose of".

Amend sec. 12, page 7, line 5, by deleting: "*10,000 pounds or less.*" and inserting: "*less than 10,000 pounds.*".

Amend sec. 12, page 7, after line 13, by inserting:

"(g) Private motor carriers of property as defined in NRS 706.111 which are used for any convention, show, exhibition, sporting event, carnival, circus or organized recreational activity.".

Amend sec. 13, pages 7 and 8, by deleting lines 21 through 44 on page 7 and lines 1 through 7 on page 8, and inserting:

"371.050 1. [Valuation] *Except as otherwise provided in subsections 3 and 4, valuation* of vehicles [shall] *must* be determined by the department upon the basis of 35 percent of the manufacturer's suggested retail price in Nevada excluding options and extras, as of the time the particular make and [year model] *model for that year* is first offered for sale in Nevada.

2. If the department is unable to determine the manufacturer's suggested retail price in Nevada in respect to any vehicle because the vehicle is specially constructed, or for any other reason, the department shall determine the valuation upon the basis of 35 percent of the original retail price to the original purchaser of the vehicle as evidenced by such document or documents as the department may require.

3. For each [bus,] *:*

(a) Bus, truck, truck tractor [, trailer and semitrailer having an unladen weight of more than 6,000 pounds,] *or combination of vehicles having a declared gross weight of 10,000 pounds or more; and*

(b) Trailer or semitrailer having an unladen weight of 4,000 pounds or more,

the department may use 85 percent of the original purchaser's cost price in lieu of the manufacturer's suggested retail price.

4. If the department is unable to determine the original manufacturer's suggested retail price in Nevada, or the original retail price to the purchaser , [of any bus, truck or truck tractor having an unladen weight of less than 6,000 pounds,] the department may determine the original value of the vehicle on the basis of [75] *50* cents per pound. [If the vehicle has an unladen weight of 6,000 pounds or more, the original value may be determined on the basis of one dollar per pound. Trailers and semitrailers may have the original value determined at the rate of 50 cents per pound of unladen weight.]

5. For motor carriers which register under the Interstate Highway User Fee Apportionment Act, the department may determine the original value of the vehicle on the basis of its [unladen] *declared gross* weight in a manner which the department finds appropriate and equitable.".

Amend sec. 14, page 8, by deleting lines 24 through 26 and inserting:

"2. Each bus, truck [, truck tractor, trailer and semitrailer having an unladen weight of more than 6,000 pounds shall] *or truck tractor having a declared gross weight of 10,000 pounds or more and each trailer or semitrailer having an unladen weight of 4,000 pounds or more must* be depreciated by the department for the purposes".

Amend sec. 14, page 8, by deleting line 43, and inserting:

"(a) On any trailer [weighing] *having an unladen weight of* 1,000 pounds or less [shall be] *is* $3;".

Amend sec. 16, page 9, line 7, by deleting "*15*" and inserting "*18*".

Amend sec. 17, page 9, by deleting line 13 and inserting: "license, provided for in NRS 706.516 , [to 706.526, inclusive,]".

Amend the bill as a whole by deleting sections 18 and 19 and renumbering sections 20 through 23 as sections 22 through 25 and adding a new section designated section 21, following section 17, to read as follows:

"Sec. 21. NRS 706.516 is hereby amended to read as follows:

706.516 1. [In lieu of the license fees set forth in NRS 706.506, the department may, when it is satisfied that adequate records are or will be maintained by the applicant or that the applicant has a history of compliance with the provisions of this chapter, authorize any] *A* common, contract or private carrier who operates vehicles [across the boundaries of the state, to] *in this state shall* pay a mileage fee upon all mileage traveled by motor vehicle within the State of Nevada in the statutory licensing period at a rate of [2.25] *3.25* cents per mile traveled in that period. [Motor vehicles of 5,000 pounds or less, unladen weight do not have this option.]

2. In addition to the fee per mile set forth in subsection 1, each applicant must pay to the department an administrative fee of $8 for each motor

vehicle qualified to operate in Nevada under this section. The fee is nonrefundable. The department shall issue an identifying device for each such vehicle.".

Amend sec. 20, page 11, line 43, by deleting "48-hour".

Amend sec. 20, page 12, line 1, by deleting "48-hour".

Amend sec. 20, page 12, by deleting lines 5 through 9 and inserting:

"*More than 10,000 pounds but not more than 15,000* *$10*
More than 15,000 pounds but not more than 20,000 ..... *20*
More than 20,000 pounds but not more than 50,000 ..... *40*
More than 50,000 pounds ..... *90*".

Amend sec. 20, page 12, line 10, by deleting: "A 48-hour" and inserting: "Except as otherwise provided in subsection 6, a".

Amend sec. 20, page 12, line 14, by deleting "shall," and inserting "is entitled,".

Amend sec. 20, page 12, line 15, after "require,", by inserting "to".

Amend sec. 20, page 12, by deleting line 19 and inserting: "provisions of NRS [706.506 to 706.516, inclusive.] *706.516.*".

Amend sec. 20, page 12, after line 21, by inserting:

"6. The department may issue, to the owner or operator of a common motor carrier of passengers, a temporary license which authorizes operation for a period of not more than 168 consecutive hours.".

Amend sec. 21, page 12, line 43, by deleting "No" and inserting "[No".

Amend sec. 21, page 12, line 45, by deleting "7." and inserting "7.]".

Amend sec. 21, page 13, by deleting lines 2 through 4 and inserting: "sions of NRS [706.506,] 706.516 or 706.521; or

(b) [Weighing 5,000 pounds or less unladen weight.] *Whose declared gross weight is less than 10,000 pounds.*".

Amend sec. 22, page 13, by deleting line 8 and inserting: "from the license fee requirements of NRS [706.506,] 706.516, 706.521".

Amend the bill as a whole by renumbering sections 24 through 27 as sections 27 through 30 and adding a new section designated section 26, following section 23, to read as follows:

"Sec. 26. NRS 706.536 is hereby amended to read as follows:

706.536 1. In addition to the fees provided in NRS [706.506] *706.516* to 706.526, inclusive, the department shall collect the additional sum of $4 for:

(a) Each original identifying device issued on an annual basis for motor vehicles under the provisions of NRS [706.506] *706.516* to 706.526, inclusive;

(b) Each original identifying device issued on an annual basis under the provisions of NRS 706.521 and 706.526.

2. All money collected pursuant to this section must be deposited with the state treasurer to the credit of the motor vehicle fund, to be used to defray the costs incurred pursuant to NRS 706.176.".

Amend sec. 24, page 13, by deleting line 44 and inserting: "under the provisions of NRS 706.516 to 706.526, inclusive,".

Amend sec. 25, page 14, by deleting lines 11 through 34 and inserting: "706.806 As used in NRS 706.801 to 706.861, inclusive, unless the context otherwise requires:

1. "Country" includes any political subdivision thereof.

2. "Department" means each agency of this state, or of any political subdivision of this state, administering the fee involved.

3. "Fee" means each fee for registration and tax imposed by this state, except motor vehicle fuel taxes, motor carrier regulation and licensing fees, and the additional fee imposed by subsection [9] *5* of NRS 482.480.

4. "Mileage" includes mileage in this state and in all other states and countries.

5. "Motor vehicle" includes every motor vehicle of a type required to be registered under the laws of this state.

6. "Operator" includes the owner or operator of any motor vehicle.

7. "Plan" means a plan adopted by any state or country for the proration of fees on a basis to effectuate the principles set forth in NRS 706.826.

8. "Reciprocity" means that this state and another state or country, as to motor vehicles registered in each other, extend substantial or complete freedom from payment of fees with respect to motor vehicles registered in the other state or country.

9. "State" includes the states of the United States, the District of Columbia and the territories of the United States.

10. "Vehicle" includes every vehicle of a type required to be registered under the laws of this state.".

Amend sec. 26, page 14, line 41, by deleting "*10,000*" and inserting "*26,000*".

Amend sec. 27, page 15, by deleting line 5 and inserting: "in this state and all states and countries during the preceding statutory licensing".

Amend sec. 27, page 15, line 7, by deleting "registration period" and inserting "period of registration".

Amend the bill as a whole by deleting sections 28 and 29 and adding new sections designated sections 31 through 37, following section 27, to read as follows:

"Sec. 31. NRS 706.856 is hereby amended to read as follows:

706.856 1. The owner or operator of a motor vehicle coming within the provisions of NRS 706.801 to 706.861, inclusive, may, in lieu of registering it pursuant to the provisions of NRS 706.836 to 706.851, inclusive, apply for and obtain a 48-hour temporary registration upon payment of a fee of [$6, which fee] *$12, which* is in lieu of all other fees and service charges due pursuant to the provisions of NRS 706.801 to 706.861, inclusive.

2. A 48-hour temporary registration authorizes operation over the highways of this state for a period of not more than 48 consecutive hours.

3. Any person exercising this option shall purchase the license at the first available vendor in the State of Nevada. The operator of a motor vehicle obtaining a 48-hour temporary registration from a vendor elects this option by virtue of the purchase. Any 48-hour period [of time] for which a 48-hour temporary registration was not purchased must be billed for 48-hour temporary registration on an audit until the vehicle is licensed under NRS 706.836 to 706.851, inclusive.

4. Every person electing to pay fees on *such* a [48-hour temporary registration] *temporary* basis shall keep a written record of every trip made into or through this state and each 48-hour temporary registration so purchased . [, which] *The* record must be open to inspection by any agent or employee of the commission or the department. The commission and the department may require any person to submit such periodic reports and supporting data as they may deem necessary with respect to trips made into or through this state.

5. Upon request, the department may allow credit for the period for which temporary registrations were purchased if the applicant applies and prorates his vehicle registration.

6. As a condition for exercising the privilege of reciprocity under the provisions of NRS 482.390, the department may:

(a) Require the operator of motor vehicles eligible for reciprocity to file annually an application listing the motor vehicles to be operated in this state;

(b) Issue identification devices for motor vehicles so listed;

(c) Collect an administrative fee of $4 per motor vehicle identified; and

(d) Collect the *fee for a* 48-hour temporary registration [fee] from the owner or operator of motor vehicles not so identified.

Sec. 32. NRS 706.506 is hereby repealed.

Sec. 33. There is hereby appropriated from the state highway fund to the department of motor vehicles the sum of $115,570 for the payment of costs incurred to carry out the provisions of this act.

Sec. 34. There is hereby appropriated from the state highway fund to the department of motor vehicles for the payment of costs incurred to carry out the provisions of this act:

For the fiscal year 1985-1986 ..... $121,350
For the fiscal year 1986-1987 132,655

Sec. 35. Any balance of the sums appropriated by section 34 of this act remaining at the end of the respective fiscal years must not be committed for expenditure after June 30 and reverts to the state highway fund as soon as all payments of money committed have been made.

Sec. 36. 1. Section 33 of this act becomes effective upon passage and approval.

Sec. 37. 1. This section and sections 13, 14, 21, 34 and 35 of this act become effective on July 1, 1985.

2. Sections 1 to 12, inclusive, 15 to 20, inclusive, and 22 to 32, inclusive, become effective on January 1, 1986.".

Amend the title of the bill, second line, after the semicolon, by inserting: "increasing the motor vehicle fuel tax and special fuel tax; containing appropriations;".

Amend the summary of the bill, first line, by deleting the period and inserting: "and increases motor vehicle fuel tax and special fuel tax.".

Assemblyman Marvel moved the adoption of the amendment.

Amendment adopted unanimously.

Assemblyman Dini moved that all rules be suspended and that Senate Bill No. 382 be re-referred to a Select Committee to be appointed by Mr. Speaker.

Motion carried unanimously.

Mr. Speaker appointed Assemblymen Dini, Joerg, Francis, Kerns, Jeffrey and Sader as a Select Committee.

Bill ordered reprinted, re-engrossed and to the Select Committee.

GENERAL FILE AND THIRD READING

Assembly Bill No. 720.

Bill read third time.

Remarks by Assemblyman Humke.

Roll call on Assembly Bill No. 720:

YEAS—41.

NAYS—None.

Absent—Sedway.

Assembly Bill No. 720 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 506.

Bill read third time.

The following amendment was proposed by Assemblyman Collins:

Amendment No. 1402.

Amend sec. 2, page 1, by deleting lines 7 and 8 and inserting: "nor shall appoint a director of the office from a list of three names submitted to him by the commission on economic development. The director shall report to the commission.".

Amend sec. 2, page 2, line 4, by deleting "the economic" and inserting "economic".

Amend sec. 2, page 2, line 5, by deleting "The office".

Amend sec. 2, page 2, by deleting lines 6 and 7 and inserting: "It may also provide assistance to private enterprises in this state and to local and other state authorities concerned with economic development, as determined by the commission on economic development. The director shall report the activities of the office to the commission.".

Amend sec. 3, page 2, line 11, after "office", by inserting: "to represent the interests of this state".

Amend the bill as a whole by adding new sections designated sections 4 and 5, following section 3, to read as follows:

"Sec. 4. There is hereby appropriated from the state general fund to the City of Las Vegas the sum of $150,000 for disbursement to the New Dawn Technical Institute to be used in the preparation for the construction of a facility which will provide space to lease to small businesses at rates below market value.

Sec. 5. Section 4 of this act becomes effective upon passage and approval.".

Amend the title of the bill to read as follows:

"An Act relating to economic development; creating an office to represent this state in Washington, D.C.; making an appropriation to the City of Las Vegas for disbursement to the New Dawn Technical Institute; and providing other matters properly relating thereto.".

Amend the summary of the bill, first line, by deleting the period and inserting: "and makes appropriation to City of Las Vegas.".

Assemblyman Collins moved the adoption of the amendment.

Remarks by Assemblyman Collins.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 217.

Bill read third time.

Remarks by Assemblymen Sader, Horne, and Collins.

Assemblyman Sader moved that Senate Bill No. 217 be taken from the General File and placed on the Chief Clerk's desk.

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Thompson moved that the vote whereby Amendment No. 1402 to Senate Bill No. 506 was adopted be rescinded.

Remarks by Assemblymen Thompson, Collins, Jeffrey, Francis and Rader.

Assemblymen Schofield, Thompson and Jeffrey requested a roll call on Assemblyman Thompson's motion.

Roll call on Assemblyman Thompson's motion:

YEAS—13.

NAYS—Arberry, Bergevin, Beyer, Bogaert, Collins, DuBois, Fairchild, Francis, Ham, Horne, Humke, Joerg, Kerns, Lambert, Little, McGaughey, Malone, Marvel, Nicholas, O'Donnell, Price, Rader, Roberts, Spriggs, Stone, Tebbs, Zimmer, Mr. Speaker—28.

Absent—Sedway.

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 4:30 p.m.

ASSEMBLY IN SESSION

At 4:31 p.m.
Mr. Speaker pro Tempore presiding.
Quorum present.

GENERAL FILE AND THIRD READING

Senate Bill No. 219.
Bill read third time.
Remarks by Assemblyman O'Donnell.
Roll call on Senate Bill No. 219:

YEAS—41.
NAYS—None.
Absent—Sedway.

Senate Bill No. 219 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed, as amended.
Bill ordered transmitted to the Senate.

Senate Bill No. 231.
Bill read third time.
Remarks by Assemblyman Stone.
Roll call on Senate Bill No. 231:

YEAS—40.
NAYS—None.
Absent—Sedway.
Not voting—Dini.

Senate Bill No. 231 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed, as amended.
Bill ordered transmitted to the Senate.

Senate Bill No. 352.
Bill read third time.
Remarks by Assemblymen Williams and Bergevin.
Roll call on Senate Bill No. 352:

YEAS—41.
NAYS—None.
Absent—Sedway.

Senate Bill No. 352 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.
Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Humke moved that Senate Bill No. 160 be taken from its position on the General File and placed at the top of the General File.
Motion carried.

Assemblyman Getto moved that Senate Bill No. 451 be placed on the Second Reading File.
Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 160.
Bill read third time.
Remarks by Assemblyman Humke.
Roll call on Senate Bill No. 160:

YEAS—41.
NAYS—None.
Absent—Sedway.

Senate Bill No. 160 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed, as amended.
Bill ordered transmitted to the Senate.

Senate Bill No. 475.
Bill read third time.
Remarks by Assemblyman Bergevin.
Roll call on Senate Bill No. 475:

YEAS—41.
NAYS—None.
Absent—Sedway.

Senate Bill No. 475 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 513.
Bill read third time.
Remarks by Assemblyman Beyer.
Roll call on Senate Bill No. 513:

YEAS—41.
NAYS—None.
Absent—Sedway.

Senate Bill No. 513 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed, as amended.
Bill ordered transmitted to the Senate.

Senate Bill No. 239.
Bill read third time.
Remarks by Assemblyman Stone.
Roll call on Senate Bill No. 239:

YEAS—40.
NAYS—None.
Absent—Sedway.
Not voting—Dini.

Senate Bill No. 239 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed, as amended.
Bill ordered transmitted to the Senate.

Senate Bill No. 296.
Bill read third time.

Remarks by Assemblyman Sader.
Roll call on Senate Bill No. 296:
YEAS—41.
NAYS—None.
Absent—Sedway.

Senate Bill No. 296 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 4:50 p.m.

ASSEMBLY IN SESSION

At 5 p.m.
Mr. Speaker presiding.
Quorum present.

GENERAL FILE AND THIRD READING

Senate Bill No. 393.
Bill read third time.
Remarks by Assemblyman Williams.
Roll call on Senate Bill No. 393:
YEAS—37.
NAYS—McGaughey, O'Donnell, Price, Roberts—4.
Absent—Sedway.

Senate Bill No. 393 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Senate Bill No. 485.
Bill read third time.
Remarks by Assemblymen Getto, Beyer and Dini.
Roll call on Senate Bill No. 485:
YEAS—39.
NAYS—Humke, Rader—2.
Absent—Sedway.

Senate Bill No. 485 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Senate Bill No. 26.
Bill read third time.
Remarks by Assemblymen DuBois, Nevin, Thomas, Tebbs and Fairchild.
Assemblyman Coffin requested that the following remarks be entered in the Journal.

ASSEMBLYMAN DUBOIS:

Yes, Mr. Speaker. I support the sixth reprint of Senate Bill No. 26. The bill sets up a regional compact of eleven states wherein the financial institutions may cross lines and set up full service operations. Of these eleven states proposed in the bill, two of them, Utah and Idaho, already have reciprocal laws similar to ours so that they would be allowed to come in. Three additional states, Alaska, Washington and Arizona, also in the eleven state region, already have enacted free and open, nationwide, interstate banking so they could come in also. So with passage of the bill, five states could come in, could acquire and merge with any existing Nevada bank, and then commence full scale operations. However, the bank that was invited to come into this state by the legislature in special session last year, was invited in to engage only in limited banking operations, in effect, to set up a credit card facility, is the Citibank of Nevada. So they, in this bill, will still be limited; they will still have to wait two and a half years before they can engage in full state operations, and that date will be October 15, 1987. Their hands will still be tied, and other banks will be able to come in and operate with no limitations whatsoever. Of course, also, the First Interstate Bank is grandfathered in, and they are already engaging in full interstate banking. So the bill as it now stands, really is, I think, a very good, very worthy compromise, one that we can all live with. It is a compromise between those who would like to have complete protection for this particular industry within the boundaries of Nevada and those who tend to believe that free and open competition is really best for the consumer and for the small businessman. It is a compromise between more government regulation in this industry and between those who truly believe in free enterprise. So, if you push the green button, I feel that you will be voting for the consumer, voting for lower interest rates, voting for improved financial services, voting for more modern, innovative, progressive banking techniques which are sweeping the country at the present time. And if you don't believe this, then you don't believe that the people win when there is free and open competition. So I urge your support of the bill. I think, in your hearts, you know it is best for Nevada.

ASSEMBLYMAN NEVIN:

Thank you, Mr. Speaker. I rise in opposition to S.B. No. 26. The real question that we should be voting on in considering S.B. No. 26 is whether Nevada should engage in regional banking. Unfortunately, we have become hung up on the complex issue of when the interstate banking trigger goes into effect. I have been advised that the majority of the banking industry of this state would support a minimum of a 3½ year trigger. The Nevada banking industry originally wanted a five year trigger, but Citicorp negotiated the trigger to 3½ years. Now we have let Citicorp water this important bill down to a 2¼ year interest trigger to Citicorp, doing so at the expense of our Nevada banks. I ask, is this fair to our Nevada banks? I think not. I urge defeat of this bill in the interest of our banking industry of the State of Nevada. Thank you.

ASSEMBLYMAN THOMAS:

Thank you, Mr. Speaker. I, too, rise in opposition to S.B. No. 26. This is, without question, the most lobbied bill of the season. I would like, for a moment, to take you behind the scenes of what S.B. No. 26 is really all about. We have heard triggers, 3½ year triggers, 2½ year triggers, regional banking, interstate banking, the big bad wolf Citicorp, and on and on. I think one question here is, is this special interest legislation? The answer is yes. To some extent it is special interest legislation for Zion Bank of Utah, Nevada State Bank of Las Vegas—they have a sweetheart deal all ready to go when this passes. It is also special interest legislation for probably all of the banks in Nevada who want to participate in regional banking except Citicorp. The bill does, in truth, discriminate. That's one of the reasons why I have been opposed to the bill all along. Even though I don't want to see regional banking in the state, I also don't approve of bills that discriminate and single out one particular bank as being a bad bank. And after all, Citicorp is a corporate citizen of the State of Nevada. Now, who asked for S.B. No. 26?

Supposedly, it is the outgrowth of an interim study. I can assure you of one thing, in the hearings it did not have unanimous approval. Not at all. Not even close. We heard testimony from bankers who wanted it; we heard testimony from bankers and thrift operators who wanted it with five year triggers; nothing less than five years was asked for in the hearings. We had probably, the blue ribbon of the legal community in the State of Nevada in these hearings; we had the presidents and the board chairmen and the general managers of, I think, all of the banks, including the Director of the Nevada Banking Association. Everybody was there, but the one thing that made the thing kind of fall apart was that nobody could agree on what the Feds are going to do. There was a lot of discussion along that line. What are the Feds going to do? The truth is that nobody knows. Just within the last ten days, if you read the Wall Street Journal and the New York Times, you would find that the Circuit Court of Appeals in Atlanta, Georgia just knocked non-bank banks out. That will go now to the Supreme Court of the United States. There are two or three other lawsuits having to do with this same subject, and nobody knows what the courts are going to do. So, here we are talking about regional banking, interstate banking, and whatever. We also heard a little bit about competition. Well, there is certainly nothing wrong with competition as long as it is really competition, but there is a difference between competition and predatorship. In a competitive situation, generally speaking, if you have a company that manufactures something or offers a service, like a bank, if you want to expand your market, you innovate new services for the market; you innovate new products for the market; or if you're really good, you go out and create new markets for your old products and services. That's competition. But, when you finally run out of ideas, when you finally don't have it anymore as management and you still want to increase your balance sheet, you still want your stock options to produce and you want your bonuses, the only way you can improve that balance sheet is to become a predator. You go out and buy up the little guys. That is what this bill is going to foster. Now, we talked about who attended the committee hearings, but we didn't talk about who did not attend the committee hearings, and I think this is very interesting. We had no gaming people there; no gaming people representatives. We had no tourism representatives, no manufacturing representatives, no mining representatives, no agricultural representatives, and no consumer representatives. In short, there was nobody there to say, hey, we need a new banking system; this is what stinks; let's change it. Let's open it up for everybody. We can't borrow money. Nobody was there to say they couldn't borrow money. Nobody was there to complain that they couldn't borrow money at decent interest rates. Nobody was there to complain that the banks don't give good service because it simply isn't the case. The facts of the matter are this bill has nothing in it whatsoever for the users of the Nevada banking system. What am I personally afraid of in S.B. No. 26? Two things; even though I don't like the fact that it discriminates against Citicorp, I don't want a money-center bank, like Citicorp, operating in Nevada any sooner than we have to have it. I am talking about Bank of America, Manufacturers Hanover, Chase Manhattan, Citicorp and all the others like them. Why? Because those banks, those money-center banks are exporters of capital, and at this particular critical time of economic diversification and development in Nevada over the next five to ten years, we cannot afford to be a capital export state. Now, we have heard talk about, look at FIB, assets of almost $3 billion. They are a regional bank, but they are not exporting capital. Let's look at Zion, assets of slightly over $3 billion. Let's look at Rainier Bank in Washington who could come into this picture, assets of over $45 billion. But, I submit to you that those are warts on a pickle compared to the assets of Citicorp which are $180 billion, and the reason that those assets are so high is because these people do business all over the world. They export capital out of wherever they want, lend it to third-world nations or whomever at very, very high interest rates, and are hopefully guaranteed by the United States. That's one thing that I am afraid of. But more important than that is the demise of the small banks. Have you ever wondered what made this great agricultural machine in the United States of America? We hear a lot about it. We feed the world. We are capable of feeding all the world, but have you ever really stopped to think what made that big engine of agriculture work? Sure,

technology to a large extent, but the small hometown banks are the ones that really made it work because they are the only ones that would invest with the farmer. Now, we've got about 12,000 banks in this country still, most of them small, most of them backyard banks, little banks; and little banks need little people. Little banks can't afford to have all their capital borrowed by one or two big borrowers. The risk is too great. Little banks have to spread the risk over little borrowers, and little borrowers need little banks. This bill is designed to, without question, diminish the number of small banks because the predator game will dictate that those who want regional accommodation in the State of Nevada are going to have to buy a bank. There is no other way to do it. I personally stand to make a substantial monetary gain if this bill passes. I happen to be a founder and a stockholder of a bank here in town. It's a small bank. It's a good little bank, profitable, not much, but a little. This bank is an ideal target for a regional sweetheart deal with a bank under the specifics ascribed by S.B. No. 26. I just received a letter three days ago from the Chairman of the Board of this little bank, and he says this, "Due to positive change in the bank's performance, we have received inquires requesting purchases of available stock. If you are interested in selling your stock, please contact us at the bank." Do you think for one minute it has to do with the performance? It has to do with the passage of this bill; that's why they would like to buy my stock right now. There is no question in my mind right now that if this bill passes, the value of my bank stock will double and probably triple. No question about it. That doesn't make it a good bill. I have all these letters, that you are welcome to see, from the presidents of banks in the State of Nevada, savings associations here in the State of Nevada, asking for no bill at all. Due to that, and in view of the fact that within nineteen short months this body will meet again in this very chamber—nineteen short months is a shorter time than the trigger that we are talking about for Citicorp—the body has every opportunity to take another fresh look at this thing. In the meantime, we will have some idea, hopefully, of what the Feds are going to do because they don't know what they're going to do. If the Feds do decree that we are going to have regional banking in this country, they are going to give us at least five years because they can't move any faster. Why should we get in a hurry? We are getting stampeded; we are getting a "now" attack. Let's cool it. Let's kill this bill and take another look at it next time. Thank you.

ASSEMBLYMAN DUBOIS:

Mr. Speaker, I have to agree with most of what was said. I really don't disagree with that. My main concern all along has been that the one bank here in Nevada, the one that we accepted in, have some sort of parity with these other banks that will be allowed to come in from other states. I didn't feel that it was right for them to be put at some sort of a disadvantage, to have their hands tied behind their backs, so to speak, for a two and a half year period while the other banks could come into the state and operate. What I prefer, frankly, is immediate full interstate banking just like they have in the State of Washington. Maine has it now, Alaska just put it in, and a number of other banks are considering it this year; they are considering that because they want to improve their financial resources; they want to bring in competition, and, as has happened in two states that have large money centers, the State of California, which has the largest bank in the world, and the State of New York, the smaller banks have thrived, have sprung up and have done very well because the larger, super banks, so to speak, do not serve the needs of the smaller bank. If you do believe in competition and the larger banks do not fulfill the needs, then the smaller banks will move in. So that is my concern, that there be some sort of a parity developed here. As far as exporting money out of the state, the bill requires that sixty percent of the deposits remain in the State of Nevada.

ASSEMBLYMAN TEBBS:

Thank you, Mr. Speaker. To you and through you to this body, I stand in opposition to S.B. No. 26. If I may, I would like to touch on just a couple of points that Assemblyman Thomas from Carson City pointed out in regard to some comments and things that are

being done on the federal level in regard to interstate banking. Number one, on the federal level, the United States Senate Banking Committee has made it very clear that presently they do not intend to pass legislation that would trigger any form of full interstate banking; number two, the Chairmen of FDIC and the Federal Reserve Board have testified before the U.S. Senate Banking Committee that full interstate banking should not be passed without some type of regulation by the Feds which would protect the consumer from a concentration of domestic banking resources. Since the passing of S.B. No. 26 would trigger full interstate banking in three and a half years, I feel we could very possibly be putting the banking community in Nevada, and thus the consumer, at risk. In my opinion, the responsible action by this body would be to vote no on S.B. No. 26 and wait until the following session in 1987 to consider this legislation. This would allow the Federal Government to come forth with some guidelines and regulations to protect the consumer from concentration of domestic banking resources.

ASSEMBLYMAN FAIRCHILD:

Thank you, Mr. Speaker. I stand up in opposition to Senate Bill No. 26 for different reasons than have already been stated. I could have supported 26, I believe, with a 3½ year trigger, but not with a 2½, and the main reason is because of All-State Thrift. The connections between this and All-State Thrift should be considered by all Clark County legislators because I am sure that everyone of them have depositors with All-State in their districts, and I think this definitely takes away some of the incentive to buy All-State Thrift as it is. If it was back to 3½ years, I might be able to support it, but not as it is now.

Roll call on Senate Bill No. 26:

YEAS—17.

NAYS—Banner, Bergevin, Beyer, Bogaert, Fairchild, Getto, Ham, Horne, Humke, Kerns, Lambert, Little, McGaughey, Malone, Nevin, Sader, Spriggs, Stone, Swain, Tebbs, Thomas, Zimmer—22.

Absent—Sedway.

Not voting—Marvel, Price—2.

Senate Bill No. 26 having failed to receive a constitutional majority, Mr. Speaker declared it lost.

Senate Bill No. 206.

Bill read third time.

Remarks by Assemblyman Stone.

Roll call on Senate Bill No. 206:

YEAS—41.

NAYS—None.

Absent—Sedway.

Senate Bill No. 206 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 5:28 p.m.

ASSEMBLY IN SESSION

At 5:29 p.m.

Mr. Speaker pro Tempore presiding.

Quorum present.

GENERAL FILE AND THIRD READING

Senate Bill No. 226.

Bill read third time.

Remarks by Assemblymen Kerns and Sader.

Roll call on Senate Bill No. 226:

YEAS—41.

NAYS—None.

Absent—Sedway.

Senate Bill No. 226 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 227.

Bill read third time.

Remarks by Assemblyman Marvel.

Roll call on Senate Bill No. 227:

YEAS—41.

NAYS—None.

Absent—Sedway.

Senate Bill No. 227 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 454.

Bill read third time.

Remarks by Assemblymen Zimmer and Jeffrey.

Roll call on Senate Bill No. 454:

YEAS—25.

NAYS—Arberry, Banner, Coffin, Collins, Craddock, Jeffrey, Little, Nevin, Price, Roberts, Sader, Schofield, Stone, Swain, Thompson, Williams—16.

Absent—Sedway.

Senate Bill No. 454 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 463.

Bill read third time.

Remarks by Assemblymen McGaughey, Thompson, Craddock, Horne, Jeffrey and Spriggs.

Assemblyman Coffin requested that the following remarks be entered in the Journal.

ASSEMBLYMAN MCGAUGHEY:

Thank you, Mr. Speaker pro Tem. Senate Bill No. 463 is a bill for the unincorporated Town of Pahrump. The bill provides for staggered terms for the Town Board members and allows for a planning commission to develop a master plan and establish zoning districts.

ASSEMBLYMAN THOMPSON:

Thank you, Mr. Speaker pro Tem. I rise in opposition to S.B. No. 463. This bill sets a dangerous precedent in that it gives the Town of Pahrump complete control over important

matters, such as subdivisions of land, zoning, and construction of buildings, without having to pay for the consequences of those decisions. Nye County will still have to pay for services, facilities and roads, but the town's land development decisions would impact those county services. If this bill passes, who will be responsible for the liability that might arise from the town taking on these important powers? Who will cover the lawsuits that might develop from the land development decisions? Who will accept the roads and maintain them? Who will defend the Town of Pahrump in court? Who will pay the lawsuit awards for the decisions made by the Town of Pahrump? If this bill passes, it seems to me that most of Nevada's cities should disincorporate and take the route that Pahrump is taking since they will have the authority of a city, but not the responsibilty to pay for their actions. On May 21st, Mr. Speaker pro Tem, the Nye County Board of County Commissioners discussed S.B. No. 463 and voted to recommend that we kill this bill. If this bill should pass, this issue will end up in court and will ultimately cost all the taxpayers of Nye County to defend it.

ASSEMBLYMAN CRADDOCK:

I would like to preface my remarks by saying that I am in complete sympathy with, at least, the small property owners in the Pahrump Valley. If the people in the Pahrump Valley want more authority, they should take on equal responsibility. They certainly can do that with a vote of the people to incorporate and to raise the property tax to where it will correspond with neighboring towns in Nye County.The Pahrump Valley has more residents and more property value than nine of the smaller cities in the state. We are talking about land development decisions. We're talking about a proliferation of septic tanks in a basin which totally depends on underground water which is, to say the least, committed at this point in time. We're talking about flood control in a relatively flat area. We're talking about decisions that could devastate Nye County financially. We're talking about the Town of Pahrump having the authority in keeping with their neighbors. Pahrump has a five cent town tax rate while the adjoining Town of Amargosa has, I believe, about $1.40. That's about twenty-eight times as much. All of the other rates are equal; I'm talking about schools, combined county rate and the state rate. We are really talking about representation without taxation, if you will, or to make it clear that I am saying exactly what I mean to say; we are talking about the Boston Tea Party in reverse. After parity or, if you will, the closing of the doors on sharing of SCCRT, Pahrump, at this point in time, has problems which the Government Affairs Committee did not delve into nearly as deeply as they should. With all due respect for the committee and without reservations, I oppose this bill simply because it is bad legislation, and it can only result in litigation or a bitter disappointment for the small property owners in the Pahrump Valley. For whatever it's worth, I am not running for Mayor of Pahrump.

ASSEMBLYMAN HORNE:

Mr. Speaker pro Tem, I rise to support S.B. No. 463. I am appreciative of my colleague from Southern Nevada bringing up the reference to the Boston Tea Party because I believe, having listened to the testimony of the committee on this particular measure, that what we have here is pure and simple a battle, a turf war that is based principally on the basis that we fought a much larger battle over 200 years ago which was being governed by a seat of government so far removed from the people that they were not sensitive to the needs and desires of that people. I submit to you that the principle involved here is exceedingly similar and that a two-year trial period with regard to this measure is in harmony with the American principle of keeping government as close to the people as possible. Thank you.

ASSEMBLYMAN JEFFREY:

Mr. Speaker pro Tem, I have to rise in opposition to this bill. We have procedures within Nevada law today that if any community wants to determine their destiny, as requested in this bill, all they have to do is incorporate. The problem that I see with this bill, regardless of the two-year sunset—I have friends out there, and I am somewhat familiar with their resources and, in particular, their water resources. I don't think they

have anywhere near enough water to develop the lots they have now. I can see that, in a two-year period of time, with an unincorporated town board that has the authority to appoint themselves as a planning commission, a lot of development, a lot of lots could be subdivided in that two-year period and further compound the problem that they already have. Again, I can only say that if they want to determine their destiny, they can do the same as my city did over 20 years ago and incorporate. I think the development interests in that area may have a great advantage if they can develop a lot of lots, put them up for sale, and not take any of the responsibility for their actions. I can see the same kind of thing happening all over the state; we have water resource problems in and around Reno, Lemmon Valley, etc., and I can see a real can of worms being opened with this legislation.

ASSEMBLYMAN THOMPSON:

Thank you, Mr. Speaker pro Tem. I, too, in my district have unincorporated townships and that is the reason that I am concerned with this. To my esteemed colleague from Assembly District 3, I would remind him that, even though the government is removed from those people, they do have the recourse through the statutes to incorporate as a township. They have the population, they have the assessed value; it's up to them; it's pure and simple. If they want to rule themselves, they can do it on their own.

