The

Journal of the Assembly

OF THE

SIXTY-FOURTH SESSION

OF THE

LEGISLATURE OF THE STATE OF NEVADA

1987

BEGUN ON MONDAY, THE NINETEENTH DAY OF JANUARY, AND ENDED ON THURSDAY, THE EIGHTEENTH DAY OF JUNE

VOLUME 1

THE FIRST DAY—THE ONE HUNDRED AND FIFTEENTH DAY

SEE VOLUME 2 FOR INDEX

SPO, Carson City, Nevada, 1988



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ASSEMBLY LEGISLATIVE CALENDAR

(The Assembly actually met for a total of 109 days, though the session lasted through 151 calendar days; the table below is numbered by calendar days.)

Calendar Day	*Date*	*Page Number*
1	January 19, 1987	1
2	January 20, 1987	20
3	January 21, 1987	23
4	January 22, 1987	40
5	January 23, 1987	45
8	January 26, 1987	50
9	January 27, 1987	53
10	January 28, 1987	64
11	January 29, 1987	72
12	January 30, 1987	80
15	February 2, 1987	87
16	February 3, 1987	94
17	February 4, 1987	100
18	February 5, 1987	105
19	February 6, 1987	110
22	February 9, 1987	117
23	February 10, 1987	124
24	February 11, 1987	133
25	February 12, 1987	141
26	February 13, 1987	151
29	February 16, 1987	157
30	February 17, 1987	167
31	February 18, 1987	177
32	February 19, 1987	183
33	February 20, 1987	192
36	February 23, 1987	204
37	February 24, 1987	210
38	February 25, 1987	218
43	March 2, 1987	227
44	March 3, 1987	245
45	March 4, 1987	260
46	March 5, 1987	269
47	March 6, 1987	276
50	March 9, 1987	286
51	March 10, 1987	296
52	March 11, 1987	305
53	March 12, 1987	318
54	March 13, 1987	332
57	March 16, 1987	336
58	March 17, 1987	345
59	March 18, 1987	356
60	March 19, 1987	374
61	March 20, 1987	381
64	March 23, 1987	390
65	March 24, 1987	398
66	March 25, 1987	408
67	March 26, 1987	424
68	March 27, 1987	443

Calendar Day	*Date*	*Page Number*
71	March 30, 1987	458
72	March 31, 1987	472
73	April 1, 1987	488
74	April 2, 1987	507
75	April 3, 1987	515
78	April 6, 1987	531
79	April 7, 1987	540
80	April 8, 1987	558
81	April 9, 1987	567
82	April 10, 1987	575
85	April 13, 1987	584
86	April 14, 1987	593
87	April 15, 1987	603
88	April 16, 1987	625
92	April 20, 1987	641
93	April 21, 1987	669
94	April 22, 1987	691
95	April 23, 1987	700
96	April 24, 1987	711
99	April 27, 1987	727
100	April 28, 1987	748
101	April 29, 1987	758
102	April 30, 1987	777
103	May 1, 1987	787
106	May 4, 1987	800
107	May 5, 1987	826
108	May 6, 1987	846
109	May 7, 1987	867
110	May 8, 1987	888
113	May 11, 1987	903
114	May 12, 1987	916
115	May 13, 1987	931
116	May 14, 1987	953
117	May 15, 1987	970
120	May 18, 1987	989
121	May 19, 1987	1015
122	May 20, 1987	1052
123	May 21, 1987	1077
124	May 22, 1987	1091
127	May 25, 1987	1130
128	May 26, 1987	1157
129	May 27, 1987	1180
130	May 28, 1987	1203
131	May 29, 1987	1224
134	June 1, 1987	1261
135	June 2, 1987	1280
136	June 3, 1987	1323
137	June 4, 1987	1357
138	June 5, 1987	1386
139	June 6, 1987	1442
140	June 7, 1987	1468
141	June 8, 1987	1485
142	June 9, 1987	1520
143	June 10, 1987	1546
144	June 11, 1987	1575

Calendar Day	*Date*	*Page Number*
145	June 12, 1987	1613
146	June 13, 1987	1643
147	June 14, 1987	1690
148	June 15, 1987	1724
149	June 16, 1987	1763
150	June 17, 1987	1832
151	June 18, 1987	1868

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....Makes various changes in provisions regarding registration of motor vehicles. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Getto and Dini. 14.

2....Designates portion of U.S. 50 as loneliest road in America. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Getto, Dini, Bergevin, Sedway, May, Kerns, Jeffrey, Banner, Nicholas, Sader, Marvel, Gaston, Myrna Williams, Thomas, Arberry, Thompson, Lambert, McGaughey, Tebbs, Nevin, Brookman, Fay, Adler, Spriggs, Triggs and Schofield. 15, 151, 163, 180,* 488, 512, 513, 529.

3....Advances effective date of tax levied for support of Clark County Regional Flood Control District. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. McGaughey, Thompson, Schofield, Craddock, Arberry, Wendell Williams, Banner, Gaston, Myrna Williams, Wisdom, Jeffrey, Sedway, Tebbs, Callister, Brookman, Spinello, Fay, Triggs, May, Kissam, Porter, DuBois, Garner and Price. 15, 64, 70, 77,* 78, 80, 91.

4....Imposes temporary moratorium in certain counties on incorporation of cities under provisions of chapter 266 of NRS. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 15, 62, 68, 85,* 211, 226, 371.

5....Revises Tahoe Regional Planning Compact to incorporate changes proposed by legislation enacted in California. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Nicholas, Lambert and Thompson. 20, 151, 163, 168,* 276, 292.

6....Makes various amendments to charter of City of Henderson. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Thompson and Jeffrey. 20, 227, 247, 249, 296, 315,* 473, 505.

7....Restricts use of residential construction tax to neighborhood from which collected. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Bergevin, Nevin, McGaughey, Craddock and Thompson. 23, 408, 433, 435, 1280, 1290, 1298, 1326, 1330,* 1724, 1743, 1831.

8....Makes various changes in provisions regarding secured loans. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 23, 575, 585, 586, 620,* 1053, 1088, 1089, 1128.

9....Requires administrator of financial institutions to employ certified public accountant. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Commerce. 24, 167, 168, 964, 995, 1016, 1027,* 1443, 1483.

10....Requires establishment of uniform rate for certain examinations of financial institutions. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 24, 1520, 1523, 1690, 1701, 1711, 1726, 1731,* 1732, 1811.

11....Permits inactive real estate licensee to be licensed as escrow agent or agency. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 24, 167, 180, 189,* 425, 456.

12....Expands applicability of provisions regarding installment loans. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Commerce. 24, 356, 376, 382, 383, 385, 402, * 691, 709.

13....Requires title insurance for and recording of assignment of interest in mortgage. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 24.

14....Requires licensing of agents for mortgage companies. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Commerce. 25.

15....Requires certain disclosures by person who charges fee for advice concerning investment of money. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Committee on Commerce. 25, 167, 180, 189,* 346, 372.

16....Requires request for reconveyance of encumbered property to be notarized and recorded. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 25.

No. *Summary, Introducer and Page Reference*

17....Expands regulation of holding companies for health maintenance organizations. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 25.

18....Revises provisions governing confidentiality of legislative audits. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Bergevin and Sader. 25, 124, 134, 154.*

19....Makes appropriation for drafting of legislative measures for executive agencies and judiciary for 64th session. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Bergevin and Sader. 25, 157, 168, 180,* 245, 267.

20....Makes appropriation for governor's portrait. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Bergevin and Sader. 26, 157, 168, 189,* 245, 267.

21....Makes appropriation to legislative counsel bureau for reproduction of older Nevada Reports. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Bergevin and Sader. 26, 157, 168, 180, 181,* 245, 267.

22....Includes use tax in formula for calculating increases in rates of contribution for public employees' retirement. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Taxation. 27, 177, 185, 194, 206,* 391, 406.

23....Provides for escheat to state of certain property presumed abandoned. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Sedway, Bergevin, Thompson, Banner, Myrna Williams, Arberry, Garner, Nicholas, Wendell Williams, Sader, DuBois, Dini, Jeffrey, Nevin, Porter and Thomas. 27.

24....Extends aid to dependent children to include children who live with both parents. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Sedway, Arberry, Dini, Jeffrey, Thompson, Banner, Myrna Williams, Garner, Nicholas and Wendell Williams. 27.

25....Prohibits delegation by department of personnel and its director of their statutory powers and duties. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 40.

26....Provides additional circumstances under which public meetings may be closed. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 40.

27....Transfers certain portions of one assembly district into another assembly district. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Nicholas and Lambert. 40, 41.

28....Provides for issuance of general obligation bonds for construction of prison at Ely. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Getto, Marvel, Tebbs and Sedway. 41, 269, 280, 281, 345, 366, 370,* 516, 521, 536.

29....Increases penalty for possession of pornography depicting children. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Humke, Lambert, Nevin and Swain. 41, 755, 764, 765, 793,* 1443, 1483.

30....Permits peace officers' standards and training committee to certify reserve peace officers. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Humke. 41.

31....Removes authority of certain boards of county commissioners to abolish office of constable. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 42, 867, 896, 897, 921.*

32....Requires dispatchers to be appointed deputy sheriffs. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 42, 336, 348, 349.

33....Revises provisions governing compensation and expenses of appointed defense counsel in criminal proceedings. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Judiciary. 42, 224, 232, 233, 264.

34....Limits certain causes of action by persons who commit certain crimes. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 42, 210, 220, 221, 253,* 399, 420.

35....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. 42.

No. *Summary, Introducer and Page Reference*

36....Increases duties of public administrator in county whose population is 100, 000 or more but less than 250, 000. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 42, 81, 88, 89, 102,* 408, 435, 440, 456.

37....Makes various changes regarding limited partnerships. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 43, 70, 75, 76, 89,* 133, 150.

38....Raises monetary threshold for classification of crimes. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 43.

39....Authorizes irrigation district to donate land to state. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Natural Resources, Agriculture and Mining. 43, 110, 121, 131,* 391, 406.

40....Clarifies application of Title 24 of NRS to city elections. Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Elections. 45, 305, 319, 340,* 800, 840, 841, 865.

41....Makes various changes in provisions governing elections. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Elections. 45, 305, 319, 320, 340,* 1262, 1352, 1354, 1385.

42....Authorizes establishment of veterans' cemeteries and makes appropriations for cemeteries. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Dini, Banner, Schofield, Wisdom, Thompson, May, Myrna Williams, Nevin, Sedway, Jeffrey, Arberry, Sader, Swain, Craddock, Fay, Brookman, Gaston, Kissam and Price. 46, 802, 830, 831, 882, 883,* 1529, 1541, 1543, 1573.

43....Prohibits smoking in grocery stores. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Bergevin. 46.

44....Creates department of law enforcement assistance. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Government Affairs. 46.

45....Establishes uniform requirements for termination, nonrenewal and transfer of certain franchises. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Thompson, Jeffrey, Banner, Nevin, Fay, Sedway, Myrna Williams, Adler, Kissam, Triggs, Spinello, Callister, Garner, Porter, Wendell Williams, DuBois, Wisdom, Haller, McGaughey, Tebbs, Price and Gaston. 46, 567, 576, 577, 596.*

46....Makes appropriation for continued construction of Moapa Valley fairground. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Thompson, Jeffrey, Banner, Fay, Kissam, Triggs, Callister, Porter, Wendell Williams and Garner. 46, 183, 193, 206,* 1691, 1761.

47....Requires department of transportation to develop plans for routing shipments of certain radioactive materials. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Schofield and Dini. 47, 1092, 1095, 1106, 1107, 1214, 1228, 1392, 1448,* 1453, 1576, 1641.

48....Establishes formula to determine amount paid as assistance to medically indigent and requires review of persons who receive assistance. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Health and Welfare. 48.

49....Creates reserve fund for assistance to medically indigent. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Committee on Health and Welfare. 48.

50....Restricts time for filling vacancy in position of state health officer. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Health and Welfare. 48, 458, 477, 501, 502,* 641, 689.

51....Provides for reimbursement to hospice for care provided to medically indigent person. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Health and Welfare. 48.

52....Creates fund for catastrophic injuries and illnesses and provides for its administration. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Committee on Health and Welfare. 49.

53....Creates legislative committee on prisons and correctional problems. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Ways and Means. 51, 1521, 1525, 1530, 1550,* 1552.

54....Prohibits certain methods of solicitation by telephone. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Thompson, Wisdom, Porter, Myrna Williams, Arberry, Sedway, Jeffrey, Nicholas, Wendell Williams, McGaughey, Triggs, Haller, Banner, Schofield, Brookman, Callister and DuBois. 51, 269, 281, 299.*

No. *Summary, Introducer and Page Reference*

55....Authorizes removal of and alternates for certain supervisors of conservation districts. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Natural Resources, Agriculture and Mining. 51, 110, 121, 122, 134, 148,* 473, 485, 486, 505.

56....Repeals provisions requiring program to foster development of bicycle pathways. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Natural Resources, Agriculture and Mining. 51, 52, 110, 122, 131, 147, 149,* 245, 267.

57....Authorizes employment security department to participate in Job Training Partnership Act. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Garner, Wisdom, Thompson, Craddock, Kissam, Gaston and McGaughey. 54, 141, 152, 164,* 777, 797.

58....Extends period for recovery of overpayment of benefits for unemployment and authorizes garnishment of wages to recover overpayment. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Garner, Wisdom, Thompson, Craddock, Kissam, Gaston and McGaughey. 54.

59....Clarifies provisions governing contracts with state in which legislator has interest. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Nicholas, DuBois, Thomas, McGaughey, Kerns and Thompson. 55, 89.

60....Adopts Uniform Fraudulent Transfer Act. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Sader. 55, 111, 122, 134, 148,* 218, 237.

61....Adopts Uniform Trade Secrets Act. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Sader. 55, 111, 122, 134, 148,* 218, 237.

62....Increases subsistence allowance for state officers and employees traveling on state business. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Adler, Thompson, Sedway, May, Price, Thomas, Wisdom, Spinello, Freeman, Dini, Kissam, Lambert, Craddock, Haller, McGaughey, Nicholas, Wendell Williams, Schofield, Brookman, DuBois, Callister and Porter. 55.

63....Extends conditions under which telephone system operated by county may extend its operation across county boundaries. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Getto and Dini. 55, 443, 460, 502,* 712, 716, 746.

64....Makes appropriation to University of Nevada, Reno. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Nicholas, Nevin, Thomas, Freeman, Haller, Kerns, Evans, Marvel and Humke. 56, 1797, 1798, 1810, 1813,* 1864, 1865, 1866.

65....Increases civil and criminal penalties for violations concerning water pollution. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Dini and Schofield. 56, 204, 213, 222,* 641, 689.

66....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, Schofield, Thomas, Kissam, Lambert, Nicholas, Carpenter, Gaston, Fay, Price, Adler, Evans, Triggs, Haller, Spriggs, Porter, Callister, McGaughey, Wisdom, Kerns, Bergevin, Getto, Tebbs and Humke. 61.

67....Clarifies duties of office of community services and eliminates duplicative duty of governor. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 62, 120, 131, 134, 148,* 245, 267.

68....Requires insurer to confirm to insured that certain persons have taken out policy of insurance on him. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Price. 62.

69....Creates board of operators of public water systems and treatment works to certify operators thereof. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Schofield and Dini. 62, 141, 152, 164, 168.

70....Authorizes annual increase of amounts added by legislature to maximum allowable combined revenue of certain local governments. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Taxation. 64.

71....Revises restrictions on time for preparation of budgets by local governments and assessment and payment of taxes on mines. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Taxation. 65, 260, 270, 290, 291,* 641, 689.

72....Revises method of calculating maximum allowable revenue from taxes ad valorem for local governments. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Taxation. 65, 305, 320, 323, 488, 508,* 509, 827, 829, 830, 889, 899, 933, 954, 1013.

73....Reduces number of installments for payment of property taxes. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Taxation. 65, 424, 448, 570, 572, 588.

No. *Summary, Introducer and Page Reference*

74....Authorizes levy by local governments of taxes ad valorem for support of certain programs if federal revenue sharing is reduced or eliminated. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Taxation. 65.

75....Permits increase in fee for building permit equal to cost of issuing permit. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Taxation. 65, 1091, 1143, 1160,* 1162, 1443, 1483.

76....Temporarily increases rate of cigarette tax and limits extension of credit for purchase of cigarettes and other tobacco products by retail dealer. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Taxation. 66, 1644, 1651, 1656, 1671, 1749, 1751, 1764, 1765,* 1766, 1864, 1867.

77....Changes basis for annual increase of limit upon revenue received by local governments from taxes ad valorem. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Taxation. 66, 276, 287, 299, 300,* 800, 843.

78....Limits period for collection of unpaid taxes under certain circumstances. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Taxation. 66.

79....Provides exemption from taxes on certain fuels sold to state and local governments. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Committee on Taxation. 66.

80....Proposes to exempt tangible personal property used in performance of contracts on public works from taxes on retail sales. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Committee on Taxation. 66, 78.

81....Revises provisions governing exceptions to requirements for competitive bidding by local governments. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Taxation. 66, 120, 131, 134, 148, 222, 223,* 1724, 1742, 1743, 1831.

82....Requires peace officers' standards and training committee to reimburse local government for certain costs of training officers. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Taxation. 67.

83....Provides for enforcement of express warranties on certain mobile homes. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Arberry, Porter, Nevin, Wendell Williams, Thompson, Myrna Williams, Sedway, Jeffrey, McGaughey, Lambert, Kissam, Nicholas, Thomas, Fay, Kerns, Tebbs, Wisdom, Carpenter, Gaston, Banner, Brookman, Schofield, Spriggs and Dini. 67.

84....Repeals special limitation regarding eligibility for unemployment compensation for person entering self- employment. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Labor and Management. 67, 153, 163, 164, 181,* 584, 600.

85....Authorizes state department of agriculture to collect federal assessment on livestock sold in Nevada. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Getto, Bergevin, Marvel and Carpenter. 67, 301, 309, 311, 332, 340, 341,* 540, 564.

86....Provides for progressive exemption of eyeglasses from certain taxes on retail sales. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Tebbs, Getto, Myrna Williams, McGaughey, Spinello and DuBois. 67, 1644, 1651, 1658, 1692, 1695,* 1697, 1832.

87....Realigns offices of clerk, recorder and treasurer in Carson City. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Adler, Thomas and Thompson. 68, 120, 131, 134, 149,* 276, 292.

88....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. 68.

89....Prohibits examination by polygraph or other similar device 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, Myrna Williams, Porter, Banner, Wisdom, Price, Jeffrey, Sedway, Wendell Williams, Freeman, Spinello, Gaston, Callister, Fay, Nevin, Arberry and Schofield. 70, 515, 533, 550, 553,* 554.

90....Authorizes higher per diem for transaction of public business outside United States. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Committee on Economic Development, Small Business and Tourism. 73, 649, 673, 694,* 1358, 1367, 1440.

91....Clarifies requirement that contributions for public employees' retirement paid by employers be offset by reductions in compensation earned by employees. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 73, 728, 752, 759, 793.

92....Requires reversion of excess money in informational facility fund to all agencies which paid fees into fund. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 74, 138, 142, 154,* 155, 245, 267.

No. *Summary, Introducer and Page Reference*

93....Abolishes interim committee to review performance of office of consumer's advocate. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 74, 120, 131, 134, 149.*

94....Establishes program to provide loans to certain public utilities which furnish water or services for disposal of sewage. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 74.

95....Requires local government to forward copy of tentative map of subdivision of land to public service commission of Nevada under certain circumstances. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Government Affairs. 74, 332, 338, 339, 371,* 1092, 1177, 1178, 1202.

96....Requires public utility to post proposed changes in rates. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 74.

97....Makes certain changes concerning public utilities which supply water or services for disposal of sewage. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 75, 309, 323, 324, 340, 352, 353,* 1016, 1076.

98....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, Bergevin, Dini, Marvel, Carpenter, Getto, Wisdom, Thomas, Nevin and Nicholas. 78, 301, 311, 333, 353,* 712, 746.

99....Makes various supplemental appropriations. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Committee on Ways and Means. 81, 227, 249, 271,* 391, 406.

100....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 Taxation. 81.

101....Prohibits sale for profit of copy of certificate of marriage. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Banner. 81, 269, 281, 300,* 391, 406.

102....Creates position in department of education to coordinate use of libraries and related technical systems. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. McGaughey, Tebbs, DuBois, Sedway, Bergevin, Thompson, Adler, Kissam, Lambert, Nicholas, Arberry, Craddock, Gaston, Freeman, Carpenter, Getto and Dini. 81, 889, 905, 921,* 1486, 1545.

103....Makes various changes regarding misconduct in office. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Legislative Functions. 82, 381, 392, 402, 403,* 1724, 1738, 1831.

104....Makes various changes concerning equipment for vehicles. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Transportation. 82, 227, 249, 250, 271,* 1644, 1706, 1707, 1761.

105....Establishes factor for converting gas to liquid for taxing compressed natural gas and liquefied petroleum gas as special fuel. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Taxation. 82, 260, 270, 309, 313, 314, 332, 341,* 1644, 1708, 1710, 1738, 1761.

106....Authorizes disclosure of certain information to law enforcement agency by employment security department. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 83, 826, 860, 892,* 1724, 1831.

107....Increases penalty for solicitation to commit murder. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Judiciary. 83, 224, 233, 234, 1281, 1327,* 1614, 1688.

108....Allows state to appeal determination regarding bail and makes restraint from all criminal activity condition of bail. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 83.

109....Provides certain protections for victims of crime and witnesses. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 83.

110....Makes various changes regarding presentence investigations. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 83, 269, 282, 325, 464, 478, 479, 480, 1001, 1021, 1053, 1055,* 1058, 1225, 1279.

111....Requires criminal offenders and juvenile delinquents to pay restitution and cost of prosecution. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 83, 908, 925, 957, 1281, 1328.*

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112....Extends prohibition against unlawful sale of motor vehicle to all vehicles. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Committee on Judiciary. 84, 301, 311, 326,* 594, 622.

113....Authorizes use of telegraphic copy or abstract of governor's warrant of arrest for extradition. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 84, 210, 221, 236,* 391, 406.

114....Requires hospitals to establish procedure for donation of anatomical gifts. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Getto, Schofield, Price, Arberry, Nicholas, Carpenter, Gaston, Freeman, Wisdom, Myrna Williams, Spinello, Sedway, Garner, Craddock, Evans, Spriggs, Humke, Wendell Williams and McGaughey. 84.

115....Makes various changes concerning control of floods. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. McGaughey, Thompson, Schofield, Price, Tebbs, Jeffrey, Spinello, Wisdom, May, Sedway, DuBois, Kissam, Wendell Williams, Craddock, Garner, Triggs, Myrna Williams, Callister, Gaston, Porter, Arberry, Banner and Fay. 84, 398, 411, 413, 587, 596, 638, 644,* 971, 1013.

116....Declares Martin Luther King, Jr.'s birthday and day after Thanksgiving to be legal holidays. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Arberry, Wendell Williams, Myrna Williams, Gaston, Garner, Triggs, Thomas, DuBois, Evans, Jeffrey, Freeman, Wisdom, Porter, Callister, Spinello, Price, Banner, Nevin, Dini, Sedway, Sader, Bergevin, Adler, Kissam, Thompson, Lambert, Humke, Haller, Marvel, Swain, Brookman and Tebbs. 88, 183, 193, 227, 253, 256,* 728, 729, 757.

117....Provides for continuation of payments for permanent partial disability until age of 70. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Banner, Wisdom, Jeffrey, Thompson, Bergevin, Fay, Tebbs, Wendell Williams and Carpenter. 88, 177, 185, 206,* 207, 332, 343, 371.

118....Allows insurance covering operator of motor vehicle in lieu of insurance covering motor vehicle. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Transportation. 90, 748, 765, 766, 793,* 1547, 1566, 1567, 1612.

119....Requires publication of list of all requests for legislative measures. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Commerce. 90, 472, 490, 508, 913, 914, 922, 957, 971, 976, 977, 995, 996,* 998, 1614, 1635, 1636, 1688.

120....Authorizes foreign corporations to produce motion pictures in Nevada without qualifying to do business in Nevada. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Economic Development, Small Business and Tourism. 94, 847, 871, 892,* 1092, 1155.

121....Provides for confidentiality of certain records of commission on economic development. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Economic Development, Small Business and Tourism. 95, 1226, 1231, 1238, 1324, 1360, 1361,* 1364, 1763, 1899.

122....Makes appropriation to state permanent school fund for land transferred to state agencies. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Committee on Ways and Means. 95, 177, 185, 186, 207,* 306, 329.

123....Authorizes payment of certain travel and moving expenses of certain state employees and prospective employees. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Ways and Means. 95, 649, 673, 694,* 695, 971, 976, 1013.

124....Makes various changes relating to partnerships and limited partnerships. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 95, 186, 193, 214,* 444, 463, 594, 829, 848, 900.

125....Repeals prospective changes to provisions governing calculation of gross revenue of gaming licensees. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 95, 210, 221, 236,* 337, 354.

126....Raises threshold for approval of certain contracts by state board of examiners. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 96, 218, 234, 267,* 516, 521, 522, 594, 791, 827, 886.

127....Authorizes legislators to enter into certain contracts. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Legislative Functions. 96, 210, 221, 222, 256,* 594, 806, 868, 885, 957, 958, 971, 1047.

128....Authorizes Nevada Magazine to trade its service of advertising for travel services. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Dini and Price. 96, 345, 359, 363, 385, 387,* 641, 797, 1259, 1260, 1354, 1387, 1466.

129....Authorizes use of closed-circuit television and revises provisions regarding defendant's absence at certain judicial proceedings. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Dini and Sader. 96, 183, 194, 214,* 1614, 1630, 1631, 1725, 1734, 1776, 1811.

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130....Requires establishment of plan for education and training of recipients of aid to dependent children. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Dini, Jeffrey, Sedway, DuBois, Bergevin, Getto, Humke, Schofield, Sader, Evans, McGaughey, Garner, Adler, Kissam, Myrna Williams, Nicholas, Callister, Haller, Triggs, Gaston, Carpenter, Lambert, Wisdom, Spinello, Tebbs, Brookman, Freeman, Thomas and Marvel. 97, 100, 920, 936, 937, 1116, 1124, 1136, 1137,* 1138, 1691, 1761.

131....Repeals prospective expiration of provision concerning alternative limitations on weight for trailers and semitrailers. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Transportation. 101, 245, 263, 271,* 594, 622.

132....Requires slower drivers to turn off highway under certain circumstances. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Committee on Transportation. 101, 102, 398, 413, 414, 455, 468.*

133....Entitles certain personnel of department of prisons and division of forestry to recieve compensation for cost of commuting to work. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Ways and Means. 102, 1489, 1493, 1499, 1523, 1524,* 1525, 1763, 1792, 1793, 1899.

134....Makes appropriations to the State Public Works Board and Las Vegas Mental Health Center. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Committee on Ways and Means. 102, 336, 349, 350, 377,* 531, 555.

135....Extends existence of commission on professional standards in education. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Executive Budget. Committee on Government Affairs. 102.

136....Creates fund for local cultural activities. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Thomas, Myrna Williams, Spinello, Callister, Brookman, Wisdom, Banner, Porter, Jeffrey, Nevin, Sedway, Thompson, DuBois, Tebbs, Arberry, Wendell Williams, Nicholas, Garner, Kerns, Fay, Kissam, Adler, Haller, Triggs, Price, McGaughey, Evans, Dini, Freeman, Gaston and Carpenter. 103, 336, 350, 1513, 1516, 1517, 1523, 1524,* 1525, 1691, 1761.

137....Makes supplemental appropriation to State Distributive School Fund. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Committee on Ways and Means. 105, 472, 490, 523,* 749, 759, 760, 786.

138....Requires seller of certain real property to disclose information about system to supply water and dispose of sewage. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Committee on Government Affairs. 105, 531, 542, 543, 570, 571,* 1016, 1043, 1076.

139....Makes various changes relating to certain procedures for planning use of land. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 106, 758, 779, 802, 809, 822, 857,* 1262, 1278, 1322.

140....Raises limits for which bids or advertisements are required for certain purchases by state and expands duties of chief of purchasing 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. 106, 211, 222, 236,* 237, 262, 266, 267, 284, 291,* 391, 406.

141....Authorizes purchasing division of the department of general services to contract for services for using agencies. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 106, 228, 250, 271,* 272, 584, 600.

142....Makes appropriations to Department of Prisons and Department of Conservation and Natural Resources. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Committee on Ways and Means. 106, 1225, 1264, 1424, 1430, 1445, 1451,* 1453, 1614, 1688.

143....Makes appropriation 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. 107, 1324, 1335, 1338, 1361,* 1364, 1486, 1545.

144....Makes appropriation 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. 107, 1366, 1375, 1388, 1390,* 1391, 1614, 1688.

145....Provides exception to mandatory suspension of registration of motor vehicle for failure of owner to submit form for verification of insurance coverage. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Transportation. 107, 371, 507, 519, 520, 554,* 800, 843.

146....Requires peace officer to issue citation and take possession of registration and license plates for failure to provide proof of financial responsibility. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Transportation. 107.

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147....Prohibits misrepresentation of proof of financial responsibility for motor vehicle. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Committee on Transportation. 107, 507, 519, 554,* 800, 843.

148....Requires surrender of license plates when registration suspended for failure to maintain proof of financial responsibility. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Transportation. 107, 398, 414, 455, 468,* 517, 525, 554,* 827, 865.

149....Removes requirements for maintaining proof of financial responsibility if motor vehicle not operated in state. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Transportation. 108.

150....Assigns primary and secondary liability of insurers for damage caused by motor vehicle under short-term lease. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Transportation. 108.

151....Authorizes conveyance of real property by Clark County for civic purpose. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Health and Welfare. 108, 711, 732, 743, 745, 1160, 1169, 1182, 1185, 1192,* 1724, 1734, 1735, 1831.

152....Makes appropriation to Motor Pool Working Capital Fund. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Price. 111, 391, 401, 411, 415,* 540, 562, 563, 573.

153....Provides exception to requirement of approval by board of county commissioners of all direct refunds from county treasury. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 111, 211, 222, 256,* 473, 505.

154....Authorizes boards of county commissioners to fill vacancies on certain local district managing boards. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 111, 245, 263, 284, 291,* 425, 486, 505.

155....Increases locations where smoking of tobacco is prohibited. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Health and Welfare. 112, 374, 382, 394, 395, 419,* 669, 987, 1013.

156....Transfers authority to regulate public accommodations to state board of health. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Health and Welfare. 112.

157....Revises provisions governing displacement or limitation of competition by county in certain areas. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Health and Welfare. 112, 211, 222, 237,* 408, 486, 505.

158....Authorizes exemption from provisions regulating food establishments. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Health and Welfare. 112, 371, 374, 385, 394, 490, 504,* 868, 900.

159....Expands power of health authority regarding swimming and bathing places. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Health and Welfare. 112, 374, 382, 1525, 1537, 1548, 1551,* 1552, 1724, 1831.

160....Makes appropriation to Department of Education. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Committee on Ways and Means. 113, 336, 350, 371,* 625.

161....Requires state department of conservation and natural resources to collect fee on gold extracted from land in Nevada. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Sedway, Banner, Jeffrey, Schofield, Spinello, Arberry, Myrna Williams, Wisdom, Callister, Brookman, Porter, Freeman, Fay, Nevin, Thomas, Swain, Kissam, Haller, Garner, Adler, Thompson, DuBois, McGaughey, Price, Evans, Wendell Williams and Triggs. 113, 600, 605, 608, 630, 634, 637, 655, 667, 676, 687,* 688.

162....Expands group of persons who may receive financial aid provided for victims of crime and requires certain criminal offenders to contribute to that aid. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Schofield, Dini, Sedway, Jeffrey, Porter, Banner, Bergevin, May, Tebbs, Humke, Kerns, Nevin, Price, Swain, Arberry, Getto, Brookman and Thompson. 114, 593, 608, 1053, 1060, 1070, 1071,* 1644, 1676, 1751, 1754, 1812, 1847, 1849, 1851, 1861.

163....Makes appropriation to state distributive school fund to extend contracts of teachers. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Committee on Education. 117.

164....Expands program for education of handicapped preschool children Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Committee on Education. 117, 755, 766.

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165....Requires establishment of kindergarten and limits number of pupils in class. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Contains Appropriation. Committee on Education. 118.

166....Authorizes superintendent of public instruction to provide for education and care of certain handicapped persons outside of state. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Committee on Education. 118, 1281, 1290, 1301, 1358, 1388,* 1391, 1576, 1641.

167....Makes appropriation for programs of continuing education for teachers. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Committee on Education. 118.

168....Makes appropriation for system of telecommunication with rural schools. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Committee on Education. 118.

169....Makes appropriation for support of programs to pay teachers for extra activities. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Committee on Education. 118.

170....Makes appropriation for programs to discourage dropping out of school and attract dropouts back to school. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Committee on Education. 118.

171....Makes uniform and increases subsistence allowance and travel expenses for witnesses in state courts. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Committee on Ways and Means. 119, 971, 1004, 1016, 1027, 1028,* 1225, 1279.

172....Extends period of required lower rates for electricity for irrigation pumps. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Dini. 119, 151, 164, 169,* 245, 267.

173....Designates police officers employed by Airport Authority of Washoe County as peace officers. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Thompson. 119.

174....Changes designation of legislative security officers. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Thompson. 119, 223, 234, 256,* 337, 354.

175....Authorizes appeals officer to refer claimant for industrial insurance to physician or chiropractor for examination. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Banner, Thompson, Nevin, Kerns, Jeffrey, Garner, Carpenter, Wisdom, Fay, Bergevin, Tebbs and Wendell Williams. 119, 260, 271, 284, 291,* 357, 379.

176....Provides for payments by insurers to certain injured persons for loss of income before settlement of claims. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 120.

177....Makes various changes relating to group insurance for public employees. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Government Affairs. 120, 336, 350, 352, 458, 480,* 788, 806, 843.

178....Makes various changes in provisions relating to approval of license for involvement in foreign gaming. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 120, 398, 414, 426,* 531, 555.

179....Prohibits introduction of certain evidence relating to eligibility for unemployment compensation benefits in subsequent proceedings. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 120, 306, 324, 341,* 575, 591.

180....Makes various changes relating to bringing of actions against department of transportation. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 120, 593, 608, 611, 644,* 1204, 1300, 1355.

181....Changes rate of interest on judgments resulting from exercise of eminent domain. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 121.

182....Adopts Uniform Statutory Rule Against Perpetuities. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 121, 183, 207,* 332, 343.

183....Requires disclosure of campaign expenditures related to ballot questions. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Committee on Elections. 121, 305, 323, 340, 343, 371,* 1644, 1681, 1682, 1722.

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184....Makes various changes in provisions governing elections. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Committee on Elections. 121, 536, 543, 548, 571,* 1547, 1578, 1580, 1641.

185....Excludes certain equipment and vehicles from declared weight of motor vehicle for purpose of fees for registration and revises those fees. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Dini, Nevin, Getto, Thompson, Bergevin, Jeffrey, Thomas, Nicholas, Garner, Porter, Carpenter, Wisdom, Freeman, Marvel, Sader, Schofield, Adler, Sedway, Arberry, Price, DuBois, McGaughey, Swain, Lambert, Humke, Kerns, Haller, Brookman, Gaston, Banner, Craddock, Callister, Tebbs and Evans. 125, 302, 311, 312.

186....Makes appropriations to Tahoe Regional Planning Agency for costs of conducting certain projects. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Committee on Ways and Means. 133, 1392, 1427, 1431, 1445, 1451,* 1453, 1691, 1704, 1705, 1761.

187....Makes supplemental appropriation 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. 134, 1272, 1282, 1290,* 1292, 1486, 1545.

188....Increases maximum amount school district may pay parents in lieu of furnishing transportation to pupil. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Education. 135, 515, 533, 554,* 691, 709.

189....Eliminates requirement for proficiency examination of pupils in grade 12 who pass examination in grade 9. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Education. 135.

190....Permits acquisition of certain medical equipment without prior approval of director of the department of human resources. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Health and Welfare. 135.

191....Limits types of new health services that require prior approval of director of the department of human resources. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Health and Welfare. 135.

192....Provides procedure for distribution of Community Services Block Grants. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Health and Welfare. 135, 1015, 1062, 1078, 1081,* 1763, 1792, 1899.

193....Increases amount expendable for medical equipment without approval of the department of human resources. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Health and Welfare. 136.

194....Increases amount health facilities may spend without approval of the department of human resources. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Health and Welfare. 136.

195....Permits certain capital expenditures by health facility without prior approval of director of the department of human resources. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Health and Welfare. 136.

196....Makes various changes in provisions regulating watercraft. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Committee on Natural Resources, Agriculture and Mining. 136, 488, 490, 501, 1059, 1060, 1071, 1078, 1080,* 1081, 1225, 1279.

197....Revises requirements for proof of insurance for applicant for pest control license. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Natural Resources, Agriculture and Mining. 136, 329, 333, 341,* 584, 654, 689.

198....Corrects inaccurate reference to agency of Federal Government which prescribes standards for regulation of pesticides. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Natural Resources, Agriculture and Mining. 137, 218, 234, 256,* 257, 391, 406.

199....Enacts Interstate Compact for Jurisdiction on Colorado River. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Natural Resources, Agriculture and Mining. 137, 337, 352, 371,* 641, 675, 676, 759, 791, 857, 889, 914.

200....Provides for regulation of securities and persons who deal in securities. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Judiciary. 137.

201....Makes various changes relating to partnerships and limited partnerships. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 137.

202....Further revises Uniform Limited Partnership Act. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Sader. 137, 224, 234, 235, 267,* 332, 343.

203....Provides for regulation of buying and selling of commodities. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Judiciary. 137, 1181, 1215, 1228, 1230,* 1233, 1644, 1684, 1722.

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204....Makes various changes relating to limited partnerships. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 138.

205....Makes various changes relating to business associations. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 138, 425, 448, 451, 826, 858,* 1204, 1300, 1387, 1515, 1529, 1612.

206....Makes various changes relating to the secretary of state. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 138, 515, 534, 563,* 1644, 1676, 1677, 1722.

207....Regulates solicitation by telephone of orders for sale of goods and services. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Committee on Commerce. 149.

208....Makes various changes concerning property tax. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Taxation. 151, 711, 732, 740, 741, 771,* 1443, 1483.

209....Revises method for determining value of property for purpose of property tax. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Taxation. 152.

210....Makes supplemental appropriation to Aging Services Division of the Department of Human Resources. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Brookman, Banner, May, Fay, Myrna Williams, Wisdom, Porter, Freeman, Kissam, Arberry, Nicholas, Sedway, Tebbs and Callister. 152, 227, 250, 267,* 391, 406.

211....Regulates solicitation by telephone of orders for sale of goods and services. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Committee on Commerce. 153.

212....Makes certain changes pertaining to state highways. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Committee on Transportation. 153, 1280, 1290, 1302, 1326, 1330,* 1547, 1612.

213....Allows public authority to authorize commercial advertising in bus stand. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Transportation. 153, 1448, 1458, 1460, 1469, 1473,* 1475.

214....Revises provisions concerning cancellation and renewal of contracts of casualty insurance. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Jeffrey, Dini, Sader, Schofield, Bergevin, Nevin, DuBois, Thompson, Spinello, Triggs, Sedway, Kerns, Porter, Fay, Wisdom, Myrna Williams, Callister, Marvel, Gaston, Thomas, Brookman, Tebbs, Carpenter, Banner, Getto, Humke, Adler, Kissam, Lambert, Craddock, Haller, Wendell Williams, McGaughey, Swain, Arberry, Evans, Spriggs and Garner. 155, 594, 867, 892, 893, 921,* 1324, 1385.

215....Provides for regulation of solicitations by telephone. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Committee on Commerce. 165.

216....Provides for payment of fees by foreign credit unions and authorizes them to open branch offices. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 165, 398, 414, 426,* 669, 698.

217....Requires contractors to pay interest on certain money owed to their subcontractors. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 169, 625, 652, 687,* 1204, 1211, 1212, 1260.

218....Provides for regulation of solicitations by telephone. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Myrna Williams, Thompson, Adler, Lambert, DuBois, Sader, Jeffrey, Dini, Nevin, Price, Kerns, Brookman, Spinello, Wisdom, Marvel, Getto, Bergevin and Swain. 175.

219....Provides for periodic payments of damages recovered for medical malpractice and limits certain awards of damages and certain attorneys' fees. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 178.

220....Makes various changes regarding certain statutory liens. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 178, 269, 282, 283, 300,* 399, 420.

221....Clarifies definition of "account" for purposes of Uniform Commercial Code. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 178, 223, 235, 257, * 391, 406.

222....Provides limited jurisdiction for justices' court for enforcement of statutory liens of owners of facilities for storage. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Kerns, Porter, Carpenter, Nicholas, Brookman, Nevin, May, Garner,

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Wisdom, Tebbs, Fay, Craddock, Thomas, McGaughey, DuBois, Evans, Spriggs, Bergevin, Getto, Banner, Callister, Spinello, Myrna Williams, Arberry, Wendell Williams, Triggs, Humke, Dini and Marvel. 178, 224, 235, 257,* 391, 406.

223....Provides exemption from certain taxes on retail sales for trade-in allowance given for used farm machinery and equipment on purchase of new farm machinery and equipment. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Committee on Taxation. 179, 931, 958, 992,* 998, 1443, 1483.

224....Limits requirement for protective headgear for drivers and passengers of motorcycles. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Transportation. 179.

225....Prohibits sale of beverages in cans with certain removable tabs. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 179.

226....Prohibits importation of food which is not in package resistant to tampering. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 180.

227....Repeals obsolete provisions concerning residential facilities for groups. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Health and Welfare. 180, 1092, 1095, 1125, 1137,* 1138, 1724, 1831.

228....Makes various changes relating to justices' courts. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Nicholas and Sader. 184, 314, 324, 325, 341,* 342, 425, 456.

229....Eliminates requirement that group supervisors at youth training centers be certified by peace officers' standards and training committee. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Jeffrey. 184, 301, 312, 326,* 425, 440, 444, 455, 456, 480, 481,* 507, 529.

230....Provides for distribution of bills and resolutions to members of general public. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 188.

231....Extends provisions relating to early retirement 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. 188.

232....Revises provisions governing eligibility for participation in program for early retirement of police officers and firemen. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 188, 245, 263, 272,* 800, 843.

233....Makes various changes relating to juvenile correctional institutions. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Spriggs. 188, 314, 325, 342,* 516, 536.

234....Extends period for which court may adjourn trial or hearing to allow certain witnesses to testify. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 194, 398, 414, 455, 468,* 641, 654, 712, 764, 788, 825.

235....Revises penalty for operating motor vehicle without insurance. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 194, 345, 363, 377,* 800, 843.

236....Makes various changes to statutes governing insurance as security for installment loans. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 195.

237....Provides for licensure of appraisers of real estate. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Commerce. 195.

238....Makes appropriation to City of Mesquite for costs related to construction of airport. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Committee on Ways and Means. 195.

239....Prohibits certain methods of solicitation by telephone. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Wisdom, Freeman, Arberry, Evans, Spinello, Myrna Williams, Kerns, Tebbs, Nevin, Fay, Dini, May, Sedway, Thompson, Garner, Jeffrey, Gaston, Porter, Bergevin, DuBois, Banner, Triggs, Wendell Williams, Nicholas, McGaughey, Lambert, Craddock, Kissam, Adler and Thomas. 201.

240....Provides for additional fee and penalty relating to control of air pollution. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Committee on Transportation. 205, 1485, 1493, 1500, 1526.

241....Provides for confidentiality of certain records of county or city relating to economic development. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Haller. 205, 1485, 1493, 1500, 1501.

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242....Revises provisions governing release of persons without bail. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 207.

243....Ratifies technical corrections made to NRS and Statutes of Nevada 1985. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 207, 578, 586, 620,* 621, 749, 774.

244....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. 211, 1324, 1335, 1338, 1361,* 1364, 1486, 1545.

245....Makes appropriation to Secretary of State. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Committee on Ways and Means. 211, 800, 831, 858,* 1262, 1322.

246....Makes appropriation to State Controller. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Committee on Ways and Means. 212.

247....Makes appropriation to Department of Education. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Committee on Ways and Means. 212, 459, 477, 502, 523,* 625.

248....Makes appropriation 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. 212, 1392, 1427, 1431, 1445, 1452,* 1453, 1614, 1688.

249....Increases compensation of members of Airport Authority of Washoe County. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 212, 286, 299, 315, 316.*

250....Revises provisions relating to closing meetings 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. 212.

251....Creates board for financing of water projects. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Dini, Getto and Bergevin. 212, 715, 717, 724, 970, 993, 1016, 1028, 1053, 1055,* 1058, 1691, 1701, 1702, 1761.

252....Requires boundaries of each election precinct to follow visible ground features. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Elections. 215, 305, 325, 342,* 575, 591.

253....Revises various provisions concerning industrial insurance. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Wendell Williams. 219, 381, 392, 403,* 1262, 1301, 1355.

254....Makes certain orders and other documents related to occupational safety and health admissible as evidence in certain prosecutions. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Wendell Williams. 219, 381, 392, 403,* 777, 797.

255....Makes various changes relating to state public works board. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Ways and Means. 219, 424, 451, 481,* 1724, 1743, 1744, 1831.

256....Increases maximum pension for justices of supreme court and district judges. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Ways and Means. 219, 1131, 1166, 1184,* 1189, 1387, 1466.

257....Provides for payments to child of deceased justice of supreme court or district judge. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Ways and Means. 219, 649, 673, 695,* 971, 1013.

258....Authorizes partial payment of pension to surviving spouse of justice of supreme court or district judge under certain circumstances. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Ways and Means. 220, 1131, 1166, 1184,* 1189, 1387, 1466.

259....Repeals provision relating to taxation of material fabricated by contractor for use in construction. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Jeffrey. 229, 443, 460, 481,* 800, 843.

260....Releases from liability for nonperformance subcontractor who stops work because of failure of contractor to pay according to schedule. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Jeffrey. 229, 827, 860, 893,* 1158, 1202.

261....Authorizes general improvement district to furnish certain facilities for public education. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Marvel, Thompson, McGaughey, Getto, Bergevin and Garner. 229.

262....Requires secretary of state to establish central filing system for recording security interests in farm products. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Getto, Marvel, Dini, Carpenter and Bergevin. 230.

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263....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. 230, 920, 937, 938, 1052, 1060, 1074,* 1614, 1688.

264....Revises provisions relating to solicitation of voters on day of election. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Wendell Williams, Arberry, Swain, Garner, Wisdom, Evans, Fay, Kerns, Tebbs, Spinello, Triggs, Haller, Sedway and Porter. 230, 408, 435, 468,* 490, 504, 505, 508, 510, 517, 524,* 525, 1644, 1675, 1676, 1722.

265....Limits height of body of passenger vehicle as measured from surface of highway. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Nevin, Dini, Getto, McGaughey, Banner, Jeffrey, Spinello, Brookman, Freeman, Garner, Kerns, Wisdom, Humke, Thompson, Fay, Marvel, Arberry, Wendell Williams, Sedway, Schofield, Swain, Bergevin, Evans, Craddock, Price, Porter, DuBois, Nicholas, Triggs, Kissam, Myrna Williams and Gaston. 231, 390, 402, 425, 444, 455, 481,* 486, 1724, 1735, 1736, 1831.

266....Revises certain provisions relating to registration of voters. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Wisdom, Nevin, Spinello, Brookman, May, Adler, Garner, Freeman, Sedway, Banner, Thompson, Fay, Wendell Williams, Arberry, Jeffrey, Swain, Price, Evans, Schofield, Dini, Porter, Myrna Williams, Kissam, Haller, Gaston, Callister, Sader, Craddock and Triggs. 231, 758, 780, 829, 839, 858.*

267....Limits class of person considered to be in family for purposes of certain statutes relating to domestic violence. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 235.

268....Authorizes release of records of criminal history to local government for defense in civil litigation. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 236.

269....Increases amount of administrative assessment for misdemeanors which is distributed to peace officers' standards and training committee. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 236, 727, 728.

270....Establishes fee for analysis of controlled substance or dangerous drug for certain defendants. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Nevin. 246, 748, 766, 768, 793,* 1691, 1761.

271....Revises provisions relating to regional planning commissions. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Nevin. 246, 916, 938, 972, 992, 995,* 998, 1358, 1440.

272....Removes requirement that certain vehicles stop at certain railroad lines. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Nevin. 246, 953, 980, 1526.

273....Requires payment at pump of tax on special fuels. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Nevin. 246, 593, 611, 616, 617, 787, 822, 824, 858,* 1053, 1089.

274....Makes various changes regarding local improvement districts. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 246.

275....Makes appropriation to legislative fund for improvements to legislative building and grounds. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Committee on Ways and Means. 246, 459, 477, 502,* 1281, 1355.

276....Prohibits fee for cancellation of retail installment contract without notice. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Swain. 247, 625, 652, 688,* 800, 843.

277....Enlarges kinds of facilities for which certain county revenue bonds may be issued. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Swain. 247.

278....Limiting deductibles and copayments charged under certain contracts for insurance. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 250, 701, 715, 756,* 989, 1043, 1045, 1131, 1672, 1673, 1691, 1831.

279....Requires triennial renewal of licenses for adjusters and appraisers of damage to motor vehicles. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 250, 345, 363, 377,* 584, 600.

280....Includes title insurance within scope of insurance recovery fund. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 250, 345, 363, 377, 378,* 584, 600.

281....Authorizes health maintenance organizations and nonprofit corporations for hospital or medical service to administer programs of health insurance. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 251, 847, 871, 909,* 1158, 1202.

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282....Specifies which policy of insurance is primary under certain circumstances if two policies cover the same motor vehicle. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 251, 593, 617, 645,* 989, 1047.

283....Authorizes health maintenance organizations to provide single health care service. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 251.

284....Makes various changes relating to fees paid to commissioner of insurance. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 251, 473, 490, 509,* 989, 1045, 1046, 1076.

285....Revises provision governing size of map for filing of certain mining claims. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Spriggs and Thompson. 251, 587, 589, 591, 621,* 827, 865.

286....Establishes program for care of elderly as alternative to institutionalization. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Dini, Jeffrey, Sader, Brookman, Myrna Williams, Sedway, Getto, Schofield, Evans, Wisdom, Swain, Thompson, Arberry, Banner, Bergevin, May, Nevin, Fay, Tebbs, Gaston, Freeman, Triggs, Kissam, Wendell Williams, Adler, McGaughey, Marvel, Carpenter, Spinello, Nicholas, Thomas, Kerns, Haller, Lambert, Humke, Callister, Garner and Spriggs. 252, 920, 938, 939, 1053, 1060, 1075,* 1443, 1483.

287....Provides for use of Social Security number on driver's license. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Jeffrey, Nevin, May, Fay, Tebbs, Sedway, Arberry, Dini, Marvel, Adler, Lambert, Craddock, Wendell Williams, McGaughey, Thompson, Banner, Getto, Freeman, Spinello, Wisdom, Kerns, Bergevin, Garner, Evans, Swain, Schofield, DuBois, Thomas, Kissam, Nicholas, Humke, Triggs, Haller, Sader, Price, Callister, Brookman, Myrna Williams, Gaston, Porter and Carpenter. 252, 954, 982, 995, 996,* 998.

288....Allowing limited local regulation of use, sale and possession of firearms. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Thompson, Dini, Getto, Marvel, DuBois, Bergevin, Garner, Haller, Spriggs, Kissam and Adler. 252, 390, 401, 531, 542, 548, 549, 550, 571,* 1262, 1300, 1387, 1388, 1518, 1529, 1547, 1568, 1614.

289....Makes various changes relating to restraining costs of medical care. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Arberry, Schofield, Spinello, Wisdom, Wendell Williams, Myrna Williams, Price, Gaston, Thompson, May, Kissam, Triggs, Garner, Sader, Brookman, Haller, Freeman, Callister, Adler, Dini, Jeffrey, Nevin, Evans, McGaughey, Craddock, Swain and Porter. 252, 621, 655, 666, 667,* 1237, 1394, 1424, 1466.

290....Makes various changes to provisions governing taxation of agricultural real property. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Taxation. 262, 521, 525, 526, 711, 741, 742, 771, 772,* 1281, 1354, 1385.

291....Revises provisions governing appraisal of property. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Taxation. 262, 749, 768, 769, 793, 794,* 1724, 1779, 1780, 1832, 1841, 1860, 1862.

292....Makes various changes concerning taxation of property. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Taxation. 262, 711, 734, 735, 772,* 1182, 1223.

293....Increases filing fee for candidates for state legislature. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Fay and Kerns. 262.

294....Authorizes production and sale of souvenir license plates. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Kerns, Fay, Banner, May, Garner, Nevin, Evans, Thomas and DuBois. 263, 472, 490, 491, 523, 524,* 1724, 1735, 1831.

295....Makes various changes concerning motor carriers. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Transportation. 264, 424, 453, 468,* 1644, 1683, 1722.

296....Requires arbitrator to order discovery upon application of party. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 264.

297....Increases certain penalties concerning pornography involving children. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Committee on Judiciary. 264, 777, 791, 792.

298....Expands authority of public service commission of Nevada to regulate certain services in mobile home parks. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 264, 279, 728, 752, 778, 907, 922,* 1324, 1385.

299....Makes various changes concerning merger and consolidation of corporations. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 265, 464, 477, 509, * 641, 689.

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300....Revises certain restrictions on actions concerning real property. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 265, 1213, 1239, 1264, 1265,* 1269, 1521, 1573.

301....Authorizes trial of juveniles in justices' courts and municipal courts for minor traffic offenses. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 265.

302....Limits liability of volunteers of certain charitable organizations. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 265, 1095, 1144, 1160, 1161,* 1162, 1521, 1573.

303....Increases the authority of peace officers in connection with certain crimes. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 265, 388, 392, 420,* 749, 1046, 1076.

304....Limits liability of certain persons who voluntarily aid in cleaning up or preventing release of hazardous materials. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Natural Resources, Agriculture and Mining. 266, 869, 897.

305....Requires spills of and accidents involving hazardous materials to be reported to the division of emergency management of the department of the military. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Schofield and Dini. 266.

306....Requires secretary of state to publish certain information relating to general elections. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Haller, Wisdom, Spinello, Porter, Triggs, Gaston, Wendell Williams, Craddock, Freeman and Evans. 266.

307....Makes appropriation to Vegas Verdes Clinic. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Price, Sedway, Arberry, May, Wendell Williams, McGaughey, Schofield, Garner, Banner, Spinello, Gaston, Wisdom, Myrna Williams, Jeffrey, Fay, Tebbs, Brookman, Callister, DuBois, Thompson, Kissam, Triggs, Spriggs, Porter and Carpenter. 266.

308....Prohibits insurer from canceling, refusing to renew or increasing premium for certain policies as result of claims for which insured was not at fault. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Porter, Schofield, Arberry, Freeman, Spinello, Callister, Sader, Gaston, Haller, Adler, Craddock, Wendell Williams, Kissam, Wisdom, Myrna Williams, Thomas, DuBois, Brookman, Nevin, May, Fay, Sedway, Swain, Garner, Dini, Thompson, Nicholas, McGaughey, Kerns, Carpenter, Bergevin, Price, Evans, Getto and Humke. 273, 867, 897, 909,* 1324, 1329, 1332, 1333, 1358, 1362,* 1364, 1443, 1483.

309....Makes various changes concerning regulation of insurance companies. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Porter, Schofield, Arberry, Freeman, Spinello, Callister, Sader, Fay, Gaston, Haller, Adler, Craddock, Wendell Williams, Kissam, Wisdom, Myrna Williams, Thomas, DuBois, Brookman, Nevin, Sedway, Swain, Garner, Dini, Thompson, Nicholas, McGaughey, Kerns, Carpenter, Bergevin, Price, Evans and Humke. 273.

310....Allows claimant to recover damages from insurer who fails to attempt in good faith to settle claim. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Porter, Schofield, Arberry, Freeman, Spinello, Callister, Tebbs, Sader, Gaston, Haller, Craddock, Wendell Williams, Kissam, Wisdom, Myrna Williams, Thomas, DuBois, Brookman, Nevin, Sedway, Swain, Garner, Dini, Thompson, Nicholas, McGaughey, Kerns, Carpenter, Bergevin, Price, Evans, Getto and Humke. 273.

311....Exempts boats from tax on personal property and increases fees for registration. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Committee on Taxation. 277, 443, 460, 462, 748, 772, 773, 794, 795,* 1281, 1355.

312....Makes technical corrections to provisions relating to local government budgets. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Taxation. 277, 443, 462, 481, 482,* 1281, 1355.

313....Makes retailers of motor vehicle fuel liable for tax on certain fuel. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Taxation. 277, 603, 634, 675, 694, 696,* 1281, 1355.

314....Standardizes provisions relating to penalty and interest imposed for delinquent payment of certain taxes. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Taxation. 277, 424, 453, 482,* 800, 843.

315....Revises provisions relating to rates for insurance. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Nevin. 278, 1261, 1283, 1326, 1330,* 1763, 1899.

316....Designates black fire opal as state precious gemstone and turquoise as state semiprecious gemstone. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Getto, Dini, Nevin, Kerns, Myrna Williams, Garner, Banner, May, Porter, Carpenter, Bergevin, McGaughey, Evans, Humke, Arberry, Wendell Williams, Craddock, Thompson, Sader, Adler, Kissam, Lambert, Haller, Triggs, DuBois and Thomas. 278, 575, 586, 598,* 1016, 1076.

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317....Makes various changes concerning employers covered by state industrial insurance system. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Labor and Management. 278, 381, 392, 403,* 1204, 1212, 1213, 1260.

318....Assesses self-insured employers for retroactive benefits paid to certain claimants for workmen's compensation. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Labor and Management. 278, 691, 701, 702, 742,* 1204, 1260.

319....Makes various changes concerning industrial insurance and occupational diseases. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Labor and Management. 278.

320....Clarifies various provisions concerning industrial insurance and occupational diseases. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Labor and Management. 279, 641, 673, 674, 707,* 1204, 1213, 1325, 1355, 1424, 1443, 1518.

321....Requires person with prior conviction of driving while intoxicated to submit to blood test under certain circumstances. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Myrna Williams, Nevin, Porter, Kerns, Gaston, Carpenter, Freeman, Wisdom, May, Marvel, Spinello, Sedway, Thomas, Getto, Lambert, Adler, Garner, Haller, Brookman, Evans, Bergevin, DuBois, Arberry, Kissam, Craddock, Triggs, Humke, McGaughey, Nicholas and Sader. 280, 727, 752, 773,* 1486, 1545.

322....Allows increase of limit upon revenue received by county that performs function previously performed by certain local governments which no longer exist. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Taxation. 280, 691, 702, 717, 931, 960, 993, 998, 999, 1016, 1028,* 1644, 1708, 1761.

323....Proposes to exempt items purchased with food stamps or certain federal checks or vouchers from taxes on retail sales. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Committee on Taxation. 286, 488, 511, 524.*

324....Makes various changes in provisions relating to elections. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Haller. 287.

325....Authorizes local government to purchase goods and services from member of governing body under certain circumstances. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Legislative Functions. 288, 444, 462, 463, 502, 503,* 889, 899, 914.

326....Creates certain exceptions to statutory requirements governing mortgage companies. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 288.

327....Makes various changes relating to unclaimed property. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 297, 472, 491, 567, 580, 582, 964, 977, 995, 996,* 998, 1358, 1366, 1367, 1440.

328....Authorizes county recorders to arrange with libraries for retention of newspapers. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Banner. 297, 356, 376, 387,* 516, 536.

329....Eliminates under certain circumstances requirement that amendments to certain maps and surveys be noted on original. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Banner. 297, 383, 392, 393, 420,* 594, 598, 599, 700, 857, 889, 914.

330....Standardizes size of maps for mining claims. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Banner. 297.

331....Makes various changes relating to state personnel system. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Government Affairs. 297.

332....Requires local government employee-management relations board to hear complaint and issue decision within certain period. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 298, 1095, 1096, 1127, 1128, 1262, 1289, 1326, 1330,* 1691, 1761.

333....Authorizes temporary advances to informational facility fund and informational service fund. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 298, 356, 376, 387,* 388, 567, 582.

334....Conditions receipt or renewal of driver's license for certain pupils upon attendance of school. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Gaston, Carpenter, Banner, Spinello, Getto, Wendell Williams, Arberry, Haller, Thomas, Kissam, McGaughey, Adler, Lambert, Craddock, Nicholas, Callister, Porter, Kerns, Wisdom and Freeman. 298.

335....Revises provisions governing liquefied petroleum gas. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. McGaughey, Schofield, Bergevin, Kerns, Banner, Garner, Getto, Adler, Thompson, Nevin, Kissam, Gaston, Sedway, Freeman, Marvel, Brookman,

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Spinello, Fay, Porter, May, Callister, Lambert, Craddock, Nicholas, Arberry, Thomas, DuBois, Wendell Williams, Humke, Triggs, Haller, Price, Tebbs and Carpenter. 301, 800, 831, 838, 883,* 1763, 1771, 1772, 1899.

336....Makes various changes relating to corporations. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 301, 970, 1016, 1029,* 1225, 1279.

337....Designates American Bashkir Curly as official state horse. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Natural Resources, Agriculture and Mining. 302.

338....Increases monthly fee for state gaming licenses based upon gross revenue. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Taxation. 302.

339....Requires state board of health to set certain fees at amounts calculated to meet projected revenue. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Health and Welfare. 307, 826, 861, 869, 998, 1000, 1016, 1029,* 1358, 1440.

340....Revises certain provisions relating to certificates of marriage. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Health and Welfare. 307, 826, 861, 893,* 1358, 1440.

341....Authorizes regulation of parks for recreational vehicles. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Committee on Health and Welfare. 307.

342....Authorizes state board of health to grant variances from requirements of its regulations. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Health and Welfare. 308, 847, 871, 893, 894,* 1358, 1440.

343....Requires installation of public telephone at public swimming pool. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Myrna Williams, Nevin, Porter, Kerns, Carpenter, Gaston, Wisdom, Freeman, May, Marvel, Spinello, Sedway and Thomas. 308.

344....Adopts comprehensive requirements for responsibilities of skiers and operators of areas for skiing. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Nicholas, Kissam and Bergevin. 308, 869, 893, 911, 912, 934,* 1644, 1677, 1678, 1751, 1754, 1776, 1777, 1811.

345....Exempts from property tax property of certain organizations used for public meetings or recreation. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Thomas and Nicholas. 308.

346....Requires public entity responsible for protection from fire to compensate public utility for supply of water for certain persons. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Committee on Government Affairs. 308, 473, 491, 492.

347....Requires Nevada tax commission to pay expenses of appraiser certification board. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Taxation. 309.

348....Requires political parties and committees for political action to register with secretary of state and report campaign contributions. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Committee on Elections. 314.

349....Makes various changes relating to facilities for treatment of hazardous waste. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Schofield and Dini. 314, 1092, 1095, 1106, 1214, 1228, 1229,* 1233, 1576, 1641.

350....Requires written estimate of cost of automotive repairs without request by customer. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Myrna Williams, Marvel, Spinello, Triggs, Wisdom, Kerns, Tebbs, Fay, Porter, Brookman, Gaston, Freeman, Callister, Sedway, Nevin, Sader, Thompson, DuBois, Adler, Thomas, Kissam, McGaughey, Lambert, Nicholas, Craddock, Wendell Williams, Haller, Humke, Garner, Evans, Arberry, Swain and Schofield. 314.

351....Requires businesses not allowing refunds or exchanges to inform customers of that policy. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Myrna Williams, Marvel, Spinello, Wisdom, Triggs, Kerns, Tebbs, Fay, Porter, May, Brookman, Getto, Carpenter, Gaston, Freeman, Callister, Price, Sedway, Nevin, Sader, Bergevin, Thompson, Adler, Thomas, Kissam, McGaughey, Nicholas, Craddock, Wendell Williams, Haller, Humke, Garner, Spriggs, Evans, Arberry, Swain, Schofield and Dini. 315, 593, 617, 638, 645,* 1614, 1630, 1688.

352....Makes various changes in provisions governing transportationof hazardous materials. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Schofield and Dini. 315, 1092, 1095, 1096, 1106, 1271, 1272, 1276, 1277, 13591367, 1380, 1381, 1447, 1452, 1453,* 1763, 1799, 1899.

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353....Makes appropriation for formation of certain weed control districts. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Committee on Natural Resources, Agriculture and Mining. 315, 1214, 1240, 1241.

354....Creates commission for bicentennial of United States Constitution. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Price, Sedway, Garner, Spriggs, Humke, Evans, Schofield, Arberry, Swain, Getto, Banner, Carpenter, Gaston, Freeman, Myrna Williams, Marvel, Spinello, Callister, Wisdom, Brookman, Kerns, Tebbs, Fay, Porter, Nevin, Bergevin, May, Sader, DuBois, Thomas, Adler, Kissam, McGaughey, Lambert, Craddock, Haller, Nicholas, Wendell Williams, Triggs and Thompson. 326, 777, 792, 839,* 1486, 1494, 1495, 1545.

355....Makes various changes relating to county government. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 327, 399, 414, 415, 455, 469,* 749, 774, 1015.

356....Authorizes creation of special maintenance areas by local governments. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 327.

357....Authorizes renovation and operation of brewery in Comstock historic district. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 327, 625, 652, 688,* 989, 1047.

358....Limits certain practices in civil actions. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. DuBois, Thomas, McGaughey, Nevin, Kerns, Schofield, Sedway, Garner, Spinello, Wisdom, Tebbs, Freeman, Kissam, Humke, Bergevin, Wendell Williams, Fay, Lambert, Nicholas, May, Getto, Carpenter and Price. 328, 1067, 1078, 1080,* 1081.

359....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. 328.

360....Provides specific procedure for judicial review in actions relating to recovery of gaming debts by patrons. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 328, 1326, 1335, 1338, 1358, 1362,* 1364, 1644, 1722.

361....Authorizes formation of election districts by certain county school boards. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Dini, Triggs, Arberry, Kissam, Freeman, Gaston, Callister, Haller, Tebbs, Craddock, Lambert, Marvel and Bergevin. 329, 408, 435, 455, 469,* 691, 709.

362....Makes various changes relating to state financial administration. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 333, 473, 492, 500, 524,* 827, 841, 842, 868, 885, 933, 954, 988.

363....Makes various changes relating to state financial administration. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 333, 444, 463, 503, * 749, 774.

364....Requires contractors on public works projects to take affirmative action to employ handicapped persons. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Triggs, Banner, Haller, Craddock, Freeman, Schofield, Dini and Kissam. 333.

365....Prohibits employer from asking certain questions of applicant for employment. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Triggs, Schofield, Thompson, Garner, Haller, Myrna Williams, Brookman, Banner, Sedway, Wendell Williams, Craddock, Nicholas, Spinello, Wisdom, Porter, Nevin, Humke, Gaston, Freeman, Swain, Adler, Dini and Kissam. 334.

366....Requires increase in salaries of certain state employees who are proficient in sign language for the deaf. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Triggs, Thompson, Garner, Haller, Myrna Williams, Brookman, Banner, May, Craddock, Nicholas, Spinello, Wisdom, Porter, Nevin, Humke, DuBois, Schofield, Swain, Dini and Kissam. 334.

367....Requires certain public telephones to be equipped with device for amplification of sound for persons with impaired hearing. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Triggs, Thompson, Garner, Haller, Myrna Williams, Brookman, Banner, Sedway, May, Wendell Williams, Craddock, Nicholas, Evans, Spinello, Wisdom, Porter, Nevin, Humke, Freeman, Gaston, Schofield, Swain, Adler, Dini, Carpenter and Kissam. 334.

368....Requires operators of certain service stations and retail stores to refuel motor vehicles of persons who are physically handicapped. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Triggs, Nevin, Thompson, Garner, Haller, Myrna Williams, Brookman, Banner, Sedway, Wendell Williams, Craddock, Nicholas, Evans, Wisdom, Spinello, Porter, DuBois, Gaston, Freeman, Schofield, Swain, Adler, Dini and Kissam. 334, 584, 595, 596, 638, 645,* 697, 698, 716.*

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369....Encourages and authorizes cities and counties to hire certain handicapped persons on temporary and limited basis. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Triggs, Schofield, Thompson, Garner, Haller, Myrna Williams, Brookman, Banner, Sedway, May, Wendell Williams, Craddock, Nicholas, Evans, Spinello, Wisdom, Porter, Nevin, Humke, DuBois, Freeman, Gaston, Swain, Adler, Dini, Carpenter and Kissam. 335, 584, 596, 621,* 971, 1013.

370....Changes distribution of money collected as civil penalty in action involving certain controlled substances. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Swain, Tebbs, Sedway, Spinello, Getto, Lambert, Kerns, Craddock, Nevin, McGaughey, Garner, Freeman, Arberry, Gaston, Price, Wendell Williams, Triggs, Myrna Williams, Wisdom, Evans, Dini, Porter, Adler and Thompson. 338, 727, 752, 773.*

371....Makes various changes relating to postsecondary educational institutions. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Education. 340, 515, 534, 554, 555,* 971, 1013.

372....Limits number of terms for office of trustee of school district. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Education. 346.

373....Creates new offices within commission on economic development. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Economic Development, Small Business and Tourism. 346, 1180, 1215, 1216.

374....Makes various changes concerning rights of tenants in mobile home parks. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Banner. 346, 916, 939, 978,* 980, 1324, 1352, 1385.

375....Revises provisions governing landlords and tenants of mobile home parks. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Banner. 346, 916, 939, 978,* 980, 1486, 1497, 1498, 1545.

376....Provides special license plates for veterans of Pearl Harbor. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Adler, Dini, Nicholas, Thomas, Kissam, Price, Thompson, Gaston, Lambert, Craddock and Triggs. 347, 593, 617, 630, 638, 688,* 903, 929.

377....Revises provisions relating to dogs trained to assist handicapped persons. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Adler, Dini, Swain, Nicholas, Thomas, Kissam, Price, Thompson, Gaston, Lambert, Craddock, Haller and Triggs. 347, 920, 942, 978,* 980, 1281, 1355.

378....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. 347.

379....Repeals provision relating to payment of fees for registration of motor vehicles owned by state contractors' board. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Transportation. 347, 507, 520, 535,* 1763, 1899.

380....Requires department of transportation to establish system of emergency telephones along public highways. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Transportation. 347.

381....Prohibiting interruption of air conditioning by landlord under certain circumstances. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 348, 625, 652, 688, 689,* 800, 843.

382....Prescribes procedures for installation of generators of electricity. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 348.

383....Clarifies and expands exemptions from provisions governing mortgage companies. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 348.

384....Grants judges immunity from civil actions. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 352.

385....Expands list of persons who may administer blood tests to determine alcohol content or presence of controlled substance. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 352, 908, 926, 965,* 1614, 1631, 1688.

386....Requires department of parole and probation to reimburse local governments for cost of holding persons who violate parole. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Judiciary. 352.

387....Authorizes board of county commissioners to require deposit by party demanding trial by jury in civil action. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 353.

388....Makes various changes relating to fiscal notes. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Lambert, May, Adler, Dini, Wisdom, Kerns, Bergevin, Tebbs, Sedway, Arberry, Swain, Thompson, McGaughey, Kissam and Myrna Williams. 358.

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389....Excludes certain lease-purchases and contracts for purchases in installments from provisions governing 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. 359.

390....Changes composition 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. 359, 712, 773,* 1225, 1349, 1352, 1383, 1541, 1576, 1641.

391....Revises provision for payment of fee by owner of motor vehicle for highway patrol special fund. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Haller, Nevin, Triggs, Wendell Williams, Nicholas, Thomas, Porter, Wisdom, Myrna Williams, Callister and Price. 364.

392....Requires insurance company to give discount to certain persons 55 years of age or older on policy of vehicle insurance. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Transportation. 364.

393....Removes restriction preventing award of compensation for victims of crime to nonresident. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Judiciary. 364.

394....Revises provisions relating to dissemination of certain live broadcasts in Nevada. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 364, 1291, 1317, 1326, 1331,* 1724, 1738, 1739, 1831.

395....Makes various changes relating to support for children. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 365, 1280, 1290, 1302, 1326, 1331,* 1644, 1722.

396....Requires instruction in human sexuality in schools. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Sedway, Swain, Freeman, Haller, Myrna Williams, Craddock, Bergevin, Kerns, Lambert, Marvel and DuBois. 365.

397....Directs legislative commission to contract with consultants to conduct interim study of fiscal affairs of state and local governments in Nevada. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Sedway, Dini, Nevin, Evans, Wendell Williams, Wisdom, Porter, Haller, Myrna Williams, Price, Triggs, Kissam, Callister, Spinello, Craddock, Arberry, Freeman, Swain, Thompson, Gaston, Bergevin, Thomas, Nicholas, DuBois, McGaughey, Getto, Lambert, Marvel, Humke and Tebbs. 365, 802, 805, 806, 971, 994, 1016, 1029,* 1724, 1742, 1800, 1802, 1864, 1865, 1867.

398....Makes supplemental appropriation to continue program to provide financial assistance to physically disabled persons. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Sedway, Dini, Sader, Nevin, Evans, Fay, Porter, Wendell Williams, Wisdom, Haller, Myrna Williams, Garner, Price, Kissam, Callister, Craddock, Arberry, Freeman, Swain, Schofield, Thompson, Gaston, Bergevin, Thomas, Nicholas, DuBois, Carpenter, Getto, Kerns, Lambert, Tebbs and Humke. 365.

399....Provides for issuance of general obligation bonds to finance various projects. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Sedway, Dini, Jeffrey, Thompson, Sader, Brookman, May, Arberry, Nevin, Evans, Porter, Wisdom, Haller, Myrna Williams, Garner, Price, Kissam, Callister, Spinello, Craddock, Freeman, Swain, Schofield, Gaston, Bergevin, Thomas, Nicholas, DuBois, McGaughey, Carpenter, Getto, Kerns, Lambert, Tebbs and Humke. 366, 649, 674, 695,* 1182, 1190, 1191, 1259, 1282, 1522, 1529, 1547, 1898, 1899.

400....Requires counties to establish standards to determine indigence and specifies minimum standard. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Sedway, Nevin, Evans, Wisdom, Wendell Williams, Myrna Williams, Haller, Price, Triggs, Kissam, Spinello, Callister, Craddock, Freeman, Arberry, Swain, Schofield, Thompson, Gaston, Bergevin, DuBois, McGaughey, Getto, Kerns, Lambert, Marvel, Humke and Tebbs. 366, 1366, 1376, 1378, 1586, 1603, 1605, 1614, 1618,* 1620, 1724, 1831.

401....Establishes limit on monthly income for eligibility for benefits for long-term medical care. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Sedway, Dini, Nevin, Evans, Porter, Wisdom, Wendell Williams, Myrna Williams, Haller, Garner, Price, Kissam, Callister, Craddock, Arberry, Freeman, Swain, Schofield, Thompson, Gaston, Bergevin, DuBois, Carpenter, Getto, Kerns, Marvel, Humke and Tebbs. 366.

402....Establishes state system of casualty insurance. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Thomas and Porter. 374.

403....Creates legislative committee on development of small business. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Price, Swain, Garner, Triggs, Humke, Wendell Williams, Thomas, Gaston, Spinello and Lambert. 375, 1135, 1152, 1204, 1229,* 1233.

404....Expands provisions governing aid to victims of crime to include nonresidents. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Swain. 375.

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405....Makes appropriation for "pilot program" to study use of depo-provera on certain offenders in state prison. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Swain, Sedway, Spinello, Arberry, Gaston, Lambert, Triggs, Wendell Williams, Wisdom, Myrna Williams, Evans, Spriggs and Brookman. 375.

406....Revises provisions governing responsibilities for payment of indebtedness relating to industrial insurance and unemployment compensation for laborers. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Labor and Management. 375, 712, 735, 738, 773, 774,* 989, 1047.

407....Requires that rates charged by insurers include consideration of experience on claims in Nevada. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 375, 867, 897, 909.*

408....Authorizes issuance of orders by health authority to stop work on projects for noncompliance with certain requirements. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Health and Welfare. 379.

409....Revises certain provisions relating to unarmed combat. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Health and Welfare. 379.

410....Transfers duty to regulate medical laboratories from state board of health to health division of department of human resources. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Health and Welfare. 379.

411....Revises provisions governing proof of immunization of pupils. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Health and Welfare. 379, 1427, 1459, 1469, 1473,* 1475, 1691, 1761.

412....Removes inappropriate references to probation and suspension of sentence from penalty for battery involving family member. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 382, 892, 905, 922,* 1092, 1155.

413....Makes various changes relating to civil commitment of alcoholics and drug addicts convicted of crime. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 382, 745, 752, 753, 782,* 1358, 1359, 1365, 1388, 1390,* 1391, 1469, 1518.

414....Includes kidnaping with intent to kill or inflict substantial bodily harm in definition of first degree kidnaping. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Judiciary. 382, 892, 905, 923,* 1092, 1155.

415....Prohibits involuntary transfer of noncertificated employee of school district as form of discipline. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 391, 1159, 1162, 1176, 1182, 1187,* 1189, 1644, 1683, 1722.

416....Prohibits transfer of noncertificated employee of school district as form of discipline. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 391.

417....Modifies list of subjects of mandatory collective bargaining for local government employers. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 392, 903, 926, 965,* 1763, 1770, 1771, 1899.

418....Adds to list of subjects of mandatory collective bargaining for local government employers. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 393.

419....Changes criteria for factfinder in dispute concerning ability of local government employer to pay employees. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 393.

420....Revises provisions governing relationships between grantors and holders of franchises to operate service stations. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Nevin, McGaughey, Wisdom, Freeman, Brookman, Price, May, Garner, Banner, Schofield, Dini, Getto, Thompson, Arberry, Wendell Williams, Fay, Humke, Porter, Swain, Myrna Williams, Sedway, Kissam, Spinello, Haller, Evans, Craddock, DuBois, Carpenter, Gaston, Marvel, Callister, Sader, Triggs, Thomas, Nicholas, Spriggs and Lambert. 393, 1092, 1093, 1107, 1115,* 1796, 1807, 1809, 1899.

421....Revises provisions governing dismissal of educational personnel. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Committee on Education. 394, 1225, 1273, 1282, 1291, * 1547, 1580, 1581, 1641.

422....Requires hearing before dismissal of any certificated employee of school district. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Committee on Education. 394.

423....Requires Nevada state council on the arts to develop and administer program for preliminary actions related to acquisition of works of art for inclusion with certain proposed state buildings. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Swain, Myrna

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Williams, Nicholas, McGaughey, Thomas, DuBois, Schofield, Arberry, Evans, Triggs, Haller, Kissam, Porter, Wisdom, Kerns, Price, May, Sedway, Thompson, Sader, Nevin, Callister, Brookman, Gaston, Freeman, Spinello, Banner, Carpenter and Craddock. 399, 1586, 1587, 1589, 1614, 1618, 1619,* 1620, 1807, 1899.

424....Revises provisions governing support for child. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Swain, Myrna Williams, Garner, Nicholas, Arberry, Evans, Haller, Triggs, Kissam, Lambert, Porter, Wisdom, Price, Sedway, Adler, Sader, Nevin, Brookman, Freeman, Gaston, Banner and Craddock. 399, 1280, 1290, 1308, 1326, 1331,* 1724, 1739, 1800, 1802, 1812, 1847, 1851, 1852, 1862.

425....Creates cause of action in favor of financial institution against certain borrowers who obtain loans by fraud. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Marvel, Bergevin, Tebbs, Nevin and Wisdom. 400, 916, 928, 1281, 1292, 1297, 1326, 1331,* 1691, 1761.

426....Requires additional notice of hearings concerning zoning and granting of variances or special use permits. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Lambert, Thompson, McGaughey, Nicholas, Craddock, Sader and Kissam. 400, 1016, 1021, 1041, 1053, 1056,* 1058.

427....Revises provision regarding reimbursement for services of deputies attorney general who represent state agencies. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 400.

428....Prohibits possession of open container of intoxicating liquor in certain motor vehicles under certain circumstances. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 400, 1095, 1144, 1160, 1161.*

429....Revises provisions governing reporting of communicable diseases. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Committee on Judiciary. 400.

430....Requires court to allow law enforcement agency 5 working days to respond to subpena for delivery of documents in criminal proceeding. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 400.

431....Revises provisions governing distribution of proceeds from sale of forfeited property. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 401.

432....Authorizes person to register to vote when applying for driver's license or identification card or to register motor vehicle. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Sader, Thompson, Sedway, Evans, Craddock, Nevin, Freeman, Kissam, Gaston, Schofield, Porter, Myrna Williams, Wendell Williams, Fay, Wisdom, Triggs, Swain, Price, Garner, Haller, Callister, Spinello, Arberry, Dini, May, Thomas, Carpenter, Adler, Getto, Brookman, Kerns, Tebbs, Spriggs and Marvel. 405, 847, 871, 1052, 1060, 1075,* 1807, 1826, 1829.

433....Authorizes reregistration of voter by mail after notice of cancellation. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Sader, Thompson, Sedway, Evans, Craddock, Freeman, Gaston, Nevin, Kissam, Schofield, Porter, Myrna Williams, Wendell Williams, Fay, Wisdom, Price, Triggs, Swain, Garner, Haller, Callister, Spinello, Arberry, Dini, May, Carpenter, Adler, Getto, Bergevin, Brookman, Kerns, Humke, Marvel and Lambert. 405.

434....Makes county offices nonpartisan. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Elections. 405.

435....Revises provisions governing arbitration of dispute between teachers and local government employer. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 405.

436....Allows employees of local government to negotiate salaries as percentage of total budget of local government employer. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 405.

437....Requires state board of health to adopt regulations for licensing and operation of certain facilities for dependent. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Health and Welfare. 406, 1159, 1160, 1169, 1184,* 1189, 1443, 1483.

438....Repeals provisions regulating naturopathy as healing art. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 409, 1131, 1166, 1184,* 1189, 1644, 1722.

439....Eliminates provisions authorizing deduction of allowances by certain persons for collection of taxes. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Taxation. 409.

440....Allocates limits established by federal law on issue of certain revenue bonds. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Dini and Thompson. 409, 507, 555,* 1016, 1076.

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441....Revises penalty for misuse of parking spaces, special parking permits and special license plates for handicapped person. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Myrna Williams and Sedway. 409, 970, 1007, 1016, 1030.*

442....Requires notification of owner of dead, domesticated animal found on highway. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Haller and Triggs. 409, 920, 947, 965, *.

443....Revises provisions governing printing of Statutes of Nevada. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 410, 515, 534, 555,* 903, 929.

444....Authorizes director of legislative counsel bureau to make certain computer services available to governmental entities and public. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 410, 515, 535, 555,* 903, 929.

445....Requires pupil in public high school to maintain passing grade in all classes for eligibility to participate in interscholastic athletics. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. DuBois, Kissam, Lambert, Nevin, Carpenter, Gaston, Freeman, Thomas, McGaughey, Nicholas, Humke, Triggs, Fay, Tebbs, Callister, Marvel, Kerns, Sedway and Swain. 410.

446....Revises provisions governing organization of department of education. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Education. 415, 920, 947, 965,* 1443, 1483.

447....Revises provisions requiring hearing by public service commission of Nevada for change of rates by certain public utilities. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 416, 712, 802, 807, 808, 858, 859,* 1324, 1385.

448....Makes various changes concerning apprenticeships. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Government Affairs. 416, 712, 774,* 989, 1047.

449....Establishes committee to study proposals for jail projects and reserves money for such projects. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Committee on Government Affairs. 416.

450....Prohibits display of vehicles for sale or lease on vacant land unless certain conditions are met. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Committee on Transportation. 416, 769, 770, 795,* 1053, 1062, 1089.

451....Increases maximum number of miles allowed on used motor vehicle purchased for use as taxicab. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Transportation. 416, 567, 577, 588,* 931, 967.

452....Makes various changes relating to contractors. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 416, 827, 861, 870, 908, 911, 934.*

453....Authorizes state board of physical therapy examiners to charge certain fees and require continuing education for assistants. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 417, 1077, 1086, 1116, 1117,* 1443, 1483.

454....Makes various changes relating to state contractors' board. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 417, 1203, 1241, 1264, 1265,* 1269, 1576, 1577, 1604, 1614, 1619,* 1620, 1644, 1722.

455....Requires notification of parent or guardian of certain minors when autopsy is ordered. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Committee on Health and Welfare. 419, 1204, 1241, 1264, 1265,* 1269.

456....Allows division of community property when one spouse enters facility for skilled nursing or facility for intermediate care. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Kissam, Dini, Brookman, Lambert, Schofield, DuBois, McGaughey, Nicholas, Haller, Getto, Marvel, Wisdom, Tebbs, Kerns, Price, May, Sedway, Sader, Thompson, Adler, Garner, Triggs and Arberry. 431, 1157, 1162, 1177, 1182, 1187,* 1189, 1576, 1580, 1641.

457....Adopts Uniform Securities Act. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Executive Budget. Committee on Judiciary. 432, 1088, 1094, 1136, 1137,* 1138, 1847, 1853, 1855, 1861, 1863, 1865, 1867.

458....Restricts release from custody of person arrested for parole violation. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Committee on Judiciary. 432.

459....Allows nonresident convicted of driving under influence of intoxicating liquor or controlled substance to attend educational course in jurisdiction of residence. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 432, 846, 873, 874, 910,* 1486, 1545.

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460....Requires law enforcement agencies to release photographs and documentation of accidents under certain circumstances. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 432, 1016, 1068, 1079,* 1081, 1521, 1543, 1544, 1573.

461....Creates advisory commission on evaluation and education of persons found guilty of driving while under influence of alcohol or controlled substance and authorizes temporary programs to educate such persons on abuse of alcohol and controlled substances. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Committee on Judiciary. 432, 1282, 1290, 1310, 1326, 1331,* 1521, 1544, 1573.

462....Requires state gaming control board to include explanation in determination of deficiency when reason therefor not apparent. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 433, 570, 577, 588,* 749, 774.

463....Makes various changes relating to regulation of gaming. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 433, 593, 617, 618, 645,* 647, 749, 774.

464....Revises provisions governing calculation of gross revenue of gaming licensees and determination of taxes or fees. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 433, 593, 618, 645, 646,* 647, 889, 928, 951.

465....Requires that identity of arrested person be established before admission to bail. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 433.

466....Revises provisions governing notice of forfeiture of bail. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 433.

467....Allows power of attorney for making decisions concerning health care for person under certain circumstances. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Humke, Sader, Porter, Arberry, Garner, Brookman, Freeman, Haller, Kissam, Wendell Williams, Wisdom, Kerns, Carpenter, McGaughey and Nicholas. 455, 1159, 1162, 1171, 1182, 1187,* 1189, 1486, 1545.

468....Defines domestic contractor for purpose of preference in granting contracts for public works. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Jeffrey. 459, 847, 875, 910,* 1724, 1831.

469....Eliminates exemption of public works from requirement for payment of contractor after completion of construction. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Jeffrey. 459.

470....Allows use of affidavit from local joint apprenticeship committees for qualification for driver's license for certain vehicles. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Jeffrey and Nevin. 459, 625, 652, 695,* 1053, 1089.

471....Makes appropriation for payment for legal services for certain litigation. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Committee on Ways and Means. 460, 888, 905, 923,* 1262, 1322.

472....Broadens legislative declaration against discrimination in housing. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Triggs, Banner, Haller, Craddock, Arberry, Sedway and Kissam. 464, 800, 838, 883.*

473....Prohibits discrimination against employee with handicap not related to ability to perform job. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Triggs, Banner, Arberry, Sedway and Kissam. 464.

474....Revises provisions governing qualification for reimbursement from subsequent injury fund. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Triggs, Banner, Craddock, Arberry, Sedway and Kissam. 464.

475....Establishes commission to regulate mobile home parks. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Sedway, Thompson, Swain, Arberry, Garner, Haller, Schofield, McGaughey, Wendell Williams, Craddock, Kissam, May, Nevin, Porter, Brookman, Myrna Williams, Spinello, Adler, Evans, Banner, Gaston and Freeman. 465.

476....Makes various changes governing registration of voters. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Adler, Kissam, Lambert, Price, Jeffrey, Brookman, Swain, Arberry, Evans, Nevin, Porter, Spinello, Getto, Thompson and Banner. 465, 1016, 1021, 1040, 1053, 1056,* 1058, 1763, 1791, 1899.

477....Requires voter to deposit ballot in ballot box. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Humke. 465.

478....Increases additional fee for identifying device for motor vehicle of motor carrier. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Transportation. 465, 558, 570, 582, 588,* 903, 929.

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479....Makes appropriation to Division of Mental Health and Mental Retardation of Department of Human Resources for continuation of Home Activity Program for Parents and Youngsters. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Committee on Education. 465.

480....Makes various changes regarding compulsory attendance of school. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Education. 465.

481....Revises provisions regarding payment of extra compensation for overtime for certain persons. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Committee on Labor and Management. 466, 846, 875, 910.*

482....Prescribing the size of projects to be considered in establishing prevailing wage. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Labor and Management. 466.

483....Makes various changes relating to industrial insurance. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Committee on Labor and Management. 466.

484....Prohibits labor commissioner from considering wages for work on residential construction in determination of prevailing wage. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Labor and Management. 466.

485....Makes various changes in provisions governing prevailing wage for public works projects and other matters concerning labor. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Committee on Labor and Management. 466.

486....Provides for licensure of employers' representatives in contested cases regarding industrial insurance. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Labor and Management. 467, 907, 926, 927, 966,* 1864, 1866.

487....Revises provisions concerning administrative fine imposed upon certain self-insured employers who fail to pay claim for industrial insurance. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Labor and Management. 467.

488....Revises provisions relating to claims to be paid from subsequent injury fund. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Labor and Management. 467, 712, 738, 739, 774,* 989, 1047.

489....Revises criteria for holding a hearing on the prevailing wage. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Labor and Management. 467.

490....Prohibits use of public money for certain abortions. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. DuBois, McGaughey, Thomas, Tebbs, Callister, Garner, Spriggs and Humke. 467.

491....Revises provision requiring certain care be given to infant born as result of attempted abortion. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. DuBois, McGaughey, Thomas, Callister, Garner, Tebbs and Spriggs. 467.

492....Increases membership of commission on economic development. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Dini, Sedway, Carpenter, Bergevin, Price, Marvel, Nevin, Spinello, Freeman, DuBois, Nicholas, Adler, Kissam, Thompson, Lambert, Craddock, Haller, Triggs, Wendell Williams, Spriggs, Humke, Garner, Evans, Swain, Jeffrey, Callister, Tebbs, Fay, May, Brookman, Porter, Getto, Banner, Gaston, Myrna Williams, Wisdom, Sader, McGaughey, Kerns and Schofield. 469.

493....Revises provisions governing minimum wages. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Brookman, Jeffrey, Myrna Williams, Thompson, Sader, Kissam, Craddock, Haller, Wendell Williams, Thomas, Sedway and Nevin. 473, 846, 875, 910,* 1691, 1710, 1761.

494....Establishes priorities for use of money in Fort Mohave Valley development fund and authorizes certain grants. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Government Affairs. 473, 847, 875, 876, 878, 935, 966,* 1763, 1772, 1774, 1899.

495....Makes various changes relating to regional transportation commissions. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 474, 1357, 1378, 1394, 1430, 1445, 1521, 1524, 1548, 1551,* 1552, 1691, 1761.

496....Authorizes imposition of fine against local government employer who violates provisions governing disputes with employees. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 474.

497....Requires disclosure of source of excess money spent by candidate. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Committee on Elections. 474, 953, 984, 995, 996, 997, * 998.

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498....Reduces time for replacement by contractor of qualified employee. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 474, 867, 897, 923, * 1204, 1260.

499....Revises conditions for issuance of license to operate limited number of slot machines. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 476.

500....Expands powers of welfare division of department of human resources concerning assistance to medically indigent. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Judiciary. 476, 1489, 1493, 1501, 1505, 1515, 1565, 1576, 1614, 1619,* 1620, 1763, 1899.

501....Creates division for small businesses within commission on economic development. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Price, Triggs, Swain, Lambert, Garner, Gaston and Wendell Williams. 476, 1213, 1241, 1258, 1259.

502....Makes various changes relating to motor carriers. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Transportation. 476, 625, 652, 653, 695,* 1182, 1212, 1260.

503....Prohibits counties from giving cash grants to employable poor persons without dependent children. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Health and Welfare. 477.

504....Requires justices of the peace in larger counties to be attorneys at law. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. DuBois, Kissam, Haller, Gaston, Wisdom, Porter, Spriggs, Carpenter, Myrna Williams, Callister and Sedway. 477, 578, 586, 598.*

505....Requires use of mudguards on rear tires of large trucks. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. DuBois and Nevin. 478, 625, 653, 695, 696,* 1053, 1089.

506....Allows commission on economic development to expand program for development of occupational education. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Price, Triggs, Wendell Williams, Thomas, Swain, Sader, Gaston, Tebbs, Spinello, Lambert, Humke and Garner. 485.

507....Requires suspension of license of attorney convicted of misappropriating client's property. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Getto, Schofield, Swain, Spriggs, Carpenter, Gaston, Freeman, Myrna Williams, Spinello, Wisdom, Nevin, Jeffrey, Sedway, May, Price, Fay, Tebbs, Brookman, Callister, Marvel, Arberry, Garner, Wendell Williams, Evans, Humke, Nicholas, McGaughey, Thomas, DuBois, Thompson, Adler, Kissam, Lambert, Craddock, Haller and Triggs. 485.

508....Revises provisions governing incorporation of towns and cities. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Fay and Jeffrey. 489, 1052, 1082, 1095, 1122, 1123,* 1763, 1899.

509....Imposes tax on certain labor and services. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Taxation. 489.

510....Increases fee for registration of motor vehicle. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Ways and Means. 489, 649, 674, 1077, 1078, 1081, 1095, 1123, * 1387, 1495, 1496, 1545.

511....Increases number of members of state board of parole commissioners. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Ways and Means. 489, 649, 674, 696,* 800, 843.

512....Increases amount of benefits for surviving spouse of justice of supreme court or district judge. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Ways and Means. 489, 1131, 1166, 1184, 1185,* 1189, 1763, 1793, 1899.

513....Defines "alcoholic beverage" and prohibits person under 21 years of age from possessing alcoholic beverage in public. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 489, 787, 808, 859,* 1016, 1076.

514....Increases fee for issuance of license for dealers and manufacturers of mobile homes and eliminates requirement for furnishing of bond as condition for licensing. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Callister, Schofield, Adler, Thompson, Sader, Kissam, Lambert, Craddock, Haller, Humke, Wendell Williams, Nicholas, McGaughey, Thomas, Garner, Spriggs, Evans, Swain, DuBois, Arberry, Sedway, Tebbs, Brookman, Marvel, Myrna Williams, Spinello, Wisdom, Kerns, Porter, Nevin, Jeffrey, Getto, Gaston and Freeman. 501, 1575, 1587, 1590, 1614, 1619,* 1620, 1864, 1866, 1867.

515....Makes appropriation for Nevada International Invitational Rodeo and for Miss Rodeo Nevada Pageant. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Getto, Dini, Marvel, Spriggs and Carpenter. 505, 931, 960, 994,* 998, 1443, 1496, 1547, 1548, 1673, 1691, 1761.

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516....Expands provisions concerning punishment for providing controlled substance which causes death of another person. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. DuBois. 505, 920, 947, 1324, 1361,* 1364, 1691, 1707, 1708, 1761.

517....Authorizes state public works board to delegate authority to another state agency concerning property of that agency. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Humke, Sedway, Arberry, Spinello, Marvel and Tebbs. 510, 691, 702, 716,* 1443, 1493, 1494, 1545.

518....Prohibits discrimination in employment against person more than 69 years of age. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Spinello, Myrna Williams, Callister, Porter, Sedway, Evans, Sader, Jeffrey, Thompson, Adler, Brookman, Gaston, Freeman, Carpenter, Arberry, Tebbs, Marvel and Humke. 511, 846, 878, 893, 894,* 1644, 1722.

519....Allows claimant to recover punitive damages from insurer who fails to attempt in good faith to settle claim. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Callister, Myrna Williams, Porter, Spinello, Wisdom, Tebbs, Bergevin, Marvel, Garner, Evans, Arberry, Swain, Schofield, Getto, Gaston, Brookman, Kerns, Price, Nevin, Jeffrey, Sedway, Sader, Thompson, DuBois, Adler, Thomas, Kissam, McGaughey, Craddock, Haller, Wendell Williams, Triggs, Humke, Nicholas and Dini. 513.

520....Revises provisions governing cancellation of voters' registration. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Swain, Garner, Evans, Arberry, Carpenter, Gaston, Myrna Williams, Marvel, Callister, Spinello, Wisdom, Brookman, Tebbs, Kerns, Porter, Price, Nevin, May, Jeffrey, Sedway, Thompson, Adler, Thomas, McGaughey, Kissam, Lambert, Craddock, Haller, Wendell Williams, Triggs, Humke, Schofield and Getto. 516.

521....Expands list of concealed weapons to include ballistic knives. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Committee on Judiciary. 516.

522....Makes various changes in provision prohibiting zoning ordinance from discriminating against certain homes for mentally retarded persons. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 516, 827, 861, 862, 894, 923,* 1614, 1629, 1688.

523....Authorizes residential confinement of certain persons convicted of nonviolent crime. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Tebbs, Spinello, Sedway, Adler, Bergevin, DuBois, Marvel, Callister, Wisdom, Kerns, Porter, Price, Sader, Thomas, Thompson, Kissam, Lambert, McGaughey, Craddock, Nicholas, Haller, Wendell Williams, Triggs, Humke, Garner, Arberry, Swain, Schofield, Getto, Carpenter, Myrna Williams and Brookman. 526.

524....Revises definition of "moped" in provisions governing motorcycles and similar vehicles. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Transportation. 527.

525....Requires certain facilities to comply with local zoning regulations before licensure by health division of the department of human resources. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 527, 827, 862, 884,* 1358, 1440.

526....Authorizes public body to discard record of employees on public work. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 527, 691, 702, 889, 905, 906, 989, 995, 997,* 998, 1521, 1573.

527....Increases interval between required X-ray examinations for diseases of lungs covered by industrial insurance. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 527, 867, 897, 923,* 1225, 1279.

528....Revises provisions governing sale of wood for fuel or pulp. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Committee on Natural Resources, Agriculture and Mining. 528, 716, 717, 724, 732, 857.

529....Revises provisions governing inspection of petroleum products. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Natural Resources, Agriculture and Mining. 528.

530....Exempts farm vehicles and certain vehicles used to transport livestock from provisions governing motor carriers. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Natural Resources, Agriculture and Mining. 528.

531....Makes various changes in provisions regulating watercraft. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Committee on Natural Resources, Agriculture and Mining. 528, 854, 878, 879, 910,* 1358, 1440.

532....Requires establishment of statewide system of radio communication for use in emergencies. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Schofield and Dini. 528.

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533....Prohibits use of files of department of motor vehicles and public safety for commercial purposes. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Brookman, Kerns, Thompson, Wisdom, Fay, Jeffrey, Tebbs, May, Sedway, Sader, Price, Kissam, Porter, Gaston, Myrna Williams, Spinello, Banner, Getto, Carpenter, Schofield and DuBois. 532.

535....Accelerates date for preparation of annual audit of school district. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 532, 1001, 1017, 1055,* 1058, 1576, 1641.

536....Imposes penalty for late payment of certain fees to public service commission of Nevada. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 532, 701, 715, 742,* 1469, 1518.

537....Requires certification that corporation has complied with requirements of local government regarding business licenses. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 533, 1130, 1166, 1182, 1185, 1445, 1449, 1469, 1473, 1474,* 1475.

538....Simplifies procedure for obtaining approval of planning commission for certain actions. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 533.

539....Requires establishment of polling places in certain residential developments for elderly persons. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Wendell Williams, Arberry, Triggs, Haller, Craddock, Humke, Nicholas, McGaughey, Thomas, DuBois, Bergevin, Lambert, Kissam, Adler, Thompson, Sader, Sedway, May, Price, Fay, Tebbs, Brookman, Callister, Marvel, Wisdom, Spinello, Myrna Williams, Freeman, Banner, Jeffrey, Nevin, Porter, Kerns, Garner, Evans and Swain. 541, 916, 947, 978, 979, 998, 1011, 1016, 1030,* 1807, 1825.

540....Establishes procedure to carry out recommendations by legislative auditor concerning financial administration of state agencies. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Government Affairs. 541, 784, 792, 793, 839,* 1443, 1483.

541....Establishes board to distribute money to certain shelters for homeless Nevadans. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Wisdom, Freeman, Brookman, Gaston, Garner, Adler, Nevin, Banner, Carpenter, Myrna Williams, Spinello, Callister, Kerns, Wendell Williams, Swain, Evans, Arberry, Jeffrey, Sedway, Haller, Thompson, Porter, Triggs, DuBois and Dini. 541, 935, 961, 963, 1476, 1478, 1480, 1485, 1489,* 1490, 1644, 1722.

542....Makes certain changes relating to beekeeping. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Committee on Natural Resources, Agriculture and Mining. 541, 787, 808, 839,* 1225, 1279.

543....Removes receipt of severance pay as ground for disqualification for unemployment compensation. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Committee on Labor and Management. 548.

544....Revises method of calculation of weekly benefit under unemployment compensation. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Committee on Labor and Management. 549, 1454, 1458, 1461, 1472,* 1475.

545....Removes receipt of vacation pay as disqualification for unemployment compensation. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Committee on Labor and Management. 549.

546....Revises provisions governing sale of motor vehicles. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Committee on Transportation. 549, 917, 947, 979,* 980, 1469, 1518.

547....Authorizes board of wildlife commissioners to issue additional bighorn sheep tag. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Getto, Dini, Kerns, Garner, May, Nevin, Adler, Tebbs, Marvel and Carpenter. 560, 828, 862, 884,* 1225, 1279.

548....Makes various changes concerning ground water. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Callister, Schofield, Tebbs, Marvel, Brookman, Spinello, Myrna Williams, Fay, Sedway, Adler, Kissam, Triggs, Freeman, Gaston, Carpenter and Bergevin. 560, 1214, 1242, 1264, 1266,* 1269, 1724, 1741, 1742, 1831.

549....Revises provisions governing campaign contributions. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Getto, Swain, Evans, Carpenter, Marvel, Tebbs, Brookman, Sader, Adler, Kissam, Triggs, Bergevin, DuBois, Porter and Humke. 561, 1264, 1272, 1275, 1276, 1392, 1448, 1449, 1544, 1545, 1554, 1565, 1581, 1583, 1584, 1636, 1646, 1651, 1652.*

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550....Makes various changes relating to detection and prevention of spread of virus which causes acquired immune deficiency syndrome. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. DuBois, Thomas, Wisdom, Fay, Lambert, Tebbs, Nicholas, McGaughey, Triggs and Kerns. 561, 1486, 1493, 1505, 1506, 1577, 1581, 1582, 1898,* 1899.

551....Increases reimbursement of agents of department of motor vehicles and public safety for registration of motor vehicles. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Transportation. 561.

552....Requires each county school district to establish course of instruction for pupils in public schools concerning acquired immune deficiency syndrome and human reproductive system. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Contains Appropriation. Committee on Education. 561, 868, 870, 879, 880, 881, 1001, 1011, 1013, 1181, 1192, 1201, 1206, 1208,* 1209, 1724, 1736, 1738, 1831.

553....Revises provisions governing effect of election of retired legislator on benefits under legislators' retirement system. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 561.

554....Provides for licensing and regulation of persons engaged in control of asbestos. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Committee on Government Affairs. 562, 916, 948, 979,* 980.

555....Makes various changes relating to mortgage companies. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 562, 1224, 1273, 1282, 1291,* 1292.

556....Revises provisions governing qualification and training of justices of peace. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Judiciary. 568, 745, 753, 754, 783,* 1016, 1062, 1089.

557....Provides fees for certain acts performed by justice of the peace. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 568, 641, 674, 707,* 1182, 1223.

558....Revises provisions concerning crimes of arson and false reporting of fire. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Committee on Judiciary. 568, 748, 770, 795,* 1387, 1477, 1478, 1547, 1567, 1645, 1691, 1831.

559....Requires court administrator to compile statistics on cases filed in district courts. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Judiciary. 568, 1054, 1084, 1117,* 1281, 1355.

560....Permits modification of sentence of person sentenced to life imprisonment after certain period on parole. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 569, 578, 745, 754, 783,* 931, 967.

561....Requires irrigation district to review tentative map of subdivision of land. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Getto, Dini, Carpenter, Marvel and Bergevin. 569, 827, 862, 894,* 895, 1691, 1702, 1703, 1761.

562....Requires Nevada highway patrol to protect and secure property of University of Nevada System. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Kissam, Nevin, Jeffrey, Wisdom, Brookman, Thomas and Haller. 569.

563....Requires registration and insuring of mopeds in same manner as other motor vehicles. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Kissam, Nevin, Dini, Jeffrey, Sedway, Fay, DuBois, Gaston, Wisdom, Kerns, Callister, Brookman, Lambert and Thomas. 569, 1091, 1145, 1160, 1161,* 1162.

564....Provides for setting and adjustment of public utilities' rates based upon estimated revenue and expense. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 572.

565....Authorizes Nevada gaming commission to adopt regulations concerning certain transactions affecting corporate licensees. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Sader, Dini, Bergevin, DuBois, Thomas, McGaughey, Thompson, Sedway, Jeffrey, May, Nevin, Adler, Kissam, Lambert, Craddock, Price, Fay, Schofield, Swain, Arberry, Evans, Spriggs, Garner, Humke, Triggs, Haller, Nicholas, Porter, Kerns, Wisdom, Spinello, Myrna Williams, Marvel, Callister, Tebbs, Getto, Carpenter, Brookman, Gaston and Freeman. 572, 1546, 1567, 1568, 1581, 1583,* 1585, 1691, 1761.

566....Makes appropriation to Nevada State Council on the Arts. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Triggs and Thomas. 576.

567....Requires county recorder to conform copy of instrument presented for filing. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 578, 826, 862, 895,* 1358, 1440.

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568....Requires manager of state industrial insurance system to establish premium rates for construction workers based on number of hours worked. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Labor and Management. 587, 867, 898, 924, * 1225, 1279.

569....Revises provisions governing franchises between suppliers and wholesalers of alcoholic beverages. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 587, 1392, 1427, 1432, 1445, 1452,* 1453.

570....Revises provisions relating to sealing of records of certain persons convicted of possession of controlled substances not for purpose of sale. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 587, 1000, 1017, 1053, 1056,* 1058, 1358, 1440.

571....Authorizes special assessment for maintenance of certain projects of local government. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 587, 1547, 1567, 1569, 1581, 1583,* 1585, 1763, 1899.

572....Expands exceptions to adjustment of actual age of improvement to real property in computation of depreciation. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Price. 595.

573....Revises provisions relating to sample ballots for primary elections. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Fay and Sedway. 595, 953, 985, 995, 997,* 998.

574....Repeals certain provisions concerning coverage of accidents by industrial insurance. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Banner. 595.

575....Requires additional district judge in third judicial district. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Getto and Dini. 595.

576....Requires regulation of mopeds in the same manner as motorcycles. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Committee on Transportation. 596.

577....Makes various changes concerning indigent persons. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Ways and Means. 603, 758, 759.

578....Changes distribution of money appropriated for Tahoe Regional Planning Agency in 1985. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Ways and Means. 604, 1281, 1290, 1313, 1328,* 1486, 1545.

579....Changes administrative assessment from fixed to escalating amount. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Ways and Means. 604, 989, 1018, 1053, 1056, 1057,* 1058, 1614, 1627, 1628, 1688.

580....Enlarges scope of reporting of activities of lobbyists. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Legislative Functions. 619, 1130, 1166, 1185,* 1189, 1443, 1483.

581....Requires testing of prostitutes for certain venereal diseases. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Tebbs and Spinello. 619.

582....Revises provisions governing licensing of barbers. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Health and Welfare. 619, 1189, 1216, 1228, 1230,* 1233, 1691, 1761.

583....Requires public schools to fingerprint and place card containing fingerprints and current photograph of pupil in its records. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Wendell Williams, Haller, Triggs, Kissam, Banner, Freeman, Gaston, Carpenter, Myrna Williams, Wisdom, Porter, Nevin, Nicholas, Arberry and Craddock. 619.

584....Requires mandatory intensive supervision of certain prisoners released on parole. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Select Committee on Corrections. 620, 1095, 1096, 1125, 1136, 1137, 1138,* 1486, 1496, 1497, 1545.

585....Eliminates requirement that offender serve 1 year in prison as condition precedent to parole. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Select Committee on Corrections. 620.

586....Revises provisions governing funding of special education. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Education. 620, 763, 780.

587....Establishes maximum amount sheriff may charge for commissions for receiving and paying over money on certain executions. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Brookman, Callister, McGaughey, Nevin, Sedway, Nicholas, Myrna Williams, Kissam and Haller. 621, 992, 1019, 1053, 1057,* 1058.

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588....Authorizes surrender of passports as condition of release onbail of persons arrested for felony. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Brookman, Callister, Tebbs, McGaughey, Nevin, Sader, Thomas, Sedway, Nicholas, Myrna Williams, Kissam, Garner, Dini, Haller and Getto. 622, 826, 863, 895,* 1225, 1279.

589....Extends provision which allows voter to express opposition to all candidates to include offices of state senator and assemblyman. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Brookman, Sedway, Nicholas, Myrna Williams, Haller and Getto. 622.

590....Provides for regulation of business of providing credit services. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Callister, Myrna Williams, Spinello, Tebbs and Brookman. 622, 1228, 1231, 1253, 1264, 1266,* 1269, 1614, 1688.

591....Prohibits examination of certain persons by polygraph or other similar device as condition of employment or retention in employment. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Labor and Management. 622, 1848, 1860.*

592....Allows licensed nurse to remove donated eyes from dead bodies. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Freeman. 631, 1092, 1095, 1125, 1137,* 1138, 1521, 1577, 1578, 1641.

593....Revises provisions relating to identification and challenge of person intending to vote. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. DuBois. 631.

594....Makes various changes concerning industrial insurance. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Banner. 647.

595....Revises accounting procedures for state in conformity with standards of Governmental Accounting Standards Board. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 647, 788, 808, 839,* 840, 1225, 1279.

596....Extends authority of committee established to administer public employees' deferred compensation program. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 648, 1280, 1290, 1313, 1326, 1332,* 1807, 1823, 1824.

597....Makes various changes concerning grand juries. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Price. 648.

598....Provides program for attracting and providing facilities for superconducting super collider. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Price, Tebbs, Spinello, Swain, Lambert, Humke, Gaston, Triggs, Wendell Williams, Garner and Thomas. 648, 1586, 1587, 1592, 1614, 1619,* 1620, 1763, 1899.

599....Authorizes court to remove certain disabilities of minority and declare minor to be emancipated. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Humke, Sader, Myrna Williams, Haller, Triggs, Callister and Spriggs. 649, 1280, 1290, 1313, 1326, 1332, * 1614, 1688.

600....Makes supplemental appropriation to 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. 650, 787, 809, 859,* 1225, 1279.

601....Removes prohibition against violating national speed limit under certain conditions. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Transportation. 650, 917, 950, 966,* 1324, 1385.

602....Makes various changes regarding contractors. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 650, 1180, 1217, 1228, 1230,* 1233.

603....Removes requirement that majority of board of directors of trust company must be residents of Nevada. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 650, 953, 986, 994,* 998, 1358, 1440.

604....Allows reciprocal licensing of attorneys under certain circumstances. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Porter. 650.

605....Requires one member of Nevada tax commission to have experience in mining. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Marvel, Bergevin, Spriggs, Carpenter, Lambert and Getto. 651.

606....Creates board for licensing and regulation of counselors. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Committee on Education. 651, 655.

607....Authorizes commissioner of consumer affairs to bring certain actions on behalf of himself and other parties. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Judiciary. 651, 1142, 1166, 1182, 1187, 1188,* 1189.

608....Repeals provision authorizing certain persons to enforce provisions relating to cruelty to animals. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 651.

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609....Limits matters provable by affidavits of certain experts. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 651, 1118, 1149, 1160, 1161,* 1162, 1387, 1466.

610....Authorizes use of certain license plates for older motor vehicles. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Getto. 651.

611....Requires board of trustees of county school district to notify parents of hearing on proposal to establish 12-month program or schedule double sessions. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Triggs, Haller, Craddock, McGaughey, Thomas, Humke, Lambert, Kissam, Thompson, Sedway, May, Price, Fay, Tebbs, Brookman, Callister, Myrna Williams and Freeman. 670.

612....Authorizes appointment of real estate broker-salesmen to real estate commission. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 670, 1077, 1086, 1117,* 1469, 1518.

613....Authorizes issuance of securities to finance certain projects for University of Nevada. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Committee on Ways and Means. 670, 800, 838, 859,* 1724, 1739, 1741, 1831.

614....Authorizes University of Nevada to expand housing for students and facilities for dining at University of Nevada, Las Vegas, and to issue securities to finance portion of cost. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Ways and Means. 670, 800, 838, 859,* 1691, 1704, 1761.

615....Makes various changes relating to health care. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Freeman. 671, 935, 963, 994, 995,* 998, 1691, 1780, 1791, 1899.

616....Revises provisions governing records and bonds of motor carriers and special fuel dealers and users. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Transportation. 671, 953, 986, 995, 997,* 998, 1486, 1497, 1545.

617....Makes various changes concerning bids for contracts on certain projects for public works. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 671, 867, 898, 921, 1162, 1163, 1182, 1185, 1264, 1268, 1269,* 1807, 1822, 1823.

618....Makes various changes concerning collective bargaining for police officers and firemen. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 671, 7888, 809, 840,* 1807, 1824, 1825.

619....Creates presumption that certain persons whose actions relate to protection of children acted in good faith. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 671, 869, 898, 907, 934,* 1614, 1688.

620....Removes prohibition against release without bail for person who failed to appear previously. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 672, 749, 770, 783,* 784, 989, 1047.

621....Expands authority of local governments and state agencies to enter into cooperative agreements relating to insurance. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 672, 827, 863, 895,* 1763, 1772, 1899.

622....Requires local government to compensate owner of sign or billboard removed pursuant to ordinance. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 672, 935, 954, 992, 1010, 1021, 1026.*

623....Prohibits sale of certain items of food unless price is marked on item. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Fay, Sedway, DuBois, May, Bergevin, Thomas, McGaughey, Nicholas, Wendell Williams, Triggs, Haller, Humke, Garner, Price, Brookman, Myrna Williams, Wisdom, Nevin, Jeffrey, Arberry, Carpenter, Gaston and Kissam. 672.

624....Authorizes placement of certain information concerning medical condition on drivers' licenses. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Getto, Schofield, Nevin, Marvel, Carpenter, Spinello, Wisdom, Porter, Banner, Dini, Jeffrey, May, Swain, Arberry, Evans, Spriggs, Humke, Sader, Bergevin, DuBois, Thomas, McGaughey, Nicholas, Wendell Williams, Haller, Triggs and Craddock. 673.

625....Limits hours which may be worked in certain mining operations. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Committee on Labor and Management. 675, 934, 963, 995, * 998.

626....Makes various changes relating to marriage licenses and certificates of marriage. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Health and Welfare. 675, 1189, 1192, 1196, 1198, 1209, 1231, 1236, 1237,* 1547, 1581, 1641.

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627....Establishes flexible limit on rate of interest charged in retail charge agreements. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Freeman, Arberry, Garner, Wendell Williams, Wisdom, Jeffrey, Fay, Adler, Sedway, Nevin, Banner, Thompson, Humke, Haller, Kissam, Gaston, Myrna Williams, Carpenter, McGaughey, Craddock, Evans and Triggs. 688.

628....Allows deduction or refund from certain taxes for uncollectible debts on sales of motor vehicle fuels. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Committee on Taxation. 692.

629....Increases rate of excise tax on fuel for jet or turbine-powered aircraft. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Taxation. 692.

630....Increases tax on transient lodging to provide increases for salaries of teachers. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Taxation. 692.

631....Revises provisions concerning election of governing board of Moapa Valley Water District. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Thompson, Jeffrey and Callister. 692, 800, 838, 847, 967,* 1724, 1831.

632....Revises provisions governing autopsies performed on bodies of minors. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. DuBois. 692, 1518, 1522, 1548, 1551,* 1552, 1807, 1817.

633....Increases monetary maximum for jurisdiction of justices' courts for small claims. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 692.

634....Expands definition of victim of sexual assault. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 693, 970, 1008, 1026,* 1182, 1223.

635....Revises provisions governing service of process in certain actions. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 693.

636....Provides that marriage to victim is no defense to charge of sexual assault. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Committee on Judiciary. 693, 1078, 1086, 1095, 1123,* 1614, 1631, 1688.

637....Creates advisory committee to study laws relating to children. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Humke, Dini, Tebbs, Kerns, Lambert, Freeman, Sedway, Evans, Spinello, Swain, Arberry, Sader, Callister, Marvel, Gaston, Myrna Williams and Spriggs. 697, 1157, 1194, 1195, 1365, 1367, 1381, 1388, 1390,* 1391, 1691, 1761.

638....Establishes program for community training of certain handicapped persons. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Contains Appropriation. Committee on Ways and Means. 697.

639....Revises procedure for service on tenant of notice to quit. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 697, 1520, 1525, 1530, 1548, 1552.*

640....Authorizes real estate broker or salesman to represent more than one developer. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 697, 1077, 1086, 1087, 1117,* 1281, 1355.

641....Makes appropriation for construction of sound abatement wall in Las Vegas. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Tebbs. 701.

642....Authorizes and requests governor to proclaim Nevada Indian Day. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Brookman, Getto, Wisdom, Marvel, Arberry, Kerns, Humke, Carpenter, Wendell Williams, Myrna Williams, Dini, Garner, Nevin, Freeman and Thompson. 704, 888, 906, 924.*

643....Permits certain privately owned vehicles to be designated as emergency vehicles. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Transportation. 704, 1203, 1250, 1264, 1266,* 1269, 1469, 1518.

644....Repeals unconstitutional provisions regarding taxation of right to receive electric power. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Taxation. 704.

645....Increases maximum allowable revenue of local governments. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Taxation. 704, 971, 1008, 1016, 1021, 1060, 1070,* 1811, 1821, 1822, 1847, 1856, 1862, 1864, 1870, 1879.

646....Prohibits cities and counties from issuing new liquor license for premises where fuel for motor vehicles is sold. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 705.

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647....Revises provisions governing change of political party affiliation of public officers and candidates for public office. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 705.

648....Requires synopsis on certain legislative measures. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Government Affairs. 705, 1442, 1458, 1462.

649....Requires suspension of driver's license of minor who buys or attempts to buy liquor. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Government Affairs. 705.

650....Imposes additional fee for filing document in civil action and requires proceeds to be used for salaries for judges. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 705.

651....Requires that certain businesses which sell motor vehicle fuel at retail provide restrooms for use of patrons. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 705.

652....Requires candidate for partisan office to include political party affiliation on campaign material and solicitations for campaign contributions. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 706.

653....Revises provisions relating to radioactive contamination. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Committee on Government Affairs. 706.

654....Provides for direct payment under health insurance of provider of medical transportation. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 706, 1180, 1217, 1228, 1230,* 1233.

655....Revises provisions governing payments to district attorneys for longevity. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 706.

656....Clarifies and limits consequences of honorable discharge from probation. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 706, 1078, 1086, 1087, 1095, 1123.*

657....Imposes certain duties on manufacturer or distributor and ondealer upon termination of or refusal to continue franchise for sale of motor vehicles. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Transportation. 712, 1645, 1651, 1659, 1692, 1695,* 1697, 1832.

658....Revises provisions governing calculation of net proceeds of mines for purposes of taxation. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Taxation. 713.

659....Requiring school districts to comply with certain federal provisions related to receipt of federal financial aid. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Education. 713.

660....Makes various changes concerning financing of capital projects for public schools. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Taxation. 713, 1225, 1274, 1282, 1291,* 1292, 1486, 1545.

661....Requires licensing of operators of boilers and other pressure vessels. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Labor and Management. 713, 953, 986, 995, 997, 998.*

662....Creates division of and governor's council on voluntary activities. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Evans, Wisdom, Spinello, Freeman, Adler, Thompson, McGaughey, Craddock, Lambert, Brookman, DuBois, Getto, Schofield, Price, Jeffrey, Sedway, Humke, Marvel, Kissam, Haller, Arberry, Wendell Williams, Garner, Kerns, Dini, Nevin, Swain, Myrna Williams and Triggs. 713, 917, 950.

663....Makes various changes concerning industrial insurance. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Labor and Management. 714, 1091, 1149, 1160, 1161, 1162,* 1832, 1833, 1834.

664....Makes technical correction to provision relating to municipal obligations. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 714, 827, 863, 884,* 1225, 1279.

665....Clarifies time for mediation and factfinding for collective bargaining by local government. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 714, 827, 863, 884,* 1225, 1279.

666....Increases salaries of certain state employees. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Adler, Thomas, Spinello, Freeman, Evans, Sedway, Nevin, Jeffrey, Swain, Myrna Williams, Arberry, Thompson, Haller, Dini, Wisdom and Price. 714.

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667....Exempts certain owners and operators of motor vehicles from requirement for certificate of public convenience and necessity or permit as contract carrier. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Bergevin, Sader, Dini, Marvel, Getto, McGaughey, Carpenter, Kerns, Thomas and Fay. 714.

668....Designates bristlecone pine as other state tree. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Natural Resources, Agriculture and Mining. 715, 828, 863, 864, 891, 892,* 1279, 1322.

669....Creates board for investment in businesses. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Wendell Williams, Arberry, May and Jeffrey. 717, 1335, 1341, 1342.

670....Limits financial effect of certain actions by cities in certain counties. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 732.

671....Extends permitted length of maturity of certain short-term negotiable notes and bonds issued by Carson City for project related to Carson City Senior Citizens' Center. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 732, 888, 906, 924,* 1644, 1674, 1675, 1722.

672....Revises certain provisions of charter of Carson City. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 732, 888, 906, 907, 934.*

673....Permits certain cities to designate proper officer to negotiate collective bargaining agreement. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 732, 992, 1019, 1053, 1057,* 1058, 1358, 1440.

674....Authorizes certain cities to adopt ordinances without reading ordinance in full. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 741, 1130, 1167, 1182, 1188,* 1189, 1521, 1573.

675....Allows district attorney to disclose to victim of act committed by child disposition of case. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 745, 1054, 1084, 1095, 1123,* 1443, 1483.

676....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 Judiciary. 745.

677....Authorizes court to order sealing of records relating to person admitted to mental health facility or hospital. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 745, 1000, 1020, 1053, 1057,* 1058, 1358, 1440.

678....Creates blue ribbon commission on legislative process. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. McGaughey, Schofield, Bergevin, Dini, Jeffrey, Price, DuBois, Getto, Spinello, Wendell Williams, Porter, Triggs, May, Banner, Marvel, Thompson, Kerns, Humke, Freeman, Adler, Spriggs, Lambert, Garner, Kissam, Brookman, Myrna Williams, Nevin, Callister, Nicholas, Gaston, Haller, Swain, Carpenter, Tebbs, Wisdom, Sader, Sedway, Arberry, Fay, Evans and Craddock. 750, 916, 950, 1053, 1060, 1075,* 1832, 1833.

679....Requires letting of contract for public work project for department of prisons. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Sedway and Dini. 750, 1387, 1427, 1432, 1445, 1452,* 1453, 1691, 1703, 1761.

680....Revises procedure for resolution of dispute concerning gaming debt incurred as result of malfunction of gaming device or associated equipment. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 750.

681....Authorizes compensation of person who pays funeral expenses of certain victims of crime. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 750, 970, 1009, 1026, 1027,* 1182, 1223.

682....Requires distribution to Nye County of part of proceeds from surcharge on low-level radioactive waste disposed of at state-owned area. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Spriggs, Thomas, Carpenter, Nicholas, Callister, Porter, Tebbs, Getto, Nevin, Bergevin, Dini, Lambert, Kerns, Marvel, Humke, Sedway, Arberry and Garner. 750.

683....Requires administrators of schools to teach one class per year. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Sedway, Myrna Williams, Sader, Banner, Garner, Carpenter, Bergevin, Spinello, Arberry, Swain, Callister, DuBois, Humke, Spriggs, Dini, Price, Evans, Thompson, Adler, Craddock, Haller, Triggs, Schofield, Fay, Tebbs and Marvel. 751.

684....Declares intent of legislature concerning size of classes in lower grades and requires certain school districts to submit plans for reduction. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Callister, Tebbs, Brookman, Price, May, Sedway, Thompson, Kissam, Myrna Williams, Spinello, Wisdom, Porter, Nevin, Jeffrey, Bergevin, Fay, Arberry, Haller,

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Nicholas, Sader, Humke, Evans, DuBois, Spriggs, Adler, Swain, Freeman, Schofield, Getto, Lambert, Triggs, Wendell Williams and Garner. 755, 1443, 1458, 1462, 1469, 1474,* 1475, 1763, 1793, 1794, 1899.

685....Designates diseases related to asbestos as occupational diseases. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Jeffrey, Banner, Thompson, Sedway, Kerns, Porter, Wisdom and Fay. 756, 888, 907, 924,* 1225, 1279.

686....Makes appropriation for pilot program to use Lumatelecom Units for communication between medical personnel and patients in rural Lander County. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Committee on Health and Welfare. 760.

687....Increases fee for identifying device for motor carrier. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Transportation. 761.

688....Requires registration and regulation of certain vehicles intended for operation off of highway. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Committee on Transportation. 761.

689....Revises provisions governing appointment and removal of certain deputy sheriffs. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 761, 935, 963, 979,* 980, 1691, 1761.

690....Authorizes county to issue taxable bonds to finance project for generation and transmission of electricity. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 761, 903, 927, 954, 966,* 1182, 1223.

691....Authorizes increase or decrease of salary of municipal judge in certain cities. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 761, 920, 950, 979,* 980.

692....Restricts unauthorized reception of television signals transmitted by satellite. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Committee on Commerce. 762.

693....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. 762, 1261, 1286, 1326, 1332,* 1644, 1722.

694....Makes various changes relating to pharmacies. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 762, 1189, 1218, 1228, 1231,* 1233, 1763, 1794, 1796, 1899.

695....Makes various changes relating to pharmacists and drugs. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 762, 1131, 1167, 1185,* 1189, 1443, 1483.

696....Establishes trust fund to subsidize rent for certain families. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 762.

697....Revises distribution of taxes paid in connection with construction of facilities for generation of electricity. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Committee on Taxation. 763.

698....Provides for increase in basic ad valorem revenue of certain fire protection districts. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Taxation. 763, 1323, 1335, 1342, 1358, 1362, 1388, 1390,* 1391, 1547, 1612.

699....Authorizes collective bargaining for Nevada highway patrol. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Committee on Government Affairs. 763.

700....Requires employment security department to develop program for occupational training of certain unemployed persons. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Arberry, Wendell Williams, Banner and Garner. 763.

701....Requires more stringent control by local governments of air pollution caused by burning wood. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Freeman, Swain and Evans. 778.

702....Provides definition of "horse" in provisions governing horse racing. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Commerce. 778.

703....Requires certain local governments to adopt ordinances for licensing of theme parks and permanent exhibitions. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 779, 827, 864, 884,* 1182, 1223.

704....Makes appropriation to City of Las Vegas. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Wendell Williams, Arberry, Swain, Garner, Spinello, Jeffrey, Porter, Nevin, Sedway, Triggs, Craddock, Haller, Schofield, Banner, Wisdom, Humke and Nicholas. 782, 1281, 1290, 1315, 1326, 1332,* 1807, 1899.

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705....Establishes programs for research, diagnosis and treatment of Alzheimer's disease. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Nicholas, May, Brookman, Tebbs, Myrna Williams, Nevin, Jeffrey, Callister, Garner, Freeman, Gaston, Bergevin, Humke, Lambert, Price, McGaughey, Spinello, Wisdom, Kerns, Marvel, Thomas, Kissam, Spriggs, Evans, Wendell Williams, DuBois, Arberry, Adler, Getto, Carpenter, Thompson, Fay, Triggs, Porter, Swain, Banner, Haller, Sader, Dini, Craddock, Schofield and Sedway. 788.

706....Revises provisions governing distribution of money from state distributive school fund. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Ways and Means. 788.

707....Revises certain provisions relating to meetings of public bodies. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Haller, Kissam, Freeman and Nevin. 789.

708....Revises provisions regarding right of visitation and award of temporary custody to grandparents of minor child. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Humke and Gaston. 789, 1015, 1021, 1038, 1053, 1057, 1078, 1094, 1116, 1136, 1138,* 1576, 1631, 1632, 1688.

709....Revises provision governing service of notice to quit. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 789.

710....Extends time for approval or rejection of application to drill or operate geothermal well and to provide notice of conflict or hearing on application. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 789, 1153, 1167, 1186,* 1189, 1387, 1466.

711....Exempts motor vehicles owned by governing body of Indian reservation or colony from fees for registration. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Judiciary. 789.

712....Makes appropriation to Westside Counseling Service. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Wendell Williams and Arberry. 789.

713....Makes various changes regarding records of criminal history. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. DuBois. 790.

714....Authorizes unsealing or release of juvenile records under certain circumstances. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. DuBois. 790.

715....Prohibits title agents from guaranteeing obligations of others. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 794.

716....Requires each keg of beer sold in Nevada to have number for identification affixed to it. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Committee on Commerce. 794.

717....Creates Nevada corporation for innovational and developmental financing. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Committee on Economic Development, Small Business and Tourism. 794.

718....Requires deed for conveyance of real property to be accompanied by affidavit specifying 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. 796.

719....Imposes state surcharge on radioactive waste received at Nevada's regional facility at Beatty and makes related appropriations. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Schofield and Dini. 796, 1131, 1142, 1150, 1152, 1272, 1277, 1282, 1291, 1292,* 1763, 1899.

720....Limits length of assignment of peace officers in certain areas. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Humke. 797.

721....Requires cooperative associations and other utilities to charge lower rates for electricity for irrigation pumps. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 801.

722....Subrogates committee on group insurance to rights of certain insureds against third parties. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 801, 1180, 1219, 1228, 1231, 1232, 1233,* 1691, 1761.

723....Revises provisions governing probationary period for state employees in classified service. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 801, 1130, 1167, 1182, 1188,* 1189.

724....Revises provisions governing salaries of members of public employees' retirement board. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Ways and Means. 801.

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725....Requires preparation of plans for next 8 years in state government and education. Fiscal Note: Effect on Local Government: No Effect on the State or on Industrial Insurance: Yes. Triggs, McGaughey, Haller, Humke, Wendell Williams, Thomas, Sader, Thompson, Adler, Kissam, Lambert, Craddock, Evans, May, Gaston, Arberry, Wisdom, Porter and Price. 803.

726....Makes appropriation to 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. 803.

727....Changes composition of committee for protection of children. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Ways and Means. 804, 971, 1009, 1027,* 1281, 1355.

728....Revises provisions governing progress payments under contract for public work. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Committee on Commerce. 804.

729....Clarifies provision prohibiting physical therapists to collect unearned fees. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 804.

730....Makes various changes concerning licensing of chiropractors. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 804, 1077, 1086, 1087, 1117, 1118,* 1443, 1483.

731....Makes various changes to provisions governing motor carriers, brokers and taxicabs. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Transportation. 804, 1224, 1231, 1255, 1264, 1266, 1267,* 1269, 1807, 1817, 1820.

732....Broadens provision authorizing issuance of driver's license in fictitious name for use by peace officer in undercover investigations. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Transportation. 805, 1015, 1068, 1079,* 1081, 1469, 1518.

733....Requires proof of custody for enrollment of pupil in school under certain circumstances. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Wendell Williams, Humke, Spriggs, Porter, Arberry and Garner. 805.

734....Revises provisions relating to filing reports of campaign contributions and expenses. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Committee on Elections. 807.

735....Excludes amounts paid for certain drugs from income for purpose of eligibility for state assistance to medically indigent. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Price, Arberry, Swain, Myrna Williams, Banner, Wendell Williams, Schofield and Sedway. 824.

736....Prohibits landlord from denying tenant access to community antenna television system. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Jeffrey, Sedway, May, Price, Fay, Myrna Williams, Spinello, Wisdom, Porter, Nevin, Sader, Thompson, Adler, Kissam, Lambert, Craddock and Haller. 824, 1379, 1381, 1383, 1388, 1390, 1391,* 1847, 1855, 1856, 1861, 1863, 1868, 1871.

737....Delays reversion of appropriation to department of human resources. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Ways and Means. 830, 1324, 1335, 1344, 1358, 1362,* 1364, 1486, 1545.

738....Authorizes programs during day for supervision of youthful offenders who are paroled. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Ways and Means. 830, 1016, 1068, 1078, 1080,* 1081, 1576, 1577, 1641.

739....Extends to grandparents right to visit minor child. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 848.

740....Authorizes preferential setting of date for trial of certaincivil actions. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 848, 1142, 1168, 1182, 1188,* 1189, 1387, 1466.

741....Authorizes cooperative borrowing by local governments. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 849, 970, 1009, 1027,* 1763, 1899.

742....Prohibits dissuasion of person from serving as juror. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Committee on Judiciary. 849, 1115, 1150, 1160, 1162,* 1443, 1483.

743....Requires reimbursement for costs of returning certain extradited prisoners to this state. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Judiciary. 849, 1015, 1016, 1447, 1458, 1463, 1472,* 1475.

744....Authorizes certified shorthand reporter to report cases tried by jury in justice's court. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 849, 1016, 1068, 1079,* 1081, 1262, 1322.

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745....Revises provisions governing execution on judgments and security for satisfaction of judgments. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 849.

746....Revises certain provisions relating to computation of gross revenue of gaming licensees. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 850, 1213, 1251, 1264, 1267,* 1269, 1644, 1678, 1722.