ASSEMBLYMAN CRADDOCK:

Mr. Speaker, distance from the county seat is not unique in Nevada to Pahrump, and the very least that can be said about the debate on the floor today is that we have raised the question, and we have brought the focus to the point that maybe the county commission in Nye County will pay more attention to the people in Pahrump. This, I sincerely hope, will happen no matter what may happen to this bill. I, for the life of me, cannot understand why we are debating this issue when the vehicles that we have available have never been utilized to take care of the problems in the Pahrump Valley. Those problems, with time, can only get worse unless corrective action is taken.

ASSEMBLYMAN SPRIGGS:

Mr. Speaker pro Tem, believe it or not, I have really agonized over this bill. We have had a lot of debate back and forth. I felt like I had to rise and say how I see it. I think there are really valid points on both sides. Pahrump is unique because it is so far away from Tonopah; it is growing very rapidly; it is a very, very large area. They don't believe that they have had enough time to really understand if they can incorporate or to look into it. They thought that this would be one step toward incorporation, and they wanted the ability to put a master plan together because they don't have one. On the other side, I know that the county commissioners in this state are a little bit worried because this is a new development, and there are problems. There are really valid issues on both sides, but I don't think that anyone had a dishonest interest in this; I don't think there was anything underhanded in it. I think the people in Pahrump really have a valid point, and I think maybe it would be alright to have them look at it for two years. Thank you.

Roll call on Senate Bill No. 463:

YEAS—33.

NAYS—Banner, Craddock, Jeffrey, Nevin, Schofield, Swain, Thompson, Williams—8.

Absent—Sedway.

Senate Bill No. 463 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.

Bill ordered transmitted to the Senate.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, June 2, 1985

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bill No. 726.

Also, I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bills Nos. 404, 405, 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. 627 and requests a second conference, and appointed Senators O'Connell, Robinson 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. 627.

Also, I have the honor to inform your honorable body that the Senate on this day appointed Senators Robinson, Redelsperger and O'Connell as a second Committee on Conference concerning Assembly Bill No. 329.

Also, I have the honor to inform your honorable body that the Senate on this day appointed Senators Gibson, Wilson and Jacobsen as a first Committee on Conference concerning Senate Bill No. 191.

Also, I have the honor to inform your honorable body that the Senate on this day appointed Senators Townsend, Jacobsen and Vergiels as a first Committee on Conference concerning Senate Bill No. 283.

MARY JO MONGELLI
Assistant Secretary of the Senate

GENERAL FILE AND THIRD READING

Senate Bill No. 474.
Bill read third time.
Remarks by Assemblyman Collins.
Roll call on Senate Bill No. 474:

YEAS—41.
NAYS—None.
Absent—Sedway.

Senate Bill No. 474 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 490.
Bill read third time.
Remarks by Assemblyman Horne.
Roll call on Senate Bill No. 490:

YEAS—41.
NAYS—None.
Absent—Sedway.

Senate Bill No. 490 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 497.
Bill read third time.
Remarks by Assemblyman Marvel.
Roll call on Senate Bill No. 497:

YEAS—41.
NAYS—None.
Absent—Sedway.

Senate Bill No. 497 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 514.

Bill read third time.

Remarks by Assemblymen Beyer and Dini.

Roll call on Senate Bill No. 514:

YEAS—41.

NAYS—None.

Absent—Sedway.

Senate Bill No. 514 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed, as amended.

Bill ordered transmitted to the Senate.

SECOND READING AND AMENDMENT

Senate Bill No. 451.

Bill read second time.

The following amendment was proposed by Assemblyman Getto:

Amendment No. 1485.

Amend section 1, page 1, by deleting line 2 and inserting: "thereto a new section to read as follows:".

Amend sec. 2, page 1, line 3, by deleting "Sec. 2.".

Amend sec. 2, page 1, line 4, after "*buildings*" and inserting: ", *including manufactured homes,*".

Amend sec. 2, pages 1 and 2, by deleting lines 18 and 19 on page 1 and lines 1 through 6 on page 2 and inserting: "*dards for the conservation of energy which apply only to areas in which the governing body of the local government has not adopted standards for the conservation of energy in buildings. Such governing bodies shall*".

Amend sec. 2, page 2, after line 8, by inserting:

"*5. The director shall solicit comments regarding the adoption of regulations pursuant to this section from:*

(a) Persons in the business of constructing and selling homes;

(b) Contracts;

(c) Public utilities;

(d) Local building inspectors; and

(e) The general public,

before adopting any regulations. The director must conduct at least three hearings in different locations in the state, after giving 30 days' notice of each hearing, before he may adopt any regulations pursuant to this section.".

Amend the bill as a whole by renumbering section 3 as section 2.

Assemblyman Getto moved the adoption of the amendment.

Remarks by Assemblyman Getto.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Francis moved that Senate Bills Nos. 323 and 276 be placed on the Second Reading File.

Motion carried.

Assemblyman Bilyeu moved that Senate Bills Nos. 428, 390 and 397 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

Senate Bill No. 428.

Bill read third time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1480.

Amend the bill as a whole by deleting sections 3 and 4.

Amend the title of the bill, second line, by deleting "eliminating the".

Amend the title of the bill by deleting the third line.

Amend the title of the bill, fourth line, by deleting "distribution;".

Amend the summary of the bill to read as follows: "Requires additional information in petitions for probate of will and for letters of administration. (BDR 12-1534)".

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. 390.

Bill read third time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 1482.

Amend sec. 9, page 3, after line 19, by inserting:

"*6. Beautifying, massaging, cleansing or stimulating the face, neck, arms, bust or upper part of the human body, except the hair and scalp, by the use of cosmetic preparations, antiseptics, tonics, lotions or creams.*

7. Giving facials or skin care or applying makeup or eyelashes to any person.".

Assemblyman Collins moved the adoption of the amendment.

Remarks by Assemblymen Collins, Thompson and Schofield.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 397.

Bill read third time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 1483.

Amend sec. 15, page 4, after line 27, by inserting:

"6. Beautifying, massaging, cleansing or stimulating the face, neck, arms, bust or upper part of the human body, except the hair and scalp, by the use of cosmetic preparations, antiseptics, tonics, lotions or creams.

7. Giving facials or skin care or applying makeup or eyelashes to any person.".

Assemblyman DuBois moved the adoption of the amendment.

Remarks by Assemblymen DuBois and Jeffrey.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Francis moved that Senate Bills Nos. 345, 519 and Senate Joint Resolution No. 38 be placed on the General File.

Remarks by Assemblyman Francis.

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 6:13 p.m.

ASSEMBLY IN SESSION

At 6:14 p.m.

Mr. Speaker presiding.

Quorum present.

GENERAL FILE AND THIRD READING

Senate Bill No. 516.

Bill read third time.

Remarks by Assemblymen Marvel and Little.

Roll call on Senate Bill No. 516:

YEAS—40.

NAYS—Little.

Absent—Sedway.

Senate Bill No. 516 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 518.

Bill read third time.

Remarks by Assemblyman Nicholas.

Roll call on Senate Bill No. 518:

YEAS—41.

NAYS—None.

Absent—Sedway.

Senate Bill No. 518 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Joint Resolution No. 6.

Resolution read third time.

Remarks by Assemblyman Bogaert.

Roll call on Senate Joint Resolution No. 6:

YEAS—41.

NAYS—None.

Absent—Sedway.

Senate Joint Resolution No. 6 having received a constitutional majority, Mr. Speaker declared it passed.

Resolution ordered transmitted to the Senate.

Senate Bill No. 345.

Bill read third time.

Remarks by Assemblyman Marvel.

Roll call on Senate Bill No. 345:

YEAS—41.

NAYS—None.

Absent—Sedway.

Senate Bill No. 345 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 519.

Bill read third time.

Remarks by Assemblymen Lambert and Stone.

Assemblyman Bergevin requested that the following remarks be entered in the Journal.

ASSEMBLYMAN LAMBERT:

Thank you, Mr. Speaker. S.B. No. 519 provides funding for the Regional Water Planning and Advisory Board of Washoe County just for the 1985-86 fiscal year. The deadlines for submitting the budget for the 1985-86 fiscal year that are set in S.B. No. 196, which created the board, have already passed. We need this act to allow the Washoe County Commission to collect the money to fund the board for just the 1985-86 fiscal year until the mechanism in S.B. No. 196 can go into effect for the 1986-87 fiscal year and any after. This is not an additional tax; it is just what was intended in S.B. No. 196.

ASSEMBLYMAN STONE:

Mr. Speaker, to you and through you to my colleague from the north valleys, why wasn't it included in S.B. No. 196? I don't understand why we have a separate bill here. It looks like a new tax to me.

ASSEMBLYMAN LAMBERT:

Mr. Speaker, through you to my colleague in Sparks, it was an oversight in the bill, quite frankly, and they won't have any funding until 1986. It is not a new tax; it is nothing new. They have the authority to levy a tax rate not to exceed one half cent for each $100 of assessed valuation just like in S.B. No. 196, and only for the operation during the year of 1985-86.

Roll call on Senate Bill No. 519:

YEAS—37.

NAYS—Malone, Nicholas, Thomas, Zimmer—4.

Absent—Sedway.

Senate Bill No. 519 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Joint Resolution No. 38.

Resolution read third time.

Remarks by Assemblymen Getto, Humke, DuBois and Dini.

Roll call on Senate Joint Resolution No. 38:

YEAS—40.

NAYS—Coffin.

Absent—Sedway.

Senate Joint Resolution No. 38 having received a constitutional majority, Mr. Speaker declared it passed.

Resolution ordered transmitted to the Senate.

SECOND READING AND AMENDMENT

Senate Bill No. 323.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 1484.

Amend section 1, page 3, line 6, by deleting "*32,700*" and inserting "*39,900*".

Amend section 1, page 3, line 15, by deleting "*32,700*" and inserting "*30,000*".

Amend section 1, page 3, line 16, by deleting "*32,700*" and inserting "*30,000*".

Amend section 1, page 3, line 17, by deleting "*32,700*" and inserting "*30,000*".

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. 276.

Bill read second time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1478.

Amend sec. 3, page 2, line 25, by deleting "$20,500." and inserting "$11,000.".

Amend sec. 5, page 3, line 22, by deleting "*$130*" and inserting "*$120*".

Amend sec. 7, page 4, line 12, by deleting "*$130*" and inserting "*$120*".

Assemblyman Marvel moved the adoption of the amendment.

Remarks by Assemblyman Marvel.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 405.

The following Senate amendments were read:

Amendment No. 1141.

Amend section 1, page 1, line 10, by deleting: "*is 65 years of age or older.*" and inserting: "*has any infirmity caused by age or other physical condition.*

3. The provisions of subsection 2 do not prohibit sentencing the convicted person to a period of service to the community or ordering the payment of restitution to the victim.".

Amend the title of the bill, second and third lines, by deleting: "65 years of age or older;" and inserting: "who has an infirmity caused by age or other physical condition;".

Amend the summary of the bill, second line, by deleting "elderly" and inserting "infirm".

Amendment No. 1468.

Amend section 1, page 1, by deleting lines 12 through 14.

Assemblyman Stone moved that the Assembly concur in the Senate amendments to Assembly Bill No. 405.

Remarks by Assemblyman Stone.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 404.

The following Senate amendment was read:

Amendment No. 1345.

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 "or".

Amend sec. 2, page 2, line 8, by deleting the period and inserting: "; or (d) Special license plates for a disabled veteran".

Amend sec. 2, page 2, line 10, after "handicapped", by inserting: ", a disabled veteran".

Amend sec. 2, page 2, line 11, after "person", by inserting: "or a disabled veteran".

Amend the bill as a whole by adding a new section designated section 2, following section 2, to read as follows:

"Sec. 2. This act becomes effective at 12:01 a.m. on July 1, 1985.".

Amend the title of the bill by deleting the first and second lines and inserting:

"An Act relating to parking for handicapped persons;".

Amend the summary of the bill to read as follows: "Increases fine for illegally parking in space designated for handicapped. (BDR 43-1110)".

Assemblyman Bergevin moved that the Assembly concur in the Senate amendment to Assembly Bill No. 404.

Remarks by Assemblyman Bergevin.
Motion carried.
Bill ordered enrolled.

Assemblyman Francis moved that the Assembly recess until 7:45 p.m.
Motion carried.

Assembly in recess at 6:38 p.m.

ASSEMBLY IN SESSION

At 7:56 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. 472, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN MARVEL, *Chairman*

Mr. Speaker:

Your Committee on Natural Resources, Agriculture and Mining, to which was referred Senate Bill No. 56, 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.

VIRGIL M. GETTO, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, June 2, 1985

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. 164 and requests a conference, and appointed Senators Bilbray, 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. 555 and requests a conference, and appointed Senators Bilbray, 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. 556 and requests a conference, and appointed Senators Bilbray, 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 adopted the report of the first Committee on Conference concerning Assembly Bill No. 229 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. 229.

Also, I have the honor to inform your honorable body that the Senate on this day passed Assembly Joint Resolution No. 22.

Also, I have the honor to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolutions Nos. 39, 43, 58.

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. 38, 381, 499.

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 second Committee on Conference concerning Senate Bill No. 312.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Francis moved that Assembly Bill No. 585 and Senate Bill No. 472 be placed on the General File.

Motion carried.

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker appointed Assemblymen Joerg, Zimmer and Coffin as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Assembly Bill No. 164.

Mr. Speaker appointed Assemblymen Joerg, Zimmer and Coffin as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Assembly Bill No. 555.

Mr. Speaker appointed Assemblymen Joerg, Zimmer and Coffin as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Assembly Bill No. 556.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Getto moved that Senate Bill No. 56 be re-referred to the Committee on Ways and Means.

Motion carried.

REMARKS FROM THE FLOOR

Assemblyman Bogaert requested that his remarks be entered in the Journal.

Whereas, the Lieutenant Governor has proven himself to be a capable leader and inspiration to all Nevada lawmakers; and

Whereas, the Lieutenant Governor has consistently shown consideration, thoughtfulness, and compassion to all members of the Assembly; and

Whereas, the Lieutenant Governor has been a gracious host on several occasions during the 63rd session of the Nevada Legislature; and

Whereas, he has honored and shown his appreciation for our working relationship by hosting such events as the wild game feed at Boomtown and the wild game feed at Winnemucca, as well as other social events such as the dinner after the recent heavyweight championship; and

Whereas, the Lieutenant Governor graciously hosted his second biennial steak barbecue that all members participated in; and

Whereas, the Lieutenant Governor continues to show his thoughtfulness in so many ways; and be it further

Resolved, the 42 members of the Nevada State Assembly, 63rd session, wish to express to him our most grateful and heartfelt thanks for his giving and dedication to make the 63rd session of the Nevada Assembly a memorable event; and therefore

Be it resolved, that this Resolution be read and entered into the daily Journal and a copy be transmitted to Lieutenant Governor Robert Cashell.

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

Assembly in recess at 8:34 p.m.

ASSEMBLY IN SESSION

At 9:07 p.m.
Mr. Speaker presiding.
Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Natural Resources, Agriculture and Mining, to which was referred Assembly Bill No. 128, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

VIRGIL M. GETTO, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Francis moved that Assembly Bill No. 128 be placed on the General File.

Motion carried.

Assemblyman Francis moved that Assembly Bill No. 554 be placed at the top of the General File.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 554.

Bill read third time.

The following amendment was proposed by the Committee on Taxation:

Amendment No. 1489.

Amend section 1, page 1, line 7, by deleting "1983," and inserting "[1983,] *1985,*".

Amend the bill as a whole by renumbering section 3 as section 13 and adding new sections designated sections 3 through 12, following section 2, to read as follows:

"Sec. 3. 1. There is hereby appropriated from the state general fund to the state board of examiners the sum of $3,961,627 to meet any deficiencies which may be created between the appropriated money of the respective departments, commissions and agencies of the State of Nevada, including the judicial branch of government, as fixed by the 62nd and 63rd sessions of the legislature and the money required to provide to the classified personnel of those departments, commissions and agencies a single payment as an incentive for continued service.

2. There is hereby appropriated from the state highway fund to the state board of examiners the sum of $593,309 to meet any deficiencies which may

be created between the appropriated money of the department of motor vehicles and the public service commission of Nevada as fixed by the 62nd and 63rd sessions of the legislature and the money required to provide to the classified personnel of that department and commission a single payment as an incentive for continued service.

Sec. 4. 1. There is hereby appropriated from the state general fund to the state board of examiners the sum of $1,053,581 to meet any deficiencies which may be created between the appropriated money of the University of Nevada System as fixed by the 62nd and 63rd sessions of the legislature and the money required to provide to the classified personnel of the University of Nevada System a single payment as an incentive for continued service.

2. There is hereby appropriated from the state general fund to the state board of examiners the sum of $661,452 to meet any deficiencies which may be created between the appropriated money of the respective departments, commissions and agencies of the state of Nevada, including the judicial branch of government, as fixed by the 62nd and 63rd sessions of the legislature and the money required to provide to the unclassified personnel of those departments, commissions and agencies a single payment as an incentive for continued service.

3. There is hereby appropriated from the state highway fund to the state board of examiners the sum of $39,637 to meet any deficiencies which may be created between the appropriated money of the department of motor vehicles, the appropriate unclassified employees of the attorney general's office and the public service commission of Nevada as fixed by the 62nd and 63rd sessions of the legislature and the money required to provide to the unclassified personnel of that department, commission and office a single payment as an incentive for continued service.

4. The state board of examiners, upon the recommendation of the director of the department of administration, may allocate and disburse to the various departments, commissions and agencies of the state of Nevada from the appropriate money appropriated by this section and section 3 of this act such sums of money as may be required, which when added to the money otherwise appropriated or available, to equal the amount of money required to make the payments authorized by sections 3 to 11, inclusive, of this act.

Sec. 5. There is hereby appropriated from the state general fund to the University of Nevada System the sum of $2,676,407 to provide to the professional personnel of the University System a single payment as an incentive for continued service.

Sec. 6. There is hereby appropriated from the state general fund to the legislative fund the sum of $185,740 to provide a single payment as an incentive for continued service to the employees of the legislative counsel bureau and legislative interim operations.

Sec. 7. The director of the department of administration may adjust or augment the work programs of the various departments, commissions and

agencies of the State of Nevada in order to allocate the money appropriated to the state board of examiners in section 3 of this act or money available from any other source to provide for the payments authorized by sections 3 to 11, inclusive, of this act.

Sec. 8. 1. The single payment as an incentive for continued service for which money is appropriated by sections 3 to 6, inclusive, of this act must be paid to each person who is employed by the state or the University of Nevada System on July 1, 1985, in an amount equal to approximately 5 ½ percent of the gross base salary he was paid in the fiscal year 1984-1985 excluding all overtime and any other payments in excess of his base salary.

2. An employee of the University of Nevada System who is employed on a contractual basis or whose period of employment coincides with the school year is eligible for the payment if he was employed by the system during the fiscal year 1984-1985 and has renewed his contract of employment or is to be reemployed for the school year 1985-1986.

3. The gross base salary of a person whose employee contributions to the public employees retirement system are paid by his employer shall be deemed to be the amount his gross base salary would be if his employee contributions were not being paid by his employer.

Sec. 9. 1. The payments authorized by sections 3 to 11, inclusive, of this act do not constitute salary for the purpose of computing retirement contributions by the employee or employer pursuant to chapter 286 of NRS, premiums paid by the employer pursuant to chapter 616 of NRS or any other such additional charge which is based upon the salary of an employee.

2. The payments authorized by sections 3 to 11, inclusive, of this act must not be included as salary in the calculation of retirement benefits for employees.

Sec. 10. For accounting purposes only for the various state departments, commissions and agencies the payments authorized by sections 3 to 11, inclusive, of this act are effective June 30, 1985.

Sec. 11. Any of the amounts appropriated by sections 3, 4 and 5 of this act which are not required to meet the cost of the payments authorized by sections 3 to 11, inclusive, of this act for those employees revert to the fund from which they were appropriated on December 31, 1985.

Sec. 12. 1. There is hereby appropriated from the state general fund to the interim finance committee the sum of $12,500,000 for the design and construction of prisons. Any unexpended balance of this appropriation must not be committed for expenditure after June 30, 1991, and reverts to the state general fund as soon thereafter as all payments of money committed have been made.

2. The interim finance committee shall allocate money from this appropriation by resolution for the costs of the selection of a site for and the advance planning and design of facilities for criminal offenders. The vote of the assembly and senate members must be taken separately. A resolution

must not be adopted unless it receives the affirmative vote of a majority of the assembly members and a majority of the senate members.".

Amend the title of the bill to read as follows:

"An Act relating to public finance; temporarily extending the increased rate of the tax on insurance premiums; delaying certain changes in the distribution of certain taxes from projects for the generation and transmission of electricity; requiring the making of a single payment as an incentive for continued service to employees of the state and the University of Nevada System; making appropriations from the state general fund and the state highway fund; making an appropriation for the design and construction of facilities for criminal offenders; and providing other matters properly relating thereto.".

Amend the summary of the bill to read as follows: "Temporarily extends increased rate on tax on insurance premiums, delays provision for special distribution of taxes collected from generating facilities, provides single payment as incentive for continued service to certain public employees and makes appropriation for design and construction of facilities for criminal offenders. (BDR 57-1858)".

Assemblyman Joerg moved the adoption of the amendment.

Remarks by Assemblymen Joerg, Coffin, Thomas, Sader, Marvel, Thompson, Getto, Williams and Craddock.

Assemblyman Price moved that the Assembly adjourn until Monday, June 3, 1985 at 10 a.m.

Assemblymen Price, Thompson and Jeffrey requested a roll call on Assemblyman Price's motion.

Roll call on Assemblyman Price's motion:

YEAS—13.

NAYS—Bergevin, Beyer, Bogaert, Collins, DuBois, Fairchild, Francis, Getto, Ham, Horne, Humke, Joerg, Kerns, Lambert, Little, McGaughey, Malone, Marvel, Nicholas, O'Donnell, Rader, Roberts, Spriggs, Stone, Tebbs, Thomas, Zimmer, Mr. Speaker—28.

Absent—Sedway.

The motion having failed to receive a majority, Mr. Speaker declared it lost.

Remarks by Assemblymen Getto, Dini, Jeffrey, Swain, Banner, Nevin, Nicholas, Joerg, Coffin, Malone, Schofield, Francis, Thompson, Craddock, Collins, Price and Marvel.

Assemblyman Price requested that the following remarks be entered in the Journal.

ASSEMBLYMAN JOERG:

This amendment provides for the retention of the insurance premium tax at 3 percent for the 1985 to 1987 biennium. In addition, the amendment would provide for a one-time payment to state employees, as well as university professional employees. This one-time payment would provide a benefit of 5½ percent of the gross base salary for the fiscal year 1984, 1985; effectively taking these employees' raises from January 1 of this year through June 30. The bill we passed previously picks up from there and carries forward.

In order to be eligible for this payment, the person would have to be employed during the fiscal year and on the payroll on July 1, 1985. The cost of these payments totals $8,538,407 from the general fund and $632,946 from the highway fund.

Inasmuch as I think everybody is aware of the fact that when this legislature is back in session two years from now, we have no choice but to face the issue of building a prison. It is something that we've all known since the first day we were here. We all know it's going to have to be done. Recognizing that, and the fact that it is appropriate to plan for eventual contingencies such as that, and when we have an opportunity to do so without raising taxes, at least we have an opportunity to start it without raising taxes, many people think that is the prudent and proper thing to do from the financial point of view.

Therefore, this amendment provides for an appropriation of $12.5 million from the general fund to the Interim Finance Committee for two items. One, they would be permitted to use parts of this money for site selection, design and advance planning for a new facility. Of course, the balance would be held in reserve for construction of a new prison when it is approved.

I might add, also, that any interest earned on the $12.5 million would remain in the general fund and would provide additional money for the trigger mechanism that we placed in the previous bill we passed on public employees' salaries. There is a better chance that that trigger mechanism would, in fact, come into place. In my judgment, there is a good chance the extra 2 percent provided in that bill would be provided to those employees.

With the adoption of this amendment, we would end up with an ending fund balance of approximately $46 million, if you consider the retention of the $6 million that is sitting in a trust account right now waiting the outcome of the litigation on the soda pop tax. If that litigation is successful and the state is unable to retain that money, we would end up with an ending fund balance of approximately $40 million. Many of us believe that is an absolute minimum amount that is necessary to run the operation of the state. In fact, most people believe that it should be closer to $50 million.

I urge your careful consideration of this amendment. I think it is very responsible and has the best interest of the state at heart.

ASSEMBLYMAN COFFIN:

I rise to oppose this amendment. I was surprised about 45 minutes ago to be invited to a Taxation Committee meeting and found out I was in Ways and Means. The Taxation Committee which has spent a great deal of time this session doing its best to carve out a revenue picture of the state has now become the spending committee in this house by appropriating about $21 million with five minutes worth of discussion on a subject that is totally foreign to the members of the committee, and barely known to the members of the Ways and Means Committee. In some cases this is the first time this has been seen. We are talking about an appropriation of $12.5 million for a prison we have not even discussed in the Ways and Means Committee.

Basically, this is new to the entire house. I think it is not proper to take a vehicle like the insurance premium tax and attach an appropriation to it without a hearing. We asked for a hearing and we were denied a hearing in the committee. The actions of the committee, I believe, are irresponsible. I oppose the amendment. I think there are others here that feel that way, too.

We don't necessarily quarrel with how money is spent around this house because we don't have the votes, but it is sometimes the way it is spent that leaves you wondering whether or not we have the best interest of the people at heart in this Assembly. I oppose this amendment.

ASSEMBLYMAN THOMAS:

I rise in favor of this amendment. I think that all of us were concerned about the state employees going on a new fiscal year starting in July and losing the effect of their pay raise from January. I think this addresses that problem very well. I think it addresses a problem we can't sweep under the rug, and that is the prison. That thing kept coming up

throughout all of our hearings. I think all of my colleagues on Ways and Means know that. Some of these things won't go away. I think we are being very prudent looking at it at this particular time, taking advantage of the future for a change and doing a little planning which is something we don't ordinarily do.

As far as the responsibility of the Ways and Means Committee is concerned, I would submit to you that two years ago about this time, we were thrown an entire budget in one package and never had an opportunity to vote on it in this body because of constraints and problems we'd been faced with; the same kind of problems we are faced with now. We didn't have the time then and we don't have the time now.

ASSEMBLYMAN SADER:

I have a couple of questions for the chairman of either the Taxation Committee or the Ways and Means Committee. Not sitting on either of those committees, I'm trying to go through the four page amendment and understand what it says. I see bonuses here for university employees and state employees, but I see no bonuses for classroom teachers. That is an issue that has been long discussed since the Governor's State of the State address.

My first question: Is it correct that this amendment does not have classroom teachers in the bonus pay scheme?

ASSEMBLYMAN JOERG:

That is correct.

ASSEMBLYMAN SADER:

I would like to know what policy reason there is for including university professors and state employees in a bonus system but not including classroom teachers.

ASSEMBLYMAN MARVEL:

I think one of the answers we can give is the fact that perhaps the classroom teachers can negotiate with their local school districts. We do feel that we guarantee, and particularly in this budget, 11 percent for the first year of the biennium and perhaps a 3 percent that triggers the second. Additionally, they have the option of going to the 17 individual school districts and negotiate for a better bargain yet. The state employees and university professors have no power of negotiation.

ASSEMBLYMAN SADER:

Again, I'm seeking more information on the issue of what we funded. Now, we funded the school budgets and have we included money, or is their money in the appropriations we have made, for a bonus for the Kindergarten through 12 classroom teachers?

ASSEMBLYMAN MARVEL:

The problem has been addressed of teacher pay raises with both the 11 and 3 percent plus the best deal they can negotiate with their local school district. That is the difference between Kindergarten through 12 and the state employees.

ASSEMBLYMAN SADER:

I take it then that the answer to the question is no, the money has not been included for retention, retroactive or bonus pay, whatever you want to call it, for teachers. It has been included for ongoing pay raises but not a bonus. Is that right?

ASSEMBLYMAN MARVEL:

That is true.

ASSEMBLYMAN THOMPSON:

I'm no tax expert and I don't sit on the Taxation Committee, nor have I ever in my three terms, but I read this amendment and I, too, had the same question Mr. Sader had. Basically what we are saying here is we are going to give the money to the state employees and the university professors but not the classroom teachers.

I think the prison problem has been around a long time. I don't think that is new to

anybody here. I don't think it was new on January 17. It certainly wasn't new last session. This has been an ongoing problem and everyone knew about it. I think everybody in this room campaigned on funding for higher education. Everybody knew at the onset that included retention pay for classroom teachers.

Mr. Speaker, I would say to you and everybody in this house, if you vote for this amendment you are supporting hypocrisy.

ASSEMBLYMAN THOMAS:

True, the prison thing comes up all the time and the reason it comes up all the time is because nobody does anything about it. This is an attempt, probably for the first time, to get a head start on the prison situation.

Now, getting back to the so called hypocrisy. The classroom teachers have one advantage that the state employees and the college professors do not have and that is collective bargaining. They can cut any kind of a deal they want with their local school boards. They also have rollups and increments. I submit to you with the pay package, which is the highest pay package this body has ever given anybody, when it is all said and done I would bet you that the average teacher will make over 20 percent on this raise package, and maybe even as high as 25 percent.

ASSEMBLYMAN GETTO:

I rise reluctantly to get into this discussion. I do support the amendment for several reasons that have been stated. I know the prison discussion has been entered and thrown out on this body.

If you will recall earlier in this session there were articles talking about a $55 million prison which, if it had been placed on a tax roll, we would not have been able to leave here if you had gone home and told the voters that we had to raise property taxes to pay for a $55 million prison.

The subcommittee dealing with the prison system really went to work and we have worked very diligently in setting up a proposal for a new light to medium security prison that can be built in early 1987 for about the amount we are setting aside and a little bit more. It will solve the situation temporarily. Down the road, very shortly, we will be facing a maximum prison.

In the area that we have discussed about the retention pay for university system and the teachers' salaries and the state employees, two of those are in a different ball game as has been stated before. The university system has not had a method or rollup increase. They cannot negotiate and it is the same for state employees. When we leave here what we design for their increase is what they get. They have no other way to negotiate.

In many cases the scheme right now is the same percentage increase across the board for the university professionals, state employees, and for the teachers. That is the scheme. But in reality, as has been stated here, many times when the negotiation goes to the school board, the teachers come out with a higher percentage than state employees. That is not always the case, but it has happened several times.

I would be very happy to fund it all the way if we didn't have to increase taxes some place. I guess I have to support this amendment.

ASSEMBLYMAN WILLIAMS:

I sit on the Taxation Committee and I'm very distressed at this amendment. I oppose it vehemently. Never, not once, were prisons ever mentioned in Taxation. There was a lot of talk in Taxation about basic fairness from some of my colleagues. I would like to suggest that this amendment certainly does not address basic fairness.

I would also like to suggest that the collective bargaining tool is only useful if there is money available for people to collectively bargain with. How can we be asked, within three minutes, to appropriate $20 million and $12.5 million for some future prison. If we are putting criminals ahead of quality teachers and quality education for our children, then I think we had better reexamine our values. We talk a lot about values, family, and children. I think we better start acting on them. I oppose this amendment.

ASSEMBLYMAN CRADDOCK:

I understand that the Senate has adjourned until 10:00 a.m. so I guess we have plenty of time to talk about this. I really don't intend to take up a lot of time but I am somewhat bothered by this. As a matter of fact, I got a note not too long ago from the White House which indicated I was the ranking member of the Education Committee in the minority party. Right now I feel pretty rank.

We in education have looked at the problems for a number of years. I am convinced that we will never make any meaningful improvements in the penal system until first we take care of some of the problems in the education system. I have a substantial amount of documentation on that point from the Chief Justice of the Supreme Court on down that I would be happy to provide to anyone that thinks we must take care of the problems at the lower level before we get involved with prison considerations. If we don't, we'll have prisons up to our neck. We can warehouse them forever, but until we take care of some of the problems at the level where these young people are getting started, we are in more serious trouble than I ever anticipated.

I oppose this and I'll stay with you until school convenes again before I'll vote for this.

ASSEMBLYMAN GETTO:

I would like to address a comment from one of my colleagues that we are for cons and not kids. That is a darn easy thing to say and it's a very catchy phrase but it's not responsible. You know, everyone of us have sat here and voted for bills that extend sentences and create more problems for our prisons and now we are saying we are not going to be responsible and let the courts turn them loose.

If you are a responsible legislator, you have to face that fact. When you sit here and vote for bills that mandate longer sentences and take away the rights of judges to provide probation, and turn around and say we are for cons and not kids, it is not so. We have to be responsible. If you want the courts to turn them loose, then let's not build any more prisons and let's not vote for any more bills that will lengthen the sentences of criminals.

ASSEMBLYMAN DINI:

I must rise in opposition to the amendment. I take exception to my distinguished colleague from Churchill County when he says we are irresponsible because I think this whole amendment is irresponsible to hang it on this bill in this manner tonight.

Why don't we have an open hearing tomorrow morning on $12.5 million for a prison and put your mouth where your action is on this amendment. We all know we need prisons. We came into this session saying education had the first priority. We've taken care of a lot of the prison's problems with a lot more money, honor camps, and other things. Now, all of a sudden, we are saying we are going to discriminate against one group and take that money for a prison.

I don't rationalize with you guys at all on this issue. Why don't we do it fairly? Let's have a hearing right here tonight and show me that we have to have this $12.5 million this session for the prison system in the State of Nevada. It has not been proven to me. I sat on Ways and Means and I know we have a problem. But you have not proven to me we need this this session. I challenge the leadership in this house to show me, black and white, that we need the prison over these things for the teachers.

ASSEMBLYMAN JEFFREY:

I think one of the most important things we have to consider when we consider this amendment, and I do stand in opposition, in case there was any question, is the quality of the teachers we have in the school system. I submit to you that the teacher morale is very important in this process. I think the feeling of the teachers will be reflected in their work with the students.

I can say this prison debate is very interesting. We are here on what we thought was going to be the last night and maybe it will be the first day of the last week. We have had well over 100 days to debate the prison situation and the future of the prison system. All that we have heard from the majority party about the prison system is the rumor that there was going to be some kind of an attempt to put prisons above education.

I agree with Mr. Dini totally. That debate belongs in committee with ample time to discuss the issue. There has been none of that so far. I would also like to say as far as the collective bargaining arrangement is concerned, it also had a drawback last time. The teachers in Clark County, at least, received no pay increase in the last two years because they had a contract. I don't know what happened in the rest of the state but that's what happened in Clark County. Many of the teachers in Clark County are topped out at the top of their salary level and they didn't receive any rollups or step increases.

I think this amendment is ridiculous and is a last minute attempt to punish teachers that didn't support the majority party and I resent the whole move.

ASSEMBLYMAN SWAIN:

I rise in opposition to this amendment. Mr. Speaker, I would like to remind you that I think it was yesterday you had a teacher at your desk who was the outstanding teacher of the year for the State of Nevada and one of six outstanding teachers in the entire country. I don't see how we can turn our backs on these people. I find this amendment an embarrassment and I cannot bring myself to support such an action.

ASSEMBLYMAN BANNER:

I oppose this amendment. I got this big long document and, for me, it's pretty hard to read. But, I'm looking at 5, 5, and 4 and it says, "An Act relating to taxation temporarily extending an increased rate of tax on insurance premium, delaying certain change in the distribution of certain taxes from projects where the generation and transmission of electricity and providing other matters properly relating thereto."

Now I get this thing and on page 3 it says, "An Act relating to public finance, temporarily extending the increase rate of the tax on insurance premium delaying certain change, distribution of certain taxes and projects from generation of transmitting. . . ." Then, it says, "making a single payment as an incentive for continued service to employees of the state and the University of Nevada system, making an appropriation from the state general fund and the state highway fund . . . making an appropriation for the design and construction of facilities for the criminal offenders."

What has happened here is you have taken A.B. 554, which had to do with these other taxes, and attached an appropriation bill by the Taxation Committee at 9:30 at night on the last day. People like myself who are not privy to the Ways and Means Committee are then faced with the problem of understanding really what is going on.