747....Provides for absolute transferability of real property upon cancellation or withdrawal of notice of pendency of certain actions affecting it. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 850, 1016, 1068, 1079,* 1081, 1281, 1355.

748....Restricts voting rights of shares of stock acquired through certain corporate acquisitions. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 850, 1015, 1068, 1078, 1080,* 1081, 1281, 1355.

749....Revises definition of claims that Nevada insurance guaranty association is obligated to pay or defend. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 850, 1130, 1138, 1182, 1188,* 1189, 1521, 1573.

750....Revises provision governing stay of proceedings involving insolvent insurer. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 850, 1180, 1220, 1228, 1232,* 1233, 1486, 1545.

751....Restricts power of rural electric cooperative to dispose of assets. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 850, 970, 1009, 1027,* 1358, 1440.

752....Exempts interest of debtor in qualified retirement plan or individual retirement account from claims of creditors. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 851.

753....Revises definition of "premise to which public has access" for purpose of traffic laws. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 851.

754....Limits liability of rural electric cooperative for negligence. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 851.

755....Authorizes temporary games in designated areas of licensed gaming establishment for holidays and special events and expands definitions of certain terms relating to gaming. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 851, 1016, 1068, 1079, 1080,* 1081, 1262, 1322.

756....Creates Bullfrog County and revises provisions governing counties. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 851, 1448, 1724, 1726, 1756.*

757....Permits payment in lump sum of benefits under industrial insurance to certain claimants with permanent partial disabilities. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Labor and Management. 852, 1052, 1084, 1095, 1124,* 1724, 1744, 1831.

758....Revises provisions governing revenue from certain taxes received by general improvement districts. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Taxation. 852.

759....Imposes penalty for delinquent payment of property tax by private car line. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Taxation. 852, 1052, 1084, 1118, 1121, 1225, 1232, 1233,* 1469, 1518.

760....Allows health division of the department of human resources to disclose contents of reports concerning certain facilities. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Health and Welfare. 852, 1299, 1320, 1326, 1333,* 1576, 1641.

761....Makes various changes relating to department of transportation and competitive bidding for construction of certain highways. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Transportation. 852, 1357, 1378.

762....Makes various changes concerning certain benefits under industrial insurance provided by self-insured employer. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Humke, Banner, Getto and Wendell Williams. 852.

763....Removes certain requirement concerning notice of intent to sell repossessed vehicle or construction equipment. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 853, 1644, 1651, 1660, 1692, 1696,* 1697, 1832.

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764....Increases amount of rent deemed to be property tax for purpose of senior citizen's allowance against property tax. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Myrna Williams, Spinello, Wisdom, Gaston, Banner, Brookman, Garner, Jeffrey, Nicholas, Sedway, Nevin, Wendell Williams, Price, Schofield, Callister and Humke. 853.

765....Provides for establishment of centers for displaced homemakers. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Myrna Williams, Wisdom, Gaston, Banner, Brookman, Jeffrey, Nicholas, Sedway, McGaughey, Wendell Williams, Price and Humke. 853, 1225, 1272, 1586, 1587, 1592, 1614, 1620.*

766....Provides for forfeiture of property of person convicted of certain offenses involving controlled substance. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Triggs, Haller, Adler, Swain, Craddock, Lambert, Humke, Marvel, Sedway, DuBois, Nevin, Carpenter, McGaughey, Getto, Jeffrey, May, Freeman, Nicholas, Wendell Williams and Dini. 856.

767....Authorizes court to order restitution to victim of crime when sentencing offender. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Triggs, Haller, Adler, Craddock, Lambert, Kissam, Swain, Humke, Marvel, Sedway, Nevin, Carpenter, DuBois, McGaughey, Banner, Jeffrey, Freeman, Nicholas, Wendell Williams and Dini. 856.

768....Makes various changes relating to industrial insurance. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Committee on Labor and Management. 860.

769....Requires competitive bidding for certain projects of public works. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Transportation. 870.

770....Limits area which may be included in redevelopment area. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 870.

771....Revises provisions relating to taxicabs in certain counties. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Ways and Means. 870, 908, 1226, 1231, 1254, 1264, 1267,* 1269, 1486, 1545.

772....Requires payment for certain continuing education of district judges from account for continuing judicial education. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Ways and Means. 870, 1261, 1287, 1328,* 1547, 1612.

773....Directs welfare division of department of human resources to develop single form for applying for all types of public assistance. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Effect less than $2, 000. Wisdom, Carpenter, Haller, Dini, Kerns, Freeman, Garner, Arberry, Brookman, Kissam, Porter, Getto, Callister, Myrna Williams, Gaston, Jeffrey, Fay, Spinello, Banner, Nevin, DuBois, Swain, Sedway, Schofield, Nicholas, Wendell Williams, Evans, Price and May. 890, 1299, 1320, 1326, 1333,* 1691, 1761.

774....Revises quarterly fee for license for restricted gaming operation. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Taxation. 890, 1052, 1084, 1122,* 1832.

775....Makes various changes concerning the sale of mobile and manufactured homes. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. DuBois, Schofield, Nicholas, Sedway, Brookman, Porter, May, Thomas, McGaughey, Jeffrey, Lambert, Thompson, Adler, Myrna Williams, Wisdom, Fay, Swain, Arberry, Evans, Garner, Humke, Wendell Williams, Tebbs, Callister, Gaston, Kissam and Price. 899, 1131, 1168, 1186,* 1189, 1521, 1582, 1634, 1636, 1755, 1834, 1835, 1842.

776....Makes appropriation to department of education. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Evans, Nevin, Thompson, Wisdom, Gaston, Price and Jeffrey. 899, 1476, 1478, 1485, 1489,* 1490, 1691, 1761.

777....Authorizes establishment of facility in Lincoln County for thermal destruction of hazardous waste. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Natural Resources, Agriculture and Mining. 900.

778....Permits client of mental hygiene and mental retardation division of department of human resources to obtain copy of records at any time. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Ways and Means. 900, 1225, 1274, 1290,* 1292, 1547, 1744, 1745, 1800, 1802, 1845, 1859.

779....Makes technical corrections to certain inappropriate or inaccurate statutory terms. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 903, 992, 1020, 1053, 1058,* 1225, 1226, 1236, 1264, 1267,* 1269, 1324, 1385.

780....Limits grounds upon which witness may be declared incompetent to testify. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 904, 1157, 1195, 1207,* 1209, 1486, 1545.

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781....Revises provisions governing public administrators and guardians in certain counties. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 904, 1157, 1195, 1207,* 1209, 1691, 1761.

782....Revises provisions relating to political parties. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Elections. 908, 1224, 1232, 1257, 1264, 1268,* 1269, 1644, 1682, 1722.

783....Authorizes exclusion of portion of county fire protection district for inclusion in fire protection district receiving federal aid. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 909.

784....Makes various changes concerning merger and consolidation of corporations. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 909.

785....Makes various changes regarding disposal of solid waste. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Callister, Brookman, Tebbs, Sedway, Jeffrey, Nevin, Porter, Kerns, Wisdom, Spinello, Myrna Williams, Freeman, Gaston, Getto, Swain, Arberry, Evans, Garner, Humke, Wendell Williams, Nicholas, McGaughey, DuBois, Schofield, Bergevin, Sader, Thompson, Adler, Kissam, Lambert, Craddock, Haller, Triggs, Marvel and Dini. 914, 1226, 1231, 1239, 1264, 1268, 1287, 1292,* 1691, 1701, 1761.

786....Requires evaluation by physician and personnel of mental hygiene and mental retardation division of department of human resources of certain persons alleged to be mentally ill. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Committee on Ways and Means. 918.

787....Makes supplemental appropriation to Youth Services Division of the Department of Human Resources for support of Southern Nevada Children's Home. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Committee on Ways and Means. 918, 989, 1021, 1055,* 1058, 1225, 1279.

788....Revises provisions regarding reimbursement of counties for ballot cards from reserve for statutory contingency fund. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Ways and Means. 918, 1053, 1084, 1122,* 1763, 1899.

789....Makes appropriation to Department of Museums and History for purchase of antique railroad equipment. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Committee on Ways and Means. 918, 1164, 1195, 1206, 1209,* 1614, 1688.

790....Makes technical corrections to certain inappropriate or inaccurate statutory terms. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 918, 1282, 1290, 1315, 1326, 1333,* 1644, 1678, 1680, 1722.

791....Requires notice of failure by defendant to appear at criminal proceeding to be given to agent of surety and specifies time for giving notice. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 918, 1157, 1195, 1207,* 1209, 1521, 1573.

792....Increases amount payable by state for group insurance for its retired employees. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Executive Budget. Committee on Ways and Means. 932, 1158, 1195, 1208,* 1209, 1486, 1545.

793....Authorizes counties and cities to require permit for transportation of high-level radioactive waste. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Committee on Taxation. 932, 970, 971.

794....Creates board to regulate and license practitioners of respiratory care. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Committee on Health and Welfare. 932.

795....Authorizes public employees' retirement board to invest venture capital in businesses located in Nevada. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Humke, Price, Tebbs, Swain, Wendell Williams, Triggs, Thomas, Gaston, Garner, Lambert and DuBois. 932.

796....Makes various changes in provisions governing absent ballots and registration to vote. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Committee on Elections. 951, 1392, 1427, 1434, 1445, 1452,* 1453, 1807, 1825.

797....Includes cancer as occupational disease for firemen. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Banner, Schofield, Callister, McGaughey, Wendell Williams, Kerns, Wisdom, Freeman, Dini, Garner, Adler, Sedway, Spinello, Brookman, Nevin, May, Porter, Triggs, Thompson, Craddock, Haller, Gaston, Tebbs, Myrna Williams, Price, Jeffrey, DuBois, Fay, Swain, Evans, Arberry, Sader and Kissam. 954, 1204, 1252, 1264, 1268,* 1269, 1486, 1545.

798....Increases maximum allowable weight of trucks used to haul garbage and refuse. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Nevin. 955.

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799....Designates official colors for state seal. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Schofield, Dini, Getto, Spriggs, Price, Jeffrey, Bergevin, Swain, Arberry, Evans, Garner, Humke, Wendell Williams, Nicholas, McGaughey, Thomas, DuBois, Adler, Kissam, Lambert, Craddock, Haller, Triggs, Tebbs and Gaston. 958.

800....Makes welfare division subject to Nevada Administrative Procedure Act for adoption of certain regulations. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Judiciary. 974.

801....Revises time for submitting budgetary information of metropolitan police department. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Taxation. 975, 1052, 1084, 1122,* 1724, 1831.

802....Makes various changes concerning regulation of chiropractors. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Commerce. 980, 1485, 1493, 1506, 1523, 1524, * 1525, 1724, 1744, 1831.

803....Reverses burden of proof to receive compensation for heart diseases resulting from certain occupations. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Committee on Labor and Management. 980, 1091, 1150, 1160,* 1162, 1644, 1675, 1722.

804....Establishes deemed wage for certain persons for purpose of industrial insurance. Committee on Labor and Management. 1001, 1468, 1478, 1479, 1485, 1489,* 1490, 1847, 1853.

805....Requires that certain small civil claims be submitted to arbitration. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 1001.

806....Conforms statute to court rule on offers of judgment. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 1002, 1323, 1335, 1344, 1358, 1363,* 1364, 1547, 1612.

807....Authorizes action by former spouse for partition of military retirement benefits. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 1002, 1226, 1274, 1282, 1292,* 1644, 1722.

808....Authorizes justice of the peace or municipal judge to suspend sentence of certain offenders and to impose conditions of suspension. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 1002, 1329, 1335, 1358, 1363,* 1364, 1644, 1680, 1681, 1722.

809....Revises provisions governing privileged communications between doctors and their patients. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 1002, 1326, 1335, 1344, 1358, 1363,* 1364, 1547, 1612.

810....Permits sale of beer on premises by breweries in certain counties. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 1002.

811....Revises provisions governing unfair practices of insurers. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 1002, 1261, 1287, 1329,* 1547, 1609, 1641.

812....Revising provisions governing reorganization of fair and recreation boards in certain counties. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 1003, 1130, 1168, 1186,* 1189, 1486, 1545.

813....Allows divisions of department of human resources to share confidential information amongst themselves. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Price. 1003, 1335, 1345, 1361,* 1364, 1691, 1761.

814....Provides for appointment of county counsel by board of county commissioners. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 1017.

815....Makes appropriation to Northern Nevada Railroad Association. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Getto and Sedway. 1036.

816....Requires binding arbitration in collective bargaining by local governments. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 1036.

817....Prohibits member of public employees' retirement system from receiving credit for service on military duty. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 1037.

818....Allows employees of local government to negotiate salaries as fair share of total budget of local government employer. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 1037.

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819....Authorizes director of department of general services to contract for certain services and commodities without competitive bidding. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Ways and Means. 1037, 1077, 1086, 1087, 1122,* 1763, 1899.

820....Prohibits selection of Nevada as site for repository for high-level radioactive waste without approval. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Schofield. 1037, 1565, 1567, 1570, 1581, 1583, 1584,* 1585.

821....Makes appropriation from reserve fund for supplemental city-county relief tax for sewer facilities for Blue Diamond area. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Callister. 1037, 1643, 1651, 1661, 1692, 1696,* 1697, 1763, 1899.

822....Expands authority of director of department of commerce. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Economic Development, Small Business and Tourism. 1037, 1213, 1253, 1264, 1268,* 1269, 1691, 1761.

823....Authorizes increase in limit on revenue from taxes ad valorem for operation of jail by Elko County. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Taxation. 1054, 1180, 1221, 1229,* 1233, 1486, 1545.

824....Proposes to exempt syringes used to inject insulin from taxes on retail sales. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Committee on Taxation. 1054, 1180, 1221, 1226, 1229, 1230,* 1233.

825....Revises provisions governing sample ballot and notice of election for certain proposals to issue bonds. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Committee on Taxation. 1054, 1523, 1525, 1530, 1548, 1552,* 1724, 1831.

826....Revises provisions relating to incorporation of certain cities and ratifies incorporation of certain cities. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 1054, 1130, 1169, 1186,* 1189, 1691, 1761.

827....Requires competitive bidding and advertising for architect for certain public works and establishes procedure and criteria for selection of architect. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Sedway, Sader, Spinello, Myrna Williams, Callister, Porter, Nevin, Price, Banner, Fay, Bergevin, DuBois, Wisdom, Schofield, Dini, Arberry, Evans, Garner, Adler and Triggs. 1061, 1130, 1169, 1186, 1187,* 1189.

828....Makes appropriation for distribution to public broadcasting stations. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Sedway, Sader, Spinello, Myrna Williams, Callister, Porter, Jeffrey, Thompson, Nevin, May, Price, Brookman, Fay, Banner, Bergevin, DuBois, Wisdom, Schofield, Dini, Arberry, Evans, Garner, Adler and Triggs. 1061, 1324, 1335, 1345, 1358, 1363,* 1364, 1724, 1741, 1831.

829....Makes appropriation to State Board of Education. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Sedway, Sader, Spinello, Myrna Williams, Callister, Porter, Jeffrey, Thompson, Nevin, May, Price, Brookman, Fay, Banner, Bergevin, Wisdom, Schofield, Dini, Arberry, Evans, Garner, Adler and Triggs. 1061, 1521, 1525, 1531, 1548, 1551, 1646, 1650, 1692, 1696,* 1697, 1847, 1852, 1853.

830....Provides for certain preference for architect who paid state and local taxes. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Sedway, Sader, Spinello, Myrna Williams, Callister, Porter, Jeffrey, Thompson, Nevin, May, Banner, Bergevin, Fay, DuBois, Wisdom, Arberry, Schofield, Dini, Evans, Garner, Adler and Triggs. 1061, 1130, 1169, 1187,* 1189.

831....Makes appropriation to Governor for Education Commission of the States. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Sedway, Sader, Myrna Williams, Callister, Porter, Jeffrey, Nevin, Thompson, May, Fay, Price, Brookman, Bergevin, Banner, DuBois, Wisdom, Schofield, Dini, Arberry, Evans, Garner, Adler and Triggs. 1062, 1158, 1195, 1208,* 1209.

832....Removes certain territory from City of Mesa Vista. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 1078, 1158, 1196, 1206, 1209,* 1763, 1899.

833....Authorizes county clerk to register certain voters outside boundaries of county. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Jeffrey, Sedway, May, Price, Fay, Tebbs, Wisdom, Brookman, Callister, Myrna Williams, Porter, Spinello, Nevin, Banner, Gaston, Thompson, DuBois, Kissam, McGaughey, Nicholas, Wendell Williams, Garner, Spriggs, Arberry, Swain and Schofield. 1082, 1181, 1221, 1229,* 1233, 1763, 1791, 1792, 1899.

834....Authorizes board of county commissioners to exclude portion of county fire protection district for inclusion in fire protection district receiving federal aid. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 1086.

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835....Requires dealer in motor vehicles to pay off outstanding security interest on vehicle taken in trade. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Transportation. 1125, 1280, 1290, 1317, 1329,* 1547, 1612.

836....Authorizes University of Nevada to construct and equip two buildings for desert research institute and to issue securities to pay part of cost thereof. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Ways and Means. 1136, 1181, 1221, 1229,* 1233, 1614, 1628, 1688.

837....Declares September 17, 1987, as holiday to commemorate United States Constitution. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Price, Kerns, Fay, May, Thompson, Arberry, DuBois, Swain, Freeman and Thomas. 1136, 1386, 1427, 1435, 1436.

838....Changes method for calculating wages paid during base period for benefits under unemployment compensation. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Nevin and Jeffrey. 1136, 1454, 1458, 1463, 1473,* 1475.

839....Standardizes duration of benefits for all claimants under unemployment compensation. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Nevin and Jeffrey. 1136.

840....Makes uniform periods of disqualification for unemployment compensation. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Nevin and Jeffrey. 1136.

841....Authorizes public employees' retirement board to enter into agreements to allow certain transfers to public employees' retirement system. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Getto. 1164.

842....Prohibits employer from requiring employee to share tips. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Committee on Labor and Management. 1164.

843....Restricts testing of public employee for presence of controlled substance. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Labor and Management. 1165.

844....Permits state industrial claimants' attorney to represent claimant before hearing officer. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Banner. 1165.

845....Changes method for reduction of unemployment compensation because of receipt of payments from pension. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Nevin and Jeffrey. 1166.

846....Removes designation of proper person to negotiate on behalf of local government in collective bargaining. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 1183, 1225, 1274, 1290,* 1292, 1724, 1831.

847....Increases amount paid by public employer for group insurance for its employees. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Executive Budget. Committee on Ways and Means. 1206.

848....Authorizes director of department of administration to pay certain claims to reimburse public employees for excess deductions in salary for retirement contributions. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Ways and Means. 1206, 1453, 1458, 1463, 1469, 1474,* 1475, 1614, 1688.

849....Makes appropriation from estate tax account to Department of Education. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Committee on Ways and Means. 1206, 1392, 1427, 1436, 1445, 1453,* 1691, 1761.

850....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. 1206, 1453, 1458, 1464, 1469, 1474,* 1475, 1614, 1688.

851....Prohibits remand for preliminary examination if defendant has unconditionally waived examination. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 1207, 1264, 1287, 1330,* 1614, 1688.

852....Requires facilities for care of children to separate children who have not committed delinquent acts from those who have. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Judiciary. 1207.

853....Makes various changes in provisions regarding hospitalization of mentally ill persons. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Committee on Ways and Means. 1226, 1453, 1458, 1464, 1473,* 1475, 1691, 1704, 1761.

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854....Revises provisions governing appointment of executive director of department of minerals. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Ways and Means. 1227, 1358, 1379, 1388,* 1391.

855....Establishes presumption for certain purposes concerning relative concentrations of alcohol in breath and blood of intoxicated driver. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 1227.

856....Authorizes increase in fee for license to operate house of ill fame or repute in Storey County for restoration of historic buildings. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Committee on Ways and Means. 1227, 1358, 1379, 1388, 1389,* 1391, 1691, 1705, 1706, 1763, 1809, 1871, 1879, 1898, 1899.

857....Makes appropriation to Clark County for care of indigent persons. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Committee on Health and Welfare. 1237.

858....Creates Nevada gift and endowment fund. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. May, Schofield, Price, Adler, Bergevin, McGaughey, Freeman, Wisdom, Thompson, Brookman and Nevin. 1264, 1485, 1493, 1506, 1523, 1524,* 1525, 1763, 1899.

859....Temporarily revises procedure for adoption of administrative regulations and ratifies adoption of regulations contained in Nevada Administrative Code. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 1265, 1357, 1359, 1360,* 1724, 1831.

860....Permits wholesale dealer of intoxicating liquor to furnish equipment and services to certain temporary retail licensees. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 1265.

861....Revises provisions concerning protective services for children. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Committee on Ways and Means. 1282, 1453, 1458, 1464, 1469, 1474, 1475,* 1691, 1761.

862....Makes various changes relating to acquired immune deficiency syndrome. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Committee on Health and Welfare. 1289.

863....Makes various changes relating to acquired immune deficiency syndrome and other communicable diseases. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Committee on Health and Welfare. 1289.

864....Creates continuing special award for outstanding achievements in intercollegiate athletics. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 1293, 1357, 1379, 1389,* 1391, 1614, 1688.

865....Revises provisions regarding exclusive franchise for provision of ambulance service. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Government Affairs. 1293, 1523, 1525, 1529, 1550, 1555, 1556, 1857.

866....Requires seller of subdivided land to disclose information concerning zoning to certain purchasers. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 1293, 1693, 1701, 1713, 1726, 1731,* 1732.

867....Makes various changes in requirements for rental agreement for mobile home parks. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 1321.

868....Requires that agreement for joint venture involving real property be in writing. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 1325.

869....Revises duties of state librarian concerning custody of certain records. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Economic Development, Small Business and Tourism. 1327, 1358, 1379, 1389,* 1391, 1614, 1688.

870....Authorizes board of wildlife commissioners to declare one day per year as day for fishing without license. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Natural Resources, Agriculture and Mining. 1327, 1379, 1381, 1384, 1389,* 1391, 1614, 1688.

871....Eliminates requirement that certain public utilities file petition signed by resident taxpayers to obtain franchise or extension of franchise. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Health and Welfare. 1360, 1486, 1493, 1506, 1523,* 1525, 1847.

872....Revises provisions regarding payment of taxes on net proceeds of mines. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Sedway, Myrna Williams, May, Gaston, Price and Craddock. 1425, 1575, 1587, 1593, 1614, 1620,* 1847.

No. *Summary, Introducer and Page Reference*

873....Exempts certain districts from limitations on fees for licenses and permits. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Taxation. 1425, 1560, 1567, 1570, 1581, 1584,* 1585.

874....Revises provisions governing custody of child. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 1448, 1522, 1525, 1532, 1550,* 1691, 1761.

875....Makes appropriations to Motor Pool Fund and Department of Parole and Probation. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Committee on Ways and Means. 1454, 1598, 1603, 1607, 1614, 1620,* 1724, 1831.

876....Makes appropriation to University of Nevada at Las Vegas. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Spinello, Sedway, Jeffrey, Myrna Williams, Wisdom, Porter, Brookman, May, Garner, Bergevin, McGaughey, Thompson, Triggs, Wendell Williams, Arberry, Tebbs, Banner, Fay, Dini and Gaston. 1487, 1525, 1532, 1548, 1552.*

877....Abolishes requirement for index of occupational subclasses for positions in state service. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Ways and Means. 1487, 1521, 1525, 1532, 1551,* 1552, 1691, 1761.

878....Makes various changes relating to state financial administration. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Ways and Means. 1488, 1554, 1567, 1571, 1581, 1584,* 1585, 1691, 1761.

879....Authorizes increase in maximum revenue from ad valorem taxes to compensate for decline in revenue from supplemental city-county relief tax. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Taxation. 1516.

880....Increases certain fees and taxes relating to motor vehicles. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Taxation. 1530.

881....Requires itemization of property tax to include estimate of percentage used for incarceration of offenders. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Committee on Taxation. 1554, 1613, 1623, 1651,* 1652.

882....Delays setting of tax rates by Nevada tax commission and payment of first quarterly installment of property taxes for fiscal year 1987-1988. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Committee on Taxation. 1588, 1690, 1701, 1714, 1726, 1732,* 1847.

883....Makes various changes relating to dismantling and reconstruction of motor vehicles. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Committee on Transportation. 1600, 1690, 1701, 1714, 1726, 1732,* 1807, 1899.

884....Imposes fee upon depository institutions. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Taxation. 1611, 1693, 1701, 1716, 1726, 1732,* 1872, 1878, 1879.

885....Increases rate of excise tax on certain liquor. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Taxation. 1635, 1763, 1797, 1798.*

886....Declares intent of legislature concerning size of classes in lower grades and requires school districts to submit plans for reduction. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Ways and Means. 1688, 1724, 1745, 1746, 1765,* 1766.

887....Makes appropriation for commission for establishing suggested sentences for felonies and requires it to continue its work. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Committee on Ways and Means. 1725, 1751, 1753, 1760.*

888....Revises provisions governing compensation of senators and assemblymen. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Ways and Means. 1725, 1751, 1753, 1759, 1842, 1843, 1846, 1858,* 1872, 1878.

889....Makes appropriation for cost of operating International Trade Office. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Committee on Ways and Means. 1725, 1751, 1753, 1760,* 1811.

890....Makes appropriation to legislative fund for support of interim studies. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Committee on Ways and Means. 1749, 1751, 1753, 1761,* 1867.

891....Increases salaries of certain employees in unclassified service of state. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Committee on Ways and Means. 1775, 1800, 1801, 1802,* 1847.

892....Apportions state distributive school account in the state general fund for biennium 1987-89, 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. 1775, 1800, 1801, 1802,* 1847.

No. *Summary, Introducer and Page Reference*

893....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. 1775, 1800, 1801, 1802, 1803, 1806,* 1864.

894....Directs governor to appoint advisory committee on legislative study of franchises. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Commerce. 1776, 1809, 1810, 1814, 1815.*

VETOED ASSEMBLY BILLS OF THE 63rd SESSION

No. *Summary, Introducer and Page Reference*

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. 6, 7, 56, 57.*

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. 6, 7, 56, 57, 59.*

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. 6, 7, 56, 59, 60.*

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. 6, 7, 56, 60, 61.*

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....Proposes to amend constitution to permit operation of certain lotteries. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Haller, Nevin and Freeman. 21, 425, 453, 454, 727, 756,* 990, 1046, 1158, 1694, 1777, 1811.

2....Urges Congress to establish regional training center at Stewart for response to emergencies. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Schofield and Dini. 27, 152, 164,* 165, 399, 420.

3....Urges Congress to establish strict standards for training drivers who transport hazardous materials and for tracking shipments of hazardous materials. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Schofield and Dini. 28, 110, 122, 123, 920, 935,* 1486, 1545.

4....Urges Congress not to allow the location of a repository for nuclear waste in Nevada. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Myrna Williams, Schofield, Dini, Spinello, Wisdom, Banner, Porter, Nevin, May, Sedway, Sader, Adler, Kissam, Haller, Triggs, Wendell Williams, Garner, Evans, Arberry, Swain, Brookman, Callister, Gaston and Freeman. 41, 43, 80, 89, 96.*

5....Urges Congress to require agreement for notification of State of Nevada of intended entry of hazardous materials into state. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Schofield and Dini. 47, 110, 123, 132,* 1092, 1155.

6....Urges Congress to oppose the deactivation of 474th Tactical Fighter Wing at Nellis Air Force Base. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Thompson, Nevin, Craddock, Brookman, May, Sedway, Price, Arberry, Freeman, Kissam, Spinello, Porter, Triggs, Gaston, Callister, Wendell Williams, Banner, Fay, Haller, Garner, Swain, Jeffrey, Wisdom, Myrna Williams, Schofield, Dini, DuBois, Tebbs, McGaughey, Bergevin, Nicholas, Spriggs, Getto, Carpenter, Kerns, Humke, Lambert, Adler, Sader and Marvel. 47, 124, 134, 149,* 399, 420.

7....Urges Congress of United States to authorize tax credit to encourage small businesses to provide group health insurance for employees. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Health and Welfare. 47, 374, 385, 403,* 404.

8....Opposes location of high-level nuclear waste repository at Yucca Mountain without guarantee of no risk to public health and safety and environment. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Natural Resources, Agriculture and Mining. 48.

9....Urges Congress to enact legislation which would provide unlimited federal liability for accidents that result from repository. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Natural Resources, Agriculture and Mining. 48, 133, 142, 165,* 399, 420.

10....Urges Congress and Secretary of Transportation of United States to support establishment of motor carrier administration. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Nevin, Dini, Thompson, Kerns, May, Carpenter, Myrna Williams, Brookman, Fay, Thomas, Nicholas, Wisdom, Garner, Freeman, Gaston, Haller, McGaughey, Kissam, Lambert, DuBois, Porter, Sader, Bergevin, Adler, Triggs, Wendell Williams, Jeffrey, Arberry, Tebbs, Spinello, Callister, Sedway, Marvel, Getto, Price, Craddock, Humke, Evans, Spriggs and Schofield. 73, 167, 180, 189,* 516, 522, 523, 536, 967.

11....Proposes constitutional amendment to declare English as official language of State of Nevada. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Getto, Kerns, DuBois, Carpenter, Bergevin, Nevin, May, Tebbs, Dini and Marvel. 73, 1013.

12....Urges Congress to reconsider and review Nuclear Waste Policy Act. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Natural Resources, Agriculture and Mining. 89, 133, 142, 165.*

No. *Summary, Introducer and Page Reference*

13....Proposes to amend Nevada constitution to provide for limited annual sessions of legislature. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Price, Schofield, Craddock, Fay, Kerns, Arberry, Myrna Williams, Callister, Wisdom, Gaston, Garner, Wendell Williams, Evans, Nicholas, McGaughey, Sader, Kissam, Haller, Triggs, Sedway, Nevin, Porter, Brookman, Spinello, Freeman and Banner. 90, 1289, 1320, 1321, 1326, 1334.*

14....Requests President and Congress to select Nevada as site for construction of atomic particle accelerator. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Schofield, Dini, Banner, May, Jeffrey, Fay, Myrna Williams, Garner, Evans, Spriggs, Arberry, Humke, Triggs, Wendell Williams, Haller, Nicholas, Lambert, McGaughey, Kissam, Thomas, Adler, DuBois, Thompson, Bergevin, Sader, Sedway, Nevin, Price, Porter, Kerns, Tebbs, Wisdom, Brookman, Callister, Spinello, Carpenter, Gaston, Freeman, Getto and Marvel. 97, 269, 270, 283, 291,* 292, 473, 505.

15....Urges Congress to revise law relating to financial aid for construction of highways. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Transportation. 101, 245, 263, 272.*

16....Urges Congress to support Nevada's right to judicial review as essential element of Nevada's responsibilities under Nuclear Waste Policy Act. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Natural Resources, Agriculture and Mining. 114, 908, 913, 935,* 1486, 1545.

17....Requests United States Forest Service to include potential for development of Lake Tahoe in determination of fair market value. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 138, 277, 287, 316,* 540, 564.

18....Requests Congress to continue appropriations to purchase land in Lake Tahoe Basin. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 139, 356, 376, 388,* 540, 564.

19....Urges Congress to require Department of Energy to comply with Nuclear Waste Policy Act which requires continued search for alternate methods for disposal of high-level radioactive waste. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Schofield, Dini and Spriggs. 139.

20....Supports Nevada's Agency for Nuclear Projects and urges Congress to ensure that independent oversight capability of Nevada is maintained and strengthened. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Schofield, Dini and Spriggs. 139.

21....Urges President to support and Congress to consummate exchange of certain public land in Nevada for private land owned by Aerojet-General Corporation. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Schofield, Dini, Jeffrey, Price, Spriggs and Callister. 169, 301, 312, 313, 646, 696,* 1092, 1155.

22....Proposes to amend Nevada constitution to change name of justices of the peace. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Nicholas and Sader. 184.

23....Urges Congress to continue to support financially the Nevada Test Site. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. DuBois, Tebbs and McGaughey. 211, 621, 637, 646, * 1486, 1545.

24....Urges Congress to include insurance within antitrust laws. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Spinello, Myrna Williams, Porter, McGaughey, Callister, Brookman, Tebbs, Sedway, Thompson, Kerns, Wisdom, Gaston, Thomas, Marvel, Fay, Nevin, Bergevin, Kissam, Nicholas, Wendell Williams, Triggs, Haller, May, Adler and Jeffrey. 228.

25....Withdraws request for constitutional convention to require balanced federal budget. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Price, Dini, Gaston, Schofield, Adler, Getto, Sedway, Arberry, Haller, Spinello, Banner, Humke, Spriggs, Brookman, Jeffrey, Swain, Callister, Kerns, Tebbs, Carpenter, Kissam, Thomas, Craddock, Lambert, Thompson, DuBois, McGaughey, Triggs, Evans, Nevin, Myrna Williams, Fay, Nicholas, Wendell Williams, Freeman, Porter, Wisdom, Garner, Sader and Marvel. 231, 276, 279, 283, 288, 290.*

26....Proposes to amend provision in Nevada constitution which prohibits making gifts or loans of public money to certain corporations. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Economic Development, Small Business and Tourism. 270, 1498, 1516, 1523, 1525,* 1725, 1831.

27....Ratifies proposed amendment to the United States Constitution requiring delay in effectiveness of increase in compensation for members of Congress. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Legislative Functions. 306.

28....Proposes to amend Nevada constitution to lengthen legislators' terms. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Legislative Functions. 306.

No. *Summary, Introducer and Page Reference*

29....Urges Congress to enact legislation to transfer unclaimed property of residents of states back to state of last residence. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Ways and Means. 337, 459, 477, 503,* 594, 622.

30....Proposes to amend Nevada constitution to limit state regulation of cities and towns. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 339.

31....Proposes amendment to Nevada constitution to authorize tax exemption for improvement to real property made to reduce noise near airport. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Committee on Taxation. 357.

32....Proposes amendment to Nevada constitution to authorize payment of legislators for each day legislature is in session. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Legislative Functions. 404.

33....Proposes to amend Nevada Constitution to raise limit of indebtedness of state. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Taxation. 444, 603, 637, 646.*

34....Proposes to amend Nevada Constitution to raise limit of indebtedness of state. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Taxation. 445, 603, 637, 646,* 647, 1325, 1385.

35....Amends Nevada Constitution to allow local initiative and referendum concerning zoning. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Haller. 446.

36....Proposes to amend Nevada constitution to permit denial of bail in felony case to person with two or more prior convictions for violent felonies. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Brookman, Evans, Swain, May, Carpenter, Freeman, Callister, Tebbs, Kerns, Wisdom, Price, Kissam, Craddock, Haller, Triggs, Humke, Wendell Williams, Nicholas, McGaughey, Thomas, DuBois and Nevin. 475.

37....Urges Congress not to allow the location of a repository for nuclear waste in Nevada. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Myrna Williams, Dini, Spinello, Wisdom, McGaughey, Lambert, Porter, Sedway, Swain, Callister, Adler, Getto, Evans, Arberry, Schofield, Freeman, Nevin, DuBois, Thomas, Nicholas, Triggs, Haller, Craddock, Kissam, Thompson, Sader, May, Price, Tebbs, Brookman and Gaston. 478, 603, 637, 647, *.

38....Urges Department of Energy to use Nevada Highway Patrol to secure facilities at Nevada Test Site. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Kissam, Nevin, Sader, Gaston, Wisdom, Callister, Thomas and Haller. 570.

39....Proposes constitutional amendment to establish separate tax on net proceeds of minerals extracted. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Bergevin, Sedway, Dini, Carpenter, Marvel, Getto, Spriggs, Humke and Nicholas. 589.

40....Proposes constitutional amendment to allow separate taxation of proceeds of mines. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Natural Resources, Agriculture and Mining. 599.

41....Proposes to amend Nevada constitution to limit terms of legislators. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Haller. 778.

42....Ceremonially ratifies 26th amendment to United States Constitution. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Price, Dini, Fay, May, Tebbs, Brookman, Marvel, Myrna Williams, Spinello, Wisdom, Kerns, Adler, Arberry, Banner, Bergevin, Craddock, DuBois, Evans, Garner, Haller, Kissam, Lambert, McGaughey, Sader, Spriggs, Swain, Thompson, Triggs, Carpenter, Freeman, Getto, Humke, Nevin, Nicholas, Sedway, Wendell Williams, Gaston, Callister and Thomas. 802, 1323, 1335, 1346, 1363, 1388, 1391,* 1691, 1761.

43....Urges Congress to prohibit certain practices by airlines. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 1031, 1671, 1685, 1692, 1695, * 1697.

44....Proposes to amend Nevada Constitution to provide for removal from office of public officer elected to partisan office who changes affiliation with political party during term of office. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Sedway, Dini, Spinello, Myrna Williams, Callister, Jeffrey, Thompson, Nevin, May, Brookman, Fay, Banner, Bergevin, Wisdom, Schofield, Arberry, Evans, Garner and Triggs. 1060, 1261, 1287, 1326, 1334.*

45....Proposes to amend Nevada constitution by requiring annual legislative sessions. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Legislative Functions. 1455, 1546, 1567, 1571, 1583,* 1585.

No. *Summary, Introducer and Page Reference*

46....Urges Department of the Navy to review bidding for and awarding of contract for operation and maintenance of naval air station at Fallon, Nevada. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 1748, 1758.*

47....Urges Congress to authorize states to regulate all gaming on Indian land except bingo and traditional Indian games. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 1796, 1797,* 1847.

ASSEMBLY JOINT RESOLUTIONS OF THE 63rd SESSION

No. *Summary, Introducer and Page Reference*

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. 6, 12, 13.

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. 6, 13, 14.

ASSEMBLY CONCURRENT RESOLUTIONS

No. *Summary, Introducer and Page Reference*

1....Adopts joint rules of senate and assembly for 64th session of legislature. Dini and Bergevin. 11, 12, 50, 51, 62.

2....Directs Legislative Commission to study mandatory coverage in policies of health insurance for mental illness and abuse of alcohol and drugs. Committee on Commerce. 23.

3....Urges state agencies to cooperate with other states and regional organizations concerning transportation of hazardous materials. Schofield and Dini. 47, 110, 111, 391, 406.

4....Declares January 28, 1987, as Nevada Teacher Appreciation Day. Jeffrey, Dini, Schofield, Thomas, McGaughey, Spriggs, Nicholas, Garner, Kissam, Lambert, Sader, Adler, Nevin, Porter, Fay, Wisdom, Brookman, Callister, Myrna Williams, Thompson, Tebbs, Gaston, Banner, Freeman, Carpenter, Evans, Wendell Williams, Arberry, Triggs, Haller, Craddock, DuBois, Sedway, May, Price, Kerns, Spinello, Marvel, Getto, Bergevin and Humke. 61, 72, 85.

5....Urges Department of Motor Vehicles and Public Safety to consider needs of farmers and ranchers to drive vehicles that require class of driver's license other than that required for passenger car. Committee on Transportation. 82.

6....Urges Public Service Commission of Nevada to hold hearing on deregulation of telecommunications. Committee on Government Affairs. 87.

7....Provides for adjournment of legislature for 4 days. Dini and Jeffrey. 105, 117, 132.

8....Directs Nevada Agency for Nuclear Projects to study regulation of transportation of high-level nuclear waste and develop plan addressing issues related thereto. Committee on Natural Resources, Agriculture and Mining. 115, 301, 302, 1131, 1153, 1154, 1178.

9....Requires continuation of review of activities of Tahoe Regional Planning Agency by interim subcommittee. Committee on Government Affairs. 139.

10....Directs Division of Environmental Protection of the State Department of Conservation and Natural Resources to conduct study to determine presence and concentration of mercury and cyanide in water of Washoe Lake. Thomas and Nicholas. 139.

11....Commends former Assemblyman Ed Kovacs for his public service in Nevada. Dini, Jeffrey, Thompson, Kissam, Arberry, Swain, Craddock, Freeman, Gaston, Carpenter, Banner, Getto, Schofield, Evans, Garner, Humke, Thomas, Nicholas, DuBois, Bergevin, Nevin, Porter, Kerns, Wisdom, Spinello, Myrna Williams, Marvel, Callister, Brookman, Tebbs, Fay, Price, May, Sedway, Sader, Adler, Lambert, McGaughey, Triggs, Haller, Wendell Williams and Spriggs. 187, 188, 205, 215.

12....Directs Legislative Commission to continue participation in certain programs conducted by Bureau of the Census. Committee on Elections. 215, 305, 307, 516, 536.

13....Declares week of March 1 as Nevada Thunderbird Week. Price, Schofield, Myrna Williams, Marvel, Spinello, Garner, Spriggs, Evans, Arberry, Swain, Bergevin, DuBois, Thomas, McGaughey, Nicholas, Wendell Williams, Humke, Triggs, Haller, Craddock, Lambert, Kissam, Adler, Thompson, Sedway, May, Fay, Tebbs, Brookman, Callister, Freeman, Gaston, Carpenter, Wisdom, Banner, Kerns, Porter, Getto, Jeffrey, Sader, Nevin and Dini. 224, 245, 267.

14....Authorizes certain expenditures from legislative fund. Committee on Ways and Means. 228, 337, 488, 513.

15....Commends former Assemblyman John H. Homer. Getto, Dini, Brookman and May. 228, 261, 274.

16....Directs legislative commission to study adoption laws in Nevada. Committee on Legislative Functions. 231.

No. *Summary, Introducer and Page Reference*

17....Memorializes late Jack Joseph Lamberti. Nevin, Dini, Adler, Arberry, Banner, Bergevin, Brookman, Callister, Carpenter, Craddock, DuBois, Evans, Fay, Freeman, Garner, Gaston, Getto, Haller, Humke, Jeffrey, Kerns, Kissam, Lambert, McGaughey, Marvel, May, Nicholas, Porter, Price, Sader, Schofield, Sedway, Spinello, Spriggs, Swain, Tebbs, Thomas, Thompson, Triggs, Myrna Williams, Wendell Williams and Wisdom. 261, 262, 270, 284.

18....Directs Legislative Commission to conduct interim study of laws relating to financing of commercial and industrial development in Nevada. Myrna Williams, Wisdom, Getto, Dini, Lambert, Banner, Thomas, Thompson, Adler, Garner, Nevin, Fay, Haller, Kerns, Porter, Brookman, Freeman, Evans, Bergevin, DuBois, Arberry, Kissam, Craddock, Triggs, Humke, McGaughey, Nicholas and Sader. 280, 515, 517, 519, 532, 1764, 1899.

19....Directs legislative commission to conduct interim study of laws governing business and nonprofit corporations in Nevada. Haller. 286.

20....Directs legislative commission to conduct interim study of public education in Nevada. Haller. 286.

21....Designates September 17, 1987, as Constitution Day. DuBois, Thomas, Triggs, Humke, Haller, Lambert, Craddock, Kissam, Bergevin, Sedway, Nevin, Porter, Kerns, May, Fay, Wisdom, Myrna Williams, Spinello, Marvel, Price, Gaston, Freeman, Carpenter, Banner, Garner, Getto, Arberry, Wendell Williams, Evans, Spriggs, Nicholas, Thompson, Swain, Sader, Adler, Callister, Brookman, Tebbs and Schofield. 327, 748, 749, 990, 1047.

22....Directs Public Service Commission of Nevada to conduct interim study of installation of emergency telephones along highways. Brookman, Callister, Sedway, Dini, Tebbs, Myrna Williams, Spinello, Wisdom, Kerns, Porter, Fay, Price, Nevin, May, Thompson, Adler, Thomas, Kissam, Nicholas, Craddock, Haller, Wendell Williams, Triggs, Humke, Evans, Garner, Spriggs, Arberry, Swain, Getto, Gaston, Schofield, Carpenter, Freeman and Marvel. 358, 1442, 1444, 1453.

23....Directs Legislative Commission to conduct interim study of allocation of money to Nevada by Federal Government. Nicholas. 391.

24....Directs Legislative Commission to conduct interim study of availability of low-income housing. Myrna Williams, Wisdom, Banner, Carpenter, Brookman, McGaughey, Nicholas, Thomas, May, Dini, Spriggs, Haller, Humke, Nevin, Porter, Getto, Arberry, Tebbs, Callister, Evans, Freeman, Thompson, Swain, Garner, Sedway, Bergevin, DuBois, Adler, Kissam, Lambert, Craddock, Triggs, Spinello, Sader, Fay and Gaston. 394, 1442, 1444, 1453, 1764, 1899.

25....Memorializes late Mary Gojack. Dini, Sader, Triggs, Arberry, Brookman, Haller, Freeman, Evans, Adler, Gaston, Myrna Williams, Sedway, Spinello, Schofield, Porter, Wendell Williams, Callister, Craddock, Kissam, Swain, Wisdom, Price, Fay, Garner, Nevin, May, Tebbs, Lambert, Bergevin, Carpenter and DuBois. 417, 444, 469.

26....Memorializes former Justice Collins. Dini, Getto, Sader, Triggs, Haller, Arberry, Brookman, Freeman, Evans, Adler, Gaston, Myrna Williams, Sedway, Spinello, Schofield, Porter, Wendell Williams, Callister, Craddock, Kissam, Swain, Wisdom, Price, Fay, Garner, Nevin, Bergevin, McGaughey, Nicholas, DuBois, Kerns, Tebbs, Marvel, Thompson, Banner, Carpenter, May, Thomas, Lambert, Humke and Spriggs. 426, 459, 487.

27....Commends former Governor and declares Thursday, March 26, 1987, as Mike O'Callaghan Day. Brookman, Dini, Getto, May, Banner, Craddock, Jeffrey, Price, Bergevin, Marvel, Schofield, DuBois, Nicholas, Sader, Thompson, Humke, Kerns, Nevin, Sedway, Swain, Thomas, Arberry, Lambert, McGaughey, Spriggs, Tebbs, Myrna Williams, Fay, Kissam, Adler, Callister, Carpenter, Evans, Freeman, Garner, Gaston, Haller, Porter, Spinello, Triggs, Wendell Williams and Wisdom. 428, 431, 444, 469.

28....Commends boys' and girls' basketball teams of Yerington. Dini, Adler, Arberry, Banner, Bergevin, Brookman, Callister, Carpenter, Craddock, DuBois, Evans, Fay, Freeman, Garner, Gaston, Getto, Haller, Humke, Jeffrey, Kerns, Kissam, Lambert, McGaughey, Marvel, May, Nevin, Nicholas, Porter, Price, Sader, Schofield, Sedway, Spinello, Spriggs, Swain, Tebbs, Thomas, Thompson, Triggs, Myrna Williams, Wendell Williams and Wisdom. 446, 447, 459, 487.

29....Approves execution of lease of certain state land to Carson City Chamber of Commerce. Committee on Government Affairs. 476, 807, 954, 988.

30....Directs Governor to ensure that Department of Transportation changes signs stating maximum speed limit when federal law is changed. Nevin and Dini. 517, 531, 535, 555.

31....Urges combination of certain areas into one assembly district during next reapportionment of legislature. Committee on Elections. 527, 908.

32....Designates April 7, 1987, as Junior League Day in Nevada. Dini, Myrna Williams, Adler, Arberry, Banner, Bergevin, Brookman, Callister, Carpenter, Craddock, DuBois, Evans, Fay, Freeman, Garner, Gaston, Getto, Haller, Humke, Jeffrey, Kerns, Kissam, Lambert, McGaughey, Marvel, May, Nevin, Nicholas, Porter, Price, Sader, Schofield, Sedway, Spinello, Spriggs, Swain, Tebbs, Thomas, Thompson, Triggs, Wendell Williams and Wisdom. 542, 558, 573.

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33....Memorializes late former Assemblyman Jack Fogliani. Banner, Dini, Carpenter, Getto, Freeman, Gaston, Jeffrey, Humke, Adler, Haller, Myrna Williams, Garner, Thomas, Swain, Thompson, Sader, Price, Arberry, Schofield, Triggs, Sedway, Nevin, Kissam, Tebbs, Nicholas, Callister, Brookman, Kerns, Fay, Wisdom, Craddock, Lambert, Bergevin, Marvel, May, Evans, McGaughey, Spinello, Porter, Wendell Williams, Spriggs and DuBois. 559, 575, 591.

34....Designates week of June 22, 1987, as Imperial Shrine Week in Nevada. Dini, Marvel, Schofield, Tebbs, Nicholas, Fay, Callister, Brookman, Myrna Williams, Porter, Spinello, Price, May, DuBois, Nevin, Evans, McGaughey, Thomas, Gaston, Garner, Bergevin, Thompson, Kerns, Sedway, Jeffrey, Carpenter, Freeman, Adler, Banner, Humke, Spriggs, Wendell Williams, Lambert, Triggs, Arberry, Wisdom, Getto, Haller, Swain, Craddock, Kissam and Sader. 559, 575, 591.

35....Memorializes Leo K. Johnson. Dini, Adler, Arberry, Banner, Bergevin, Brookman, Callister, Carpenter, Craddock, DuBois, Evans, Fay, Freeman, Garner, Gaston, Getto, Haller, Humke, Jeffrey, Kerns, Kissam, Lambert, McGaughey, Marvel, May, Nevin, Nicholas, Porter, Price, Sader, Schofield, Sedway, Spinello, Spriggs, Swain, Tebbs, Thomas, Thompson, Triggs, Myrna Williams, Wendell Williams and Wisdom. 579, 594, 622.

36....Directs Legislative Commission to conduct interim study of preservation of Nevada's cultural resources. Committee on Legislative Functions. 600, 1468, 1471, 1487, 1490, 1764, 1899.

37....Commends members of Kiwanis clubs and designates April 16, 1987, as Kiwanis Day in Nevada. Thomas, Dini, Adler, Arberry, Banner, Bergevin, Brookman, Callister, Carpenter, Craddock, DuBois, Evans, Fay, Freeman, Garner, Gaston, Getto, Haller, Humke, Jeffrey, Kerns, Kissam, Lambert, McGaughey, Marvel, May, Nevin, Nicholas, Porter, Price, Sader, Schofield, Sedway, Spinello, Spriggs, Swain, Tebbs, Thompson, Triggs, Myrna Williams, Wendell Williams and Wisdom. 626, 641, 689.

38....Memorializes former legislator Warren L. "Snowy" Monroe. Carpenter, Dini, Brookman, Getto, Myrna Williams, Porter, Nicholas, Kissam, Fay, Banner, Adler, Garner, Gaston, Freeman, Wendell Williams, Spinello, Wisdom, Kerns, Marvel, Nevin, Jeffrey, Bergevin, Schofield, DuBois, Swain, Arberry, McGaughey, Evans, Spriggs, Humke, Lambert, Triggs, Haller, Thompson, Callister, Price, Thomas, Tebbs, Sader, Craddock, Sedway and May. 626, 669, 698.

39....Urges Tahoe Regional Planning Agency not to remove cases filed by Nevada property owners to federal courts. Committee on Government Affairs. 628.

40....Directs Legislative Commission to conduct study of desirability and feasibility of pursuing grants for university from United States Department of Energy. Kissam, Schofield, Porter, Wendell Williams, Haller, Gaston, Garner, Triggs, Lambert, Callister and Spinello. 628.

41....Authorizes expenditure from legislative fund for payment of speaker to appear before committee of legislature. Price. 628, 630, 669, 698.

42....Directs Legislative Commission to conduct interim study on establishment of state home for veterans. Committee on Legislative Functions. 649.

43....Directs Legislative Commission to conduct interim study concerning issues relating to Las Vegas Wash. Schofield. 655, 846, 848, 1472, 1476, 1487, 1490.

44....Commends Richard F. "Chick" Perkins. Thompson, Jeffrey, Nevin, Porter, Kerns, Wisdom, Spinello, Myrna Williams, Freeman, Gaston, Carpenter, Banner, Getto, Schofield, Swain, Arberry, Evans, Spriggs, Garner, Humke, Wendell Williams, Nicholas, McGaughey, Thomas, DuBois, Bergevin, Adler, Kissam, Lambert, Craddock, Haller, Triggs, Sedway, May, Price, Fay, Tebbs, Brookman, Callister and Marvel. 702, 728, 757.

45....Commends volunteers in Nevada. Dini, Getto, Lambert, Bergevin, Freeman, Adler, Price, Evans, Nevin, Thompson, Kissam, Callister, Gaston, Garner, Kerns, Brookman, Fay, Wisdom, Banner, Nicholas, DuBois, Myrna Williams, Spriggs, Porter, McGaughey, Haller, Wendell Williams, Triggs, Jeffrey, May, Swain, Carpenter, Spinello, Marvel, Sedway, Tebbs, Arberry, Craddock, Sader, Schofield, Humke and Thomas. 729, 731, 749, 774.

46....Directs Department of Conservation and Natural Resources to transfer money to continue project for construction of dam on South Fork of Humboldt River. Sedway, Dini, Spinello and Arberry. 749.

47....Directs Legislative Commission to study fiscal effects upon counties of incorporation of cities under general law. Thompson, Bergevin, Garner, McGaughey, Freeman, Brookman, Kerns, Lambert, May, Adler, Banner, Craddock and Nevin. 749, 1442, 1444, 1453, 1764, 1899.

48....Directs state agencies to cooperate with efforts to develop Laughlin. Jeffrey, Schofield, Tebbs, Triggs, Porter, Gaston, Arberry, Garner, Callister, Wendell Williams, Thompson, Brookman, Fay, Myrna Williams, McGaughey, Nicholas, Lambert, Getto, Craddock, Bergevin, Adler, Marvel, Kerns, DuBois, Nevin, Thomas, Wisdom, Dini, Freeman, Spriggs, Banner, Carpenter, Spinello, Sedway, Sader, Kissam, Haller, Humke, Evans and Price. 755, 828, 829, 1204, 1260.

49....Urges Clark County School District to conduct study of 6th grade centers. Arberry and Wendell Williams. 764, 1442, 1444, 1471, 1475, 1644.

50....Commends Nevada Foundation of Women's Clubs for their work to protect children. Committee on Judiciary. 790, 791, 868, 869, 889, 914.

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51....Directs Legislative Commission to conduct interim study concerning certification of operators of boats. Committee on Natural Resources, Agriculture and Mining. 796.

52....Expresses appreciation to Union Pacific Railroad for gift of track near Boulder City. Jeffrey, Price, Thompson, May, Sedway, Sader, Adler, Kissam, Lambert, Craddock, Haller, Triggs, Humke, Wendell Williams, Nicholas, McGaughey, Thomas, DuBois, Bergevin, Schofield, Swain, Arberry, Evans, Spriggs and Garner. 803, 848, 886.

53....Honoring Mexican holiday, Cinco de Mayo. Schofield, Dini, Jeffrey, Nevin, Bergevin, Sader, DuBois, Marvel, Spinello, Banner, Wisdom, Brookman, Tebbs, May, Lambert, Humke, McGaughey, Kissam, Garner, Myrna Williams, Getto, Kerns, Thompson, Swain, Arberry, Craddock, Price, Callister, Gaston, Porter, Adler, Nicholas, Fay, Carpenter, Wendell Williams, Haller, Freeman, Triggs, Spriggs, Thomas, Sedway and Evans. 828, 829, 868, 900.

54....Memorializes late Anna E. Dressler. Getto, Dini, Bergevin, Garner, Spriggs, Evans, Arberry, Schofield, Swain, Banner, Carpenter, Gaston, Myrna Williams, Marvel, Spinello, Brookman, Callister, Wisdom, Tebbs, Porter, Fay, Price, Nevin, May, Jeffrey, Sader, DuBois, Adler, Thomas, Kissam, Thompson, McGaughey, Lambert, Nicholas, Haller, Craddock, Wendell Williams, Triggs, Humke, Sedway, Freeman and Kerns. 854, 856, 889, 914.

55....Directs Legislative Commission to conduct interim study of relationship between premiums and actual costs of providing insurance. Committee on Legislative Functions. 871, 1442, 1445, 1472, 1475, 1764, 1899.

56....Directs the Commission on Economic Development to grant money to appropriate local agencies to employ persons in rural Nevada and west Las Vegas to aid in economic development of those areas. Committee on Ways and Means. 919.

57....Directs Legislative Commission to conduct interim study of feasibility and desirability of state-owned and operated medical clinic. Committee on Judiciary. 919.

58....Directs Legislative Commission to conduct interim study on treatment of persons convicted of crimes involving sexual acts. Committee on Judiciary. 919.

59....Directs Legislative Commission to conduct interim study of Mental Hygiene and Mental Retardation Division of the Department of Human Resources. Spinello, Schofield, Marvel, Swain and Tebbs. 932, 1442, 1447, 1453, 1764, 1899.

60....Encourages purchase of local agricultural products. Schofield, Dini, Getto, Spriggs, Price, Jeffrey, Bergevin, Swain, Arberry, Evans, Garner, Humke, Wendell Williams, Nicholas, McGaughey, Thomas, DuBois, Thompson, Adler, Kissam, Lambert, Craddock, Haller, Triggs, Tebbs and Gaston. 965, 1142, 1153, 1159, 1162, 1614, 1629, 1689.

61....Directs Legislative Commission to conduct interim study concerning basing of public utilities' rates upon anticipated revenues and expenses. Committee on Government Affairs. 1124.

62....Memorializes distinguished Nevadan, Wallie Warren. Kerns, Schofield, Brookman, Wisdom, Porter, Spinello, Tebbs, Fay, Myrna Williams, Marvel, Callister, Banner, Getto, Jeffrey, Price, May, Sedway, Nevin, Freeman, Gaston, Craddock, Swain, McGaughey, Garner, Bergevin, Nicholas, Lambert, Haller, Wendell Williams, DuBois, Arberry, Thompson, Kissam, Humke, Adler, Triggs, Spriggs, Sader, Carpenter, Evans, Thomas and Dini. 1132, 1135, 1154, 1202.

63....Commends persons who are continuing tradition of Pony Express. Wisdom, Freeman, Kerns, Thomas, Tebbs, Lambert, Kissam, Thompson, Nevin, Arberry, Brookman, Garner, Bergevin, Myrna Williams, Spinello, McGaughey, Fay, Dini, Marvel, Evans, Callister, Jeffrey, Adler, Getto, Swain, DuBois, Humke, Spriggs, Haller, Wendell Williams, Carpenter, Porter, May, Nicholas, Schofield, Triggs, Sader, Gaston and Price. 1182, 1183, 1204, 1260.

64....Memorializes Henry "Hank" Gardner. Dini, Getto, Freeman, Brookman, Gaston, Carpenter, Banner, Porter, Kerns, Wisdom, Spinello, Craddock, Myrna Williams, Marvel, Callister, Tebbs, Fay, Price, May, Sedway, Jeffrey, Garner, Spriggs, Evans, Swain, Schofield, Arberry, Humke, Wendell Williams, Nicholas, McGaughey, Thomas, Haller, Lambert, Triggs, Kissam, Adler, Thompson, DuBois, Bergevin, Sader and Nevin. 1204, 1206, 1225, 1279.

65....Instructs Director of Legislative Counsel Bureau to grant paid leave to employees. Price, Kerns, Fay, May, Thompson, Arberry, DuBois, Swain, Dini, Humke, Thomas, Freeman, Schofield, Nevin, Wisdom, Sedway, Banner, Carpenter, Gaston, Tebbs, Myrna Williams, Porter, Marvel, Callister, Brookman, Bergevin, Sader, Adler, Craddock, Haller, Garner, Spriggs, Wendell Williams, Triggs, Evans, Lambert, Kissam, Nicholas, Getto, Spinello, Jeffrey and McGaughey. 1227, 1357, 1358, 1364, 1807, 1815, 1842, 1861, 1862.

66....Commends Ella Savitt on service to University of Nevada, Reno. Evans, Adler, Arberry, Bergevin, Brookman, Callister, Carpenter, Craddock, Dini, DuBois, Fay, Freeman, Garner, Gaston, Getto, Haller, Humke, Jeffrey, Kerns, Kissam, Lambert, McGaughey, Marvel, May, Nevin, Nicholas, Porter, Price, Sader, Schofield, Sedway, Spinello, Spriggs, Swain, Tebbs, Thomas, Thompson, Triggs, Myrna Williams, Wendell Williams and Wisdom. 1262, 1264, 1281, 1355.

67....Encourages Commission on Ethics to publish abstracts of its publicly released opinions. Committee on Elections. 1321, 1386, 1425.

No. *Summary, Introducer and Page Reference*

68....Requires director of Department of General Services to conduct interim study relating to telecommunications. Committee on Education. 1327, 1359, 1360, 1386, 1425, 1725, 1831.

69....Memorializes late Marcus Joy "M.J." Christensen. Callister, Schofield, Freeman, Gaston, Carpenter, Banner, Getto, Swain, Arberry, Evans, Spriggs, Garner, Humke, Wendell Williams, Nicholas, McGaughey, Thomas, DuBois, Bergevin, Jeffrey, Nevin, Porter, Kerns, Wisdom, Spinello, Myrna Williams, Marvel, Brookman, Tebbs, Fay, Price, May, Sedway, Sader, Thompson, Adler, Kissam, Lambert, Craddock, Haller, Triggs and Dini. 1335, 1387, 1466.

70....Urges board of directors of Carson Water Subconservancy District to conduct certain study. Committee on Government Affairs. 1366, 1486, 1487, 1490, 1644.

71....Expresses appreciation to those students who served as legislative interns. Wisdom, Adler, Myrna Williams, Carpenter, Freeman, Getto, Bergevin, Nicholas, DuBois, Thomas, Humke, Wendell Williams, Triggs, Haller, Evans, Lambert, Sader, Swain, Spriggs, Arberry, Garner, Banner, Jeffrey, Nevin, Porter, McGaughey, Tebbs, Kissam, Gaston, Dini, Marvel, Kerns, Brookman, Spinello, Fay, Craddock, May, Sedway, Schofield, Price, Thompson and Callister. 1393, 1394, 1443, 1483.

72....Provides for compensation of clergy for services rendered to Assembly and Senate of 64th Session of Nevada Legislature. Committee on Legislative Functions. 1443, 1486, 1545.

73....Commends Superintendent and staff of State Printing and Micrographics Division. Dini, Adler, Arberry, Banner, Bergevin, Brookman, Callister, Carpenter, Craddock, DuBois, Evans, Fay, Freeman, Garner, Gaston, Getto, Haller, Humke, Jeffrey, Kerns, Kissam, Lambert, McGaughey, Marvel, May, Nevin, Nicholas, Porter, Price, Sader, Schofield, Sedway, Spinello, Spriggs, Swain, Tebbs, Thomas, Thompson, Triggs, Myrna Williams, Wendell Williams and Wisdom. 1548, 1576, 1641.

74....Urges Mt. Wheeler Power, Inc., to conduct certain audit and study and temporarily reduce its rates for certain classes of members. Committee on Government Affairs. 1553, 1691, 1761.

75....Memorializes Jim Frank, Carson City teacher. Adler, Haller, Bergevin, Myrna Williams, Spriggs, Gaston, Kissam, Spinello, May, Triggs, Dini, Freeman, Getto, Porter, Banner, Thompson, Kerns, Evans, Brookman, McGaughey, Nevin, Wisdom, Nicholas, Garner, DuBois, Carpenter, Sader, Swain, Thomas, Humke, Craddock, Wendell Williams, Arberry, Lambert, Price, Schofield, Fay, Callister, Marvel, Sedway, Jeffrey and Tebbs. 1615, 1616, 1644.

76....Commends members of Nevada National Guard for their exemplary record and enthusiastically wishes them Happy 125th Birthday. Dini, Adler, Haller, Nevin, Lambert, Wendell Williams, Brookman, Sedway, Arberry, Getto, Bergevin, Sader, Swain, Thomas, Nicholas, Wisdom, Myrna Williams, Marvel, Porter, Carpenter, Kissam, Fay, McGaughey, Tebbs, Banner, Jeffrey, Thompson, Garner, Freeman, DuBois, Spinello, Kerns, Price, May, Callister, Triggs, Schofield, Craddock, Evans, Gaston, Spriggs and Humke. 1616, 1617, 1644.

77....Urges Division of Environmental Protection of State Department of Conservation and Natural Resources to expedite review of program for development of certain facility for hazardous waste in Lincoln County. Committee on Natural Resources, Agriculture and Mining. 1757, 1775, 1799, 1832.

ASSEMBLY RESOLUTIONS

No. *Summary, Introducer and Page Reference*

1....Adopts standing rules of assembly for 64th session of legislature. Dini and Bergevin. 8, 38.

2....Provides allowances to leaders and other members of assembly for periodicals, stamps, stationery and communications. Dini and Bergevin. 11, 38.

3....Provides for appointment of attaches. Committee on Legislative Functions. 11, 38.

4....Amends standing rule of the Assembly relating to legislative ethics. Committee on Legislative Functions. 53, 72, 73, 85.

5....Provides for appointment of additional attache for Assembly. Committee on Legislative Functions. 88, 103.

6....Provides for appointment of additional attache. Committee on Legislative Functions. 169, 190.

7....Directs Assembly Standing Committee on Government Affairs toinvestigate during current legislative session method used to determine prices for retail sale of liquefied petroleum gas in Nevada. Committee on Commerce. 376, 701, 703, 704.

8....Provides for appointment of additional attaches for Assembly. Committee on Legislative Functions. 568, 591.

9....Provides for appointment of additional attache for Assembly. Committee on Legislative Functions. 731, 774.

10....Amends standing rule of Assembly relating to composition of standing committees. Dini and Jeffrey. 917.

11....Requires citation of Atlantic Richfield Company and Paul Richmond to show cause why they should not be punished for contempt. Callister, McGaughey and Fay. 955, 957.

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12....Provides for appointment of additional attache for Assembly. Committee on Legislative Functions. 1016, 1089.

13....Suspends Assembly Standing Rule 11 for certain meetings of Assembly Standing Committee on Commerce. Callister, McGaughey and Fay. 1031, 1089.

14....Provides for appointment of additional attaches for Assembly. Committee on Legislative Functions. 1358, 1466.

15....Designates certain assemblymen as regular and alternate members of legislative commission. Dini and Bergevin. 1749, 1899.

16....Commends attaches of Assembly for their work. Myrna Williams, Dini, Adler, Arberry, Banner, Bergevin, Brookman, Callister, Carpenter, Craddock, DuBois, Evans, Fay, Freeman, Garner, Gaston, Getto, Haller, Humke, Jeffrey, Kerns, Kissam, Lambert, McGaughey, Marvel, May, Nevin, Nicholas, Porter, Price, Sader, Schofield, Sedway, Spinello, Spriggs, Swain, Tebbs, Thomas, Thompson, Triggs, Wendell Williams and Wisdom. 1844.

LISTING OF SENATE BILLS

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45....1486, 1487, 1693, 1694, 1697, 1761.
46....1493.
47....1528, 1612.
48....1635, 1775, 1799, 1899.
49....1553, 1641.
50....1553, 1554, 1641.
51....1586, 1587, 1689.
52....1644, 1645, 1652, 1722.
53....1657, 1761.
54....1764.