It looks like some kind of a procedural move that I'm not quite fast enough to figure out. But it looks like somebody has planned something down the line for some horse trading. I'm a little confused. I hope somebody can explain why it was done in this way.

ASSEMBLYMAN NEVIN:

I, also, stand in opposition to this amendment. I sat on Ways and Means and listened to the prison issue. They got additional millions of dollars they said they needed. There was testimony that the prisons were crowded and we extended our honor camps to relieve some of the load. The only mention of the need for a new prison was in testimony when they said they would be back in two years to talk about financing a new prison. There was never any mention that this was a dire need and had to be done now.

ASSEMBLYMAN NICHOLAS:

Of course, this is a tough one. I want prisons to be financed because I was on that prison subcommittee. The problem is I also want teachers to receive some recognition in terms of the plans that have been advanced. Which button am I going to hit, I don't know. But, I do know this. If we can do something to do a little bit of both we are probably coming closer to satisfying me.

ASSEMBLYMAN GETTO:

I can't let one comment go. I have to answer my worthy leader of the other party regarding the fact that my comments were not responsible. I would like to say that if the other party, or any party, wants to do something responsible to alleviate the prison population there was a way this session and it is down in the other house. It's a bill that

never saw daylight. You could call it an early parole bill or a bill that would help alleviate the prison situation. That bill never saw daylight and it was not because of the majority party in this house. It would have been one step in reducing the prison population but it didn't see daylight. So, don't lay it all on us.

ASSEMBLYMAN JOERG:

I would like to briefly address the question Mr. Banner had. I think we could debate the issue on its merits all night but it's not unusual for this body to consider a bill that has both an appropriation and a tax in it. We've done it before this session. They've been started by the other house. I can give you an example, A.B. 22, where we concurred in an amendment that had a 2 cent property tax on it to a $16.5 million bond issue. It happens all the time. It is perfectly proper. Otherwise, if it were against the rules, I presume the bill drafter wouldn't have drafted it.

ASSEMBLYMAN COFFIN:

To my colleague from Fallon, who I had the distinct pleasure of serving with on the Ways and Means prison subcommittee, I want to recall what we did on that subcommittee in order that I might refresh the memory of those here who heard the budget bill but may not remember the fine points.

In the hearings we had we considered and concluded that the Governor's budget for prisons was a bit shy of the mark and had not spent enough money. Your Ways and Means prison subcommittee, after a great deal of gnashing of teeth and fighting with the prison people, added $1.6 million to the Governor's budget. The Senate, meanwhile, had added about $4.4 million. During that period of time, we agonized over how we were going to convince the Senate to cut its spending. We went into conference and after four or five meetings and saying no to the prison system many, many times, your prison subcommittee added an extra million dollars and convinced the Senate to join us at about an extra $2.6 million to the prison budget.

Never, ever in the deliberations of the prison subcommittee was a deposit, a down payment, even a rough construction schedule of a new prison, considered. And now I am astonished that the chairman of our subcommittee should suddenly rise and defend a $12.5 million appropriation for the prisons which comes out of the committee that doesn't even handle prison business, not experienced at all in that field. Maybe there have been hearings we haven't been aware of. Perhaps the gentleman from Fallon has chaired those hearings and perhaps we just didn't know about them.

I think this is coming a little too late and I'd like to hear an answer as to how this figure has suddenly appeared when it wasn't even considered before, never.

ASSEMBLYMAN MALONE:

This is a shocker. As many of you know, I came into this legislature early with a prison bill. It was "prisons for profit." We held a hearing in Judiciary and it went well. I called many areas of this country getting information on prisons for profit. This was all to see if we could cut down on the costs of our prisons. I was knowledgeable of what we needed.

I'm sorry to say that when this bill went into Legislative Functions, it had another hearing. And lo and behold it had a hearing of two people. At that time there was no one that sat on Legislative Functions interested in the prison system, obviously. To my knowledge, each member on the bill prior to mine was there. As soon as I started my presentation in Legislative Functions, and I think the record will show this, all but two people left. One came back later because he served in Judiciary and I gave the exact same talk and 10 minute film strip I obtained from 60 Minutes.

Mr. Speaker, for somebody who is real interested in prisons all of a sudden, and this bill shows it, I'm surprised you didn't stay around.

ASSEMBLYMAN SCHOFIELD:

What I want to speak on is dealing with fairness. Fairness in the hearings we have, fairness in the particular subject matter that is before us tonight, fairness in the amount of time spent on a particular item like this, as strong disagreement as this has, and, possibly, misunderstanding on the part of some.

I think that the minority floor leader had a good point as far as having a real fair hearing on something especially dealing with the size of an appropriation of this amount, whether it is tacked on to the end of something or not. I'm speaking of the methodology that is being done on something that probably could be a good idea were it to be talked about and analyzed a little bit. I don't think the time the committee spent on this, and for those who didn't realize this amendment was coming, had a fair opportunity.

What I'm talking about is fairness. We all came up here to do a job for the people of the State of Nevada as best we could. Considering the amount of money involved, I feel the action certainly deserves and warrants more time and discussion with the people who are sitting on those committees. If it has to go to Ways and Means for a hearing and back to Taxation, so be it.

I would urge all of you to think very hard on this and give it a fair consideration and treatment within both of those committees because it deals with two subject matters.

ASSEMBLYMAN FRANCIS:

A couple of weeks ago the good majority leader from the Senate brought up this idea. He was the one that said we were $50 or $60 million short to fund a prison. He was the one that presented the plan in the Senate.

I think if there is any hypocrisy, it's the people who are opposing this amendment. We are doing the right thing. We are doing the responsible thing. What we are doing is preventing a tax increase next session. That is the truth.

The responsible and right thing to do is support this amendment. We should act on it tonight.

ASSEMBLYMAN THOMPSON:

I have to rise in opposition to what the majority leader just said about the majority leader in the Senate, in that he said we had a problem with the prison. I think everybody knows we have problems with the prison. To lay that on him is one of the dumbest things I have heard come out of this house this session. That is absolutely stupid.

Furthermore, some of the things that have been said in here in regards to why we would give this money to the university professors and the state employees but not the school teachers, is because, to quote some of you, "The school teachers have collective bargaining and we provide this money so they can go out and collectively bargain for this money where state employees and university professors cannot." That is true. However, that doesn't guarantee, just because they have collective bargaining, that they are going to bargain 11 percent. That doesn't guarantee that they are going to get that money.

People have said in there we have to be responsible. I agree with that. I don't think this is responsible.

ASSEMBLYMAN CRADDOCK:

Let's talk about responsibility for a brief jiffy. I think probably this entire discussion would not have occurred if we had followed the rules in Mason's Manual in the first place.

Nevertheless, over a course of the last eight years the Clark County classroom teachers have made some substantial contributions to the education benefit of young people. One time they gave up quite a bit of a pay raise, I think it was $125 one year and $250 the next, in the interest of a prep period so they could better prepare their lessons.

Another time, they negotiated a contract which made a provision for hiring 70 new teachers so they could comply with what has become vogue around here, which is to lower the teacher-student ratio in the lower grades. That has been happening in Clark County, through negotiations, for a number of years. I think that is responsible.

ASSEMBLYMAN COLLINS:

Anytime we have debate such as this, I don't plan on saying anything. I don't have a bone to pick with the prisons or the education system. I didn't run my campaign on supporting education or supporting prisons. But what I did say was that if there was an education issue that came before me, I would support education. I have always said that and I will always say that.

As I stand here tonight, what I would like to know is if you vote in favor of the amendment and it passes, or if you vote against the amendment and it passes, are you voting for or are you voting against education. It seems to me, funny as it may seem, if you are standing here, it's not funny at all.

As I alluded to earlier, whichever direction it goes, I would just like my question answered.

ASSEMBLYMAN PRICE:

Here we are 132 days later, when we should be home resting, at 10 o'clock at night dealing with the most important business to the citizens of our state through chicanery, political maneuvering, and parliamentary procedure, rather than the hearing process that we all should be entitled to and expect from the most prestigious and important of our committees, the Ways and Means.

While as a courtesy to my chairman of Taxation, with a couple of minutes of explanation, we allowed the amendment to come out on the floor. We were never given, and I ask now, a reason why this amendment, if it's needed and is important, was not debated on all subject matter, including the prisons, and why there were not hearings in Ways and Means. I would now ask my distinguished colleague, who is chairman of Ways and Means, to tell me why at this late date there were no full and adequate hearings.

ASSEMBLYMAN MARVEL:

We have been debating the prison system all session and we've been debating education all session. I would like to remind you, if you remember the first statement yesterday, that for education there was a 20.6 increase for the next biennium. That is one of the most significant increases in the history of the State of Nevada.

ASSEMBLYMAN PRICE:

My question was not answered. I respectfully ask again, and I certainly stand to learn something. My interpretation is there is a difference between debate over the period of session and specific hearings on a $12 million appropriation for the prison. I ask again, were there hearings on $12 million, $10 million, $15 million on an appropriations bill for the prisons. I don't mean debating back and forth, should we do this.

ASSEMBLYMAN MARVEL:

In all fairness, there were no formal hearings on the prison issue but we have been studying the prisons all session. Since we have been here in January, we have had to change the course of direction several times. Just one example is after we got into the session, we found we needed more to meet the prison needs. Just last month, it has been developed by speaking to officials of the prison system, that we are rapidly running out of bed space. It is going to be imminent that a new prison will have to be constructed, perhaps within the next two years; at least started within the next two years. This has all happened recently.

Assemblymen Rader, Lambert and Francis moved the previous question.

Motion carried.

The question being on the adoption of Amendment No. 1489 to Assembly Bill No. 554.

Assemblymen Jeffrey, Thompson and Nevin requested a roll call on Assemblyman Joerg's motion.

Roll call on Assemblyman Joerg's motion:

YEAS—23.

NAYS—Arberry, Banner, Coffin, Craddock, Dini, DuBois, Fairchild, Jeffrey, Little, Malone, Nevin, O'Donnell, Price, Sader, Schofield, Swain, Thompson, Williams—18.

Absent—Sedway.

The motion having received a majority, Mr. Speaker declared the amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 585.
Bill read third time.
Remarks by Assemblyman Bergevin.
Roll call on Assembly Bill No. 585:

YEAS—41.
NAYS—None.
Absent—Sedway.

Assembly Bill No. 585 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Senate Bill No. 472.
Bill read third time.
Remarks by Assemblyman Thomas.
Roll call on Senate Bill No. 472:

YEAS—41.
NAYS—None.
Absent—Sedway.

Senate Bill No. 472 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 Schofield, Spriggs, Marvel and Price.
Roll call on Assembly Bill No. 128:

YEAS—23.
NAYS—DuBois, Fairchild, Ham, Horne, Joerg, Lambert, Little, Malone, Marvel, O'Donnell, Rader, Roberts, Spriggs, Stone, Tebbs, Thomas, Zimmer, Mr. Speaker—18.
Absent—Sedway.

Assembly Bill No. 128 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Ways and Means to which was referred Senate Bill No. 56, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN MARVEL, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Francis moved that Senate Bills Nos. 56 and 397 be placed on the General File.
Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 56.
Bill read third time.

Remarks by Assemblymen Humke, Dini and Williams.
Roll call on Senate Bill No. 56:

YEAS—27.

NAYS—Arberry, Banner, Coffin, Craddock, Dini, Jeffrey, Malone, Nevin, Price, Sader, Schofield, Swain, Thompson, Williams—14.

Absent—Sedway.

Senate Bill No. 56 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 397.
Bill read third time.
Remarks by Assemblyman Williams.
Roll call on Senate Bill No. 397:

YEAS—41.

NAYS—None.

Absent—Sedway.

Senate Bill No. 397 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
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. 49, 96, 107, 183, 276, 348, 372, 387, 492, 539, 579, 595, 634, 642, 655, 686, 725; Senate Bills Nos. 136, 139, 254, 272, 376, 378.

Assemblyman Francis moved that the Assembly adjourn until Monday, June 3, 1985 at 8 a.m.
Motion carried.

Assembly adjourned at 10:26 p.m.

Approved:

BYRON L. BILYEU
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE ONE HUNDRED AND THIRTY-FOURTH DAY

CARSON CITY (Monday), June 3, 1985

Assembly called to order at 8:41 a.m.

Mr. Speaker pro Tempore presiding.

Roll called.

All present except Assemblyman Sedway, who was excused.

Prayer by the Chaplain, The Reverend Terry W. Arnold.

The Apostle Paul says in one of his letters to the churches, not to become weary in well doing. With that in mind let us pray. Our Father in Heaven, we thank You for these legislators who are weary in body and mind. We pray that You would renew them and allow them to work today with insight, decisiveness and a sense of humor. For this we pray in the Name of our Lord and Saviour. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Francis 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 Francis moved that Assembly Bill No. 554; Senate Bills Nos. 276, 323, 390, 428, 451 and 506 be placed on the General File.

Motion carried.

Assemblyman Thompson moved that the vote whereby Amendment No. 1489 to Assembly Bill No. 554 was adopted be rescinded.

Remarks by Assemblyman Thompson.

Assemblymen Jeffrey, Nevin and Sader requested a roll call on Assemblyman Thompson's motion.

Roll call on Assemblyman Thompson's motion:

YEAS—14.

NAYS—Bergevin, Beyer, Bogaert, Collins, DuBois, Fairchild, Francis, Getto, Ham, Horne, Humke, Joerg, Kerns, Lambert, Little, McGaughey, Malone, Marvel, Nicholas, Rader, Roberts, Spriggs, Stone, Tebbs, Thomas, Zimmer, Mr. Speaker—27.

Absent—Sedway.

The motion having failed to receive a majority, Mr. Speaker pro Tempore declared it lost.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, June 2, 1985

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. 567 and requests a conference, and

appointed Senators Foley, Townsend 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. 628 and requests a conference, and appointed Senators Foley, Bilbray 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. 647 and requests a conference, and appointed Senators Robinson, Townsend and O'Connell 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 concurred in the Assembly amendments to Senate Bills Nos. 206, 239, 296, 393, 485, 513, 514.

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. 219.

Also, I have the honor to inform your honorable body that the Senate on this day appointed Senators Wagner, Hickey and Ryan as a first Committee on Conference concerning Senate Bill No. 368.

Also, I have the honor to inform your honorable body that the Senate on this day appointed Senators Gibson, Raggio and Wilson as a first Committee on Conference concerning Senate Bill No. 478.

MARY JO MONGELLI
Assistant Secretary of the Senate

GENERAL FILE AND THIRD READING

Assembly Bill No. 554.

Bill read third time.

Remarks by Assemblymen Bilyeu, Price and Bergevin.

Assemblyman Schofield moved that the Assembly recess for 10 minutes.

Assemblymen Schofield, Thompson and Jeffrey requested a roll call on Assemblyman Schofield's motion.

Roll call on Assemblyman Schofield's motion:

YEAS—27.

NAYS—Francis, Getto, Ham, Humke, Joerg, Marvel, Rader, Spriggs, Stone,Thomas, Zimmer, Mr. Speaker—12.

Absent—Collins, Schofield, Sedway—3.

The motion having received a majority, Mr. Speaker pro Tempore declared it carried.

Assembly in recess at 9:25 a.m.

ASSEMBLY IN SESSION

At 9:53 a.m.

Mr. Speaker pro Tempore presiding.

Quorum present.

Remarks by Assemblymen Beyer, Thompson, Nicholas, Coffin, DuBois, Sader, Humke, Williams, Tebbs, Francis, Getto, O'Donnell, Horne, Zimmer, Craddock, Swain, Jeffrey, Stone and Bilyeu.

Assemblyman Thomas requested that the following remarks be entered in the Journal.

ASSEMBLYMAN BILYEU:

I've gone on the floor this morning because I think a few things need to be said. Last night we pretty much debated the issue on this bill; pros and certainly cons. In that debate, my esteemed colleagues from the loyal opposition made certain charges. Now, I know that the hour is early and we all worked late last night. Hopefully, our days in this legislative fish bowl are numbered. I'm tired. I know you're tired. I long to get back to the real world. I long to relax, put my feet up, have a few friends over, talk about the weather, talk about fishing, talk about things in the real world and to be able to talk about the weather without having to worry whether or not we are going to vote on it.

This is a make believe world, to a certain extent, that we live in—our world of legislative politics. It has its own priorities. It has its own language, its own cast of supporting characters and its own bewildering pace. Every two years, men and women like you and me go out among our friends and neighbors. We find out their concerns, their hopes, their dreams, their fears and then we get ourselves elected. We make promises to the voters. Promises which generally revolve around the theme of looking out for the best interest of those who sent us here—the voters and the taxpayers of this state. We come to Carson City with plans and goals and strategies firmly fixed in our minds. Damn the torpedos, full speed ahead. The will of the people will be realized. Then, we run headlong into a juggernaut whose sole purpose is to divert us and bury us. Legislative politics can chew us up and spit us out. There is "legis-think" and "legis-speak." All of a sudden things that don't matter in the real world of the folks who pay government's bills take on tremendous significance to us.

The system is designed to get us to spend. When was the last time one of your constituents stuck his or her head into your office door and said, "Oh, by the way, I think you ought to raise my taxes because government doesn't have enough to spend over the next two years. The real world of legislative politics is microphones stuck in our faces and headlines screaming of critical needs and revenue shortfalls and people who tell us day in and day out that the world is going to come to an end if we don't fund this or don't fund that.

As legislators we are pampered and spoiled. People who want us to approve spending the taxpayer's money hang on our every word. We are quoted and "yes sir-ed" all over the place. It's pretty heady stuff. Quite a few of us have gotten lost in this make-believe world of legislative politics, never to return.

At the end of the ride on the legislative merry-go-round we all grab for the brass ring. We go home and face those that trusted us with their confidence and votes. Once we get home, many of us find it difficult to answer the questions that are put to us. All of a sudden things we thought were so important while we were in Carson City, just don't seem to be all that critical any more.

I'm sure as I'm standing here this morning, if this bill is defeated, it will mean that the taxpayers of this state are going to have to cough up about $12.5 million. They shouldn't have to cough up to give to government in order to pay for a new prison or prisons down the road. There is one question that will be asked of us out in the real world once the spotlight of media attention has been turned off, and that question deserves to be answered this morning. If we are responsible, and if we mean what we say about the best interest of the voters and taxpayers of the real world we serve, how can we increase education funding by 20.6 percent, an increase of some $125 million, and, in addition, provide funding for what we hope the school districts in our state will see fit to pass on to teachers of perhaps 15 percent in salary increases over the next two years, and then, after we have done that, tack on another $15.2 million in bonuses when that money could be used to pay some of the cost for the prisons we are going to need desperately. I submit to you that we cannot fund those bonuses. I submit to you we shouldn't have to be faced with that choice. We face that choice this morning because there is chicanery and hypocrisy at work here. We face that choice here this morning because there are those who would degrade teachers by treating them as a political commodity whose support can be bought and sold. To say that we are out to punish teachers because they didn't support Republicans is to treat them

like a green stamp in someone's political redemption book. We face our current dilemma because this legislature has been misled, manipulated by the administration.

I am speaking this morning from the floor because from the beginning I opposed retro pay for Kindergarten through 12. That is no surprise in these chambers. I am speaking against it on the grounds of need—needs in the state, needs in the prison system, needs that have been recognized in our deliberations and in testimony and needs that have been recognized by other members of the legislature when they indicated that they may, in fact, need a 5 cent property tax increase to fund prisons that need to be built. Those are needs. There was a deliberate attempt on the part of the administration to hide those critical needs from this legislature from the day the gavel fell.

Why was the budget of the administration kept a dark secret? Why weren't we advised—we legislators in this Assembly who have to make these tough decisions? Why weren't we advised about such things and told and the needs addressed by the administration in such matters like the fact that our counties face bankruptcy because of indigent health care costs? Why weren't those critical issues addressed? We addressed those issues. We bit the bullet. We said that because of counties facing bankruptcy, because medical costs are escalating out of control, because of indigent health care costs, that we would do what was responsible. We would pass legislation raising the ad valorem taxes to keep our counties from going bankrupt. And we did it. But that was not addressed by the administration. Why weren't we told of the critical needs of families eligible for poverty assistance in terms of ADC? Who raised that level up? The legislature did. We raised it up to a level higher than that recommended by the administration and even at that we are still treating families on ADC at disgraceful levels. But that is not politically sexy. There are not a lot of votes out there on welfare.

Why weren't we advised of the real needs of the prison system? That's not politically sexy either. Why were all of these important areas underfunded, not addressed, in this political Christmas tree the administration unveiled in the State of the State address?

There were political payoffs. Presents for every special interest in the state. But, in addition, there was, not included in that budget, the potential bankruptcy of the counties because of indigent health care costs. Hunger for our children because of underfunded ADC. Possible federal court orders mandating that we build country club prisons for our growing prison population. That's what was also there. Ladies and gentlemen, that is shabby politics. That is political opportunism.

This legislature has been open. It has been honest and it has been aboveboard from the time the gavel fell. There has been no limitation on debate on this floor. There has been nothing but openness here. And now as this session is nearing its conclusion, we all find ourselves in a political squeeze play masterminded by the executive branch some months ago. A scheme which has already produced tax increases that probably wouldn't have been needed if the administration had been as honest with us as we have been with them.

What have we here hidden from view? What hidden political agenda has this legislature demonstrated. We have hidden nothing and we have no agenda save the best interests of the taxpayers and voters of this state. The Assembly Ways and Means Committee worked throughout this session in good faith, arguing back and forth, making decisions, discovering some political horror stories as they went along, changing what they could and accomplishing a great deal of reprioritization in order to bring this Christmas tree budget more in line with the real needs of this state.

I am proud to say that although the executive branch shirked its responsibility in underfunding critical areas, in my view, thereby, demonstrating a total lack of leadership this legislature has behaved responsibly. Aid to families with dependent children, prisons, medical care for the indigent, this legislature, Senators, Assemblymen, Republicans, Democrats alike bit the political bullet fired point blank at us by the executive branch knowing full well that if we had had the best possible information we might have been able to do a better job of meeting the needs of this state within the limits of the existing revenue structure. Even after eliminating unfair and discriminatory taxes, we were the ones in the final analysis to act responsibly.

It is in that spirit of responsibile behavior on behalf of the voters and taxpayers of this state that I stand before you this morning to speak to those who say it is unfair to cut out classroom teacher bonuses, I respond that we decide fairness in regard to state employees and the university system because they are, in fact, under our control. But fairness as demonstrated in the wide disparity between teacher pay raises granted by local school districts after the 1983 legislature finished its work, is beyond our control in regard to teacher pay. The local district decides in the final analysis. Fairness is not within our control or jurisdiction in that area.

Now, I have to say once again to those who say that I am trying to punish teachers, that I respond that I have taken my arguments to the teachers by speaking to the State Education Convention. Published reports of our discussion at that convention did not include that charge being made against me by those who will be affected by the outcome of this measure. To those who say that I might not care about the needs of education, I say that a 20.6 percent increase, a $125 million more plus a possible 15 percent pay increase is enough given the other needs we have discovered as a direct result of underfunded proposals by the administration.

In the consideration of the measure before us please keep two things in mind as you deliberate. Throughout the past several months of stormy dialogue over retro or retention, I have never been accused of not having the best interest of the voters and taxpayers of this state at heart. I never heard a proponent of retro or retention pay argue for it on the grounds that granting it is in the interest of the voters and taxpayers.

In fact, the best evidence I have been able to find including survey research and a poll by the Las Vegas Sun indicates that, in fact, the voters and taxpayers in this state do not feel that retro or retention pay is an issue they favor. I think it is important to remember what we have done here in so many areas. Is the glass half full or is the glass half empty? I say the glass is half full.

I read the Nevada State Journal this morning. The headlines say record school spending plan approved. The article says, "The legislature on Sunday endorsed the largest spending plan ever for public schools including a 20.6 percent increase in funding for school districts and a hefty pay raise for teachers. A.B. 726, endorsed by all but one legislator, is a near duplicate of the spending plan for grades Kindergarten through 12 submitted early in the session. Education officials and most of the legislators praise the new Distributive School Fund as progressive. Sue Strand, President of the Nevada State Education Association said her organization is pleased that lawmakers took a step forward."

Overall, ladies and gentlemen, the Distributive School Fund appropriates $727.2 million in the 1985-87 biennium to be spent in school districts in grades Kindergarten through 12. That represents a 20.6 percent increase over funding for the 1983-85 biennium. The legislature, two years ago, appropriated $602.9 million for state schools. The fund is part of a $2.5 billion biennial spending plan approved this year by lawmakers. The Distributive School Fund calls for an 11 percent pay raise effective July 1, 1985 with an additional 3 percent increase on July 1, 1986, and 2 percent in triggers.

The point, ladies and gentlemen, is that it is easy to not be responsible. It is easy to appeal to groups wherever they are, whoever they are in terms of money. But to address the needs of the state, the critical needs of the state, all of the needs of the state, is not easy. But, ladies and gentlemen, it is responsible. That is, hopefully, what we were all elected for.

ASSEMBLYMAN PRICE:

I listen with great interest to the expert oratory of our colleague and friend from Elko. And you are quite right, the hour is early and the days are long and this is not the real world and it is sometimes make believe. The problem, my friend, is that those people in our state, the citizens we were elected to represent do live in the real world. Their problem is they must live with the results of what we do here, whether it is early in the morning, 11:00 o'clock at night, whether it is in the first day, the 90th day or the 133rd day of this body's deliberations.

Yes, we do all come here with plans and goals, and probably most us of with strategies. The only problem is are those strategies designed for the benefit of the people of this state or are they designed for the benefit of a select few, or a party, or are they looking toward the governor's race? Who knows? I sometimes wonder.

Did I hear that the things we say and do here do not matter? Was that a phrase that I heard? I hope not, but I believe it was. Yes, this system is designed to spend. That is what government is all about. It provides services. I have yet to hear of many services, particularly on the magnitude of a state level that are free. So, the question becomes what services does government provide at what level and what kind of sense and responsibility can be made out of determining those services?

I rather appreciate the techinque of attempting to turn the attention from what is really going on here to education and spending and some other things. No, I'm not having any neighbors stick their head in my office and say, "raise my taxes," be it for education, be it for a dam in Elko, be it for trucking or roads or anything else. Those are the things that they expect us to do with our hidden agendas and our plans and our strategies. They can only hope they survive and can receive some honesty from this body.

Did I hear someone talking about a brass ring? We, at least, know one area of this state that got a brass ring at a cost of two cents on the property tax and we all supported it. We talk about honesty and dealing in proper procedure. Was that two cents debated? Was there a hearing in the Taxation Committee on that two cents? After all it's only $5.5 million a year. I would suggest that the real question of honesty, integrity, and procedure is not the money that is being spent for education here today or the money that is being spent for prisons. It's how it came about.

When we take a $20 million bill and $12 million for a prison system that I hear articulated about, yet last night I was told there has never been formal hearings, there has never been an opportunity for the pros and cons to discuss the necessity and the amount, only chit chatting around the hall. Those of us that are elected flapping our jaws—you call that the legislative process that people should have faith in; that they should look at us and say they certainly have done their job.

Did I hear talk of a hidden agenda? I wonder if there is a hidden agenda? I wonder if there is some secret plan concocted 3,000 miles east of here in some smoke-filled backroom and fed back to Nevada. What am I talking about? I'll tell you what I'm talking about—the run for the 1985 governor's seat. You are the one this morning talking about the administration. How many pawns have we used in this game in the last 31 days? It's obvious where this bill is going this morning. But the thing that is not obvious, and will never be, is that after 132 days we have operated with integrity and honesty. Probably the most obvious thing will be that certain people's goals will have been achieved through dirty tricks and back room politics.

ASSEMBLYMAN BERGEVIN:

I will try, if I can, to pertain my remarks to the bill rather than all the dirty politics, chicanery, bigotry and whatnot I have heard going on here. I think it is a lot of bull. If we take what has happened to education in the past four years, I think you will find that education has been more than fairly treated. In the 1982-83 session, the Distributive School Fund was increased by 14.7 percent, which in those times, was a very hefty increase. In the 1981 session, when we had fallen on bad times, we were still able in the biennium to increase the Distributive School Fund by 8.9 percent. The 8.9 percent increase came about through the imposition of a 25 cent property tax on the people of the State of Nevada, the imposition of several taxes on tobacco, liquor, insurance premiums, and an additional 5 cent tax for state revenues so that other monies could be made available for school funds. These taxes were imposed with the promise that if times got better, these taxes would be reduced or taken away. That promise was not kept, of course, when we came to this legislature in 1983. The budget was built on the premise that all of the taxes that were put on in the 1983 session should continue to fund the programs as outlined by the budget.

During the bad times when the Distributive School Fund increased by 8.7 percent, a lot of other people were taking cuts in their funds available. If you will recall, Governor List had to cut down the funds of the University of Nevada. He had to cut down funds of state employees; he didn't hire new employees. Therefore, we had complete control over the spending of those two entities, the University of Nevada and the state employees and they went without for those years, without any pay increase. With the 8.9 percent going to the Distributive School Fund through local negotiations the school teachers were almost mandated they would get a pay raise.

Now, we come back, we want to reimpose these same taxes, trying to sunset them. We are being resisted down on the other end of the hall to even put sunsets on these taxes. If that isn't a breach of faith to the taxpayers in the State of Nevada, I would like to know what is.

The 25 cents we gave to schools remains in tact. We've done nothing to reduce that. We have reduced the 5 cents from the state simply because of the increased funds that became available during the biennium. In retrospect, the 25 cents, or any of the sunset taxes, were necessary to properly fund this budget during the last biennium. There was a sufficient amount of money there. It reminds me a little bit of a kid with a jar of jelly beans. He'll eat them all in one day and get a belly ache and the next day he wonders where his jelly beans went. That is precisely what is going to happen if we do not take a responsible position in this budget year to see that there is some carry over money for the critical needs that we know are coming down the road two years from now.

If we spend all of the money presently available, I will guarantee you there will be a substantial increase in the property tax rates of the State of Nevada and I will also guarantee you that the people of the State of Nevada won't stand for that. They will come back in here with a proposition to limit taxes faster than we can take our seats.

Also, available funds for education which have not been talked about is a 50 cent property tax totally outside of the Distributive School Fund. This property tax revenue grows as the assessed value of each individual county grows and in the case of a county growing fast, they get a tremendous amount of increased funds. One other thing I think is very pertinent to this discussion, the population of the elementary and secondary school districts in the past four years has risen less than 5 percent. Yet, in the last four years, we have pumped in 14 percent, 8.9 percent, 20.6 percent. If that isn't responsible funding of education, I would like to know what is.

ASSEMBLYMAN BEYER:

I think we need to dissect the bill for a moment and discuss the three groups we are concerned with, that is the state employees, the University of Nevada system professionals and the Kindergarten through 12 teachers. In 1971, because the state was flush at that time, we were able to grant the state employees a salary increase and we got locked into a calendar year basis for state employees. We have now for the last 14 years been on that cycle. We have granted salary increases to state employees at the session which were "retroactive" to January 1 because of that calendar year cycle.

Two years ago we were faced with a money deficit and we did not grant the state employees a salary increase. We call this appropriation a position retention, or bonus, or retroactive, whatever you want to call it, to me the appropriation in this bill is nothing more than a salary increase to state employees of 11 percent as of January 1 to June 30th of this year. A salary increase, to me, is one which they deserve and are justified in receiving.

The second group is the professionals at the university who have gone without a salary increase for four years or more. They did not even get a cost of living raise as was the case for state employees or teachers. This appropriation gives them an 11 percent increase from January 1 to June 30. Although the wording in the bill is a 5.5 percent retention pay back to July 1, 1984. Again, call it what you may. The numbers are pretty much the same. It amounts to a salary increase of 11 percent from January 1 to June 30. I think it is a salary increase they justly deserve and rightly need.

The third group we talk about now is the teachers from Kindergarten through 12 who are currently working under a negotiated contract with individual school districts. That contract may be good or bad, there may or may not have been raises in that, but that is left up to the individual school districts to negotiate that salary. And, so, today we have some disparity among the counties. My own county, Washoe County, is second from the bottom. Other counties are very wealthy when it comes to salaries for teachers and yet the Distributive School Fund is based on a formula where we appropriate x number of dollars per student which is the same throughout the state except for the wealth factor. When you get to how much money is appropriated per student, it is equal throughout the state. That negotiation process is left to the individual school districts and teachers.

That brings us to July 1, 1985. This appropriation gives a salary increase to university professionals and teachers working under a current contract. This puts it on an equal basis among the three groups, parity.

Let's talk a moment about a bonus now. What was recommended in the governor's budget was a bonus for the teachers of Kindergarten through 12. I have consistently said throughout this session I have no personal philosophical problem with that bonus. I still believe that. But I do have a problem with inequality in bonuses. If we for a moment think in terms of state employees and the professionals at the university system as just deserving a salary increase, they should all have an equal bonus. They should all have an equal bonus, not just one group. All get a bonus or none get a bonus. That to me is equality.

We have heard much this session about salaries due for past nonincreases in salaries. I'll long remember that all I got from my employer the week before Christmas in 1982, where I was told among another 110 employees, that henceforth you all take a 10 percent cut in pay if you want to keep your job. I worked for a year and a half when I finally left that firm in 1984 at the same salary, at the same 10 percent cut in salary. Times were tough and we were lucky to have a job during those recession days. I don't recall teachers receiving any cut in salary but the private sector did.

Now, we are faced with a salary increase for all three groups of 11 percent and 3 percent and a 1, 1 trigger for the next two years of the biennium. That's equality. If there is a bonus to be given, all three groups should be given the same bonus, be it 1, 2, 3 percent, whatever it might be. The state employees' salaries and the university staff is set by the state legislature. They have no bargaining process. The teachers do have the prerogative to bargain with their individual school districts. I'm convinced as we have gone through the budget process these last several months, that the increase that was given in the Distributive School Fund is sufficient to provide that 11, and hopefully 1, 1 trigger or more. I have talked with administrators around the state—they tell me there is a likely chance, and a good chance, that the pay increase for teachers will be more than the 11 and 3.

There was talk that the bonuses to teachers would be a thank you for service well done. I agree with those thank yous. But let's give a thank you to the state employees as well and the university staff. They need those thank yous. I believe the increase in the school funding for this session, at least it is hopefully my thank you, for a service well performed. We have an additional $22 million appropriated for education on top of the Distributive School Fund which, as far as I know, is the first time we have appropriated money on top of the Distributive School Fund. That money is to be used for program enhancement for equipment and for training of teachers. Those items were purchased and bought previously out of the Distributive School Fund. That can now be moved over into a separate fund, opening up additional funding in the Distributive School Fund for bargaining.

Let's switch for a moment for the appropriation for prisons. I sat with Virgil Getto and others on the capital improvements subcommittee. I had the pleasure of chairing that subcommittee. We spent many hours going through the proposed capital improvements in the prison system and tried to patch and make do where best we could in order to save funds in the capital improvements appropriation.

We talked to the prison wardens and asked: Can you stack inmates up a little deeper? Can you find more floor space to put them on? Can you squeeze here and squeeze there? I think we pretty much wanted the problem to go away. So last night when our colleague from southern Nevada indicated we had not discussed the problem of prisons, I think we all hoped the problem would go away, but it hasn't and it won't. We are going to be faced with additional space requirements for inmates. Not because we want to but because the United States Supreme Court's edict is that we do provide certain facilities for prisoners.

During the session we appropriated nearly $15 million for a new college of engineering at UNLV. And, you know, ladies and gentlemen, we paid cash for that building. We didn't have to go out and look for bonds, we didn't have to cut corners anywhere to pay for that building. We paid cash and that felt good to be able to pay cash for that college. Wouldn't it be great to come back in 1987 or 1989 and pay cash for a new state library and archives building; or pay for a new supreme court building; or pay cash for a new prison and not always have to look for bonding or for stripping of the budgets in order to pay for these buildings. Let's face it whether we like it or not we are in a building mode right now in this state and we've got to provide physical facilities to house some of these activities.

If you've gone through the state library building, it is a disgrace. We are told it is loaded right now equal to the weight of a 727 airplane. That is an historic building that we must save. We have historical records that are now being stored in a shed—records that can never be replaced if they are lost. We need a facility that will house those records. We need to think in terms of a new state library and archives building in the very near future.

We came here to do a job—not because of our lack of endorsements. We came here to be responsible for the needs of the state as was addressed earlier. I believe in equality and equal opportunity. I believe that funding that has been available from the taxpayers' pockets that we spend ought to be distributed equally among everyone who deserves that. Again, whatever you might call the appropriation in this bill, be it retroactive or bonuses or job retention, to me it is a salary increase rightfully deserved. If there are any bonuses to be given, they have to come out of that appropriation for the prison and ought to be distributed equally to all employees—state employees, university employees, and teachers as well.

I'm proud of what we have done this session for education. As the Speaker alluded to the article in the paper that stated this legislature provided the biggest increase in education in the history of this state. I believe we have put the twist on school districts to negotiate with their teachers. That is their job. It is not our job. We sat in Education Committee this session day after day and we were told not to take away the autonomy of the local school districts. We heard, "You can't do this to us because that is our right to develop our own programs in our school districts". So, we need to back off when it comes to telling the school districts where to spend their money. They have their own priorities. That is their job. I take my hat off to local school boards who have a tough job to run the school districts of this state. I believe they can do it. I believe they have the smarts to do it. I challenge them to work with us over the next two years and improve education in this state. With the funding that has been appropriated by this session, I think they can do a good job.

ASSEMBLYMAN THOMPSON:

I would like to talk a little bit about salaries. In Clark County a starting school teacher, who has a minimum of a bachelors degree in education, that's four years of college, starts out at $14,500 a year. There are a lot of business people here. I have been involved in a union. I was president of the Steel Workers Union and I can tell you for $14,500 a year, you can't get anybody to wash dishes. I can appreciate what my good friend from Washoe County said about collective bargaining and you know we give the school districts the money. But, don't forget they have to try to go back and get that money from the school districts. If the school district doesn't give them the money, this isn't going to get any better.

This time I was very fortunate in that I did not draw an opponent. I don't know why but

it gave me time to really cover my district. When the rest of you were campaigning hard, I went to three different schools in my district and had lunch with the teachers. I represent an area that is probably as diverse as most. Some of you represent an area 40 blocks square say in downtown Reno or Las Vegas. I represent the most industrialized area of the state. I represent an area that probably more closely aligns itself conservatively wise as they do out in the cow counties, and Mesquite, and the valleys as we call them in southern Nevada. I went to schools in each of these areas. They all told me the same thing, "We've got to have some money. We can't live. I am not going to be a teacher. I'm holding two jobs. I had to marry someone who works so we could live."

I had a gentleman in Logandale, which is a farming community, a little area Mr. Banner is familiar with, who told me, "My son is graduating this year with a math background and I told him I would disown him if he became a teacher". I believe he was offered $30,000 a year in private industry. I realize we can't compete with that. I think to be a teacher there is a lot of dedication involved. To me a teacher takes a lot of dedication.

The prison thing. You know, Dr. Sedway had his heart attack and I kind of fell out of the frying pan into the fire because I had served on Ways and Means before and the leadership asked me to take his place. The prison problem has been around here a long time. This hasn't been a problem that came up just last session. When I started in 1981, it was a problem then. I went and visited the prison as a member of the Judiciary Committee, as did the other members, and saw how the prisoners were stacked up in there then. It is a problem that isn't going to go away. I don't pretend to imagine that. I also feel the problem with the teachers is not going to go away. Where are we going to be in two years as attrition goes by and the older teachers retire because we are not attracting new teachers? They are not coming here. A new teacher in California starts out at $19,000 a year. Maybe we can't compete with that. I'm sure we can't. Maybe we have other things to offer and I'm sure we do, but we have to address that problem.

We talked about the political ramifications and who is using who and are we being used. I can tell you freshman when I came up here my first time I really thought I was going to do something. Some of my friends asked what happened to me my first session; I learned a lot of dirty tricks because some people put it on me pretty heavy and the next session a lot of freshmen came to me and said people told me to talk to you about different motions and dirty tricks because these guys got you pretty bad. I left my first session and when I went to run again, I realized I had to answer for what I did. You don't really think about that too much when you are here.

I was confused a bit when the speaker talked about political moves and votes and not who is pushing this or doing the responsible thing. He also talked about a survey that says teachers' retention pay is not a popular issue. I'm sure it's not. I don't doubt for a minute that it is not a popular issue. But for me I think if we don't address the teacher problem, it would be a mistake. I think it is a more serious problem than the prison problem.

I sat on the Ways and Means Committee last session and we made some real good moves to come up with some honor camps to reduce the prison populations. I think that is one way we can do that—an honest way with nonviolent criminals. They can be housed in these camps at a considerably lower cost than $12,000 a year or whatever it is. Maybe we need to expand on that. I think it is a lot cheaper. We bought those housing units from the oil companies in Alaska and they were set up and that is what we are going to use. My first session, they only had the honor camp at the lake and two days before we visited the honor camp a prisoner pulled a knife on the forest service bus driver who was driving the prisoners. The other prisoners beat the heck out of him, took the knife and let the bus driver go. That told me something. We are doing something right there. For those of you who haven't visited the prison, I suggest you go. Everyone here should get locked up at "Max" for just an afternoon. It's an experience. You are going to have those kind of people no matter what we do here. You can't legislate morality.

I say to this, if you don't do something about teachers' pay it will be a mistake. I talked to a teacher recently who told me she started teaching in Clark County at $14,500 a year. She said after the end of this school year she is going back to Ohio to teach because she

will be making $2,000 more a year. She is a good teacher and we lost her. How many more teachers are thinking that way? I think in two years the amount of attrition that could take place within that education system could be great. We can't get special education teachers now for what we pay. If we let this opportunity go by to tell the teachers we want them to stay here and we are willing to put our money where our mouth is, in two years this prison problem won't seem as great compared to the problem we'll have with kids who can't read or write.

I for one, and I think this is an appropriate statement—you can argue with it and we can all talk about politics and say that we are being used—am not afraid to make the tough decision, and I would encourage you all to make that same decision to not put prisons over our kids because that will come back to haunt you.

ASSEMBLYMAN NICHOLAS:

Rather than discuss all of the facets of the issue, I'll try to get to the heart of what is important to many of us. Let me suggest that for myself I will support the bill that is coming for a vote. Second, let me suggest that I'll be a responsible member of the majority party in this body. And, third, I will also seek further refinement of A.B. 554 so that my school teachers are not stricken from the benefits of the bill. Finally, when I participate in the debate dealing with the inevitable compromise of A.B. 554 I will vote for the inclusion of the Kindergarten through 12 teachers in its directions.

ASSEMBLYMAN COFFIN:

I must say that I welcome the presence of our Speaker back on the floor. We've missed him. His eloquence is, I think, renowned and has a reputation that is well deserved for many years in the political wars and we've missed him here. I think because he knows how to turn a phrase better than any of us and speak with conviction and skill, and I salute him for that. I think back on one of the things he said about this being a make-believe world. We are not in the make-believe world, really. I would have to disagree with that because this is the real world. It's the real world of money and people and all the decisions that we make spread out into the real world. It was nice to hear your stream of consciousness here today, Mr. Speaker, on the floor so that it could be delivered to us personally and not to the press through a Monday morning memo. We got it straight and I appreciate that.

There was also talk from our distinguished Speaker about Christmas trees, bills which seem to multiply in size. I would submit to you that A.B. 554, a good bill in its original form, has not only become a Christmas tree, it's as big as a Douglas fir. In the real world Douglas firs are not cut down easily and neither will be A.B. 554 unless people who voted for it originally give it a lot of thought and change their mind.

But, going back to the make-believe world, which our distinguished Speaker has said we are in, I think we could look back 100 years and think about that great author from England, Mary Shelley, who wrote an interesting book which we know as Frankenstein. You know, it's funny how A.B. 554 has become like Frankenstein. You remember the creature created by the good Doctor Frankenstein. He borrowed a part here and part there from dead bodies and he sewed it all together and when he was finished it was a misshapen lump of flesh with no soul and a scar on its forehead. At least that's what the popular movie versions would tell us about it. Really, A.B. 554 has become very much like that. A.B. 554, a good bill in it origination, has had parts taken from all over the state and our budget and grafted onto it. We've got a kidney for the DMV, we've got a heart from the Legislative Counsel Bureau bonuses, and we've got a couple of legs of different sizes for the prisons system—all put together, sewn on A.B. 554, very sloppily.

I would submit to you A.B. 554 has become somewhat like Frankenstein. In fact, however, I think since this bill does not have a father; at least, anyone who would admit to it, I think maybe the bill has become the bastard child of Frankenstein, the monster. A bill without a father except the people foolish enough to vote for it.

ASSEMBLYMAN DUBOIS:

I cannot support the bill because of section 12. I wish to direct my remarks strictly on

point. I don't want to talk about Christmas trees or Frankenstein or anyone else. We are faced in this legislature with priorities, always with priorities. We have need for improvement in our highway system. We have needs for bringing our Aid to Dependent Children program up to par. We have needs in our mental health institutions. Great needs in water management. We certainly have needs in our university system. Needs in our state parks. Needs in Kindergarten through 12 education and needs in our prison system. We even have needs for more guzzlers for the chukars and quail of the state. Everywhere we have needs. Everywhere we have priorities. But, nowhere do we have enough money to go around. Yes, we have been good to education in this session. We can all be proud of that.

The question before this house, the nut of the question, is how do we spend this additional money. Do we spend it on the prison system or do we spend it on teachers? You can say we would spend it on teachers in the form of retention, retoractive pay, recruitment or a bonus. Call it what you may. But I submit to you that industry and business does this as a matter of course. Industry and business gives bonuses not to be generous or kind; they do it to retain the good people that they have. That is what we are doing here. I believe that the need for teachers at this point in time supercedes the need for more prison capacity.

That is the bottom line choice we have to make in this house today. Do you believe we can improve the quality of education? Do you believe we can better the well being of the teachers? Do you believe we can hold on to the better quality teachers through this or do you think we need a prison system. I know where I stand on this problem. For the rest of you the choice is yours.

ASSEMBLYMAN SADER:

We have heard now, last night and today, general discussion on A.B. 554. Yet, much of what we have heard has not been on the bill itself. We've heard budget, funding and taxing issues largely having to do with the budget itself but not on the issue of what we do with the surplus which currently exists. We've heard a diatribe about the governor, we've heard several of those. We've heard the Speaker's view of political life in the legislature. But, we haven't heard in specific from all but a few speakers what we are actually concerned with in A.B. 554.

I take my hat off to Mr. Beyer in support of the bill and Mr. DuBois in opposition. They were eloquent statements specifically on the bill. I see what we are doing right now this morning as the end of the opening shot on this issue. As the day unfolds we'll see how the Senate deals with this issue. We will undoubtedly see some sort of compromise suggested. We'll see, I hope, some movement by those who are prepared to vote for this issue to "further refinement" of this issue as my colleague from Incline Village states. Hopefully, we will see by the end of the day some form that the majority of us here can vote on which will give a retention pay to teachers. I hope we don't leave without that happening.

What we are doing here with the yes votes we'll see on the board on this first opening shot is a statement by the Assembly leadership of where their priorities are on this issue. That will be a clear statement. We heard it clearly last night. The issue is the use of budget surplus for either retention pay for teachers or for prison construction. The issue is in funding enhancements for state employees and university employees, which we are agreeing to do with this bill, but not for teachers. Where are our priorities? I understand when the Speaker says that he has been opposed to retroactive pay for teachers since the opening bell. I think he's made that clear and it should be no surprise as he stands today that he enunciates that position articulately.

What is a surprise to many of us is that he has 21 votes to go along with him today. That is a surprise. In discussing the pros and cons of this issue, and there are many cons, we come late in the session to a very hurried amendment considered quickly on the floor without discussion or debate in the form of hearings on such a major issue. Many of us have questioned the motivation behind those and I don't really want to get into that. I want to talk about the motivation and the priorities that leads me and those of us that oppose this bill to state our opposition. Motivation there lies in the emphasis and desire to enhance education in the State of Nevada. Education in the State of Nevada is only as good as the people in the system. They are the engine of education and money is the gas for the

engine. We take pride, I think, almost unanimously in the way we have funded education in the future budget. We've heard much about it in debate on this issue but that's not the question in this issue. We're talking about budget surplus, not future spending when we talk about A.B. 554. We talk about the three groups that this body decides to fund and the level of funding we will make for those groups in the next two years—teachers, university employees, and state employees.

There has been a distinction made for teachers saying that somehow they are different because they have a collective bargaining process. And that somehow the collective bargaining process should take care of them. This is a hollow argument. Hollow for two reasons. First, as the chairman of Ways and Means Committee admitted last night we haven't funded the money for a surplus to be negotiated. How can you negotiate bonus pay unless you have given them the money to do so. Yes, we have funded increases for a new budget for the school districts for the next two years for bonuses, the 15 percent and that's as it should be. We've done it for the other two groups also.

Note, for instance, the language in SB 121 and SB 574. SB 121 is an appropriation for equipment for school systems. A.B. 574 or maybe A.B. 514 is for programs. Both of those bills specifically state that the money cannot be used for teacher negotiations on salaries. We've made clear what we are going to give the school districts.

If you want to talk about history, let's talk about two years ago. All of us who were here remember the promises we made to state employees and school employees at that time when we didn't have the money to fund increases. We promised that, if the money materialized in the future, we would remember that they bit the bullet two years ago. Now is the time to remember and we are remembering for the state employees. But we are not remembering for the teachers. We get back then to the priorities and to the real reason, I think, those of us who oppose this bill will state our opposition.

We know that the people, in general, want to see improvement in education. We made those campaign promises. We stated them many times. We know that in everything in the system, the most important part of the system is the teacher, the motivation, the interest, the enthusiasm to be good at what the teacher does. That is very difficult to do in the demoralized atmosphere of feeling you are underpaid and undervalued in the system. We are making a statement with this bill and the statement is of the three groups that we have the responsibility to fund, university employees, state employees and teachers, the one group on the bottom is the teachers. That is why I oppose this bill.

ASSEMBLYMAN HUMKE:

I rise to unqualifiedly speak in favor of A.B. 554. I'll try to confine my remarks to the bill. Many points have been made. We've had talk of Christmas trees, Frankensteins and other objects. We've also heard talk about political slogans. Kids versus cons is one we heard quite early in Ways and Means Committee, emanating from the executive branch, in particular. Kids versus cons is not just an easy catch phrase. We also heard remarks, not made officially on this floor last night, but from the gallery behind me saying there were more votes in doing something for schools than in doing something for prisons. Ladies and gentlemen, if you feel that way then shame on you. I have been both a teacher and worked in corrections. I feel I have some background with which to speak on this issue because it deals impliedly with both prisons and education.

On February 16 of this year, as we began our work in the Ways and Means Committee, the prison at Indian Springs had a near riot. I decided at that time, personally, I had to be able to sleep at night. That is, I had to participate in funding the prison system adequately so that we could protect, first of all, our state employees who work in those prisons; secondly, the public who may reside in the vicinity of prisons; and, thirdly, yes, the inmates that reside in those prisons. They deserve to be protected, too.

A few years ago, a sister state, New Mexico, had a full scale prison riot. There were scores of people murdered. There were all sorts of instances related in the press about the depths of man's inhumanity to man. I have to be able to sleep at night to know that all of our prisons are safe for all the groups I mentioned before. It is easy to say that school children, teachers and parents are more important than prisons. That is easy to say, that is not easy for me to say.

Now to reiterate on a few points about the three employee groups that are impliedly dealt with in A.B. 554. Once again, we are State of Nevada elected officials. We make the policy and we make the appropriations for the state. We deal directly with state employees and with university faculty and staff. But the State of Nevada, by statute, makes a grant to our school districts through our distributive school fund by a fund of money. School district employees negotiate with school districts for their salaries. You can say this is an arms length relationship. You could also say that faculty and staff have a second bite at the apple, also. Your Ways and Means Committee and the Senate Finance Committee have passed appropriations for Kindergarten through 12th grade education totaling $727.2 million. Of this money, it is conceivable that $138 million could be considered in a category that can be bargained for by employees of the school districts. Do we need to draw a picture? I don't know if this bill will change in a conference committee, as my colleague to my immediate left has suggested, I do know that teachers have the capacity to get a 5.5 percent retention pay through the school districts. The money is there. Remarks have been related to me from behind me and in the halls of this building that school district representatives do not like the burden that has been placed upon them to negotiate for certain pay items for state employees. They consider this legislative body will be placing that more heavily on them. This relates to a matter of local control. School boards and administrators simply can't have it both ways.

Your Ways and Means Committee was told by school districts that we should not alter their equipment requests of $12 million for equipment and other critical needs in favor of a plan that would reduce class size because, although education experts appearing before that committee agree that lowering class size in grades 1, 2, and 3 is most critical, they argued that this should be subject to local control. Your Ways and Means Committee asked school districts in January of this year if they would mind not allowing the $22 million fund established in two separate bills intended for equipment and critical needs such as specialized teacher training to ever be placed in a category for salary negotiations. This is all we asked of the school districts. Twenty-two million dollars out of $727.2 million and the school districts agreed. In Jaunary of 1985, the teacher unions and the school board association sent notice to each member of this body that it was okay to give retro pay to teachers. They did not feel this would be a disturbance or an interference with the contractual relationship. I do feel it would be an interference. I do not agree with that. If you make a contract, you live with it. We all do that in business everyday and in our consumer relationships with business entities.

Again, people in the school districts, school boards and administrators cannot have it both ways. School districts have to bargain, they have to manage and they have to have the backbone to do their jobs. In conclusion, there is no need for this state to spend money like drunken sailors. The $12 million account created by A.B. 554 is a savings account. This is surplus tax money. The question arises, did we tax too high? You all have a savings account at home. The State of Nevada should have one, too. This savings account of surplus tax revenue is a down payment on preventing a general tax increase in 1987.

ASSEMBLYMAN WILLIAMS:

I rise in opposition to this bill. The first thing I would like to address are some statements that were made about owing to special interest groups. Like everybody in this room, I walked my district and knocked on doors. That is an accurate statement—I do owe to special interest groups. I owe to a special interest group that is called District 10 in Clark County. People in my district, whether they be parent or grandparent want quality education for their children. That is the only special interest group I owe anything to. I want to make that clear.

I have heard a lot of talk about all the money going into education. We also need to reiterate this. The chairman of our Ways and Means Committee last night admitted there was no room for negotiation, no latitude in the money for teachers in the appropriation; the enormous millions of dollars that have been appropriated for education. That money does not include latitude for teachers.

As for my distinguished colleague from Washoe County regarding prison riots, I would like to suggest to him that from my educational background it doesn't matter how many prisons you build, you will never stop prison riots. Prison riots are part of the lifestyle that goes on within those institutions. So to suggest that by putting $12.5 million aside for future prisons you are going to be safer sleeping at night is an auspicious argument from my point of view.

I would like to talk a little bit about the brain drain. I think I have a little expertise in this area since I spent many years in higher education. I submit to you that we need to shore up and strengthen and enhance, not only the quality of our teachers but the morale of our teachers in Kindergarten through 12, or the result will be mediocre students entering our higher education system. None of us want to have mediocrity in education. I submit to you that before long those children that we are talking about today that will be the products of those teachers will be sitting in our seats in this chamber. Who do we want sitting in these seats? Do we want the brightest and the best? I do. I would hope that everybody in here that wants the brightest and the best will understand that when these young people get to college they need to know how to write an essay that is more than one sentence, that is punctuated, that has content, that has comprehension. We will not have that unless we make sure that we can retain the quality teachers we have and we can recruit new quality teachers so that we can compete with the other states. We are already facing problems in this area. I urge you to consider all of these things very carefully. I urge you to vote no on this.

ASSEMBLYMAN TEBBS:

At the risk of breaking my personal code of silence, I feel compelled to stand and express some of my feelings and comments on this issue. First of all, our colleague from Henderson commented that retention pay would help us in recruiting new teachers. I would submit to this body that retention pay does not help us in recruiting new teachers but an increase of possibly 15 percent does. Second, we have heard comments on the floor today that we have not heard sufficient testimony or, specifically, testimony on the amendment to A.B. 554.

As a member of the Ways and Means Committee, I can truthfully say that throughout our hearings we were told by a number of people a number of times of the urgent need for a new prison. We have already heard sufficient and persuasive testimony in support of the money going in this direction and I support it.

Finally, there seems to be some confusion as to what this bill addresses. Again, in my humble and freshman opinion, A.B. 554, as amended, addresses very well an aid in solving the issues of education, taxation and the safety of our children.

In conclusion, I hope when we consider voting on this bill that we will consider not only the teacher, not only our respective political party, or our respective political leader, as has been so challenged, but we will consider one group of people as a whole, and that is the citizens of the State of Nevada. I will support A.B. 554 in its amended version because, in my opinion, we are addressing through this bill the needs of Nevadans as a whole.

ASSEMBLYMAN FRANCIS:

I would like to commend everyone for keeping such an orderly house. I know a lot of us have bared our souls and said how we really feel. I would like to touch upon one subject that hasn't been talked about enough. Mr. Thompson has talked about how he didn't have an opponent during the last election and he visited schools and teachers. Well, maybe if he had had an opportunity to walk his district he would have talked to taxpayers out there. I can tell you that people in my district, as I walked and knocked on every door twice, told me enough is enough. My esteemed colleague from Gardnerville touched on the sunset taxes. Yes, that was a breach of faith. But I bit the bullet. I supported those sunset taxes. I also supported the 3 cents for the indigent care. I also supported 2 cents for flood control because I knew that was what needed to be done.

But I can say right now that the taxpayers won't buy retroactive or retention pay. They said to me enough is enough. A lot of us campaigned on education and keeping the taxes low, too. We did what we campaigned on. We kept our promise. We increased money for education like we never have before. I kept my campaign promise. But I also promised to keep taxes low. Not only for this session, but for next session. The logic is not there for the retention pay. The logic is sound in this bill, A.B. 554, as amended.

As I talked to teachers in my district they told me they were tired of being a political commodity. They want a pay raise. We gave them a pay raise. That is the responsible thing to do. And this bill, as amended, is responsible. It is unfortunate to be put in a position, Democrats and Republicans, alike of having to make this type of choice. I would remind this body that Question 12 is still looming out there. I'm going to remind this body what the vote was; yes for Question 12, 132,688 people versus no, 143,874. If we spend money like drunken sailors, as my distinguished colleague from Washoe County says, what will that vote be next time.

Mr. Coffin, you can talk about a Frankenstein out there but I submit to you if we don't do the responsible thing the Frankenstein out there is going to be the taxpayer.

ASSEMBLYMAN THOMPSON:

I believe the esteemed majority leader is breaching the rules by referring to the members of this house by their name rather than by their district number. I listen to my colleague say that I didn't walk my district. I didn't walk all of it but I talked to a lot of people. I think he thinks I didn't walk it just like he didn't know the esteemed majority leader from the Senate was in the room last night when he accused him of coming up with this plan.

My colleague said that the taxpayers won't buy retention pay. What makes you think they are going to buy retention pay for the university employees and the state employees and not the teacher. I frankly don't see the difference. You say they are different because of collective bargaining. Not all teachers belong to the teachers union. As a matter of fact, the majority do not. The majority of the teachers in Clark and Washoe Counties do not belong to the teachers association. I don't see what the difference is. I understand the political ramifications, but the majority of those people do not belong. If we provide money for those pay increases that doesn't automatically give it to them. As a matter of fact, my first session was in 1981 and we did give school districts the right to allow for teacher pay increases. They didn't get it though. They negotiated but they didn't get it. This doesn't guarantee anything. I think the mere fact that we are providing it for the state employees, and the university professors it should be also for the school teachers. I think there is a bigger demonstrated need there than there is for other groups. I think the priority is higher. I'm for the state employees and the university professionals, but I don't think that the taxpayer is going to buy giving it to two groups and not the other one.

ASSEMBLYMAN COFFIN:

This is a point of personal privilege when your name is mentioned in debate. To be very brief, responding to the Frankenstein issue. It has risen its ugly head again. We apparently have found fathers for the ugly monster in this room. I should remind those who are here that in the end the monster ate its creator.

ASSEMBLYMAN GETTO:

I would like to point out the situation I was in last night. It was probably one of the worst that I have been involved with in this legislature. Beside me sat my wife who is a school teacher and a member of the association. I was torn. Not because my wife is a school teacher, and because of her salary; I was torn about the position I placed my wife in. I thought about that a long time. I apologized to her very sincerely afterward. I had to think about the responsibility to the State of Nevada and to the taxpayers and to the kids.

There has been a lot of rhetoric here today, but I think we have acted responsibly to provide proper funding that is needed. I wish we could do more without raising taxes. We

have acted responsibly for the employees of this state and we have acted responsibly for higher education. I would like to point out that I was here when the negotiations act was passed for people in education and that took it completely out of the hands of the legislature. It placed the responsibility squarely on the school district and most of you state that you believe in local control.

I would also like to say that we can go away from here sometimes funding a certain percentage for education and then when it came to reality, and in one particular instance when state employees were funded at 7 or 8 percent, the education group went back and over 50 percent of the group negotiated a 27 percent increase. That was not funded but it was handled. I will say that when we leave here the money will be there and each district will negotiate what they have to to provide adequate funding for adequate salaries for their teachers. I certainly support teachers.

ASSEMBLYMAN O'DONNELL:

I was one of those who worked on this program very early in the session. Last night I agonized over this issue. I've had nightmares over this issue. I woke up in a cold sweat in this issue and said, "My God, they are going to put the prison at South Fork". I realized it was only a dream. The reason why I drafted or helped to draft this proposal was for equity. I realized that the state employees were on a different payroll schedule than the university professors and the school teachers. I asked myself what are we going to do in two years. Are we going to say we didn't give the teachers a raise for four years now so we won't give the state employees any money and we won't give the university employees any money, we'll give it all to the teachers. That is exactly the opposite of the desire of this legislator for this proposal. Equity was the issue. We are giving retention pay to university professors; we are giving retention pay for state employees and we are not giving it to the teachers.

Let me address the surplus, something that has not been discussed in all of the discussion this morning. Our surplus last year was based on a 5 3/4 percent sales tax. In 1981 and 1982, when we had a shift from the property tax to a sales tax the entire economy of the nation went down. Interest rates were at an all time high. The marginal propensity to save was at an all time high. We saved more money; we did not spend it. We did not use it in tourism or gambling.

In 1983, we had a deficit. We had to raise property taxes in order to accommodate the needs of this state. Since that time the economy of the nation has turned around. Interest rates have gone down. Money is freer than ever before. M-1 is up. We have more discretionary dollars. We have more tourism and more gaming and more revenue.

Three Fridays ago the interest rate went down even farther. It is now at 10 percent and will probably go down even further meaning that the marginal propensity to consume will be higher. We'll have more tourism and more gaming. Our economy in the State of Nevada lags by about six months to a year. I can only assume that only keeping all the taxes we have on the books, keeping the 5 3/4 percent on the books we will have more surplus next year and the following year than ever before. The idea behind retention pay was to equally distribute the money fairly to the three groups. Then no more. This legislator did not approve of or endorse retroactive pay raises for any group. Retention will be a thing of the past if we treat each individual group equitably. Retroactive pay will be a thing of the past. In 1987 we will be able to fund a prison for this state out of cash dollars. If you have kids in school as I do I hope you feel comfortable and secure knowing that each teacher that sits in a classroom is feeling ecstatic knowing they were treated fairly and equitably.

ASSEMBLYMAN HORNE:

I am appreciative of my colleague from Washoe County, District 32, for attempting to bring into focus the real issue at hand. He is highly respected by myself in many of his judgments and I would like to address this bill from that perspective.

The real issue is what is the responsible thing to do with these funds that we are addressing. We have already responsibly increased the salaries, or at least proposed that

increase, which is essential. What is the responsible thing now to do with those funds that are being discussed? Is it a bonus to teachers Kindergarten through 12 which will have a questionable effect on the quality of education. I defy anyone to show, and I will present evidence to negate that that will have any significance on the quality of education, or is it responsible to use it as an investment to reduce the probability of a future significant tax increase. From the taxpayer's perspective I can tell you, as a taxpayer, the latter would be the responsible thing.

Let us now focus on the question, and I believe it is a sincere desire of the members of this body, to address the use of this money to effect the quality of education. I would submit to you that there is an erroneous assumption in all of the dialogue that I have heard here last night and today, and with all of the discussion with regard to this issue, that money is the ultimate motivator for excellence in performance. I ask each of you here, why are you here? What brought you to this place to be used and abused, to make hard decisions? Did you come here for the money? Is that why you are here? Is that what motivated you? Hardly. The answer is quite clear. I suggest that legislators and teachers share a commonality in several aspects of this discussion. Money is not the ultimate motivator.

I will submit to you some research data entitled, "Political myths about performance in teaching." Myth number one is entitled, "Pay teachers more and they will teach better". I, again, remind us that we are not talking about the salary levels, essentially, in this particular discussion. We have already addressed that and in our view, collectively, it is essential that we increase, as we are able, those salary levels to a competitive and respectable level. However, when we make the judgment as to whether a bonus will be effective we need to consider some of these elements.

From this data we read, "For most teachers, the rewards of teaching are not at all extrinsic. Teachers, instead, value the intrinsic, psychic rewards that come from students academic accomplishments and from confidence in their own ability to help students learn. Teachers seem motivated to change only when they believe that the attempt will enhance their effectiveness with students." Will a bonus accomplish that? Higher pay is unlikely to promote better professional performance. Teachers unstintingly put forth effort insofar as the professional rewards of their work outweigh the frustrations. Will a bonus alleviate that?

First, intrinsic rewards, and not salary, may be the primary motivators of better performance in teaching. A low salary can discourage from entering or remaining in the teaching profession. We recognize that and have addressed it. But higher pay alone will not lean to better teaching. It is, therefore, important for policy making to explore other factors influencing teachers' job performance and satisfaction. For all the teachers interviewed, reaching students was most important in making them feel good about their jobs. There has been much discussion about motivation, about what it is that causes people to perform in an excellent manner. My colleague from Washoe County's remarks motivated my response because I think it is an inherent and erroneous assumption. His remarks were, "Money is the gas for the engine. That quality education depends on money". I submit to each and everyone of you that that which motivates a sincere and intent legislator is the same as that which motivates a sincere teacher. That is the opportunity to effect some improvement in the quality of those whom we serve and in order to do that we must act responsibly and in the best interest of those whom we serve.

Again, I think it needs to be said and brought into perspective another commonality that we share as legislators with the teachers in this issue. We have both been used by administrators. If you will, in fact, review the scenario that we have before us, the executive branch has orchestrated this scenario for whatever purpose. That is why we are here debating the issue. On the other hand, the administrators have said, "If you will fund this bonus, it will make our job easier". What is the responsible thing to do—it is to utilize those monies in the most effective manner to bring about the purposes of the citizens of this state and in their best interest? Let us please consider the reality of the issue. Is it money that motivates the quality of education?

ASSEMBLYMAN ZIMMER:

I would like to agree with my good friend and colleague from Las Vegas. There is not enough money to go around. This bill is an honest approach to a decision this body has to make. The issue is, do we set aside $12.5 million for a prison in which we all agree we need, or do we spend the money on a bonus for our teachers and raise taxes in two years for that prison.

I disagree with my colleague from Sparks. We do not decide the level of funding for our teachers. We have provided ample funds to the individual school districts. I have a great deal of respect and admiration for our teachers. I know the respective school districts will give them generous raises. But, why is it that so many feel if you have money you must spend it. What on earth is wrong with saving money? What is wrong with putting money away for a prison we know we are going to have and saving the taxpayer future increases? This bill is prudent. This bill is responsible. This is a conservative approach and I support it.

ASSEMBLYMAN CRADDOCK:

I have a way of getting somewhat emotional when we talk about the young people of this state. I have experienced some things that some of you probably have not. Hopefully, that is true. I will never forget my most vivid formal education experience which was being rapped over the knuckles with a ruler because I insisted upon using the wrong hand, but I still do. Nobody won that battle.

We have heard an adequate demonstration here today that some are trying to put this bill together in a hodgepodge that we now affectionately call A.B. 554. I wish to make one point clear that the Masons Manual Rule 729.1, as well as Section 10, Article 4 of the Constitution, would clearly tell us that this bill is out of line in the first place. I hope that the Senate will, at least, pick up on what we are saying to the point that they would tear this thing apart and send it to us in pieces that we can at least discuss it.

We have talked about education funding for a number of years around here. I picked up a comprehensive program review which is called, "Agenda for excellence and academic planning" from UNR dated February 16, 1983. I would invite your attention to it if you haven't read it because one of the things it says is "until this program has been approved, no students will be admitted to the undergraduate program in education". What we are talking about is the College of Education at UNR with about two years of satisfactory operating history. I would submit to you the College of Education at UNLV is probably not much better, if any. I'll leave that to the judgment of the educators.

I'd like to visit an orange grove for just a jiffy for the purpose of making my point. We have a healthy orange grove and it is loaded with fruit and the price is low. That is the good old free enterprise system at work—supply and demand. All of a sudden we have a freeze and the oranges become scarce and the price goes up. That, again, is free enterprise. But imagine, if you will, that the grove freezes and we have no oranges. It doesn't make any difference how much money you have, you can't buy oranges if they are not there. If we don't have people entering the College of Education we will not be able to hire them at any price. We may find ourselves in the position where we must pay teachers more than we truly believe they deserve. If that be the case, so be it. We have to get bright young people interested in education and into the College of Education no matter what it costs us. We are in an emergency situation, not only in the State of Nevada, but nationwide. We are out of teachers. Our teachers in the State of Nevada average about 43 years of age and they are retiring.

We've talked about an education enhancement program and we've talked about putting a rather extensive amount of money into lowering the teacher pupil ratio. The Committees on Education and Ways and Means had materials submitted that indicated that until you lower the teacher-student ratio below 18 to 1, you really haven't made any substantial change in the productivity as it relates to the teacher's capabilities of educating young people. I like the idea of lowering the student-teacher ratio. But in the so called technical review committee of education, we did not find that to be the most effective way to go.

We've had a lot of posturing on this floor. I guess I'm relatively unique in that I'm here with the blessing of each and every one of you, singularly and collectively, and the last thing that I want to do is embarrass or say anything that would degradate the process that got me here and certainly I don't intend to say anything to degradate the people that got me here. I do tell you survive or not I came here with one commitment to the people that I represent and that is to do the best I can with the best information available to me as I see it. I will not allow any sideline information to interfere with that and if the people who elected me don't like it they know exactly what they can do about it and they almost did last time. I'm not implying by any means that the people that I represent are stupid. After all, they've been smart enough to elect me 7 times.

I will submit to you that there is a vast difference between ignorance and stupidity. Ignorance is basically the lack of information and lack of knowledge. The people that you represent don't have access to the information that you have. You have an obligation to them to do for them what you believe to be the best with the information you have. If I can't do a few things that I think are worthwhile, spare me the agony.

ASSEMBLYMAN SWAIN:

I went home last night feeling depressed. Feeling appropriately enough that I had been trampled by a herd of elephants. During the course of night got further trampled by a herd of small babies answering to the name of Shawn. In some ways I am feeling a little bit unreal and kind of like I'm in a make believe world this morning—the same one that my colleague from Elko referred to.

I think that we as legislators have to remember that we have a very real impact on the everyday lives of everyone in this state. With the press of a button we raise or lower pensions, mandate continuing education for this profession or that, and raise or lower the salaries of the people of this state according to the fluctuating levels of the state coffers.

My colleague from Elko says that the things that seemed important in Carson City just aren't that important in the real world. I have to disagree with that. If you are truly in tune with your own priorities and you have them in the correct order, I think you really know what is more or less important. If you are truly in tune with what the people of this state actually care about then you must know that education is the highest public priority. Our children are our future and let's not cheat those children out of the education they deserve. Let's not give our teachers the message they are merely tools to be manipulated by the whims of whatever the latest "sexy" political issue the majority party happens to favor today.