ELECTED OFFICERS OF THE NEVADA STATE ASSEMBLY

Sixty-fourth Session, 1987

Title	*Name*	*Mailing Address*
Speaker	Joseph E. Dini, Jr.	104 N. Mountain View, Yerington 89447
Speaker pro Tempore	James W. Schofield	1740 Howard Ave., Las Vegas 89104
Chief Clerk	Mouryne B. Landing	P.O. Box 138, Carson City 89702

PERSONNEL OF THE NEVADA STATE ASSEMBLY

Sixty-fourth Session, 1987

District	*Name and Party*	*Mailing Address*
Carson City (part) Washoe (part), No. 37	Thomas, Bob (R)	152 Bonanza Dr., Carson City 89701
Carson City (part) No. 40	Adler, Ernest E. (D)	412 N. Division St., Carson City 89701
Clark, No. 1	Callister, Matthew Q. (D)	823 Las Vegas Blvd. South, Las Vegas 89101
Clark, No. 2	DuBois, John (R)	2047 Westwind Rd., Las Vegas 89102
Clark, No. 3	Wisdom, Jane (D)	210 S. Mallard St., Las Vegas 89107
Clark, No. 4	Kissam, Bill (D)	1340 Scenic Way, Las Vegas 89108
Clark, No. 5	Triggs, Vincent L. (D)	4132 Butterfield Way, Las Vegas 89103
Clark, No. 6	Williams, Wendell (D)	2200 Canary Way, Las Vegas 89106
Clark, No. 7	Arberry, Morse, Jr. (D)	425 Lass Circle, Las Vegas 89030
Clark, No. 8	Porter, Gene T. (D)	2810 W. Charleston Blvd., Suite, F-55, Las Vegas 89102
Clark, No. 9	Brookman, Eileen B. (D)	1900 Cochran St., Las Vegas 89104
Clark, No. 10	Williams, Myrna (D)	3441 Sioux Way, Las Vegas 89109
Clark, No. 11	Banner, James J. (D)	2223 Poplar Ave., Las Vegas 89101
Clark, No. 12	Schofield, James W. (D)	1740 Howard Ave., Las Vegas 89104
Clark, No. 13	McGaughey, James W. (R)	P.O. Box 71919, Las Vegas 89170
Clark, No. 14	Garner, Val Z. (D)	4917 E. Monroe Ave., Las Vegas 89110
Clark, No. 15	Sedway, Marvin M. (D)	3121 Maryland Parkway, Suite 408, Las Vegas 89109

District	*Name and Party*	*Mailing Address*
Clark, No. 16	Gaston, Robert E. (D)	4425 Emerald Ave., Las Vegas 89120
Clark, No. 17	Price, Bob (D)	P.O. Box 3759, North Las Vegas 89030
Clark, No. 18	Fay, Robert W. (D)	4710 Meredith Ave., Las Vegas 89121
Clark, No. 19	May, Paul W., Jr. (D)	3309 Wright Ave., North Las Vegas 89030
Clark, No. 20	Craddock, Robert G. (D)	1760 Linn Lane, Las Vegas 89115
Clark, No. 21	Thompson, Danny L. (D)	226 Navajo Dr., Henderson 89015
Clark, No. 22	Jeffrey, John E. (Jack) (D)	340 E. Chaparral Dr., Henderson 89015
Clark, No. 41	Spinello, James J. (D)	1701 E. Katie, No. 16, Las Vegas 89109
Clark, No. 42	Tebbs, Terry (R)	3834 Don Carlos Dr., Las Vegas 89121
Douglas (part), No. 39	Bergevin, Louis W. (R)	P.O. Box 188, Gardnerville 89410
Elko, Eureka (part), No. 33	Carpenter, John C. (R)	P.O. Box 428, Elko 89801
Esmeralda, Lincoln, Mineral, Nye, No. 36	Spriggs, Gaylyn J. (R)	P.O. Box 610, 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, Joesph 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	Freeman, Vivian L. (D)	1665 Carlin St., Reno 89503
Washoe, No. 25	Kerns, Bob L. (R)	1955 LaFond Dr., Reno 89509
Washoe, No. 26	Humke, David E. (R)	P.O. Box 70656, Reno 89570
Washoe, No. 27	Haller, Ken (D)	1611 Clemson Rd., Reno 89502
Washoe, No. 28	Swain, Courtenay C. (D)	131 Mark Twain Ave., Reno 89509
Washoe, No. 29	Lambert, Joan (R)	55 Bitterbrush Rd., Reno 89523
Washoe, No. 30	Evans, Jan (D)	3250 Wilma Dr., Sparks 89431
Washoe, No. 31	Nevin, Leonard V. (D)	3081 Meadowlands Court, Sparks 89431
Washoe, No. 32	Sader, Robert M. (D)	462 Court St., 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-fourth Session, 1987

Name	*Title*	*City*
Carol L. Moore	Assistant Chief Clerk	Carson City
Joan E. Anderson	History Clerk	Sparks
Amy L. Phelps	Journal Clerk	Carson City
Elaine Christofferson	Minute Clerk	Carson City
Robert Elliott	Sergeant-at-Arms	Sparks
Robert Kenneston	Assistant Sergeant-at-Arms	Boulder City
Christy Canatsey	Page	Carson City
Roger Drum	Page	Silver City
Kimberly L. Fry	Page	Gardnerville
David Mueller	Page	Dayton
Pat Hatch	Supervisor of Secretarial Staff	Reno
Martha Barnes	Committee Secretary	Minden
Iris Bellinger	Committee Secretary	Silver Springs
Rebecca Boatwright	Committee Secretary	Yerington
Dawnetta S. Brown	Committee Secretary	Carson City
Jane Dunne	Committee Secretary	Genoa
Sandra Gagnier	Committee Secretary	Carson City
Sharon Hall	Committee Secretary	Carson City
Martha Herndon	Committee Secretary	Reno
Frances Hill	Committee Secretary	Carson City
Cheri Kinsley	Committee Secretary	Carson City
Gloria Lohner	Committee Secretary	Carson City
Carol Martini	Committee Secretary	Carson City
Sylvia Mays	Committee Secretary	Carson City
Carole Miller	Committee Secretary	Carson City
Kathryn Pereos	Committee Secretary	Genoa
Marjorie Robertson	Committee Secretary	Carson City
Cheryl Thurston	Committee Secretary	Carson City
Carol Troop	Committee Secretary	Carson City
Joan Eisner	Data Entry Operator	Carson City
Jody Dunn	Reproduction Operator	Carson City
Phyllis Berkson	Secretary	Zephyr Cove
Jeanie Davis	Secretary	Carson City
Betty Day	Secretary	Silver Springs
Carol Dickerson	Secretary	Reno
Ginger Eaton	Secretary	Carson City
Susan Hella	Secretary	Reno
Yhvona Martin	Secretary	Carson City
Christine Shaw	Secretary	Carson City
Vicki Stevens	Secretary	Carson City
Donna Wadey	Secretary	Carson City
Sally Dunfield	Supervisor of Bill Clerks	Carson City
Lavelle Johnson	Supervisor of Bill Clerks	Carson City
Morse Burley	Bill Clerk	Carson City
Mary Carel	Bill Clerk	Carson City
Nancy Dickson	Bill Clerk	Carson City
Martha Laird	Bill Clerk	Carson City
Jane Mathis	Bill Clerk	Carson City
Virginia Nevin	Bill Clerk	Virginia City

Name	*Title*	*City*
Valerie Perkins	Bill Clerk	Reno
Joe Pieritti	Bill Clerk	Carson City
Shanna Pozzi	Bill Clerk	Carson City
Joylyn Smith	Bill Clerk	Carson City
Julene Smith	Bill Clerk	Carson City
Richard Williams	Bill Clerk	Carson City
Heidi Wood	Bill Clerk	Carson City

Journal

OF THE

ASSEMBLY OF THE STATE OF NEVADA

SIXTY-FOURTH SESSION

THE FIRST DAY

CARSON CITY (Monday), January 19, 1987

Pursuant to the provisions of the Constitution and Statutes, the Assembly was called to order by Secretary of State Frankie Sue Del Papa at 12 noon.

Prayer by the Chaplain, Father Joe Anthony.

With your permission Mr. Speaker, I begin my invocation with a portion of a speech given by a great American, Dr. Martin Luther King, Jr.

"I have the audacity to believe that peoples everywhere can have three meals a day for their bodies, education and culture for their minds, and dignity, equality and freedom for their spirits. I believe that what self-centered men have torn down other-centered men can build up. I still believe that one day mankind will bow before the altars of God and be crowned triumphant over war and bloodshed, and non-violent redemptive good will proclaim the rule of the land. And the lion and the lamb shall lie down together and every man shall sit under his own vine and fig tree and none shall be afraid. I still believe that we shall overcome . . ."

Lord our God, on this day in which we honor a great champion of freedom and liberty, we ask You to look with love on your people gathered here in this Assembly. Keep them safe, secure and righteous in your service. Guide the Members of this Assembly and help them to serve the needs of the people of Nevada with honesty of heart, integrity of purpose and openness to the demands of office. Bless their plans and deliberations and help them to work together for the good of all . . .

Father, we praise your Name forever and ever . . . AMEN.

Pledge of allegiance to the Flag.

Madam Secretary of State requested Mrs. Mouryne B. Landing to serve as temporary Chief Clerk of the Assembly.

Roll called.

Present: Assemblymen Adler, Arberry, Banner, Bergevin, Brookman, Callister, Carpenter, Craddock, Dini, DuBois, Evans, Fay, Freeman,

Garner, Gaston, Getto, Haller, Humke, Jeffrey, Kerns, Kissam, Lambert, McGaughey, Marvel, May, Nevin, Nicholas, Porter, Price, Sader, Schofield, Sedway, Spinello, Spriggs, Swain, Tebbs, Thomas, Thompson, Triggs, Myrna Williams, Wendell Williams and Wisdom.

Madam Secretary of State appointed Assemblymen Myrna Williams, Jeffrey, Dini, Nevin, Schofield, Sedway, Getto, Humke and McGaughey as a temporary Committee on Legislative Functions.

Madam Secretary of State announced that if there were no objections, the Assembly would recess for 15 minutes while credentials are examined by the temporary Committee on Legislative Functions.

Assembly in recess at 12:05 p.m.

ASSEMBLY IN SESSION

At 12:13 p.m.
Madam Secretary of State presiding.
Quorum present.

REPORTS OF COMMITTEES

Madam Secretary of State:

Your temporary Committee on Legislative Functions has had the credentials of the respective Assemblymen-elect under consideration, and begs leave to report that the following persons have been and are duly elected and qualified Members of the Assembly of the 64th Session of the Legislature of the State of Nevada: Assemblymen Adler, Arberry, Banner, Bergevin, Brookman, Callister, Carpenter, Craddock, Dini, DuBois, Evans, Fay, Freeman, Garner, Gaston, Getto, Haller, Humke, Jeffrey, Kerns, Kissam, Lambert, McGaughey, Marvel, May, Nevin, Nicholas, Porter, Price, Sader, Schofield, Sedway, Spinello, Spriggs, Swain, Tebbs, Thomas, Thompson, Triggs, Myrna Williams, Wendell Williams and Wisdom.

MYRNA WILLIAMS, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Myrna Williams moved the adoption of the report.
Motion carried unanimously.

Madam Secretary of State appointed Assemblymen Banner and Craddock as a committee to escort Chief Justice E. M. Gunderson of the Supreme Court of the State of Nevada to the rostrum to administer the oaths of office to the Assemblymen.

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

Assembly in recess at 12:15 p.m.

ASSEMBLY IN SESSION

At 12:23 p.m.
Madam Secretary of State presiding.
Quorum present.

Chief Justice Gunderson administered the oaths of office to the Assemblymen.

Assemblyman Brookman moved that Chief Justice Gunderson 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 Adler, Arberry, Banner, Bergevin, Brookman, Callister, Carpenter, Craddock, Dini, DuBois, Evans, Fay, Freeman, Garner, Gaston, Getto, Haller, Humke, Jeffrey, Kerns, Kissam, Lambert, McGaughey, Marvel, May, Nevin, Nicholas, Porter, Price, Sader, Schofield, Sedway, Spinello, Spriggs, Swain, Tebbs, Thomas, Thompson, Triggs, Myrna Williams, Wendell Williams and Wisdom.

Madam Secretary of State announced that there would be no temporary organization of the Assembly, and that all nominations were in order for permanent appointment.

Madam Secretary of State declared that nominations were in order for Speaker.

Assemblyman Sedway nominated Assemblyman Dini for Speaker.

Assemblyman Schofield moved that nominations be closed.

Motion carried unanimously.

Madam Secretary of State declared Assemblyman Dini to be Speaker of the Assembly.

Madam Secretary of State appointed Assemblymen Jeffrey and Sedway as a committee to escort Mr. Speaker to the rostrum.

Mr. Speaker presiding.

Assemblyman Arberry moved that Secretary of State Del Papa be given a unanimous vote of thanks for her services to the Assembly.

Motion carried unanimously.

Mr. Speaker appointed Assemblymen Swain and Evans as a committee to escort the Secretary of State to the bar of the Assembly.

The appointed committee escorted Secretary of State Del Papa to the bar of the Assembly.

Remarks by Mr. Speaker.

Assemblyman Jeffrey requested that Mr. Speaker's remarks be entered in the Journal.

I am honored to stand before you and accept the position of Speaker of the Assembly to which you have just elected me.

Each of us has an equal responsibility in these distinguished chambers to conduct ourselves in the best interest of the State of Nevada. We were each elected in a partisan election to represent an Assembly district of Nevada. That was in November. Now I call upon each of you, in the spirit of cooperation, to work together in harmony not only for your respective districts, but for all Nevada citizens. It is my hope that each of us can forget sectionalism and remember that Nevada is one sound and unified state.

As we begin our deliberations, I can tell you from experience that the decisions you will be called upon to make will be difficult and complex. As citizen legislators we depend on

our research, legal, fiscal and audit divisions, and public testimony to provide us with the facts necessary to make informed decisions. With that in mind, it is with gratitude that I thank the Legislative Counsel Bureau for their professionalism and commitment to excellence through the years and for their resources which will become indispensible to each of you over the next several months.

Additionally, we are fortunate to have with us Mouryne Landing, our Chief Clerk, whose talents and dedicated service have been an integral part of the success of the Nevada Assembly. Mouryne, we thank you and your staff for being with us once again to provide continuity and excellence in these Chambers.

Finally, I would like to extend my personal thanks to my family. During my many campaigns their assistance has enabled me to serve the State of Nevada. And while the session is convened, they take care of business at home so that I can participate in what each of us is dedicated to . . . public service.

Although you have extended me this honor as Speaker, I am only one of 42 members of a team. We will each have a different approach to solving the State's problems, and we may disagree on the solutions, but solve them we will. We are each a leader of this Assembly team and the citizens of Nevada will be the victors through our efforts.

Mr. Speaker declared that nominations were in order for Speaker pro Tempore.

Assemblyman Price nominated Assemblyman Schofield for Speaker pro Tempore.

Assemblyman Spinello moved that nominations be closed.

Motion carried unanimously.

Mr. Speaker declared Assemblyman Schofield to be Speaker pro Tempore of the Assembly.

Remarks by Mr. Speaker pro Tempore.

Assemblyman Jeffrey requested that Mr. Speaker pro Tempore's remarks be entered in the Journal.

Mr. Speaker, I would like to express my gratitude for having the honor of serving as Speaker pro Tempore under a Speaker such as Mr. Dini. The words that he expressed in the responsibility placed in us by the people of the State of Nevada is so important and vast. We are going to be faced with trying to accomplish this work in the coming months. The State is sitting in a position at this particular time of having a fair economy and we are going to be making some judgments that will not be very popular; nor will they be judgments that are easy to make as individuals or in a team effort as expressed by our Speaker.

I served in 1977 with Mr. Dini and have a lot of faith in him. The State of Nevada should be proud to have a person of his caliber leading this Assembly. I want to challenge each of you on an individual basis with the responsibilities that you owe in your district as well as to the citizens of the State of Nevada. We need to get behind our Speaker and cooperate as we face problems—confrontations between us because of our philosophical ideals and because of our feelings and promises we made to our constituents. I truly feel the challenge is upon us in the 1987 Session, and we can face that challenge and come out with a successful solving of the problems we are faced with today. And Mr. Speaker, I pledge to you my full cooperation as your Speaker pro Tempore. It is a privilege to serve in this position in this 1987 Session.

Mr. Speaker declared that nominations were in order for Chief Clerk.

Assemblyman Thompson nominated Mouryne B. Landing to be Chief Clerk.

Assemblyman Wendell Williams 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 Schofield, Freeman and Kerns as a committee to inform the Senate that the Assembly was organized and ready for business.

Mr. Speaker appointed Assemblymen Jeffrey, Garner and Getto as a committee to inform the Governor that the Assembly was organized and ready for business.

Assemblyman Myrna Williams 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: Brendan Riley, John Roll, Roger Smith, Rob Wells, Tom Gardner, Martin Griffith, ASSOCIATED PRESS; Dorothy Kosich, Ed Vogel, DONREY NEWS BUREAU; Mel Steninger, Rex Steninger, ELKO DAILY FREE PRESS; Steve Falcone, Treva Zeller, Joyce Hollister, Sheila Gardner, Sandi Wright, GARDNERVILLE RECORD-COURIER; Jerry Teague, J. D. Schlottman, HUMBOLDT SUN, WINNEMUCCA; Bruce Leshan, Brenda Buttner, Dru Doyle, Derek Wong, John Carroll, John Firpo, Dick Dewitt, KCRL-TV, RENO; Stu Rider, Lori Gilbert, KELK-RADIO, ELKO; Richard Urey, Kevin Ross, KLAS-TV, LAS VEGAS; Bob Delano, KLKT-RADIO, INCLINE VILLAGE; Ross Mitchell, KOH-RADIO, RENO; Rebecca Blessingr, Linda Balk, Dawn Kamber, KOLO-RADIO, RENO; Geoff Dornan, Jim Harrison, Erin Meehan, Tom Ainsworth, Larry Blitzstein, Bruce Bolf, Robert Beland, Bryan Hudson, Tad Dunbar, KOLO-TV, RENO; Craig Swope, Luree Ratto, KPTL-RADIO, CARSON CITY; Paul Stowell, Paula Mathis, Paula Dilworth, KTNV-TV, LAS VEGAS; Dennis Myers, Chris Carter, Jeff Humphrey, Steve Kindred, Les Kumagai, Tony Kovaleski, Al Lundeen, Jim Ogle, Terri Russell, Sharon Spangler, Bill Brown, Lise Mousel, KTVN-TV, RENO; Dan Burnes, Hank Tester, Scott Andrus, Marti VanDorn, Darwin Morgan, Rick Kirkham, Ricky Cheese; KVBC-TV, LAS VEGAS; Torrey Sheen, KWNA, Winnemucca; Laura Wingard, LAS VEGAS REVIEW-JOURNAL; George McCabe, Cayrn Shetterly, LAS VEGAS SUN; Michele Quintero, Don Hamm, Sue Morrow, Jo Ewald, Joe Lowell, Laura Belaustegui, Marianna Haun, Richard Cornett, Lisa J. Tolda, Lou Thomas, NEVADA APPEAL, CARSON CITY; Tanya Branson, Chris Fotheringham, Dave Trussell, NORTH LAKE TAHOE BONANZA; John Nygard, PRO VIDEO PRODUCERS, RENO; Travis T. Hipp, RAWHIDE REALITIES REVIEW; Lee Adler, RIOTERS NEWS SERVICE; Lenita Powers, Courtney Brenn, Wayne Melton, Marge Cartwright, Laura Myers, Jane Morrison, Pat Harrison, Ken Miller, Don Vetter, Doug McMillan, Steve Papinchak, RENO GAZETTE JOURNAL; Guy Shipler, SACRAMENTO BEE; Geoff Shumacher, SAGEBRUSH, UNR; Ruth Mills, SPARKS TRIBUNE, Rob Wells, TAHOE DAILY TRIBUNE; Donald Williams, Bob Patrick, THE PRODUCTION COMPANY, LAS VEGAS; Jon Paul Davidson, Beth Davidson, TRI VIDEO TELEPRODUCTIONS, INCLINE VILLAGE; Cy Ryan, Kristin Miller, Sandy Chereb,

UNITED PRESS INTERNATIONAL; Alfred Gomes, YELLIN' REBEL, UNLV.

Motion carried.

A committee from the Senate composed of Senators Townsend, O'Donnell and Jones appeared before the bar of the Assembly and announced that the Senate was organized and ready for business.

Assemblyman Schofield reported that his committee had informed the Senate that the Assembly was organized and ready for business.

Assemblyman Jeffrey reported that his committee had informed the Governor that the Assembly was organized and ready for business.

MESSAGES FROM THE SECRETARY OF STATE

STATE OF NEVADA

DEPARTMENT OF STATE

CARSON CITY, NEVADA, January 19, 1987

HONORABLE JOSEPH E. DINI, *Speaker of the Nevada Assembly,* Assembly Chamber, Legislative Building, Carson City, Nevada 89710

DEAR JOE:

In compliance with the laws of the State of Nevada, please find enclosed Assembly Bills 96, 374, 387 and 605 of the 63rd session, which were vetoed by Governor Bryan. The Governor's veto message is also enclosed.

Cordially,

FRANKIE SUE DEL PAPA
Secretary of State

STATE OF NEVADA

DEPARTMENT OF STATE

CARSON CITY, NEVADA, January 19, 1987

HONORABLE JOSEPH E. DINI, *Speaker of the Nevada Assembly,* Assembly Chamber, Legislative Building, Carson City, Nevada 89710

DEAR JOE:

In compliance with the laws of the State of Nevada, I return herewith Assembly Joint Resolutions 22 and 27 of the 63rd session for the consideration of the houses.

Cordially,

FRANKIE SUE DEL PAPA
Secretary of State

MESSAGES FROM THE GOVERNOR

STATE OF NEVADA

EXECUTIVE CHAMBER

CARSON CITY, NEVADA 89710, January 19, 1987

THE HONORABLE JOE DINI, *Speaker of the Assembly,* Nevada State Legislature, Legislative Building, Carson City, Nevada 89710

DEAR SPEAKER DINI:

With permission of your honorable body, I propose to address the Legislature sitting in joint session on the State of the State. I suggest the hour of 7:00 p.m. on January 21, 1987. I await your confirmation.

Sincerely,

RICHARD H. BRYAN
Governor

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that vetoed Assembly Bills Nos. 96, 374, 387 and 605 of the 63rd Session be made a Special Order of Business for Tuesday, January 27, 1987, at 11:15 a.m.

Motion carried.

Mr. Speaker announced the following standing committees, the first-named member of each committee being the chairman, the second-named being the vice-chairman:

COMMERCE—

Jeffrey, Wisdom, Fay, Nevin, Porter, Schofield, Sedway, Thompson, Myrna Williams, DuBois, Kerns, McGaughey, Nicholas.

ECONOMIC DEVELOPMENT, SMALL BUSINESS AND TOURISM—

Price, Triggs, Garner, Gaston, Spinello, Swain, Wendell Williams, Humke, Lambert, Tebbs, Thomas.

EDUCATION—

Craddock, Gaston, Adler, Arberry, Callister, Freeman, Haller, Kissam, Triggs, Carpenter, Getto, Lambert, Tebbs.

ELECTIONS—

Swain, Wendell Williams, Evans, Fay, Porter, Wisdom, Bergevin, DuBois, Nicholas.

GOVERNMENT AFFAIRS—

Thompson, Craddock, Adler, Banner, Brookman, Freeman, Garner, May, Nevin, Bergevin, Kerns, Lambert, McGaughey.

HEALTH AND WELFARE—

Arberry, Porter, Brookman, Freeman, Garner, Haller, Kissam, Wendell Williams, Wisdom, Carpenter, Humke, Kerns, McGaughey.

JUDICIARY—

Sader, Myrna Williams, Callister, Gaston, Haller, Kissam, Porter, Triggs, Carpenter, DuBois, Nicholas, Spriggs, Thomas.

LABOR AND MANAGEMENT—

Banner, Fay, Jeffrey, Thompson, Wendell Williams, Wisdom, Bergevin, Carpenter, Tebbs.

LEGISLATIVE FUNCTIONS—

Myrna Williams, Jeffrey, Dini, Nevin, Schofield, Sedway, Getto, Humke, McGaughey.

NATURAL RESOURCES, AGRICULTURE AND MINING—

Schofield, Brookman, Adler, Callister, Sader, Spinello, Thompson, Getto, Marvel, Nicholas, Spriggs.

TAXATION—

May, Adler, Craddock, Gaston, Price, Triggs, Myrna Williams, Bergevin, Lambert, Marvel, Spriggs.

TRANSPORTATION—

Nevin, Banner, Evans, Fay, Garner, May, DuBois, Kerns, Thomas.

WAYS AND MEANS—

Sedway, Price, Arberry, Dini, Evans, Jeffrey, Schofield, Spinello, Swain, Getto, Humke, Marvel, Tebbs.

MAJORITY FLOOR LEADER—

John E. (Jack) Jeffrey.

ASSISTANT MAJORITY FLOOR LEADER—
Leonard V. Nevin.
MAJORITY WHIP—
Robert M. Sader.
MINORITY FLOOR LEADER—
Louis W. Bergevin.
ASSISTANT MINORITY FLOOR LEADER—
John DuBois.

By Assemblymen Dini and Bergevin:

Assembly Resolution No. 1—Adopting the standing rules of the assembly for the 64th session of the legislature.

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, That the Assembly Standing Rules as amended by the 63rd session are adopted, with the following changes, as the Standing Rules of the Assembly for the 64th session of the legislature:

1. Rule 23 is hereby amended to read as follows:

23

Committee on Ethics.

1. The Committee on Ethics consists of:

(a) Two members of the Assembly appointed by the Speaker from the majority political party;

(b) One member of the Assembly appointed by the Minority Leader from the minority political party; and

(c) Two qualified electors of the state [,] *chosen by the members of the committee who are appointed pursuant to paragraphs (a) and (b),* neither of whom is a present or former member of the legislature or employed by the State of Nevada.

2. The speaker shall appoint two members of the Assembly, one from the majority political party and one from the minority political party to serve as alternate members of the committee. If a member is disqualified, the alternate appointed from the same political party shall serve as a member of the committee during the consideration of a specific question.

3. A member is disqualified if he is the requester of advice concerning a question of ethics or conflict of interest, or if the advice is requested by another member of the Assembly and a reasonable person in his situation could not exercise independent judgment on the matter in question.

4. The committee shall hear complaints on alleged breaches of ethics and conflicts of interest, brought by legislators and others, and it may advise legislators on questions of breaches of ethics and conflicts of interest. All proceedings by the committee on matters of ethics or conflicts of interest are confidential unless a legislator:

(a) Against whom a complaint is brought requests a public hearing;

(b) Discloses the opinion of the committee at any time after his hearing; or

(c) Discloses the content of an advisory opinion issued to him by the committee.

5. A complaint which alleges a breach of ethics or a conflict of interest [shall] *must* be in writing and signed by the person making the allegation. The complaint [shall] *must* be filed with the chairman and he shall send a copy of the complaint, within 24 hours after receiving it, to the legislator against whom the complaint is brought.

6. The criterion to be applied by the committee in determining whether a legislator has a conflict of interest is whether the independence of judgment of a reasonable person in his position upon the matter in question would be materially affected by:

(a) His acceptance of a gift or loan; or

(b) His private economic interest.

7. A legislator who determines that he has a conflict of interest may vote upon, advocate or oppose any measure as to which a potential conflict exists if he makes a general disclosure of [such] *the* conflict.

2. Rule 40 is hereby amended to read as follows:

40

Standing Committees.

The standing committees of the Assembly are as follows:

1. Ways and Means, thirteen members.
2. Judiciary, thirteen members.
3. Taxation, eleven members.
4. Elections, [seven] *nine* members.
5. Education, [nine] *thirteen* members.
6. Legislative Functions, [seven] *nine* members.
7. Natural Resources, Agriculture and Mining, [seven] *eleven* members.
8. Labor and Management, nine members.
9. Transportation, nine members.
10. Commerce, thirteen members.
11. Economic Development , *Small Business* and Tourism, [nine] *eleven* members.
12. Health and Welfare, [seven] *thirteen* members.
13. Government Affairs, thirteen members.

3. Rule 45 is hereby repealed and its number reserved for future use.

4. Rule 52 is hereby amended to read as follows:

52

Concurrent Referrals.

When a bill or resolution is referred to two committees the bill or resolution [will] *must* go to the first committee named, where it [will] *must* be acted upon; then, the bill or resolution [will] *must* pass to the second committee named, and that committee [will pass] *must act* upon it. If the first committee votes to amend the bill or resolution, it [shall] *must* be reprinted with amendments and then sent immediately to the next committee. If there is no amendment proposed by the first committee, the bill or resolution [shall] *must* be sent with the committee recommendation immediately to the second committee. If one committee reports unfavorably and the other favorably, the bill or resolution [will] *must* not be reported to the Assembly. [However, the committee which votes not to report the bill or resolution out with favorable recommendation shall report to the Assembly in regular session, stating the reasons for not approving the bill or resolution.]

5. Rule 101 is hereby added to read as follows:

Organization of Assembly—Even Division of Members-Elect.

1. The provisions of this rule apply only if it appears from the roll of the members-elect of the Assembly prepared by the Secretary of State pursuant to subsection 1 of NRS 218.100 that the total number of the members-elect of the Assembly is evenly divided between two political parties.

2. If the total number of members-elect of the Assembly is evenly divided between two political parties, the members of each political party shall meet together publicly in the Assembly chambers with the Secretary of State, who shall determine, by lot, which party will have the leadership of the Assembly. The winning political party may select the Speaker and Speaker pro Tempore of the Assembly and have the majority of the members on the even-numbered standing committees as designated in Assembly Standing Rule 40 of the previous legislative session. The losing political party may have the majority of the members on the remaining standing committees designated in Assembly Standing Rule 40 of the previous legislative session. The membership of each standing committee must be divided evenly between the political parties, except that the party authorized to have the majority of the members on the committee may have one additional member and designate the chairman of the committee.

3. Upon organization of the Assembly, the Speaker shall not change the designation of the chairman and members of the standing committees made pursuant to subsection 2.

6. Rule 108 is hereby repealed and its number reserved for future use.

7. Rule 111 is hereby amended to read as follows:

111

Consent Calendar . [Procedures.]

1. On or before the 80th calendar day of a regular session, a standing committee may by unanimous vote of the members present report a bill with the recommendation that it be placed on the consent calendar. The question of recommending a bill for the consent calendar may be voted upon in committee only after the bill has been recommended for passage and only if no amendment is recommended. If the bill is an Assembly bill, it [shall] *must* be engrossed upon receipt by the Chief Clerk of the committee's recommendation.

2. The Chief Clerk shall maintain a list of bills recommended for the consent calendar. The list [shall] *must* be printed in the daily history and [shall] *must* include the summary of each bill, and the date the bill is scheduled for consideration on final passage.

3. Unless postponed by motion, the consent calendar [shall] *must* be considered on Monday and Thursday. A bill reported on Friday to Monday, inclusive, is eligible to be considered on the following Thursday; a bill reported on Tuesday to Thursday, inclusive, is eligible to be considered on the following Monday.

4. At any time before the presiding officer calls for a vote on the passage of the consent calendar, a member may give written notice to the Chief Clerk or state orally from the floor of the Assembly in session that he objects to the inclusion of a particular bill on the consent calendar. If a member so objects, the Chief Clerk shall remove the bill from the consent calendar and transfer it to the second reading file. A bill removed from the consent calendar [shall] *may* not be restored to that calendar.

5. During floor consideration of the consent calendar, members may ask questions and offer explanations relating to the respective bills.

6. When the consent calendar is brought to a vote, the bills remaining on the consent calendar [shall] *must* be read by number *and summary* and the vote [shall] *must* be taken on their final passage as a group.

8. Rule 120 is hereby amended to read as follows:

120

Order of Business.

The 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 of Legislative Measures.
10. Reference of Measures to Committees.

11.] , *First Reading and Reference.*

10. Consent Calendar.

[12.] *11.* Second Reading and Amendment.

[13.] *12.* General File and Third Reading.

[14.] *13.* Unfinished Business of Preceding Day.

[15.] *14.* Special Orders of the Day.

[16.] *15.* Remarks from the Floor, limited to ten minutes.

TEXT OF REPEALED RULES

45

Reports of Committees.

All bills, resolutions, or other matter referred to any committee shall be reported back by such committee to the Assembly, together with the action of the committee thereon, as soon as practicable after such reference.

108

Committee Referral.

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.

Assemblyman Myrna Williams moved the adoption of the resolution.

Remarks by Assemblymen Myrna Williams and Jeffrey.

Resolution adopted.

By Assemblymen Dini and Bergevin:

Assembly Resolution No. 2—Providing allowances to the leaders and other members of the assembly for periodicals, stamps, stationery and communications.

Assemblyman Myrna Williams moved the adoption of the resolution.

Resolution adopted.

By the Committee on Legislative Functions:

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 64th session of the Legislature of the State of Nevada: Carol Moore, Joan Anderson, Amy Phelps, Kathryn Kaessner, Martha Barnes, Iris Bellinger, Jacqueline Belmont, Rebecca Boatwright, Morse Burley, Debra Campbell, Christy Canatsey, Mary Carel, Elaine Christofferson, Jeanie Davis, Betty Day, Carol Dickerson, Nancy Dickson, Roger Drum, Sally Dunfield, Jody Dunn, Ginger Eaton, Joan Eisner, Robert Elliott, Thomas Fitzsimmons, Sandra Gagnier, Sharon Hall, Patricia Hatch, Susan Hella, Frances Hill, Martha Herndon, JorJan Hopwood, Lavelle Johnson, Clare Jones, Robert Kenneston, Cheri Kinsley, Martha Laird, Gloria Lohner, Yhvona Martin, Carol Martini, Jane Mathis, Sylvia Mays, Carole Miller, David Mueller, Virginia Nevin, Kathryn Pereos, Joe Pieretti, Shanna Pozzi, Marjorie Robertson, Christine Shaw, Joylyn Smith, Vicki Stevens, Teresa Talley, Cheryl Thurston, Carol Troop, Kevin Uhart and Richard Williams.

Assemblyman Myrna Williams moved the adoption of the resolution.

Resolution adopted.

By Assemblymen Dini and Bergevin:

Assembly Concurrent Resolution No. 1—Adopting the joint rules of the senate and assembly for the 64th session of the legislature.

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, THE SENATE CONCURRING, That the Joint Rules of the Senate and Assembly as amended by the 63rd session are adopted, with the following change, as the Joint Rules of the Senate and Assembly for the 64th session of the legislature:

Rule 15 is hereby amended to read as follows:

15

Continuation of Leadership of the Senate and Assembly During the Interim Between Sessions.

[The] *1. Except as otherwise provided in subsections 2 and 3, the* tenure of the president pro tem, majority leader and minority leader of the Senate and the speaker, speaker pro tem, majority leader and minority leader of the Assembly extends during the interim between regular sessions of the legislature . [and until the election of their successors at the next succeeding regular session.]

2. The senators designated to be the president pro tem, majority leader and minority leader, respectively, of the next succeeding regular session shall perform any statutory

duty required in the period between the general election and the organization of the next succeeding regular session of the legislature if the senator formerly holding the respective position is no longer a legislator.

3. The assemblymen designated to be the speaker, speaker pro tem, majority leader and minority leader of the assembly, respectively, of the next succeeding regular session shall perform any statutory duty required in the period between the general election and the organization of the next succeeding regular session.

Assemblyman Myrna Williams moved the adoption of the resolution.

Resolution adopted.

Assemblyman Jeffrey moved that all rules be suspended and that Assembly Concurrent Resolution No. 1 be immediately transmitted to the Senate.

Motion carried unanimously.

By the Committee on Taxation:

Assembly Joint Resolution No. 22 of the 63rd Session—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.

Assemblyman Jeffrey moved that the resolution be referred to the Committee on Taxation.

Motion carried.

By Assemblymen Nicholas, Bergevin and Humke:

Assembly Joint Resolution No. 27 of the 63rd Session—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.

Assemblyman Jeffrey moved that the resolution be referred to the Committee on Taxation.

Motion carried.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, January 19, 1987

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

INTRODUCTION, FIRST READING AND REFERENCE

Senate Bill No. 1.

Assemblyman Jeffrey moved that all rules be suspended, reading so far had considered first reading, rules further suspended, bill declared an emergency measure under the Constitution and placed on third reading and final passage.

Motion carried unanimously.

By Assemblymen Getto and Dini:

Assembly Bill No. 1—An Act relating to the registration of motor vehicles; excluding the weight of farm equipment and certain vehicles and vessels from the weight upon which certain fees are based; authorizing registration for 90 consecutive days; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Getto, Dini, Bergevin, Sedway, May, Kerns, Jeffrey, Banner, Nicholas, Sader, Marvel, Gaston, Myrna Williams, Thomas, Arberry, Thompson, Lambert, McGaughey, Tebbs, Nevin, Brookman, Fay, Adler, Spriggs, Triggs and Schofield:

Assembly Bill No. 2—An Act relating to highways; designating a portion of U.S. 50 as the most desolate scenic highway in the United States; directing the department of transportation to erect suitable markers; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen McGaughey, Thompson, Schofield, Craddock, Arberry, Wendell Williams, Banner, Gaston, Myrna Williams, Wisdom, Jeffrey, Sedway, Tebbs, Callister, Brookman, Spinello, Fay, Triggs, May, Kissam, Porter, DuBois, Garner and Price:

Assembly Bill No. 3—An Act relating to control of floods; advancing the effective date of the tax levied for the support of the Clark County Regional Flood Control District; and providing other matters properly relating thereto.

Assemblyman McGaughey moved that the bill be referred to the Committee on Taxation.

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 4—An Act relating to the incorporation of cities; imposing a temporary moratorium in certain counties on incorporation under the provisions of chapter 266 of NRS; and providing other matters properly relating thereto.

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

Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 1.

Bill read third time.

Remarks by Assemblyman Jeffrey.

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.

REMARKS FROM THE FLOOR

Assemblyman Fay requested that Assemblyman Price's remarks be entered in the Journal.

For the next 12 months Nevadans, like all Americans, will observe and celebrate the bicentennial of our beloved Constitution of the United States of America. That marvelous,

aged, but not out-of-date, document of inspiration and genius, so broad and farsighted that its provisions remain vitally relevant to our lives two centuries later, drafted by those 55 Americans of destiny, 200 years ago during that warm, sweltering summer of 1787 in Philadelphia, Pennsylvania.

This year is a time to reaffirm our commitment to the principles of individual freedom and democratic government, and to express our gratitude for the wisdom of the Founding Fathers, with determination that their work will endure for countless future generations. As Martin Luther King, Jr., whose birthday we are remembering today, once said, "The time is always right to do what is right."

The bicentennial celebration is truly the right time for Americans to reflect upon those principles which have nobly governed our nation and served as a beacon for free people throughout the world.

In 1986, I was honored to be appointed by Governor Bryan to Nevada's Committee on the Bicentennial of the Constitution of the United States.

During this 64th Session, with the permission of the Speaker and this honorable body, under the title "Constitutional Moment," I will daily enter into the Assembly Minutes, various items of interest and significance to the development of the U.S. Constitution as well as our Nevada Constitution and history.

The new year, 1787, began on a Monday and it was warm and humid in Philadelphia. Congress was to have convened in New York City on November 6, 1786; however, 57 days later they were still lacking a quorum. During the next few days Daniel Jones announced in the Pennsylvania Gazette that he planned to open a school for the "instruction of young ladies in the useful branches of female education, particularly the act of reading." Noah Webster was in Philadelphia getting his spelling book republished. William Samuel Johnson, later to be a delegate from Connecticut to the Constitutional Convention, visited friends in New York and paid one pound, five shillings, and six pence for having his clothes washed. On Wednesday, January 17, 73 days after its scheduled meeting, Congress finally had a quorum. Ben Franklin turned 81 and suffered from gout and kidney stones. Fortunately, there was no national TV to inform the public of his maladies. Two hundred years ago today, George Washington went to French's and marked the fields by stakes and General Horatio Gate, whom Washington despised, wrote to congratulate him on his appointment as a delegate to the convention and to invite Washington to attend a May 2nd meeting of the Society of Cincinnati.

Sixty-eight years later on January 19, 1855, 130 years ago today, Governor Brigham Young and the Legislative Assembly of the Territory of Utah passed a resolution entitling Carson County (encompassing what is now all of Carson City, Douglas, Lyon, Churchill, Pershing, Storey, and Washoe counties, as well as parts of Esmeralda, Mineral and Nye counties) to a representative in the Legislative Assembly. Enoch Reese occupied that seat when the Legislature convened on December 11, 1855.

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. Jay Dini, Mrs. Becky Dini, Mss. Tiffany Dini, Heather Dini, Messrs. Josh Dini, George Dini, Mrs. Gretchen Dini, Messrs. Jeffery Dini, David Dini, Mss. Mandy Dini, Jenny Dini, Kristini Dini, Mr. David Dini, Mrs. Toska Dini, Ms. April Dini, Messrs. Dominic Dini, Brandon Dini, Michael Dini, Mss. Billie Mier, Chelsea Bibb, Lavern Marwin, Beverly Wilkey, Vivian Picket, Messrs. Marty Bibb, Forrest Bibb, Andrew Bibb, Ron Marwin and Norton Picket.

On request of Assemblyman Adler, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Joseph McKnight, Mss. Arlene McKnight, Sarah Mersercan-Adler, Debra Biley-Nevin, Sandy Marcelli and Chris Eakil.

On request of Assemblyman Banner, the privilege of the floor of the Assembly Chamber for this day was extended to Mss. Dorothy Winter Howard and Alice Winter Banner.

On request of Assemblyman Bergevin, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Luetta D. Bergevin, Ms. Jeanne A. Russell, Messrs. Matthew Russell and Timothy Russell.

On request of Assemblyman Brookman, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. George G. Brookman.

On request of Assemblyman Callister, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Linda Michelle Callister, Mss. Emily Anne Callister and Margo Callister.

On request of Assemblyman Carpenter, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Roseann Carpenter, Mss. Linda Carpenter, Lois Carpenter, Teresa Carpenter and Mr. Scott Carpenter.

On request of Assemblyman Craddock, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Lupe Gunderson.

On request of Assemblyman DuBois, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Judy DuBois.

On request of Assemblyman Evans, the privilege of the floor of the Assembly Chamber for this day was extended to Mss. Laurena Evans, Terry Stone, Phyllis Kaiser, Joni Kaiser, Christel Neldner, Jackie Reilly, Marynne Aaronson, May Shelton and Janet Carter.

On request of Assemblyman Fay, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. James P. Flood and Emil Antalik.

On request of Assemblyman Freeman, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Julia Ruff, Messrs. Raymond Ruff, Richard O. Freeman, Bill Dye, Tom Watters, Mss. Mitzi Freeman and Grace Dye.

On request of Assemblyman Gaston, the privilege of the floor of the Assembly Chamber for this day was extended to Mesdames Kathleen Gaston, Bonnie Bryan and Ms. Naomi Millison.

On request of Assemblyman Garner, the privilege of the floor of the Assembly Chamber for this day was extended to Mss. Carolyn Garner, Jill Manzer, Messrs. Gary Garner, Chad Garner and John Manzer.

On request of Assemblyman Getto, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Pat Getto and Ms. Stephanie Tyler.

On request of Assemblyman Haller, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Don Cavallo, Steven D. Keltie, Mss. Cindy Gehman, Diana Gish, Helen No, Michelle Dilwith, Marla Mueller and Roberta Stedfield.

On request of Assemblyman Humke, the privilege of the floor of the Assembly Chamber for this day was extended to Mss. Lezli Winchell, Jennifer Humke and Liz Humke.

On request of Assemblyman Kissam, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Margie Kissam, Ms. Chris Giunchigliani and Mr. Gary Gray.

On request of Assemblyman Lambert, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Gregory Lambert, Ken Lambert and Rick Lambert.

On request of Assemblyman Marvel, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Cameron Drake, Mesdames Willie Marvel, Sharon Andreasen and Ms. Amber Andreasen.

On request of Assemblyman McGaughey, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. James W. McGaughey, III, Jim Santiago and Ms. Shirley Santiago.

On request of Assemblyman May, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Al Alleman and Mrs. Lucille May.

On request of Assemblyman Nevin, the privilege of the floor of the Assembly Chamber for this day was extended to Mss. Cindy Nevin and Gail Capurro.

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 Poppenhager.

On request of Assemblyman Porter, the privilege of the floor of the Assembly Chamber for this day was extended to Mss. Bridget Whitehurst, Kim Webster, Sue Strand and Vicki Demas.

On request of Assemblyman Price, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Nancy Price, Mss. Kelly Smith, Jean Rivas, Amber Price, Andre Fagg and Mr. Bill Price.

On request of Assemblyman Schofield, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Billie Lee Schofield, Messrs. Mark W. Schofield and Richard T. Schofield.

On request of Assemblyman Thompson, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Debora Thompson.

On request of Assemblyman Triggs, the privilege of the floor of the Assembly Chamber for this day was extended to Dr. Jonna F. Triggs.

On request of Assemblyman Myrna Williams, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Dave Williams.

On request of Assemblyman Wisdom, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Richard B. Lorantas, Charles P. Wisdom, George Hawes, Mss. Barbara Kay Lorantas and Karen D. Wisdom.

Assemblyman Arberry moved that the Assembly adjourn until Tuesday, January 20, 1987 at 11 a.m., and that it do so in memory of Dr. Martin Luther King, Jr.

Motion carried.

Assembly adjourned at 2:05 p.m.

Approved: JOSEPH E. DINI, JR.
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE SECOND DAY

CARSON CITY (Tuesday), January 20, 1987

Assembly called to order at 11:02 a.m.
Mr. Speaker presiding.
Roll called.
All present.

Prayer by the Chaplain, The Reverend Father Sam Caldwell.

O Lord God, guide all those to whom have been committed the government of this nation, this state, and our local communities—especially Ronald, our President; Richard, our Governor, and all our elected leaders, especially the Assemblymen and Assemblywomen gathered here from throughout the State of Nevada. Grant them, we pray, throughout their deliberations, gifts of wisdom and understanding; 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 all humility, O God our Creator, our Redeemer, and our Source of Strength. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Jeffrey moved that further reading of the Journal be dispensed with, and the Speaker and Chief Clerk be authorized to make the necessary corrections and additions.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Nicholas, Lambert and Thompson:

Assembly Bill No. 5—An Act relating to the Tahoe Regional Planning Compact; incorporating various changes proposed by legislation enacted by the State of California; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Thompson and Jeffrey:

Assembly Bill No. 6—An Act relating to the City of Henderson; reducing the number of appraisals required to dispose of land owned by the city; clarifying the term of office for judges of the municipal court; adding certain projects to the categories of authorized local improvements; repealing an obsolete provision; and providing other matters properly relating thereto.

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

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen Haller, Nevin and Freeman:

Assembly Joint Resolution No. 1—Proposing to repeal section 24 of article 4 of the Nevada constitution which prohibits lotteries.

RESOLVED BY THE ASSEMBLY AND SENATE OF THE STATE OF NEVADA, JOINTLY, That section 24 of article 4 of the constitution of the State of Nevada be repealed.

TEXT OF REPEALED SECTION

Sec: 24. Lotteries prohibited. No lottery shall be authorized by this State, nor shall the sale of lottery tickets be allowed.

Assemblyman Haller moved that the resolution be referred to the Committee on Judiciary.

Motion carried.

REMARKS FROM THE FLOOR

Assemblyman Triggs requested that Assemblyman Price's remarks be entered in the Journal.

On this date in 1783, four years before the birth of the Constitution, the American Colonies and Britain signed a prelimimary "cessation of hostilities" agreement. This led to the Treaties of Paris and Versailles on September 3, 1783, which ended the American Revolutionary War.

Two hundred years ago on Saturday, January 20, 1787, Noah Webster went to the State House to hear Attorney General William Bradford argue a case, and "was pleased with him." Quaker housewife Ann Warder spent the morning mending stockings, and Connecticut's William Johnson, while waiting in New York to attend Congress, paid 12 shillings and four pence for daily expenses. The Maryland Legislature failed to reach agreement on whether or not they would participate in the Constitutional Convention.

During this week, 131 years ago in 1856, special acts were approved by the Utah Territorial Legislature for Carson County one of which appropriated $1,200 "for mileage and payment of six guards from Carson County, to guard the representative from said county, and back again." And to think our main obstacle to travel today is catching the 6:05 flight. One year later during this week in 1857, an act was approved which attached Carson County to Great Salt Lake County for "election, revenue and judicial purposes." This attachment was a particularly unacceptable situation in view of the fact the two counties did not form a contiguous territory. This required residents of Carson Valley to travel over 500 miles to inspect the official county records.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Jeffrey, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Craig Burkett.

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 Nicholas, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Jim Cavilia.

On request of Assemblyman Spriggs, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Roy Spriggs.

On request of Assemblyman Price, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Kelly Smith.

Assemblyman Jeffrey moved that the Assembly adjourn until Wednesday, January 21, 1987 at 11 a.m.

Motion carried.

Assembly adjourned at 11:20 a.m.

Approved: JOSEPH E. DINI, JR.
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE THIRD DAY

CARSON CITY (Wednesday), January 21, 1987

Assembly called to order at 11 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, The Reverend Father Samuel 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 for whom we have been elected to serve. Help us always to do those things which are in accordance with Your divine law. 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 Your Holy Name, our Lord and Creator. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Jeffrey moved that further reading of the Journal be dispensed with, and the Speaker and Chief Clerk be authorized to make the necessary corrections and additions.

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

By the Committee on Commerce:

Assembly Concurrent Resolution No. 2—Directing the Legislative Commission to study mandatory coverage in policies of health insurance for mental illness and abuse of alcohol and drugs.

Assemblyman Jeffrey moved that the resolution be referred to the Concurrent Committees on Commerce and Health and Welfare.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Bergevin, Nevin, McGaughey, Craddock and Thompson:

Assembly Bill No. 7—An Act relating to the residential construction tax; restricting its use to the immediate area from which it was collected; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Commerce:

Assembly Bill No. 8—An Act relating to mortgage companies; allowing certain companies which are exempt from the requirement of licensing of

mortgage companies to maintain accounts for repayment of loans; clarifying authorized activities of licensed mortgage companies; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

By the Committee on Commerce:

Assembly Bill No. 9—An Act relating to financial institutions; requiring the administrator of financial institutions to employ a certified public accountant; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

By the Committee on Commerce:

Assembly Bill No. 10—An Act relating to financial institutions; requiring the administrator of financial institutions to establish a uniform rate for certain examinations of financial institutions; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

By the Committee on Commerce:

Assembly Bill No. 11—An Act relating to real estate brokers and salesmen; permitting the holder of an inactive license to be licensed as an escrow agent or agency; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

By the Committee on Commerce:

Assembly Bill No. 12—An Act relating to personal property brokers; providing in skeleton form for their regulation; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

By the Committee on Commerce:

Assembly Bill No. 13—An Act relating to mortgages; requiring title insurance for and the recording of an assignment of an interest in a mortgage; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

By the Committee on Commerce:

Assembly Bill No. 14—An Act relating to mortgage companies; requiring licensing of agents; specifying the powers and duties of the administrator of financial institutions with respect to agents; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

By the Committee on Commerce:

Assembly Bill No. 15—An Act relating to financial planning; requiring certain disclosures by a person who charges a fee for advice concerning investment of money; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

By the Committee on Commerce:

Assembly Bill No. 16—An Act relating to deeds of trust; requiring a request for reconveyance of encumbered property to be notarized and recorded; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

By the Committee on Commerce:

Assembly Bill No. 17—An Act relating to holding companies; including health maintenance organizations which are combined with holding companies within the provisions which regulate insurance holding companies; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

By Assemblymen Bergevin and Sader:

Assembly Bill No. 18—An Act relating to legislative audits; revising the provisions governing the confidentiality of legislative audits; and providing other matters properly relating thereto.

Assemblyman Bergevin moved that the bill be referred to the Committee on Legislative Functions.

Motion carried.

By Assemblymen Bergevin and Sader:

Assembly Bill No. 19—An Act making an appropriation to the department of administration for the drafting of legislative measures for executive agencies and the judicial department for the 64th session of the Nevada legislature; and providing other matters properly relating thereto.

Assemblyman Bergevin moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By Assemblymen Bergevin and Sader:

Assembly Bill No. 20—An Act making an appropriation to the fund for the governor's portrait; and providing other matters properly relating thereto.

Assemblyman Bergevin moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By Assemblymen Bergevin and Sader:

Assembly Bill No. 21—An Act making an appropriation to the legislative counsel bureau for the reproduction of older Nevada Reports; and providing other matters properly relating thereto.

Assemblyman Bergevin moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

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

Assembly in recess at 11:09 a.m.

ASSEMBLY IN SESSION

At 11:26 a.m.

Mr. Speaker presiding.

Quorum present.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, January 21, 1987

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. 2.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Senate Joint Resolution No. 2.

Assemblyman Nevin 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.

Assemblyman Myrna Williams 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: Jim King, KLKT-FM TAHOE 100; Robert Bloom, Gene Bradford, Ron Fields, Mark Jacobs, Dan Mastroluca, Marti van Dorn, Rikki Cheese, Dave Courvoisier, Hank Tester, Rick Kirkham, Darwin Morgan, Gwen Castaldi, Chris Johnson, KVBC LAS VEGAS.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Taxation:

Assembly Bill No. 22—An Act relating to public employees' retirement; including property that is subject to use tax in the formula for calculating increases in rates of contribution to the public employees' retirement fund and the police and firemen's retirement fund; and providing other matters properly relating thereto.

Assemblyman May moved that the bill be referred to the Committee on Taxation.

Motion carried.

By Assemblymen Sedway, Bergevin, Thompson, Banner, Myrna Williams, Arberry, Garner, Nicholas, Wendell Williams, Sader, DuBois, Dini, Jeffrey, Nevin, Porter and Thomas:

Assembly Bill No. 23—An Act relating to the disposition of unclaimed property; providing for a judicial determination of whether certain property presumed abandoned for 7 years has escheated to the state; and providing other matters properly relating thereto.

Assemblyman Sedway moved that the bill be referred to the Committee on Commerce.

Motion carried.

By Assemblymen Sedway, Arberry, Dini, Jeffrey, Thompson, Banner, Myrna Williams, Garner, Nicholas and Wendell Williams:

Assembly Bill No. 24—An Act relating to public assistance; extending aid to dependent children to include a child who lives with both parents; and providing other matters properly relating thereto.

Assemblyman Sedway moved that the bill be referred to the Concurrent Committees on Health and Welfare and Ways and Means.

Motion carried.

GENERAL FILE AND THIRD READING

Senate Joint Resolution No. 2.

Resolution read third time.

Remarks by Assemblyman Nevin.

Roll call on Senate Joint Resolution No. 2:

YEAS—42.

NAYS—None.

Senate Joint Resolution No. 2 having received a constitutional majority, Mr. Speaker declared it passed.

Resolution ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen Schofield and Dini:

Assembly Joint Resolution No. 2—Urging the Congress of the United States to establish a center at Stewart, Nevada, for the training of persons who respond to emergencies, particularly those involving hazardous materials.

Assemblyman Schofield moved that the resolution be referred to the Committee on Natural Resources, Agriculture and Mining.

Motion carried.

By Assemblymen Schofield and Dini:

Assembly Joint Resolution No. 3—Urging the Congress of the United States to establish strict standards for training drivers who transport hazardous materials and for tracking shipments of hazardous materials.

Assemblyman Schofield moved that the resolution be referred to the Committee on Natural Resources, Agriculture and Mining.

Motion carried.

Assemblyman Jeffrey moved that the Assembly recess until 6:45 p.m.

Motion carried.

Assembly in recess at 11:41 a.m.

ASSEMBLY IN SESSION

At 6:45 p.m.

Mr. Speaker presiding.

Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

Mr. Speaker appointed Assemblymen Craddock and Bergevin 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 Adler and DuBois to escort the President pro Tempore of the Senate to the rostrum.

Mr. Speaker appointed a Committee on Escort consisting of Assemblymen Gaston and Spriggs to escort the President of the Senate to the rostrum.

Assemblyman Craddock 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 6:57 p.m.

President of the Senate presiding.

The Secretary of the Senate called the Senate roll.

All present except Senator Townsend, who was excused.

The Chief Clerk of the Assembly called the Assembly roll.

All present.

The President of the Senate appointed a Committee on Escort consisting of Senator Beyer and Assemblyman Sader 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 Coffin and Assemblyman May 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 E. M. Gunderson, Justice John C. Mowbray, Justice Charles E. Springer, Justice Thomas L. Steffen 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:

STATE OF THE STATE

Mr. President, Mr. Speaker, distinguished members of the Legislature, distinguished Justices of the Supreme Court, and my fellow Nevadans:

Four years ago, I stood before you for the first time to share my hopes for Nevada's future. Tonight, I stand here proud of what we Nevadans have accomplished to fulfill that future.

We have created opportunity for ourselves and our children. We have built a better educational system. We have protected our Nevada way of life.

All of this was made possible because of the bond we Nevadans forged to work together toward common goals.

This year marks the 200th anniversary of another bond. In May of 1787, at the Pennsylvania State House, 55 delegates from competing states took the bold step of devising a new form of government. They drafted the United States Constitution, binding together the diverse interests of 13 states into a common union.

That document gave birth to a nation that has produced abundance and achievements unparalleled in human history.

The genius of our Constitution is that it carefully divides the powers of government among the Executive, Legislative and Judicial branches, reserving to the states all powers

not expressly delegated to the federal government. And that is where you and I, with our respective responsibilities—yours to legislate and mine to run the affairs of state—have the opportunity to shape the destiny of our great state.

This year we enter the third century of the American experience, a century that holds *all* the promise of the last two. Our goal must be to create a state that is prepared for the changes of the next century.

That means preparing our children for the new kinds of jobs that an increasingly complex society will require.

That means ensuring our economic development programs are fashioned to capture for Nevada a fair share of the new technologies that will emerge.

And that means preserving our quality of life—protecting our environment and caring for those among us who require the helping hand of government: the young, the poor, the handicapped, the aged.

We have made a good beginning. We only need to look at how far we have come in the last four years to realize how far we can go.

In 1982, we were locked in the grip of a recession that took a heavy toll on the personal lives of Nevadans and the finances of state government.

In 1983, with your help, we restored stability to state government and implemented an innovative strategy to revive and broaden Nevada's economy.

From 1984 to 1986, Nevada regained its economic vitality, created a record number of new jobs and new businesses, and invested more of our resources in education than ever before.

BUDGET

The challenge we face in 1987 is to meet the demands of Nevada's population growth—the third fastest in the nation. Because of this growth, we have more children to educate, more prople seeking higher education, more families needing social services and more convicted felons to house.

School enrollments increased by an unanticipated 4,300 students this year and will grow by another 11,000 over the next two years.

This year alone, local school districts will need an additional $17.5 million to cover the costs of this unexpected enrollment. I urge your prompt approval of this appropriation.

Similar growth is occurring in the University of Nevada system. Total enrollment is projected to rise by 1,400 students by 1989.

In both cases, that means more teachers to be hired and more classrooms to be built.

When last I prepared the budget, Nevada's Aid to Dependent Children caseload was 13,275. Today, it exceeds 17,000 and is expected to reach 18,700 by 1989.

These are real needs that we cannot ignore.

The budget I submit tonight addresses these needs. It is fair and it is balanced. At a time when many states are drastically cutting services, this budget will allow us to serve Nevadans who need our help.

Above all, this budget maintains the progress we have made and keeps us on course with our goals.

I recommend we spend $91 million *more* for education than was approved by you for the current biennium, a 16.2 percent increase. Fifty-seven cents of every state tax dollar will continue to be devoted to education, reflecting my commitment to keep education our top budget priority.

To keep pace with Nevada's population growth, I have allocated $48 million in new revenue for mental health, child protection and other human services, and $27 million in new funding for public safety, primarily for prisons.

To support these additional appropriations for education and other essential state services, it will be necessary to increase the tax on gross gaming revenues one-quarter percent with another one-quarter percent increase in 1989. This will generate $17.5 million in the next biennium.

I also recommend that the 3 percent insurance premium tax, due to expire this year, be retained. This will add another $14.5 million to the general fund.

There were some hard choices to make. We cannot do everything we want to do. The new demands are just too great.

As the budget was prepared during the late summer and fall, it became evident that state revenues were not growing sufficiently to meet both school enrollment and caseload increases, and still provide cost-of-living adjustments for teachers, university faculty and state employees.

Sales tax collections for April, May, and June of last year increased only 3.5 percent and July posted a modest 1.7 percent gain. Gaming tax collections through October rose only 3.2 percent.

During the late fall, however, sales tax collections improved considerably. The most recent collection figures, received only last week, indicate that for the month of November sales tax collections increased more than 14 percent and gaming tax revenues by 18 percent.

Some economists attribute the current strength in sales tax collections to recent automobile financing incentives and federal tax law changes. They also indicate the November increase in gaming collections may be skewed by its comparison with November 1985, when bad weather reduced business volume in Northern Nevada.

However, the improved revenue collections may reflect the underlying strength of the Nevada economy. I am, therefore, offering a "trigger" salary increase mechanism *unlike* any ever proposed. As this Legislature meets, additional sales and gaming revenue data will become available for the first quarter of calendar year 1987 and, possibly, for the month of April.

If these numbers continue to increase, and *if* the Legislature does not exceed the expenditure recommendations which I am making this evening, we *can* provide salary increases to school teachers, university faculty and state workers effective July 1 of this year. I also propose a more traditional "trigger" to permit additional salary increases, to the extent of available revenues, on July 1, 1988.

Nearly three decades have elapsed since the Legislature last commissioned an overview of the state's financial structure. In recent years, revenues collected from the gaming industry—which account for 45 percent of the state's general fund—have not enjoyed the rate of growth experienced in the years following World War II. Our state is at a crossroads, and it is time once again to examine the state's revenue system to determine its adequacy to meet our demands. This study could be conducted during the interim and its recommendations made to the 1989 Legislature.

ECONOMIC DEVELOPMENT

Four years ago 393,000 Nevadans were working. Today 475,000 Nevadans have jobs.

Four years ago, our unemployment rate was 11.1 percent—today it is 5.7 percent.

And in 1986, Nevada ranked third in new jobs created and in growth of personal income.

And last year more people visited Nevada than ever before—more than 26 million.

Those are impressive numbers. They show we have, indeed, come a long way.

Last year we extended the frontier of our economic development effort with Nevada's first trade mission to Japan. Twenty-six states now have offices or representatives in Japan. I believe the potential exists to generate new jobs and business opportunities for Nevadans by developing closer economic ties with Japan.

For that reason, I recommend Nevada representation in Tokyo.

We also have more opportunities closer to home.

Early last year, we started the Procurement Outreach Program, aimed at helping Nevada businesses win federal government contracts.

So far, this program has helped Nevada businesses obtain nearly $280,000 in federal contracts, including one Nevada company, in business for 31 years, that received its first federal contract. The Nevada office in Washington, D.C., also has played a key role in ensuring we receive a full share of federal grants. In addition, it promotes Nevada with the international business community, raising its awareness of what we have to offer.

The Tokyo office, the Procurement Outreach Program and the Washington, D.C. office will be our calling cards as the nation and the world recognize Nevada's potential. Our

economic development strategies have yielded solid results for Nevadans, and I recommend a 22.6 percent increase in appropriations for these efforts. To strengthen our economic development capability at the local level, we have provided technical assistance and distributed over $2.1 million in grants over the past four years to local government facilities—more than 30 percent to rural Nevada. I recommend that these grants be continued.

Our Motion Picture Division will attract $40 million in movie and television production this year—up from $5.6 million in 1982, before the division was created. I recommend an expansion of this program to include additional film service specialists.

More than 80 percent of Nevada's businesses are small businesses. For that reason, I ask you to approve a new appropriation of $200,000 to assist Nevada's small businesses. I also will establish a Governor's Small Business Advisory Council, headed by Lt. Governor Bob Miller, to give those businesses a strong voice at the highest level of state government.

ENVIRONMENT

The specter of a high-level nuclear waste dump continues to hold our future hostage. Events of the past year have revealed what Nevadans have known all along—that we are targeted for the nuclear dump not on the basis of scientific merit, but because of political expediency in Washington, D.C.

I ask you this evening to join me once again in sending a strong message to Washington: Nevadans do not want our state to become the nation's nuclear graveyard.

LAKE TAHOE

In November, Nevada voters approved $31 million in bonds to purchase environmentally sensitive land in the Tahoe Basin, a fair solution to long-standing concerns of Tahoe property owners who cannot build.

While state money is now available, unfortunate action at the federal level withholding $14 million jeopardizes a final resolution.

Nevadans have made a commitment to protect the remarkable scenic and recreational resources of Lake Tahoe. The bi-state compact continues to be the most effective vehicle to preserve Lake Tahoe's splendor. I will oppose any attempt to withdraw Nevada from the Tahoe Regional Planning Agency and veto any measure reaching my desk which seeks to accomplish that result.

INSURANCE

Nevada's businesses, along with state and local governments, have experienced extraordinary increases in the cost of liability insurance. In some cases, insurance coverage was unavailable regardless of price. Insurers were notifying customers that policies would be cancelled or rates increased in the middle of the policy period. To help alleviate this problem, I issued an executive order forcing insurance companies to justify policy cancellations.

Fortunately, we now have an opportunity for a full evaluation of the causes of the liability crisis. The joint and several liability—or "deep pockets"—doctrine, along with laws requiring insurers to prove they have appropriately calculated their rates, should be examined. The jury is still out on whether tort reform and insurance regulation changes have reduced insurance costs in other states. I commend Attorney General McKay, Chairman of the Coalition for Available/Affordable Liability Insurance, for his efforts, and encourage you to carefully review the coalition's and the National Association of Attorneys General's final recommendations.

The bottom line—regardless of what various interest groups advocate—is that Nevadans should be able to obtain insurance at a fair price.

PRISONS

Since I first took office, the prison population has nearly doubled, and we will need to house an additional 650 convicted felons by 1990. Although we spend less per inmate than any western state, prisons are expensive. Because it costs about one-fifth as much to house

an inmate in an honor camp as it does in a maximum security prison, I recommend the construction of one additional honor camp, which will bring to nine the number of such camps in Nevada.

I also recommend a $45 million bond issue to construct a new maximum security prison in Ely. This bond issue will also provide for engineering and design work for a new medium security prison near Lovelock.

It is with some reluctance that I make these recommendations. My preference would be to allocate these resources elsewhere, but the dramatic growth of our prison population and the overriding considerations of public safety leave us no alternative.

DRUGS

Here in Nevada, as throughout the nation, we are under siege by the deadliest of foes, a parasite that drains the very life from our young people, and exacts a merciless and heavy toll in destroyed dreams and lost human potential.

Illegal drugs *are* everywhere—on our streets, in our schools, in the workplace.

Law enforcement has identified Nevada as a distribution point for drug trafficking. In the last two years, drugs valued at more than $55 million have been seized by the State Investigations Division with help from other law enforcement agencies.

Clearly, we must do all within our power to eliminate this scourge.

Recent federal legislation will give Nevada more than $6.5 million in the next two years to battle drug and alcohol abuse. From those funds and other state funds, I am recommending:

—Local School Districts receive $1.8 million for intensive anti-drug awareness programs.

—The Bureau of Alcohol and Drug Abuse receive more than $1.3 million for county-level prevention and rehabilitation services for "at risk youth."

—More than $3.2 million for state and local law enforcement agencies to use in combating drug traffickers in Nevada.

And for the first time, I recommend benefits under our Victim of Crime Compensation Program be extended to the victims of drunken drivers.

EDUCATION

In late 1984, the Governor's Commission on Educational Excellence set a number of goals to better our educational system. These goals have been achieved: high school graduation requirements have been strengthened; citizens, who pay for our schools, have received a new measure of accountability through the first "report card" on how well our schools are doing; teacher salaries have been increased; first-year teacher competency tests are being developed; and teacher recertification requirements are being updated.

These steps are only a beginning. Our schools, and particularly our teachers, are facing new, heretofore unknown challenges. By 1991, one-half of our students—at some time during their schooling—will come from single-parent families and one of four will live in poverty. Students will come from more diverse backgrounds, with less support from home.

While the demographics have changed, the fundamental job of the teacher hasn't. "A teacher affects eternity," said historian Henry Adams. "He can never tell where his influence stops."

Yet too often we are unmindful of who our teachers are, what they do, and why they should be singled out for the positive and important role they play in society.

Almost all of us can fondly recall a teacher who struck a responsive chord, who sparked an intellectual curiosity, and who dared us to read, speak, write and think. As students, we cared for them because they cared for us.

It is no different today. Teachers continue to care about their students. But they also care about the professional environment of their schools. We must recognize teachers as professionals.

I will establish a new Governor's Commission on Educational Excellence, which will evaluate:

—The policy recommendations of several national education studies.

—How students can benefit and achievement levels improve with increased involvement by teachers in the school decision-making process.

—The merits of a national board of professional teacher standards.

—And whether an adequate portion of the education budget is being spent in the classroom.

Our success in improving our education system is not merely an academic exercise. Our ability to stand up to the competitive forces that have been unleashed by a global economy will hinge upon it.

One out of three Nevadans in high school today will fail to graduate. Without the skills necessary to be successful in our workforce, many of these young men and women appear on our welfare rolls, in our unemployment lines, or in our criminal justice system.

An estimated 90,000 Nevadans lack the basic skill to read, write and compute at the sixth-grade level.

Functional illiterates constitute 75 percent of our unemployed. As the requirements of the job market become more sophisticated, they will be unable to respond to the needs of Nevada employers and new businesses moving into our state.

I have directed the State Job Training Office to set aside more than $1 million to attack the dropout and illiteracy problems in Nevada.

Last fall Nevadans wisely approved Question 5, which allows the state to pick up its share of federal estate taxes.

That measure is expected to generate $10 million over the next two years—all of which goes directly to education.

I am proposing that we divide that money equally between the public schools and the University System.

The $5 million for public schools will be allocated to local school districts for program improvements—with one exception.

I ask that $195,000 be set aside to establish 180 scholarships over the next four years. These scholarships will be used to attract the best and brightest of our high school graduates into the field of education. This will proclaim to our fellow Nevadans the importance we attach to careers in education.

Out of higher education's share of the Question 5 funds, and state funds, I recommend:

—$900,000 at UNLV for a bachelor's degree program in Architecture and a doctoral program in Environmental Biology.

—$1 million for needed support positions as identified by the Higher Education Funding Committee.

—$900,000 to UNR for core faculty at the Mackay School of Mines.

—$900,000 for vocational programs and equipment at our community colleges.

—$400,000 for university library acquisitions.

—$1.2 million to match an equal amount in federal funds under the EPSCOR program, a prestigious National Science Foundation grant.

EPSCOR will help create nationally prominent research centers in Nevada and strengthen the link between our economic development efforts and the University System. This program has the potential to attract new scientific and engineering companies to Nevada.

All of these education initiatives take time and money. But as Derek Bok, the president of Harvard, once said, "If you think education is expensive, try ignorance."

HUMAN RESOURCES

The welfare caseload in Nevada has grown at an astonishing rate—25 percent in the last two years.

It will continue to expand and drain our resources unless we act to break the cycle of poverty.

To accomplish this I am proposing a new program in the State Welfare Division.

This program will screen food stamp and Aid to Dependent Children recipients to determine each person's ability to become self-sufficient. Remedial education, classroom training, counseling and on-the-job training will be provided as needed.

For those ADC recipients who have no work experience, jobs will be developed in state and local government agencies and in non-profit organizations so these individuals can learn marketable skills. They will receive ADC benefits in exchange for their community work.

Another imposing social challenge is to provide for the growing numbers of Nevadans requiring mental health services. Our facilities are overburdened and understaffed.

I recommend:

—A 47 percent increase in the amount we spend for mental health services, from $38.5 million to $56.8 million.

—53 new positions at the Las Vegas Mental Health Center and 41 positions at the Northern Nevada Mental Health Institute.

—$762,000 for a 20-bed expansion of the Las Vegas Mental Health Center and another $168,000 to upgrade the existing facility.

YOUTH INITIATIVE

The enactment of the Child Protection Act in 1985 laid the foundation for what must now follow.

For those children who need protection either through foster care, placement in a children's home or adoption.

—I recommend we double our expenditures for the care of these children to $10.5 million.

SENIOR INITIATIVE

Nowhere is Nevada's growth more dramatic than with our seniors. In the past decade, Nevada's 65 and over population increased 112 percent, the highest rate in the country, and four times the national average. And by the year 2000, it is projected to increase another 285 percent.

Between now and then Nevadans can expect to spend almost $1 billion in expanded nursing home care unless we develop less costly options.

In 1985, I proposed a Senior Initiatives program to offer alternatives to older Nevadans.

Tonight I reaffirm our commitment to maintaining the independence of older Nevadans by dedicating $1.5 million to a broad spectrum of community based services which will give seniors the choice to remain at home. More than 700 Nevadans, who might otherwise be forced into nursing homes, will instead be provided services in their homes.

This initiative will offer affordable cost alternatives to nursing homes. More importantly, it recognizes that older Nevadans want to remain independent, and in their own homes.

HEALTH CARE COST CONTAINMENT

As we are all acutely aware, Nevada, a land of so much promise, also harbors the highest hospital charges and profits in the nation.

The most recent information available to us indicates Nevadans paid out $1.6 billion annually for health care. That amounts to $1,700 a year for every man, woman and child in this state. That amount will double within a decade unless drastic changes are made. For those who suffer the misfortune of major illness, the threat of financial ruin from rising hospital costs is all too real.

The impact of Nevada's exorbitant hospital pricing is not limited to those among us who require hospitalization. It is seen in the shrinking profit margins of our business community. It is found in diminished health insurance coverage for vast numbers of employees and their dependents. It surfaces in the high costs Nevadans pay for the medical portion of their automobile insurance. And it is felt by those most vulnerable, our senior citizens, through ever-increasing co-payments for health services.

In 1984, I created a task force to identify potential solutions to these high hospital costs. Data compiled by that task force pointed up two basic approaches—strategies to enhance competition vs. regulatory control.

Last session, I submitted a two-part cost containment program. That program placed initial emphasis on competitive forces in the free market to reduce hospital costs. In the

event those market forces did not work, I included provisions for a standby rate setting commission. As you are well aware, that commission came under severe attack by the hospital industry.

The industry contended that competitive forces were working. Repeatedly we were told the *new* numbers would show reduced hospital costs. "Just wait for the 1984 data" was the refrain.

In the absence of hard data to counter these claims, the Legislature was persuaded not to adopt any regulatory control on hospital costs.

As we all know, the 1984 hospital costs were no cause for celebration. Hospital bills were up. Profits were up. What did go down was the number of in-patients served. Fewer patients, bigger profits. How many other businesses can increase profits while losing customers?

The industry response: "Competitive forces are beating down our prices and our profit margins. Just wait for the *1985* numbers."

If the 1984 numbers were no cause for celebration, the 1985 numbers were a cause for despair and anger. Average hospital rates climbed from $910 a day to $972 a day, resulting in Nevada hospital costs 70 percent higher than the national average. One hospital chain's 1985 annual report boasted that more profit was made from its Las Vegas hospital than from its 41 other hospitals combined.

And again, we heard the echoing refrain of the private hospital industry, "Wait till next year."

And now we've learned that the average hospital bill in Nevada surpasses $1,000 per day.

Abraham Lincoln said it best: "You can fool some of the people all of the time and all of the people some of the time, but you can't fool all of the people all of the time."

But that doesn't mean the industry won't try. Already one hospital administrator has characterized an industry public relations scheme as a "farce to fool the people." Nevadans won't be fooled again. Next year is here, and the time for action is now.

The facts of Nevada's high hospital costs are not debatable. As Senator Rawson's committee on hospital costs concluded, "Nevada's hospitals rank first in the nation for charges per in-patient day and per admission. They also rank first in revenue generated and profits."

Aggressive new solutions are needed. The program I offer:

—Will not require a supporting bureaucratic structure.

—Will not prohibit the private sector from negotiating improved rates.

—Will place strict controls on cost shifting and billing practices.

—And will, *most importantly* reduce the costs Nevadans pay for hospitalization, without sacrificing quality of care.

The linkage between Nevada's high hospital costs and the large number of for-profit hospitals can no longer be ignored.

Nevada's major for-profit hospitals have expenses and provide services comparable to non-profit hospitals, yet charge rates 50 percent higher. A study by the prestigious National Academy of Sciences confirms this point. Dramatic price increases occur wherever for-profit hospitals dominate the market.

In Clark County investor-owned hospitals account for 74 percent of all hospital beds, compared to the national average of only 13 percent.

Let me now address the significant points of my cost containment program:

First, I propose to cap the maximum amount billed to any person hospitalized in facilities exceeding 200 beds. This cap would be based on amounts hospitals are allowed to collect under the Federal Medicare DRG Reimbursement System. It would provide protection against the extremely high bills all too often tendered to persons not protected by a negotiated rate.

In this session, much will be heard about the benefits of negotiated rates with hospitals. At the outset, Nevadans need to remember that the average negotiated rate in Nevada is still $263 a day higher than the average hospital bill in the rest of the country.

The industry has offered to extend these preferred rates—*but only to people without health insurance.* This, they contend, is all that is needed to reduce hospital costs. Don't

be fooled. Close scrutiny will disclose this is an offer without substance. How does a reduced bill to people unable to pay much, if anything, bring about lower costs to the *paying* customer?

If the industry was serious about reducing hospital bills, this preferred rate would be offered to *all* customers. If, for example, this rate was offered to the State Industrial Insurance System, the lowered bills would reduce premiums paid by Nevada's employers. Enactment of my proposed cap would reduce those premiums, as well as insurance premiums paid by individuals and Nevada businesses.

The use of caps is not new to Nevadans. They have already effectively controlled the state Medicaid budget, property taxes and local government spending.

Secondly, I propose to force hospitals making excessive profits to reduce their per patient revenues by an assigned amount. Failure to meet the targeted amount will subject these hospitals to an even more costly financial penalty. This measure provides a disincentive for hospitals to increase profits by reducing quality care.

The program being proposed also contains a rate control commission. The duties of that commission are not complex, but are critical to the achievement of desired cost reductions. This commission would set the cap on hospital charges and the revenue reduction target for hospitals having excessive profits.

A major advantage of tying the "cap on charges" to the federal Medicare program is that it is already in operation with the administrative structure necessary to ensure fair, but controlled, hospital charges. We need not duplicate it. The workload of this commission will, therefore, be small and can adequately be performed by our existing Public Service Commission.

The "dumping" of most indigent care onto public hospitals drives costs up at those hospitals, while permitting the for-profit hospital to skim the cream of the health care dollar off the top. Here we share a common goal with the legislative subcommittee. But I believe our alternative can better solve this problem.

I propose that private hospitals be required to serve indigents so the burden does not fall so heavily on public hospitals. Failure to meet this requirement would again result in a severe fine. Either way, county government indigent care costs will be reduced. This plan involves no significant administrative expense, is not dependent upon federal regulations and allows funds to be targeted exclusively to hospital care.

In addition, changes to Nevada's certificate of need law and prohibitions against financial inducements that direct patients to specific hospitals are recommended.

Enactment of this program will not come easily. Hospital industry representatives have publicly stated they will spend "whatever it takes" to defeat controls on their prices and profits.

A century ago Nevadans faced a similar confrontation with another powerful, entrenched, and well-financed industry: the railroads, which by one estimate overcharged Nevadans more than $30 million in 10 years.

Victimized by a rapacious industry unregulated and unencumbered by any sense of conscience, Nevada legislators had the opportunity to remedy this injustice to our fellow Nevadans in the 19th century.

Today, millions of dollars are being extracted from the pockets of working Nevadans and funneled into the coffers of eastern health care giants. Nevada legislators have the same opportunity to right an injustice in the 20th century.

This call to action does not come solely from this Governor. Rather, it is the will of Nevadans. We must not let them down.

CONCLUSION

We have much to preserve in Nevada. We have a quality of life that is second to no other.

We have a tradition that recognizes the worth of the individual and a way of life that gives each of us the freedom and opportunity to make our dreams and ambitions real.

That is what Nevada is all about. It is people and communities writing their own success stories.

What we have learned in the last four years is how successful we can be when we pool our individual talents and energies for the good of all.

That is our legacy, as individuals and as a state. And now we enter a new era—a time as rich in promise as any in our history, a time of economic change and social challenge.

And sometime in the next century, when this new era enters our children's and our grandchildren's history books, let them record this—that by building on their traditions of opportunity and common purpose, once again, the people of Nevada led the way.

Senator Mello 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 Porter.

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 Hickey moved that the Joint Session be dissolved.

Seconded by Assemblyman Wendell Williams.

Motion carried unanimously.

Joint Session dissolved at 7:50 p.m.

ASSEMBLY IN SESSION

At 7:53 p.m.

Mr. Speaker presiding

Quorum present.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Resolutions Nos. 1, 2, 3; Senate Bill No. 1.

REMARKS FROM THE FLOOR

Assemblyman Triggs requested that Assemblyman Price's remarks be entered in the Journal.

One hundred and fifty-three years ago, on January 21, 1824, "Stonewall" Jackson, Confederate general, was born in Clarksburg, West Virginia.

Two hundred years ago on this day, January 21, 1787, George Washington dined with several local planters at Mount Vernon.

In 1859, on January 21st, (128 years ago) an act was passed by the Legislative Assembly of the Territory of Utah providing that Carson, Humboldt and St. Mary counties would form one judicial district. A companion measure approved on the same date, assigned the Honorable John Cradlebaugh, Associate Justice, to the Second District. Another act of the same date reinstated a representative from Carson City in the Utah Territorial Legislature. Humboldt and St. Mary received no direct representation at any time, since at one time or another, for governmental purposes, they were attached either to Carson or Great Salt Lake counties. (St. Mary's county included most of northeastern Nevada.)

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. Mary Lou Hickey.

On request of Assemblyman Swain, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Galen Denio, Brandon Swain, Ryan Swain, Sean Swain, Mss. Karen Denio, Maria Denio, Elena Denio and Gloria Denio.

Assemblyman Jeffrey moved that the Assembly adjourn until Thursday, January 22, 1987 at 11 a.m.

Motion carried.

Assembly adjourned at 7:54 p.m.

Approved: JOSEPH E. DINI, JR.
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE FOURTH DAY

CARSON CITY (Thursday), January 22, 1987

Assembly called to order at 11:02 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, The Reverend Doctor Terry Arnold.

The Bible says, "This is the day which the Lord has made; Let us rejoice and be glad in it." Let us pray.

Our Heavenly Father, let us experience the joy of accomplishment today. Please let that joy be accompanied by good humor, and even laughter, as we serve our fellow men. In the name of our Lord and Saviour, Jesus Christ I pray. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Jeffrey moved that further reading of the Journal be dispensed with, and the Speaker and Chief Clerk be authorized to make the necessary corrections and additions.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Government Affairs:

Assembly Bill No. 25—An Act relating to the state personnel system; prohibiting the department of personnel and its director from delegating the authority vested or powers granted to them unless the delegation is authorized by a specific statute; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 26—An Act relating to public bodies; authorizing public meetings to be closed for conferences between the public body and its attorney and for discussions regarding the appointment of a person to public office or as a member of a public body; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Nicholas and Lambert:

Assembly Bill No. 27—An Act relating to the state legislature; transferring into assembly district 23 certain portions of assembly district 29; and providing other matters properly relating thereto.

Assemblyman Nicholas moved that the bill be referred to the Committee on Elections.

Motion carried.

By Assemblymen Getto, Marvel, Tebbs and Sedway:

Assembly Bill No. 28—An Act making an appropriation to the public works board for construction of a maximum security prison at Ely, Nevada; and providing other matters properly relating thereto.

Assemblyman Getto moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

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

Assembly in recess at 11:12 a.m.

ASSEMBLY IN SESSION

At 11:28 a.m.

Mr. Speaker presiding.

Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen Myrna Williams, Schofield, Dini, Spinello, Wisdom, Banner, Porter, Nevin, May, Sedway, Sader, Adler, Kissam, Haller, Triggs, Wendell Williams, Garner, Evans, Arberry, Swain, Brookman, Callister, Gaston and Freeman:

Assembly Joint Resolution No. 4—Urging Congress not to allow the location of a repository for nuclear waste in Nevada.

Assemblyman Myrna Williams moved that the resolution be referred to the Committee on Natural Resources, Agriculture and Mining.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Humke, Lambert, Nevin and Swain:

Assembly Bill No. 29—An Act relating to pornography; increasing the penalty for possession of pornography depicting children; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Humke (by request):

Assembly Bill No. 30—An Act relating to the peace officers' standards and training committee; authorizing the committee to certify reserve peace officers; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 31—An Act relating to constables; removing the authority of the boards of county commissioners of certain counties to abolish the office of constable; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 32—An Act relating to public employees' retirement; making deputy sheriffs who are dispatchers eligible for early retirement; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 33—An Act relating to attorneys at law; creating the account for court-appointed attorneys in the state general fund; providing for its support and administration; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 34—An Act relating to civil liability; limiting certain causes of action against the state or any of its agencies or political subdivisions brought by prisoners or by other persons who commit certain crimes; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 35—An Act relating to civil liability; requiring the 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.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 36—An Act relating to public administrators; increasing the duties of a public administrator in a county whose population is 100,000 or more but less than 250,000; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 37—An Act relating to limited partnerships; making a technical correction to the requirements for execution of certificates for limited partnerships; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 38—An Act relating to crimes; raising the monetary threshold for the classification of crimes; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Natural Resources, Agriculture and Mining:

Assembly Bill No. 39—An Act relating to irrigation districts; authorizing the donation of land to the state; and providing other matters properly relating thereto.

Assemblyman Schofield moved that the bill be referred to the Committee on Natural Resources, Agriculture and Mining.

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Myrna Williams moved that the vote whereby Assembly Joint Resolution No. 4 was referred to the Committee on Natural Resources, Agriculture and Mining be rescinded.

Motion carried.

Assemblyman Myrna Williams moved that Assembly Joint Resolution No. 4 be referred to the Committee on Legislative Functions.

Motion carried.

Assemblyman Myrna Williams moved that the following person be accepted as an accredited press representative, and that he be assigned space at the press table and allowed the use of appropriate broadcasting facilities: Alfred Gomez, CONSOLIDATED STUDENTS, UNLV.

Motion carried.

Mr. Speaker announced the appointment of Assemblyman Sader to the Committee on Legislative Functions.

REMARKS FROM THE FLOOR

Assemblyman Fay requested that Assemblyman Price's remarks be entered in the Journal.

Richard Upjohn was born on this date in 1802 in Shaftesbury, England. He grew up to become an American architect and founder of the American Institute of Architects. Mr.

Upjohn designed many churches in the Gothic revivalist style including Trinity Chapel in New York City.

On this date 200 years ago, the Pennsylvania Pucket reported formation of the new merchants' association in Pennsylvania.

One hundred and twenty-nine years ago on this date, January 22, 1858, an act changing the seat of government was enacted by the Legislative Assembly of the Territory of Utah and signed by the Governor. It removed the seat of government from Great Salt Lake City to Iron County. During the period from 1857 to 1861 the settlers in Carson County were without an effective government. This 4-year period has been called the era of anarchy and confusion.

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. Burrell Bybee, Wayne Cameron, John Lampros, Buddy Sampson, Larry Swanson, Archie Robison, Bob Nichols, David C. Henley, Mss. Margaret Nelson and Pat Dory.

On request of Mr. Speaker, the privilege of the floor of the Assembly Chamber for this day was extended to Mss. Janine Hansen, Janna Gardner, Diana Hill and Alexis Hansen.

On request of Assemblyman Thompson, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Mary Pintar.

Assemblyman Jeffrey moved that the Assembly adjourn until Friday, January 23, 1987 at 11 a.m.

Motion carried.

Assembly adjourned at 11:48 a.m.

Approved: JOSEPH E. DINI, JR.
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE FIFTH DAY

CARSON CITY (Friday), January 23, 1987

Assembly called to order at 11:03 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, The Reverend Father Sam Caldwell.

Almighty God, our Heavenly Father, help us in our deliberations in the weeks ahead to maintain a spirit of dignity, a sense of humor, and an attitude 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 help us 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 and protection, now and always. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Jeffrey moved that further reading of the Journal be dispensed with, and the Speaker and Chief Clerk be authorized to make the necessary corrections and additions.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Elections:

Assembly Bill No. 40—An Act relating to elections; clarifying the application of Title 24 of NRS to city elections; and providing other matters properly relating thereto.

Assemblyman Swain moved that the bill be referred to the Committee on Elections.

Motion carried.

By the Committee on Elections:

Assembly Bill No. 41—An Act relating to elections; requiring the secretary of state to adopt regulations to ensure the security and accuracy of computer programs used for elections; requiring a county clerk or registrar of voters to appoint at least one deputy registrar in the county; extending the time for the return of an absent ballot for the purposes of determining whether an affidavit of registration must be canceled; and providing other matters properly relating thereto.

Assemblyman Swain moved that the bill be referred to the Committee on Elections.

Motion carried.

By Assemblymen Dini, Banner, Schofield, Wisdom, Thompson, May, Myrna Williams, Nevin, Sedway, Jeffrey, Arberry, Sader, Swain, Craddock, Fay, Brookman, Gaston, Kissam and Price:

Assembly Bill No. 42—An Act relating to veterans' cemeteries; authorizing the Nevada commissioner and deputy commissioner for veteran affairs to establish, operate and maintain veterans' cemeteries; making an appropriation for the acquisition and initial development of land for veterans' cemeteries in northern and southern Nevada; and providing other matters properly relating thereto.

Assemblyman Banner moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By Assemblyman Bergevin (by request):

Assembly Bill No. 43—An Act relating to smoking; prohibiting smoking in certain areas of grocery stores; and providing other matters properly relating thereto.

Assemblyman Bergevin moved that the bill be referred to the Concurrent Committees on Health and Welfare and Commerce.

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 44—An Act relating to state departments; providing in skeleton form for the creation of the department of law enforcement assistance; setting forth the department's powers and duties; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Thompson, Jeffrey, Banner, Nevin, Fay, Sedway, Myrna Williams, Adler, Kissam, Triggs, Spinello, Callister, Garner, Porter, Wendell Williams, DuBois, Wisdom, Haller, McGaughey, Tebbs, Price and Gaston:

Assembly Bill No. 45—An Act relating to franchises; establishing uniform requirements concerning the termination, nonrenewal and transfer of certain franchises; and providing other matters properly relating thereto.

Assemblyman Thompson moved that the bill be referred to the Committee on Commerce.

Motion carried.

By Assemblymen Thompson, Jeffrey, Banner, Fay, Kissam, Triggs, Callister, Porter, Wendell Williams and Garner:

Assembly Bill No. 46—An Act making an appropriation to the commission on economic development for the continued construction of the Moapa Valley fairground; and providing other matters properly relating thereto.

Assemblyman Thompson moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By Assemblymen Schofield and Dini:

Assembly Bill No. 47—An Act relating to hazardous materials; requiring the department of transportation to develop a plan for routing shipments of hazardous materials in this state and cooperate with the Federal Government, regional organizations and other states in developing a plan for interstate shipments; providing a definition of the term "hazardous material" applicable to Nevada Revised Statutes as a whole; and providing other matters properly relating thereto.

Assemblyman Schofield moved that the bill be referred to the Concurrent Committees on Natural Resources, Agriculture and Mining and Transportation.

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen Schofield and Dini:

Assembly Joint Resolution No. 5—Urging the Congress of the United States to require an agreement for the notification of the State of Nevada of the intended entry of hazardous materials into this state.

Assemblyman Schofield moved that the resolution be referred to the Committee on Natural Resources, Agriculture and Mining.

Motion carried.

By Assemblymen Thompson, Nevin, Craddock, Brookman, May, Sedway, Price, Arberry, Freeman, Kissam, Spinello, Porter, Triggs, Gaston, Callister, Wendell Williams, Banner, Fay, Haller, Garner, Swain, Jeffrey, Wisdom, Myrna Williams, Schofield, Dini, DuBois, Tebbs, McGaughey, Bergevin, Nicholas, Spriggs, Getto, Carpenter, Kerns, Humke, Lambert, Adler, Sader and Marvel:

Assembly Joint Resolution No. 6—Urging Congress to oppose the deactivation of the 474th Tactical Fighter Wing at Nellis Air Force Base.

Assemblyman Thompson moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

By Assemblymen Schofield and Dini:

Assembly Concurrent Resolution No. 3—Urging state agencies to cooperate with other states and regional organizations concerning the transportation of hazardous materials.

Assemblyman Schofield moved that the resolution be referred to the Committee on Natural Resources, Agriculture and Mining.

Motion carried.

By the Committee on Health and Welfare:

Assembly Joint Resolution No. 7—Urging the Congress of the United States to authorize tax credits to encourage small businesses to provide group health insurance for their employees.

Assemblyman Arberry moved that the resolution be referred to the Committee on Health and Welfare.

Motion carried.

By the Committee on Natural Resources, Agriculture and Mining:

Assembly Joint Resolution No. 8—Opposing the location of a high-level nuclear waste repository at Yucca Mountain without a guarantee that there is no risk to the public health and safety and to the environment.

Assemblyman Schofield moved that the resolution be referred to the Committee on Natural Resources, Agriculture and Mining.

Motion carried.

By the Committee on Natural Resources, Agriculture and Mining:

Assembly Joint Resolution No. 9—Urging Congress to enact legislation which would provide unlimited federal liability for any accident which might occur if a nuclear waste repository is situated in Nevada.

Assemblyman Schofield moved that the resolution be referred to the Committee on Natural Resources, Agriculture and Mining.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Health and Welfare:

Assembly Bill No. 48—An Act relating to assistance to the medically indigent; establishing a formula to determine the amount of payments; requiring review of persons who receive assistance; and providing other matters properly relating thereto.

Assemblyman Arberry moved that the bill be referred to the Concurrent Committees on Health and Welfare and Ways and Means.

Motion carried.

By the Committee on Health and Welfare:

Assembly Bill No. 49—An Act relating to public welfare; creating the reserve fund for assistance to the medically indigent; making an appropriation; and providing other matters properly relating thereto.

Assemblyman Arberry moved that the bill be referred to the Concurrent Committees on Health and Welfare and Ways and Means.

Motion carried.

By the Committee on Health and Welfare:

Assembly Bill No. 50—An Act relating to the administration of public health; restricting the time for filling a vacancy in the position of state health officer; and providing other matters properly relating thereto.

Assemblyman Arberry moved that the bill be referred to the Concurrent Committees on Health and Welfare and Ways and Means.

Motion carried.

By the Committee on Health and Welfare:

Assembly Bill No. 51—An Act relating to assistance to the medically indigent; requiring the department of human resources to reimburse a hospice for care provided to a person who is eligible for assistance; and providing other matters properly relating thereto.

Assemblyman Arberry moved that the bill be referred to the Concurrent Committees on Health and Welfare and Ways and Means.

Motion carried.

By the Committee on Health and Welfare:

Assembly Bill No. 52—An Act relating to public welfare; creating the fund for catastrophic injuries and illnesses; providing for its administration; making an appropriation; and providing other matters properly relating thereto.

Assemblyman Arberry moved that the bill be referred to the Concurrent Committees on Health and Welfare and Ways and Means.

Motion carried.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Senate Joint Resolution No. 2.

REMARKS FROM THE FLOOR

Assemblyman Fay requested that Assemblyman Price's remarks be entered in the Journal.

On January 23, 1787, the Georgia legislature refused to elect delegates to the Constitutional Convention.

During this week in 1866, the germ of the Fifteenth Amendment came out of a meeting of the Joint Committee on Reconstruction. Nevada's Senator William Stewart became responsible for the final draft of the amendment to the Constitution. One year later on January 20, 1867, the Fourteenth Amendment of the Constitution was passed by Congress. This amendment provided for the protection of citizenship rights, defined citizen, appropriated representatives and set up causes for loss of political privileges.

On this date in 1933, the Twentieth Amendment, which sets down the term of office for the President and Vice President, along with the time for Congress to assemble and the succession method upon the death of the President, was ratified. Thirty-one years later, on January 23, 1964, the Twenty-Fourth Amendment was ratified. This amendment abolished the poll tax qualification in federal elections.

On a final note, 100 years ago, one would be surprised to learn how many ex-members of the legislature were confined in the Lunatic Asylum at Reno. It would seem that the excitement of lawmaking tends to unset the reason as at that time no less than 28 members of past legislatures were in the asylum.

Assemblyman Jeffrey moved that the Assembly adjourn until Monday, January 26, 1987 at 11 a.m.

Motion carried.

Assembly adjourned at 11:33 a.m.

Approved:

JOSEPH E. DINI, JR.
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE EIGHTH DAY

CARSON CITY (Monday), January 26, 1987

Assembly called to order at 11:01 a.m.

Mr. Speaker presiding.

Roll called.

All present except Assemblyman Swain, who was excused.

Prayer by the Chaplain, Mr. Monte Fast.

Eternal God. In the contest of life, in the opportunity to strive to maximum and beyond, in the potential moment when this Assembly can rise above self and individual ability, winning together for us all, that which would be impossible for one, grant grace that we all may be giants. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Jeffrey moved that further reading of the Journal be dispensed with, and the Speaker and Chief Clerk be authorized to make the necessary corrections and additions.

Motion carried.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, January 23, 1987

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate amended, and on this day adopted, as amended, Assembly Concurrent Resolution No. 1, and respectfully requests your honorable body to concur in said amendment.

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 11:04 a.m.

ASSEMBLY IN SESSION

At 11:21 a.m.

Mr. Speaker presiding.

Quorum present.

UNFINISHED BUSINESS
CONSIDERATION OF SENATE AMENDMENTS

Assembly Concurrent Resolution No. 1.

The following Senate amendment was read:

Amendment No. 1.

Amend the resolution, page 1, line 18, by deleting "*senators*" and inserting "*Senators*".

Amend the resolution, page 1, line 19, by deleting: "*leader, respectively, of*" and inserting "*leader for*"

Amend the resolution, page 2, line 1, after "*between the*" by inserting: "*time of their designation after the*".

Amend the resolution, page 2, line 3, by deleting "*senator*" and inserting "*Senator*".

Amend the resolution, page 2, line 5, by deleting "*assemblymen*" and inserting "*Assemblymen*".

Amend the resolution, page 2, line 6, by deleting: "*of the assembly, respectively, of*" and inserting "*for*".

Amend the resolution, page 2, line 8, after "*between the*" by inserting: "*time of their designation after the*".

Assemblyman Bergevin moved that the Assembly concur in the Senate amendment to Assembly Concurrent Resolution No. 1.

Remarks by Assemblyman Bergevin.

Motion carried.

Resolution ordered enrolled.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Ways and Means:

Assembly Bill No. 53—An Act relating to the state legislature; creating the legislative committee on prisons and correctional problems; prescribing its powers and duties; and providing other matters properly relating thereto.

Assemblyman Sedway moved that the bill be referred to the Concurrent Committees on Legislative Functions and Ways and Means.

Motion carried.

By Assemblymen Thompson, Wisdom, Porter, Myrna Williams, Arberry, Sedway, Jeffrey, Nicholas, Wendell Williams, McGaughey, Triggs, Haller, Banner, Schofield, Brookman, Callister and DuBois:

Assembly Bill No. 54—An Act relating to sales of goods and services; prohibiting certain methods of solicitation by telephone; and providing other matters properly relating thereto.

Assemblyman Thompson moved that the bill be referred to the Committee on Commerce.

Motion carried.

By the Committee on Natural Resources, Agriculture and Mining:

Assembly Bill No. 55—An Act relating to conservation districts; authorizing the appointment of an alternate for a supervisor who represents cities or counties in a district; authorizing the removal of such supervisors; and providing other matters properly relating thereto.

Assemblyman Schofield moved that the bill be referred to the Committee on Natural Resources, Agriculture and Mining.

Motion carried.

By the Committee on Natural Resources, Agriculture and Mining:

Assembly Bill No. 56—An Act relating to the division of state parks of the department of conservation and natural resources; repealing the provisions

of NRS requiring the division to administer a program to foster the development of bicycle pathways; and providing other matters properly relating thereto.

Assemblyman Schofield moved that the bill be referred to the Committee on Natural Resources, Agriculture and Mining.

Motion carried.

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. Don Creighton, Randy Creighton and Ms. Pauline Creighton.

Assemblyman Jeffrey moved that the Assembly adjourn until Tuesday, January 27, 1987 at 11 a.m.

Motion carried.

Assembly adjourned at 11:29 a.m.

Approved:

JOSEPH E. DINI, JR.
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE NINTH DAY

CARSON CITY (Tuesday), January 27, 1987

Assembly called to order at 11:04 a.m.

Mr. Speaker presiding.

Roll called.

All present except Assemblyman Swain, who was excused.

Prayer by the Chaplain, Mr. Monte Fast.

Eternal God, Our Father,

We are the children of Your creation. For life itself, we thank You. We think of the children of our villages, towns, and cities of this State. What part might we have in insuring their futures? Could our presence and actions in this Assembly affect their lives? Grant Divine guidance and approval.

In the Name of One who said, "Suffer little children, and forbid them not, for of such is the Kingdom of Heaven . . ." AMEN.

Pledge of allegiance to the Flag.

Assemblyman Jeffrey moved that further reading of the Journal be dispensed with, and the Speaker and Chief Clerk be authorized to make the necessary corrections and additions.

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

By the Committee on Legislative Functions:

Assembly Resolution No. 4—Amending Assembly Standing Rule 23 to provide ethical principles for consideration by Assemblymen when a conflict of interest exists.

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, That Rule 23 of the Standing Rules of the Assembly is hereby amended to read as follows:

23

Committee on Ethics [.] *; Legislative Ethics.*

1. The Committee on Ethics consists of:

(a) Two members of the Assembly appointed by the Speaker from the majority political party;

(b) One member of the Assembly appointed by the Minority Leader from the minority political party; and

(c) Two qualified electors of the state chosen by the members of the committee who are appointed pursuant to paragraphs (a) and (b), neither of whom is a present or former member of the legislature or employed by the State of Nevada.

2. The Speaker shall appoint two members of the Assembly, one from the majority political party and one from the minority political party to serve as alternate members of the committee. If a member is disqualified, the alternate appointed from the same political party shall serve as a member of the committee during the consideration of a specific question.

3. A member is disqualified if he is the requester of advice concerning a question of ethics or conflict of interest, or if the advice is requested by another member of the Assembly and a reasonable person in his situation could not exercise independent judgment on the matter in question.

4. The committee shall hear complaints on alleged breaches of ethics and conflicts of interest, brought by legislators and others, and it may advise legislators on questions of breaches of ethics and conflicts of interest. All proceedings by the committee on matters of ethics or conflicts of interest are confidential unless a legislator:

(a) Against whom a complaint is brought requests a public hearing;

(b) Discloses the opinion of the committee at any time after his hearing; or

(c) Discloses the content of an advisory opinion issued to him by the committee.

5. A complaint which alleges a breach of ethics or a conflict of interest must be in writing and signed by the person making the allegation. The complaint must be filed with the chairman and he shall send a copy of the complaint, within 24 hours after receiving it, to the legislator against whom the complaint is brought.

6. The criterion to be applied by the committee in determining whether a legislator has a conflict of interest is whether the independence of judgment of a reasonable person in his position upon the matter in question would be materially affected by:

(a) His acceptance of a gift or loan; or

(b) His private economic interest.

7. A legislator who determines that he has a conflict of interest may vote upon, advocate or oppose any measure as to which a potential conflict exists if he makes a general disclosure of the conflict. *In determining whether to vote upon, advocate or oppose the measure, the legislator should consider whether:*

(a) The conflict impedes his independence of judgment;

(b) His participation will produce a negative effect on the public's confidence in the integrity of the legislature;

(c) His participation is likely to have any significant effect on the disposition of the measure; and

(d) His interest is greater than the interests of an entire class of persons similarly situated.

Assemblyman Myrna Williams moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Garner, Wisdom, Thompson, Craddock, Kissam, Gaston and McGaughey:

Assembly Bill No. 57—An Act relating to unemployment compensation; authorizing the employment security department to participate in the Job Training Partnership Act; repealing the authorization to participate in the Manpower Development and Training Act of 1962 and the Comprehensive Employment and Training Act of 1973; and providing other matters properly relating thereto.

Assemblyman Garner moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

By Assemblymen Garner, Wisdom, Thompson, Craddock, Kissam, Gaston and McGaughey:

Assembly Bill No. 58—An Act relating to unemployment compensation; extending the period for recovery of an overpayment of benefits; permitting garnishment of wages to recover overpayment; and providing other matters properly relating thereto.

Assemblyman Garner moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

By Assemblymen Nicholas, DuBois, Thomas, McGaughey, Kerns and Thompson:

Assembly Bill No. 59—An Act relating to crimes against the legislative power; clarifying the provisions governing contracts with the state in which a legislator has an interest; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Sader:

Assembly Bill No. 60—An Act relating to fraudulent conveyances; adopting the Uniform Fraudulent Transfer Act; repealing the Uniform Fraudulent Conveyance Act; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Sader:

Assembly Bill No. 61—An Act relating to trade secrets; adopting the Uniform Trade Secrets Act; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Adler, Thompson, Sedway, May, Price, Thomas, Wisdom, Spinello, Freeman, Dini, Kissam, Lambert, Craddock, Haller, McGaughey, Nicholas, Wendell Williams, Schofield, Brookman, DuBois, Callister and Porter:

Assembly Bill No. 62—An Act relating to state personnel; increasing the subsistence allowance for state officers and employees who are traveling on state business; and providing other matters properly relating thereto.

Assemblyman Adler moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By Assemblymen Getto and Dini:

Assembly Bill No. 63—An Act relating to telephone systems operated by counties; extending the conditions for the extension of operations across county boundaries; and providing other matters properly relating thereto.

Assemblyman Getto moved that the bill be referred to the Committee on Commerce.

Motion carried.

By Assemblymen Nicholas, Nevin, Thomas, Freeman, Haller, Kerns, Evans, Marvel and Humke:

Assembly Bill No. 64—An Act making an appropriation to the University of Nevada, Reno, for construction of a new engineering and laboratory center; and providing other matters properly relating thereto.

Assemblyman Nicholas moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By Assemblymen Dini and Schofield:

Assembly Bill No. 65—An Act relating to the control of water pollution; increasing civil and criminal penalties for violations of certain provisions; and providing other matters properly relating thereto.

Assemblyman Schofield moved that the bill be referred to the Concurrent Committees on Natural Resources, Agriculture and Mining and Judiciary.

Motion carried.

SPECIAL ORDERS OF THE DAY

The hour of 11:15 a.m. having arrived, vetoed Assembly Bills Nos. 96, 374, 387 and 605 of the 63rd Session were considered.

Vetoed Assembly Bill No. 96 of the 63rd Session.

Bill read.

Governor's message stating his objections read.

STATE OF NEVADA
EXECUTIVE CHAMBER
CARSON CITY, NEVADA 89710, June 7, 1985

THE HONORABLE WILLIAM SWACKHAMER, *Secretary of State*, Capitol Building, 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 96, entitled:

> An Act relating to property tax, requiring centrally assessed property under construction to be valued by the Nevada Tax Commission, and providing other matters properly relating thereto.

Since receiving Assembly Bill 96, I have reviewed the impact of this legislation and believe that public policy would not be well served by approving this measure. Assembly Bill 96 would require centrally assessed property under construction to be valued by the Nevada Tax Commission and added to the secured tax roll. An initial concern is created whether the value could later be revised and equalized by the State Board of Equalization.

The practical effect of this legislation is that utility company's construction in progress which is begun between January 1 and June 30 will not appear on the tax rolls whose collection begins in July. This enables utilities to avoid paying property tax on construction work in progress which is currently placed on the unsecured roll.

I am not convinced that approval of this tax relief for utility companies would be in the best interest of all Nevada's taxpayers. I believe it appropriate to treat all taxpayers equitably. If Assembly Bill 96 is approved, utility companies would not be taxed for six months of construction work in progress, yet other taxpayers, including other businesses and homeowners, are currently liable for taxes immediately on any construction, and they would not benefit from this statutory change because they are locally, rather than centrally assessed.

It appears there would be no way for county assessors to tax the six months of construction work in progress since authority to do so by adding it to the unsecured role is eliminated by other provisions of the legislation. The potential loss of revenue would negatively impact the financial condition of the local governments at a time when revenues to local governments are critical.

For these reasons, I believe that fairness demands all Nevada's taxpayers receive the same benefits under the law. I am convinced that Assembly Bill 96 does not improve the current statutes. This bill would not only take away authority the assessors now have to properly assess this property on the unsecured roll, but also may cause confusion over the State Board of Equalization's ability to hear appeals on the valuation of construction work in progress. For these reasons I am exercising my Constitutional right of veto over Assembly Bill 96.

Sincerely,

RICHARD H. BRYAN
Governor

The question was put: "Shall the bill pass, notwithstanding the objections of the Governor?"

Remarks by Assemblyman Bergevin.

The roll was called, and the Assembly sustained the veto of the Governor by the following vote:

YEAS—1.

NAYS—Adler, Arberry, Banner, Bergevin, Brookman, Callister, Carpenter, Craddock, DuBois, Evans, Fay, Freeman, Garner, Gaston, Getto, Haller, Humke, Jeffrey, Kerns, Kissam, Lambert, McGaughey, Marvel, May, Nevin, Nicholas, Porter, Price, Sader, Schofield, Sedway, Spinello, Spriggs, Tebbs, Thompson, Triggs, Myrna Williams, Wendell Williams, Wisdom, Mr. Speaker—40.

Absent—Swain.

Vetoed Assembly Bill No. 374 of the 63rd Session.

Bill read.

Governor's message stating his objections read.

STATE OF NEVADA

EXECUTIVE CHAMBER

CARSON CITY, NEVADA 89710, June 14, 1985

THE HONORABLE WILLIAM SWACKHAMER, *Secretary of State,* Capitol Building, 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 374, entitled:

> 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.

Assembly Bill 374 would allow Nevada employers to purchase industrial insurance coverage from private providers of insurance in addition to the current provisions which allow employers to elect self insurance or state industrial insurance system coverage. This would create a workmen's compensation insurance system referred to as "three-way."

I vetoed Senate Bill 136 of the 1983 session which also provided for three-way coverage. I conducted at that time an extensive study of the policy implications of three-way industrial insurance. I examined a number of formal studies regarding the economic and social effects of private industrial insurance; I reviewed the findings of the Interim Legislative Study Committee on Providing Worker's Compensation Through Private

Insurers; I met with individuals and groups both favoring and opposing the legislation, and finally I consulted with chief executives of other states which have enacted similar legislation.

The public policy question—is how to provide Nevada's workers with the best possible compensation for industrial accidents and occupational diseases at the lowest possible cost to Nevada's employers. I believe our current system is protecting Nevada's working citizens at a reasonable cost to Nevada's employers. I have not been convinced during the last two years that the policy of our state should change, or that a change would benefit Nevada's economy.

I do not believe the record demonstrates that a three-way system of industrial insurance coverage will uniformly protect Nevada's workers at the same cost or lower cost to Nevada employers. Also, I am not persuaded that a three-way system of industrial insurance coverage would provide improvement in the processing of industrial insurance claims. Although SB 136 of the 1983 session and AB 374 are not identical, a comparison of their substantive provisions causes me to conclude that both bills would be very similar in operation and effect.

For these reasons, I feel that it is not in the best interest of either Nevada's employers or Nevada's working men and women to approve three-way industrial insurance. I believe the best industrial insurance benefits available for Nevada's workers at the lowest possible cost to Nevada's employers is through the current, non-profit, State Industrial Insurance System, and the available option of self-insurnce for employers. It is not in the public interest to substitute a new industrial insurance option for a current system that works efficiently and economically. I am, therefore, exercising my Constitutional authority to veto Assembly Bill 374.

Sincerely,

RICHARD H. BRYAN
Governor

The question was put: "Shall the bill pass, notwithstanding the objections of the Governor?"

Remarks by Assemblymen Jeffrey and Banner.

Assemblyman Schofield requested that Assemblyman Banner's remarks be entered in the Journal.

I think I will have to make a few remarks since I have been in this battle for the last 20 years or so. When the Governor wrote this message, he said, "I met with individuals and groups both favoring and opposing this legislation." Well, he didn't meet with me. I say that because the interest that I have had in workman's compensation started back in 1963 when I was a commissioner on the Nevada Industrial Commission under Grant Sawyer for four years. I have had considerable experience representing claimants at the hearing level and following through at the appeals level with the now State Industrial Systems office. I really know what the trenches are like—in the last few years there has been more blood right here on this floor at this seat than in any other place in this hall.

I would like to remind some of the people that this is not something new. In the 1977 Session, the Legislative Commission directed us to review the whole workman's compensation problem. As you know, Mr. Speaker, you were chairman of that committee so you know all the nuts and bolts of what happened. One of the recommendations at that time from the subcommittee was the need to provide the employers of this state with alternate methods of coverage, but it is not the opinion that the entry of private carriers into the field of workman's compensation insurance at this time is in the best interest of those concerned. When we followed through and did all the bills, we ended up with what they call self-insurance or the two-way system. Following that, the unrest in dealing with that department, which is a monopoly, still exists. As the department gets bigger, it gets colder and harder to touch. That is the problem.

In 1982 there was a study directed by the 1981 Session which brought about a bill in 1983 that was vetoed by the Governor, and he has now vetoed this bill. Believe me, the problem is still around, and for any of you that have constituents who are claimants that try to get through this system and talk to SIIS people, you are aware of the problem.

I don't think that anyone can criticize me for being a person who has done anything against the worker in this state since 1939 when I first belonged to the carpenter's unions. I don't want that to happen here because I have been pressured by the labor unions for a position. My position has been that the state system needs more competition to make them more responsive to the Nevada worker. I am not interested in the Nevada employer on that point. It is his problem to get the lowest cost, and I could probably show him how because of the interest that I have had in insurance.

I just wanted to let some of these folks know where I stood in this matter. I am going to sustain the veto because it's all over, the ball game is over. Let's get on with it and let the next Governor worry about it.

The roll was called, and the Assembly sustained the veto of the Governor by the following vote:

YEAS—None.

NAYS—Adler, Arberry, Banner, Bergevin, Brookman, Callister, Carpenter, Craddock, DuBois, Evans, Fay, Freeman, Garner, Gaston, Getto, Haller, Humke, Jeffrey, Kerns, Kissam, Lambert, McGaughey, Marvel, May, Nevin, Nicholas, Porter, Price, Sader, Schofield, Sedway, Spinello, Spriggs, Tebbs, Thomas, Thompson, Triggs, Myrna Williams, Wendell Williams, Wisdom, Mr. Speaker—41.

Absent—Swain.

Vetoed Assembly Bill No. 387 of the 63rd Session.

Bill read.

Governor's message stating his objections read.

STATE OF NEVADA

EXECUTIVE CHAMBER

CARSON CITY, NEVADA 89710, June 7, 1985

THE HONORABLE WILLIAM SWACKHAMER, *Secretary of State*, Capitol Building, 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 387, entitled:

> 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.

This measure would impose a new restriction on appointments to the commission on mineral resources. Currently six of the seven members must be familiar with various aspects of the minerals industry—large scale mining (two members), production of oil and gas (one member), exploration and development (one member), small scale mining and prospecting (one member), and the development of geothermal resources (one member).

Under AB 387 the criteria for appointments would be further specified by imposing a 10-year experience requirement in each of the above noted categories. This limitation, although well intended, is arbitrary and would too severely limit a governor's ability to choose qualified persons willing to serve on this important commission—a result contrary to the measure's intent.

In a specialized field such as geothermal development the number of resident Nevadans with 10 years experience is small. Indeed, extensive geothermal development in Nevada is still an emerging industry. The general criteria of being familiar with the development of geothermal resources adequately insures that qualified individuals are eligible to serve, and will provide for consideration of a larger number of suitable candidates for appointment.

I do not feel the restrictions of Assembly Bill 387 would be in the best interests of the citizens of Nevada or our minerals industry. Therefore, I am exercising my Constitutional right of veto over this legislation.

Sincerely,

RICHARD H. BRYAN
Governor

The question was put: "Shall the bill pass, notwithstanding the objections of the Governor?"

Remarks by Assemblyman Jeffrey.

The roll was called, and the Assembly sustained the veto of the Governor by the following vote:

YEAS—1.

NAYS—Adler, Arberry, Banner, Bergevin, Brookman, Callister, Carpenter, Craddock, DuBois, Evans, Fay, Freeman, Garner, Gaston, Getto, Haller, Humke, Jeffrey, Kerns, Kissam, Lambert, McGaughey, Marvel, May, Nevin, Nicholas, Porter, Price, Sader, Schofield, Sedway, Spinello, Tebbs, Thomas, Thompson, Triggs, Myrna Williams, Wendell Williams, Wisdom, Mr. Speaker—40.

Absent—Swain.

Vetoed Assembly Bill No. 605 of the 63rd Session.

Bill read.

Governor's message stating his objections read.

STATE OF NEVADA
EXECUTIVE CHAMBER
CARSON CITY, NEVADA 89710, June 12, 1985

THE HONORABLE WILLIAM SWACKHAMER, *Secretary of State*, Capitol Building, 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 605, entitled:

> 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.

Assembly Bill 605 provides for the Department of Wildlife to issue special tags for hunting deer which would authorize the holder to take one buck while guided by a licensed master guide. The special tags would be available for a $200 fee and would comprise one percent of the total allocation of deer tags.

I believe this legislation sets an unwarranted precedent. Since Nevada adopted a deer tag quota system, nearly a decade ago, every qualified citizen and hunter has enjoyed an equal opportunity to participate in the enjoyment of Nevada's wildlife resources. Under this legislation, if approved, those willing and able to pay $200 for a tag and to employ a licensed master guide would much more readily be able to obtain the opportunity to take a buck. I believe this departs from the Nevada tradition of utilizing our wildlife resources equitably for all Nevada sportsmen.

Additionally, this legislation specifically allows Nevada hunters and out-of-state hunters to compete equally for the special tags. Under current policy, out-of-state tags comprise 10 percent of those issued. With our limited wildlife resources, I believe we should continue to give Nevada's hunters preference for obtaining tags.

I do not believe the opportunity to hunt deer in Nevada should be determined by the potential hunter's ability to pay for the privilege. All qualified Nevadans should have an equal chance to obtain a deer tag. Approval of this measure would also increase the

likelihood for other groups to seek from future legislative sessions similar specialized provisions. I believe the public policy of the state is well served by maintaining a quota system whereby all who qualify enjoy an equal chance to utilize our wildlife resources.

For these reasons, I am hereby exercising my Constitutional right to veto Assembly Bill 605.

Sincerely,

RICHARD H. BRYAN
Governor

The question was put: "Shall the bill pass, notwithstanding the objections of the Governor?"

Remarks by Assemblymen Jeffrey and Getto.

The roll was called, and the Assembly sustained the veto of the Governor by the following vote:

YEAS—None.

Nays—Adler, Arberry, Banner, Bergevin, Brookman, Callister, Carpenter, Craddock, DuBois, Evans, Fay, Freeman, Garner, Gaston, Getto, Haller, Humke, Jeffrey, Kerns, Kissam, Lambert, McGaughey, Marvel, May, Nevin, Nicholas, Porter, Price, Sader, Schofield, Sedway, Spinello, Spriggs, Tebbs, Thomas, Thompson, Triggs, Myrna Williams, Wendell Williams, Wisdom, Mr. Speaker—41.

Absent—Swain.

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen Jeffrey, Dini, Schofield, Thomas, McGaughey, Spriggs, Nicholas, Garner, Kissam, Lambert, Sader, Adler, Nevin, Porter, Fay, Wisdom, Brookman, Callister, Myrna Williams, Thompson, Tebbs, Gaston, Banner, Freeman, Carpenter, Evans, Wendell Williams, Arberry, Triggs, Haller, Craddock, DuBois, Sedway, May, Price, Kerns, Spinello, Marvel, Getto, Bergevin and Humke:

Assembly Concurrent Resolution No. 4—Declaring January 28, 1987, as Nevada Teacher Appreciation Day.

Assemblyman Jeffrey moved the adoption of the resolution.

Remarks by Assemblyman Jeffrey.

Resolution adopted unanimously.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen DuBois, Schofield, Thomas, Kissam, Lambert, Nicholas, Carpenter, Gaston, Fay, Price, Adler, Evans, Triggs, Haller, Spriggs, Porter, Callister, McGaughey, Wisdom, Kerns, Bergevin, Getto, Tebbs and Humke:

Assembly Bill No. 66—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.

Assemblyman DuBois moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 67—An Act relating to state government; clarifying the duties of the office of community services; eliminating duplicative duty of the governor; deleting obsolete references to the state planning coordinator; and providing other matters properly relating thereto.

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

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Assembly Bill No. 4, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

DANNY L. THOMPSON, *Chairman*

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblyman Price:

Assembly Bill No. 68—An Act relating to insurance; requiring an insurer to confirm to an insured that certain persons have taken out a policy of life or health insurance on him; and providing other matters properly relating thereto.

Assemblyman Price moved that the bill be referred to the Committee on Commerce.

Motion carried.

By Assemblymen Schofield and Dini:

Assembly Bill No. 69—An Act relating to the treatment of water; creating the board of operators of public water systems and treatment works; requiring the certification of operators of public water systems and treatment works; and providing other matters properly relating thereto.

Assemblyman Schofield 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 Concurrent Resolution No. 1.

REMARKS FROM THE FLOOR

Assemblyman May requested that Assemblyman Price's remarks be entered in the Journal.

Birthdays during this week include: Thomas Paine in 1737; Douglas MacArthur in 1880; Franklin Delano Roosevelt, the 32nd President, in 1882; and William McKinley, our 25th President (assassinated September 6, 1901), born in 1843.

On this date in 1787, John George Washington Hancock, the son of John Hancock, died at the age of nine.

During this week in 1787, Congress was still waiting for quorum. Alexander Hamilton addressed the New York legislature on regulating elections and Benjamin Franklin paid George Sheed 3 pounds, 3 shillings and 5 pence for horsehair, an ingredient in 18th century plaster. It seems to have worked—most of the plaster you see on the walls of Congress Hall hasn't been touched since it was put on nearly 200 years ago.

We can see that history repeats itself as American captives were being held in the Barbary States during this week in 1787. John Adams and Thomas Jefferson, commissioners for negotiating a treaty with Morocco, wrote Congress enclosing the treaty, reporting a lack of information on the status of the treaty with Portugal, and noting that money was so scarce they would spend no more on the Barbary business, not even to ransom American seamen, without further orders.

In Nevada in 1865, on the 25th day of the Assembly, G. W. Walton made these remarks:

> Mr. Speaker: Your committee on Public Morals, to whom was referred Assembly Bill No. 91, An Act to prevent unlicensed gaming and to provide for the issuance of licenses for gaming, have had the same under consideration and recommend that it do not pass.

Nevada ratified the 18th Amendment on Prohibition, on this date in 1919. Due to statewide vote, prohibition had already been in effect in Nevada since November 5, 1918.

Thirty-eight years ago on this date in 1949, Assemblyman Don Crawford (D-Washoe) introduced a resolution to change to a unicameral (one house) legislature. The resolution was defeated 1-41 on February 4, 1949. Other members of the Assembly at that time were Chet Christensen, Bill Embry, Harley Harmon, Harry Claiborne and Bill Swackhamer.

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. Jeanine Elliott.

On request of Assemblyman Craddock, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Jeanne Adams.

On request of Assemblyman McGaughey, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Virginia Bax-Valentine and Mr. Bruce Woodbury.

On request of Assemblyman Thomas, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Jessica Olausson.

Assemblyman Nevin moved that the Assembly adjourn until Wednesday, January 28, 1987 at 11 a.m.

Motion carried.

Assembly adjourned at 11:53 a.m.

Approved:

JOSEPH E. DINI, JR.
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE TENTH DAY

CARSON CITY (Wednesday), January 28, 1987

Assembly called to order at 11:02 a.m.

Mr. Speaker presiding.

Roll called.

All present except Assemblymen Brookman and Swain, who were excused.

Prayer by the Chaplain, Mr. Monte Fast.

Eternal Father. How good it would be to cover the errors of the past as clean snow covers the earth. But You alone possess this ability. You gift us with ability and opportunity, to learn, to grow, to dialogue, to correct. And in this nation, through men and women who say, "In God we trust," You create freedom to experience these gifts. Grant this Assembly grace to learn, grow, dialogue, correct and thereby affirm Your gift of freedom. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Jeffrey moved that further reading of the Journal be dispensed with, and the Speaker and Chief Clerk be authorized to make the necessary corrections and additions.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Taxation, to which was referred Assembly Bill No. 3, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

PAUL W. MAY, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, January 27, 1987

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. 43.

MARY JO MONGELLI
Assistant Secretary of the Senate

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Taxation:

Assembly Bill No. 70—An Act relating to local financial administration; authorizing an annual increase of amounts added by the legislature to the maximum allowable combined revenue of certain local governments; and providing other matters properly relating thereto.

Assemblyman May moved that the bill be referred to the Committee on Taxation.

Motion carried.

By the Committee on Taxation:

Assembly Bill No. 71—An Act relating to financial administration; revising restrictions on time for the preparation of budgets by local governments; revising restrictions on time for the assessment and the payment of taxes on the proceeds of mines; and providing other matters properly relating thereto.

Assemblyman May moved that the bill be referred to the Committee on Taxation.

Motion carried.

By the Committee on Taxation:

Assembly Bill No. 72—An Act relating to local financial administration; removing net proceeds of mines from the basis for the annual increase of the limit upon revenue from taxes ad valorem; changing the basis for determining excess revenue received from taxes ad valorem; and providing other matters properly relating thereto.

Assemblyman May moved that the bill be referred to the Committee on Taxation.

Motion carried.

By the Committee on Taxation:

Assembly Bill No. 73—An Act relating to property taxes; reducing the number of installments in which taxes may be paid; establishing the time for payment and the penalties for late payment; and providing other matters properly relating thereto.

Assemblyman May moved that the bill be referred to the Committee on Taxation.

Motion carried.

By the Committee on Taxation:

Assembly Bill No. 74—An Act relating to local financial administration; authorizing a levy of taxes ad valorem to recover lost revenue for certain programs and services when federal revenue sharing is reduced or eliminated; providing an exemption from the limit upon revenue from taxes ad valorem; including the amount of the levy within the maximum allowable combined revenue for future calculations; and providing other matters properly relating thereto.

Assemblyman May moved that the bill be referred to the Committee on Taxation.

Motion carried.

By the Committee on Taxation:

Assembly Bill No. 75—An Act relating to fees for building and zoning permits; permitting an increase necessary to meet the cost of issuing the permit; and providing other matters properly relating thereto.

Assemblyman May moved that the bill be referred to the Committee on Taxation.

Motion carried.

By the Committee on Taxation:

Assembly Bill No. 76—An Act relating to taxes on cigarettes; revising the distribution of the proceeds; and providing other matters properly relating thereto.

Assemblyman May moved that the bill be referred to the Committee on Taxation.

Motion carried.

By the Committee on Taxation:

Assembly Bill No. 77—An Act relating to local financial administration; changing the basis for the annual increase of the limit upon revenue from taxes ad valorem; and providing other matters properly relating thereto.

Assemblyman May moved that the bill be referred to the Committee on Taxation.

Motion carried.

By the Committee on Taxation:

Assembly Bill No. 78—An Act relating to sales and use taxes; limiting the period for the collection of unpaid taxes under certain circumstances; and providing other matters properly relating thereto.

Assemblyman May moved that the bill be referred to the Committee on Taxation.

Motion carried.

By the Committee on Taxation:

Assembly Bill No. 79—An Act relating to taxation; providing an exemption from the taxes on certain fuels sold to the state or a local governmental entity; and providing other matters properly relating thereto.

Assemblyman May moved that the bill be referred to the Committee on Taxation.

Motion carried.

By the Committee on Taxation:

Assembly Bill No. 80—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 provide an exemption for tangible personal property used in the performance of contracts on public works; contingently creating the same exemption from certain analogous taxes; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Taxation:

Assembly Bill No. 81—An Act relating to purchasing by local governments; revising the provisions governing exceptions to the requirements for competitive bidding; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Taxation:

Assembly Bill No. 82—An Act relating to peace officers; requiring reimbursement by the peace officers' standards and training committee to a local government for a person employed to replace an officer during training; requiring the committee to pay the officer a per diem allowance and travel expenses; and providing other matters properly relating thereto.

Assemblyman Sedway moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By Assemblymen Arberry, Porter, Nevin, Wendell Williams, Thompson, Myrna Williams, Sedway, Jeffrey, McGaughey, Lambert, Kissam, Nicholas, Thomas, Fay, Kerns, Tebbs, Wisdom, Carpenter, Gaston, Banner, Brookman, Schofield, Spriggs and Dini:

Assembly Bill No. 83—An Act relating to trade regulations and practices; requiring manufacturers, their agents or their authorized dealers under specified circumstances to make repairs necessary to conform certain mobile homes to the express warranties covering them; providing remedies for repeated failures to repair or correct the nonconformities; and providing other matters properly relating thereto.

Assemblyman Arberry moved that the bill be referred to the Committee on Commerce.

Motion carried.

By the Committee on Labor and Management:

Assembly Bill No. 84—An Act relating to unemployment compensation; increasing number of weeks a person who enters self-employment must earn money before qualifying for benefits; and providing other matters properly relating thereto.

Assemblyman Banner moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

By Assemblymen Getto, Bergevin, Marvel and Carpenter:

Assembly Bill No. 85—An Act relating to livestock; authorizing the state department of agriculture to collect the federal assessment on each head of livestock sold in this state; and providing other matters properly relating thereto.

Assemblyman Getto moved that the bill be referred to the Committee on Natural Resources, Agriculture and Mining.

Motion carried.

By Assemblymen Tebbs, Getto, Myrna Williams, McGaughey, Spinello and DuBois:

Assembly Bill No. 86—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 exemptions from the tax for

auditory, ophthalmic and ocular devices or appliances; creating the same exemptions from certain analogous taxes; and providing other matters properly relating thereto.

Assemblyman Tebbs moved that the bill be referred to the Committee on Taxation.

Motion carried.

By Assemblymen Adler, Thomas and Thompson:

Assembly Bill No. 87—An Act relating to Carson City; separating the office of clerk from that of treasurer and combining it with that of recorder; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Price:

Assembly Bill No. 88—An Act relating to insurance; requiring the commissioner of insurance to publish a guide to liability insurance for motor vehicles; and providing other matters properly relating thereto.

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

Motion carried.

Senate Bill No. 43.

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

Motion carried.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, January 28, 1987

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 4.

MARY JO MONGELLI
Assistant Secretary of the Senate

SECOND READING AND AMENDMENT

Assembly Bill No. 4.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 11.

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. The legislature declares that:

1. The combined effect of the laws governing incorporation of municipalities and the laws restricting the revenue received by local governments

appears to be to allow large portions of assessed valuation to be withdrawn permanently from a county without a commensurate reduction in the level of basic services provided by that county.

2. In counties with larger populations, such a reduction in revenue without a corresponding reduction in expenses would result in serious financial difficulties which were not anticipated by the legislature at the time these laws were enacted.

3. It would be contrary to public interest to permit the imposition of additional levies of local government in counties with larger populations until these laws have been re-examined.

4. The incorporation of several cities in counties with smaller populations are currently pending and these proposed incorporations are not anticipated to have a detrimental effect on the financial stability of the counties.

5. Therefore, a temporary moratorium on incorporation of cities in counties with larger populations is necessary to protect the public interest.".

Amend section 1, page 1, line 1, by deleting "250,000" and inserting "50,000".

Assemblyman Thompson moved the adoption of the amendment.

Remarks by Assemblyman Thompson.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Senate Concurrent Resolution No. 4.

Assemblyman Jeffrey moved the adoption of the resolution.

Remarks by Assemblymen Myrna Williams and Banner.

Assemblyman Jeffrey requested that the following remarks be entered in the Journal.

ASSEMBLYMAN MYRNA WILLIAMS:

Thank you, Mr. Speaker.

To you and through you to the members of this honorable body. I had the great privilege of being acquainted with the Dondero family for well over 20 years. I worked with Mr. Dondero in many civic organizations. His dedication, his concern, his caring for children is without equal. This is a family that was totally involved in service to our state and particularly to their community. Our lives in Clark County have been enriched by the Dondero family. We express our deep and sincere condolences. We miss him greatly and I am very pleased to have County Commissioner Thalia Dondero with us today. Thank you.

ASSEMBLYMAN BANNER:

I couldn't let this pass without making some comment. There was an instant kindness in Harvey Dondero. He did something in my life that I have remembered the day, the moment and the things that happened. It happened over 50 years ago last September. I was a little kid coming from a place called Bunkerville to a great big school in Las Vegas. I entered a room. This place had electric lights and indoor plumbing. I was sitting there and didn't know what to do. Harvey came over. He knew that some kid was lost. He asked me if he could help me and I told him that I had to register. In Bunkerville they put you in a seat and told you to sit down and shut up and they told you what classes you were going to take. But in Las Vegas we had a choice—we had a menu. My dad told me to be sure and ask them if I could take drafting. He said in those big schools you could get drafting.

Harvey helped me get into the drafting class. This actually changed my life. This is the story of what happened to my life. Harvey, at that moment, did something that affected my life.

Resolution adopted unanimously.

Assemblyman May moved that Assembly Bill No. 3 be placed on the Second Reading File.

Remarks by Assemblyman May.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Judiciary, to which was referred Assembly 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.

ROBERT M. SADER, *Chairman*

SECOND READING AND AMENDMENT

Assembly Bill No. 3.

Bill read second time.

The following amendment was proposed by the Committee on Taxation:

Amendment No. 6.

Amend section 1, page 2, line 4, by deleting "The" and inserting: "[The] *Notwithstanding the provisions of section 24.3 of this act and subsection 2 of NRS 377.030, the*".