As a member of the Education Committee, I can honestly say that the message has been made clear to me. Our teachers have been very patient. They have continued in their profession out of the belief that they serve the future and in so doing they fulfill themselves. They certainly do not continue in their profession for the lucrative pay anymore than we as legislators participate in this process for the monetary benefits as has already been pointed out. I guarantee you that they will not continue to serve as they have if we treat them with as little respect as is implicit in A.B. 554.

This particular bill, as amended, is clearly intended as a slap in the face to teachers. We have, I hope, in this session made strides towards correcting the inequities in teacher's salaries which is making it increasingly difficult to attract and retain talented teachers. We have also in this session supported equally excellent education throughout the state. Even in small rural communities where the lack of population makes that prospect extremely difficult and indeed questionable fiscally. We heard testimony in the Education Committee which indicated we have barely seen the tip of the iceberg in terms of future problems in this area. Retention of our current teachers and attraction of bright new teachers are going to be the major issues in education in the immediate future.

I submit to you that the addressing of this particular issue is in the best interest of the taxpayers of this state and they know it and agree. Let's not cover up one issue with yet another and simply walk away expecting to get off scot-free because I guarantee you that won't happen.

ASSEMBLYMAN JEFFREY:

I rise in opposition to this bill. The way this whole thing came about is really rather unfortunate and the results I think we are going to feel for some time. The amendment to A.B. 554 that was placed last night did more than cut the teachers out of retroactive, or bonus or retention scheme as far as pay increases are concerned. It set one employee group against another and basically did the same thing with us right here in this body. Even within the same party.

I said last night and I think it needs to be said today that as far as I'm concerned this issue is teacher morale. I, like my friend from Sunrise Manor, remember some of the experiences in Kindergarten through 12 and still remember some of the teachers I had at that time. Without their direction, I don't know where I would be today. But there is even a deeper problem here than retroactive pay. That is that the teachers in this state feel the legislature is treating them as second class citizens, primarly because of this issue.

I had a call this morning from a special education teacher in my district. I've known her for 15 years and I know that while she has taught school for those 15 plus years because she taught before I met her, she has always held at least two jobs. She is not married.

I think we all made a mistake in thinking teachers are like they were 50 years ago—all women, spinster type with no real financial responsibilities and teach because they love children and have a great deal of dedication. I think there are a lot of people in the school systems that are just that way. I think we are driving them out. Dedication is wonderful. It doesn't pay a mortgage payment.

I had contact with another person in my district that had a great influence on my life when I went to high school in Henderson. He is philosophically opposed to retroactive pay. But, he is very upset with the way teachers have been treated this session and the way they have been made the brunt of an attack on the administration. By the way he is a Republican, or I should say, was a Republican. He has since changed his registration.

I can only say to the comments we heard earlier that we all have to go back and face our constituents. I've been doing that for 12 years. I'm out of step philosophically with some people in my district and they know it. Some of them support me anyway and some don't. Of course, that's their choice and that's the political process. When the majority don't agree with me and feel strongly to do something about it, none of you will have to listen to me. But until that time comes, I vote my conscience and my philosophy as I have for the 16 years I've been in politics. I've never had a problem explaining that to anybody in my district. They may not agree with me but hopefully the agreements outweigh the disagreements. They have so far.

I believe this whole issue came about because some people had an opposition philosophically to retro pay. I understand that and I don't argue with it. If that's the problem then those people that are deeply committed philosophically to any kind of bonus or retro pay should certainly support this bill. I don't think that is what is happening here today. I can only say that if all of you vote your conscience on this issue, you'll certainly have no problem with me. The people that have known me for the years I've been here know that we can be friends and still disagree agreeably and work together on the issues we can come together on. I think we've found that through this and other sessions. But if you've voting in favor of this proposal because you're at the direction of someone else, you're not only going to have a tough time facing your constituents over this issue, but you're going to have a tough time facing yourself after today.

I think the prisons became an issue here because prisons are a popular place to spend the money to avoid retro pay. When I polled my district and walked door to door, there were two issues that people were very concerned about. Actually, there were three and the third was flood control. I think we've handled that this session. At least, got a start. The other issues were education, number one, and prisons in my district were not a big issue. However, county wide, I believe, crime and issues relating to crime are a big issue. Not only in my district, but statewide.

I would also like to say that as far as the accusation that the governor withheld the budget information from us to keep everything a secret, those of us involved in the

political process know this is nothing new. The budget is always revealed to the legislature at the same time it is revealed to the general population during the State of the State address. We had similar problems in other administrations from both parties where the governor wants to keep his programs under wrap so that he can reveal them to the public and press at the same time. That causes us some problems, I agree. But, regardless of who is in office I don't look for a change in that regard.

Most of us ran on a platform of quality education. Education was the number one priority for the administration, as well as District 22 that I represent. The administration has said from the beginning that other programs may have to suffer in order that our children receive a quality education. We heard it from various state agencies before the Ways and Means Committee and I'm sure that all of you whether you are on that committee or not have heard the same thing.

I submit to you that the best way to keep our prison population down is to provide quality education for our children along with those other programs that make responsible citizens of our children. Governor O'Callaghan said many years ago when he was governor that it is much cheaper to provide education and programs for our children than it is to put them in prison. I think we have that kind of a choice here today.

To those that say the teachers have a right to bargain collectively for the increases that were provided in the Distributive School Fund, I can only tell you that when the state employees received a 1 1/2 percent pay increase when the triggers were met that the Clark County teachers did not receive one dime. Why? They were covered under a collective bargaining agreement. I heard figures and I cannot swear that these are accurate that we have many long time teachers in Clark County and if I heard the figures correctly that about 38 percent of those received no step increases, no increases of any kind, where other employees did receive the 5 percent step increase.

To my colleague from Las Vegas that said better paid does not make better teachers, I agree. Money alone does not make the difference. But, I have to tell you that a science teacher in a high school in my district called me a long time before we came up here and told me that he had a son that had the same kind of ambition that he had with the same general math and science background. Everybody knows those areas are the most important especially in this age of high technology. When his son wanted to become a teacher, his father had to discourage him. Why? Because this teacher is raising a fairly large family on an income that in many areas would be an entry level income.

These are the people I'm concerned about. It's easy to say we've got good teachers in school and no matter what we do to them they will stay. That is probably true. In the case of the high school teachers that taught me, many of them are still there. There is no doubt in my mind they are going to stay until they retire. But, if we don't recruit people right out of high school with some encouragement and treat them the way they should be treated, the way we expect anybody in any profession to be treated, then they are not going to become teachers. The ones that are already trained are pretty well stuck. The teacher I talked to this morning with over 15 years experience as a special education teacher, an excellent teacher, who tends bar at night to make a living, is going to stay in the school system. At least for a while. These people, for the most part, that have been in the system for a long time are going to stay. Who is going to replace them?

We have a saying in the construction trades that when we have a job that takes a lot of people and we have trouble supplying well-trained qualified people, we get down to the "weak, lame and lazy". We make a joke of it but it's really not funny. I think we are rapidly coming to the same point with this kind of proposal.

I have here a sheet that was given to me this morning and I think it nails down the issue pretty well. The money that is already in the Distributive School Fund is there because the income was up in the last biennium and a surplus was created. That money currently earmarked for education was placed on a bill to continue the insurance premium tax and give back pay as a reward for sacrificing any pay raises during difficult times to state workers and university employees while refusing to reward teachers even though the money is already there.

This money is proposed to spend $12.5 million on prisons, even though there have been

no hearings, no tesitmony of immediate need and no plan for spending the money. I would like to say that the Ways and Means Committee this session has appropriated money for honor camps. The prison people I talked to said we can meet the need in the next biennium with these honor camps. In my view, these honor camps are much better than a medium or maximum security prison because we are putting these people out to work for the community. There is much work in the rural areas that these honor camp prisoners can do that will be productive and beneficial to the state. Again, this sheet goes on to say that the argument is that because teachers negotiate they can get more money than the 11 and 3 percent appropriated. But these people forget that not all teachers, administrators, nor classified school district employees negotiate contracts. There are school districts in the state that are not under a collective bargaining agreement.

In past negotiations, teachers have willingly or unwillingly given up pay increases to reduce class size, fund new programs, or pay for fixed costs which have risen faster than appropriations. Increases have never been automatic. Again, even though the money may be there they are under a collective bargaining agreement and this money is not always turned over. By providing an 11 and 3 percent increase to state and university employees, plus a reward for past sacrifice, they have guaranteed that teachers will fall behind other workers even though all three groups need the increases.

In February, the Speaker announced there would be no retroactive pay increases for teachers, no way to reward them for two years of sacrifice. He said it would be shown why retro was a bad idea. All major newspapers and editorials blasted the plan then. Channel 3 in Las Vegas said on February 22nd, "Well, Mr. Bilyeu, it appears it is not only amateur hour in the legislature, it's anti-education time. Your attack on retoractive pay for school teachers was an act of pure stupidity". That is not my quote. I want to disclaim that.

In the months to follow, the Speaker has never shown a single reason why teachers should not receive the same recognition given to other employees. Two months after the Channel 3 editorial, the Las Vegas Sun still felt it necessary to state on April 19, "The partisan attacks and stick togetherness have got to stop with retroactive teacher pay. It's time the legislators looked at issues instead of party lines." Even now, 100 days after the Speaker said his reasons would soon be apparent, no reason has yet been given.

I have to say that the thing I agonized over this issue more than any other is the fact that we have more than one employee group involved here and as a person that has always been a strong supporter of all these groups, it appears, at least, that I have to choose sides. I will not choose one group over another. This issue has yet to be resolved. But I think this is a bad proposition that treats teachers unfairly.

I know my colleague from Washoe County talked about the little catch phrase that is going around the hall, but I can tell you this is one legislator that will not put "cons before kids".

ASSEMBLYMAN STONE:

I had not intended to speak on this issue this morning. We came here 130 and some odd days ago, 42 different people representing 42 different districts with 42 different agendas. During the course of those 130 days we have gotten to know each other. Frankly, as one who had been here before I wondered about some of you. What you were going to be like. Some of you, lo and behold, wound up on a committee I was chairing and I wondered about you even more seriously than I had previously. During the course of the session, I believe we have developed a mutual respect for each other.

My colleague from District 10 and I are philosophically miles apart. Yet I share a great respect and affection for her. My colleague from District 32, even though we represent part of the same city, have never known each other very well. During the course of this session, we have come to know each other very well. And I have great respect and admiration for him. My colleague from District 22, last session's majority leader and my chairman on Commerce, has always treated me with the utmost fairness; has always been willing to discuss issues with me; and I have great admiration for him and his abilities.

Yet, there comes a time in every session when the hard decisions have to be made. I, for one, knew it was coming in this session. And I, for one, knew this was the issue. I dreaded

it. I sat here last night during the debate and I agonized. I will compare my voting record this session for the working men and women in this state with anybody in this body. I think you'll find I have almost always voted for the working men and women in this state, whether it was prevailing wage or a SIIS matter. I voted for what I felt was in the best interest of the working men and women of this state.

I had that in mind last night when this issue was brought forward. I had no advance notice as did anybody else that it was going to come forward in this manner. When I left here last night I was very uncomfortable with the decision I had made. When I woke up this morning and started to think through this, I became more comfortable with the decision.

As the chairman of the Judiciary Committee for this session, we've dealt with a lot of thought on crime issues. We've passed a lot of tough on crime bills. The governor has signed those bills. Those bills mean an added burden for the prison system of this state. The people of this state have always told me when I was running, that crime was one of the top two or three issues on their agenda. They want us to be tough on criminals. I've always responded to that with "I agree", but you've got to recognize the fact, Mr. and Mrs. Constituent, that justice is not free and it's not cheap. Prisons are not cheap. They are not cheap to build and not cheap to run. Honor camps are not cheap. The vast majority of the prison population, quite frankly, I don't want in an honor camp. Those who qualify should go there—it's a cheaper way of housing them. But that does not include the vast majority of prisoners in our prison system.

There was testimony by former director, Housewright, that some of his prisons are operating right now at 180 percent of capacity. They are right at the guidelines established by the federal courts in a lawsuit several years ago. The honor camps will relieve that immediate overcrowding problem. But that doesn't solve the long range problem because the effects of the legislation passed during this session will soon be felt in that prison system. I can think of at least three bills we passed where probation is not even an option to the judge. You do the crime, you're going to prison. We have got to recognize the fact that as long as the people want to be as conservative in nature as they are, and as long as we, as a legislature, respond to that, we are going to have to adequately care for these people. What is the alternative? The alternative is that a federal court, and there is a judge in Washoe County that will do just exactly this, will step in and order the immediate release of a sufficient number of prisons to bring that prison system back into compliance with what he has already established as guidelines. Nobody wants that.

I hate having to make this choice. I really do. But the choice, I think, is clear. I think the choice is proper when you consider the alternatives. I wish the money was there to give everybody everything they wanted and still adequately address the needs of our prison system. It's not. We have to do something and we have to do it immediately. I, for one, will vote the same way this morning that I voted last night, with reluctance and with some trepidation, but I'm going to do it because, I think, it is the conscionable thing to do. I think if you look at it and examine your conscience, you'll know that is right.

ASSEMBLYMAN BILYEU:

I commend the Speaker pro Tempore for his even handed handling of the debate on this issue in terms of permitting all of us who feel strongly in terms of our position to speak. From time to time the debate has strayed from the subject at hand which is A.B. 554. But, for the most part the debate came from the heart as well as the mind.

I think before I address A.B. 554, that I should point out that much of the debate on the floor has not been about A.B. 554, but about what is not in A.B. 554. For if you look at A.B. 554, is the issue that a tax on insurance premiums should continue. Is that something the administration and Senate wants? Indeed, it is. Indeed, that is part of the foundation of the administration's budget. The continuation of a tax which was due to sunset. That's not an issue in this debate.

Is the retro pay for state employees an issue? Indeed, it is not because that, too, is something that the administration wanted and which the Senate wanted. Is the issue of the

university retention pay an issue? Indeed, it is not because that, again, is something that both the administration and Senate want.

The issue, then, is whether or not A.B. 554 should, in fact, include retroactive pay for teacher, Kindergarten through 12, in those 17 school districts out there each of which is an individual body which sets the salary schedule in that area.

Now, I've found interesting in terms of this debate that when I rose this morning and said that the administration in its budget had not addressed critical issues, no one in this debate on this floor, this morning, has rebutted that. No one has spoken to that subject. My distinguished colleague from southern Nevada, before he quoted at length from editorials, which I'm sure he personally doesn't share or certainly would not put his stamp on and thus be in violation of the rules of this house in terms of debate, made some important points. We handled flood control in this session of the legislature for southern Nevada. The initiative came from this legislature. We handled it. We bit the bullet and we essentially prescribed a method of funding.

Again, my colleague from southern Nevada, tacitly admitted that which I said earlier this morning, that the administration purposely overlooked areas of critical need in terms of the budget when he said that, in fact, the administration had said that and put their priorities totally on education.

That is politically a good way to go out and hang ornaments on a Christmas tree of all of these political promises. But is that, in fact, a responsible position to take. Do we have a problem with indigent health care that is going to bankrupt our counties? Yes, in fact, we had that coming into this session of the legislature. Was that addressed by the administration? Indeed it was not. Was it addressed by this legislature? Yes, indeed it was. We handled that.

Prisons. Was that addressed by the administration in the budget? Indeed, it was not. In fact, we had to supplement both in terms of capital improvements and ongoing just to keep our explosive prison system from exploding even further. Is there a need for a prison? Indeed, there is. Was that discussed and debated within these halls? Yes, it was. Did we not, in fact, by our own legislative action, select a committee to go out and select a new prison site? Indeed, we did.

Were crippled people in their homes taken care of in the administration's budget? Indeed, they were not. Were they taken care of by this legislature? Indeed, they were with an appropriation of a half of a million dollars.

Were the problems of Aid to Dependent Children handled adequately in this administration's budget? Indeed, they were not. Were they handled in this legislature? Yes, but still not adequately, but within the framework of the available revenues that we have.

One of the things that I agree with and I agree with many, many things that people who spoke against A.B. 554 said. I agree, wholeheartedly, that our commitment ought to be towards education. It is. Last biennium over 55 percent of the total general fund revenues went towards education. This biennium, that figure will be even higher. It has been pointed out in earlier debate that the increase was 20.6 percent over the biennium. Remember two years ago. Two years ago we enacted a whole bunch of taxes which were due to sunset and we were at that time told that if we enacted those there would be a surplus of perhaps $40 million. We were also told two years ago by the administration that we needed a 75 cent property tax for the state. Many of us in these halls did not agree with that. We held the line at 30 cents. And the result was $150 million surplus.

Not too long ago we finished an election. In that election in southern Nevada, the voters said they favored tax limitation Proposition 12. In the north it was very close and Proposition 12 was defeated by a very narrow margin statewide. Have we done bad by education? No. Not when you increase education 20.6 percent. That's not bad at all. Some of us here in this legislature are looking two years from now. Two years from now if we are to continue our commitment; if we are to continue our commitment to funding all of the needs of the state but in particular the needs of education in this state we are going to have more tough decisions to reach at that time.

Will our roads be in disrepair two years from now. Probably. We still have to address this session whether or not we are going to impose a tax amounting to $14 to $28 million over the biennium for the purpose of repairing roads to add to our $401 million transportation department budget. We still have to address that issue.

Are we going to continue our commitment to increasing teacher's salaries in two years? Indeed. I think just about everybody in here, including myself, is firmly committed to that. Are we going to realize our responsibilility and continue funding to education two years from now? Indeed, because the needs will continue to grow as our state continues to grow. That is what concerns me and has from the beginning.

Ladies and gentlemen, I did not hide my opposition to retoractive pay on the grounds that there was a better use. To my distinguished colleague's comment that hiding the budget from the legislature is the way it has always been done is not an answer at all. Whether it was a Republican or Democratic governor it would matter not one bit that that kind of political gamemanship where everyone is kept in the dark except the people who ultimately have to make the tough decisions is wrong. We should not engage in a champion form of government. We ought to, as a legislative body, along with the administration, along with the teachers, along with the administrator, along with the children, along with the parents and along with the taxpayers sit down and make decisions concerning all of our state. That's what we need to do.

I am concerned that two years from now we will come back here and the need for all of these things will exist. Certainly, the need for the prisons will exist. Certainly, the need to raise salaries and benefits, perhaps, for our state employees and our university professors will continue to exist.

Although it is not perhaps politically popular for the moment; although it may take a little political heat for the moment, the responsible, the concerned, the representative thing for us to do is to vote yes for A.B. 554.

Assemblymen Rader, Frances and Collins moved the previous question.

The question being on the passage of Assembly Bill No. 554.

Assemblymen Price, Coffin and Williams requested a roll call on Assemblymen Rader's, Francis' and Collins' motion.

Roll call on Assemblymen Rader's, Francis' and Collins' motion:

YEAS—30.

NAYS—Arberry, Craddock, Dini, Jeffrey, Nevin, Price, Sader, Schofield, Swain, Thompson, Williams—11.

Absent—Sedway.

The motion having received a majority, Mr. Speaker pro Tempore declared it carried.

Roll call on Assembly Bill No. 554:

YEAS—24.

NAYS—Arberry, Banner, Coffin, Craddock, Dini, DuBois, Fairchild, Jeffrey, Malone, Nevin, O'Donnell, Price, Sader, Schofield, Swain, Thompson, Williams—17.

Absent—Sedway.

Assembly Bill No. 554 having received a constitutional majority, Mr. Speaker pro Tempore 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 Senate Bill No. 191, 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. C20, which is attached to and hereby made a part of this report.

DAVID D. NICHOLAS	JAMES I. GIBSON
LOUIS W. BERGEVIN	THOMAS R. C. WILSON
JOSEPH E. DINI, JR.	LAWRENCE E. JACOBSEN
Assembly Committee on Conference	*Senate Committee on Conference*

Amendment No. C20.

Amend section 1, page 1, by deleting lines 2 through 7 and inserting: "to the Tahoe Regional Planning Agency the sum of $556,664 to be used as follows:

For the evaluation of individual lots	$256,667
For the legal expenses of the agency	216,666
For various studies and a program to inform the public	83,331".

Amend the bill as a whole by deleting sections 2 through 9 and adding new sections designated sections 2 through 7, following section 1, to read as follows:

"Sec. 2. 1. There is hereby appropriated from the state general fund to the Tahoe Regional Planning Agency for allocation to the Tahoe Regional Transportation District the sum of $30,000.

2. There is hereby appropriated from the state general fund to the interim finance committee for allocation to the Tahoe Regional Planning Agency the sum of $30,000 for the agency's subsequent allocation to the Tahoe Regional Transportation District. The allocation by the interim finance committee to the agency is contingent upon California's participation in this program during fiscal year 1986-1987.

Sec. 3. 1. The Tahoe Regional Planning Agency shall submit quarterly to the legislative commission's subcommittee to review the activities of the Tahoe Regional Planning Agency a report of its planned and actual expenditures for each item for which an appropriation is made in section 1 of this act.

2. The legislative commission's subcommittee shall report quarterly to the interim finance committee the results of its review made pursuant to subsection 1.

Sec. 4. In order for the Tahoe Regional Planning Agency to have access to an attorney on a daily basis and to provide the continuity of services required by the lengthy litigation in which the agency is involved, it shall consider employing its own legal counsel on a full-time basis.

Sec. 5. 1. The Tahoe Regional Planning Agency shall investigate the feasibility of funding the evaluation of individual lots using fees charged to the owners of lots or to the counties in which the lots are located.

2. The Tahoe Regional Planning Agency shall report the results of its investigation to the legislative commission's subcommittee to review the Tahoe Regional Planning Agency on or before December 31, 1985.

Sec. 6. Any remaining balance of the sums appropriated by section 1 of this act must not be committed for expenditure after June 30, 1987, and

reverts to the state general fund as soon as all payments of money committed have been made.

Sec. 7. This act becomes effective upon passage and approval.".

Amend the title of the bill by deleting the second line and inserting: "report certain expenditures to the subcommittee of the legislative commission, to consider employing a full-time attorney and to investigate funding for the evaluation of lots; making an appropriation; and providing other".

Amend the summary of the bill, second line, by deleting "studies." and inserting: "investigation and reports.".

Assemblyman Nicholas moved that the Assembly adopt the report of the first Committee on Conference concerning Senate Bill No. 191.

Remarks by Assemblyman Nicholas.

Motion carried.

Mr. Speaker:

The first Committee on Conference concerning Senate Bill No. 283, 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.

TERRY TEBBS	RANDOLPH J. TOWNSEND
ERIK BEYER	LAWRENCE E. JACOBSEN
BOB THOMAS	JOHN M. VERGIELS
Assembly Committee on Conference	*Senate Committee on Conference*

Assemblyman Sader moved that the Assembly adopt the report of the first Committee on Conference concerning Senate Bill No. 283.

Remarks by Assemblyman Sader.

Motion carried.

Mr. Speaker:

The first Committee on Conference concerning Senate Bill No. 368, 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 M. SADER	SUE WAGNER
BILL R. O'DONNELL	THOMAS J. HICKEY
JANE F. HAM	BOB RYAN
Assembly Committee on Conference	*Senate Committee on Conference*

Assemblyman Sader moved that the Assembly adopt the report of the first Committee on Conference concerning Senate Bill No. 368.

Remarks by Assemblyman Sader.

Motion carried.

Mr. Speaker:

The first Committee on Conference concerning Assembly Bill No. 507, 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. C18, which is attached to and hereby made a part of this report.

ROBERT M. SADER	JAMES H. BILBRAY
BILL R. O'DONNELL	RAYMOND D. RAWSON
MYRNA T. WILLIAMS	THOMAS J. HICKEY
Assembly Committee on Conference	*Senate Committee on Conference*

Amendment No. C18.

Amend section 1, page 1, line 7, by deleting: "*, in writing,*".

Assemblyman Sader moved that the Assembly adopt the report of the first Committee on Conference concerning Assembly Bill No. 507.

Remarks by Assemblyman Sader.

Motion carried.

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker pro Tempore appointed Assemblymen Bergevin, Dini and Getto as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Assembly Bill No. 567.

Mr. Speaker pro Tempore appointed Assemblymen Bogaert, Roberts and Rader as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Assembly Bill No. 628.

Mr. Speaker pro Tempore appointed Assemblymen Collins, Fairchild and Tebbs as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Assembly Bill No. 647.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, June 3, 1985

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 585, 678.

MARY JO MONGELLI
Assistant Secretary of 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 12:12 p.m.

ASSEMBLY IN SESSION

At 12:27 p.m.

Mr. Speaker pro Tempore presiding.

Quorum present.

UNFINISHED BUSINESS

REPORTS OF CONFERENCE COMMITTEES

Mr. Speaker:

The second Committee on Conference concerning Assembly Bill No. 329, consisting of the undersigned members, has met, and reports that:

No decision was reached.

JOHN (JACK) E. JEFFREY
DANNY L. THOMPSON
MYRNA T. WILLIAMS
Assembly Committee on Conference

ROBERT E. ROBINSON
KENNETH K. REDELSPERGER
ANN O'CONNELL
Senate Committee on Conference

Assemblyman Jeffrey moved that the Assembly adopt the report of the second Committee on Conference concerning Assembly Bill No. 329.

Motion carried.

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker pro Tempore appointed Assemblymen Zimmer, Joerg and Stone as a second Committee on Conference to meet with a like committee of the Senate for the further consideration of Senate Bill No. 368.

Mr. Speaker pro Tempore appointed Assemblymen Humke, Nicholas and Nevin as a second Committee on Conference to meet with a like committee of the Senate for the further consideration of Senate Bill No. 283.

GENERAL FILE AND THIRD READING

Senate Bill No. 276.
Bill read third time.
Remarks by Assemblyman Marvel.
Roll call on Senate Bill No. 276:
YEAS—34.
NAYS—Dini, Getto, Ham, Lambert, Little, Thompson, Zimmer—7.
Absent—Sedway.

Senate Bill No. 276 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed, as amended.
Bill ordered transmitted to the Senate.

REMARKS FROM THE FLOOR

Assemblyman DuBois requested that his remarks be entered in the Journal:

I voted incorrectly on SB 276. I would like the record to reflect in the Journal that my vote is no on SB 276.

GENERAL FILE AND THIRD READING

Senate Bill No. 323.
Bill read third time.
Remarks by Assemblyman Bergevin.
Roll call on Senate Bill No. 323:
YEAS—34.
NAYS—Banner, Ham, Little, Thomas, Thompson, Williams, Zimmer—7.
Absent—Sedway.

Senate Bill No. 323 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed, as amended.
Bill ordered transmitted to the Senate.

Senate Bill No. 390.
Bill read third time.
Remarks by Assemblyman DuBois.
Roll call on Senate Bill No. 390:
YEAS—39.
NAYS—Coffin, Price—2.
Absent—Sedway.

Senate Bill No. 390 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 428.

Bill read third time.

Remarks by Assemblyman Stone.

Roll call on Senate Bill No. 428:

YEAS—41.

NAYS—None.

Absent—Sedway.

Senate Bill No. 428 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed, as amended.

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—38.

NAYS—Bergevin, Joerg, McGaughey—3.

Absent—Sedway.

Senate Bill No. 451 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 506.

Bill read third time.

Remarks by Assemblyman Humke.

Roll call on Senate Bill No. 506:

YEAS—39.

NAYS—Banner, Little—2.

Absent—Sedway.

Senate Bill No. 506 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed, as amended.

Bill ordered transmitted to the Senate.

UNFINISHED BUSINESS

RECEDE FROM ASSEMBLY AMENDMENTS

Assemblyman Williams moved that the Assembly do not recede from its action on Senate Bill No. 219, 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 pro Tempore appointed Assemblymen O'Donnell, Jeffrey

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. 219.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Legislative Functions, to which was referred Senate Concurrent Resolution No. 65, has had the same under consideration, and begs leave to report the same back with the recommendation: Be adopted.

BRUCE R. BOGAERT, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Senate Concurrent Resolution No. 65.
Assemblyman Bogaert moved the adoption of the resolution.
Remarks by Assemblyman Bogaert.
Resolution adopted.

Assemblyman Bilyeu moved that the Assembly recess until 1:05 p.m.
Motion carried.

Assembly in recess at 12:52 p.m.

ASSEMBLY IN SESSION

At 1:07 p.m.
Mr. Speaker pro Tempore presiding.
Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Select Committee of Assemblymen Dini, Joerg, Francis, Kerns, Jeffrey and Sader to which was re-referred Senate Bill No. 382, 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 Francis moved that Senate Bill No. 382 be placed on the General File.
Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 382.
Bill read third time.
Remarks by Assemblyman Dini.
Roll call on Senate Bill No. 382:
YEAS—41.
NAYS—None.
Absent—Sedway.

Senate Bill No. 382 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assemblyman Francis moved that the Assembly recess until 2:30 p.m.
Motion carried.

Assembly in recess at 1:16 p.m.

ASSEMBLY IN SESSION

At 3:06 p.m.
Mr. Speaker presiding.
Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Ways and Means, to which was re-referred Senate Bill No. 70, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN MARVEL, *Chairman*

Mr. Speaker:

Your Committee on Legislative Functions, to which were referred Senate Concurrent Resolutions Nos. 33, 34, 43, 53, has had the same under consideration, and begs leave to report the same back with the recommendation: Be adopted.

BRUCE R. BOGAERT, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, June 3, 1985

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 Bill No. 345.

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. 191.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Senate Concurrent Resolution No. 33.
Assemblyman Bogaert moved the adoption of the resolution.
Remarks by Assemblyman Bogaert.
Resolution adopted.

Senate Concurrent Resolution No. 34.
Assemblyman Bogaert moved the adoption of the resolution.
Remarks by Assemblyman Bogaert.
Resolution adopted.

Senate Concurrent Resolution No. 43.
Assemblyman Bogaert moved the adoption of the resolution.
Remarks by Assemblyman Bogaert.
Resolution adopted.

Senate Concurrent Resolution No. 53.
Assemblyman Bogaert moved the adoption of the resolution.

Remarks by Assemblyman Bogaert.
Resolution adopted.

Assemblyman Francis moved that Senate Bill No. 70 be placed on the General File.
Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 70.
Bill read third time.
Remarks by Assemblyman Stone.
Roll call on Senate Bill No. 70:
YEAS—38.
NAYS—Little, Roberts—2.
Absent—Sedway, Swain—2.

Senate Bill No. 70 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

REMARKS FROM THE FLOOR

Assemblyman Swain requested that her remarks be entered in the Journal.

Lest my perfect voting record for this session, on what I hope is going to be the last day of the session, be marred by one vote that I missed this afternoon, I would like to say for the record that when S.B. 70 was voted on, I was busy testifying in front of the Senate Judiciary Committee. I would like my remarks placed in the Journal.

Assemblyman Francis moved that the Assembly recess subject to the call of the Chair.
Motion carried.

Assembly in recess at 3:20 p.m.

ASSEMBLY IN SESSION

At 6:04 p.m.
Mr. Speaker presiding.
Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Government Affairs, 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: Re-refer to the Committee on Elections.

LOUIS W. BERGEVIN, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Bergevin moved that Assembly Bill No. 419 be re-referred to the Committee on Elections.
Motion carried.

Assemblyman Stone moved that Senate Bill No. 217 be taken from the Chief Clerk's desk and placed on the General File.

Remarks by Assemblyman Stone.

Motion carried.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, June 3, 1985

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 261, 650, 727.

Also, I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bill No. 554, 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 second Committee on Conference concerning Assembly Bill No. 329.

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. 507.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Bill No. 520.

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. 147, 160, 323, 390, 397, 451.

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. 276, 382, 506.

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. 283 and requests a second conference, and appointed Senators Gibson, Hickey 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. 283.

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. 368 and requests a second conference, and appointed Senators Foley, Rawson and Bilbray as a second Committee on Conference to meet with a like committee of the Assembly for the further consideration of Senate Bill No. 368.

Also, I have the honor to inform your honorable body that the Senate on this day appointed Senators Glover, Rhoads and Redelsperger as a first Committee on Conference concerning Senate Bill No. 219.

MARY JO MONGELLI
Assistant Secretary of the Senate

INTRODUCTION AND FIRST READING OF LEGISLATION

Senate Bill No. 520.

Assemblyman Francis 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.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Nevin moved that the vote whereby Senate Bill No. 26 was refused passage be rescinded.

Remarks by Assemblymen Nevin and Kerns.

Assemblymen Nevin, Schofield and Jeffrey requested a roll call on Assemblyman Nevin's motion.

Roll call on Assemblyman Nevin's motion:

YEAS—22.

NAYS—Bergevin, Beyer, Bogaert, Fairchild, Getto, Ham, Horne, Lambert, Little, Malone, Sader, Spriggs, Stone, Swain, Tebbs, Thomas, Zimmer—17.

Absent—Marvel, Sedway—2.

Not voting—Price.

The motion having received a majority, Mr. Speaker declared it carried.

Assemblyman Nevin moved that Senate Bill No. 26 be taken from its position on the General File and placed at the top of the General File.

Remarks by Assemblyman Nevin.

Motion carried.

UNFINISHED BUSINESS

RECEDE FROM ASSEMBLY AMENDMENTS

Assemblyman Dini moved that the Assembly do not recede from its action on Senate Bill No. 382, 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 Dini.

Motion carried.

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker appointed Assemblymen Dini, Joerg and Francis as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Senate Bill No. 382.

REPORTS OF CONFERENCE COMMITTEES

Mr. Speaker:

The first Committee on Conference concerning Assembly Bill No. 298, 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. C19, which is attached to and hereby made a part of this report.

JAMES A. STONE	THOMAS J. HICKEY
CHARLES W. JOERG	RAYMOND D. RAWSON
ROBERT M. SADER	BOB RYAN
Assembly Committee on Conference	*Senate Committee on Conference*

Amendment No. C19.

Amend section 1, page 1, line 10, by deleting "*$5,000*" and inserting "*$2,500*".

Amend sec. 2, page 2, lines 36 and 41, on each line by deleting "*$5,000.*" and inserting "*$2,500.*"

Amend sec. 2, page 2, line 43, by deleting "*$5,000,* and inserting "*$2,500,*".

Amend sec. 2, page 3, line 2, by deleting "*$5,000,*" and inserting "*$2,500,*".

Amend sec. 2, page 3, lines 5, 8, 13, 15 and 18, on each line by deleting "*$5,000.*" and inserting "*$2,500.*".

Amend sec. 3, page 4, lines 1 and 4, on each line by deleting "*$5,000.*" and inserting "*$2,500.*".

Amend sec. 4, page 4, line 13, by deleting "*$3,000*" and inserting "*$1,500*".

Amend sec. 5, page 4, lines 34, 37, 43 and 45, on each line by deleting "*$5,000.*" and inserting "*$2,500.*".

Amend sec. 5, page 5, line 2, by deleting "*$5,000.*" and inserting "*$2,500.*".

Assemblyman Stone moved that the Assembly adopt the report of the first Committee on Conference concerning Assembly Bill No. 298.

Remarks by Assemblyman Stone.

Motion carried.

Mr. Speaker:

The first 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 receded from.

LOUIS W. BERGEVIN	HELEN A. FOLEY
JOSEPH E. DINI, JR.	RANDOLPH J. TOWNSEND
VIRGIL M. GETTO	WILLIAM J. RAGGIO
Assembly Committee on Conference	*Senate Committee on Conference*

Assemblyman Bergevin moved that the Assembly adopt the report of the first Committee on Conference concerning Assembly Bill No. 567.

Remarks by Assemblyman Bergevin.

Motion carried.

Mr. Speaker:

The second Committee on Conference concerning Assembly Bill No. 627, 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. C21, which is attached to and hereby made a part of this report.

CHARLES W. JOERG	ANN O'CONNELL
LOUIS W. BERGEVIN	ROBERT E. ROBINSON
JOSEPH E. DINI, JR.	ALAN H. GLOVER
Assembly Committee on Conference	*Senate Committee on Conference*

Amendment No. C21.

Amend section 1, page 1, line 17, after "Whenever the", by inserting: "*sum of the*".

Amend section 1, page 1, line 18, after "year", by inserting: "*and any*

money which will accrue to the fund from revenues of the preceding fiscal year''.

Amend sec. 2, page 3, line 6, after ''Whenever the'', by inserting: ''sum of the''.

Amend sec. 2, page 3, line 7, after ''year'', by inserting: ''and any money which will accrue to the fund from revenues of the preceding fiscal year''.