Assemblyman May moved the adoption of the amendment.

Remarks by Assemblyman May.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Thompson, Myrna Williams, Porter, Banner, Wisdom, Price, Jeffrey, Sedway, Wendell Williams, Freeman, Spinello, Gaston, Callister, Fay, Nevin, Arberry and Schofield:

Assembly Bill No. 89—An Act relating to employment practices; prohibiting the use of a polygraph or other similar device to examine an employee or prospective employee as a condition of employment or continued employment; and providing other matters properly relating thereto.

Assemblyman Thompson moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

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. George Kemple-Centel.

On request of Assemblyman Kerns, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Leslie Oppio and Mrs. Kathleen Oppio.

Assemblyman Jeffrey moved that the Assembly adjourn until Thursday, January 29, 1987 at 11 a.m.

Motion carried.

Assembly adjourned at 11:32 a.m.

Approved: JOSEPH E. DINI, JR.
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE ELEVENTH DAY

CARSON CITY (Thursday), January 29, 1987

Assembly called to order at 11:03 a.m.

Mr. Speaker presiding.

Roll called.

All present except Assemblymen Brookman and Swain, who were excused.

Prayer by the Chaplain, Mr. Monte Fast.

Eternal Father, from Mt. Sinai, nearly 3,500 years ago, to this moment, You are the giver of true law. Your eternal purpose is demonstrated in the rising and setting of nations and leaders. Grant this Assembly the grace to measure motives and actions by the revelation of Divine Law, thereby continuing the blessings of Divine Providence.

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Nevin 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 Resolution No. 4, has had the same under consideration, and begs leave to report the same back with the recommendation: Be adopted.

MYRNA WILLIAMS, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Senate Bill No. 43, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

DANNY L. THOMPSON, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Thompson moved that all rules be suspended, reading so far had considered second reading, rules further suspended, Senate Bill No. 43 declared an emergency measure under the Constitution and placed on third reading and final passage.

Remarks by Assemblyman Thompson.

Motion carried unanimously.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, January 28, 1987

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. 4.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen Nevin, Dini, Thompson, Kerns, May, Carpenter, Myrna Williams, Brookman, Fay, Thomas, Nicholas, Wisdom, Garner, Freeman, Gaston, Haller, McGaughey, Kissam, Lambert, DuBois, Porter, Sader, Bergevin, Adler, Triggs, Wendell Williams, Jeffrey, Arberry, Tebbs, Spinello, Callister, Sedway, Marvel, Getto, Price, Craddock, Humke, Evans, Spriggs and Schofield:

Assembly Joint Resolution No. 10—Urging the Secretary of Transportation of the United States to support the establishment of a motor carrier administration.

Assemblyman Nevin moved that the resolution be referred to the Committee on Transportation.

Motion carried.

By Assemblymen Getto, Kerns, DuBois, Carpenter, Bergevin, Nevin, May, Tebbs, Dini and Marvel:

Assembly Joint Resolution No. 11—Proposing to amend the constitution of the State of Nevada by adding a new section declaring English to be the official language of the state.

RESOLVED BY THE ASSEMBLY AND SENATE OF THE STATE OF NEVADA, JOINTLY, That article 15 of the constitution of the State of Nevada be amended by adding thereto a new section to read as follows:

Sec. 16. English is the official language of the State of Nevada.

Assemblyman Getto moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

Assembly Resolution No. 4.

Assemblyman Myrna Williams moved the adoption of the resolution.

Remarks by Assemblyman Myrna Williams.

Resolution adopted.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Economic Development, Small Business and Tourism:

Assembly Bill No. 90—An Act relating to public employees; authorizing the payment of a higher per diem for the transaction of public business outside of the United States; and providing other matters properly relating thereto.

Assemblyman Price moved that the bill be referred to the Concurrent Committees on Economic Development, Small Business and Tourism and Ways and Means.

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 91—An Act relating to public employees' retirement; clarifying the requirement that contributions paid by employers for employees be offset by reductions in compensation earned by those employees; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 92—An Act relating to data processing; requiring reversion of excess money in the informational facility fund to all agencies which paid fees into the fund; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 93—An Act relating to the advocate for customers of public utilities; abolishing the interim committee of the legislature to review the performance of the office of the consumer's advocate; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 94—An Act relating to public utilities; requiring the public service commission of Nevada to establish a program to provide loans to certain public utilities which furnish water or services for the disposal of sewage; providing for a surcharge on the bills of customers of certain public utilities to pay the costs of the program; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 95—An Act relating to planning and zoning; requiring a certificate of approval from the public service commission of Nevada on the final map of a subdivision filed with the county recorder; requiring the public service commission to examine carefully a water company owned by a developer of land; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 96—An Act relating to public utilities; requiring a public utility to post each proposal for a new or amended schedule of rates; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 97—An Act relating to public utilities which supply water or services for the disposal of sewage; limiting an exemption from regulation by the public service commission of Nevada for certain utilities; expanding the applicability of the simplified procedure for a change of rates; permitting the appointment of a receiver under additional circumstances and expanding his powers; and providing other matters properly relating thereto.

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

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 37.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 7.

Amend the bill as a whole by renumbering section 1 as sec. 3 and adding new sections designated sections 1 and 2, following the enacting clause, to read as follows:

"Section 1. NRS 88.350 is hereby amended to read as follows:

88.350 1. In order to form a limited partnership two or more persons must execute a certificate of limited partnership. The certificate must be filed in the office of the secretary of state and set forth:

(a) The name of the limited partnership;

(b) The general character of its business;

(c) The address of the office and the name and address of the agent for service of process required to be maintained by NRS 88.330;

(d) The name and the business address of each *general* partner *;* [, specifying separately the general partners and limited partners;]

(e) The amount of cash and a description and statement of the agreed value of the other property or services contributed by each partner and which each partner has agreed to contribute in the future;

(f) The times at which or events on the happening of which any additional contributions agreed to be made by each partner are to be made;

(g) Any power of a limited partner to grant the right to become a limited partner to an assignee of any part of his partnership interest, and the terms and conditions of the power;

(h) If agreed upon, the time at which or the events on the happening of which a partner may terminate his membership in the limited partnership and the amount of, or the method of determining, the distribution to which he may be entitled respecting his partnership interest, and the terms and conditions of the termination and distribution;

(i) Any right of a partner to receive distributions of property, including cash from the limited partnership;

(j) Any right of a partner to receive, or of a general partner to make, distributions to a partner which include a return of all or any part of the partner's contribution;

(k) Any time at which or events upon the happening of which the limited partnership is to be dissolved and its affairs wound up;

(l) Any right of the remaining general partners to continue the business on the happening of an event of withdrawal of a general partner; and

(m) Any other matters the partners determine to include therein.

2. A limited partnership is formed at the time of the filing of the certificate of limited partnership in the office of the secretary of state or at any later time specified in the certificate of limited partnership if, in either case, there has been substantial compliance with the requirements of this section.

Sec. 2. NRS 88.355 is hereby amended to read as follows:

88.355 1. A certificate of limited partnership is amended by filing a certificate of amendment thereto in the office of the secretary of state. The certificate must set forth:

(a) The name of the limited partnership;

(b) The date of filing of the certificate; and

(c) The amendment to the certificate.

2. Within 30 days after the happening of any of the following events an amendment to a certificate of limited partnership reflecting the occurrence of the event or events must be filed:

(a) A change in the amount or character of the contribution of any partner, or in any partner's obligation to make a contribution;

(b) The admission of a new *general* partner;

(c) The withdrawal of a *general* partner; or

(d) The continuation of the business under NRS 88.550 after an event of withdrawal of a general partner.

3. A general partner who becomes aware that any statement in a certificate of limited partnership was false when made or that any arrangements or other facts described have changed, making the certificate inaccurate in any respect, shall promptly amend the certificate . [, but an amendment to show a change of address of a limited partner need be filed only once every 12 months.]

4. A certificate of limited partnership may be amended at any time for any other proper purpose the general partners may determine.

5. No person has any liability because an amendment to a certificate of limited partnership has not been filed to reflect the occurrence of any event referred to in subsection 2 if the amendment is filed within the 30-day period specified in subsection 2.".

Amend the bill as a whole by renumbering sec. 2 as sec. 5 and adding a new section designated sec. 4, following sec. 1, to read as follows:

"Sec. 4. NRS 88.420 is hereby amended to read as follows:

88.420 [1.] After the filing of a limited partnership's original certificate of limited partnership, a person may be admitted as an additional limited partner:

[(a)] *1.* In the case of a person acquiring a partnership interest directly from the limited partnership, upon the compliance with the partnership agreement or, if the partnership agreement does not so provide, upon the written consent of all partners; and

[(b)] *2.* In the case of an assignee of a partnership interest of a partner who has the power, as provided in NRS 88.540, to grant the assignee the right to become a limited partner, upon the exercise of that power and compliance with any conditions limiting the grant or exercise of the power.

[2. In each case under subsection 1, the person acquiring the partnership interest becomes a limited partner only upon amendment of the certificate of limited partnership reflecting that fact.]".

Amend the title of the bill to read as follows:

"An Act relating to limited partnerships; making various changes concerning limited partners; and providing other matters properly relating thereto.".

Amend the summary of the bill to read as follows: "Makes various changes regarding limited partnerships. (BDR 7-1119)".

Assemblyman Sader moved the adoption of the amendment.

Remarks by Assemblyman Sader.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman May moved that Assembly Bill No. 3 be placed on the General File.

Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 43.

Bill read third time.

Remarks by Assemblyman Thompson.

Roll call on Senate Bill No. 43:

YEAS—40.

NAYS—None.

Absent—Brookman, Swain—2.

Senate Bill No. 43 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 3.

Bill read third time.

Remarks by Assemblyman McGaughey.

Roll call on Assembly Bill No. 3:

YEAS—40.

NAYS—None.

Absent—Brookman, Swain—2.

Assembly Bill No. 3 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Assemblyman May moved that all rules be suspended and that Assembly Bill No. 3 be immediately transmitted to the Senate.

Motion carried unanimously.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Government Affairs, 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: Re-refer to the Committee on Taxation.

DANNY L. THOMPSON, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Thompson moved that Assembly Bill No. 80 be re-referred to the Committee on Taxation.

Remarks by Assemblyman Thompson.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Kerns, Bergevin, Dini, Marvel, Carpenter, Getto, Wisdom, Thomas, Nevin and Nicholas:

Assembly Bill No. 98—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.

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

Motion carried.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Kerns, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Rual Meredith.

On request of Assemblyman Wisdom, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Thalia Dondero.

On request of Assemblyman Myrna Williams, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Renee Diamond and Mr. Brian Greenspun.

On request of Assemblyman Getto, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Joanne Schank.

On request of Assemblyman Triggs, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Ron Quick, Darryl Craig, Randy Tower, Noel Rudd and Ms. Lila Gayemacey.

Assemblyman Jeffrey moved that the Assembly adjourn until Friday, January 30, 1987 at 11 a.m.

Motion carried.

Assembly adjourned at 11:26 a.m.

Approved: JOSEPH E. DINI, JR.
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE TWELFTH DAY

CARSON CITY (Friday), January 30, 1987

Assembly called to order at 11:02 a.m.

Mr. Speaker presiding.

Roll called.

All present except Assemblymen Brookman, Carpenter and Swain, who were excused.

Prayer by the Chaplain, Mr. Monte Fast.

Eternal Father, as the second week of this Assembly draws to a close make us mindful of the responsibility we share. Teach us humility, understanding the temporal nature of life, during which the highest calling is to faithful stewardship. Help us remember that no matter how vital our actions and words be, another generation will come to these courts, adjusting and changing them. Grant us wisdom to know the difference between expedience and importance. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Jeffrey moved that further reading of the Journal be dispensed with, and the Speaker and Chief Clerk be authorized to make the necessary corrections and additions.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Legislative Functions, to which was referred Assembly Joint Resolution No. 4, has had the same under consideration, and begs leave to report the same back with the recommendation: Do Pass.

MYRNA WILLIAMS, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, January 29, 1987

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bill No. 3.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Joint Resolution No. 16 of the 63rd Session.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Senate Joint Resolution No. 16 of the 63rd Session.

Assemblyman Jeffrey moved that the resolution be referred to the Committee on Elections.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Ways and Means:

Assembly Bill No. 99—An Act making supplemental appropriations for the Southern Nevada Children's Home Bureau, the Nevada Girls Training Center Bureau and the Labor Commissioner; and providing other matters properly relating thereto.

Assemblyman Sedway moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By the Committee on Taxation:

Assembly Bill No. 100—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 allow retailers to deduct uncollectible debts from their gross receipts; making the same amendments to certain analogous taxes; and providing other matters properly relating thereto.

Assemblyman May moved that the bill be referred to the Committee on Taxation.

Motion carried.

By Assemblyman Banner:

Assembly Bill No. 101—An Act relating to certificates of marriage; prohibiting the sale for profit of a copy of such a certificate; providing a penalty; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen McGaughey, Tebbs, DuBois, Sedway, Bergevin, Thompson, Adler, Kissam, Lambert, Nicholas, Arberry, Craddock, Gaston, Freeman, Carpenter, Getto and Dini:

Assembly Bill No. 102—An Act relating to education; creating a position in the department of education to coordinate the use of libraries and related technical systems; and providing other matters properly relating thereto.

Assemblyman McGaughey moved that the bill be referred to the Concurrent Committees on Education and Ways and Means.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Judiciary, to which was referred Assembly Bill No. 36, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ROBERT M. SADER, *Chairman*

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

Assembly in recess at 11:09 a.m.

ASSEMBLY IN SESSION

At 11:22 a.m.

Mr. Speaker presiding.

Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Myrna Williams 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: Kate Allyn, Jim Sanford, Marv Snow, MASON VALLEY NEWS, YERINGTON.

Motion carried.

By the Committee on Transportation:

Assembly Concurrent Resolution No. 5—Urging the Department of Motor Vehicles and Public Safety to give special consideration to the needs of farmers and ranchers to drive vehicles that require a class of driver's license other than that required for a passenger car.

Assemblyman Nevin moved that the resolution be referred to the Committee on Transportation.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Legislative Functions:

Assembly Bill No. 103—An Act relating to public officers; clarifying a standard regarding misconduct in office; requiring payment of restitution upon conviction of certain misconduct in office; removing duplicative provisions; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Transportation:

Assembly Bill No. 104—An Act relating to equipment for vehicles; making various changes concerning stop lamps, theft alarms and tire chains; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Taxation:

Assembly Bill No. 105—An Act relating to the tax on special fuel; establishing a factor for converting gas to liquid for taxing compressed natural gas as a special fuel; and providing other matters properly relating thereto.

Assemblyman May moved that the bill be referred to the Committee on Taxation.

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 106—An Act relating to unemployment compensation; authorizing certain information to be disclosed to a law enforcement agency; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 107—An Act relating to crimes against public justice; increasing the penalty for solicitation to commit murder from a gross misdemeanor to a felony; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 108—An Act relating to bail; allowing the state to appeal a determination concerning the release of a defendant on bail; codifying common law regarding defendants' ability to appeal such determinations; making restraint from all criminal activity a condition of bail; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 109—An Act relating to criminal procedures; providing certain protections for victims of crime and witnesses; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 110—An Act relating to presentence investigations; strengthening the existing requirement regarding a report to the judge of the effect of the crime on the victim; requiring such a report whether or not the defendant waives the presentence investigation; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 111—An Act relating to crimes; requiring restitution to victims and reimbursement for the costs of prosecution under certain circumstances; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 112—An Act relating to motor vehicles; extending the prohibition against the unlawful sale, offer of sale or display for sale of a motor vehicle to all vehicles; providing a penalty; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 113—An Act relating to criminal proceedings; authorizing the use of a telegraphic copy or abstract of a governor's warrant of arrest for extradition; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Getto, Schofield, Price, Arberry, Nicholas, Carpenter, Gaston, Freeman, Wisdom, Myrna Williams, Spinello, Sedway, Garner, Craddock, Evans, Spriggs, Humke, Wendell Williams and McGaughey:

Assembly Bill No. 114—An Act relating to anatomical gifts; requiring hospitals to establish a procedure to request a decedent's family to donate all or part of a decedent's body as an anatomical gift; and providing other matters properly relating thereto.

Assemblyman Getto moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

By Assemblymen McGaughey, Thompson, Schofield, Price, Tebbs, Jeffrey, Spinello, Wisdom, May, Sedway, DuBois, Kissam, Wendell Williams, Craddock, Garner, Triggs, Myrna Williams, Callister, Gaston, Porter, Arberry, Banner and Fay:

Assembly Bill No. 115—An Act relating to the control of floods; establishing a committee of citizens to advise the board of directors of a district for the control of floods; providing for periodic review of the master plan for control of floods; requiring public bodies to comply with the master plan; providing standards for granting a variance; providing for the review of the sales tax imposed in certain areas; and providing other matters properly relating thereto.

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

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 4.

Bill read third time.

Remarks by Assemblymen Thompson, Banner, Craddock, Jeffrey, Spinello, Bergevin and Price.

Roll call on Assembly Bill No. 4:

YEAS—34.

NAYS—Banner, Nicholas, Price, Sedway, Triggs—5.

Absent—Brookman, Carpenter, Swain—3.

Assembly Bill No. 4 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Mr. Speaker announced that there shall be a Joint Session of the Senate and Assembly Tuesday, February 10, 1987, 11 a.m., for the purpose of hearing The Honorable Chic Hecht, United States Senator for Nevada; that there shall be a Joint Session of the Senate and Assembly Thursday, February 12, 1987, 11 a.m., for the purpose of hearing The Honorable Harry Reid, United States Senator for Nevada; and that there shall be a Joint Session of the Senate and Assembly Tuesday, February 17, 1987, 11 a.m., for the purpose of hearing The Honorable Barbara Vucanovich, United States Representative for Nevada.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Concurrent Resolution No. 4, Assembly Resolution No. 4, Senate Concurrent 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 Mr. Bill Vicencio.

On request of Assemblyman Humke, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. James K. McIntosh and Bernie Schneider.

On request of Assemblyman Price, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Mike Richardson.

On request of Assemblyman Marvel, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Bernard Schneider, Robert Baker, Richard Wagner, Ronald Kiel, Chad Reeser, Robert Ryan, Bill Davis, Neil Talcott, Lyle Kramer, James McIntosh, Mike Jensen, Larry McMaster, Lee Johnson, Steve Coresola, Dan Crofoot, Craig Schier, Mel Snider, Arco Hastcastle, Ms. Virginia Rose, Marian McClellan, Carol Marshall, Janet Pontius, Sharlette Berentsen, Nancy Carter, Ruth Rodriguez, Becky Johnson, Marlene Schier and Carlene Wagner.

Assemblyman Jeffrey moved that the Assembly adjourn until Monday, February 2, 1987 at 11 a.m.

Motion carried.

Assembly adjourned at 11:46 a.m.

Approved: JOSEPH E. DINI, JR.
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE FIFTEENTH DAY

CARSON CITY (Monday), February 2, 1987

Assembly called to order at 11:02 a.m.

Mr. Speaker presiding.

Roll called.

All present except Assemblyman Swain, who was excused.

Prayer by the Chaplain, The Reverend Dave Charlton.

Father in Heaven, we thank You for this day and for its many blessings. Our prayer is that our hearts may be open to the business at hand, that in the rigorous hours of work that lie ahead You give us strength to carry out our responsibilities, wisdom beyond our own understanding and clothe us with a compassion that keeps others in mind. We ask for Your leadership and direction as we walk this day. And, as the evening hours come upon us, we ask that You give us the peace and assurance that we have performed our duties to the best of our abilities. In Jesus name we pray. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Jeffrey moved that further reading of the Journal be dispensed with, and the Speaker and Chief Clerk be authorized to make the necessary corrections and additions.

Motion carried.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, January 30, 1987

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. 2.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Myrna Williams 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: Adrienne Abbott, KNSS, RENO/CARSON CITY; Carole Pringle, LOVELOCK TRIBUNE.

Motion carried.

By the Committee on Government Affairs:

Assembly Concurrent Resolution No. 6—Urging the public service commission of Nevada to hold public hearings on the deregulation of services for telecommunication in this state.

Assemblyman Thompson moved that the resolution be referred to the Committee on Government Affairs.

Motion carried.

By the Committee on Legislative Functions:

Assembly Resolution No. 5—Providing for the appointment of an additional attaché.

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, That Donna Wadey is elected as an additional attaché of the Assembly for the 64th session of the Legislature of the State of Nevada.

Assemblyman Myrna Williams moved the adoption of the resolution.

Resolution adopted.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Arberry, Wendell Williams, Myrna Williams, Gaston, Garner, Triggs, Thomas, DuBois, Evans, Jeffrey, Freeman, Wisdom, Porter, Callister, Spinello, Price, Banner, Nevin, Dini, Sedway, Sader, Bergevin, Adler, Kissam, Thompson, Lambert, Humke, Haller, Marvel, Swain, Brookman and Tebbs:

Assembly Bill No. 116—An Act relating to holidays; declaring Martin Luther King, Jr.'s birthday to be a legal holiday; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Banner, Wisdom, Jeffrey, Thompson, Bergevin, Fay, Tebbs, Wendell Williams and Carpenter:

Assembly Bill No. 117—An Act relating to industrial insurance; providing for the continuation of payments for a permanent partial disability until the age of 70; and providing other matters properly relating thereto.

Assemblyman Banner moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

Senate Bill No. 2.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 36.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 16.

Amend the bill as a whole by adding a new section designated section 2, following section 1, to read as follows:

"Sec. 2. NRS 253.043 is hereby amended to read as follows:

253.043 [The] *1. In a county whose population is 250,000 or more, the* public administrator is entitled to receive an annual salary in the amount of $44,000 in full payment for all services required by law to be performed by him.

2. In a county whose population is 100,000 or more, but less than 250,000, the public administrator is entitled to receive an annual salary in the amount of $42,800 in full payment for all services required by law to be performed by him.

3. All fees or compensation collected pursuant to NRS 253.050 and 253.230 must be deposited, without deduction, with the county treasurer for credit to the general fund of the county.".

Amend the title of the bill, second line, after "250,000;" by inserting: "providing an annual salary;".

Assemblyman Sader moved the adoption of the amendment.

Remarks by Assemblyman Sader.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Joint Resolution No. 4.

Resolution read second time, ordered engrossed and to third reading.

GENERAL FILE AND THIRD READING

Assembly Bill No. 37.

Bill read third time.

Remarks by Assemblyman Sader.

Roll call on Assembly Bill No. 37:

YEAS—41.

NAYS—None.

Absent—Swain.

Assembly Bill No. 37 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Judiciary, to which was referred Assembly Bill No. 59, 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.

ROBERT M. SADER, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Sader moved that Assembly Bill No. 59 be re-referred to the Committee on Legislative Functions.

Motion carried.

By the Committee on Natural Resources, Agriculture and Mining:

Assembly Joint Resolution No. 12—Urging Congress to reconsider and review the Nuclear Waste Policy Act of 1984.

Assemblyman Schofield moved that the resolution be referred to the Committee on Natural Resources, Agriculture and Mining.

Motion carried.

By Assemblymen Price, Schofield, Craddock, Fay, Kerns, Arberry, Myrna Williams, Callister, Wisdom, Gaston, Garner, Wendell Williams, Evans, Nicholas, McGaughey, Sader, Kissam, Haller, Triggs, Sedway, Nevin, Porter, Brookman, Spinello, Freeman and Banner:

Assembly Joint Resolution No. 13—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.

Assemblyman Price moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Transportation:

Assembly Bill No. 118—An Act relating to motor vehicles; allowing a person to establish proof of financial responsibility by a policy of insurance covering the operator of the motor vehicle in lieu of insurance covering the vehicle; providing limitations on the coverage provided by such insurance; prohibiting certain owners from allowing persons who do not carry insurance from operating their motor vehicles; revising the provisions governing registration; providing a penalty; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Price, McGaughey, Fay, Kerns, Arberry, Callister, Myrna Williams, Wisdom, Spinello, Garner, Humke, Wendell Williams, Nicholas, Kissam, Lambert, Haller, Triggs, Jeffrey, May, Porter, Freeman, Carpenter and Banner:

Assembly Bill No. 119—An Act relating to requests for legislative bills; requiring the publication of a list of all requests; and providing other matters properly relating thereto.

Assemblyman Price moved that the bill 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. 3, Senate Bill No. 43.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Adler, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Matt Seaman.

On request of Assemblyman Banner, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Brian Jensen.

On request of Assemblyman Bergevin, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Chris Abbott.

On request of Assemblyman Brookman, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Josh Taborski.

On request of Assemblyman Callister, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Jason Laurie.

On request of Assemblyman Carpenter, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Glenn E. Truitt.

On request of Assemblyman Craddock, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Hub Zemke and David Bruce.

On request of Mr. Speaker, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Barbara Foster, Messrs. Tony Vaglivielo, Brent Reed, Eric Lattin, Jeff Truitt, Jake Minola, Russell Nuti, Jim Shramek, Judd Donnelly, Brian Catlett, David McKim, Ken Scheuermann, John Andrews, Mark Stugard, Jayson Marchant, Todd Doyle, John Reno, Jason Penrod, Andrew Clancy, Danny Schultz and Scot Kaiser.

On request of Assemblyman Evans, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Brett Harris, Mss. Margaret Andersen, Faye Andersen and Cristel Neldner.

On request of Assemblyman Fay, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Edward Hargrove, Jeff Sessions and Henry Draney.

On request of Assemblyman Freeman, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Eric Gunther.

On request of Assemblyman Garner, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Chris Jones, Evern Draney, Paul Beyer and Donald Unruh.

On request of Assemblyman Gaston, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Ryan Oliveria.

On request of Assemblyman Getto, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Dean Penrod.

On request of Assemblyman Haller, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Darin Siebert and Jimmy Capps.

On request of Assemblyman Humke, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Bob Ranney, Troy Hamer and Bob Sohrt.

On request of Assemblyman Jeffrey, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Jeff Catlett.

On request of Assemblyman Kerns, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Samuel Draney.

On request of Assemblyman Kissam, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Mike Purcell and Don Logan.

On request of Assemblyman McGaughey, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Mike Sturgeon and Jason Grubic.

On request of Assemblyman Marvel, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Neil Talbot, Jeff Talbot and Russell Steele.

On request of Assemblyman May, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Michael Guerin.

On request of Assemblyman Nevin, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Jeremy Alexander.

On request of Assemblyman Nicholas, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Nathan Cherpeski.

On request of Assemblyman Porter, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Brian Hickey and Jason Jarman.

On request of Assemblyman Price, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Steven Hone.

On request of Assemblyman Sader, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Marti Karau and Mr. John Maple.

On request of Assemblyman Schofield, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Troy Wadsworth and Shawn Goetz.

On request of Assemblyman Sedway, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Dustin Homan.

On request of Assemblyman Spinello, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Nick Johnson.

On request of Assemblyman Spriggs, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Wayne Logan.

On request of Assemblyman Thomas, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Hans Reno.

On request of Assemblyman Thompson, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Karen Elizabeth Stewart and Mr. Brian Larry Stewart.

On request of Assemblyman Triggs, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Dan Brown.

On request of Assemblyman Wendell Williams, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Jason McKnight.

On request of Assemblyman Myrna Williams, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Aaron Green.

On request of Assemblyman Wisdom, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Matt Callister and J. P. LeSpade.

Assemblyman Jeffrey moved that the Assembly adjourn until Tuesday, February 3, 1987 at 11 a.m.

Motion carried.

Assembly adjourned at 11:44 a.m.

Approved: JOSEPH E. DINI, JR.
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE SIXTEENTH DAY

CARSON CITY (Tuesday), February 3, 1987

Assembly called to order at 11:04 a.m.

Mr. Speaker presiding.

Roll called.

All present except Assemblymen Craddock and Swain, who were excused.

Prayer by the Chaplain, The Reverend Doctor Terry Arnold.

The psalmist begins one of his works with the words, "My heart overflows with a good theme (Psalm 45:1)." Let us pray. Our Heavenly Father, please let our heads, hearts, and hands be filled to overflowing with good ideas, noble thoughts, and righteous activities. In the name of our Lord and Saviour, Jesus Christ, I pray. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Jeffrey moved that further reading of the Journal be dispensed with, and the Speaker and Chief Clerk be authorized to make the necessary corrections and additions.

Motion carried.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, February 2, 1987

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. 2.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Senate Concurrent Resolution No. 2.

Assemblyman Jeffrey moved the adoption of the resolution.

Remarks by Assemblyman Humke.

Resolution adopted.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Economic Development, Small Business and Tourism:

Assembly Bill No. 120—An Act relating to foreign corporations; authorizing foreign corporations to produce motion pictures in this state without qualifying to do business in this state; and providing other matters properly relating thereto.

Assemblyman Price moved that the bill be referred to the Concurrent Committees on Economic Development, Small Business and Tourism and Judiciary.

Motion carried.

By the Committee on Economic Development, Small Business and Tourism:

Assembly Bill No. 121—An Act relating to economic development; providing that certain records of the commission on economic development are confidential; and providing other matters properly relating thereto.

Assemblyman Price moved that the bill be referred to the Concurrent Committees on Economic Development, Small Business and Tourism and Government Affairs.

Remarks by Assemblyman Thompson.

Motion carried.

By the Committee on Ways and Means:

Assembly Bill No. 122—An Act making an appropriation to the state permanent school fund for land transferred to state agencies; and providing other matters properly relating thereto.

Assemblyman Sedway moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By the Committee on Ways and Means:

Assembly Bill No. 123—An Act relating to state employees; authorizing payment of certain travel and moving expenses of certain employees and prospective employees; and providing other matters properly relating thereto.

Assemblyman Sedway moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 124—An Act relating to partnerships; expanding the authority of partners to sell property of a partnership without unanimous approval; exempting foreign limited partnerships from certain requirements concerning fictitious names; temporarily expanding the authority of general partners to change the name of a limited partnership; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 125—An Act relating to gaming; repealing prospective changes to provisions governing the calculation of the gross revenue of a gaming licensee; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 126—An Act relating to independent contractors; raising the threshold for approval of contracts by the state board of examiners; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Legislative Functions:

Assembly Bill No. 127—An Act relating to legislators; authorizing legislators to enter into certain contracts; and providing other matters properly relating thereto.

Assemblyman Myrna Williams moved that the bill be referred to the Committee on Legislative Functions.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Joint Resolution No. 4.

Resolution read third time.

Remarks by Assemblymen Myrna Williams, Getto, Schofield, Spriggs and Gaston.

Roll call on Assembly Joint Resolution No. 4:

YEAS—37.

NAYS—Carpenter, Marvel, Spriggs—3.

Absent—Craddock, Swain—2.

Assembly Joint Resolution No. 4 having received a constitutional majority, Mr. Speaker declared it passed.

Resolution ordered transmitted to the Senate.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Dini and Price:

Assembly Bill No. 128—An Act relating to Nevada Magazine; authorizing it to trade its service of advertising for the services of others under certain circumstances; and providing other matters properly relating thereto.

Assemblyman Price moved that the bill be referred to the Committee on Economic Development, Small Business and Tourism.

Motion carried.

By Assemblymen Dini and Sader:

Assembly Bill No. 129—An Act relating to the rights of the defendant; authorizing the use of closed-circuit television for certain judicial proceedings; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Dini, Jeffrey, Sedway, DuBois, Bergevin, Getto, Humke, Schofield, Sader, Evans, McGaughey, Garner, Adler, Kissam,

Myrna Williams, Nicholas, Callister, Haller, Triggs, Gaston, Carpenter, Lambert, Wisdom, Spinello, Tebbs, Brookman, Freeman, Thomas and Marvel:

Assembly Bill No. 130—An Act relating to public assistance; requiring the establishment of a plan for the education and training of recipients of aid to dependent children; making an appropriation; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen Schofield, Dini, Banner, May, Jeffrey, Fay, Myrna Williams, Garner, Evans, Spriggs, Arberry, Humke, Triggs, Wendell Williams, Haller, Nicholas, Lambert, McGaughey, Kissam, Thomas, Adler, DuBois, Thompson, Bergevin, Sader, Sedway, Nevin, Price, Porter, Kerns, Tebbs, Wisdom, Brookman, Callister, Spinello, Carpenter, Gaston, Freeman, Getto and Marvel.

Assembly Joint Resolution No. 14—Requesting the President and Congress to select the State of Nevada as the site for the construction of the new atomic particle accelerator called the Superconducting Super Collider.

Assemblyman Schofield moved that the resolution be referred to the Concurrent Committees on Natural Resources, Agriculture and Mining and Economic Development, Small Business and Tourism.

Motion carried.

REMARKS FROM THE FLOOR

Assemblyman Fay requested that Assemblyman Price's remarks be entered in the Journal.

Notable birthdays for this week include two Founding Fathers, Robert Morris (1734) and Governor Morris (1752), both delegates from Maryland to the Constitutional Convention. Others are William Harrison, our 9th President and the first to die in office. He caught pneumonia during his inauguration. Also born during this week were Aaron Burr in 1801, Ronald Reagan in 1911, and that great American baseball star Babe Ruth in 1895.

Two hundred years ago this week, the Philadelphia Directors were considering a proper location for the new library building and a reward of eight pounds was offered for a red roan horse stolen out of a subscriber's stables near the three-mile run on the Germantown road. James Gibson visited Benjamin Franklin, who was playing cribbage with his daughter, Mrs. Bache. The Continental Congress finally convened in New York and elected Arthur St. Clair of Pennsylvania as the seventh President of the U.S. Congress assembled. John Hanson, elected in 1781, was the first President of the United States under the Articles of Confederation, while George Washington was the first under the Constitution.

In the deja vu area, letters from Secretary of Foreign Affairs John Jay, who later became the first Chief Justice of the U.S. Supreme Court, were read to Congress. Among other matters they dealt with the South American upheavals and negotiations with Algiers (North Africa) for the release of 300 American hostages.

Even in 1787, the cost of education was of major concern. Hush Williams wrote to John Gray Blount complaining that, "In this town the scarcity of hogs and hominy this year prevents people from being able to even pay for the schooling of their children." In 1788,

Massachusetts became the 6th state to ratify the Constitution by a vote of 187 to 168. The first electors voted to elect George Washington as President on February 4, 1790. Congress ratified the 15th Amendment in 1870 and the 16th Amendment in 1930. On this week in 1920, Governor Emmett Boyle called a special session of the Nevada Legislature to consider the 19th Amendment to the United States Constitution.

Seventy-six years ago, in 1911, Governor Tasker Oddie signed the bill creating Mineral County. State Senator Fred Balzar of Mina, received threats for his part in dividing Mineral from Esmeralda County. His brother was assaulted in Mina and his brother-in-law's saloon was burned to the ground. He received a letter threatening to kill his family and blow up his house when he returned from Carson City. Fortunately, he survived these problems to be elected Nevada's 16th Governor.

During this week, Nevada has ratified several Amendments to the U.S. Constitution. On February 8, 1911, the 16th Amendment was ratified. The 16th Amendment allows Congress to lay and collect taxes on income. On February 7, 1920, the 19th Amendment, which gives citizens the right to vote regardless of sex, was ratified. The 23rd Amendment, which gave the District of Columbia the same rights as a state for election purposes, was ratified February 2, 1961.

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 Mr. Stanton Jones, Jr.

On request of Assemblyman Garner, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Eric Horn.

On request of Assemblyman Haller, the privilege of the floor of the Assembly Chamber for this day was extended to Mss. Cecilia Colling and Shirlee Wedow.

On request of Assemblyman Jeffrey, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Larry Canarelli.

On request of Assemblyman Lambert, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Suzanne Olszewski.

On request of Assemblyman May, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Berlyn Miller.

On request of Assemblyman Spinello, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. John Harmon.

On request of Assemblyman Thompson, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Mark Fine.

On request of Assemblyman Wisdom, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Betty Harmon.

On request of Assemblyman Myrna Williams, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Hal Ober.

Assemblyman Jeffrey moved that the Assembly adjourn until Wednesday, February 4, 1987 at 11 a.m.

Motion carried.

Assembly adjourned at 12:01 p.m.

Approved: JOSEPH E. DINI, JR.
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE SEVENTEENTH DAY

CARSON CITY (Wednesday), February 4, 1987

Assembly called to order at 11:05 a.m.

Mr. Speaker presiding.

Roll called.

All present except Assemblymen Craddock and Swain, who were excused.

Prayer by the Chaplain, The Reverend Dave Charlton.

Father in Heaven, we thank You for this day and the many blessings You have bestowed upon us. As we look forward to the business of the hour, our prayer is that You fill us with Your patience, comfort us with Your love, surround us with Your wisdom, and clothe us with understanding. May this day be productive beyond our own expectations. May we look forward to a restful and rewarding evening and may our accomplishments be many as we serve together. In Jesus name we pray. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Jeffrey moved that further reading of the Journal be dispensed with, and the Speaker and Chief Clerk be authorized to make the necessary corrections and additions.

Motion carried.

Assemblyman Brookman 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 pro Tempore presiding.

Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Ways and Means, to which was referred Assembly Bill No. 130, 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.

MARVIN M. SEDWAY, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Sedway moved that Assembly Bill No. 130 be re-referred to the Committee on Health and Welfare.

Motion carried.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, February 3, 1987

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Senate Bill No. 25.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Joint Resolutions Nos. 4, 5.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Joint Resolution No. 6 of the 63rd Session.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

By the Committee on Transportation:

Assembly Joint Resolution No. 15—Urging Congress to revise federal law regarding financial assistance in the construction of highways to consider the reimbursement of additional expenses related to relocation and condemnation and the losses incurred by owners of abutting property.

Assemblyman Nevin moved that the resolution be referred to the Committee on Transportation.

Motion carried.

Senate Joint Resolution No. 4.

Assemblyman Jeffrey moved that the resolution be referred to the Committee on Natural Resources, Agriculture and Mining.

Motion carried.

Senate Joint Resolution No. 5.

Assemblyman Jeffrey moved that the resolution be referred to the Committee on Natural Resources, Agriculture and Mining.

Motion carried.

Senate Joint Resolution No. 6 of the 63rd Session.

Assemblyman Jeffrey moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Transportation:

Assembly Bill No. 131—An Act relating to traffic laws; repealing the prospective expiration of a provision which provides alternative limitations on weight for trailers and semitrailers; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Transportation:

Assembly Bill No. 132—An Act relating to traffic laws; requiring use of the driving lane to the right by slower drivers; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Ways and Means:

Assembly Bill No. 133—An Act relating to the department of prisons; entitling certain employees at certain correctional facilities to receive compensation for the cost of commuting to work; and providing other matters properly relating thereto.

Assemblyman Sedway moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By the Committee on Ways and Means:

Assembly Bill No. 134—An Act making appropriations to the State Public Works Board for the construction of additional in-patient hospital beds at the Las Vegas Mental Health Center and to the Las Vegas Mental Health Center for upgrading the air-conditioning system; and providing other matters properly relating thereto.

Assemblyman Sedway moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 135—An Act relating to public schools; extending the existence of the commission on professional standards in education; and providing other matters properly relating thereto.

Assemblyman Thompson moved that the bill be referred to the Committee on Education.

Motion carried.

Senate Bill No. 25.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 36.

Bill read third time.

Remarks by Assemblyman Myrna Williams.

Roll call on Assembly Bill No. 36:

YEAS—40.

NAYS—None.

Absent—Craddock, Swain—2.

Assembly Bill No. 36 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed, as amended.

Bill ordered transmitted to the Senate.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Thomas, Myrna Williams, Spinello, Callister, Brookman, Wisdom, Banner, Porter, Jeffrey, Nevin, Sedway, Thompson, DuBois, Tebbs, Arberry, Wendell Williams, Nicholas, Garner, Kerns, Fay, Kissam, Adler, Haller, Triggs, Price, McGaughey, Evans, Dini, Freeman, Gaston and Carpenter:

Assembly Bill No. 136—An Act relating to the casino entertainment tax; allocating a portion of the tax for local cultural activities; and providing other matters properly relating thereto.

Assemblyman Thomas moved that the bill be referred to the Concurrent Committees on Taxation and Ways and Means.

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

Mr. Speaker pro Tempore announced that there shall be a Joint Session of the Senate and Assembly, Monday, February 16, 1987 at 11 a.m. for the purpose of hearing The Honorable James H. Bilbray, United States Representative for Nevada, and that there shall be a Joint Recess of the Senate and Assembly, Monday, March 9, 1987 at 11 a.m. for the purpose of hearing an address by Mr. James Dean, American Legion National Commander.

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 Brookman requested that her remarks be entered in the Journal.

I want to recognize an important event in international sport competition. Early today, the United States yacht, Stars and Stripes, sailed to victory in the America's Cup Yacht Races off the coast of Fremantle, Australia. Stars and Stripes won its fourth straight race to sweep the series (4 to 0) over Australia's Kookaburra (KKB) III.

This is a proud occasion for all Americans. Stars and Stripes, under Skipper Dennis Conner of San Diego, retook the America's Cup trophy which was lost to Australia in 1983. Prior to that date, America had held possession of the trophy for 132 consecutive years, since the competition began in 1851.

This is an impressive win for Mr. Connor and his crew. As you may know, Dennis Connor was the Captain of the Liberty which lost (4 to 3) to Australia II in 1983.

Mr. Speaker, Members, please join me in a round of applause for Mr. Connor and his crew of the Stars and Stripes.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Evans, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Gerald Prindeville, Ms. Pati Benson, Blair VanOrden and students from Sparks High School: Karen Bowling, Cassandra Cromwell, Russell Gillespie, Matthew Goodsell, Jake Huber, Carla Jennings, Deby Johnson, Scott Katherman, Nicole Mark, Sean O'Bannon, Mike Romine, Adriene Russell, Chris Weilburg and Jill Lamkin.

On request of Assemblyman Garner, the privilege of the floor of the Assembly Chamber for this day was extended to Dr. Herman Van Betten.

On request of Assemblyman Haller, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. G. Holbrook Hawes.

On request of Assemblyman Kissam, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Gary Bedunnah and Mrs. Patricia Bedunnah.

On request of Assemblyman Nicholas, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Doug Doolittle.

On request of Assemblyman Myrna Williams, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Jan MacEachern.

On request of Assemblyman Wendell Williams, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Vergus Porter.

Assemblyman Jeffrey moved that the Assembly adjourn until Thursday, February 5, 1987 at 11 a.m.

Motion carried.

Assembly adjourned at 11:40 a.m.

Approved: JOSEPH E. DINI, JR.
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE EIGHTEENTH DAY

CARSON CITY (Thursday), February 5, 1987

Assembly called to order at 11:01 a.m.

Mr. Speaker presiding.

Roll called.

All present except Assemblyman Craddock, who was excused.

Prayer by the Chaplain, The Reverend Dave Charlton.

Father in Heaven, we thank You for this day and Your many blessings. As we look to the business at hand our prayer is that You give us caring, loving, and concerned hearts in making the decisions which lie before us. Give us Your leadership and wisdom throughout this day. In Jesus' name we pray. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Jeffrey moved that further reading of the Journal be dispensed with, and the Speaker and Chief Clerk be authorized to make the necessary corrections and additions.

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen Dini and Jeffrey:

Assembly Concurrent Resolution No. 7—Expressing the mutual consent of the Assembly and Senate to an adjournment from Wednesday, February 25, to Monday, March 2, 1987.

Assemblyman Jeffrey moved the adoption of the resolution.

Remarks by Assemblyman Jeffrey.

Resolution adopted.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Ways and Means:

Assembly Bill No. 137—An Act making a supplemental appropriation to the State Distributive School Fund; and providing other matters properly relating thereto.

Assemblyman Sedway moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 138—An Act relating to the sale of subdivided land; requiring the seller to disclose certain information concerning the system to supply water and dispose of sewage; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 139—An Act relating to planning use of land; extending the time for a planning commission to take certain actions; authorizing the adoption of an ordinance requiring the inclusion of additional items in a tentative map for the division of land into large parcels; altering the procedure for abandoning public streets; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 140—An Act relating to state purchasing; raising the minimum requirement for formal bids and local purchases; expanding the duties of the chief of the purchasing division of the department of general services; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 141—An Act relating to state purchasing; authorizing the purchasing division of the department of general services to contract for services for a using agency; and providing other matters properly relating thereto.

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

Motion carried.

Assemblyman Nevin 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 11:25 a.m.

Mr. Speaker presiding.

Quorum present.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Ways and Means:

Assembly Bill No. 142—An Act making an appropriation to the Department of Prisons and the Department of Conservation and Natural Resources for construction and furnishing of a conservation camp facility; and providing other matters properly relating thereto.

Assemblyman Sedway moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By the Committee on Ways and Means:

Assembly Bill No. 143—An Act making an appropriation to the Department of Prisons for the installation of microwave communication systems equipment; and providing other matters properly relating thereto.

Assemblyman Sedway moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By the Committee on Ways and Means:

Assembly Bill No. 144—An Act making an appropriation to the Department of Prisons for the replacement of beds and mattresses; and providing other matters properly relating thereto.

Assemblyman Sedway moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By the Committee on Transportation:

Assembly Bill No. 145—An Act relating to motor vehicles; providing an exception to the provision requiring the mandatory suspension of the registration upon the owner's failure to submit a completed form for the verification of insurance coverage; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Transportation:

Assembly Bill No. 146—An Act relating to motor vehicles; requiring a peace officer to request proof of financial responsibility; requiring him to issue a traffic citation and take possession of the motor vehicle's registration and license plates if such proof is not provided; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Transportation:

Assembly Bill No. 147—An Act relating to motor vehicles; prohibiting the misrepresentation of proof of financial responsibility; providing a mandatory penalty for misrepresentation or forgery of proof of financial responsibility; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Transportation:

Assembly Bill No. 148—An Act relating to motor vehicles; requiring the surrender of license plates when registration is suspended for failure to maintain proof of financial responsibility; requiring a peace officer at the

scene of an accident to request information concerning validity of registration; requiring the seizure of the registration and the license plates if the registration is determined to be suspended for certain reasons; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Transportation:

Assembly Bill No. 149—An Act relating to motor vehicles; removing the requirement for maintaining proof of financial responsibility if a vehicle is not operated in this state; providing procedures for placing registration on inactive status during a period of nonoperation; requiring a police officer to seize the registration and the license plates if the vehicle is operated without evidence of security; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Transportation:

Assembly Bill No. 150—An Act relating to motor vehicles; making the insurer of the lessee primarily liable and the insurer of the lessor secondarily liable for damages resulting from an accident involving a motor vehicle under a short-term lease; and providing other matters properly relating thereto.

Assemblyman Nevin moved that the bill be referred to the Committee on Commerce.

Motion carried.

By the Committee on Health and Welfare:

Assembly Bill No. 151—An Act relating to dogs; changing the age at which counties may require dogs to be inoculated against rabies; and providing other matters properly relating thereto.

Assemblyman Arberry moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Senate Concurrent Resolution No. 2.

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 Mss. Lynnette Sawyer and Lucia Chavez.

On request of Assemblyman Brookman, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Lamar Marchese and Ms. Edythe Katz.

On request of Assemblyman Callister, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Lucille Lusk.

On request of Assemblyman Carpenter, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Howard Hickon.

On request of Assemblyman Gaston, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Carol Corbett, Mr. Jerry Welt and Mrs. Marcy Welt.

On request of Assemblyman Haller, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Grace Harkema, Messrs. Ken Harkema, Paul Ghilarducci and Tom Ryan.

On request of Assemblyman Kerns, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Lewis Young, Duncan Monroe and the eighth grade honor students of Swope Middle School: Heather Burkham, Krista Colletti, Clint Corey, Molly Davenport, Theresa DePaoli, Chad Dolan, Katya Estes, Cammille Flangas, Stephanie Gainey, Curtis Gregory, Ryan Hall, Chad Herrin, Chris Hofmann, Dawn Humphrey, Karena Joung, Holly Kline, Alexander Lurie, William Maddux, Chris Nielsen, Andrea Noble, Samuel Parks, Ameber Priestley, Tom Prutzman, Jason Richert, Luann Schweitzer, Nicole Sprenger, Kristy VanGorder, Karin Wanless, Mary Billharz, Brian Bowles, Katherine Cameron, Scott Cecchi, Victor Chen, Amanda Clark, Kristen Fiedler, Sydney Francis, Joshua Hicks, Katherine Kirby, Lisa Klinkert, Jennifer Metzker, Tara Moore, Roy Nelson, Mary Kay Orgill, Sarah Prochnau, Michael Rempala, David Solaro, Lettecia VanWalraven, Kelly Waite, Darren Wallace, Chris Wells and Stacey Zabo.

On request of Assemblyman Price, the privilege of the floor of the Assembly Chamber for this day was extended to Mss. Ellen Frehner, Pat Hixson, Angie Rodriguez and Theresa Sims.

On request of Assemblyman Thomas, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Shirley Bierman.

On request of Assemblyman Spinello, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. William Marion.

Assemblyman Jeffrey moved that the Assembly adjourn until Friday, February 6, 1987 at 11 a.m.

Motion carried.

Assembly adjourned at 11:37 a.m.

Approved: JOSEPH E. DINI, JR.
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE NINETEENTH DAY

CARSON CITY (Friday), February 6, 1987

Assembly called to order at 11:01 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, The Reverend Dave Charlton.

Father in Heaven, we thank You for the opportunity to serve. Our prayer is that You give us strength to serve with wisdom and its understanding. May Your love dwell with us throughout the day. In Jesus' name we pray. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Jeffrey moved that further reading of the Journal be dispensed with, and the Speaker and Chief Clerk be authorized to make the necessary corrections and additions.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Natural Resources, Agriculture and Mining, to which was referred Assembly Joint Resolution No. 3, 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 Natural Resources, Agriculture and Mining.

JAMES W. SCHOFIELD, *Chairman*

Mr. Speaker:

Your Committee on Natural Resources, Agriculture and Mining, to which was referred Assembly Bill No. 55, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JAMES W. SCHOFIELD, *Chairman*

Mr. Speaker:

Your Committee on Natural Resources, Agriculture and Mining, to which were referred Assembly Bills Nos. 39, 56; Assembly Joint Resolution No. 5, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JAMES W. SCHOFIELD, *Chairman*

Mr. Speaker:

Your Committee on Natural Resources, Agriculture and Mining, to which was referred Assembly Concurrent Resolution No. 3, has had the same under consideration, and begs leave to report the same back with the recommendation: Be adopted.

JAMES W. SCHOFIELD, *Chairman*

Assemblyman Bergevin moved that the Assembly recess subject to the call of the Chair.

Motion carried.

Assembly in recess at 11:05 a.m.

ASSEMBLY IN SESSION

At 11:26 a.m.
Mr. Speaker presiding.
Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Judiciary, to which were referred Assembly Bills Nos. 60, 61, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ROBERT M. SADER, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, February 5, 1987

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. 78.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Assembly Concurrent Resolution No. 3.
Assemblyman Schofield moved the adoption of the resolution.
Remarks by Assemblyman Schofield.
Resolution adopted.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblyman Price:

Assembly Bill No. 152—An Act making an appropriation to the Motor Pool Working Capital Fund to purchase replacement vehicles for the motor pool fleet; and providing other matters properly relating thereto.

Assemblyman Price moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 153—An Act relating to local financial administration; providing an exception to the requirement of approval by the board of county commissioners of all direct refunds from the county treasury; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 154—An Act relating to general improvement districts; authorizing boards of county commissioners to fill vacancies on certain local district managing boards; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Health and Welfare:

Assembly Bill No. 155—An Act relating to public health; increasing the locations where the smoking of tobacco is prohibited; granting the state board of health and local boards of health the authority to prohibit smoking in public facilities; and providing other matters properly relating thereto.

Assemblyman Arberry moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

By the Committee on Health and Welfare:

Assembly Bill No. 156—An Act relating to public accommodations; transferring the authority to regulate them to the state board of health; repealing obsolete provisions; repealing any existing regulations adopted pursuant to chapter 447 of NRS; and providing other matters properly relating thereto.

Assemblyman Arberry moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

By the Committee on Health and Welfare:

Assembly Bill No. 157—An Act relating to counties; allowing the board of county commissioners to include restrictions on the ability of persons to dispose of their own garbage; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Health and Welfare:

Assembly Bill No. 158—An Act relating to food establishments; authorizing health authorities to grant exemptions from provisions which regulate food establishments; and providing other matters properly relating thereto.

Assemblyman Arberry moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

By the Committee on Health and Welfare:

Assembly Bill No. 159—An Act relating to sanitation; expanding the power of the health authority to include suspension and revocation of certain permits; and providing other matters properly relating thereto.

Assemblyman Arberry moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

By the Committee on Ways and Means:

Assembly Bill No. 160—An Act making an appropriation to the Department of Education to settle an audit; and providing other matters properly relating thereto.

Assemblyman Sedway moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By Assemblymen Sedway, Banner, Jeffrey, Schofield, Spinello, Arberry, Myrna Williams, Wisdom, Callister, Brookman, Porter, Freeman, Fay, Nevin, Thomas, Swain, Kissam, Haller, Garner, Adler, Thompson, DuBois, McGaughey, Price, Evans, Wendell Williams and Triggs:

Assembly Bill No. 161—An Act relating to natural resources; requiring the state department of conservation and natural resources to collect a fee on gold extracted from land in Nevada; and providing other matters properly relating thereto.

Assemblyman Sedway moved that the bill be referred to the Committee on Natural Resources, Agriculture and Mining.

Motion carried.

REMARKS FROM THE FLOOR

Assemblyman Getto requested that the following remarks be entered in the Journal.

ASSEMBLYMAN BERGEVIN:

Mr. Speaker, I feel that inasmuch as A.B. No. 161 has a fee for mining this abrogates the system of the legislature where all revenue measures should be going to Taxation Committee. I feel that at least we ought to have a concurrent referral on A.B. 161 inasmuch as it is a substantial revenue measure. You can call it a fee, you can call it a tax, whatever it is, a fee is a tax and this bill is going into the wrong committee to be looked at as far as a revenue measure and it totally abrogates what the legislative system is all about.

ASSEMBLYMAN JEFFREY:

Mr. Speaker, I have to disagree with the Minority Leader. It is not unusual for bills containing fees to go to various committees depending on where the regulatory process lies. The fees generated do not go to the Department of Taxation, but to the Department of Conservation and Natural Resources. I believe the referral is proper.

ASSEMBLYMAN FAY:

Thank you, Mr. Speaker. In support of the Majority Leader, we get many bills on taxes on transportation when it deals with transportation.

ASSEMBLYMAN DUBOIS:

Thank you, Mr. Speaker. I agree with Mr. Bergevin that the bill should be concurrently referred to the Natural Resources, Agriculture and Tourism Committee and the Taxation Committee. I think it is a slap in the face to Mr. May, Chairman of Taxation, and the members of his committee to skirt that committee for what seems to me to be political purposes. It is not a fee. We are talking about a lot of money, millions of dollars. Mr. Sedway, himself, has declared that this is, "A jim-dandy tax," and that is what it is. It should go to the Taxation Committee.

ASSEMBLYMAN THOMAS:

Thank you, Mr. Speaker. As one of the people who signed on this bill I certainly want to have it heard and its merits judged. I do think, however, to qualify as a fee you must have something specific in return for that fee. I do think, perhaps, it's a tax and it probably ought to be heard by both committees.

ASSEMBLYMAN MCGAUGHEY:

Thank you, Mr. Speaker. As a co-sponsor of A.B. No. 161, I feel the legislative intent is being abused. We have committees in this house that are charged with carrying bills regarding different types of legislation and A.B. No. 161 is a revenue-producing legislation and I feel that at least it should be held concurrently by both committees. I agree, too, that we are indicating a lack of faith in the Taxation Committee to give a full and fair hearing to this bill. Thank you.

ASSEMBLYMAN MAY:

Mr. Speaker, I am deeply grateful for those concerns voiced by the members of the minority party with regard to my position in this. I would like to simply state for the benefit of the membership of the Assembly, speaking only for myself, I support the referral as it is made.

ASSEMBLYMAN SCHOFIELD:

Thank you, Mr. Speaker. Back in 1981, there were some bills referred that had to do with fees that were revenue-generating measures that were not referred to any committee but the Natural Resources, Agriculture and Mining Committee. At that time, there was a $25 fee being assessed against the hazardous materials going to the Beatty area. There were a number of measures in that particular year that dealt with these fees and I think it is very appropriate, because of the mere fact that this is the mining committee and it is a fee, that it should be heard in the Natural Resources, Agriculture and Mining Committee.

ASSEMBLYMAN PRICE:

Thank you, Mr. Speaker. Having heard this argument many times over the years, and thinking back to last Monday, I'm opposed to concurrent referrals.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Schofield, Dini, Sedway, Jeffrey, Porter, Banner, Bergevin, May, Tebbs, Humke, Kerns, Nevin, Price, Swain, Arberry, Getto, Brookman and Thompson:

Assembly Bill No. 162—An Act relating to victims of crime; expanding the definition of "victim" to include a person physically injured or killed by a person driving while intoxicated for the purposes of receiving certain financial aid; and providing other matters properly relating thereto.

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

Motion carried.

Senate Bill No. 78.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

By the Committee on Natural Resources, Agriculture and Mining:

Assembly Joint Resolution No. 16—Urging Congress to support Nevada's right to judicial review as an essential element of Nevada's responsibilities under the Nuclear Waste Policy Act.

Assemblyman Schofield moved that the resolution be referred to the Committee on Natural Resources, Agriculture and Mining.

Motion carried.

By the Committee on Natural Resources, Agriculture and Mining:

Assembly Concurrent Resolution No. 8—Directing the Nevada Agency for Nuclear Projects to study the regulation of the transportation of high-level nuclear waste and report to the legislature.

Assemblyman Schofield moved that the resolution be referred to the Committee on Natural Resources, Agriculture and Mining.

Motion carried.

REMARKS FROM THE FLOOR

Assemblyman May requested his remarks be entered in the Journal.

Mr. Speaker, thank you. I have some remarks I would like to read. They are in resolution form and they direct themselves to the Nevada Alliance on the Arts:

WHEREAS, The arts in Nevada have contributed significantly to the enjoyment of life of Nevadans; and

WHEREAS, Nevada's youth has gained an appreciation for art in our schools because of the dedicated efforts of many organizations throughout Nevada; and

WHEREAS, Nevada is privileged to have 15,500 professional artists living within our state with an annual income of $250,000,000; and

WHEREAS, In the past 20 years the private sector has donated $36,000,000 to promote the arts in Nevada; and

WHEREAS, Audiences attending events devoted to the arts will have doubled in the last 2 years, from 500,000 in 1985 to an estimated 1,000,000 in 1987; and

WHEREAS, The Nevada State Council on the Arts, which has been instrumental in coordinating performances in the arts throughout Nevada, is celebrating its 20th anniversary this year; and

WHEREAS, Today, February 6, 1987, at the "Governor's Arts Awards" in Carson City, Governor Richard Bryan will present awards for "Excellence in the Arts" to Walter Blanton, Doug Peterson and Bernardo Yanci and for "Service to the Arts" to Marjorie Barrick, Patrick Gassey, Frances Harvey, Marjorie Melton, Rollan Melton and Ed Semenza; now, therefore, be it

DECLARED BY THE ASSEMBLY OF THE STATE OF NEVADA, That in recognition of the enduring and continuing contribution of the arts in Nevada, February 6, 1987, is hereby declared as Nevada Arts Day.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Spinello, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Cathy Marion.

On request of Mr. Speaker, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Dave Jones, Kenny Avera, Cris Gill, Tim Saari, Mss. Ginger Macedo and Mary Tamogni.

On request of Assemblyman Gaston, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Pat Bendorf.

On request of Assemblyman Getto, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Randy Capurro.

On request of Assemblyman Price, the privilege of the floor of the Assembly Chamber for this day was extended to Mss. Linda Pruitt and Elizabeth F. Keys.

On request of Assemblyman Spriggs, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Wayne L. Montgomery, Mss. LaRuth Walls and Jane LaRogue and the fourth and fifth grade

classes of Round Mountain School: Becky Allison, Tanya Allison, Micah Baker, Andrea Bergonzoni, Eric Cahill, Jerry Crowley, Brandy Frew, Silvia Gonzalez, Samantha Hargrove, Anthony Haynes, Sean Ibsen, Clifford Johnson, Candy Marsh, Shane Montgomery, Melissa Rascon, Michele Rascon, Ginny Rables, Joe Sanders, Kacey Solomon, Stephanie Wiedmer, Randall Williamson, Rochelle Williamson, Kong Yang, Visnon Yang, Stephen Zimmerman, Billy Berg, Ty Berg, Chad Bernard, Cassie Bellencourt, Marsha Brown, Kisa Browning, Jeramee Capshaw, Joshua Christensen, Kristopher Daniel, Joe Gilliland, Melissa Harris, John Jackson, Aaron Johnson, Gabriel Martinez, Cherry Pizzarelle, John Platt, Laura Rice, Melissa Rodgers, Carissa Sanchez, Jessica Sheppard, Eyrica Solomon, Tanya Stevenson, Doc Totten, Phillip VanTreuren, Candice Warren and Willy Willis.

On request of Assemblyman Marvel, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Chester Hanson, Imo Patterson, Jerry Daugherty, Ron Kiel, Mss. Ann Stone, Blanch Mitchell, Victoria Seagraves, Nora Cornwall, Tova Forvilly, Gertrude Young, Pearle Daugherty and Yvonne Kiel.

Assemblyman Jeffrey moved that the Assembly adjourn until Monday, February 9, 1987 at 11 a.m.

Motion carried.

Assembly adjourned at 11:50 a.m.

Approved: JOSEPH E. DINI, JR.
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE TWENTY-SECOND DAY

CARSON CITY (Monday), February 9, 1987

Assembly called to order at 11:02 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, The Reverend Doctor Terry Arnold.

When Nehemiah was tempted to discontinue rebuilding the wall of Jerusalem, he responded with these words: "I am doing a great work, and I cannot come down (Nehemiah 6:30)." Let us pray. Our Heavenly Father, we are doing a great work. Help us strive together until it is finished. In the name of our Lord and Saviour, Jesus Christ, I pray. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Jeffrey moved that further reading of the Journal be dispensed with, and the Speaker and Chief Clerk be authorized to make the necessary corrections and additions.

Motion carried.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, February 6, 1987

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. 7.

MARY JO MONGELLI
Assistant Secretary of the Senate

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Education:

Assembly Bill No. 163—An Act making an appropriation to the state distributive school fund to add 2 days to the contracts of teachers; and providing other matters properly relating thereto.

Assemblyman Craddock moved that the bill be referred to the Concurrent Committees on Education and Ways and Means.

Motion carried.

By the Committee on Education:

Assembly Bill No. 164—An Act relating to pupils; requiring schools to admit minors to programs of special education; reducing the minimum age for admission to such programs; making an appropriation; and providing other matters properly relating thereto.

Assemblyman Craddock moved that the bill be referred to the Concurrent Committees on Education and Ways and Means.

Motion carried.

By the Committee on Education:

Assembly Bill No. 165—An Act relating to pupils; requiring the establishment of kindergarten in each school district; limiting the number of pupils in each class of kindergarten; making an appropriation; and providing other matters properly relating thereto.

Assemblyman Craddock moved that the bill be referred to the Concurrent Committees on Education and Ways and Means.

Motion carried.

By the Committee on Education:

Assembly Bill No. 166—An Act making an appropriation to the state department of education for programs to provide work experience for handicapped pupils; and providing other matters properly relating thereto.

Assemblyman Craddock moved that the bill be referred to the Concurrent Committees on Education and Ways and Means.

Motion carried.

By the Committee on Education:

Assembly Bill No. 167—An Act making an appropriation to the department of education for programs of continuing education for teachers; and providing other matters properly relating thereto.

Assemblyman Craddock moved that the bill be referred to the Concurrent Committees on Education and Ways and Means.

Motion carried.

By the Committee on Education:

Assembly Bill No. 168—An Act making an appropriation to the department of education for a system of telecommunication with rural schools; requiring the department of education to report to the legislature on the system of telecommunication; and providing other matters properly relating thereto.

Assemblyman Craddock moved that the bill be referred to the Concurrent Committees on Education and Ways and Means.

Motion carried.

By the Committee on Education:

Assembly Bill No. 169—An Act making an appropriation to the department of education for the support of programs to pay teachers for extra activities; and providing other matters properly relating thereto.

Assemblyman Craddock moved that the bill be referred to the Concurrent Committees on Education and Ways and Means.

Motion carried.

By the Committee on Education:

Assembly Bill No. 170—An Act making an appropriation to the department of education for programs to discourage pupils from dropping out of school and attract dropouts back to school; and providing other matters properly relating thereto.

Assemblyman Craddock moved that the bill be referred to the Concurrent Committees on Education and Ways and Means.

Motion carried.

By the Committee on Ways and Means:

Assembly Bill No. 171—An Act relating to witnesses; making uniform and increasing the subsistence allowance and travel expenses for witnesses in state courts; and providing other matters properly relating thereto.

Assemblyman Sedway moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By Assemblyman Dini:

Assembly Bill No. 172—An Act relating to public utilities; extending the period during which utilities are required to furnish electricity at lower rates for irrigation pumps; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Thompson:

Assembly Bill No. 173—An Act relating to the Airport Authority of Washoe County; designating police officers employed by the authority as peace officers; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Thompson:

Assembly Bill No. 174—An Act relating to the legislature; changing the designation of the security officers; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Banner, Thompson, Nevin, Kerns, Jeffrey, Garner, Carpenter, Wisdom, Fay, Bergevin, Tebbs and Wendell Williams:

Assembly Bill No. 175—An Act relating to industrial insurance; authorizing an appeals officer to request a medical or chiropractic examination of the claimant under certain circumstances; and providing other matters properly relating thereto.

Assemblyman Banner moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Government Affairs, to which were referred Assembly Bills Nos. 67, 81, 87, 93, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

DANNY L. THOMPSON, *Chairman*

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Commerce:

Assembly Bill No. 176—An Act relating to insurance; providing for payments by insurers to certain injured persons for loss of income before the settlement of their claims; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 177—An Act relating to group insurance for public employees; granting additional powers to the committee on group insurance; declaring certain records to be public records; providing for the determination of contested claims; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 178—An Act relating to gaming; specifically authorizing the Nevada gaming commission to grant preliminary approval to a licensee for involvement in foreign gaming; limiting the criteria used for approval of licensee for involvement in foreign gaming; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 179—An Act relating to evidence; prohibiting the introduction of certain evidence concerning eligibility for unemployment compensation benefits in actions for wrongful termination of employment; and providing other matters properly relating thereto.

Assemblyman Sader moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 180—An Act relating to the department of transportation; clarifying that providers of goods or services to contractors or subcontractors on projects of the department may not sue the department to collect

payment; providing a limitation on actions by a contractor of the department of transportation against the department of transportation; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 181—An Act relating to eminent domain; changing the rate of interest on judgments; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 182—An Act relating to estates in property; adopting the Uniform Statutory Rule Against Perpetuities; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Elections:

Assembly Bill No. 183—An Act relating to elections; requiring the disclosure of certain expenditures on behalf of or against ballot questions; and providing other matters properly relating thereto.

Assemblyman Swain moved that the bill be referred to the Committee on Elections.

Motion carried.

By the Committee on Elections:

Assembly Bill No. 184—An Act relating to elections; providing the procedure for the qualification of a minor political party; revising the procedure for the verification of signatures for certain petitions and certificates; revising the procedure for the creation of commissioner districts in certain counties; reducing the filing fees of candidates for certain district offices; and providing other matters properly relating thereto.

Assemblyman Swain moved that the bill be referred to the Committee on Elections.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 39.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 55.

Bill read second time.

The following amendment was proposed by the Committee on Natural Resources, Agriculture and Mining:

Amendment No. 26.

Amend sec. 2, page 2, line 8, by deleting: "or neglect of duty, evidenced by" and inserting: ", [or] neglect of duty [, evidenced by] *or*".

Amend the title of the bill, third line, by deleting "such supervisors;" and inserting: "appointed supervisors; expanding the causes for removal;".

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. 56.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 60.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 18.

Amend sec. 3, page 2, line 13, after "*entireties*" by inserting: "*or as community property*".

Amend sec. 15, page 9, line 16, after "NRS" by inserting "111.225,".

Amend the bill as a whole by adding the leadline of NRS 111.225 to the list of leadlines of repealed sections.

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. 61.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 19.

Amend sec. 4, page 1, line 17, by deleting "employer" and inserting "improper".

Amend sec. 4, page 2, line 10, by deleting "an individual" and inserting: "a natural person,".

Amend sec. 8, page 3, line 13, by deleting the hyphen.

Assemblyman Sader moved the adoption of the amendment.

Remarks by Assemblyman Sader.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Joint Resolution No. 3.

Resolution read second time.

The following amendment was proposed by the Committee on Natural Resources, Agriculture and Mining:

Amendment No. 27.

Amend the resolution on page 1, by deleting line 4 and inserting:

"WHEREAS, Effective means of ensuring public safety should include properly".

Assemblyman Schofield moved the adoption of the amendment.

Remarks by Assemblyman Schofield.

Amendment adopted.

Assemblyman Schofield moved that Assembly Joint Resolution No. 3 be re-referred to the Committee on Natural Resources, Agriculture and Mining.

Motion carried.

Resolution ordered reprinted, engrossed and to the Committee on Natural Resources, Agriculture and Mining.

Assembly Joint Resolution No. 5.

Resolution read second time, ordered engrossed and to third reading.

REMARKS FROM THE FLOOR

Mr. Speaker requested that his remarks be entered in the Journal.

The Blue Crew Captain, Bill Rohm, and the Blue Crew Executive Officer, Commander Jim Radack, on behalf of all the crew members of the U.S.S. Nevada Trident Submarine, would like to express their sincere appreciation for the enthusiasm displayed by your commissioning committee, and your generosity which has resulted in the finest submarine commissioning in the history of the United States Navy. They would also like to thank you for the fine gifts that were bestowed upon the ship and its crew members. Nevada Assembly members, the Captain and Commander salute you.

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 Captain Bill Rohm, Mrs. Shirley Rohm, Commander Jim Radack, Mrs. Sue Radack, Mr. T. J. Day, Mrs. Debbie Day, Mr. Art Smith, Mr. Jack Streeter and Mrs. Vera Streeter.

On request of Assemblyman Nevin, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Bill Ames and Miss Tina Brooks.

On request of Assemblyman Price, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. John Ponticello and Miss Jonna Ponticello.

Assemblyman Jeffrey moved that the Assembly adjourn until Tuesday, February 10, 1987 at 10:45 a.m.

Motion carried.

Assembly adjourned at 11:42 a.m.

Approved:

JOSEPH E. DINI, JR.
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE TWENTY-THIRD DAY

CARSON CITY (Tuesday), February 10, 1987

Assembly called to order at 10:48 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, The Reverend Doctor Terry Arnold.

The Bible says, "Every perfect gift is from above (James 1:17)." Let us pray. Thank You, Heavenly Father, for Your perfect gifts of concern, courage, commitment and laughter. In the name of our Lord and Saviour, Jesus Christ, I pray. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Jeffrey moved that further reading of the Journal be dispensed with, and the Speaker and Chief Clerk be authorized to make the necessary corrections and additions.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Legislative Functions, 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.

MYRNA WILLIAMS, *Chairman*

Mr. Speaker:

Your Committee on Legislative Functions, 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.

MYRNA WILLIAMS, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, February 9, 1987

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. 59.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Joint Resolution No. 21 of the 63rd Session.

MARY JO MONGELLI
Assistant Secretary of the Senate

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Dini, Nevin, Getto, Thompson, Bergevin, Jeffrey, Thomas, Nicholas, Garner, Porter, Carpenter, Wisdom, Freeman, Marvel, Sader, Schofield, Adler, Sedway, Arberry, Price, DuBois, McGaughey,

Swain, Lambert, Humke, Kerns, Haller, Brookman, Gaston, Banner, Craddock, Callister, Tebbs and Evans:

Assembly Bill No. 185—An Act relating to the registration of motor vehicles; excluding the weight of certain equipment and vehicles from the weight upon which certain fees are based; revising the fees for registration of certain vehicles; and providing other matters properly relating thereto.

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

Motion carried.

Senate Bill No. 59.

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

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

Senate Joint Resolution No. 21 of the 63rd Session.

Assemblyman Jeffrey moved that the resolution be referred to the Committee on Natural Resources, Agriculture and Mining.

Motion carried.

Mr. Speaker appointed Assemblymen Kissam and McGaughey as a committee to invite the Senate to meet in Joint Session with the Assembly to hear an address by Senator Chic Hecht.

The President of the Senate, the President pro Tempore of the Senate and Members of the Senate appeared before the bar of the Assembly.

Mr. Speaker invited the President and President pro Tempore of the Senate to the Speaker's rostrum.

Mr. Speaker invited the Members of the Senate to chairs in the Assembly.

IN JOINT SESSION

At 11 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 Malone and Assemblyman Thomas 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 from Nevada, appeared before the bar of the Assembly.

The Committee on Escort escorted the Senator to the rostrum.

Senator Hecht delivered his message as follows:

MESSAGE TO THE LEGISLATURE OF NEVADA

SIXTY-FOURTH SESSION, 1987

Mr. President, Mr. Speaker, honorable members of the Nevada State Legislature, ladies and gentlemen. And I also want to make a special note we have some young people in the audience. I am very happy to see you come and take part in government. I want to thank your teachers and the school for allowing this to happen. I'm sure among you in the future there will be some members in the Nevada Legislature, perhaps Governor or Members of Congress. In this great country, whatever you wish to achieve is obtainable. It's always refreshing to come home during the Congressional recess to remind myself what life is like in the "real world."

We've been having a little snow back in Washington and they can't cope with snow back in Washington like we can here. So what do they do? They just close down government. But don't worry, that's not so bad because when government is shut down, we can't raise your taxes. On the TV in the morning and on all of the radio shows during the tremendous snow storm they said, "Only essential government employees need to report to work." No one in Washington understood what the word "essential" meant, so no one showed up to work.

Thank you for inviting me. I believe the tradition of having members of the Congressional delegation come here without subpeona may be unusual, but it certainly helps maintain the lines of communication between Washington and Carson City.

Last time I stood here, I discussed nuclear waste and its repercussions. I warned that unrestrained political outrage expressed *before* scientific data has been compiled would be premature and cost us pending nuclear-related contracts like the $26 billion SP-100 space reactor research project.

I also discussed the military presence in our state, wilderness, the 55-MPH speed limit, land swaps, and other vital issues of the moment.

Now, two years later, I find most of them are still on our plate.

Although the Republicans lost control of the Senate last November, I was fortunate enough to keep a seat on the Energy and Natural Resources Committee, which handles so many vital Nevada issues.

And while we're all going to miss Senator Laxalt, I'm looking forward to working together closely with our new slate: Senator Harry Reid, Harry and I served in the Nevada Legislature together 20 years ago; Congressman Jim Bilbray; and, of course, our beloved Barbara Vucanovich. As your senior Senator, I pledge to maintain a spirit of bipartisan cooperation as we try to solve the issues critical to our state. Nevada must and Nevada will always come first!

Nuclear waste will be an issue facing Nevada for some time. It cannot be "wished away." Last year's decision by the Department of Energy to "postpone," indefinitely, plans to seek a suitable repository in the East was clearly wrong and, in my view, violated both the Nuclear Waste Policy Act and the intent of Congress. Nuclear waste is a national problem. It requires a national solution. In order to participate in the selection process, Nevada must maintain a position of responsibility. Otherwise, we lose all credibility, especially with Congress, the court of last resort.

The bottom line has to be safety, whether it's ours or our neighbor's. We can't put politics above the safety of the American people. That is why I am basing my position on facts and sound scientific evidence.

Within the next few months, I will be appointing a blue-ribbon panel of the best scientists available, to conduct an independent study of any possible correlation between the earthquake fault that runs through Yucca Mountain and the man-made earthquakes generated at the nearby test site.

During the Energy Committee hearings last year, I was shocked to learn that according to the Department of Energy, no earthquake study had ever been conducted. Nuclear waste opposition based on scientific fact will ultimately bear much more weight in the final decision than hysteria and political rhetoric. The panel will report its finding to the Senate possibly within two years. Last week Governor Grant Sawyer testified before a Senate Energy Committee and he made an excellent presentation. In that presentation he also brought out that we must deal in facts.

Looking ahead to the many other challenges facing us, it is appropriate to reflect on our historical past, if only for perspective. We should recall some of the important principles our Founding Fathers had in mind when they created the Constitution, that masterful blueprint for democracy, 200 years ago. Under the Articles, Congress was not so much a legislative body, as a diplomatic assembly—something akin to the United Nations of today. Still, the Articles of Confederation provided the foundation of the Constitution and the framework for the Constitutional Convention of 1787.

Probably not one of the signers would agree with everything in the Constitution. Yet that document has turned out to be a miracle pilot for self-government.

It is that Constitution that has enabled both native-born and immigrant to build America into the greatest land on earth and to keep us free.

The Constitution *is* the United States of America. This year on September 17th, we pay it special tribute. Underlying every phrase is a determination to achieve freedom—especially *from* government. The people of the new nation were so apprehensive of the kind of oppression they'd experienced in England and Europe, that every compromise still rejected any danger of overpowering central authority.

Perhaps freedom wasn't everything to them, but they believed deeply that without it, all else was nothing.

Because of the ideals expressed in our great Constitution, this nation quickly became the hallmark of freedom around the world. Today, it still is.

One of the most important rights guaranteed by this document is states' rights. That's why I feel so strongly that our people should not fall victim to dictatorial eastern Congressmen who want to selfishly destroy the concept of multiple use of public lands, a people-oriented concept which has served us well for more than 100 years.

As you know, nearly 87 percent of Nevada's land is controlled by the Federal Government. One of the more significant Federal land debates last year centered on wilderness and land withdrawals.

Wilderness is an extremely restrictive land designation. The current debate over Forest Service wilderness is only the first of a number of times Nevadans will be asked by a Federal agency to lock up pieces of Nevada for eternal preservation.

Most of us agree that some land should be preserved as is for future generations. The controversy hinges on the amount of land that would be deemed off limits to mining and, practically speaking, off limits to ranching, both so vital to Nevada—especially rural Nevada. But the issue is broader than economics, because wilderness designation would exclude many youngsters, older people and the handicapped.

Wilderness can even exclude the young and vigorous from recreational activities. For many years, the annual Western States Endurance Run and the Western States Trail Ride have taken place on the California side of Lake Tahoe. The Endurance Run began in 1974, while the Trail Ride dates back to 1955.

A part of the course goes through an area that was designated wilderness in 1984. At the time of the wilderness designation, the Forest Service promised to allow the events to continue. But, now they have changed their minds, and decided the events are incompatible with wilderness designation.

All Nevadans who like to jog, or who enjoy riding horses, ought to be wondering whether wilderness in Nevada might eventually lead to similar restrictions in Nevada's National Forests. Clearly, there is no question that a *lockup* of public lands is a *lockout* of the public.

I've always believed that it is the people who should govern, and that government which is closest to the people serves them best. So, last year I tried to practice what I preach. I brought a little of the Congress to Nevada. I conducted five Senate committee hearings throughout the state on the question of "How Much Wilderness?"

Most Nevadans who live and work in our rural counties where most of the proposed wilderness lies, told the committee they want no wilderness at all, but if they have to take a wilderness bill, they want the smaller of the two Congressional bills introduced.

The Nevada Legislature in 1985, by a vote of 60 to 3, supported this smaller wilderness bill. Sixteen of the seventeen boards of county commissioners also supported this bill.

But despite this strong backing, our Congressional delegation still could not reach agreement.

So, what is my position today?

I am going to listen closely to the wishes of rural Nevadans who work and live on these lands. But listening also means an open ear and mind for residents of our urban areas. Some have expressed a strong desire for additional wilderness near our two main urban centers and those desires deserve every consideration.

And I am extremely cognizant of a recent district court decision which raises a serious challenge to state water rights once wilderness areas are designated. Our own Attorney General expressed his concern on this matter when he testified before me during the wilderness hearings. There are a number of us in Congress who firmly believe that no additional wilderness legislation should be passed until the question of state versus Federal control of water is settled.

And listening to Nevadans who testified before my subcommittee made me aware that excessive wilderness can injure future funding for our state's school system.

Our counties presently receive revenues from net proceeds in the production of minerals in Nevada. A large portion of that money goes to support schools. In addition, the Federal Government collects rental fees and royalties from production of oil, gas, geothermal and other leasable minerals in Nevada. Last year this totalled $21 million. About half of that wound up in the state's distributive school fund.

I can only say to you that the legislation I introduced seems to best represent the needs and wants of Nevada. Consequently, I plan to reintroduce legislation similar to what I sponsored last year. However, I will give every consideration to adding additional acreage for wilderness designation near our two main population centers. This is in keeping with my belief that local governments and citizens know best what is good or bad for them.

I also tell you now that I will do everything within my power in Washington, as a member of the Senate Energy Committee which oversees these matters, to prevent politicians from outside our state from imposing their will on the people of Nevada.

Wilderness is not the only states' rights issue this year. As you may know, my pet project has been legislation to give you and other state lawmakers the authority to raise the 55-MPH speed limit on rural highways where *you* deem it safe. Last year, Senator Symms and I presented our case to the White House and President Reagan agreed: this is just another area in which the Federal Government should not be involved.

Some of what we will be doing in Washington will, undoubtedly, make things tough for you. But it is a part of the price we have to pay if Uncle Sam is to ever get a handle on our number one national problem: the budget deficit. As I warned you last time, programs like revenue sharing are being phased out simply because the government has no revenue to share.

Congress continues to spend money like they had it. We need to further cut these unnecessary spending programs and not try to balance the budget on the backs of our taxpayers.

We made a good first step last year with the Tax Reform Bill. They are still having farewell parties on Capitol Hill for Tip O'Neill and already the new Speaker is talking about raising taxes. I hope we're not about to return to the old days when the big spenders try to be all things to all people.

Another major national issue also affecting most Nevadans is the liability insurance crisis. Last August during my "Chat with Chic" tour, I conducted several public hearings and heard some shocking testimony. Many Nevada cities and counties are totally without liability insurance. Health care costs, an issue you are now confronting, are rising in part because physicians order many unnecessary medical tests for patients in order to protect themselves from potential liability. Here are some other horror stories:

—School districts using funds intended for instruction to meet insurance costs.

—Church groups and Boy Scouts having to pay $900 for a two-hour insurance policy before they may use a public park.

—Doctors in rural Nevada refusing to deliver babies because they fear lawsuits.

One suggestion I repeatedly heard was that we need some type of Federal regulation of the insurance industry if states are incapable. The McCarran/Ferguson Act established the

system whereby insurance regulation rests within the province of state authorities. While I most certainly appreciate the hardships created by the crisis, I emphasize that none of the insurance-related legislation I co-sponsored last year would have encouraged Federal intervention.

I am convinced that for the most part, the various tort and insurance reform initiatives which have been proposed, should be considered by you and other state legislatures, rather than on Capitol Hill.

During the last Congress, I did support legislation which would help businesses, associations and governmental entities form interstate self-insurance and collective insurance-purchasing groups.

In addition, Federal Civil Rights laws must be fine-tuned because they impact premiums paid by municipalities.

As a result of my hearings, I co-sponsored two intitatives seeking to lower the exposure of local governments by placing restrictions on litigation sought in Federal court. These bills did not pass last year but I am pushing for their consideration again this year.

While the states' rights provisions of the Constitution are vitally important, I'm even more concerned about another which guarantees our freedom. Without freedom, the debate over states' rights is meaningless.

The military presence in our state is critical to America and to freedom.

Last year, the operations budget for the Department of Energy in Nevada was a total of $981.2 million, which includes $333.6 million for weapons testing. The DOE budget reflects a positive trend, increasing steadily over the past five years.

Payroll for this Fiscal Year is $334 million, with 7,800 employed. The economic impact of Nellis Air Force Base in Southern Nevada is estimated at $1.2 billion, up from one billion dollars in 1985. In the North, the Fallon Naval Air Station hosts 950 military and 440 civilian personnel. Its economic impact is nearly $46 million. The Hawthorne Army Ammunition Plant currently employs 597 people with an annual budget of $22 million.

These facts are important when we hear politicians talking about instigating a nuclear test freeze. Given the Soviet appetite for aggression, a freeze would only "freeze" us at a distinct disadvantage, both militarily and economically.

In Moscow the faces may change, but the script remains the same.

Under our Constitution, Senators are elected for six years and Congressmen for two years. The difference explained by our Founding Fathers was that Senators were responsible for foreign treaties, foreign trade and alliances.

One does not have to venture far past our border to discover Nicaragua is 1,000 miles closer to Nevada than Washington, D.C., is to Nevada. If we do not help the people of Nicaragua to fight and secure democracy in their country, as we did so effectively in El Salvador, we will end up with a Marxist government in Nicaragua taking orders from Moscow. For a country with a population of between 2.1 to 2.5 million people to have a far better equipped army than Mexico with a population of 80 million is not logical. Ortega and Castro have plans to expand communism to El Salvador, Honduras, Costa Rica, and the big prize, Mexico. This will create a flow of refugees in the tens of millions.

What does all of this mean to all of you people sitting in front of me? We in Nevada have approximately one million people. Just think that over a six-month period this flow of refugees could double our population. If you think you have trouble meeting our state's needs and the budget now, what would you do with an additional one million people, without a home, without clothes, without a job and without food. Communism must be stopped in Central America.

It would be hypocritical to defend our military in Nevada without giving equal time to our veterans. Existing law says that state government must provide part of the funding for setting up a cemetery in Nevada. You were not able to appropriate the necessary funds to accomplish this last session, so I've been working to help the state acquire some BLM property near Las Vegas which could be used for such a purpose.

Just before Congress called it quits last year, a law was passed which might be helpful. H.R. 5299 authorizes the Veterans Administration to establish a national cemetery in

states that don't have one, and also authorizes the acquisition of land, possibly at VA expense. Meantime, I'm proceeding with plans to introduce a bill that provides BLM land for the cemetery at no cost.

Too many important bills failed to survive as Congress rushed to adjourn last November. One would have transferred some 500,000 acres of Nevada land now administered by the BLM to the Forest Service. It failed because of last minute insistence by the House that water rights be under Federal instead of state jurisdiction as they should.

Another disappointment was defeat of legislation that would have exchanged Federal land in Nevada for property the Aerojet General Corporation owns in Florida. Aerojet has been working on technology for the super-secret plane known as the "Orient Express." It could fly from New York to Tokyo in two hours. It could even go into orbit like the space shuttle, but much more safely, and have a large bay.

The space program President Kennedy wisely launched nearly a quarter of a century ago must continue toward new frontiers. It is not a question of if, but how fast. And, Nevada needs to do everything possible to attract these new high-tech companies if we are to be on the cutting edge of the future.

The time has come to reassess our strategy and pledge an open mind to the challenges of tomorrow.

We need to tell the world Nevada is much more than gaming and tourism. We need to continue working hard to diversify our economy, to attract more Aerojets and to increase trade with other nations.

I'm extremely optimistic that my recent visit with leaders of China will result in increased activity for some of Nevada's industries, including our all-important mining and geothermal energy industries. We must all work together to create a climate that will attract new industry and jobs. We are an attractive state. We possess vast natural and human resources. We are a nation of vision and spirit. We are a people of remarkable courage and determination.

As we remember our great Constitution, let us not forget the Founding Fathers of our state. Our country was in a bitter Civil War, pitting brother against brother. On February 24, 1866, the Nevada Legislature approved a law to legally create the state seal and motto, "All for our Country."

Let me quote from the *Las Vegas Sun* of January 2, 1987, and I might add I don't quote from the *Las Vegas Sun* too often. Marc Fenster wrote that the majority of 566 high school students at the Sun Youth Forum recognized that we are Americans first, and the nation's best interest should remain at the forefront of our minds.

With youth like this, we will realize Abraham Lincoln's dream come true, "This great nation under God will live forever."

Senator Redelsperger moved that the Senate and Assembly in Joint Session extend a vote of thanks to Senator Hecht for his timely, able and constructive message.

Motion carried.

The Committee on Escort escorted the Senator to the bar of the Assembly.

Assemblyman Carpenter moved that the Joint Session be dissolved.

Motion carried.

Joint Session dissolved at 11:33 a.m.

ASSEMBLY IN SESSION

At 11:38 a.m.

Mr. Speaker presiding.

Quorum present.

SECOND READING AND AMENDMENT

Assembly Bill No. 67.
Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 81.
Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 87.
Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 93.
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 11:42 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. 39.
Bill read third time.
Remarks by Assemblyman Dini.
Roll call on Assembly Bill No. 39:
YEAS—42.
NAYS—None.

Assembly Bill No. 39 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 11:44 a.m.

ASSEMBLY IN SESSION

At 11:45 a.m.
Mr. Speaker presiding.
Quorum present.

GENERAL FILE AND THIRD READING

Assembly Bill No. 56.
Bill read third time.
Remarks by Assemblymen Schofield and Gaston.
Assemblyman Schofield moved that Assembly Bill No. 56 be taken from the General File and placed on the Chief Clerk's desk.
Remarks by Assemblyman Schofield.
Motion carried.

Assembly Joint Resolution No. 5.
Resolution read third time.
Remarks by Assemblyman Schofield.
Roll call on Assembly Joint Resolution No. 5:
YEAS—42.
NAYS—None.

Assembly Joint Resolution No. 5 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 Concurrent Resolution No. 7.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Adler, the privilege of the floor of the Assembly Chamber for this day was extended to Mss. Silvia Heshiki, Juliana Arenas, Anne Ducolombier and Mr. Fernando Cardenas.

On request of Assemblyman Haller, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Yvonne Shaw.

On request of Assemblyman Kissam, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Oran Gragson.

On request of Assemblyman Marvel, the privilege of the floor of the Assembly Chamber for this day was extended to Mss. Yolan Goodrich, Delores Silva and Virginia Shane.

On request of Assemblyman Nicholas, the privilege of the floor of the Assembly Chamber for this day was extended to Mss. Darlene Sharp, Rochelle Backus, Crista Sharp, Nicole Sharp and Mr. Steven G. Riddell.

On request of Assemblyman Thompson, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Gary Bloomquist, G. H. Billingsley, Jeff Howard and Ms. Ann Barron.

On request of Assemblyman Wisdom, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Steve Cozine.

Assemblyman Jeffrey moved that the Assembly adjourn until Wednesday, February 11, 1987 at 11 a.m.
Motion carried.

Assembly adjourned at 11:53 a.m.

Approved: JOSEPH E. DINI, JR.
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE TWENTY-FOURTH DAY

CARSON CITY (Wednesday), February 11, 1987

Assembly called to order at 11:02 a.m.

Mr. Speaker presiding.

Roll called.

All present except Assemblymen Banner and Callister, who were excused.

Prayer by the Chaplain, The Reverend Doctor Terry Arnold.

The Psalmist said, "The law of the Lord is perfect, restoring the soul (Psalm 19:7)." Let us pray. Heavenly Father, help us pattern our pending legislation after Your perfect law. In the name of our Lord and Saviour, Jesus Christ, I pray. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Jeffrey moved that further reading of the Journal be dispensed with, and the Speaker and Chief Clerk be authorized to make the necessary corrections and additions.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Natural Resources, Agriculture and Mining, to which were referred Assembly Joint Resolutions Nos. 9, 12, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JAMES W. SCHOFIELD, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, February 10, 1987

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bill No. 37.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Bill No. 86.

MARY JO MONGELLI
Assistant Secretary of the Senate

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Ways and Means:

Assembly Bill No. 186—An Act making appropriations from the State General Fund and the Pollution Control Fund to the Tahoe Regional Planning Agency for the costs of conducting certain projects; and providing other matters properly relating thereto.

Assemblyman Sedway moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By the Committee on Ways and Means:

Assembly Bill No. 187—An Act making a supplemental appropriation to the Department of Prisons; and providing other matters properly relating thereto.

Assemblyman Sedway moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

Senate Bill No. 86.

Assemblyman Jeffrey 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 Assemblyman Bergevin:

Amendment No. 2.

Amend section 1, page 1, line 7, by deleting "*or investigation*".

Amend the bill as a whole by deleting sec. 2, and renumbering sec. 3 as sec. 2.

Amend the title of the bill to read as follows:

"An Act relating to legislative audits; allowing distribution of a written report of an audit to certain persons before the meeting at which it will be presented; and providing other matters properly relating thereto."

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. 6.

Resolution read second time, ordered engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Assembly Bills Nos. 55, 60, 61, 67, 81, 87 and 93 be taken from the General File and placed on the General File for the next legislative day.

Remarks by Assemblyman Jeffrey.

Motion carried.

Assemblyman Thompson moved that the Assembly recess subject to the call of the Chair.

Motion carried.

Assembly in recess at 11:09 a.m.

ASSEMBLY IN SESSION

At 11:25 a.m.

Mr. Speaker presiding.

Quorum present.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Education:

Assembly Bill No. 188—An Act relating to education; increasing the maximum amount the board of trustees of a school district may pay to parents in lieu of furnishing transportation to a pupil; and providing other matters properly relating thereto.

Assemblyman Craddock moved that the bill be referred to the Committee on Education.

Motion carried.

By the Committee on Education:

Assembly Bill No. 189—An Act relating to education; eliminating the requirement for a proficiency examination of pupils in grade 12 who pass the examination in grade 9; and providing other matters properly relating thereto.

Assemblyman Craddock moved that the bill be referred to the Committee on Education.

Motion carried.

By the Committee on Health and Welfare:

Assembly Bill No. 190—An Act relating to planning for health care; permitting the acquisition of certain medical equipment without the prior approval of the director of the department of human resources; and providing other matters properly relating thereto.

Assemblyman Arberry moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

By the Committee on Health and Welfare:

Assembly Bill No. 191—An Act relating to planning for health care; limiting the types of new health services that require the prior approval of the director of the department of human resources; and providing other matters properly relating thereto.

Assemblyman Arberry moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

By the Committee on Health and Welfare:

Assembly Bill No. 192—An Act relating to public welfare; providing a procedure for the distribution of any Community Services Block Grant received from the Federal Government; and providing other matters properly relating thereto.

Assemblyman Arberry moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

By the Committee on Health and Welfare:

Assembly Bill No. 193—An Act relating to planning for health care; increasing the amount which may be expended for medical equipment without the approval of the department of human resources; and providing other matters properly relating thereto.

Assemblyman Arberry moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

By the Committee on Health and Welfare:

Assembly Bill No. 194—An Act relating to planning for health care; increasing the amount of capital expenditures which may be made by a health facility without the approval of the director of the department of human resources; and providing other matters properly relating thereto.

Assemblyman Arberry moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

By the Committee on Health and Welfare:

Assembly Bill No. 195—An Act relating to planning for health care; permitting certain capital expenditures by a health facility without the prior approval of the director of the department of human resources; and providing other matters properly relating thereto.

Assemblyman Arberry moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

By the Committee on Natural Resources, Agriculture and Mining:

Assembly Bill No. 196—An Act relating to watercraft; providing for implied consent to testing for the presence of alcohol or controlled substances in operators; providing presumptions for alcoholic content of operator's blood; increasing penalty for altering a watercraft's serial number; classifying requirements for lighting watercraft; conforming state requirements for lighting watercraft to federal law; and providing other matters properly relating thereto.

Assemblyman Schofield moved that the bill be referred to the Concurrent Committees on Natural Resources, Agriculture and Mining and Judiciary.

Motion carried.

By the Committee on Natural Resources, Agriculture and Mining:

Assembly Bill No. 197—An Act relating to the control of pests; increasing the maximum amount of the deductible clause of the liability insurance required for an applicant for a pest control license; and providing other matters properly relating thereto.

Assemblyman Schofield moved that the bill be referred to the Concurrent Committees on Natural Resources, Agriculture and Mining and Commerce.

Motion carried.

By the Committee on Natural Resources, Agriculture and Mining:

Assembly Bill No. 198—An Act relating to pesticides; correcting an inaccurate reference to the agency of the Federal Government which prescribes standards for the regulation of pesticides; and providing other matters properly relating thereto.

Assemblyman Schofield moved that the bill be referred to the Committee on Natural Resources, Agriculture and Mining.

Motion carried.

By the Committee on Natural Resources, Agriculture and Mining:

Assembly Bill No. 199—An Act relating to procedure in criminal cases; enacting the Interstate Compact for Jurisdiction on the Colorado River; enacting the California-Nevada Compact for Jurisdiction on Interstate Waters; and providing other matters properly relating thereto.

Assemblyman Schofield moved that the bill be referred to the Concurrent Committees on Natural Resources, Agriculture and Mining and Judiciary.

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 200—An Act relating to securities; providing for the regulation of securities; providing for the licensing of any person who deals in securities; providing penalties; and providing other matters properly relating thereto.

Assemblyman Sader moved that the bill be referred to the Concurrent Committees on Commerce and Ways and Means.

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 201—An Act relating to partnerships; expanding the authority of partners to sell property of a partnership without unanimous approval; exempting foreign limited partnerships from certain requirements concerning fictitious names; temporarily expanding the authority of general partners to change the name of a limited partnership; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Sader:

Assembly Bill No. 202—An Act relating to limited partnerships; substituting the Uniform Limited Partnership Act (1985) for the Revised Uniform Limited Partnership Act of 1976; making certain administrative changes; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 203—An Act relating to commodities; providing for the regulation of the buying and selling of commodities for investment; and providing other matters properly relating thereto.

Assemblyman Sader moved that the bill be referred to the Concurrent Committees on Commerce and Ways and Means.

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 204—An Act relating to limited partnerships; requiring notification of the secretary of state of certain changes; providing a procedure for changing the agent for service of process; revising the schedule of fees; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 205—An Act relating to business associations; increasing certain fees collected by the secretary of state; providing an alternate method for service of process upon a corporation; prohibiting a corporation from using the same or a similar name to one held by a limited partnership; reducing the period for which a name may be reserved by a limited partnership; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 206—An Act relating to the secretary of state; providing for the disposition of excess payments made to the secretary of state; increasing certain fees; eliminating certain of his duties; clarifying a prohibition relating to notaries public; limiting the period of registration for the names and insignia of certain associations; and providing other matters properly relating thereto.

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

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Assembly Bill No. 92, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

DANNY L. THOMPSON, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

By the Committee on Government Affairs:

Assembly Joint Resolution No. 17—Requesting the United States Forest Service within the Department of Agriculture to include in its determination of fair market value the increase in the potential for development of land in the Lake Tahoe Basin.

Assemblyman Thompson moved that the resolution be referred to the Committee on Government Affairs.

Motion carried.

By the Committee on Government Affairs:

Assembly Joint Resolution No. 18—Requesting Congress to continue to appropriate money under the Santini-Burton Act for the purchase of environmentally sensitive land in the Lake Tahoe Basin.

Assemblyman Thompson moved that the resolution be referred to the Committee on Government Affairs.

Motion carried.

By Assemblymen Schofield, Dini and Spriggs:

Assembly Joint Resolution No. 19—Urging Congress to require the Department of Energy to comply with section 222 of the Nuclear Waste Policy Act which requires that the Department search for alternate methods for the disposal of high-level radioactive waste.

Assemblyman Schofield moved that the resolution be referred to the Committee on Natural Resources, Agriculture and Mining.

Motion carried.

By Assemblymen Schofield, Dini and Spriggs:

Assembly Joint Resolution No. 20—Supporting Nevada's Agency for Nuclear Projects and urging Congress to ensure that the independent oversight capability of Nevada is maintained and strengthened.

Assemblyman Schofield moved that the resolution be referred to the Committee on Natural Resources, Agriculture and Mining.

Motion carried.

By the Committee on Government Affairs:

Assembly Concurrent Resolution No. 9—Directing the Legislative Commission to continue to review the activities of the Tahoe Regional Planning Agency.

Assemblyman Thompson moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

By Assemblymen Thomas and Nicholas:

Assembly Concurrent Resolution No. 10—Directing the Division of Environmental Protection of the State Department of Conservation and Natural Resources to conduct a study to determine the presence and concentration of mercury and cyanide in the water of Washoe Lake.

Assemblyman Thomas moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Adler, the privilege of the floor of the Assembly Chamber for this day was extended to Mesdames Emm, Cain and students from Bordewich Elementary School, Carson City: Jessica Smith,

Ashley Svensson, Stacey Buttner, Erin Helseth, Veronica Gambler, Marily Cain, Jaime Garcia, Candace Douglas, Jessica Scott, Christy Northern, Claudia Cardoza, Justyna Kwierzykowska, Duston Thompson, Michael Johnson, Tracy Comer, Kris Stuhlmiller, Carl Miller, Jesse Sapien, Eric Ortiz, Brandom McElhinny, Tony Marcin, Canbie Thompson, Jason Batis, Arthur Valerie, Jason Scott, Jeff Dado, Stephen Schwieger, Justice Malone, Sarah Houghton and Jason Thomas.

On request of Assemblyman Gaston, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Jerome Blankinship.

On request of Assemblyman Kerns, the privilege of the floor of the Assembly Chamber for this day was extended to Mss. Marie Perry, Chan Perry, Judy Bundle, Dorothy Johnson, Ione Siemens and Marion Pruitt.

On request of Assemblyman Lambert, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. James Prosser.

On request of Assemblyman Spinello, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Scott Day.

Assemblyman Jeffrey moved that the Assembly adjourn until Thursday, February 12, 1987 at 10:45 a.m.

Motion carried.

Assembly adjourned at 11:42 a.m.

Approved: JOSEPH E. DINI, JR.
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE TWENTY-FIFTH DAY

CARSON CITY (Thursday), February 12, 1987

Assembly called to order at 10:46 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, The Reverend Doctor Terry Arnold.

The Bible says in the Proverbs, "Better is an open rebuke than love that is concealed (Proverbs 27:5)." Let us pray. Heavenly Father, help us to demonstrate our love for You, our families, and each other. In the name of our Lord and Saviour, Jesus Christ, I pray. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Jeffrey moved that further reading of the Journal be dispensed with, and the Speaker and Chief Clerk be authorized to make the necessary corrections and additions.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Natural Resources, Agriculture and Mining, to which were referred Assembly Bill No. 69, Assembly Joint Resolution No. 2, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JAMES W. SCHOFIELD, *Chairman*

Mr. Speaker:

Your Committee on Labor and Management, 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: Do pass.

JAMES J. BANNER, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which was referred Senate Bill No. 78, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

MARVIN M. SEDWAY, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, February 11, 1987

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. 5.

MARY JO MONGELLI
Assistant Secretary of the Senate

INTRODUCTION, FIRST READING AND REFERENCE

Senate Bill No. 5.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Taxation.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 92.

Bill read second time, ordered engrossed and to third reading.

Assembly Joint Resolution No. 9.

Resolution read second time.

The following amendment was proposed by the Committee on Natural Resources, Agriculture and Mining:

Amendment No. 44.

Amend the resolution, page 1, by deleting lines 1 through 3.

Amend the resolution, page 1, lines 10 and 11, by deleting: "assuming 100 percent" and inserting: "which would provide unlimited federal".

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. 12.

Resolution read second time.

The following amendment was proposed by the Committee on Natural Resources, Agriculture and Mining:

Amendment No. 45.

Amend the resolution, page 1, line 5, by deleting: "the site for a" and inserting: "one of the three proposed sites for the first".

Amend the resolution, page 1, line 9, by deleting: "an alternate location;" and inserting: "a second repository;".

Amend the resolution, page 1, line 15, by deleting "if" and inserting "whether".

Amend the title of the resolution, second line, by deleting "1984." and inserting "1982.".

Assemblyman Schofield moved the adoption of the amendment.

Remarks by Assemblyman Schofield.

Amendment adopted.

Resolution ordered reprinted, engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Myrna Williams moved that the following person be accepted as an accredited press representative, and that he be assigned space at the press table and allowed the use of appropriate broadcasting facilities: Rony Fouladpour, MASON VALLEY NEWS.

Motion carried.

Mr. Speaker appointed Assemblymen Callister and Humke as a committee to invite the Senate to meet in Joint Session with the Assembly to hear an address by Senator Reid.

The President of the Senate, the President pro Tempore of the Senate and Members of the Senate appeared before the bar of the Assembly.

Mr. Speaker invited the President and President pro Tempore of the Senate to the Speaker's rostrum.

Mr. Speaker invited the Members of the Senate to chairs in the Assembly.

IN JOINT SESSION

At 10:59 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 Vergiels and Assemblyman Brookman to wait upon Senator Reid and escort him to the Assembly Chamber.

The Committee on Escort in company with The Honorable Harry Reid, United States Senator from Nevada, appeared before the bar of the Assembly.

The Committee on Escort escorted the Senator to the rostrum.

Senator Reid delivered his message as follows:

MESSAGE TO THE LEGISLATURE OF NEVADA

SIXTY-FOURTH SESSION, 1987

Mr. President, Mr. Speaker, Senators, Assemblymen and Guests.

Many authors throughout literary history have written about coming home again, but, I can honestly say that no one could creatively capture how I feel whenever I'm able to return to Carson City and the Legislature.

I survey this body with nostalgia. Richard Bryan and I served in the last legislative session held in the capitol. We were the only two freshmen in 1969. I presided here in this great facility during the first O'Callaghan term. My experience here was the foundation for much of what I know about our State.

Secondly, I have come before you today to share problems of mutual concern; to seek your viewpoints and also to ask you to communicate your own ideas and concerns to me on a continuing basis.

As I see it, my job is to act as your voice on Nevada's unique problems in Washington. Your job is to finish the work started in Washington.

On the Great Seal of the State of Nevada are the words, "All For Our Country." Sometimes I think the folks in Washington would like to add the words "And nothing for our State." Dealing with them as a Member of Congress for nearly five years has certainly given me a strong idea of the problems facing all of us as Nevada Legislators.

This will be the third time I have had the opportunity to report to you as a Member of Nevada's Congressional Delegation. I'd like to discuss with you now, some of the problems facing each representative of the people of Nevada.

We in this chamber all recognize the importance of nuclear testing, not only to the economy of Nevada, but also to the continued defense of our nation and really of the free world.

I think all of us would agree that if nuclear weapons could be effectively banned from the face of the earth, and peace assured against totalitarian aggression, we would support the total elimination of these weapons. That dream is not now possible. It is a goal worth achieving. It is a continuing responsibility that I feel—and will do all I can do to reduce the threat of a nuclear holocaust.

In the meantime, and while they exist, the weapons, and defenses against them, must be continually tested; because the problem is not testing, the problem is the existence and possible use of nuclear weapons. Until the time of nuclear peace I will continue to fight against any comprehensive nuclear test ban.

But there is a quid pro quo for our service as the nation's nuclear testing ground. We refuse to serve as this country's nuclear garbage can.

I am pleased to tell you that the seeds we have sown with our letter to the President, and the mobilization led by Governor Bryan and me have borne early fruit.

By reducing funds to the Department of Energy, we have forced it to substantially lengthen the time within which it proposes to choose a nuclear waste disposal site. I attribute the broad support for that fund reduction, in large part, to the outcry raised in Nevada over the unfair, and biased selection process used by the Department of Energy. A different attitude has arisen in the nation's capitol—one more understanding of the concerns of Nevada, Texas and Washington.

We must continue to fight together against the expressed desire of those in Washington to dump radioactive waste in our State. It is only through unified and concerted effort that we can defend Nevada against the potential pollution of nuclear poisons.

Washington has heard our voice on nuclear waste, and Washington has listened. But sometimes when Washington listens the results can be less than pleasant. For years you and others have called for less government from Washington, D.C. You wanted in effect to allow state and local government to be more active.

For many years, this Legislature and others across the country have called upon the Federal Government to reduce the huge Federal deficit. During these past six years the deficits have been staggering, I agree the Federal deficit is terrifying; it must be slashed before it literally destroys the financial fibre of our country.

The deficit affects each of us; interest rates paid by individuals and businesses, business investments, exchange rates and the balance of trade, is to name only a few of the negative consequences of this deficit.

But now, we in Washington have begun to make progress, slow but real, in reducing the level of Federal involvement and spending. You here on the front lines in Nevada are immediately beginning to feel one result.

Federal revenue sharing funds to the State and her counties and cities has been eliminated. We can expect those reductions to go forth and multiply in other areas. You on the state level must heed the call of Governor Bryan and face the problem squarely. Otherwise, state deficits will beget county deficits which will beget municipal deficits unto the sewer district and even water districts.

It has been said charity begins at home. Now, Federal taxes will no longer make up state shortfalls. Not only must frugality now begin at home, but what charity remains will also be paid for at home.

There are many problems, however, we must face together—as national legislators and as state legislators. Unemployment is a scourge. We have come to accept seven or eight percent unemployment without question. These raw figures exclude many—many who, statistically, are, for various reasons, left off the unemployment rolls. The problems that flow from chronic unemployment are many.

Let me visit with you about one of the problems that unemployment aggravates.

This past Monday night—just three nights ago—I, in disguise, spent a night (without being identified) in a shelter for the homeless. It was, to say the least, a unique experience. During the 13 hours I spent on the street, I had the opportunity to speak to many.

Saint Vincent's, Reno-Sparks Gospel Mission, the Salvation Army, which I learned on the street is called "Sallies," the Las Vegas Rescue Mission and Martin Luther King Hall—I now better appreciate these facilities. We must remember, the homeless have grown more than 30 percent per year since 1983. One-third are families.

Where I slept and where I walked, the main topic of conversation was work, food and shelter.

I am happy to see that the Governor and members of this Legislature are moving toward programs of workfare.

On a national level we need to make our unemployment programs, programs of dignity, not of the dole. It can be done. It has been done. The Works Progress Administration, the Civilian Conservation Corps—all welfare programs—programs, though, of dignity.

Another challenge facing us all is not a new one, but, it is one that is imposing itself on every facet of our lives more and more each day. The problem is catastrophic illness. The illness may come in the form of cancer, Alzheimer's, AIDS or one of dozens of other maladies.

These diseases do not discriminate. They rob the young, the old, the rich, the poor, the educated and the unskilled. Any one of us can be isolated from, and deprived of, our mental, physical and emotional resources.

Unfortunately, too, these devastating disorders also drain the victims and their loved ones of their *financial* resources—often their life savings garnered for special dreams and special goals—only to be lost to the sieve of high hospital and health care expenses.

Nationally and statewide, these diseases require extended health care and, therefore, directly influence the escalation of health care costs in the nation.

On the Federal level, I have worked toward the creation of catastrophic health care insurance for more than four years. As a Congressman—and member of the Select Committee on Aging—I co-sponsored legislation to provide protection for victims of catastrophic illness. As a U.S. Senator—and member of the Special Committee on Aging—I have already begun work on this problem.

We cannot deny the need to resolve this growing dilemma at *all* levels of government. That's why I'm happy to see Governor Bryan and many of you drafting your own solutions and remedies to the staggering cost of our health care delivery system.

I am aware that you as legislators, and the people of Nevada, recognize the winds of change blowing from Washington. That change requires diversification of Nevada's economy, as well, of course, as protecting her vital gaming and tourism industry; that effort to diversify has already had good beginnings.

Our State's economy is built upon attracting tourists. That is one reason I was such a strong proponent of the Great Basin National Park. With the help of the State Department of Tourism and the National Park Service we are planning a party—a party to dedicate our new park, the first park dedication in this country in almost 20 years. It should be a great event.

I firmly believe once people see the true beauty of Nevada, they will return again and again. They will visit not only our vibrant and exciting cities, but also the peaceful solitude surrounding our rural towns. And when they get there those visitors will pump money into the rural economies like Lincoln and White Pine counties and, thereafter, visit the metropolitan areas. All of Nevada will benefit.

I have worked with representatives of gaming to protect the industry against unnecessary Federal regulation.

Protection of what we have, however, is not enough. We must work together to attract new industry. The last four years have been difficult. The Federal Government has made significant inroads; that encroachment must stop. The Internal Revenue Service practice of withholding of nonresident aliens' winnings is nothing more than harrassment.

I look forward to a day when Nevada, with her attractive tax structure, excellent weather, productive work force, and a university system with a growing reputation for excellence, acts as a magnet to new industry. Evidence that this is possible is clear as we see Porsche, Ford-Aerospace, and others bring their name and jobs to Nevada.

It is up to you, however, to make the investments necessary to continue the growth of educational excellence we have seen over the past years, both at the university and high

school and elementary levels. Think of those funds as an investment in Nevada's future; an investment which will bear dividends not only in a skilled work force, but in production of new jobs, and new taxpayers.

We have another battle brewing in Washington that relates to our teachers and public employees. It will be difficult to win because the revenue-short administration and the money-hungry tax committees in Congress are on the move. This is the battle that relates to the attempt to bring public employees, including teachers, into the Social Security System. It will do little to eliminate the Federal deficit, but will do much to damage the State Retirement System.

At the same time, I urge you to continue the fight we began at the Federal level against drugs. If you have one law enforcement priority, it should be to support police officials in their fight against narcotics. Again, I urge you to think of that expenditure not as a spending program, but really as bread cast upon the waters. It will return dividends in the future of our youth, and in the creation of an environment attractive to business and attractive to industry.

It is through such creative action at the state level, and through continuation of sound Federal programs that the economic problems facing our State will be lessened.

Nevada's economy cannot grow, however, indeed our State cannot survive without water from Federally-funded programs. Easterners do not understand the dependence of the West on Federal water projects for our very survival. We Western legislators in the House and Senate have had to stand together on that issue, regardless of party, for the survival of our region.

Water is not a problem of Nevada ranchers only, it is not a problem that relates to our mining interests only, but rather it is a problem that is fixed on every citizen in Nevada. It is a problem of the cities as well as the towns. From Reno to Gerlach, from Las Vegas to Beatty, from Tonopah to Wells, water is the watchword.

I want you to know that as long as the need exists, I will continue to fight for solutions to our continuing water problems, and for equitable distribution of the West's most precious natural resource. Lake Tahoe, the Truckee, the Colorado, and Lakes Mead, Mojave, Walker and Pyramid must be protected and preserved, both as a resource and as areas of natural beauty attractive to tourists.

As you know, I am pleased to have gained a seat on the Military Construction subcommittee of the Senate Appropriations Committee. At this moment my staff is on tour of Nevada's military installations. The military structure is helpful to Nevada's economy. Nellis, Fallon, and Hawthorne are good, strong, stable employers and assets to our communities. In addition, they are vitally important to our national security, and we are proud to have those men and women in uniform live among us.

Together, we can work to make those bases even stronger, and to enhance their vital contribution to our nation's defense.

I also hope to see a replacement constructed for the outmoded and inefficient Foley Federal Building in Las Vegas. As things now stand, numerous Federal offices must rent outside space at high market rates because that building is simply too small. That wasteful use of Federal resources must cease.

There is another resource we must never neglect. I refer to the wisdom and knowledge of Nevada's senior citizens.

I have often said that a society is judged by the way it treats its citizens in their golden years. We cannot abandon those who are unable to care for themselves after a lifetime of contribution to our society.

Lower medical costs, available long-term health care benefits and social services are all necessary for a decent life for our citizens who have earned those rights. They are not simply taking. Those services enable seniors to continue to give their valuable input to society.

One way seniors continue to contribute and participate is through the electoral process. I urge you to take action to make that participation easier and more comprehensive. I am speaking of so-called postcard registration.

The Nevada Legislature has repeatedly had before it legislation to enable voter registration by mail. Such programs have been used successfully in other states. They encourage widespread voter participation and make our government even more representative of all the people.

It should never be the interest of a legislature to eliminate legitimate voters from the polls and certainly not from the rolls and have them purged as this takes place—or to discourage participation in the process. Ours is a society founded on the concept that legitimate power is derived from the people. Easier and more effective registration helps make that ideal a reality.

I wanted to let you know that we are continuing to push the Taxpayers' Bill of Rights—and that its future really looks promising. A number of Senators and Representatives have indicated their support for the bill's provisions curbing abuses by the Internal Revenue Service—and making this country's taxation system fairer and more realistic.

Senator Hecht and I have co-sponsored a bill to transfer Bureau of Land Management land to the Forest Service. This bill enjoys wide support, since it will promote tourism and increase the efficiency of management.

You can expect to see wilderness legislation introduced in the near future, and I hope to enact that bill into law before the end of the 100th Congress.

Finally, I have come with some good news. In what can only be described as a victory for the wide open spaces of the West, the Senate has voted to allow state legislatures to increase the unpopular and unrealistic 55 mile per hour speed limit. I know our members of the House from Nevada will work very hard to see the conference adopt the 65 mile per hour speed limit.

I appreciate the opportunity Speaker Dini has given me to address this 64th Session of the Nevada State Legislature. As lawmakers, we each work in our own ways to make this State and our country a better place.

Governor Bryan closed his State of the State address this year with the call to Nevadans to look forward to Nevada in the 21st Century.

I join in this call—that we, as public servants, look to the future—that we may help fulfill the destiny that is Nevada.

Senator Horn moved that the Senate and Assembly in Joint Session extend a vote of thanks to Senator Reid for his timely, able and constructive message.

Motion carried.

The Committee on Escort escorted the Senator to the bar of the Assembly.

Assemblyman Haller moved that the Joint Session be dissolved.

Motion carried.

Joint Session dissolved at 11:28 a.m.

ASSEMBLY IN SESSION

At 11:46 a.m.

Mr. Speaker presiding.

Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Schofield moved that Assembly Bill No. 56 be taken from the Chief Clerk's desk and placed on the General File.

Remarks by Assemblyman Schofield.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 55.
Bill read third time.
Remarks by Assemblyman Schofield.
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, as amended.
Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Thompson moved that Assembly Bill No. 81 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. 60.
Bill read third time.
Remarks by Assemblyman Sader.
Roll call on Assembly Bill No. 60:
YEAS—42.
NAYS—None.

Assembly Bill No. 60 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 Sader.
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. 67.
Bill read third time.
Remarks by Assemblyman Freeman.
Roll call on Assembly Bill No. 67:
YEAS—42.
NAYS—None.

Assembly Bill No. 67 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 87.
Bill read third time.
Remarks by Assemblyman Adler.
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.
Bill ordered transmitted to the Senate.

Assembly Bill No. 93.
Bill read third time.
Remarks by Assemblyman Garner.
Roll call on Assembly Bill No. 93:

YEAS—42.
NAYS—None.

Assembly Bill No. 93 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 Assemblyman Thompson.
Roll call on Assembly Joint Resolution No. 6:

YEAS—42.
NAYS—None.

Assembly Joint Resolution No. 6 having received a constitutional majority, Mr. Speaker declared it passed.
Resolution ordered transmitted to the Senate.

Assembly Bill No. 56.
Bill read third time.
Remarks by Assemblymen Schofield, Swain and Gaston.
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.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Commerce:
Assembly Bill No. 207—An Act relating to the sale of goods and services; requiring a person who solicits orders by telephone to register with the

commissioner of consumer affairs and the sheriff of each county in which the solicitations are received; providing a penalty; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

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 Humke, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Mary T. McNine.

On request of Mr. Speaker, the privilege of the Assembly Chamber for this day was extended to Ms. Marie Lundergreen and Ms. Betty Jacobsen.

On request of Assemblyman May, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Dick Odessky.

On request of Assemblyman Price, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Lorraine Hunt, Mr. Blackie Hunt and Ms. Iris Fieldman.

On request of Assemblyman Schofield, the privilege of the floor of the Assembly Chamber for this day was extended to Mss. Sandy Heverly and Sandra Scott.

On request of Assemblyman Spinello, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Larry O'Halloran.

On request of Assemblyman Thompson, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Donald E. Alford.

On request of Assemblyman Triggs, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Christie McCarty.

Assemblyman Jeffrey moved that the Assembly adjourn until Friday, February 13, 1987 at 11 a.m., and that it do so in memory of Abraham Lincoln.

Motion carried.

Assembly adjourned at 12:11 p.m.

Approved: JOSEPH E. DINI, JR.
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE TWENTY-SIXTH DAY

CARSON CITY (Friday), February 13, 1987

Assembly called to order at 11 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, The Reverend Doctor Terry Arnold.

The Psalmist said, "This is the day which the Lord has made; let us rejoice and be glad in it." Let us pray. Our Heavenly Father, we are glad for rain. We rejoice in our ability to serve our fellowmen. In Your name we pray. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Jeffrey moved that further reading of the Journal be dispensed with, and the Speaker and Chief Clerk be authorized to make the necessary corrections and additions.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Transportation, to which was referred Assembly Bill 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.

LEONARD V. NEVIN, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which were referred Assembly Bills Nos. 5, 172, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

DANNY L. THOMPSON, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, February 12, 1987

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Senate Bill No. 16.

MARY JO MONGELLI
Assistant Secretary of the Senate

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Taxation:

Assembly Bill No. 208—An Act relating to property tax; changing the time for filing for exemptions; establishing the procedure for removing exemptions on property transferred from an exempt owner to an owner who is not exempt; providing a procedure for the removal from the tax roll of

improvements which have been removed; providing for the processing of changes in ownership after the closing of the tax roll; and providing other matters properly relating thereto.

Assemblyman May moved that the bill be referred to the Committee on Taxation.

Motion carried.

By the Committee on Taxation:

Assembly Bill No. 209—An Act relating to property tax; revising the method for determining the value of property; and providing other matters properly relating thereto.

Assemblyman May moved that the bill be referred to the Committee on Taxation.

Motion carried.

By Assemblymen Brookman, Banner, May, Fay, Myrna Williams, Wisdom, Porter, Freeman, Kissam, Arberry, Nicholas, Sedway, Tebbs and Callister:

Assembly Bill No. 210—An Act making a supplemental appropriation to the Aging Services Division of the Department of Human Resources; and providing other matters properly relating thereto.

Assemblyman Brookman moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

Senate Bill No. 16.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 57.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 69.

Bill read second time, ordered engrossed and to third reading.

Assembly Joint Resolution No. 2.

Resolution read second time, ordered engrossed and to third reading.

Senate Bill No. 78.

Bill read second time and ordered to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Sedway moved that all rules be suspended and that Senate Bill No. 78 be declared an emergency measure under the Constitution and placed on third reading and final passage.

Remarks by Assemblyman Sedway.

Motion carried unanimously.

Assemblyman Jeffrey moved that the Assembly recess subject to the call of the Chair.

Motion carried.

Assembly in recess at 11:09 a.m.

ASSEMBLY IN SESSION

At 11:19 a.m.

Mr. Speaker presiding.

Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Labor and Management, to which was referred Assembly Bill No. 84, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JAMES J. BANNER, *Chairman*

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Commerce:

Assembly Bill No. 211—An Act relating to the sale of goods and services; requiring a person who solicits orders by telephone to register with the commissioner of consumer affairs; providing a penalty; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

By the Committee on Transportation:

Assembly Bill No. 212—An Act relating to state highways; allowing the department of transportation to relinquish certain property to other state agencies; allowing the department and local authorities to require permits for certain uses of highways; providing a penalty for these and certain other uses of highways; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Transportation:

Assembly Bill No. 213—An Act relating to traffic laws; limiting the maximum length of semitrailers; and providing other matters properly relating thereto.

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

Motion carried.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, February 13, 1987

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. 7.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Senate Concurrent Resolution No. 7.

Assemblyman Bergevin moved the adoption of the resolution.

Remarks by Assemblyman Bergevin.

Assemblyman Jeffrey requested that Assemblyman Bergevin's remarks be entered in the Journal.

Thank you, Mr. Speaker. Although I didn't have the privilege of serving with Lorin in the Assembly, I did have the good fortune to go to school with both him and his whole family. In fact his older brother, Paul, and I graduated from Douglas High School together. It was indeed an untimely death for a man of this age to have left the ranks of civilization. I would like at this time to introduce his family who are in the audience: Julie Ann Parraguirre, his daughter; Jean Parraguirre, his daughter; James Parraguirre, his son; Paul Parraguirre, his brother; David Parraguirre, his brother; Ron Parr Aguirre, a nephew; Wendy Parraguirre, a neice; Patrick Parraguirre, his nephew; Audry Parraguirre, his sister-in-law; and Mr. Daniel Bryant, who is the Assessor of Mono County, California, his very close friend, and a very close friend of mine also.

Resolution adopted unanimously.

REMARKS FROM THE FLOOR

Assemblyman Jeffrey requested that Assemblyman Dini's remarks be entered in the Journal.

The Parraguirre family have been my friends for many years. I don't know all the members who are here today but I do know Audry and her husband very well from our Yerington days. It is nice to see all of you here today.

GENERAL FILE AND THIRD READING

Assembly Bill No. 18.

Bill read third time.

Remarks by Assemblyman Bergevin.

Roll call on Assembly Bill No. 18:

YEAS—42.

NAYS—None.

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. 92.

Bill read third time.

Remarks by Assemblyman Kerns.

Roll call on Assembly Bill No. 92:

YEAS—42.

NAYS—None.

Assembly Bill No. 92 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 78.

Bill read third time.

Remarks by Assemblyman Sedway.

Roll call on Senate Bill No. 78:

YEAS—42.

NAYS—None.

Senate Bill No. 78 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Jeffrey, Dini, Sader, Schofield, Bergevin, Nevin, DuBois, Thompson, Spinello, Triggs, Sedway, Kerns, Porter, Fay, Wisdom, Myrna Williams, Callister, Marvel, Gaston, Thomas, Brookman, Tebbs, Carpenter, Banner, Getto, Humke, Adler, Kissam, Lambert, Craddock, Haller, Wendell Williams, McGaughey, Swain, Arberry, Evans, Spriggs and Garner:

Assembly Bill No. 214—An Act relating to casualty insurance; prohibiting insurers from canceling or failing to renew contracts except on certain grounds; providing a procedure for cancellation or nonrenewal; providing for a review of cancellation or nonrenewal by the insurance division of the department of commerce; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

REMARKS FROM THE FLOOR

Assemblyman Fay requested that Assemblyman Price's remarks be entered in the Journal.

Birthdays during this week include: William Henry Harrison, our 9th President, in 1773; Lewis Rice Bradley, Nevada's 3rd Governor, in 1805; Abraham Lincoln, 16th President, in 1809 and Thomas Alva Edison, genius and inventor, in 1847. Mr. Edison is credited with saying "Genius is one percent inspiration and 99 percent perspiration."

During this week in 1787, The Society for Political Inquiries was founded and usually met at the home of Benjamin Franklin, signer of the Constitution. Patrick Henry wrote Virginia Governor Edmund Randolph declining his appointment as delegate from Virginia to the Philadelphia Constitutional Convention. *The Boston Independent Chronicle* reported a movement to create three separate nations from the 13 states and called for "a new and stronger union." Georgia elected Abraham Baldwin (minister, lawyer, legislator who later introduced plans for an educational system), William Few (judge, legislator, bank director and president), William Houstoun (lawyer, "a gentleman of family, amiable and sweet-tempered, and of good and honorable principles"), and William Pierce (left Convention before signing Constitution, major in Revolutionary War) to serve as delegates to the Philadelphia Constitutional Convention.

In 1635, the first public school opened in Boston and in 1741 the first magazine in America, "The American Magazine" was published just three days ahead of Benjamin Franklin's magazine, the "General Magazine."

In Nevada, in 1889, our citizens voted on 14 proposed amendments to the Nevada Constitution at a special election. Twelve of these measures were voted on at the General Election but the Supreme Court ruled the election invalid because of failure to follow state law regarding publication of the questions. Another election was held. Subject matter of the amendments included: Legislative session to start on the third Monday in January, legislators shall not pass special laws fixing their compensation, consolidation of offices in less populous counties, and special school tax. A question authorizing state lottery failed by 852 votes. In 1863, a meeting was held in Virginia City for the purpose of organizing a state Democratic party—effort has continued for 124 years. In 1967, Nevada ratified the 25th Amendment, which detailed presidential succession in the event of the presidential vacancy, disability or inability to carry out the duties of the office.

On a final note, today February 13, is "Blame Someone Else Day." The purpose is to share the responsibility and the guilt for the mess we're in. It is observed the first Friday the 13th of each year.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Wisdom, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. LeRoy Jenkins.

On request of Assemblyman Myrna Williams, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Jan Jenkins.

On request of Assemblyman Bergevin, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. James Parraguirre, Paul Parraguirre, David Parraguirre, Ron Parr Aguirre, Patrick Parraguirre, Danny Bryant and Mss. Julie Ann Parraguirre, Wendy Parraguirre, Jean Parraguirre and Audry Parraguirre.

On request of Assemblyman Spinello, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. George Jones and Ms. Janice Williams.

On request of Assemblyman Tebbs, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Dallas Tebbs.

On request of Assemblyman Spriggs, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Mark Bradshaw, Scott Sloan, Jason Kipke, Steve Swindler, and Mss. Susie Swindler, Dawnell Rosemore and Eve Ferguson.

Assemblyman Jeffrey moved that the Assembly adjourn until Monday, February 16, 1987 at 10:45 a.m.

Motion carried.

Assembly adjourned at 11:44 a.m.

Approved:

JOSEPH E. DINI, JR.
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE TWENTY-NINTH DAY

CARSON CITY (Monday), February 16, 1987

Assembly called to order at 10:49 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, The Reverend Mr. Bruce Henderson.

Before the prayer, I would like to quote from one whose birth we celebrate today. George Washington wrote, "If we make freedom our choice, we must obtain it by the blessing of Heaven on our united and vigorous efforts." Our Father in Heaven, may we continue to make freedom our choice. May You keep on blessing us, and may our efforts be united and vigorous. In our Lord's name, we thank You. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Nevin 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. 20, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

MARVIN M. SEDWAY, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which were referred Assembly Bills Nos. 19, 21, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

MARVIN M. SEDWAY, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, February 13, 1987

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. 6, 63, 70.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Joint Resolution No. 13.

Also, I have the honor to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 8.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Senate Joint Resolution No. 13.

Assemblyman Jeffrey moved that the resolution be referred to the Committee on Transportation.

Motion carried.

Senate Concurrent Resolution No. 8.

Assemblyman Jeffrey moved the adoption of the resolution.

Remarks by Assemblymen Arberry and Wendell Williams.

Resolution adopted.

INTRODUCTION, FIRST READING AND REFERENCE

Senate Bill No. 6.

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

Motion carried.

Senate Bill No. 63.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Legislative Functions.

Motion carried.

Senate Bill No. 70.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

Mr. Speaker appointed Assemblymen Fay and Nicholas as a committee to invite the Senate to meet in Joint Session with the Assembly to hear an address by Representative Bilbray.

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 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 Vergiels and Assemblyman Triggs to wait upon Representative Bilbray and escort him to the Assembly Chamber.

The Committee on Escort in company with The Honorable James H. Bilbray, United States Representative from Nevada, appeared before the bar of the Assembly.

The Committee on Escort escorted the Representative to the rostrum.

The President of the Senate welcomed the Representative and invited him to deliver his message.

Representative Bilbray delivered his message as follows:

MESSAGE TO THE LEGISLATURE OF NEVADA

SIXTY-FOURTH SESSION, 1987

Good morning, it's good to be back here. I look out where I used to sit and remember what it's like to have to sit through all these speeches by the Congressional delegation. I really appreciate your time.

The first time I served in the Legislature I didn't know roll was taken and I missed the first one. I was the only one who missed roll call, and this fact was brought to my attention. I didn't miss any after that.

I was a proud member of this body for many years, as you well know, and I enjoyed serving in the Nevada Legislature. I must tell you that it really isn't that much different in Washington, D.C., except for the fact that where you are used to working with 21 or 42 members, you must now work with 435 members. If you think committees are bad here, especially with maybe 15 or 13 members, when you get back there and have 40 or 50 members on one committee and start the roll call to ask questions, it goes from the most senior down to the freshmen members. About two weeks ago we were questioning Secretary of State Schultz, and from the beginning to the time it was my turn to ask a question it took two and a half hours. I was the last person to question Secretary Schultz and he was about ready to leave at that point. I finally was able to ask my questions. They are really sophisticated back there. When you ask a person like Secretary Schultz a question, you have four minutes total time for the question and the answer. If you go beyond the four minutes, a red light comes on and they stop it and proceed on to the next person. Of course I was the last person and Schultz is a master—you ask him a 30-second question thinking you may have time for a second question and he uses the whole four minutes to answer the question because he does not want to have to answer another question. For someone from Nevada, it is really an interesting situation.

The training you receive in the Nevada Legislature is remarkable. I liken it to AAA ball in the major leagues. It is very similar except that those batters hit a little harder and they pitch a little faster. But the training here is needed. Anyone who represents Nevada in Congress, whether it is in the United States Senate or U.S. House of Representatives, should come out of this body because they need this training. You are at such a disadvantage to go to Washington and not have the training you get in the Legislature.

When I served here last session, Ann O'Connell was a brand-new Senator. After the session was over she said she was going to go back to the district and tell everyone how hard the Legislature worked and the hours worked and that it wasn't all fun and games. When she first came to Carson City she heard all these stories about everyone partying and enjoying themselves but she found out how hard it really was to work up here. I told Ann they would never believe her. I never asked Ann afterwards if they believed her. I hope they did believe a little about the work that you do because legislators get a bad reputation because people think it is all fun and games—they think the same thing about Washington. Our schedule back there is really grueling—you start at 8:00 a.m. usually with breakfast meetings. They don't just have a breakfast meeting that is immaterial. They meet with someone like Tambo, the head of the African National Conference, for breakfast, or Secretary Schultz, and they are all working meetings. Then you go on to a committee meeting and then you go all afternoon and into the early evening and you keep going. Then there are receptions. It is really compelling that you attend these because they have big charts outlining where each state's representatives will be standing—Maryland, Nevada and so forth. In the southwest corner is one group, the New Yorkers are in another group, the Californians are in a third, and you must go to these receptions because they are attended by Nevadans who have come to see you and they are waiting. Being the freshman representative, I go to all those and I am usually the only one from Nevada to show up. They are glad to see their one representative. These receptions last until late evening. You must be up and going the next day very early to start the agenda again. It is

hard work and it is as hard here for you. It is very important that everyone understands that Nevada Legislators work hard and they do a great job. I think the Federal Congress works hard and I hope they do a good job; we're never quite sure, you know.