Assemblyman Joerg moved that the Assembly adopt the report of the second Committee on Conference concerning Assembly Bill No. 627.

Remarks by Assemblyman Joerg.

Motion carried.

Mr. Speaker:

The first Committee on Conference concerning Assembly Bill No. 628, 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.

BRUCE R. BOGAERT	HELEN A. FOLEY
GARY L. ROBERTS	JAMES H. BILBRAY
ART RADER	BOB RYAN
Assembly Committee on Conference	*Senate Committee on Conference*

Assemblyman Stone moved that the Assembly adopt the report of the first Committee on Conference concerning Assembly Bill No. 628.

Remarks by Assemblyman Stone.

Motion carried.

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker appointed Assemblymen Williams, O'Donnell and Ham as a second Committee on Conference to meet with a like committee of the Senate for the further consideration of Assembly Bill No. 628.

REPORTS OF CONFERENCE COMMITTEES

Mr. Speaker:

The first Committee on Conference concerning Assembly Bill No. 647, consisting of the undersigned members, has met, and reports that:

It has agreed to recommend that the amendment of the Senate be concurred in.

EUGENE (GENE) COLLINS	ROBERT E. ROBINSON
JERRY L. FAIRCHILD	RANDOLPH J. TOWNSEND
TERRY TEBBS	ANN O'CONNELL
Assembly Committee on Conference	*Senate Committee on Conference*

Assemblyman Collins moved that the Assembly adopt the report of the first Committee on Conference concerning Assembly Bill No. 647.

Remarks by Assemblyman Collins.

Motion carried.

Mr. Speaker:

The first Committee on Conference concerning Senate Bill No. 219, consisting of the undersigned members, has met, and reports that:

It has agreed to recommend that the amendment of the Assembly be receded from.

BILL R. O'DONNELL	ALAN G. GLOVER
JOHN (JACK) E. JEFFREY	DEAN A. RHOADS
LEONARD V. NEVIN	KENNETH K. REDELSPERGER
Assembly Committee on Conference	*Senate Committee on Conference*

Assemblyman Zimmer moved that the Assembly adopt the report of the first Committee on Conference concerning Senate Bill No. 219.

Remarks by Assemblyman Zimmer.

Motion carried.

Mr. Speaker:

The first Committee on Conference concerning Senate Bill No. 478, consisting of the undersigned members, has met, and reports that:

It has agreed to recommend that the amendment of the Assembly be concurred in.

	JAMES I. GIBSON
JOHN E. JEFFREY	WILLIAM J. RAGGIO
STEVEN C. FRANCIS	THOMAS R. C. WILSON
Assembly Committee on Conference	*Senate Committee on Conference*

Assemblyman Jeffrey moved that the Assembly adopt the report of the first Committee on Conference concerning Senate Bill No. 478.

Remarks by Assemblyman Jeffrey.

Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 26.

Bill read third time.

Assemblyman Nevin moved that the vote whereby Amendment No. 1444 to Senate Bill No. 26 was adopted be rescinded.

Remarks by Assemblymen Bergevin and Nevin.

Motion carried.

Assemblyman Nevin moved that all rules be suspended and that the reprinting of Senate Bill No. 26 be dispensed with.

Motion carried, unanimously.

Remarks by Assemblymen Nevin, Stone, Kerns, Tebbs and Thomas.

Conflict of interest declared by Assemblyman Price.

Roll call on Senate Bill No. 26:

YEAS—22.

NAYS—Bergevin, Beyer, Bogaert, Fairchild, Getto, Ham, Horne, Joerg, Lambert, Little, Sader, Spriggs, Stone, Swain, Tebbs, Thomas, Zimmer—17.

Absent—Marvel, Sedway—2.

Not voting—Price.

Senate Bill No. 26 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 217.

Bill read third time.

The following amendment was proposed by Assemblyman Stone:

Amendment No. 1498.

Amend sec. 2, page 1, line 3, by deleting "*3,*" and inserting "*4,*".

Amend sec. 2, page 1, by deleting line 10 and inserting: "*later than:*

(a) Three years after the patient's discharge; or

(b) One year after the patient defaults on payments made pursuant to a written contract,

whichever is later, except that the notice may be served and filed within 6 months after any default pursuant to a written contract.

3. The notice of the lien".

Amend sec. 2, page 1, line 15, by deleting "*3.*" and inserting "*4.*".

Amend sec. 4, page 2, line 16, after "2.", by inserting: "*If the amount or the validity of the charges owed or the validity of the lien is disputed by the owner of the property, the owner may give the county or district hospital written notice of the dispute and demand that the hospital file a suit to foreclose the lien within 90 days. If the county or district hospital does not file suit within the 90-day period, the lien is extinguished. The county or district hospital shall release its lien upon the expiration of the 90-day period.*

3.".

Amend sec. 4, page 2, by deleting line 17 and inserting: "*ant to subsection 1 or 2 when required is liable in a civil*".

Assemblyman Sader moved the adoption of the amendment.

Remarks by Assemblymen Sader, Collins and Thompson.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 520.

Bill read third time.

Remarks by Assemblyman Nicholas.

Roll call on Senate Bill No. 520:

YEAS—40.

NAYS—None.

Absent—Marvel, Sedway—2.

Senate Bill No. 520 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, June 3, 1985

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. 567.

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. 627.

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. 231, 428.

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. 219.

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. 478.

MARY JO MONGELLI
Assistant Secretary of the Senate

Assemblyman Francis moved that the Assembly recess subject to the call of the Chair.

Motion carried.

Assembly in recess at 6:48 p.m.

ASSEMBLY IN SESSION

At 9:30 p.m.

Mr. Speaker presiding.

Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Elections, 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.

JANE HAM, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, June 3, 1985

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bill No. 715.

Also, I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bill No. 339, 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. 521.

Also, I have the honor to inform your honorable body that the Senate on this day appointed Senators Vergiels, Horn and Jacobsen as a first Committee on Conference concerning Senate Bill No. 506.

MARY JO MONGELLI
Assistant Secretary of the Senate

INTRODUCTION AND FIRST READING OF LEGISLATION

Senate Bill No. 521.

Assemblyman Francis 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.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Francis moved that Assembly Bill No. 419 be placed on the Second Reading File.

Motion carried.

Assemblyman Francis moved that Senate Bill No. 217 be placed on the General File.

Motion carried.

UNFINISHED BUSINESS

RECEDE FROM ASSEMBLY AMENDMENTS

Assemblyman Marvel moved that the Assembly do not recede from its action on Senate Bill No. 276, 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 Getto, Tebbs 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. 276.

RECEDE FROM ASSEMBLY AMENDMENTS

Assemblyman Marvel moved that the Assembly do not recede from its action on Senate Bill No. 506, 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 Thomas, Nicholas and Humke as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Senate Bill No. 506.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 339.

The following Senate amendment was read:

Amendment No. 1400.

Amend the bill as a whole, by deleting sections 1 and 2 and renumbering section 3 as section 1.

Amend sec. 3, page 2, by deleting line 19.

Amend sec. 3, page 2, line 20, by deleting "*(d)*" and inserting "*(c)*".

Amend sec. 3, page 2, line 21, after "*agency*", by inserting: "*or an informer*".

Amend sec. 3, page 2, line 23, by deleting "*(e)*" and inserting "*(d)*".

Assemblyman Stone moved that the Assembly concur in the Senate amendment to Assembly Bill No. 339.

Remarks by Assemblyman Stone.

Motion carried.

Bill ordered reprinted, re-engrossed and enrolled.

RECEDE FROM ASSEMBLY AMENDMENTS

Assemblyman Stone moved that the Assembly do not recede from its action on Senate Bill No. 428, 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, Arberry and O'Donnell as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Senate Bill No. 428.

RECEDE FROM ASSEMBLY AMENDMENTS

Assemblyman Stone moved that the Assembly do not recede from its action on Senate Bill No. 231, 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, Joerg and Rader as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Senate Bill No. 231.

REPORTS OF CONFERENCE COMMITTEES

Mr. Speaker:

The second Committee on Conference concerning Senate Bill No. 8, consisting of the undersigned members, has met, and reports that:

No decision was reached.

GARY L. ROBERTS	HELEN A. FOLEY
ART RADER	SUE WAGNER
MORSE ARBERRY, JR.	BOB RYAN
Assembly Committee on Conference	*Senate Committee on Conference*

Assemblyman Stone moved that the Assembly adopt the report of the second Committee on Conference concerning Senate Bill No. 8.

Remarks by Assemblyman Stone.

Motion carried.

Mr. Speaker:

The second Committee on Conference concerning Assembly Bill No. 229, 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. C22, which is attached to and hereby made a part of this report.

ROBERT M.SADER
BARBARA A. ZIMMER
JAMES A. STONE
Assembly Committee on Conference

SUE WAGNER
HELEN A. FOLEY
THOMAS R. C. WILSON
Senate Committee on Conference

Amendment No. C22.

Amend section 1, page 1, line 15, by deleting the period and inserting: "*and forward a copy of the report to the department of motor vehicles and public safety.*".

Amend section 1, page 2, by deleting line 1 and inserting:

"*3. The department shall compile statistics from these reports and make the statistics avail-*".

Amend sec. 2, page 2, line 6, by deleting: "subsections 3 and 4," and inserting "subsection 3,".

Amend sec. 2, page 2, by deleting lines 31 through 35.

Amend sec. 2, page 2, line 36, by deleting "4." and inserting "3.".

Amend sec. 3, page 3, by deleting lines 6 and 7 and inserting: "*minor child or a minor child of that person must not be admitted to bail sooner than 12 hours after his arrest.*".

Amend sec. 5, page 4, line 12, by deleting "12:01" and inserting "12:02".

Amend the title of the bill, second line, by deleting: "requiring bail to be set by a magistrate for" and inserting: "prohibiting immediate release after arrest of".

Amend the summary of the bill, first line, by deleting: "and bail set by magistrate".

Assemblyman Stone moved that the Assembly adopt the report of the second Committee on Conference concerning Assembly Bill No. 229.

Remarks by Assemblyman Stone.

Motion carried.

Mr. Speaker:

The first Committee on Conference concerning Senate Bill No. 382, 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. C24, which is attached to and hereby made a part of this report.

JOSEPH E. DINI, JR.
CHARLES W. JOERG
STEVEN C. FRANCIS
Assembly Committee on Conference

DEAN A. RHOADS
RANDOLPH J. TOWNSEND
LAWRENCE E. JACOBSEN
Senate Committee on Conference

Amendment No. C24.

Amend section 1, page 1, line 2, by deleting "include," and inserting: "be augmented by,".

Amend section 1, page 1, line 3, by deleting "patrolmen" and inserting "troopers".

Amend section 1, page 1, line 6, by deleting: "highway patrolmen may" and inserting "troopers must".

Amend section 1, page 1, line 8, by deleting "patrolmen" and inserting "troopers".

Amend sec. 9, page 3, line 41, by deleting: "every bus [" and inserting "[every bus".

Amend sec. 9, page 3, by deleting lines 43 through 46 and inserting: "registration fee of $12.

4. For every trailer or semitrailer having an unladen weight of".

Amend sec. 9, page 4, line 41, by deleting "*5.*" and inserting "*4.*".

Amend sec. 9, page 4, line 45, by deleting "*6.*" and inserting "*5.*".

Amend sec. 9, page 5, line 1, by deleting "$50," and inserting "$100,".

Amend sec. 9, page 5, line 5, by deleting "*7.*" and inserting "*6.*".

Amend sec. 11, page 5, line 17, by deleting: "department of motor vehicles," and inserting "department,".

Amend sec. 11, page 5, by deleting lines 21 and 22 and inserting: "public highway or does not comply with any standards for tires or brakes [that may be established by the department] *adopted*".

Amend sec. 11, page 5, line 25, by deleting "test" and inserting "tests".

Amend sec. 11, page 5, by deleting lines 29 and 30 and inserting: "does not comply with any standards for tires or brakes [that may be established by the department] *adopted* pursuant to sub-".

Amend sec. 11, page 5, by deleting lines 38 through 41 and inserting:

"3. The director may establish centers for [vehicle safety] *the* inspection *of motor vehicles for safety* at the branch offices of the department for the purpose of".

Amend sec. 11, page 6 line 1, by deleting: "[prior to] *before*" and inserting "before".

Amend sec. 13, page 6, line 37, by deleting "or" and inserting "and".

Amend sec. 13, page 7, by deleting lines 2 through 5.

Amend sec. 22, page 11, line 4, by deleting "*50,000*" and inserting "*20,000*"

Amend sec. 25, page 12, by deleting line 23 and inserting: "sions of NRS 482.480 [, 706.506] or 706.516.".

Amend sec. 30, page 14, line 17, after "vehicles", by inserting: "and public safety".

Amend sec. 37, page 16, line 3, by deleting "13,".

Amend sec. 37, page 16, by deleting line 5 and inserting:

"2. Section 13 of this act becomes effective at 12:01 a.m. on July 1, 1985.

3. Sections 1 to 12, inclusive, 15 to 20, inclusive, and 22 to 32,".

Assemblyman Dini moved that the Assembly adopt the report of the first Committee on Conference concerning Senate Bill No. 382.

Remarks by Assemblyman Dini.

Motion carried.

Mr. Speaker:

The second Committee on Conference concerning Senate Bill No. 283, consisting of the undersigned members, has met, and reports that:

It has agreed to recommend that the amendment of the Assembly be receded from.

It has agreed to recommend that the bill be further amended as set forth in Amendment No. C23, which is attached to and hereby made a part of this report.

DAVID E. HUMKE	JAMES I. GIBSON
DAVID D. NICHOLAS	JOE NEAL
LEONARD V. NEVIN	WILLIAM J. RAGGIO
Assembly Committee on Conference	*Senate Committee on Conference*

Amendment No. C23.

Amend section 1, page 1, line 3, by deleting "$293,136" and inserting "$493,136".

Amend section 1, page 1, line 5, by deleting "$155,000" and inserting "$355,000".

Assemblyman Humke moved that the Assembly adopt the report of the second Committee on Conference concerning Senate Bill No. 283.

Remarks by Assemblyman Humke.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 419.

Bill read second time.

The following amendment was proposed by Assemblyman O'Donnell:

Amendment No. 1500.

Amend the bill as a whole by deleting sections 1 through 5 and adding a new section designated section 1, following the enacting clause, to read as follows:

"Section 1. NRS 293.440 is hereby amended to read as follows:

293.440 1. Any person [desiring] *who desires* a copy of any *list of the registered voters in any* precinct, district or county [list of registered voters and their addresses, and providing] *and who provides* an assurance that [such] *the* list will be used only for purposes relating to elections, may obtain [such] *a* copy by applying at the office of the county clerk and paying therefor a sum of money equal to one cent per [each] name on [such] *the* list, but one copy of each original and supplemental [precinct, district or county list shall] *list for each precinct, district or county must* be provided to the county central committee of any political party, [as defined in NRS 293.073,] upon request, without charge.

2. *The copy of the list provided pursuant to this section must indicate each voter's address, date of birth, telephone number and the serial number of his affidavit of registration.*

3. A county may not pay more than 10 cents per folio or more than $6 per thousand copies for printed [precinct or district lists.] *lists for a precinct or district.*

4. A county which has a system of computers capable of recording information on magnetic tape shall, upon request of the county central committee of any political party, record for that central committee on magnetic tape supplied by it the list of registered voters and the information required in subsection 2.".

Amend the title of the bill to read as follows:

"An Act relating to elections; requiring additional information on the list of registered voters; requiring counties, if possible, to record this list on tape for computers; and providing other matters properly relating thereto.".

Amend the summary of the bill to read as follows: "Requires additional information on list of registered voters. (BDR 21-686)".

Assemblyman O'Donnell moved the adoption of the amendment.

Remarks by Assemblyman O'Donnell.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assemblyman Francis moved that the Assembly recess subject to the call of the Chair.

Motion carried.

Assembly in recess at 9:46 p.m.

ASSEMBLY IN SESSION

At 10:58 p.m.

Mr. Speaker presiding.

Quorum present.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, June 3, 1985

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. 628 and requests a second conference, and appointed Senators Rawson, Wagner 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. 628.

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. 298.

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. 647.

Also, I have the honor to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolutions Nos. 45, 57.

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. 26, 72.

Also, I have the honor to inform your honorable body that the Senate on this day appointed Senators Townsend, Rhoads and Jacobsen as a first Committee on Conference concerning Senate Bill No. 382.

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. 8.

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. 283.

MARY JO MONGELLI
Assistant Secretary of the Senate

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 554.

The following Senate amendment was read:

Amendment No. 1497.

Amend the bill as a whole by deleting sections 3 through 12 and renumbering sections 13 as section 3.

Amend the title of the bill to read as follows:

"An Act relating to taxation; temporarily extending the increased rate of the tax on insurance premiums; delaying certain changes in the distribution of certain taxes from projects for the generation and transmission of electricity; and providing other matters properly relating thereto.".

Amend the summary of the bill to read as follows:

"Temporarily extends increased rate of tax on insurance premiums and delays provision for special distribution of taxes collected from generating facilities. (BDR 57-1858)".

Assemblyman Joerg moved that the Assembly concur in the Senate amendment to Assembly Bill No. 554.

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 11:01 p.m.

ASSEMBLY IN SESSION

At 11:28 p.m.

Mr. Speaker pro Tempore presiding.

Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Ways and Means, to which were referred Senate Bills Nos. 365, 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 MARVEL, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Francis moved that all rules be suspended, reading so far had considered second reading, rules further suspended, Senate Bills Nos. 365 and 446 be declared emergency measures under the Constitution and placed on third reading and final passage.

Motion carried unanimously.

Assemblyman Francis moved that all rules be suspended and Assembly Bill No. 419 be declared an emergency measure under the Constitution and placed on third reading and final passage immediately following Senate Bill No. 446.

Motion carried unanimously.

INTRODUCTION AND FIRST READING OF LEGISLATION

By the Committee on Ways and Means:

Assembly Bill No. 728—An Act making an appropriation to the legislative fund; and providing other matters properly relating thereto.

Assemblyman Marvel 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. 365.

Bill read third time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1501.

Amend section 1, page 1, line 2, by deleting "$3,961,627" and inserting "$5,042,072".

Amend section 1, page 1, line 10, by deleting "$593,309" and inserting "$755,118".

Amend sec. 2, page 2, lines 3 and 4, by deleting: "the following amounts are" and inserting: "the sum of $11,072,616 is".

Amend sec. 2, page 2, by deleting lines 7 through 24 and inserting "districts.".

Amend sec. 2, page 2, line 30, by deleting "$1,053,581" and inserting "$1,340,920".

Amend sec. 2, page 2, line 37, by deleting "$661,452" and inserting "$841,848".

Amend sec. 2, page 3, line 1, by deleting "$39,637" and inserting "$50,442".

Amend sec. 3, page 3, line 23, by deleting "$2,676,407" and inserting "$1,946,480".

Amend sec. 4, page 3, line 27, by deleting "$185,740" and inserting "$236,390".

Amend sec. 6, page 3, by deleting lines 38 through 40 and inserting: "of this act must be paid to each person who is employed on July 1, 1985:

(a) By the University of Nevada System in a classified position, or by the state in any position in an amount equal to approximately 7 percent; and

(b) By the University of Nevada System in any other position, or by a

county school district in any position, in an amount equal to approximately 4 percent,
of the gross''.

Assemblyman Bilyeu moved the adoption of the amendment.

Remarks by Assemblymen Bilyeu and Sader.

Assemblyman Coffin requested that the following remarks be entered in the Journal.

ASSEMBLYMAN BILYEU:

May I, Speaker pro Tempore, be permitted to speak not only to the amendment but also on the bill and on the amendment that we just placed on another bill. As you know, SB 365 proposes one-time retention in-service payment for all public employees. The proposed amendment, No. 1501, continues the proposal for one time retention payments in all categories.

The session has been long and hard and we have struggled with the problems of the State of Nevada and in allocating the resources of the State of Nevada. In that spirit and in these final hours of the session, Amendment 1501 to SB 365 is proposed. Basically, SB 365, as amended, would provide for a one-time retention in-service payment for all public employees. This one-time payment would be in all categories, to state employees, school district employees and university professionals.

As you know, state employees who had been on a calendar year basis since 1971, were placed on a fiscal year basis. Fifteen years they enjoyed a calendar year status and as a one time roll up into a fiscal year basis, it is proposed in Amendment 1501 to provide to the state employees for the six months loss that they would enjoy during the pay appropriation bill that we passed, a 3 percent payment amounting to the sum of $3,197,670.00.

For all employees, state employees, university professionals, school district employees, it is proposed that a one time retention in-service payment of 4 percent be made. That would be paid to state employees on or about July 1, 1985 and to those on contracts it would be paid at the time of renewal of the contract in the coming year.

The amounts that we are dealing with here are for school districts, $11,072,616; for university professionals, $1,946,480; for state employees broken down into categories, for University of Nevada system classified, $766,240; for classified, $2,881,184; for unclassified, $481,056; Legislative Counsel Bureau, $135,080 for a total payment to state employees, one time, of $4,263,560. The total of all these one time payments in terms of the state budget is the sum of $20,480,000.

We commend to this body the passage of Amendment No. 1501 to SB 365.

ASSEMBLYMAN SADER:

I have to ask a couple of questions first and I would like to ask if I may, through you, to request the Speaker, Mr. Bilyeu, to please respond.

This amendment proposes to give a one time retention pay compensation package to the state employees and university classified employees of 7 percent of their annual salary. Is that right?

ASSEMBLYMAN BILYEU:

Yes, it would be 4 percent and then the 3 percent equity issue in terms of the change over from the calendar year to the fiscal year. The 3 percent being for the change-over from the calendar to the fiscal year.

ASSEMBLYMAN SADER:

Yes, I understand there is a difference because the state employees have received salary increases when the legislature has granted them based on the calendar year, January 1, and whereas other employees have been on a fiscal year, July 1, and therefore there is a difference to make up.

So, we are talking the four and the three at 7 percent. I am restating it to clear it up in my own mind and to those that are here, also. I don't think this is totally clear to everyone.

For classroom teachers we are proposing a one time retention compensation program of 4 percent and for university teaching professionals, a one time compensation package of 4 percent. On that basis, I wish to address the amendment.

I wish to rise in opposition to the amendment. I speak not only for myself but for the Democratic caucus in the Assembly in saying that we have arranged, rather for all of us individually to express our comments, our interests, our opposition to this amendment, I have been chosen to very briefly express the basis of our opposition to this amendment and why we'll be voting against the bill if the amendment passes.

Three and one-half hours of the time this morning was spent debating the issue of whether or not we would pass the same kind of one time pay package which would allow 5 1/2 percent for university employees and 5 1/2 percent of annual salary for state employees and nothing for teachers. That was SB 554. As amended, that bill has come back to us and we have passed it in another form without that proposal. So that proposal no longer exists for purposes of debate. We spent two hours the night before talking about the same subject. I don't think we have to go over all those statements, but I do think it is important to restate our concerns and our reasons for opposing that plan because our reasons have not changed.

We said we felt the plan was unfair. We said that we felt teachers should be treated in this type of pay package exactly the same, at least equally, to other public employees. That package did not do that and neither does this one. We stated that our priorities, and the priorities we expressed during our campaign and we have expressed during the session, were strong emphasis in Kindergarten through 12 education. That issue was extremely important to us and we weren't changing that position. The pay package this morning did not properly state that priority and the one this evening does not also.

We stated that we believed retention pay was important to the morale of the teaching profession. It was important to the enthusiasm of teachers to do their job properly. Teachers run the system of Kindergarten through 12th grade. We need to retain them and encourage them. When we state priorities that either exclude them from compensation when other public employees receive it or treat them with lower or different percentages, we state the wrong priorities.

Our opinion from this morning has not changed. This bill, although better, this amendment, although stating better priorities, does not state enough. For one thing, we have gone from 5 1/2 percent this morning for university professionals, to 4 percent. I consider the 5 1/2 percent we spoke of this morning in annual compensation for state employees very similar to the 7 percent we are talking about now. Now, we have incorporated in that concept this problem with equating the fiscal years. Now, actually, although it is easy to say but not quite as easy to understand, we are talking about parity at 5 1/2 percent with the proposal this morning.

However, we are only at 4 percent for teachers. That is much better than this morning, but it is not good enough. We have come a long way. We have not gone as far as we should. Our vote no is a vote to increase the priorities for university teaching professionals and for teachers in this or any retention pay package that the legislature is going to pass in this session. We believe that when we evaluate the employee groups, that teachers should not be on the bottom. We believe Kindergarten through 12 has not been treated as a last priority in the budget, but it is in the proposal.

We seek fairness, we seek parity, we seek equal treatment for all public employee groups. This amendment and this bill, as amended, does not achieve that. We object to this proposal. We'll be voting against the amendment. We'll be voting against the bill. We ask no more than equal treatment and will accept no less.

ASSEMBLYMAN BILYEU:

I rise, very briefly, to address the remarks made by my colleague in the terms of parity, if you will. My colleague says there is not parity here. We debated the issue of the various categories at length on this floor, at least two occasions. In that debate, it was pointed out that with the three categories involved, that is the university state employees and the school district employees, there were only two categories that this legislature in and of

itself made the decisions on. That was the university and that was, in fact, state employees, that in our state we have 17 school districts which make the individual determinations on salaries—some far better than others. Some far worse than others. We debated all of that. For those reasons some said that these are different categories.

One of the things that has happened here in these last few days, is that when we switched the state employees from a calendar year to a fiscal year, we removed the issue, if you will, perhaps hopefully forever, of this disparity which may or may not exist and also this thing called retroactivity.

State employees, as you know, since 1971, at least, have been paid in most sessions back to January of the year because they are not, in fact, on a calendar year. That is traditional. With the spector proposed of retroactive pay that became a problem obviously. We have removed that problem by placing the state employees on a fiscal year, not a calendar year. In so doing, that effectively cut them out of six months. There was no provision in any of the bills discussed here proposed by the Senate or by this Assembly, Republican or Democrat, to address the issue of that six months. And so that issue has been addressed in this amendment; a one time 3 percent payment which does not include any fringe benefits, for a roll up from a calendar year to a fiscal year placing state employees on the same fiscal basis.

Once that parity has been achieved by that payment then there remains a finite sum of money. You know that, Mr. Sader, I know that. In the proposed amendment, that sum of money then, once parity is achieved, has been divided equally between the three categories, 4 percent, 4 percent, 4 percent. That is at least the intent of this bill. That is what we believe it does.

Assemblymen Dini, Bilyeu and Thompson requested a roll call on Assemblyman Bilyeu's motion.

Roll call on Assemblyman Bilyeu's motion:

YEAS—25.

NAYS—Arberry, Banner, Coffin, Craddock, Dini, Jeffrey, Little, Malone, Nevin, Price, Roberts, Sader, Schofield, Swain, Thompson, Williams—16.

Absent—Sedway.

The motion having received a majority, Mr. Speaker pro Tempore declared the amendment adopted.

Assemblyman Francis moved that all rules be suspended, that the reprinting of Senate Bill No. 365 be dispensed with, and that the Chief Clerk be authorized to insert the amendment adopted by the Assembly.

Motion carried unanimously.

Remarks by Assemblymen Coffin and Roberts.

Assemblyman Dini requested that the following written remarks be entered in the Journal.

ASSEMBLYMAN COFFIN:

Mr. Speaker, the remarks of the two preceding speakers on the adoption of the amendment show that when great issues are joined, great spokesmen rise to address them. We have been well-served by these explanations and inspired by their skills. We owe them our gratitude. I am sure there are differences of opinion and confusion over the issue of equality based on these monies and percentages. It is enough of a difference, however, for me to oppose this amendment and the bill, if amended.

ASSEMBLYMAN ROBERTS:

I am voting "nay" on Senate Bill No. 365 as my constituents in District 18 oppose the retroactive pay because of their needs in the area, such as crime, street repairs, etc.

Roll call on Senate Bill No. 365:

YEAS—25.

NAYS—Arberry, Banner, Coffin, Craddock, Dini, Jeffrey, Little, Malone, Nevin, Price, Roberts, Sader, Schofield, Swain, Thompson, Williams—16.

Absent—Sedway.

Senate Bill No. 365 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed, as amended.

Bill ordered re-engrossed and transmitted to the Senate.

Senate Bill No. 446.

Bill read third time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1502.

Amend sec. 7, page 2, line 42, by deleting "maximum security".

Amend sec. 7, page 3, by deleting lines 1 and 2 and inserting: "and the advance planning and design of another new prison.".

Amend the bill as a whole by renumbering section 8 as section 9 and adding a new section designated section 8, following section 7, to read as follows:

"Sec. 8. Any revenue received on or after July 1, 1986, and before January 1, 1987, which would but for this section be credited to the state general fund and if so credited would increase the unappropriated balance of that fund above the balance remaining after the making of both distributions required by section 8 of Assembly Bill No. 540 of this session, but not more than $25,000,000 in all is hereby appropriated to a fund for the construction of new prisons and other capital improvements. Interest earned on the money in the fund must be credited to the fund. Money so reserved may not be withdrawn except by further act of the legislature.".

Amend the title of the bill, first line, by deleting "to prisons;" and inserting: "to the state government;".

Assemblyman Marvel moved the adoption of the amendment.

Remarks by Assemblyman Marvel.

Amendment adopted.

Assemblyman Francis moved that all rules be suspended, that the reprinting of Senate Bill No. 446 be dispensed with, and that the Chief Clerk be authorized to insert the amendment adopted by the Assembly.

Motion carried unanimously.

Remarks by Assemblyman Marvel.

Roll call on Senate Bill No. 446:

YEAS—41.

NAYS—None.

Absent—Sedway.

Senate Bill No. 446 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed, as amended.

Bill ordered re-engrossed and transmitted to the Senate.

Assembly Bill No. 419.
Bill read third time.
Remarks by Assemblymen O'Donnell and Humke.
Roll call on Assembly Bill No. 419:
YEAS—40.
NAYS—Spriggs.
Absent—Sedway.

Assembly Bill No. 419 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed, as amended.
Bill ordered transmitted to the Senate.

Senate Bill No. 521.
Bill read third time.
Remarks by Assemblymen DuBois, Thomas, Spriggs, Williams, Getto and Schofield.
Assemblymen Thompson, Bilyeu and Jeffrey moved the previous question.
Motion carried.
The question being on the passage of Senate Bill No. 521.
Roll call on Senate Bill No. 521:
YEAS—36.
NAYS—Bergevin, Little, Marvel, Spriggs, Stone—5.
Absent—Sedway.

Senate Bill No. 521 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 217.
Bill read third time.
Remarks by Assemblymen Sader and Collins.
Roll call on Senate Bill No. 217:
YEAS—31.
NAYS—Arberry, Collins, Fairchild, Ham, Lambert, Nevin, Roberts, Swain, Thompson, Williams—10.
Absent—Sedway.

Senate Bill No. 217 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 728.
Bill read third time.
Remarks by Assemblyman Marvel.
Roll call on Assembly Bill No. 728:
YEAS—41.
NAYS—None.
Absent—Sedway.

Assembly Bill No. 728 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.

Bill ordered transmitted to the Senate.

Assemblyman O'Donnell moved that the Assembly recess subject to the call of the Chair.

Motion carried.

Assembly in recess at 12:15 a.m.

ASSEMBLY IN SESSION

At 1:16 a.m.

Mr. Speaker presiding.

Quorum present.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bills Nos. 19, 22, 153, 172, 180, 290, 312, 322, 364, 374, 386, 389, 390, 400, 411, 422, 424, 497, 505, 514, 524, 533, 540, 542, 581, 583, 586, 587, 599, 604, 605, 610, 643, 646, 651, 652, 653, 660, 696, 702, 707, 712, 724; Senate Bills Nos. 27, 39, 64, 121, 128, 199, 252, 253, 267, 291, 321, 332, 383, 394, 432, 455, 465, 481, 494, 507, 511, 515; Assembly Joint Resolutions Nos. 4, 5, 23, 25; Assembly Concurrent Resolutions Nos. 38, 42; Senate Concurrent Resolutions Nos. 40, 41, 44, 63; Assembly Resolutions Nos. 8, 9.

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 Mesdames Laura Past, Wilina Childs, Myrtle Hathaway, Maryanne Zucher, Blanche Zucker and Victoria Tankavich.

On request of Assemblyman Price, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Yvonne Shaw.

On request of Assemblyman Craddock, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Fred Horlacher.

Assemblyman Francis moved that the Assembly adjourn until Tuesday, June 4, 1985 at 1:18 a.m.

Motion carried.

Assembly adjourned at 1:17 a.m., Tuesday, June 4, 1985.

Approved: BYRON L. BILYEU
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE ONE HUNDRED AND THIRTY-FIFTH DAY

CARSON CITY (Tuesday), June 4, 1985

Assembly called to order at 1:18 a.m.

Mr. Speaker presiding.

Roll called.

All present except Assemblyman Sedway, who was excused.

Prayer by the Chaplain, Assemblyman Gaylyn J. Spriggs.

Our Father, we ask that You would be with us. We ask that You would give us strength. We ask that You would help us to maintain love toward our fellowman and that You would bless these proceedings, Lord. That You would help everybody to reach the agreement that You would have them reach. We just ask that You continue to be with us and keep us safe and strong. We ask these things in Jesus' Name. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Francis 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, June 3, 1985

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 Senate Bill No. 506 and requests a second conference, and appointed Senators Bilbray, Townsend and O'Connell as a second Committee on Conference to meet with a like committee of the Assembly for the further consideration of Senate Bill No. 506.

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. 382.

MARY JO MONGELLI
Assistant Secretary of the Senate

SENATE CHAMBER, Carson City, June 4, 1985

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. 229.

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. 439, 454.

Also, I have the honor to inform your honorable body that the Senate on this day appointed Senators Foley, Hickey and Wagner as a first Committee on Conference concerning Senate Bill No. 231.

Also, I have the honor to inform your honorable body that the Senate on this day appointed Senators Neal, Horn and Rawson as a first Committee on Conference concerning Senate Bill No. 276.

Also, I have the honor to inform your honorable body that the Senate on this day appointed Senators Bilbray, Rawson and Ryan as a first Committee on Conference concerning Senate Bill No. 428.

MARY JO MONGELLI
Assistant Secretary of the Senate

UNFINISHED BUSINESS

REPORTS OF CONFERENCE COMMITTEES

Mr. Speaker:

The first Committee on Conference concerning Senate Bill No. 506, 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.

BOB THOMAS	JOHN M. VERGIELS
DAVID D. NICHOLAS	NICHOLAS J. HORN
DAVID E. HUMKE	LAWRENCE E. JACOBSEN
Assembly Committee on Conference	*Senate Committee on Conference*

Assemblyman Thomas moved that the Assembly adopt the report of the first Committee on Conference concerning Senate Bill No. 506.

Remarks by Assemblyman Thomas.

Motion carried.

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker appointed Assemblymen Tebbs, Roberts and Collins as a second Committee on Conference to meet with a like committee of the Senate for the further consideration of Senate Bill No. 506.

REPORTS OF CONFERENCE COMMITTEES

Mr. Speaker:

The first Committee on Conference concerning Senate Bill No. 231, 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. C25, which is attached to and hereby made a part of this report.

JIM STONE	HELEN A. FOLEY
CHARLES JOERG	SUE WAGNER
ART RADER	THOMAS J. HICKEY
Assembly Committee on Conference	*Senate Committee on Conference*

Amendment No. C25.

Amend the bill as a whole by renumbering section 4 as section 6 and adding new sections designated sections 4 and 5, following section 3, to read as follows:

"Sec. 4. Chapter 281 of NRS is hereby amended by adding thereto a new section to read as follows:

1. A public utility or parent organization or subsidiary of a public utility shall not employ a former member of the public service commission of Nevada for 1 year after the termination of his service on the commission.

2. A person who holds a license issued pursuant to chapter 463 or 464 of

NRS or who is required to register with the Nevada gaming commission pursuant to chapter 463 of NRS shall not employ a former member of the state gaming control board or Nevada gaming commission for 1 year after the termination of the member's service on the board or commission.

Sec. 5. The provisions of section 4 do not apply to the employment of a person who is or was a member of the public service commission of Nevada, the state gaming control board or the Nevada gaming commission before July 1, 1985, unless that person is reappointed to his position on or after that date.".

Amend the title of the bill to read as follows:

"An Act relating to regulatory bodies; authorizing the Nevada gaming commission, under certain conditions to waive any of the requirements regarding foreign gaming by a licensee; requiring the Nevada gaming commission to hold hearings after receiving a complaint from the state gaming control board or regarding the appointment of a supervisor; restricting the employment of former members of certain regulatory bodies; and providing other matters properly relating thereto.".

Amend the summary of the bill to read as follows: "Makes various changes in procedure and authority of certain regulatory bodies and restricts employment of former members. (BDR 41-535)".

Assemblyman Stone moved that the Assembly adopt the report of the first Committee on Conference concerning Senate Bill No. 231.

Remarks by Assemblyman Stone.

Motion lost.

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker appointed Assemblymen Bergevin, Price and Bogaert as a second Committee on Conference to meet with a like committee of the Senate for the further consideration of Senate Bill No. 231.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Francis moved that Assembly Bill No. 285 be taken from the Chief Clerk's desk and re-referred to the Committee on Labor and Management.

Motion carried.

Assemblyman Francis moved that Assembly Concurrent Resolution No. 34 be taken from the Chief Clerk's desk and re-referred to the Committee on Economic Development and Tourism.

Motion carried.

UNFINISHED BUSINESS

REPORTS OF CONFERENCE COMMITTEES

Mr. Speaker:

The second Committee on Conference concerning Assembly Bill No. 628, 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. C26, which is attached to and hereby made a part of this report.

MYRNA T. WILLIAMS	RAYMOND D. RAWSON
BILL R. O'DONNELL	SUE WAGNER
JANE F. HAM	THOMAS R. C. WILSON
Assembly Committee on Conference	*Senate Committee on Conference*

Amendment No. C26.

Amend section 1, page 1, by deleting line 2 and inserting: "*thereto the provisions set forth as sections 2 to 5, inclusive, of this act.*".

Amend section 1, page 1, line 3, before "*1.*", by inserting "Sec. 2.".

Amend section 1, page 1, by deleting lines 5 through 7 and inserting: "*unlawfully sells, manufactures, delivers or brings into this state, possesses for sale or participates in any way in a sale of a controlled substance listed in schedule I, II or III is subject to a civil penalty for each violation. This*".

Amend section 1, page 1, line 11, by deleting the colon and inserting: "*and sections 3, 4 and 5 of this act:*".

Amend section 1, page 1, after line 16, by inserting:

"*(c) "Substitute" means a substance which:*

(1) Was manufactured by a person who at the time was not currently registered with the Secretary of Health and Human Services; and

(2) Is an imitation of or intended for use as a substitute for a substance listed in schedule I, II or III.".

Amend the bill as a whole by adding new sections designated sections 3 through 5, following section 1, to read as follows:

"Sec. 3. *1. The State of Nevada is entitled in a civil action brought pursuant to section 2 of this act involving marihuana, to a civil penalty in an amount:*

(a) Not to exceed $350,000, if the quantity involved is 100 pounds or more, but less than 2,000 pounds.

(b) Not to exceed $700,000, if the quantity involved is 2,000 pounds or more, but less than 10,000 pounds.

(c) Not to exceed $1,000,000, if the quantity involved is 10,000 pounds or more.

2. The State of Nevada is entitled, in a civil action brought pursuant to section 2 of this act involving a controlled substance, except marihuana, which is listed in schedule I or a substitute therefor, to a civil penalty in an amount:

(a) Not to exceed $350,000, if the quantity involved is 4 grams or more, but less than 14 grams.

(b) Not to exceed $700,000, if the quantity involved is 14 grams or more, but less than 28 grams.

(c) Not to exceed $1,000,000, if the quantity involved is 28 grams or more.

3. The State of Nevada is entitled, in a civil action brought pursuant to

section 2 of this act involving a controlled substance which is listed in schedule II or III or a substitute therefor, to a civil penalty in an amount:

(a) Not to exceed $350,000, if the quantity involved is 28 grams or more, but less than 200 grams.

(b) Not to exceed $700,000, if the quantity involved is 200 grams or more, but less than 400 grams.

(c) Not to exceed $1,000,000, if the quantity involved is 400 grams or more.

Sec. 4. *1. Any money collected as a civil penalty pursuant to section 3 of this act, after deducting the actual cost of prosecution and court costs, must be deposited with the state treasurer for credit to the state general fund.*

2. The money deposited in the state general fund pursuant to subsection 1 must be accounted for separately. One-half of the money must be used only for the enforcement of chapter 453 of NRS and the other half must be used for rehabilitation of persons who are addicted to controlled substances.

Sec. 5. *1. A civil action brought pursuant to section 1 of this act must be brought within 3 years after the conduct in violation of the provisions of NRS 453.011 to 453.551, inclusive, occurs.*

2. Such a civil action is not barred by a prior acquittal of the defendant in a criminal action arising out of the same transaction or occurrence. A final judgment or decree rendered in favor of the state in any criminal proceeding arising out of the same transaction or occurrence estops the defendant in a subsequent civil action from denying the essential allegations of the criminal offense.".

Assemblyman Williams moved that the Assembly adopt the report of the second Committee on Conference concerning Assembly Bill No. 628.

Remarks by Assemblymen Williams, Rader and Sader.

Motion carried.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, June 4, 1985

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. 365.

MARY JO MONGELLI
Assistant Secretary of the Senate

UNFINISHED BUSINESS

RECEDE FROM ASSEMBLY AMENDMENTS

Assemblyman Marvel moved that the Assembly do not recede from its action on Senate Bill No. 365, 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 Francis, Bergevin and Beyer as a

first Committee on Conference to meet with a like committee of the Senate for the further consideration of Senate Bill No. 365.

RECEDE FROM ASSEMBLY AMENDMENTS

Assemblyman Ham moved that the Assembly do not recede from its action on Senate Bill No. 439, 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 Lambert, Sader 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. 439.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, June 4, 1985

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. 217, 446.

MARY JO MONGELLI
Assistant Secretary of the Senate

UNFINISHED BUSINESS

RECEDE FROM ASSEMBLY AMENDMENTS

Assemblyman Zimmer moved that the Assembly do not recede from its action on Senate Bill No. 454, 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 Zimmer, O'Donnell and Bogaert as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Senate Bill No. 454.

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

Assembly in recess at 1:59 a.m.

ASSEMBLY IN SESSION

At 2:21 a.m.

Mr. Speaker presiding.

Quorum present.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, June 4, 1985

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bill No. 728.

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. 628.

Also, I have the honor to inform your honorable body that the Senate on this day appointed Senators Jacobsen, Vergiels and Neal as a first Committee on Conference concerning Senate Bill No. 365.

MARY JO MONGELLI
Assistant Secretary of the Senate

UNFINISHED BUSINESS

REPORTS OF CONFERENCE COMMITTEES

Mr. Speaker:

The first Committee on Conference concerning Senate Bill No. 365, 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.

STEVEN C. FRANCIS	LAWRENCE E. JACOBSEN
ERIK BEYER	JOHN M. VERGIELS
LOUIS W. BERGEVIN	JOE NEAL
Assembly Committee on Conference	*Senate Committee on Conference*

Assemblyman Francis moved that the Assembly adopt the report of the first Committee on Conference concerning Senate Bill No. 365.

Motion carried.

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker appointed Assemblymen Bilyeu, Joerg and Marvel as a second Committee on Conference to meet with a like committee of the Senate for the further consideration of Senate Bill No. 365.

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

Assembly in recess at 2:26 a.m.

ASSEMBLY IN SESSION

At 3:29 a.m.

Mr. Speaker presiding.

Quorum present.

UNFINISHED BUSINESS

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 amendment of the Senate be concurred in.

CHARLES W. JOERG	JAMES H. BILBRAY
BARBARA A. ZIMMER	BOB RYAN
BOB COFFIN	ROBERT E. ROBINSON
Assembly Committee on Conference	*Senate Committee on Conference*

Assemblyman Joerg moved that the Assembly adopt the report of the first Committee on Conference concerning Assembly Bill No. 164.

Motion carried.

Mr. Speaker:

The first Committee on Conference concerning Assembly Bill No. 555, consisting of the undersigned members, has met, and reports that:

It has agreed to recommend that the amendment of the Senate be concurred in.

CHARLES W. JOERG	JAMES H. BILBRAY
BARBARA A. ZIMMER	BOB RYAN
BOB COFFIN	ROBERT E. ROBINSON
Assembly Committee on Conference	*Senate Committee on Conference*

Assemblyman Joerg moved that the Assembly adopt the report of the first Committee on Conference concerning Assembly Bill No. 555.

Motion carried.

Mr. Speaker:

The first Committee on Conference concerning Assembly Bill No. 556, consisting of the undersigned members, has met, and reports that:

It has agreed to recommend that the amendment of the Senate be concurred in.

CHARLES W. JOERG	JAMES H. BILBRAY
BARBARA A. ZIMMER	BOB RYAN
BOB COFFIN	ROBERT E. ROBINSON
Assembly Committee on Conference	*Senate Committee on Conference*

Assemblyman Joerg moved that the Assembly adopt the report of the first Committee on Conference concerning Assembly Bill No. 556.

Motion carried.

Mr. Speaker:

The first Committee on Conference concerning Senate Bill No. 276, consisting of the undersigned members, has met, and reports that:

It has agreed to recommend that the amendment of the Assembly be receded from.

VIRGIL M. GETTO	JOE NEAL
TERRY TEBBS	NICHOLAS J. HORN
LEONARD V. NEVIN	RAYMOND D. RAWSON
Assembly Committee on Conference	*Senate Committee on Conference*

Assemblyman Getto moved that the Assembly adopt the report of the first Committee on Conference concerning Senate Bill No. 276.

Motion carried.

Mr. Speaker:

The second Committee on Conference concerning Senate Bill No. 368, consisting of the undersigned members, has met, and reports that:

It has agreed to recommend that the amendment of the Assembly be receded from.

BARBARA A. ZIMMER	HELEN A. FOLEY
CHARLES W. JOERG	RAYMOND D. RAWSON
JAMES A. STONE	JAMES H. BILBRAY
Assembly Committee on Conference	*Senate Committee on Conference*

Assemblyman Zimmer moved that the Assembly adopt the report of the second Committee on Conference concerning Senate Bill No. 368.

Motion carried.

Mr. Speaker:

The first Committee on Conference concerning Senate Bill No. 428, consisting of the undersigned members, has met, and reports that:

It has agreed to recommend that the amendments of the Assembly be receded from.

MIKE MALONE	JAMES H. BILBRAY
MORSE ARBERRY, JR.	RAYMOND D. RAWSON
BILL R. O'DONNELL	BOB RYAN
Assembly Committee on Conference	*Senate Committee on Conference*

Assemblyman Malone moved that the Assembly adopt the report of the first Committee on Conference concerning Senate Bill No. 428.

Motion carried.

Mr. Speaker:

The second Committee on Conference concerning Senate Bill No. 506, consisting of the undersigned members, has met, and reports that:

No decision was reached.

EUGENE COLLINS	JAMES H. BILBRAY
TERRY TEBBS	ANN O'CONNELL
GARY L. ROBERTS	RANDOLPH J. TOWNSEND
Assembly Committee on Conference	*Senate Committee on Conference*

Assemblyman Collins moved that the Assembly adopt the report of the second Committee on Conference concerning Senate Bill No. 506.

Motion carried.

Assemblyman Francis moved that the Assembly recess until 11 a.m.

Motion carried.

Assembly in recess at 3:34 a.m.

ASSEMBLY IN SESSION

At 4:45 p.m.

Mr. Speaker presiding.

Quorum present.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, June 4, 1985

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. 164.

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. 555.

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. 556.

Also, I have the honor to inform your honorable body that the Senate on this day appointed Senators Hickey, O'Connell and Horn as a first Committee on Conference concerning Senate Bill No. 439.

Also, I have the honor to inform your honorable body that the Senate on this day appointed Senators Wilson, Wagner and Robinson as a first Committee on Conference concerning Senate Bill No. 454.

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. 231 and requests a second conference, and appointed Senators Bilbray, Ryan and Rawson as a second Committee on Conference to meet with a like committee of the Assembly for the further consideration of Senate Bill No. 231.

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. 276.

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. 368.

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. 428.

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. 506.

MARY JO MONGELLI
Assistant Secretary of the Senate

INTRODUCTION AND FIRST READING OF LEGISLATION

By Assemblyman Stone:

Assembly Bill No. 729—An Act relating to criminal procedure; restoring the trial judge's discretionary authority to dismiss a count of habitual criminality; 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.

Motion carried unanimously.

GENERAL FILE AND THIRD READING

Assembly Bill No. 729.

Bill read third time.

Remarks by Assemblymen Stone, Collins and Price.

Roll call on Assembly Bill No. 729:

YEAS—36.

NAYS—Horne, Little, Price, Roberts, Tebbs—5.

Absent—Sedway.

Assembly Bill No. 729 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

UNFINISHED BUSINESS

REPORTS OF CONFERENCE COMMITTEES

Mr. Speaker:

The second Committee on Conference concerning Senate Bill No. 231, consisting of the undersigned members, has met, and reports that:

It has agreed to recommend that the amendment of the Assembly be concurred in.

LOUIS W. BERGEVIN	JAMES H. BILBRAY
ROBERT E. PRICE	BOB RYAN
BRUCE R. BOGAERT	RAYMOND D. RAWSON
Assembly Committee on Conference	*Senate Committee on Conference*

Assemblyman Bergevin moved that the Assembly adopt the report of the first Committee on Conference concerning Senate Bill No. 231.

Remarks by Assemblyman Bergevin.

Motion carried.

Mr. Speaker:

The first Committee on Conference concerning Senate Bill No. 439, consisting of the undersigned members, has met, and reports that:

No decision was reached.

JOAN A. LAMBERT	
ROBERT M. SADER	THOMAS J. HICKEY
COURTENAY C. SWAIN	ANN O'CONNELL
Assembly Committee on Conference	*Senate Committee on Conference*

Assemblyman Ham moved that the Assembly adopt the report of the first Committee on Conference concerning Senate Bill No. 439.

Remarks by Assemblyman Ham.

Motion carried.

Mr. Speaker:

The first Committee on Conference concerning Senate Bill No. 454, consisting of the undersigned members, has met, and reports that:

It has agreed to recommend that the amendment of the Assembly be receded from.

BARBARA A. ZIMMER	THOMAS R. C. WILSON
BILL R. O'DONNELL	SUE WAGNER
BRUCE R. BOGAERT	ROBERT E. ROBINSON
Assembly Committee on Conference	*Senate Committee on Conference*

Assemblyman Zimmer moved that the Assembly adopt the report of the first Committee on Conference concerning Senate Bill No. 454.

Remarks by Assemblyman Zimmer.

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 5:01 p.m.

ASSEMBLY IN SESSION

At 5:23 p.m.

Mr. Speaker pro Tempore presiding.

Quorum present.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, June 4, 1985

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Senate Bills Nos. 522, 523.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bill No. 397, 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 the report of the first Committee on Conference concerning Senate Bill No. 439.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman DuBois moved that the vote whereby Senate Bill No. 397 was passed be rescinded.

Motion carried.

INTRODUCTION AND FIRST READING OF LEGISLATION

Senate Bill No. 522.

Assemblyman Francis 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. 523.

Assemblyman Francis 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. 397.

Bill read third time.

Remarks by Assemblyman DuBois.

Roll call on Senate Bill No. 397:

YEAS—41.

NAYS—None.

Absent—Sedway.

Senate Bill No. 397 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 522.

Bill read third time.

Remarks by Assemblymen Bilyeu and Dini.

Roll call on Senate Bill No. 522:

YEAS—39.

NAYS—Ham, Little—2.

Absent—Sedway.

Senate Bill No. 522 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 523.

Bill read third time.

Remarks by Assemblyman Bergevin.

Roll call on Senate Bill No. 523:

YEAS—39.

NAYS—Little, Zimmer—2.

Absent—Sedway.

Senate Bill No. 523 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 5:34 p.m.

ASSEMBLY IN SESSION

At 5:35 p.m.

Mr. Speaker presiding.

Quorum present.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, June 4, 1985

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 419, 729.

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. 231.

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. 454.

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. 365 and requests a second conference, and appointed Senators Gibson, Horn and Raggio as a second Committee on Conference to meet with a like committee of the Senate for the further consideration of Senate Bill No. 365.

MARY JO MONGELLI

Assistant Secretary of the Senate

UNFINISHED BUSINESS

REPORTS OF CONFERENCE COMMITTEES

Mr. Speaker:

The second Committee on Conference concerning Senate Bill No. 365, consisting of the undersigned members, has met, and reports that:

No decision was reached.

BYRON (BILL) BILYEU	JAMES I. GIBSON
CHARLES W. JOERG	NICHOLAS (NICK) J. HORN
JOHN W. MARVEL	WILLIAM J. RAGGIO
Assembly Committee on Conference	*Senate Committee on Conference*

Assemblyman Stone moved that the Assembly adopt the report of the first Committee on Conference concerning Senate Bill No. 365.

Motion carried.

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bills Nos. 83, 236, 251, 316, 330, 363, 379, 404, 405, 502, 565, 585, 601, 602, 608, 633, 678, 709, 726; Senate Bills Nos. 19, 38, 56, 130, 163, 185, 206, 226, 227, 239, 277, 296, 312, 345, 352, 380, 381, 393, 438, 460, 463, 471, 472, 474, 475, 483, 485, 490, 497, 498, 499, 503, 510, 512, 513, 514, 516, 518, 519; Assembly Joint Resolutions Nos. 22, 30; Senate Joint Resolutions Nos. 6, 38, 11 of the 62nd Session; Assembly Concurrent Resolutions Nos. 23, 28, 31, 35, 36, 39, 40, 41, 43, 52, 53, 54, 56, 58; Senate Concurrent Resolutions Nos. 3, 45, 47, 57, 59, 60, 62, 64, 65.

REMARKS FROM THE FLOOR

Assemblyman Horne requested that his remarks be entered in the Journal.

With reference to S.B. 276 whereby we apparently through conference passed that bill with a provision that would increase the salaries of legislators, I would specifically request that the Journal of this legislative day indicate that I am opposed to that provision.

Assemblyman Little requested that her remarks be entered in the Journal.

I, also, want to go on record on S.B. 276 as I did vote "no" when you asked for the vote on our 10 percent increase.

MOTIONS, RESOLUTIONS AND NOTICES

Mr. Speaker appointed Assemblymen Francis, Joerg and Dini 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 Kerns, Jeffrey and Sader 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 Vergiels, Redelsperger and O'Connell, appeared before the bar of the Assembly and announced that the Senate is ready to adjourn *sine die.*

Assemblyman Kerns reported that his committee had informed the Senate that the Assembly is ready to adjourn *sine die*.

Assemblyman Francis reported that his committee had informed the Governor that the Assembly is ready to adjourn *sine die*.

Assemblyman Tebbs moved that the Sixty-third Session of the Assembly of the Legislature of the State of Nevada adjourn *sine die*.

Motion carried.

Assembly adjourned at 6:15 p.m.

Approved:

BYRON L. BILYEU
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

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BILYEU, BYRON L., ASSEMBLYMAN FROM ELKO-EUREKA (PART) COUNTIES, NO. 33 DISTRICT—
Announcements—*See Announcements.*
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Escort—
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President of Senate, 20.
President pro Tempore of Senate, 20.
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Inform Senate Assembly organized, 4.
Inform Senate Assembly ready to adjourn *sine die*, 1709.
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Resolutions introduced by, A.J.R. 7, 113; A.J.R. 19, 542; A.J.R. 31, 1053; A.C.R. 1, 18; A.C.R. 10, 128; A.C.R. 17, 299; A.C.R. 20, 390; A.C.R. 24, 659; A.C.R. 42, 1020; A.C.R. 58, 1497; A.R. 8, 1428; A.R. 9, 1511.
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Declared to be, 3.
Nominated for, 3.

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Committee appointments—
Conference re A.B. 389, 1500; A.B. 628, 1669; S.B. 28, 1048; S.B. 231, 1698; S.B. 253, 1391; S.B. 454, 1701.
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Concur in Senate amendment(s) to A.B. 435, 1182.
Do not recede from action on S.B. 460, 1493; S.B. 478, 1592.
Previous question re A.B. 377, 936; A.B. 578, 1216; S.B. 114, 984.
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Resolutions introduced by, A.J.R. 6, 97; A.J.R. 7, 113; A.J.R. 9, 190; A.J.R. 10, 191; A.J.R. 12, 359; A.J.R. 16, 475; A.J.R. 17, 476; A.J.R. 18, 533; A.J.R. 28, 990; A.J.R. 31, 1053; A.J.R. 32, 1054; A.C.R. 1, 18; A.C.R. 6, 68; A.C.R. 7, 77; A.C.R. 13, 191; A.C.R. 14, 191; A.C.R. 16, 221; A.C.R. 17, 299; A.C.R. 20, 390; A.C.R. 24, 659; A.C.R. 39, 990; A.C.R. 42, 1020; A.C.R. 48, 1123; A.C.R. 51, 1196; A.C.R. 58, 1497; A.R. 2, 10; A.R. 3, 10; A.R. 8, 1428.

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Committee appointments—
Conference re A.B. 164, 1626; A.B. 241, 826; A.B. 330, 1498; A.B. 555, 1626; A.B. 556, 1626.
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Resolutions introduced by, A.J.R. 3, 77; A.J.R. 7, 113; A.J.R. 9, 190; A.J.R. 10, 191; A.J.R. 12, 359; A.J.R. 13, 405; A.J.R. 31, 1053; A.J.R. 32, 1054; A.J.R. 33, 1217; A.C.R. 1, 18; A.C.R. 13, 191; A.C.R. 14, 191; A.C.R. 16, 221; A.C.R. 17, 299; A.C.R. 20, 390; A.C.R. 24, 659; A.C.R. 25, 677; A.C.R. 38, 971; A.C.R. 42, 1020; A.C.R. 51, 1196; A.C.R. 58, 1497; A.R. 8, 1428.
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Invite Senate to meet in Joint Session, 131.
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Adoption of amendment(s) to A.B. 99, 621; S.B. 151, 358; S.B. 174, 836; S.B. 207, 1101; S.B. 363, 1087; S.B. 390, 1620; S.B. 397, 1538; S.B. 506, 1607.
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Resolutions introduced by, A.J.R. 3, 77; A.J.R. 6, 97; A.J.R. 7, 113; A.J.R. 9, 190; A.J.R. 10, 191; A.J.R. 12, 359; A.J.R. 16, 475; A.J.R. 17, 476; A.J.R. 20, 676; A.J.R. 28, 990; A.J.R. 31, 1053; A.C.R. 1, 18; A.C.R. 13, 191; A.C.R. 16, 221; A.C.R. 17, 299; A.C.R. 20, 390; A.C.R. 24, 659; A.C.R. 42, 1020; A.C.R. 51, 1196; A.C.R. 58, 1497; A.R. 8, 1428.
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Inform Senate Assembly organized, 4.
Inform Senate Assembly ready to adjourn *sine die*, 1709.
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Resolutions introduced by, A.J.R. 3, 77; A.J.R. 6, 97; A.J.R. 7, 113; A.J.R. 11, 278; A.J.R. 12, 359; A.J.R. 13, 405; A.J.R. 16, 475; A.J.R. 20, 676; A.J.R. 28, 990; A.C.R. 1, 18; A.C.R. 13, 191; A.C.R. 14, 191; A.C.R. 16, 221; A.C.R. 17, 299; A.C.R. 20, 390; A.C.R. 24, 659; A.C.R. 38, 971; A.C.R. 42, 1020; A.C.R. 51, 1196; A.C.R. 58, 1497; A.R. 8, 1428.
Roll call vote requested on motion re S.B. 26, 1240.
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Resolutions introduced by, A.C.R. 28, 789; A.C.R. 29, 789; A.C.R. 30, 827; A.C.R. 34, 898; A.C.R. 50, 1184.

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EMERGENCY MEASURES—
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Rules suspended to declare—*Continued*
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FAIRCHILD, JERRY J., ASSEMBLYMAN FROM CLARK COUNTY, NO. 1 DISTRICT—
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Declare an emergency measure, all Assembly bills and joint resolutions for balance of session, 1110; all Senate bills and joint resolutions for balance of session, 1109; A.B. 419, 1689; A.B. 549, 1083; A.B. 598, 1109; A.B. 630, 1083; A.B. 650, 1083; A.B. 660, 1109; A.B. 685, 1109; A.J.R. 26, 1109; A.J.R. 28, 1109; S.B. 1, 11; S.B. 70, 1083; S.B. 132, 1083; S.B. 162, 1083; S.B. 164, 1083; S.B. 190, 1083; S.B. 198, 1083; S.B. 210, 1083; S.B. 218, 1083; S.B. 238, 1083; S.B. 243, 1109; S.B. 244, 1083; S.B. 282, 1083; S.B. 330, 1109; S.B. 334, 1109; S.B. 340, 1109; S.B. 355, 1109; S.B. 365, 1688; S.B. 372, 1109; S.B. 387, 1083; S.B. 403, 1109; S.B. 425, 1083; S.B. 427, 1109; S.B. 436, 1083; S.B. 437, 1083; S.B. 440, 1109; S.B. 444, 1109; S.B. 445, 1109; S.B. 446, 1688; S.B. 520, 1675; S.B. 521, 1681; S.B. 522, 1707; S.B. 523, 1707; S.J.R. 24, 1109.
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Moves—*Continued*
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Resolutions introduced by, A.J.R. 2, 56; A.J.R. 3, 77; A.J.R. 6, 97; A.J.R. 7, 113; A.J.R. 10, 191; A.J.R. 28, 990; A.J.R. 31, 1053; A.J.R. 32, 1054; A.C.R. 1, 18; A.C.R. 13, 191; A.C.R. 14, 191; A.C.R. 16, 221; A.C.R. 17, 299; A.C.R. 20, 390; A.C.R. 24, 659; A.C.R. 38, 971; A.C.R. 42, 1020; A.C.R. 51, 1196; A.C.R. 58, 1497; A.R. 1, 7; A.R. 8, 1428.
Roll call vote requested on motion re S.B. 26, 1240; S.J.R. 37, 1424.

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. 22, 37; A.B. 40, 39; A.B. 41, 40; A.B. 42, 41; A.B. 45, 42; A.B. 59, 47; A.B. 64, 50; A.B. 72, 57; A.B. 103, 64; A.B. 113, 78; A.B. 169, 103; A.B. 199, 146; A.B. 257, 193; A.B. 258, 193; A.B. 259, 194; A.B. 261, 194; A.B. 262, 194; A.B. 263, 194; A.B. 264, 195; A.B. 265, 195; A.B. 266, 195; A.B. 267, 195; A.B. 268, 195; A.B. 279, 217; A.B. 312, 279; A.B. 320, 280; A.B. 346, 318; A.B. 356, 325; A.B. 362, 329; A.B. 363, 329; A.B. 371, 334; A.B. 372, 351; A.B. 389, 356; A.B. 400, 369; A.B. 431, 406; A.B. 441, 422; A.B. 442, 422; A.B. 459, 464; A.B. 460, 465; A.B. 474, 476; A.B. 477, 477; A.B. 496, 524; A.B. 497, 524; A.B. 515, 555; A.B. 518, 565; A.B. 525, 568; A.B. 526, 568; A.B. 536, 596; A.B. 563, 617; A.B. 578, 642; A.B. 601, 691; A.B. 617, 723; A.B. 620, 728; A.B. 639, 772; A.B. 650, 791; A.B. 692, 998; A.B. 702, 1031; A.B. 707, 1032.
Committee appointments—
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Moves—
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Adoption of resolutions, A.C.R. 50, 1184; S.C.R. 50, 1065; S.C.R. 57, 1555.
Concur in Senate amendment(s) to A.B. 11, 1234; A.B. 209, 823; A.B. 251, 1572; A.B. 387, 1464; A.B. 605, 1551; A.J.R. 1, 1060.
Do not concur in Senate amendment(s) to A.B. 290, 897.
Do not recede from action on S.B. 134, 991.
Previous question re A.B. 134, 334; A.B. 171, 324; A.B. 257, 313; S.B. 114, 984; S.J.R. 17, 1078.
Suspend rules—
Declare an emergency measure, S.J.R. 25, 680.
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Nominates Byron L. Bilyeu for Speaker of Assembly, 3.
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Resolutions introduced by, A.J.R. 3, 77; A.J.R. 6, 97; A.J.R. 10, 191; A.J.R. 11, 278; A.J.R. 12, 359; A.J.R. 14, 430; A.J.R. 19, 542; A.J.R. 28, 990; A.J.R. 32, 1054; A.C.R. 1, 18; A.C.R. 10, 128; A.C.R. 13, 191; A.C.R. 14, 191; A.C.R. 17, 299; A.C.R. 20, 390; A.C.R. 24, 659; A.C.R. 42, 1020; A.C.R. 51, 1196; A.C.R. 58, 1497; A.R. 8, 1428.
Roll call vote requested on motion re S.J.R. 37, 1424.

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H

HAM, JANE F., ASSEMBLYMAN FROM CLARK COUNTY, NO. 16 DISTRICT—
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Committee appointments—
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Committee appointments—
Conference re A.B. 329, 1500; A.B. 627, 1551.
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HUMKE, DAVID E., ASSEMBLYMAN FROM WASHOE COUNTY, NO. 26 DISTRICT—
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Committee appointments—
Conference re A.B. 241, 826; S.B. 19, 1231; S.B. 283, 1670; S.B. 506, 1682.
Special—
Inform Senate Assembly organized, 4.
Standing—
Economic Development and Tourism (chairman), 11.
Health and Welfare (vice chairman), 12.
Ways and Means, 12.
Moves—
Adopt report of conference committee re S.B. 19, 1598; S.B. 283, 1686.
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Previous question re A.B. 11, 592; A.B. 377, 936; A.B. 391, 979; A.B. 605, 1156; A.B. 624, 881; A.B. 628, 1349; A.J.R. 31, 1584; S.B. 58, 767; S.B. 111, 334; S.B. 488, 1383; S.J.R. 24, 1138.
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Roll call vote requested on motion re A.C.R. 57, 1589.

J

JEFFREY, JOHN E., ASSEMBLYMAN FROM CLARK COUNTY, NO. 22 DISTRICT—
Bills introduced by, A.B. 22, 37; A.B. 40, 39; A.B. 41, 40; A.B. 42, 41; A.B. 64, 50; A.B. 128, 80; A.B. 169, 103; A.B. 170, 106; A.B. 171, 107; A.B. 199, 146; A.B. 222, 161; A.B. 258, 193; A.B. 259, 194; A.B. 260, 194; A.B. 261, 194; A.B. 262, 194; A.B. 263, 194; A.B. 264, 195; A.B. 265, 195; A.B. 266, 195; A.B. 267, 195; A.B. 268, 195; A.B. 295, 240; A.B. 297, 247; A.B. 303, 262; A.B. 320, 280; A.B. 330, 295; A.B. 346, 318; A.B. 356, 325;

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Committee appointments—
Conference re A.B. 329, 1575; S.B. 28, 1048; S.B. 219, 1671; S.B. 253, 1391; S.B. 478, 1592.
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Special—
Inform Senate Assembly ready to adjourn *sine die*, 1709.
Select Committee on Credentials, 5.
Select Committee re S.B. 382, 1606.
Standing—
Commerce, 11.
Labor and Management, 12.
Legislative Functions, 12.
Ways and Means, 12.
Temporary Committee on Legislative Functions, 2.
Minority Floor Leader, Assistant, designation as, 12.
Moves—
Adopt report of conference committee re A.B. 329, 1669; S.B. 253, 1443; S.B. 478, 1679.
Adoption of amendment(s) to A.B. 329, 989; A.B. 404, 575; A.B. 566, 928; S.B. 68, 1481.
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Resolutions introduced by, A.J.R. 3, 77; A.J.R. 9, 190; A.J.R. 13, 405; A.J.R. 33, 1217; A.C.R. 13, 191; A.C.R. 14, 191; A.C.R. 17, 299; A.C.R. 20, 390; A.C.R. 24, 659; A.C.R. 38, 971; A.C.R. 39, 990; A.C.R. 42, 1020; A.C.R. 51, 1196; A.C.R. 58, 1497; A.R. 8, 1428.
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JOERG, CHARLES W., ASSEMBLYMAN FROM CARSON CITY (PART), NO. 40 DISTRICT—
Appoints committees—
Conference re A.B. 33, 1081; A.B. 567, 1669; A.B. 628, 1669; A.B. 647, 1669; S.B. 28, 1048; S.B. 107, 1048; S.B. 143, 1228; S.B. 208, 1047; S.B. 219, 1671; S.B. 253, 1391; S.B. 283, 1670; S.B. 368, 1670.
Bills introduced by, A.B. 22, 37; A.B. 44, 41; A.B. 59, 47; A.B. 64, 50; A.B. 113, 78; A.B. 166, 103; A.B. 169, 103; A.B. 186, 125; A.B. 231, 169; A.B. 256, 193; A.B. 257, 193; A.B. 258, 193; A.B. 260, 194; A.B. 261, 194; A.B. 263, 194; A.B. 265, 195; A.B. 266,

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Bills introduced by—*Continued*
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Committee appointments—
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Select Committee re S.B. 382, 1606.
Standing—
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Legislative Functions, 12.
Taxation (chairman), 12.
Temporary Committee on Legislative Functions, 2.
Moves—
Adopt report of conference committee re A.B. 33, 1553; A.B. 164, 1703; A.B. 555, 1703; A.B. 556, 1703; A.B. 627, 1678.
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Concur in Senate amendment(s) to A.B. 194, 1097; A.B. 554, 1688; A.B. 657, 1071.
Do not concur in Senate amendment(s) to A.B. 164, 1585; A.B. 502, 1153; A.B. 555, 1586; A.B. 556, 1587; A.B. 627, 1463.
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MARVEL, JOHN W., ASSEMBLYMAN FROM HUMBOLDT-PERSHING-LANDER (PART)-WASHOE (PART) COUNTIES, NO. 34 DISTRICT—
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Moves—*Continued*
Adoption of amendment(s) to—*Continued*
A.B. 322, 1112; A.B. 330, 1054; A.B. 411, 1221; A.B. 417, 1113; A.B. 497, 1464; A.B. 533, 1379; A.B. 540, 1489; A.B. 593, 928; A.B. 623, 1113; A.B. 633, 1056; S.B. 37, 1115; S.B. 121, 1466; S.B. 156, 961; S.B. 173, 1057; S.B. 232, 929; S.B. 237, 1058; S.B. 256, 1170; S.B. 276, 1623; S.B. 345, 1467; S.B. 371, 1059; S.B. 382, 1606; S.B. 446, 1693; S.B. 513, 1514.
Adoption of resolutions, A.C.R. 44, 1065; S.C.R. 63, 1538.
Concur in Senate amendment(s) to A.B. 22, 1509; A.B. 290, 897; A.B. 340, 1071; A.B. 624, 1048; A.B. 660, 1458; A.B. 724, 1551.
Do not concur in Senate amendment(s) to A.B. 19, 1443; A.B. 228, 385; A.B. 241, 752; A.B. 242, 753; A.B. 322, 1442; A.B. 330, 1443; A.B. 633, 1442; A.B. 724, 1543.
Do not recede from action on S.B. 191, 1579; S.B. 276, 1682; S.B. 283, 1579; S.B. 365, 1700; S.B. 506, 1682.
Rescind action on, A.B. 724, 1551.
Suspend rules—
Declare an emergency measure, A.B. 103, 113; A.B. 728, 1689; S.B. 431, 744.
Remarks from the floor re A.B. 22, 347; A.B. 554, 1632, 1638.
Resolutions introduced by, A.J.R. 6, 97; A.J.R. 10, 191; A.J.R. 18, 533; A.J.R. 19, 542; A.J.R. 28, 990; A.J.R. 32, 1054; A.C.R. 1, 18; A.C.R. 10, 128; A.C.R. 13, 191; A.C.R. 14, 191; A.C.R. 16, 221; A.C.R. 17, 299; A.C.R. 20, 390; A.C.R. 24, 659; A.C.R. 42, 1020; A.C.R. 51, 1196; A.C.R. 58, 1497; A.R. 8, 1428.
Withdraws motion re A.B. 290, 897.

MINORITY FLOOR LEADER—*See Dini, Joseph E., Jr.*

MINORITY FLOOR LEADER, ASSISTANT—*See Jeffrey, John E. (Jack)*

N

NATURAL RESOURCES, AGRICULTURE AND MINING, COMMITTEE ON—
Bills introduced by, A.B. 11, 30; A.B. 12, 31; A.B. 20, 35; A.B. 61, 49; A.B. 107, 70; A.B. 175, 113; A.B. 187, 129; A.B. 209, 157; A.B. 251, 184; A.B. 289, 237; A.B. 290, 237; A.B. 311, 273; A.B. 369, 332; A.B. 387, 356; A.B. 402, 369; A.B. 403, 370; A.B. 421, 402; A.B. 467, 465; A.B. 470, 466; A.B. 485, 517; A.B. 548, 608; A.B. 549, 608; A.B. 573, 634; A.B. 605, 703; A.B. 673, 947; A.B. 712, 1046; A.B. 718, 1117.
Members, appointment, 12.
Resolutions introduced by, A.J.R. 1, 30; A.J.R. 4, 80; A.J.R. 5, 80; A.J.R. 25, 850; A.J.R. 29, 997; A.J.R. 30, 1031.

NEVIN, LEONARD V., ASSEMBLYMAN FROM WASHOE COUNTY, NO. 31 DISTRICT—
Bills introduced by, A.B. 22, 37; A.B. 44, 41; A.B. 64, 50; A.B. 115, 78; A.B. 116, 78; A.B. 169, 103; A.B. 170, 106; A.B. 171, 107; A.B. 190, 131; A.B. 199, 146; A.B. 204, 148; A.B. 222, 161; A.B. 229, 166; A.B. 231, 169; A.B. 237, 183; A.B. 255, 192; A.B. 256, 193; A.B. 258, 193; A.B. 259, 194; A.B. 260, 194; A.B. 261, 194; A.B. 262, 194; A.B. 263, 194; A.B. 264, 195; A.B. 265, 195; A.B. 266, 195; A.B. 267, 195; A.B. 268, 195; A.B. 285, 221;

NEVIN, LEONARD V.—*Continued*
Bills introduced by—*Continued*
A.B. 297, 247; A.B. 300, 262; A.B. 320, 280; A.B. 337, 306; A.B. 338, 306; A.B. 346, 318; A.B. 357, 325; A.B. 361, 329; A.B. 363, 329; A.B. 364, 331; A.B. 365, 331; A.B. 366, 331; A.B. 367, 331; A.B. 371, 334; A.B. 372, 351; A.B. 388, 356; A.B. 389, 356; A.B. 391, 361; A.B. 400, 369; A.B. 404, 370; A.B. 426, 405; A.B. 426, 405; A.B. 429, 406; A.B. 430, 406; A.B. 431, 406; A.B. 441, 422; A.B. 445, 433; A.B. 450, 440; A.B. 460, 465; A.B. 466, 465; A.B. 497, 524; A.B. 501, 534; A.B. 515, 555; A.B. 518, 565; A.B. 522, 565; A.B. 525, 568; A.B. 536, 596; A.B. 563, 617; A.B. 564, 617; A.B. 565, 617; A.B. 566, 628; A.B. 591, 676; A.B. 608, 706; A.B. 620, 728; A.B. 628, 733; A.B. 659, 844; A.B. 709, 1032; A.B. 721, 1166.
Committee appointments—
Conference re S.B. 19, 1231; S.B. 185, 1498; S.B. 219, 1671; S.B. 276, 1682; S.B. 283, 1670.
Special—
Invite Senate to meet in Joint Session, 525.
Select Committee on Credentials, 5.
Standing—
Health and Welfare, 12.
Labor and Management, 12.
Transportation, 12.
Ways and Means, 12.
Moves—
Adoption of amendment(s) to A.B. 204, 435; A.B. 391, 776; A.B. 391, 979; A.B. 608, 1257; A.C.R. 7, 564; S.B. 19, 1114.
Adoption of resolution, A.C.R. 7, 582.
Concur in Senate amendment(s) to A.B. 204, 884.
Previous question re A.B. 390, 942; S.B. 197, 1187.
Rescind action on S.B. 26, 1542; S.B. 26, 1676; S.B. 26, 1679.
Suspend rules—
Reprinting dispensed with, S.B. 26, 1679.
Remarks from the floor re A.B. 153, 1360; A.B. 554, 1635; S.B. 26, 1611.
Resolutions introduced by, A.J.R. 3, 77; A.J.R. 7, 113; A.J.R. 8, 169; A.J.R. 9, 190; A.J.R. 10, 191; A.J.R. 13, 405; A.J.R. 15, 463; A.J.R. 16, 475; A.J.R. 17, 476; A.J.R. 18, 533; A.J.R. 33, 1217; A.C.R. 1, 18; A.C.R. 6, 68; A.C.R. 7, 77; A.C.R. 13, 191; A.C.R. 16, 221; A.C.R. 17, 299; A.C.R. 20, 390; A.C.R. 24, 659; A.C.R. 42, 1020; A.C.R. 51, 1196; A.C.R. 58, 1497; A.R. 8, 1428.
Roll call vote requested on motion re A.B. 554, 1638; A.B. 554, 1641; S.B. 26, 1542; S.B. 26, 1676.

NICHOLAS, DAVID D., ASSEMBLYMAN FROM WASHOE COUNTY, NO. 23 DISTRICT—
Bills introduced by, A.B. 9, 19; A.B. 22, 37; A.B. 42, 41; A.B. 44, 41; A.B. 59, 47; A.B. 64, 50; A.B. 113, 78; A.B. 169, 103; A.B. 170, 106; A.B. 171, 107; A.B. 191, 131; A.B. 199, 146; A.B. 205, 156; A.B. 210, 160; A.B. 254, 186; A.B. 255, 192; A.B. 258, 193; A.B. 259, 194; A.B. 260, 194; A.B. 261, 194; A.B. 262, 194; A.B. 263, 194; A.B. 264, 195; A.B. 265, 195; A.B. 266, 195; A.B. 267, 195; A.B. 268, 195; A.B. 286, 221; A.B. 295, 240; A.B. 312, 279; A.B. 338, 306; A.B. 346, 318; A.B. 356, 325; A.B. 362, 329; A.B. 363, 329; A.B. 388, 356; A.B. 389, 356; A.B. 400, 369; A.B. 413, 380; A.B. 431, 406; A.B. 433, 409; A.B.

NICHOLAS, DAVID D.—*Continued*
Bills introduced by—*Continued*
441, 422; A.B. 442, 422; A.B. 459, 464; A.B. 460, 465; A.B. 477, 477; A.B. 489, 521; A.B. 514, 542; A.B. 515, 555; A.B. 518, 565; A.B. 524, 567; A.B. 536, 596; A.B. 551, 608; A.B. 563, 617; A.B. 617, 723; A.B. 620, 728; A.B. 646, 775; A.B. 650, 791; A.B. 659, 844; A.B. 675, 947; A.B. 699, 1007; A.B. 709, 1032.
Committee appointments—
Conference re A.B. 242, 826; A.B. 330, 1498; S.B. 191, 1579; S.B. 283, 1670; S.B. 506, 1682.
Special—
Inform Senate Assembly organized, 4.
Standing—
Health and Welfare (chairman), 12.
Natural Resources, Agriculture and Mining, 12.
Ways and Means, 12.
Moves—
Adopt report of conference committee re A.B. 330, 1573; S.B. 191, 1668.
Adoption of amendment(s) to A.B. 184, 1254; A.B. 433, 819; A.B. 489, 958; A.B. 514, 1004; S.B. 8, 953; S.B. 18, 1026; S.B. 191, 1493; S.B. 514, 1579.
Adoption of resolutions, A.C.R. 22, 731; S.C.R. 55, 1121.
Concur in Senate amendment(s) to A.B. 183, 1455; A.B. 386, 1503; A.B. 514, 1503; A.B. 533, 1544; A.B. 595, 1455; A.B. 642, 1456.
Do not recede from action on S.B. 19, 1231.
Previous question re A.B. 11, 592; A.B. 59, 224; A.B. 605, 1156; A.B. 652, 1350; S.B. 58, 767; S.B. 90, 305; S.B. 111, 334; S.B. 478, 1557; S.B. 488, 1383; S.J.R. 24, 1138.
Rescind action on, S.B. 193, 1189.
Notice of reconsideration of vote on S.B. 193, 1188.
Remarks from the floor re International Association of Bomb Technicians and Investigators, 1061; A.B. 5, 199; A.B. 59, 224, 230; A.B. 554, 1635, 1651; A.B. 688, 1159; A.J.R. 6, 210; A.J.R. 31, 1583; S.C.R. 29, 478; S.C.R. 55, 1121.
Resolutions introduced by, A.J.R. 6, 97; A.J.R. 7, 113; A.J.R. 9, 190; A.J.R. 10, 191; A.J.R. 11, 278; A.J.R. 12, 359; A.J.R. 16, 475; A.J.R. 27, 970; A.J.R. 32, 1054; A.C.R. 1, 18; A.C.R. 6, 68; A.C.R. 13, 191; A.C.R. 14, 191; A.C.R. 16, 221; A.C.R. 17, 299; A.C.R. 20, 390; A.C.R. 22, 464; A.C.R. 24, 659; A.C.R. 25, 677; A.C.R. 42, 1020; A.C.R. 51, 1196; A.C.R. 58, 1497; A.R. 8, 1428.

NO FURTHER CONSIDERATION—
Motion re A.B. 577, 661.

O

OATH OF OFFICE—
Administered to Assemblymen-elect, 2, 6.

O'DONNELL, BILL R., ASSEMBLYMAN FROM CLARK COUNTY, NO. 5 DISTRICT—
Bills introduced by, A.B. 22, 37; A.B. 45, 42; A.B. 46, 42; A.B. 64, 50; A.B. 113, 78; A.B. 169, 103; A.B. 171, 107; A.B. 186, 125; A.B. 210, 160; A.B. 222, 161; A.B. 229, 166; A.B. 231, 169; A.B. 237, 183; A.B. 254, 186; A.B. 256, 193; A.B. 257, 193; A.B. 258, 193; A.B. 259, 194; A.B. 260, 194; A.B. 261, 194; A.B. 262, 194;

O'DONNELL, BILL R.—*Continued*
Bills introduced by—*Continued*
A.B. 263, 194; A.B. 264, 195; A.B. 265, 195; A.B. 266, 195; A.B. 267, 195; A.B. 268, 195; A.B. 297, 247; A.B. 303, 262; A.B. 320, 280; A.B. 337, 306; A.B. 338, 306; A.B. 346, 318; A.B. 356, 325; A.B. 357, 325; A.B. 363, 329; A.B. 371, 334; A.B. 372, 351; A.B. 386, 356; A.B. 388, 356; A.B. 392, 368; A.B. 400, 369; A.B. 404, 370; A.B. 431, 406; A.B. 441, 422; A.B. 455, 456; A.B. 459, 464; A.B. 477, 477; A.B. 496, 524; A.B. 497, 524; A.B. 502, 534; A.B. 503, 534; A.B. 518, 565; A.B. 525, 568; A.B. 528, 581; A.B. 536, 596; A.B. 566, 628; A.B. 574, 639; A.B. 577, 642; A.B. 578, 642; A.B. 617, 723; A.B. 620, 728; A.B. 621, 733; A.B. 646, 775; A.B. 659, 844; A.B. 690, 991; A.B. 692, 998.
Committee appointments—
Conference re A.B. 33, 1081; A.B. 329, 1500; A.B. 507, 1551; A.B. 628, 1678; S.B. 19, 1231; S.B. 208, 1047; S.B. 219, 1671; S.B. 368, 1595; S.B. 428, 1683; S.B. 454, 1701.
Standing—
Health and Welfare, 12.
Judiciary, 12.
Labor and Management, 12.
Moves—
Adopt report of conference committee re S.B. 208, 1399.
Adoption of amendment(s) re A.B. 3, 243; A.B. 33, 104; A.B. 111, 646; A.B. 143, 1222; A.B. 257, 294; A.B. 419, 1687; S.B. 39, 1414; S.B. 219, 1513; S.B. 345, 1582; S.B. 510, 1471.
Previous question re A.B. 59, 224; A.B. 134, 334.
Remarks from the floor re Stephanie Cranson, 71; A.B. 153, 1361; A.B. 554, 1657; S.B. 58, 256.
Resolutions introduced by, A.J.R. 9, 190; A.J.R. 10, 191; A.J.R. 11, 278; A.J.R. 16, 475; A.J.R. 18, 533; A.J.R. 28, 990; A.J.R. 32, 1054; A.C.R. 1, 18; A.C.R. 13, 191; A.C.R. 14, 191; A.C.R. 16, 221; A.C.R. 17, 299; A.C.R. 20, 390; A.C.R. 24, 659; A.C.R. 42, 1020; A.C.R. 51, 1196; A.C.R. 58, 1497; A.R. 8, 1428.
Roll call vote requested on motion re A.C.R. 57, 1589.

P

PRESS REPRESENTATIVES—
Accreditation, 4, 62.

PREVIOUS QUESTION—
On motion re, A.B. 11, 502, 592; A.B. 59, 224; A.B. 134, 334; A.B. 153, 1248; A.B. 171, 324; A.B. 257, 313; A.B. 374, 883; A.B. 377, 936; A.B. 390, 942; A.B. 391, 979; A.B. 554, 1638; A.B. 554, 1666; A.B. 578, 1216; A.B. 605, 1156; A.B. 624, 881; A.B. 628, 1349; A.B. 652, 1350; A.J.R. 31, 1584; S.B. 58, 257; S.B. 58, 767; S.B. 90, 305; S.B. 111, 334; S.B. 114, 984; S.B. 197, 1187; S.B. 254, 1216; S.B. 478, 1557; S.B. 488, 1383; S.B. 521, 1694; S.J.R. 4, 450; S.J.R. 7, 656; S.J.R. 17, 1078; S.J.R. 24, 1138.

PRICE, ROBERT E., ASSEMBLYMAN FROM CLARK COUNTY, NO. 17 DISTRICT—
Bills introduced by, A.B. 22, 37; A.B. 44, 41; A.B. 64, 50; A.B. 99, 62; A.B. 140, 84; A.B. 169, 103; A.B. 170, 106; A.B. 171, 107; A.B. 199, 146;

PRICE, ROBERT E.—*Continued*
Bills introduced by—*Continued*
A.B. 222, 161; A.B. 229, 166; A.B. 256, 193; A.B. 257, 193; A.B. 258, 193; A.B. 259, 194; A.B. 260, 194; A.B. 261, 194; A.B. 262, 194; A.B. 263, 194; A.B. 264, 195; A.B. 265, 195; A.B. 266, 195; A.B. 267, 195; A.B. 268, 195; A.B. 285, 221; A.B. 303, 262; A.B. 320, 280; A.B. 346, 318; A.B. 357, 325; A.B. 361, 329; A.B. 362, 329; A.B. 363, 329; A.B. 371, 334; A.B. 372, 351; A.B. 388, 356; A.B. 389, 356; A.B. 400, 369; A.B. 404, 370; A.B. 420, 396; A.B. 426, 405; A.B. 427, 405; A.B. 429, 406; A.B. 430, 406; A.B. 431, 406; A.B. 441, 422; A.B. 445, 433; A.B. 446, 436; A.B. 452, 449; A.B. 459, 464; A.B. 494, 524; A.B. 501, 434; A.B. 518, 565; A.B. 522, 565; A.B. 526, 568; A.B. 528, 581; A.B. 536, 596; A.B. 546, 604; A.B. 566, 628; A.B. 574, 639; A.B. 596, 680; A.B. 617, 723; A.B. 620, 728; A.B. 650, 791; A.B. 659, 844; A.B. 721, 1166.
Committee appointments—
Conference re A.B. 502, 1410; A.B. 627, 1551; S.B. 231, 1698; S.B. 312, 1366.
Escort, President of Senate, 20.
Special—
Select Committee on Credentials, 5.
Standing—
Economic Development and Tourism, 11.
Government Affairs, 11.
Taxation, 12.
Transportation, 12.
Conflict of Interest re S.B. 24, 254; S.B. 26, 1541; S.B. 26, 1679.
Moves—
Adoption of amendment(s) to A.B. 71, 321; A.B. 71, 508; A.B. 420, 1223; A.B. 431, 777; A.B. 447, 985; A.B. 546, 779; S.B. 236, 1108; S.B. 263, 1058; S.B. 393, 1559; S.J.R. 7, 656.
Adoption of resolution, A.C.R. 51, 1196.
Previous question re A.J.R. 31, 1584.
Reconsideration of vote re A.B. 153, 1424; A.B. 597, 1071; S.B. 114, 1006.
Notice of reconsideration of vote re A.B. 11, 502; A.B. 153, 1364; A.B. 597, 1059; S.B. 114, 992.
Remarks from the floor re A.B. 59, 223, 233, 236; A.B. 153, 1362, 1425; A.B. 169, 1438; A.B. 554, 1638, 1645; S.B. 277, 1562; S.B. 393, 1559; S.C.R. 29, 478; S.C.R. 56, 1129.
Resolutions introduced by, A.J.R. 2, 56; A.J.R. 3, 77; A.J.R. 9, 190; A.J.R. 10, 191; A.J.R. 13, 405; A.J.R. 15, 463; A.J.R. 16, 475; A.J.R. 17, 476; A.J.R. 20, 676; A.J.R. 32, 1054; A.J.R. 33, 1217; A.C.R. 1, 18; A.C.R. 13, 191; A.C.R. 14, 191; A.C.R. 16, 221; A.C.R. 17, 299; A.C.R. 20, 390; A.C.R. 24, 659; A.C.R. 39, 990; A.C.R. 42, 1020; A.C.R. 51, 1196; A.C.R. 58, 1497; A.R. 8, 1428.
Roll call vote requested on motion re A.B. 554, 1630; A.B. 554, 1666; S.B. 236, 1108; S.J.R. 7, 656.

R

RADER, ART, ASSEMBLYMAN FROM CLARK COUNTY, NO. 14 DISTRICT—
Bills introduced by, A.B. 22, 37; A.B. 44, 41; A.B. 45, 42; A.B. 46, 42; A.B. 59, 47; A.B. 64, 50; A.B. 113, 78; A.B. 165, 103; A.B. 166, 103; A.B. 169, 103; A.B. 186, 125; A.B. 199, 146; A.B. 210, 160;

RADER, ART—*Continued*
Bills introduced by—*Continued*
A.B. 222, 161; A.B. 231, 169; A.B. 254, 186; A.B. 256, 193; A.B. 257, 193; A.B. 258, 193; A.B. 259, 194; A.B. 260, 194; A.B. 261, 194; A.B. 262, 194; A.B. 263, 194; A.B. 264, 195; A.B. 265, 195; A.B. 266, 195; A.B. 267, 195; A.B. 268, 195; A.B. 285, 221; A.B. 297, 247; A.B. 304, 269; A.B. 305, 269; A.B. 306, 269; A.B. 312, 279; A.B. 320, 280; A.B. 337, 306; A.B. 338, 306; A.B. 346, 318; A.B. 357, 325; A.B. 363, 329; A.B. 371, 334; A.B. 372, 351; A.B. 386, 356; A.B. 388, 356; A.B. 389, 356; A.B. 390, 361; A.B. 392, 368; A.B. 400, 369; A.B. 401, 369; A.B. 404, 370; A.B. 431, 406; A.B. 441, 422; A.B. 459, 464; A.B. 477, 477; A.B. 489, 521; A.B. 494, 524; A.B. 497, 524; A.B. 501, 534; A.B. 518, 565; A.B. 522, 565; A.B. 526, 568; A.B. 528, 581; A.B. 536, 596; A.B. 564, 617; A.B. 566, 628; A.B. 574, 639; A.B. 577, 642; A.B. 578, 642; A.B. 591, 676; A.B. 608, 706; A.B. 617, 723; A.B. 618, 723; A.B. 620, 728; A.B. 621, 733; A.B. 646, 775; A.B. 650, 791; A.B. 659, 844; A.B. 690, 991; A.B. 692, 998.
Committee appointments—
Conference re A.B. 229, 1551; A.B. 628, 1669; S.B. 8, 1554; S.B. 188, 714; S.B. 211, 919; S.B. 231, 1683.
Standing—
Economic Development, 11.
Judiciary, 12.
Transportation, 12.
Moves—
Adopt report of conference committee re S.B. 211, 1123.
Adoption of amendment(s) to A.B. 172, 342; A.B. 309, 455; A.B. 424, 1223; A.B. 424, 1247; A.B. 646, 1236; S.B. 185, 1390.
Adoption of resolution, A.C.R. 34, 898.
Previous question re A.B. 554, 1638; A.B. 554, 1666.
Reconsideration of vote re S.J.R. 37, 1424.
Notice of reconsideration of vote re S.J.R. 37, 1390.
Remarks from the floor re anniversary of Germany's surrender, 785; A.B. 153, 1361; A.B. 474, 683; A.J.R. 31, 1583; S.B. 58, 257; S.J.R. 37, 1478.
Resolutions introduced by, A.J.R. 6, 97; A.J.R. 7, 113; A.J.R. 9, 190; A.J.R. 10, 191; A.J.R. 11, 278; A.J.R. 12, 359; A.J.R. 16, 475; A.J.R. 17, 476; A.J.R. 18, 533; A.J.R. 28, 990; A.J.R. 31, 1053; A.J.R. 32, 1054; A.C.R. 1, 18; A.C.R. 13, 191; A.C.R. 14, 191; A.C.R. 16, 221; A.C.R. 17, 299; A.C.R. 20, 390; A.C.R. 24, 659; A.C.R. 38, 971; A.C.R. 42, 1020; A.C.R. 51, 1196; A.C.R. 58, 1497; A.R. 8, 1428.

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Absences, excused, 946, 967, 994, 1028, 1063, 1094, 1119, 1147, 1172, 1205, 1339, 1397, 1426, 1495, 1568, 1641, 1696.
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Resolutions introduced by, A.J.R. 6, 97; A.J.R. 7, 113; A.J.R. 9, 190; A.J.R. 10, 191; A.J.R. 12, 359; A.C.R. 1, 18; A.C.R. 6, 68; A.C.R. 9, 91; A.C.R. 13, 191; A.C.R. 14, 191; A.C.R. 16, 221; A.C.R. 17, 299; A.C.R. 20, 390; A.C.R. 24, 659; A.C.R. 42, 1020; A.C.R. 51, 1196; A.C.R. 58, 1497; A.R. 8, 1428.
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SWAIN, COURTENAY C., ASSEMBLYMAN FROM WASHOE COUNTY, NO. 28 DISTRICT—
Bills introduced by, A.B. 9, 19; A.B. 22, 37; A.B. 64, 50; A.B. 99, 62; A.B. 165, 103; A.B. 166, 103; A.B. 169, 103; A.B. 170, 106; A.B. 171, 107; A.B. 186, 125; A.B. 199, 146; A.B. 211, 160; A.B. 222, 161; A.B. 229, 166; A.B. 256, 193; A.B. 258, 193; A.B. 259, 194; A.B. 260, 194; A.B. 261, 194; A.B. 262, 194; A.B. 263, 194; A.B. 264, 195; A.B. 265, 195; A.B. 266, 195; A.B. 267, 195; A.B. 268, 195; A.B. 273, 212; A.B. 274, 212; A.B. 297, 247; A.B. 303, 262; A.B. 304, 269; A.B. 320, 280; A.B. 335, 306; A.B. 346, 318; A.B. 357, 325; A.B. 361, 329; A.B. 362, 329; A.B. 364, 331; A.B. 365, 331; A.B. 366, 331; A.B. 367, 331; A.B. 371, 334; A.B. 372, 351; A.B. 389, 356; A.B. 391, 361; A.B. 392, 368; A.B. 400, 369; A.B. 431, 406; A.B. 441, 422; A.B. 450, 440; A.B. 459, 464; A.B. 494, 524; A.B. 497, 524; A.B. 501, 534; A.B. 522, 565; A.B. 526, 568; A.B. 536, 596; A.B. 551, 608; A.B. 563, 617; A.B. 566, 628; A.B. 608, 706; A.B. 650, 791; A.B. 709, 1032; A.B. 721, 1166.
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TEBBS, TERRY, ASSEMBLYMAN FROM CLARK COUNTY, NO. 42 DISTRICT—
Bills introduced by, A.B. 22, 37; A.B. 64, 50; A.B. 113, 78; A.B. 147, 92; A.B. 165, 103; A.B. 169, 103; A.B. 170, 106; A.B. 171, 107; A.B. 199, 146; A.B. 210, 160; A.B. 231, 169; A.B. 255, 192; A.B. 256, 193; A.B. 257, 193; A.B. 258, 193; A.B. 259, 194; A.B. 261, 194; A.B. 262, 194; A.B. 263, 194; A.B. 264, 195; A.B. 265, 195; A.B. 266, 195; A.B. 267, 195; A.B. 268, 195; A.B. 286, 221; A.B. 297, 247; A.B. 303, 262; A.B. 338, 306; A.B. 346, 318; A.B. 363, 329; A.B. 371, 334; A.B. 386, 356; A.B. 388, 356; A.B. 389, 356; A.B. 400, 369; A.B. 401, 369; A.B. 441, 422; A.B. 459, 464; A.B. 460, 465; A.B. 477, 477; A.B. 489, 521; A.B. 494, 524; A.B. 496, 524; A.B. 497, 524; A.B. 502, 534; A.B. 503, 534; A.B. 515, 555; A.B. 522, 565; A.B. 536, 596; A.B. 563, 617; A.B. 566, 628; A.B. 577, 642; A.B. 578, 642; A.B. 590, 676; A.B. 617, 723; A.B. 618, 723; A.B. 620, 728; A.B. 646, 775; A.B. 650, 791; A.B. 690, 991.
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Resolutions introduced by, A.J.R. 6, 97; A.J.R. 7, 113; A.J.R. 9, 190; A.J.R. 12, 359; A.J.R. 28, 990; A.J.R. 32, 1054; A.C.R. 1, 18; A.C.R. 13, 191; A.C.R. 14, 191; A.C.R. 16, 221; A.C.R. 17, 299; A.C.R. 20, 390; A.C.R. 24, 659; A.C.R. 42, 1020; A.C.R. 51, 1196; A.C.R. 58, 1497; A.R. 8, 1428.

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Committee appointments—
Conference re A.B. 322, 1498; A.B. 633, 1498; S.B. 130, 1552; S.B. 143, 1228; S.B. 283, 1579; S.B. 506, 1682.
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Moves—
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Moves—*Continued*
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Resolutions introduced by, A.J.R. 3, 77; A.J.R. 6, 97; A.J.R. 7, 113; A.J.R. 9, 190; A.J.R. 10, 191; A.J.R. 11, 278; A.J.R. 12, 359; A.J.R. 28, 990; A.J.R. 31, 1053; A.J.R. 32, 1054; A.C.R. 1, 18; A.C.R. 13, 191; A.C.R. 14, 191; A.C.R. 16, 221; A.C.R. 17, 299; A.C.R. 18, 299; A.C.R. 19, 351; A.C.R. 20, 390; A.C.R. 24, 659; A.C.R. 42, 1020; A.C.R. 51, 1196; A.C.R. 58, 1497; A.R. 8, 1428.

THOMPSON, DANNY L., ASSEMBLYMAN FROM CLARK COUNTY, NO. 21 DISTRICT—
Bills introduced by, A.B. 2, 18; A.B. 3, 18; A.B. 22, 37; A.B. 40, 39; A.B. 41, 40; A.B. 64, 50; A.B. 104, 64; A.B. 147, 92; A.B. 165, 103; A.B. 166, 103; A.B. 169, 103; A.B. 170, 106; A.B. 171, 107; A.B. 178, 121; A.B. 179, 121; A.B. 199, 146; A.B. 222, 161; A.B. 237, 183; A.B. 256, 193; A.B. 257, 193; A.B. 258, 193; A.B. 259, 194; A.B. 260, 194; A.B. 261, 194; A.B. 262, 194; A.B. 264, 195; A.B. 265, 195; A.B. 266, 195; A.B. 267, 195; A.B. 268, 195; A.B. 295, 240; A.B. 297, 247; A.B. 303, 262; A.B. 312, 279; A.B. 320, 280; A.B. 330, 295; A.B. 337, 306; A.B. 338, 306; A.B. 346, 318; A.B. 358, 328; A.B. 361, 329; A.B. 362, 329; A.B. 363, 329; A.B. 365, 331; A.B. 367, 331; A.B. 371, 334; A.B. 372, 351; A.B. 389, 356; A.B. 392, 368; A.B. 401, 369; A.B. 413, 380; A.B. 426, 405; A.B. 427, 405; A.B. 429, 406; A.B. 430, 406; A.B. 431, 406; A.B. 438, 414; A.B. 441, 422; A.B. 442, 422; A.B. 445, 433; A.B. 446, 436; A.B. 450, 440; A.B. 459, 464; A.B. 494, 524; A.B. 495, 524; A.B. 497, 524; A.B. 518, 565; A.B. 522, 565; A.B. 525, 568; A.B. 536, 596; A.B. 551, 608; A.B. 563, 617; A.B. 566, 628; A.B. 591, 676; A.B. 608, 706; A.B. 617, 723; A.B. 620, 728; A.B. 650, 791; A.B. 659, 844; A.B. 699, 1007; A.B. 721, 1166.
Committee appointments—
Conference re A.B. 19, 1498; A.B. 329, 1575; S.B. 253, 1391.
Special—
Select Committee on Credentials, 5.
Standing—
Commerce, 11.
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Labor and Management, 12.
Ways and Means, 972.
Moves—
Adoption of amendment(s) to A.B. 110, 410; A.B. 110, 782; A.B. 127, 372; A.B. 153, 1248; A.B. 314, 383; A.B. 362, 555; A.B. 600, 1025.
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Previous question re A.B. 171, 324; A.B. 628, 1349; A.B. 652, 1350; S.B. 58, 767; S.B. 254, 1216; S.B. 478, 1557; S.B. 521, 1694.
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Resolutions introduced by, A.J.R. 3, 77; A.J.R. 7, 113; A.J.R. 9, 190; A.J.R. 10, 191; A.J.R. 13, 405; A.J.R. 16, 475; A.J.R. 32, 1054; A.J.R. 33, 1217; A.C.R. 1, 18; A.C.R. 13, 191; A.C.R. 14, 191; A.C.R. 17, 299; A.C.R. 20, 390; A.C.R. 24, 659; A.C.R. 38, 971; A.C.R. 42, 1020; A.C.R. 51, 1196; A.C.R. 58, 1497; A.R. 8, 1428.
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Resolutions introduced by, A.C.R. 37, 930; A.C.R. 44, 1064.

WILLIAMS, MYRNA T., ASSEMBLYMAN FROM CLARK COUNTY, NO. 10 DISTRICT—
Bills introduced by, A.B. 2, 18; A.B. 22, 37; A.B. 64, 50; A.B. 99, 62; A.B. 147, 92; A.B. 169, 103; A.B. 178, 121; A.B. 179, 121; A.B. 186, 125; A.B. 199, 146; A.B. 222, 161; A.B. 229, 166; A.B. 231, 169; A.B. 254, 186; A.B. 258, 193; A.B. 259, 194; A.B. 260, 194; A.B. 261, 194; A.B. 262, 194; A.B. 263, 194; A.B. 264, 195; A.B. 265, 195; A.B. 266, 195; A.B. 267, 195; A.B. 268, 195; A.B. 286, 221; A.B. 297, 247; A.B. 303, 262; A.B. 320, 280; A.B. 346, 318; A.B. 361, 329; A.B. 362, 329; A.B. 363, 329; A.B. 371, 334; A.B. 372, 351; A.B. 389, 356; A.B. 392, 368; A.B. 400, 369; A.B. 401, 369; A.B. 427, 405; A.B. 428, 406; A.B. 429, 406; A.B. 430, 406; A.B. 431, 406; A.B. 438, 414; A.B. 441, 422; A.B. 445, 433; A.B. 450, 440; A.B. 452, 449; A.B. 459, 464; A.B. 460, 465; A.B. 494, 524; A.B. 497, 524; A.B. 518, 565; A.B. 522, 565; A.B. 528, 581; A.B. 536, 596; A.B. 551, 608; A.B. 566, 628; A.B. 592, 676; A.B. 608, 706; A.B. 617, 723; A.B. 620, 728; A.B. 621, 733; A.B. 628, 733; A.B. 650, 791; A.B. 659, 844; A.B. 721, 1166.
Committee appointments—
Conference re A.B. 33, 897; A.B. 229, 1551; A.B. 329, 1575; A.B. 507, 1551; A.B. 628, 1678; S.B. 8, 1149; S.B. 113, 713; S.J.R. 2, 613.
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Standing—
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Labor and Management, 12.
Taxation, 12.
Moves—
Adopt report of conference committee re A.B. 628, 1700.
Adoption of amendment(s) to A.B. 422, 1368; A.B. 630, 1355.
Adoption of resolution, A.C.R. 38, 1121.
Do not recede from action on S.B. 219, 1671.
Joint Session, dissolved, 155.
Previous question re A.B. 554, 1666.
Remarks from the floor re Dr. Hubert Locke, 518; Junior Leagues of Nevada, 201; Nevada Elected Women's Day, 361; A.B. 153, 1362; A.B. 554, 1633, 1654; S.B. 393, 1559.
Resolutions introduced by, A.J.R. 3, 77; A.J.R. 7, 113; A.J.R. 9, 190; A.J.R. 10, 191; A.J.R. 13, 405; A.J.R. 15, 463; A.J.R. 16, 475; A.J.R. 20, 676; A.J.R. 33, 1217; A.C.R. 1, 18; A.C.R. 13, 191; A.C.R. 14, 191; A.C.R. 16, 221; A.C.R. 17, 299; A.C.R. 20, 390; A.C.R. 24, 659; A.C.R. 38, 971; A.C.R. 42, 1020; A.C.R. 51, 1196; A.C.R. 58, 1497; A.R. 8, 1428.
Roll call vote requested on motion re A.B. 554, 1666; A.C.R. 57, 1589.

WITHDRAWALS—
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Z

ZIMMER, BARBARA, ASSEMBLYMAN FROM CLARK COUNTY, NO. 8 DISTRICT—
Bills introduced by, A.B. 22, 37; A.B. 44, 41; A.B. 46, 42; A.B. 59, 47; A.B. 64, 50; A.B. 113, 78; A.B. 169, 103; A.B. 186, 125; A.B. 199, 146;

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Committee appointments—
Conference re A.B. 164, 1626; A.B. 229, 1592; A.B. 329, 1500; A.B. 502, 1410; A.B. 555, 1626; A.B. 556, 1626; S.B. 107, 1048; S.B. 368, 1670; S.B. 454, 1701.
Standing—
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Labor and Management (chairman), 12.
Taxation, 12.
Moves—
Adopt report of conference committee re A.B. 329, 1573; A.B. 502, 1574; S.B. 107, 1232; S.B. 219, 1679; S.B. 368, 1704; S.B. 454, 1706.
Adoption of amendment(s) to A.B. 112, 589; A.B. 142, 856; A.B. 142, 1249; A.B. 152, 543; A.B. 153, 932; A.B. 153, 1249; A.B. 224, 920; A.B. 298, 373; A.B. 316, 1054; A.B. 329, 550; A.B. 348, 1024; A.B. 353, 958; A.B. 355, 775; A.B. 377, 878; A.B. 502, 679; A.B. 562, 1010; A.B. 579, 1255; A.B. 620, 1034; A.B. 703, 1224; S.B. 454, 1571.
Concur in Senate amendment(s) to A.B. 110, 1098; A.B. 111, 896; A.B. 232, 1175; A.B. 329, 1430; A.B. 329, 1431; A.B. 569, 1152; A.B. 608, 1597.
Do not recede from action on S.B. 454, 1701.
Joint Session, dissolved, 137.
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