When I went to Congress I recognized that I made some promises. A lot of us made promises. I tried to keep my powder dry in many areas, though. I learned that here. For instance, people ask me about Contra aid and I tell them I haven't made up my mind about Contra aid. I haven't heard all the evidence. I've read what is in *Time*, I've read what's in *Newsweek*, but I don't really know what are the true facts. I'm hearing the true facts now in secret testimony before the Foreign Affairs Committee, and I'm hearing what is going on down there and I will be able to make an intelligent decision based on the facts, not on commitments made earlier. That is something especially the freshmen must learn here—don't agree too early when you don't have the facts. It is so important. I'll make an intelligent judgment on Contra aid based on the facts that are presented, not on emotion, not on campaign rhetoric. I think that is important advice for all of you.

Back in Washington we hear a lot of messages from this Legislature. One of your freshmen asked me last night about the resolutions that are constantly being sent to the Members of Congress. He asked if we really see them and if we really react to them—what happens to these resolutions? In most cases, those resolutions go to staff and the Senator, the Congressman or the chairman of the committee virtually does not see that resolution. Very rarely does that resolution get to that particular person. Like I told the Senate Commerce Committee this morning, when you need help, when you have a resolution that is important, call me. I'll be your person to deliver that resolution to whomever you want. Now, don't send me a hundred resolutions every session. Put a big red star on the important ones—let me know what is important, because, believe me, you can inundate these people and then they'll say, "Here comes those Nevadans again—here comes Congressman Bilbray again—with another resolution from the Nevada Legislature." If they are important, I'll carry them over—I'll speak to the chairman of the committee—I'll go talk to the members of the committee for you. Because I really feel I'm still part of you. I just came out of this body, most of you are my old friends, most of the freshmen I know very well. I will help you—Republican, Democrat, Northern Nevadan, cow-county man, Southern Nevadan—I'll help you. But again, choose very carefully. Find the things you want—just don't shotgun everything because if you send a thousand resolutions back to Congress, no one is going to pay attention to any of them.

Another area that I think is so important is the fight for our Nevada land. We have been fighting to get our Nevada land back for years—or at least a good portion of it. I was with 50 new freshmen Members of Congress who were at Harvard for a seminar and they were trying to teach us about all the issues. I had the Legislative Counsel Bureau send me maps outlining all the Federally-owned land in Nevada—the big map with all the black and the little tiny bit of white. I showed the freshmen that map and I showed them our problem and they were appalled over the fact that Nevada has so little land. I explained to them that we do not have a tax base and we need Federal land back into private ownership in this state so we can increase the base for our taxes. I got some support, but I'm an advocate. Nevada sends the Public Lands Committee back to Washington once every two years and they break into a red team and a blue team and they run around. For 15 minutes they meet with different Members of Congress here and then they go meet another group for another 15 minutes. You are wasting your money if you continue to do things that way. If you really want your Federal land back, that committee must go to Washington more often. You must spend a few more dollars and send that committee back to Washington to get the job effectively done. I'll help you—I'll set up your meetings, I'll be your right arm in Washington, D.C., that I'll promise you.

You have a problem with health care in this state. No matter which side of this issue you are on, you recognize we have a problem. We have a problem in Washington, D.C., also. We are going to be working on that problem in Washington, D.C. We are going to have the President's proposal and we are going to have the House version. Hopefully, we'll be able to come together with a version to help catastrophic illness in this country. You must do the same. The biggest issue that people discuss with me (next to the pay raise) is health costs. Health costs are very, very important to the senior citizens; but they are also very

important to the young couple that is just starting out. I know that many of you have been approached by both sides—you have been lobbied intensely, you have been supported intensely—but you must address this issue. I told my good friend Senator Rawson that this Legislature must get this problem under control, we've got to win this issue, we've got to get these costs under control. We are going to try to get them under control at the national level. We are going to try to protect these people who are being wiped out. The Democrats are going to go beyond the President's proposal—they are going to reach out and try to help people who are at home nursing their wife or their husband or other family member—so that people can stay in the dignity of their own home and receive care. There are some smaller issues that we are looking at; for instance, Medicare at present will not pay for influenza inoculations. Chairman Pepper has a bill that I co-sponsored that allows for senior citizens on Medicare to get influenza shots. Did you know that 90 percent of the deaths from influenza in this country are senior citizens? It is estimated that by giving them inoculations we can save $6.6 million in Medicare costs alone. We must be creative, we must find ways to protect our seniors, we must find ways to help the people in Nevada. I'll help you. As I said in my campaign, I am not adverse to Nevada taking Federal money. I am not adverse and I will help you get that money. Federal Congressmen are very courageous—we will cut and cut and we want you to continue the programs. What we ask you to do is raise taxes here so that those programs can be continued. That's not fair, you guys take the heat, you pass the bills, you raise the taxes, you continue the programs that the Federal Government has brought to you that are good programs and then you go home and face the electorate in two or four years and try to explain why you raised their taxes. We in Washington are going to have to take the same courageous stands. If we want programs, we're going to have to pay for those programs— we're going to have to find methods. Either we are going to have to cut or we'll have to find creative methods of finding the funds—that's another way of saying a tax increase in our jargon back there. You know, we never say tax increase, it's "creative methods of financing."

One of the things that has bothered me, I alluded to it earlier, is the pay raise. In Nevada I voted for every pay raise that was proposed in this body. But in Nevada we let the members of the Legislature face the voters between these pay raises. In 1985, the Federal Congress decided on a new creative way of getting the pay raises—they created a Presidential Commission, the Presidential Commission voted on a pay raise, recommended that to the President, and the President then readjusts it and sends it to Congress and if it is not voted down in 30 days, then it becomes law. This is not a very honorable way of handling this matter. We as freshmen, of course, had very little say-so in it, but no one believes that. The leadership orchestrates everything in our body. Whether you are a Republican, or a new member of the Congress, you don't really have very much say-so when something is voted on or what is voted on. Leadership back there really controls things. You think you have a little authoritarian government here in the Nevada Legislature, you haven't seen anything like the way things are handled in Washington, D.C.—those people control, seniority rules, and believe me, when you are on the bottom of the heap, they make you understand you are on the bottom of the heap. They set this system up because they know that freshmen are not very courageous and probably not one of us would vote for a pay raise. On the other hand, we think that pay raise went through. But I have joined with Congressman Vucanovich and sponsored a bill which would provide that pay raises would not take effect until the following Congress—which means you must stand before the voters and answer to them regarding a pay raise. I personally don't feel I am entitled to a pay raise. There are many Congressmen there who are entitled to a pay raise. They have been there for years and have certainly earned their wages. I have just been elected. I certainly have not proved myself to the Nevada voters or the voters of this country and I don't feel I am entitled to a pay raise. I think it was accomplished wrong in our body in the Federal Congress and I feel the way it is done in Nevada is proper—it's up front, you vote on it and you put it before the next voters and I think that is very, very important.

Another area I want to talk about is voter registration. You have heard a lot about voter registration in this state. We have the lowest percentage of registered voters in the entire country. When I tell people the total vote in my district by which I was elected, most of

them are appalled. Most every other district has a much larger turnout—they have 50 percent of their registered voters turn out, we have 68 percent in my district and yet we have 30 percent less voters than they have in theirs because they get their people registered and, of course, they turn out at about the same percentage, 50-60 percent, but they get them registered. In the Federal Congress they are concerned about voter registration. Let me tell you that you need to do something here because the attitude back in Congress is that the Federal Government can do it better. If you don't get voter registration worked out here, I think you will see within the next couple of years a Federal voter registration law which will provide registration for Federal candidates. This may not affect your state candidates, but once you have the people registered for Federal candidates, can you see the nightmare of determining who votes for what office—you have people registered under a post card from the Federal Government and you have people registered the normal way for state candidates. You must do something about this problem or you will see pressure on the national scene if you don't do something about it. I think it is something you have to look at. I still believe in state's rights—I've only been gone from here for a short time—I still believe the state can do it better. I really believe you can control your own destiny.

The last issue I want to discuss is an issue that many of us are working on and working on very hard—the veterans' cemetery. That is a big issue in this state. We don't have a veterans' cemetery. The money is in Washington for that veterans' cemetery. There is over $7 million for matching funds for veterans' cemeteries in the states. In October, $5 million of that money goes back to the Federal general fund. If we don't get our share by October, we are not going to get it—it will be very difficult. We've been working, the Federal law is very clear, we have the right to that money. One thing you must look at—I know there is a little sectionalism raising its head—the Federal rules which have been researched by my staff is the fact that the veterans' cemetery must be located in an area where the majority of the veterans are—they do it largely on population. There are two sites being looked at in this state for this veterans' cemetery. That veterans' cemetery virtually must go to Clark County because that is where the majority of the veterans are. We need your help. Twenty-one Senators have co-sponsored a bill to build a veterans' cemetery. You must act hastily on this. It is very important that this be done because if you don't we will lose that money. These veterans deserve this cemetery. They have gone off to war for us. I served in the military. I was one of those six-monthers—you remember that program way back when. I remember sleeping out in fox holes in Fort Ord when it was rainy and misty and dirty and I was grimy and I hated it. Then I thought to myself that these guys were laying out in fox holes and someone was trying to kill them while they were laying in those fox holes. They got very little pay, they gave up years of their lives and all they are asking right now is to give them a veterans' cemetery so that they can be buried in Nevada—the state they love. I am asking all of you to put the differences between north, south, east, and west apart. Let's get together, let's get a veterans' cemetery built. We'll get you the money in Washington—we'll match the money and the land can be part of those matching funds. The people in the south are working on this. We are contacting veterans every day. Believe me, gentlemen, if you ever had a group who will vote for you, they'll love you for this one and they mean it, they need it, they want it, and if you don't give it to them you will have to answer to them, because I'm not going to.

In closing, I pledge to work with you. I think I will work with you more than any representative you ever had because I'm a Nevadan—I'm a Nevadan first, last and always. I love this state. I love the UNLV Rebels. That's my only big problem being back there, I can't come back and see those games. In fact the other day I was scheduled for three things and was not able to go to the game the other night. I can only get to one out of every five.

I will be your arm in Washington, I will fight for you and I won't forget my roots, my roots are right here. I'm here for you. I need your help and if you need me we can work together to get some things done. We will get some of that Federal land back. I will help you and work with you and all I need is to have you tell me what to do. Please, like I said

before, don't send me a hundred resolutions—send me your five-star resolutions, the things you really need, whether it's a problem with Tahoe, or it's a problem with public lands, or education, which is a top priority with me, the veterans' cemetery, whatever.

I'll be available around the halls today. Grab me in the corner, tell me your pet projects and I'll put you in touch with my staff and we'll handle it. I need your help. If you need me, I'll be there. God bless all of you. Thank you.

Senator Gibson moved that the Senate and Assembly in Joint Session extend a vote of thanks to Representative Bilbray for his timely, able and constructive message.

Motion carried.

The Committee on Escort escorted the Representative to the bar of the Assembly.

Assemblyman Spriggs moved that the Joint Session be dissolved.

Motion carried.

Joint Session dissolved at 11:26 a.m.

ASSEMBLY IN SESSION

At 11:29 a.m.

Mr. Speaker presiding.

Quorum present.

SECOND READING AND AMENDMENT

Assembly Bill No. 2.

Bill read second time.

The following amendment was proposed by the Committee on Transportation:

Amendment No. 52.

Amend section 1, page 1, lines 13 and 14, by deleting: "most desolate scenic highway in the United States." and inserting: "loneliest road in America.".

Amend the title of the bill, first and second lines, by deleting: "most desolate scenic highway in the United States;" and inserting: "loneliest road in America;".

Amend the summary of the bill to read as follows: "Designates portion of U.S. 50 as loneliest road in America. (BDR S-653)".

Assemblyman May moved the adoption of the amendment.

Remarks by Assemblyman May.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 5.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 84.

Bill read second time.

The following amendment was proposed by the Committee on Labor and Management:

Amendment No. 49.

Amend section 1, page 1, by deleting lines 1 through 6 and inserting:

"Section 1. NRS 612.447 is hereby repealed.".

Insert text of repealed section NRS 612.447 as follows:

TEXT OF REPEALED SECTION

612.447 Voluntarily leaving work to enter self-employment. A claimant shall be disqualified for benefits for the week in which he has voluntarily left his most recent work to enter self-employment and for 4 consecutive weeks thereafter.".

Amend the title of the bill to read as follows:

"An Act relating to unemployment compensation; repealing special limitation regarding eligibility of a person entering self-employment; and providing other matters properly relating thereto.".

Amend the summary of the bill to read as follows:

"Summary—Repeals special limitation regarding eligibility for unemployment compensation for person entering self-employment. (BDR 53-496)".

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. 172.

Bill read second time, ordered engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Schofield moved that Assembly Bill No. 69 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Schofield.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 57.

Bill read third time.

Remarks by Assemblyman Garner.

Roll call on Assembly Bill No. 57:

YEAS—42.

NAYS—None.

Assembly Bill No. 57 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Joint Resolution No. 2.

Resolution read third time.

Remarks by Assemblyman Getto.

Roll call on Assembly Joint Resolution No. 2:

YEAS—42.

NAYS—None.

Assembly Joint Resolution No. 2 having received a constitutional majority, Mr. Speaker declared it passed.

Resolution ordered transmitted to the Senate.

Assembly Joint Resolution No. 9.

Resolution read third time.

Remarks by Assemblymen Callister and Thomas.

Roll call on Assembly Joint Resolution No. 9:

YEAS—37.

NAYS—Arberry, Banner, Spinello, Spriggs, Thomas—5.

Assembly Joint Resolution No. 9 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Resolution ordered transmitted to the Senate.

Assembly Joint Resolution No. 12.

Resolution read third time.

Remarks by Assemblyman Schofield.

Roll call on Assembly Joint Resolution No. 12:

YEAS—41.

NAYS—Spriggs.

Assembly Joint Resolution No. 12 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Resolution ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Mr. Speaker announced that there shall be a Joint Session of the Senate and Assembly Friday, February 20, 1987, 11 a.m., for the purpose of hearing The Honorable Donald P. Hodel, United States Secretary of the Interior.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Commerce:

Assembly Bill No. 215—An Act relating to trade regulations and practices; providing for the regulation of solicitations by telephone; requiring sellers to register with the attorney general; requiring the disclosure of certain information to a prospective purchaser; providing penalties; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

By the Committee on Commerce:

Assembly Bill No. 216—An Act relating to foreign credit unions; providing for the collection of fees for certification; authorizing branch offices under certain circumstances; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblymen Porter and May, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Stanley J. Spierer.

On request of Assemblyman May, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Al Alleman, Randy Day, Vernon Eaton, Ollie Moore, Fred Dunn, George T. Autori, Herman Molen, Mss. Evelynne Dunn and Althea L. Cottam.

On request of Assemblyman Thompson, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Jeromy Pierroz and Chad Bell.

On request of Assemblyman Price, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. JoAnn Sheerin, Mss. Judith W. Winzeler, Joan Kerschner, Messrs. Guy Louis Rocha, Leslie B. Gray and Jack Asher.

Assemblyman Nevin moved that the Assembly adjourn until Tuesday, February 17, 1987 at 10:30 a.m.

Motion carried.

Assembly adjourned at 11:53 a.m.

Approved: JOSEPH E. DINI, JR.
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE THIRTIETH DAY

CARSON CITY (Tuesday), February 17, 1987

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 Mr. Bruce Henderson.

Our prayer today is from the fifth Psalm: "Give ear to my words, O Lord, consider my sighing. Listen to my cry for help, my King and my God, for to You I pray. Morning by morning I lay my requests before you and wait in expectation." Hear us O God.

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Nevin 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. 9, 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.

JOHN E. JEFFREY, *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which were referred Assembly Bills Nos. 11, 15, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN E. JEFFREY, *Chairman*

Mr. Speaker:

Your Committee on Transportation, to which was referred Assembly Joint Resolution No. 10, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

LEONARD V. NEVIN, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, February 16, 1987

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Senate Bill No. 114.

MARY JO MONGELLI
Assistant Secretary of the Senate

INTRODUCTION, FIRST READING AND REFERENCE

Senate Bill No. 114.

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

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 19.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 20.

Bill read second time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 12.

Amend section 1, page 1, line 2, by deleting "fund" and inserting "account".

Amend the title of the bill, first line, by deleting "fund" and inserting "account".

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. 21.

Bill read second time, ordered engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Assembly Bill No. 9 be re-referred to the Committee on Ways and Means.

Motion carried.

Assemblyman Schofield moved that Assembly Bill No. 69 be taken from the Chief Clerk's desk and re-referred to the Committee on Natural Resources, Agriculture and Mining.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 5.

Bill read third time.

Remarks by Assemblymen Nicholas and Bergevin.

Roll call on Assembly Bill No. 5:

YEAS—41.

NAYS—None.

Absent—Sedway.

Assembly Bill No. 5 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 172.

Bill read third time.

Remarks by Assemblymen Bergevin and Carpenter.

Roll call on Assembly Bill No. 172:

YEAS—41.

NAYS—None.

Absent—Sedway.

Assembly Bill No. 172 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Commerce:

Assembly Bill No. 217—An Act relating to contractors; requiring that contractors pay interest on certain money which they do not pay to their subcontractor when it is due; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen Schofield, Dini, Jeffrey, Price, Spriggs and Callister:

Assembly Joint Resolution No. 21—Urging the President to support and Congress to consummate the exchange of certain public land in Nevada for private land owned by Aerojet.

Assemblyman Schofield moved that the resolution be referred to the Concurrent Committees on Natural Resources, Agriculture and Mining and Economic Development, Small Business and Tourism.

Motion carried.

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 Dawnetta S. Brown is elected as an additional attaché of the Assembly for the 64th session of the Legislature of the State of Nevada.

Assemblyman Myrna Williams moved the adoption of the resolution.

Remarks by Assemblyman Myrna Williams.

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 10:54 a.m.

ASSEMBLY IN SESSION

At 11:07 a.m.

Mr. Speaker presiding.

Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

Mr. Speaker appointed Assemblymen Banner and Tebbs as a committee to invite the Senate to meet in Joint Session with the Assembly to hear an address by Representative 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 11:08 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 except Assemblyman Sedway, who was excused.

The President pro Tempore of the Senate appointed a Committee on Escort consisting of Senator Wagner and Assemblyman Getto to wait upon Representative Vucanovich and escort her to the Assembly Chamber.

The Committee on Escort in company with The Honorable Barbara Vucanovich, United States Representative from Nevada, appeared before the bar of the Assembly.

The Committee on Escort escorted the Representative to the rostrum.

The Speaker of the Assembly welcomed Representative Vucanovich and invited her to deliver her message.

Representative Vucanovich delivered her message as follows:

MESSAGE TO THE LEGISLATURE OF NEVADA

SIXTY-FOURTH SESSION, 1987

Thank you for inviting me to join you today. Although this is the third time I have stood at this podium, it is always a very unique opportunity. In fact, I regard this as my most important official appearance in Nevada that I make during each session of Congress. I'm not sure whether it is good or bad to be the last of the four of the Congressional Delegation to address you. I hope we don't get a report card when it's over.

This morning let me talk about Congress as I see it as your Representative of Nevada's Second Congressional District. My job in Congress is to represent many of you personally, and all of you legislatively in matters that affect our state at the Federal level.

The separation of powers is something which is fundamental to the rights of all Nevadans to determine their future, and there are those of us who are waging a hard and continuing battle in Congress to expand the rights of states to govern and regulate themselves. My philosophy in Washington is to evaluate each new bill and each policy question based upon which level of government is in the best position to meet the needs of the people.

Invariably, the answer is: the State of Nevada, the people of this great state, and the citizens in these chambers, elected by other Nevadans to represent them here in Carson City. Unfortunately there are many of my colleagues on Capitol Hill who don't agree with me.

There are many members of Congress who would prefer to see the power of government consolidated in Washington, by using the power of the Federal purse strings. There are many of my colleagues who would prefer to see the Federal Government involved in everything from setting the speed limit to deciding that a secretary's job is comparable to a trucker's, and mandating that they both be paid accordingly.

This is why it's vital that Nevada's representatives in Washington truly reflect the independence and Western values of a majority of our constituents. We are a conservative state in the truest sense of the word. We are a state that prizes our personal freedom, and puts great store in hard work and initiative. We are a new state, and we take pride in the fact that a man or woman can succeed here based on who they are and what they're capable of, not on who they know or who their parents were.

For a state like ours, the last person we need representing us in Congress is someone who gets caught up in the dazzle of power, or walks lock-step along with eastern party leadership and then comes back here to give you or the voters your marching orders from Washington.

As a Westerner, it is particularly important to develop realistic and effective strategies. Among 435 members of the House of Representatives, there are only two of us from Nevada. Jim was here yesterday. Generally, Westerners are in a minority on committees and subcommittees as well. Nothing can be accomplished singlehandedly, so it is necessary to forge alliances, preferably bipartisan alliances, to get bills passed or funding directed at important Nevada projects.

Bipartisan cooperation is essential in our two-party system, not just in Carson City, but in Washington as well. It is never advisable to allow personal disagreements to develop out of legislative disagreements. You never know whether the Congressman from Manhattan who was the biggest stumbling block to an effective wild horse program on public lands might end up being the crucial committee vote on nuclear waste policy.

So, with those thoughts in mind, here's how I see the agenda before us in the 100th Congress.

First, we must find a way to reduce the Federal deficit, without hurting those who have contributed so much to the freedom and the high standard of living that we enjoy today. Our older Nevadans have earned the right to live without the spectre of bankruptcy looming over them. Many have saved for their retirement, and now their savings are threatened by medical emergencies or long-term medical care. It is my personal commitment this session of Congress to work on solutions to the financial as well as emotional crisis of catastrophic illness, particularly for our older citizens who may not carry full insurance and who depend on fixed incomes. We are literally reaching times where the soaring costs of medical technology have put people in a life or death dilemma. This dilemma is caused by uncertainty about whether or not they can afford the cost of treating their illness. Some have opted for death rather than forcing their spouse or family into financial collapse. These, ladies and gentlemen, are not choices anyone should have to make.

Solutions for the catastrophic health care crisis are something which must be approached on a national scale, since there is no state exempt from this problem. As you know, the President has proposed the catastrophic health care plan just last week. Before it's over I can assure you there is going to be a lot of debate in the halls of Congress about what is covered and what isn't covered and how we're going to pay for it. I'm very supportive of this plan. In addition to this proposed legislation, there are other measures we can take to assure that others avoid this crisis before it occurs.

I am co-sponsoring legislation which will allow taxpayers to set up a health-care I.R.A., as a buffer against future medical expenses. I am also co-sponsoring legislation which would allow older Americans who have paid for their homes to receive home equity payments even though they continue to live in their homes. Many of the older residents of

the state are so proud and independent that they would rather die than ask for welfare. I am detemined to help them avoid having to make that choice by working in Congress to find solutions to their problems.

Congress must learn to run the Federal Government like you run the state government—in the black. In order to do that we can't just hold the line on Federal programs. We have to continue to reassess the ones that don't work and streamline the ones that do.

Along that line, we can do a lasting service to our needy citizens in this country by overhauling the Federal welfare system. Nevada's system stands out as one of the most successful in the country, so perhaps the problems are less dramatic here. But, on a national scale, I feel that we have failed to provide any incentive for families to stay together during periods of financial crisis. In fact, we have done almost the opposite by rewarding single parent situations disproportionately, and virtually encouraging fathers to abandon their responsibilities.

Administering welfare programs has become too cumbersome and somewhere in all that paperwork we have lost our focus. The purpose of the welfare system was to provide a stopgap source of essentials for those who cannot find work. Instead, it's become a self-perpetuating trap.

The vast majority of welfare recipients would rather be self-supporting if child care and job training resources were more readily available. However, welfare has become such a volatile and emotional subject that any statement about improving or redesigning the system is immediately decried as devastating to the poor or casting the homeless out to starve on the streets. We need to find solutions to these problems.

Another priority in this Congress must be balancing the budget. Sometimes, to balance the budget we must make cuts in Federal programs. One place to look is Defense. Pentagon waste must be scrutinized and eliminated, and I think there can be some cuts in the Defense budget. On the other hand, I am strongly opposed to making cuts in the Defense budget when it eliminates the entire tactical air wing at Nellis Air Force Base. There are other ways. Any of us who have served in Congress, or as you have served here, know that there are plenty of ways. I am protesting the decision that was made about the 474th Air Wing, and I have written a strong letter to the Secretary of the Air Force as well as working with my colleagues on the House Armed Services Committee.

I have to remind our friends in Washington that being good neighbors doesn't mean that we have to be doormats or patsies for the Department of Defense, or the Department of Energy.

It is wrong to plan expansions of restricted military airspace and then notify us about it later. The first time I heard about this was from a television station. And, it's wrong to lend our airspace to the Oregon National Guard. I have told the Air Force and the Navy that Nevadans deserve to be informed, to take part in the decisions before they are reached and to be treated fairly. I hope they are listening.

The same arguments sum up many of my objections to the nuclear waste dump, too. I wasn't serving in Congress when the Nuclear Waste Policy Act was passed in 1982. However, by studying the Act and talking with my colleagues, I am convinced that the Department of Energy has not followed the letter or the spirit of the law and Nevada is getting the short end of the stick.

The Nuclear Waste Policy Act was a fragile compromise put together by Congress in light of projected amounts of high-level waste that would reach health hazard proportions in surface pools of power plants by the late 1980s. Now, conveniently, the Department of Energy is telling us that the projected volumes have changed and that they have taken it upon themselves to reinterpret the law so that only one repository will be identified and built "in the foreseeable future." Well, if in fact that is the case, then it's time for Congress to take the whole issue back to the drawing board and start over with the timetables, the siting criteria and the guidelines.

If the Department of Energy is correct in their new projections, and we need only one repository, then that repository should involve a full-scale national screening for the safest site, as well as a consideration of other things such as sub-seabed disposal and other possibilities. I think that we should consider that we may not have yet developed the technology to ensure a permanent repository for high-level waste. So, instead of sealing

off shafts, we should perhaps be considering a more modest series of monitored retrievable storage sites, close to or perhaps on power plant sites themselves so that we don't have the transportation risks.

We need to force Congress to take back the entire nuclear waste program. Go back to the drawing board and start over with the knowledge that DOE has made mistakes and they need to learn from those mistakes.

I plan to oppose the present course of action; I plan to oppose the Department of Energy doing any further site-specific work in the State of Nevada, and I will push forward my legislation, H.R. 266, to repeal part of the Nuclear Waste Policy Act and send it back to Congress for reconsideration. This issue is much too important to play politics with scientific technology, or to write guidelines with their minds made up already to put it in Nevada. I told Secretary Herrington my feelings on this subject at a hearing on DOE's budget last Tuesday. I don't plan to sit by and allow Nevada to be targeted as the waste dump for political objectives.

On the other hand, I think it is very short-sighted to view the Department of Energy or the Department of Defense as the enemy. There has been an impression created in Washington that Nevada is unequivocally opposed to any activities by the military or the Department of Energy. These attitudes are creating a tremendous roadblock for Nevada being considered for high-tech projects, such as the Supercollider.

Personally, I'm very enthusiastic about the emphasis in the President's budget on scientific research, and I would like to see the Department of Energy turn its funds and attention into siting the Supercollider Project in Nevada. In fact, I am considering a proposal that if we are still in the final selection process for a scientifically safe, and I emphasize safe, waste dump that has met the full range of selection criteria mandated by the law, we must be given first crack at the Supercollider.

I'm convinced that if it's possible to write guidelines that indicate that Nevada is the best site for a waste dump, then I think DOE should be writing guidelines that favor Nevada as the perfect location for the Supercollider. I'm suggesting that DOE do something popular for a change! Nye County has to deal with the movie star protestors and TV cameras from all over the world focusing on protestors at the test site. I believe we deserve the Supercollider, and I'm going to fight for it, as well as other research projects.

If we are given some of the high-tech projects that are an offshoot of the Strategic Defense Initiative (Star Wars), or energy research, then it will prove our ability to provide well-trained workers, and will provide further incentive to the private sector research companies evaluating Nevada as a potential location. The Department of Defense and the Department of Energy can contribute in positive ways to Nevada's program for economic diversification. A word of caution: Washington is hearing the constant chorus of "No, no, no" sung by some of our state's leaders. Those of you who want to join that chorus are doing Nevada a disservice, and costing Nevadans the chance to be on the cutting edge of scientific research and development.

This will cost our state billions of dollars, and deprive Nevadans of the opportunity for thousands of jobs. We don't want to have the reputation of being the state that says "No" in advance of the facts, and that is the reputation we are getting. The key is to remain unbiased, and look at each project on a case-by-case basis.

Let me talk just a minute about wilderness. I believe we must take a balanced and realistic approach on the number of acres in Nevada that we want to contribute to the National Wilderness Preservation System. Wilderness is becoming more scarce in this country, and almost anyone who loves our wide-open spaces appreciates the need to preserve some wilderness for future generations.

Decisions must be made, however, not just on the 400,000 acres suggested by the Forest Service, but on several million acres under study by the BLM, by the U.S. Fish and Wildlife Service and by the National Park Service. If a pattern is continued of introducing legislation with more acres than each agency suggests, that is going to mean that over seven million acres of the State of Nevada will be eternally locked up in wilderness, to the exclusion of most forms of recreation and all other forms of multiple use. Is that what we want? I don't think so.

I have talked to hundreds of men and women around the state who raise their families by the use of our public lands. They don't want more Federal restrictions.

With that in mind, I have continued to take a conservative approach. I have reintroduced my wilderness bill in the 100th Congress and I hope you will support it as you did during your last session. I understand Congressman Bilbray feels that I am very naive about getting my bill passed. Let's hope we can work together to do what is right for Nevadans.

This past year I have served as a member on the President's Commission on American Outdoors. I believe that my understanding of multiple use was one of the reasons that the President appointed me to the Commission, and I am honored by his faith in my abilities. I was one of only two members of the House of Representatives—Mo Udall from Arizona was the other member—and two Senators—Senator Malcolm Wallop and Senator Bennett Johnston—who were appointed by the President to this Commission.

The purpose of the Commission was to review outdoor recreation in the United States and make a report with recommendations to the President on the recreational needs of our country in the year 2000. As you would expect, the report has only recently been completed, and is already quite controversial.

I believe that my input to the Commission was beneficial, and I enjoyed the opportunity to serve, both because I enjoy outdoor recreation and because it was vital to have a strong advocate for multiple use in the group. Senator Wallop and I suggested a number of important changes on the final report, particularly in the section on Federal land use. Our presence served as a counterpoint to those members of the Commission who wanted a whole new Federal agency set up to receive millions more of dollars every year, and those who favored condemning private property for a network of cross-country hiking trails.

The goals set out by the Commission for future recreational needs are lofty ones, and ones which, on the whole, I approve of. The thrust for recreational development will be from the grass roots level, rather than Federal initiatives. They call this plan, "The Prairie Fire," with the idea that there needs to be a groundswell of enthusiasm from the local level—the cities, counties and states—not from the Federal level.

The Commission was also concerned with preserving and adding to outdoor recreational resources where they are most acutely needed, which is in the urban areas. There the need may be as small as getting the weeds off a basketball court, or providing a bike path. In populated areas, recreational opportunities may tip the scales for a child away from a life of crime or drug dependence to the pursuit of healthy athletic skills.

Expanding our recreational resources will take a commitment from state and local governments as well as a partnership with the private sector. Unfortunately, the era of being able to count on 100 percent Federal participation in most local projects is over.

As much as I love the outdoors—and would love to see everyone in the country have the opportunities that most of us in Nevada take for granted—I argued to remove many instances of recreation being developed by Executive Order by the President, from the final report.

Until the government is able to rein in spending and produce surpluses, it is irresponsible to create new agencies or new spending programs. I believe that it is immoral to permit the deficit to grow, and to pass this burden along to the next generation of America's leaders. It is our duty in Congress to find solutions to the problems that we have created, and these must be identified, and then acted upon.

By refusing to deal with the tough problems of cutting the deficit, Congress looks to the nation like a bunch of dieters talking endlessly about our program, while helping themselves to a plateful of hot fudge sundaes.

We must concentrate our priorities in Congress on the things that have true lasting merit of importance. I am encouraged to see Congress and the administration taking another hard look at the education of young Americans and comparisons being made to excellence in education in Japan.

If there are some useful lessons we can take from our neighbors in the free world, then so much the better. If we are to remain on the forefront of scientific research and new technology and to remain strong contributors to the arts, then our greatest hope is in our

young people. Their best education should be our goal and our willing investment, because they are our hope for the future. I would like to leave the next generation with optimism about their future and a rich and bountiful land to raise their families.

There are things that all of us can do and that we can all do together to bring that about. If we divide our energies by emphasizing our differences it will never happen.

In closing, I would like to say, let's work together for our state and for its future. If we strive for this common goal, Nevada will be better for all of us being here and we can look back with pride on our accomplishments while serving the people who put us here to represent them.

Thank you for this opportunity to join you today.

Senator O'Connell moved that the Senate and Assembly in Joint Session extend a vote of thanks to Representative Vucanovich for her timely, able and constructive message.

Motion carried.

The Committee on Escort escorted the Representative to the bar of the Assembly.

Assemblyman Lambert moved that the Joint Session be dissolved.

Motion carried.

Joint Session dissolved at 11:39 a.m.

ASSEMBLY IN SESSION

At 11:44 a.m.

Mr. Speaker presiding.

Quorum present.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, February 17, 1987

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. 9.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Senate Concurrent Resolution No. 9.

Assemblyman Kerns moved the adoption of the resolution.

Remarks by Assemblymen Kerns and Sader.

Resolution adopted unanimously.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Myrna Williams, Thompson, Adler, Lambert, DuBois, Sader, Jeffrey, Dini, Nevin, Price, Kerns, Brookman, Spinello, Wisdom, Marvel, Getto, Bergevin and Swain:

Assembly Bill No. 218—An Act relating to trade regulations and practices; providing for the regulation of solicitations by telephone; requiring

sellers to register with the attorney general; requiring the disclosure of certain information to a prospective purchaser; providing penalties; and providing other matters properly relating thereto.

Assemblyman Myrna Williams moved that the bill be referred to the Committee on Commerce.

Motion carried.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Senate Bill No. 78; Senate Concurrent Resolution No. 7.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Haller, the privilege of the floor of the Assembly Chamber for this day was extended to Misses Helen No and Diana Gish.

On request of Assemblyman May, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Betty Lougaris, Mr. Mark Saldo, Mrs. Lucille May, Mss. Mary E. May and Sandra H. May.

Assemblyman Jeffrey moved that the Assembly adjourn until Wednesday, February 18, 1987 at 11 a.m.

Motion carried.

Assembly adjourned at 11:52 a.m.

Approved: JOSEPH E. DINI, JR.
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE THIRTY-FIRST DAY

CARSON CITY (Wednesday), February 18, 1987

Assembly called to order at 11:06 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, Mr. Bruce Henderson.

Dear Father, I thank You today for these men and women who serve You by serving us. Bless them, Lord, and hold up their hands in love and faithfulness. In our Lord's name. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Jeffrey moved that further reading of the Journal be dispensed with, and the Speaker and Chief Clerk be authorized to make the necessary corrections and additions.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Labor and Management, 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.

JAMES J. BANNER, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, 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.

MARVIN M. SEDWAY, *Chairman*

Mr. Speaker:

Your Committee on Taxation, 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: Do pass.

PAUL W. MAY, *Chairman*

Mr. Speaker:

Your Committee on Elections, to which was referred Senate Joint Resolution No. 16 of the 63rd Session, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

COURTENAY C. SWAIN, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, February 17, 1987

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Senate Bills Nos. 97, 109.

MARY JO MONGELLI
Assistant Secretary of the Senate

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Judiciary:

Assembly Bill No. 219—An Act relating to medical malpractice; limiting the amount which may be awarded for noneconomic damages for personal injury against a provider of health care; providing for the periodic payments of future damages recovered against providers of health care; providing for limitations on a contingent fee for an attorney for representation in connection with an action against a provider of health care; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 220—An Act relating to statutory liens; including within certain liens an allowance for overhead and a profit; limiting the requirement of notice for certain liens to the holders of certain interests in the real property or improvements thereon; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 221—An Act relating to the Uniform Commercial Code; clarifying the definition of "account"; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Kerns, Porter, Carpenter, Nicholas, Brookman, Nevin, May, Garner, Wisdom, Tebbs, Fay, Craddock, Thomas, McGaughey, DuBois, Evans, Spriggs, Bergevin, Getto, Banner, Callister, Spinello, Myrna Williams, Arberry, Wendell Williams, Triggs, Humke, Dini and Marvel:

Assembly Bill No. 222—An Act relating to justices' courts; providing limited jurisdiction for enforcement of statutory liens of owners of facilities for storage; and providing other matters properly relating thereto.

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

Motion carried.

Senate Bill No. 97.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 109.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, February 18, 1987

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. 10.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Senate Concurrent Resolution No. 10.

Assemblyman Jeffrey moved the adoption of the resolution.

Remarks by Assemblyman Bergevin.

Resolution adopted unanimously.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Taxation:

Assembly Bill No. 223—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 provide an exemption for the gross receipts from the sale of certain large, farm machinery and equipment; creating the same exemption from certain analogous taxes; and providing other matters properly relating thereto.

Assemblyman May moved that the bill be referred to the Committee on Taxation.

Motion carried.

By the Committee on Transportation:

Assembly Bill No. 224—An Act relating to motorcycles; limiting the requirement for protective headgear for drivers and passengers; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Commerce:

Assembly Bill No. 225—An Act relating to beverages; prohibiting the sale of cans with certain removable tabs; providing a penalty; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

By the Committee on Commerce:

Assembly Bill No. 226—An Act relating to food; prohibiting the importation of food which is not in a package which is resistant to tampering; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

By the Committee on Health and Welfare:

Assembly Bill No. 227—An Act relating to residential facilities for groups; repealing obsolete provisions concerning these facilities; and providing other matters properly relating thereto.

Assemblyman Arberry 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, ordered engrossed and to third reading.

Assembly Bill No. 15.

Bill read second time, ordered engrossed and to third reading.

Assembly Joint Resolution No. 10.

Resolution read second time, ordered engrossed and to third reading.

GENERAL FILE AND THIRD READING

Assembly Bill No. 2.

Bill read third time.

Remarks by Assemblyman May.

Roll call on Assembly Bill No. 2:

YEAS—42.

NAYS—None.

Assembly Bill No. 2 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 19.

Bill read third time.

Remarks by Assemblyman Marvel.

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.

Bill ordered transmitted to the Senate.

Assembly Bill No. 21.

Bill read third time.

Remarks by Assemblymen Sader and Sedway.

Roll call on Assembly Bill No. 21:
YEAS—42.
NAYS—None.

Assembly Bill No. 21 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 84.
Bill read third time.
Remarks by Assemblyman Banner.
Roll call on Assembly Bill No. 84:
YEAS—42.
NAYS—None.

Assembly Bill No. 84 having received a constitutional majority, Mr. Speaker declared it passed, 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 Senate Concurrent Resolution No. 8.

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 Dr. Robert Meade, Messrs. Peto, Michael Delage, and Mrs. Kathleen Noneman and the seventh and eighth grade classes of Traner Middle School: Marco Aguirre, Jose Berumen, Sara Borgen-Howard, Tony Borrayo, Justin Crago, James Cranfeild, Maidest Dillon, Daniel Duffus, Judy Elliot, Jon Evans, Henrietta Flake, Alisha Henson, Leah Howell, Tanya Ivens, Quyen Ly, Rachel Malter, Jose Martinez, Manuel MeDina, Laura Mendoza, Olivia Nelson, Jeffery Orr, Katherine Padgett, Matthew Parsons, Adrian Paschall, Denice Rivas, Joseph Sambrano, Rebecca Servi, Kevin Stewart-Wiley, Melanie Todd, Dorthy West, Bill Bradley, Sean Callahan, Dianna Cortes, Cameron Cottle, Emily Desilva, Seida Dominguez, Moises Estrada, James Ferrel, John Gilman, Francisco Gomez, Tikki Gosser, Timpi Hamilton, Telu Kioa-Ani, Fidel Luna, Tony McNamara, Peter Menchetti, Steve Morton, Chad Novak, Tedd Peard, Arnold Reyes, Brandy Riker, Kermit Scourby, Albertina Smith, Damiana Vital, Amy Webber, Dawanna Williams, Christina Ryan, Rachael Bessey, Imran Ahmed, Steven Alvarez, Eduardo Amaya, Trinidad Bartolo, Michael Blochowiak, John Buzzell, Chinnapong Chewjalearn, Ortary Davila, Michael Dupont, Christopher Leach, Melanie Maine, Larry Mullins, Christopher Patton, Malinda Riggs, Jesse Rimon, Johnathon Russell, John St. Marie, Hinh Su, Charles Vernon, Samson Wilson, Estevan Adame, Daniel Andreason, Ema Ayala, Michael Ball, Yoruba Baltrip, Wade Campbell, Angela Deleo, Rhett Dewees, Juan Dominguez, Norris Dupree, Richard Fisher, Maria Harrison, Jocelyn Huerto, Donald Kerns, Mathew

Leyva, Amy Ly-Phan, Linda McKenzie, Shylee McNair, Francisca Medina, Schauntelle Nicholson, Beverly Patterson, Larry Powell, Danny Rego, Termaine Robinson, Mohammad Shafaqat, Jason Sutton, Sojani Vega, Sonya Weiser, Andrea Willaman, Edwin Yiannacopoulos and Kimberly Young.

On request of Assemblyman Bergevin, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Dorothy Berrum, Mss. Nevalyn Miller and Muffy Miller.

On request of Assemblyman May, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Garland Miner.

On request of Assemblyman Porter, the privilege of the floor of the Assembly Chamber for this day was extended to Dr. Gary Jones.

On request of Assemblyman Price, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Douglas Pence and Mrs. Dianna Pence.

Assemblyman Jeffrey moved that the Assembly adjourn until Thursday, February 19, 1987 at 11 a.m.

Motion carried.

Assembly adjourned at 11:38 a.m.

Approved: JOSEPH E. DINI, JR.
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE THIRTY-SECOND DAY

CARSON CITY (Thursday), February 19, 1987

Assembly called to order at 11:06 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, Mr. Bruce Henderson.

Our prayer this morning is from the fifth Psalm: "But let all who take refuge in You be glad; let them ever sing for joy. Spread Your protection over them, that those who love Your name may rejoice in You. For surely, O Lord, You bless the righteous; You surround them with Your favor as with a shield." Thank you, O Lord! AMEN.

Pledge of allegiance to the Flag.

Assemblyman Jeffrey moved that further reading of the Journal be dispensed with, and the Speaker and Chief Clerk be authorized to make the necessary corrections and additions.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Judiciary, to which was referred Assembly Bill No. 182, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

ROBERT M. SADER, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which was referred Assembly Bill No. 129, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ROBERT M. SADER, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, 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: Do pass.

MARVIN M. SEDWAY, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Assembly Bill No. 116, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

DANNY L. THOMPSON, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, February 18, 1987

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Senate Bills Nos. 67, 119.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 4, 32.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen Nicholas and Sader:

Assembly Joint Resolution No. 22—Proposing to amend section 1 and section 8 of article 6 of the constitution of the State of Nevada to change the name of justices of the peace to judges of the justice court.

RESOLVED BY THE ASSEMBLY AND THE SENATE OF THE STATE OF NEVADA, JOINTLY, That sections 1 and 8 of article 6 of the constitution of the State of Nevada be amended to read respectively as follows:

Section 1. The Judicial power of this State shall be vested in a court system, comprising a Supreme Court, District Courts, and [Justices of the Peace.] *Justice Courts.* The Legislature may also establish, as part of the system, Courts for municipal purposes only in incorporated cities and towns.

Sec. 8. *1.* The Legislature shall determine the number of [Justices of the Peace] *Judges of the Justice Court* to be elected in each city and township of the State, and shall fix by law their qualifications, their terms of office and the limits of their civil and criminal jurisdiction, according to the amount in controversy, the nature of the case, the penalty provided, or any combination of these.

[The provisions of this section affecting the number, qualifications, terms of office and jurisdiction of Justices of the Peace become effective on the first Monday of January, 1979.]

2. The Legislature shall also prescribe by law the manner, and determine the cases in which appeals may be taken from Justices and other courts. The Supreme Court, the District Courts, and such other Courts, as the Legislature shall designate, shall be Courts of Record.

Assemblyman Nicholas moved that the resolution be referred to the Committee on Judiciary.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Nicholas and Sader:

Assembly Bill No. 228—An Act relating to justices' courts; requiring that the court have a seal; extending the jurisdiction for small claims; providing that justices are judges of their courts; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Jeffrey:

Assembly Bill No. 229—An Act relating to juvenile correctional institutions; eliminating the requirement that group supervisors of the Nevada girls

training center and the Nevada youth training center be certified by the peace officers' standards and training committee; and providing other matters properly relating thereto.

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

Motion carried.

Senate Bill No. 4.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

Senate Bill No. 32.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Education.

Motion carried.

Senate Bill No. 67.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Education.

Motion carried.

Senate Bill No. 119.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Elections.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 22.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 117.

Bill read second time.

The following amendment was proposed by the Committee on Labor and Management:

Amendment No. 66.

Amend sec. 2, page 2, line 36, after "compensation" by inserting: "paid in installments".

Amend the bill as a whole by adding a new section, designated sec. 4, following sec. 3, to read as follows:

"Sec. 4. The amendatory provisions of this act do not apply to any person who accepted his compensation for a permanent partial disability in a lump sum before July 1, 1987.".

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. 122.

Bill read second time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 68.

Amend section 1, page 1, line 4, by deleting the period and inserting: ", as follows:

1. To the Division of State Parks of the Department of Conservation and Natural Resources, 8,725.47 acres in the Valley of Fire State Park with an estimated value of $10,940.59 at the time of the transfer.

2. To the Division of State Parks of the Department of Conservation and Natural Resources, 200 acres in Kershaw Ryan State Park with an estimated value of $250 at the time of the transfer.

3. To the Division of State Parks of the Department of Conservation and Natural Resources, 1,578.66 acres in Cathedral Gorge State Park with an estimated value of $1,973.33 at the time of the transfer.

4. To the Division of State Parks of the Department of Conservation and Natural Resources, 718.62 acres in Beaver Dam State Park with an estimated value of $898.25 at the time of the transfer.

5. To the Division of State Parks of the Department of Conservation and Natural Resources, 1,519.13 acres in Rye Patch Reservoir State Park with an estimated value of $3,797.83 at the time of the transfer.

6. To the Department of Transportation for a gravel pit in Humboldt County, 40 acres with an estimated value of $100 at the time of the transfer.

7. To the Department of Conservation and Natural Resources and then to the Department of Human Resources for the Beatty Nuclear Dump Site, 80 acres with an estimated value of $4,000 at the time of the initial transfer.".

Assemblyman Sedway moved the adoption of the amendment.

Remarks by Assemblyman Sedway.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Joint Resolution No. 16 of the 63rd Session.

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. 124, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ROBERT M. SADER, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen Dini, Jeffrey, Thompson, Kissam, Arberry, Swain, Craddock, Freeman, Gaston, Carpenter, Banner, Getto, Schofield, Evans, Garner, Humke, Thomas, Nicholas, DuBois, Bergevin, Nevin, Porter, Kerns, Wisdom, Spinello, Myrna Williams, Marvel, Callister, Brookman, Tebbs, Fay, Price, May, Sedway, Sader, Adler, Lambert, McGaughey, Triggs, Haller, Wendell Williams and Spriggs:

Assembly Concurrent Resolution No. 11—Commending former Assemblyman Ed Kovacs for his public service in Nevada.

WHEREAS, Ed Kovacs was born on January 6, 1932, in Newark, New Jersey; and

WHEREAS, Mr. Kovacs served two terms in the Assembly of the State of Nevada during which time he distinguished himself as a dedicated and respected legislator; and

WHEREAS, An active member of his community, Mr. Kovacs is affiliated with the Veterans of Foreign Wars, the Lions Club "49er's", the Clark County Democratic Committee, the Las Vegas Board of Realtors, the American Red Cross and the Nevada Racehorse Owners and Breeders Association; and

WHEREAS, Mr. Kovacs has exemplified the highest ideals of public service and has earned the respect and admiration of his colleagues; now, therefore, be it

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, THE SENATE CONCURRING, That the members of the 64th session of the Legislature of the State of Nevada hereby commend Ed Kovacs for his dedicated service to 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 Ed Kovacs.

Assemblyman Thompson moved the adoption of the resolution.

Remarks by Assemblymen Thompson, Jeffrey, Thomas, Nicholas, Callister, Getto and Fay.

Assemblyman Gaston requested that the following remarks be entered in the Journal.

ASSEMBLYMAN THOMPSON:

Mr. Speaker, a number of the members of the house served with Mr. Kovacs. I know in my first two sessions, I went heads up with him on a couple of different issues; but nonetheless, Ed is a good friend and he was a good legislator. He is very critically ill at this point at University Medical Center in Las Vegas. We would like to pass this resolution and read it to him later today.

ASSEMBLYMAN JEFFREY:

Mr. Speaker, I have known Ed Kovacs for quite some time. We go back to when we were both young Democrats and that's been a while. I had the pleasure of serving the two terms when Ed was here and we have worked together on many projects. We've had some differences, but Ed was always a gentleman who paid great attention to detail and was a credit to this body.

ASSEMBLYMAN THOMAS:

Thank you, Mr. Speaker. As a member of the opposite party, when I came in here as a freshman, Ed Kovacs really went out of his way to give me as much help as any human being could give another. He is one of the finest men I have ever served with in this great body. I send out my prayers to him.

ASSEMBLYMAN NICHOLAS:

Thank you, Mr. Speaker. Many of us were disturbed to hear that there were problems in Eddie's life. He, of course, was a classmate of a number of us including the first speaker to this subject. On behalf of the opposition party at that time, let me express my concern and our concern for him and send him our best wishes.

ASSEMBLYMAN CALLISTER:

Thank you, Mr. Speaker. Mr. Kovacs, Eddie, is a constituent of mine, and is a good friend and was of great assistance during my campaign. He was, to a large degree, sort of a mentor, taking an interest in me and he tried to convince me, for better or worse, to run for this body. I appreciate all of his efforts and those of his fine family. I wish to express my concurrence with what has been mentioned here today.

ASSEMBLYMAN GETTO:

Thank you, Mr. Speaker. I would like to say, too, that I certainly appreciated Mr.

Kovacs' service as a legislator. I came to know Ed, his wife and son quite well when they spent a weekend at the ranch. I always remember how much enjoyment Ed got out of chasing some cattle. We were not moving cattle in the western fashion, we were moving them afoot and Ed soon ran out of breath. We really had a big laugh about it. I certainly feel that he is a real friend and wish him the best.

ASSEMBLYMAN FAY:

Thank you, Mr. Speaker. It would be remiss of me at this time not to speak of Eddie Kovacs. He is my personal friend of 20 years and was a great politician and he is a good politician. I wish him the best.

Resolution adopted unanimously.

Assemblyman Jeffrey moved that all rules be suspended and that Assembly Concurrent Resolution No. 11 be immediately transmitted to the Senate.

Motion carried unanimously.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Government Affairs:

Assembly Bill No. 230—An Act relating to the legislature; requiring the secretary of the senate and the chief clerk of the assembly to be responsible for the distribution of bills and resolutions to members of the general public during each session of the legislature; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 231—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.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 232—An Act relating to the public employees' retirement system; revising provisions governing eligibility for participation in the program for early retirement of police officers and firemen; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Spriggs:

Assembly Bill No. 233—An Act relating to juvenile correctional institutions; making various changes relating to the placement of inmates; requiring the administration of a program regarding the abuse of alcohol and other

drugs; removing the general powers of peace officers from certain employees; and providing other matters properly relating thereto.

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

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 11.

Bill read third time.

Remarks by Assemblyman Kerns.

Roll call on Assembly Bill No. 11:

YEAS—42.

NAYS—None.

Assembly Bill No. 11 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 Wisdom.

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. 20.

Bill read third time.

Remarks by Assemblyman Spinello.

Roll call on Assembly Bill No. 20:

YEAS—42.

NAYS—None.

Assembly Bill No. 20 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Joint Resolution No. 10.

Resolution read third time.

Remarks by Assemblyman Evans.

Roll call on Assembly Joint Resolution No. 10:

YEAS—42.

NAYS—None.

Assembly Joint Resolution No. 10 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 Senate Concurrent Resolution No. 9; Assembly Resolution No. 6.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Speaker, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Ken Harvey, Roland Adams, Mss. Andrea Manour and Mavis Schraeder.

On request of Assemblyman Bergevin, the privilege of the floor of the Assembly Chamber for this day was extended to Miss B. Phillips, Mrs. Harper, Messrs. Bud Perkins, Jerry Van Sickle, Mss. Trina Ward, Mary Ann Leck, Mary Honda and the following students of C. C. Meneley School: Randy Ament, Kim Ames, Tina Belmontes, Greg Conely, Pat Egan, Mike Hargrove, Michelle Honda, Trevor Hughes, Laura Ketelaar, Dusty Lysiak, Jay Lysinger, Nick Morris, Jennifer Perra, Heidi Peterson, Jonathan Plemel, James Powers, Jason Reeder, Sammie Rowberg, Bryan Saueressig, J. P. Steenbakker, Patrick Stine, Ray Swanson, Andy Wagner, Kerry Orear, Michael Adamson, Cody Allison, Jennifer Baker, Robert Campbell, Kimberly Christiansen, Amy Cullers, Matthew Cunningham, Travis Edmunds, John Fikkers, Timothy Hammerquist, David Holt, Jessica Huggans, Anthony Lundy, Nicholas Martinez, Charles Parker, Ted Paterson, Sean Pillsbury, Carrie Pitts, Ashley Posnien, Christina Sergott, Laura Simpson, David Snellbaker, Jonathan Storke, Tandy Thew, Wilbur Watson, Jerod Meyers, Daniel Fredrickson, Jason Davenport, Matt Chapman, Robert Conely, Wesley Fitch, Brian Beland, David Paganini, Preston Patterson, Seth Blackford, Rusty Haskins, Jacob Peterson, Caleb Joyner, Danielle Kenyon, Brandy Justinich, Colter Rynerson, Adam Hemminger, Matthew Abele, Kelly Enget, Deanna Surritte, Dawn Frobies, Sherron Dickenson, Audrey Jeffers, Nicole Crawford, Renee Remer, Elisabeth Friesen, Keirri Axtell, David Baumann, Nicholas Clark, Mark Clore, Samuel Denna, Joey Ficklin, Kelley Green, April Hall, Darren Jones, Megan Koerner, Ryan Kronenberg, Charles Marlow, Allison Medel, Cassandra Mistak, Gretchen Mohn, Grant Morrison, Eric Nystrom, Colleen Robertson, Matthew Saunders, Jeremy Snodgrass, Julia Soderman, Dionne Uzes, Sarah Velasquez, Skye Walker and Paul Wilson.

On request of Assemblyman Evans, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. John Ruby.

On request of Assemblyman Getto, the privilege of the floor of the Assembly Chamber for this day was extended to Mesdames Melendy, Kohltfarber, Mss. Karen Zimmerman, Linda Chavez, Emma Van Komen, Alice Baker and students of the Fallon Seventh-Day Adventist Elementary School: Andre Chavez, Erica Chavez, Melissa Christoffel, Bree Fisk, Adam Glass, Lizzy Hart, Marie Hart, Bobby Kohltfarber, Rick Kohltfarber,

Shawn Kohltfarber, Becky Krohne, Bobby McCauley, Jesse Melendy, Kati Melendy, Niki Melendy, Casey Nelson, Regsis Rosse, Jay Trease, Cory Trease, Halley Zimmerman and Heather Zimmerman.

On request of Assemblyman Humke, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Sheila Leslie.

On request of Assemblyman Kissam, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Mark Schrader.

On request of Assemblyman Lambert, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Larry Beck.

On request of Assemblyman McGaughey, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Karen Hayes.

On request of Assemblyman Marvel, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Darrell Taylor, Ray Williams, Teabeau Piquet, Mss. Susan E. Harrer and Marian McClellan.

On request of Assemblyman Nicholas, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Judi Bailey, Messrs. David Stanley, Dennis Peirce, Mss. Kathy Fairbanks, Ann Peirce, Kerry Larsen, and the sixth grade class of Pleasant Valley Elementary School: Brian Allen, Greg Anderson, Tony Clements, Jeremy Fairbanks, Tye Fitzpatrick, David Freeman, Billy Grace, Brian Guinasso, Charlie Henington, Mark Hicks, Justin Horn, Chase Martin, Charles McConkie, Chris Pena, John Seymour, Daniel Spence, Paul Todd, Pete Seuss, Joanne Brownell, Rachel Cloninger, Amanda Daniels, Kristi Dzuirda, Marlane Johnson, Shannon Larsen, Connie Nobbs, Taryn Peirce, Becky Rowbotham and Kara Ward.

On request of Assemblyman Spinello, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Thalia Dondero.

On request of Assemblyman Spriggs, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Keith Whipple.

On request of Assemblyman Wisdom, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. David Hawes.

Assemblyman Jeffrey moved that the Assembly adjourn until Friday, February 20, 1987 at 10:30 a.m.

Motion carried.

Assembly adjourned at 11:54 a.m.

Approved: JOSEPH E. DINI, JR.
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE THIRTY-THIRD DAY

CARSON CITY (Friday), February 20, 1987

Assembly called to order at 10:33 a.m.

Mr. Speaker presiding.

Roll called.

All present except Assemblyman Brookman, who was excused.

Prayer by the Chaplain, Mr. Bruce Henderson.

Our dear, loving Heavenly Father, hear us as we simply say thank You. Without holy tones and lengthy oratory: "Thank You." In the name of the One we hold dear.

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Jeffrey moved that further reading of the Journal be dispensed with, and the Speaker and Chief Clerk be authorized to make the necessary corrections and additions.

Motion carried.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, February 19, 1987

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Senate Bills Nos. 53, 69, 126.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bill No. 21.

MARY JO MONGELLI
Assistant Secretary of the Senate

INTRODUCTION, FIRST READING AND REFERENCE

Senate Bill No. 21.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

Senate Bill No. 53.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 69.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

Senate Bill No. 126.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 46.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 116.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 65.

Amend section 1, page 1, by deleting line 3 and inserting: "state [and county government] , *county and city governmental* offices:".

Amend section 1, page 2, line 7, by deleting "and county" and inserting: "[and county] , *county and city*".

Amend section 1, page 2, by deleting lines 17 and 18.

Amend the bill as a whole by renumbering sec. 2 as sec. 3 and adding a new section designated sec. 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, the courts, the University of Nevada System, 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: "making the statutory list of legal holidays apply to city governmental offices also; reducing the number of legal holidays which may be declared by the governor each year;".

Assemblyman Thompson moved the adoption of the amendment.

Remarks by Assemblyman Thompson.

Amendment adopted.

Assemblyman Jeffrey moved that Assembly Bill No. 116 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 Bill No. 124.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 82.

Amend section 1, page 2, line 10, after "*partners*" by inserting: "*designated in an agreement among all of the partners*".

Amend section 1, page 2, by deleting lines 12 and 13 and inserting: "*partners if:*

(a) The sale is in accord with the terms of the agreement among the partners; and

(b) All partners are provided prior written notice of the sale.".

Assemblyman Gaston moved the adoption of the amendment.

Remarks by Assemblyman Gaston.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 129.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 71.

Amend sec. 1, page 2, line 2 after the period by inserting: "*If closed-circuit television is provided for, members of the news media may observe and record the proceeding from both locations unless the court specifically provides otherwise.*".

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. 182.

Bill read second time, ordered engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Assembly Bill No. 22 and Senate Joint Resolution No. 16 of the 63rd Session be taken from the General File and placed on the General File for the next legislative day.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Judiciary:

Assembly Bill No. 234—An Act relating to witnesses; extending the period a court may adjourn a trial or hearing to allow a witness to testify concerning the presence of alcohol or a controlled substance within a person charged with a crime involving driving under the influence of intoxicating liquor or a controlled substance; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 235—An Act relating to traffic laws; revising the penalty for operating a motor vehicle without insurance; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Commerce:

Assembly Bill No. 236—An Act relating to installment loans; allowing insurance which compensates for involuntary unemployment to secure a loan; allowing insurance to take the place of the perfection of a security agreement; prohibiting certain insurance to be written in connection with a loan; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

By the Committee on Commerce:

Assembly Bill No. 237—An Act relating to appraisers of real estate; providing for licensing by the department of taxation; establishing a board of appraisers; prescribing the powers and duties of the board; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

By the Committee on Ways and Means:

Assembly Bill No. 238—An Act making an appropriation to the City of Mesquite for costs related to the construction of an airport; and providing other matters properly relating thereto.

Assemblyman Sedway moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

Mr. Speaker appointed Assemblymen Haller and Carpenter as a committee to invite the Senate to meet in Joint Session with the Assembly to hear an address by the Secretary of the Interior Hodel.

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 a.m.

President of the Senate presiding.

The Secretary of the Senate called the Senate roll.

All present except Senator Rawson, who was excused.

The Chief Clerk of the Assembly called the Assembly roll.

All present except Assemblyman Brookman, who was excused.

The President of the Senate appointed a Committee on Escort consisting of Senator Gibson and Assemblyman Schofield to wait upon Secretary of the Interior Hodel and escort him to the Assembly Chamber.

The Committee on Escort in company with The Honorable Donald P. Hodel, United States Secretary of the Interior, appeared before the bar of the Assembly.

The Committee on Escort escorted the Secretary of the Interior to the rostrum.

The President of the Senate welcomed Mr. Hodel and invited him to deliver his message.

Secretary of the Interior Hodel delivered his message as follows:

MESSAGE TO THE LEGISLATURE OF NEVADA

SIXTY-FOURTH SESSION, 1987

Mr. President, Mr. Speaker, Members of the Nevada Legislature, ladies and gentlemen. I want to say a special hello to the students of Hunter Lake School who, I understand, are here today. I am pleased at your interest in our form of government and I hope that not too many years from now some of you will be sitting or standing here in the service of your State and your Nation.

I appreciate very much the opportunity to speak with you today about the bicentennial of the United States Constitution. It is an occasion which does me honor. More importantly, it provides you and me the opportunity to pay honor to that document, rivaled perhaps only by our Declaration of Independence in providing wise guideposts to the people of a Nation who are determined forever to be free men and women.

It has been said that ours is a "living Constitution." The phrase all too often is used to justify departure from the principles, values and ideals of our Founders. Some courts and commentators seem to think that, by invoking the idea that our Constitution "is living," they, for example, can countenance exercise by the Federal Government of powers and controls over our daily lives not contemplated in 1787—all in the name of "keeping up with the times." Believe me, I use the expression "our living Constitution" in an entirely different sense.

I speak of our "living Constitution" from the point of view that its principles are just as relevant and sound today as they were two centuries ago. The ideas expressed in that document about limited government, about checks and balances, and about the integral role of the states in our Federal system are, or certainly should be, just as alive today as when they were laid down by Madison, Franklin and 53 others so many years ago. Our Constitution must never be thought of as being just four pages of parchment to be viewed with curiosity when one visits the National Archives in Washington, D.C.

Instead, every day of our lives each person fortunate enough to call himself or herself an American should be both cognizant of, and grateful for, the unique blessing made possible by our Constitution. Its approach to government, and the adherence to that approach by our leaders for the better part of 200 years, have enabled the United States, as a nation, to distinguish itself from other nations which obtained freedom as we did by means of revolution against a tyrant. Consider, if you will, the blessed contrast between our experience and that of people elsewhere who by force of arms gained their freedom from the heel of one despot, only to find that the successor regime was at least as bad as, if not worse than, the one they had overturned.

What is it that accounts for the fact that Americans, who revolted against the oppression of King George III, have retained freedoms nowhere in evidence in the land whose people revolted against Czar Nicholas II? Why is it that we, who inherited our Nation from the

common people of the Colonies, who were revolutionaries, never have known the terror that is all too familiar to the common people of Castro's Cuba? Is it just historical accident that the clergy and press of Nicaragua who courageously urged the downfall of dictator Somoza found, in less than two years following their victory, that they can only dream in Sandinista jail cells of the freedoms to worship and to speak, upon which freedoms we Americans have thrived for over 200 years?

In the first place, I submit, the answers to these questions are found in the body of the Constitution itself. Nowhere is this more evident than in that remarkable system of what we call "checks and balances." We were provided with a tripartite division of power among executive, legislative and judicial branches which, at one and the same time, enables each to exercise the powers necessary to what Hamilton called the performance of its role with "energy," while assuring the citizens of the Republic against abuse of these separately vested powers.

If only the courts in the Soviet Union were possessed of the powers and genuine independence enjoyed by our courts. Perhaps, then, the citizens of that land would not have to worry as they do now about a knock on the door by the KGB in the middle of the night, or about being confined indefinitely in mental hospitals because they dared to complain about their essential lack of freedoms. If only the members of the National Assembly of Nicaragua were freely elected by the people of that country in honest elections, and if only the National Assembly were possessed of the independent power and authority enjoyed by our Congress. Perhaps, then, the people of Nicaragua would not have to worry as they do now about the excesses of their Presidente.

But if one believes, as I do, that wisdom was necessary to devise the all-important system of checks and balances *within* our central government, then it was nothing short of genius which enabled our Founding Fathers to come up with the concept of federalism. Federalism, that approach to government in America which permits the strength in the central government and the unity of our Nation's 240 million people so necessary to enable the United States of America to be the most powerful nation on earth. Federalism, that approach to government in America which permits each individual state the freedom to deal with a whole range of issues which touch the daily lives of its citizens in a manner which takes into account the particular needs and values of those citizens even though they may differ remarkably from the needs and values of Americans who live in other states. Federalism, that approach to government in America which concurrently enables both the central and the state governments to survive and to thrive.

To appreciate more fully the significance of what I called the genius of our system of federalism, please reflect with me on the circumstances which faced the Constitutional Convention in 1787. As former Chief Justice Burger has noted, the language of the original Articles of Confederation revealed how jealous the 13 states were about their individual sovereignty. Their reluctance to create anything like a strong central government was made manifest by the statement of their objective: to "enter into a firm league of friendship with each other." Well, that approach may have been good enough for a treaty of mutual defense among sovereigns, but it hardly was the basis for birth of a *nation.*

Prior to adoption of the Constitution whose bicentennial we celebrate this year, the Continental Congress lacked power to levy taxes or raise an army. Each of the 13 states was free to set up trade barriers against its neighbors, and to issue its own currency. Washington, Hamilton and Madison understood that more had to be done lest the expression "the United States of America" be nothing more than an oxymoron.

But, by no means was there agreement among the patriots who gave us the Declaration of Independence. Patrick Henry railed against even calling a Constitutional Convention—he said he "smelled a rat"—and, along with Jefferson, he refused to attend. Their concerns were understandable, given that, only nine years earlier, they had begun a revolution to shed the shackles of a distant, strong and insensitive central government in London.

Somehow, notwithstanding such concerns and the jealous near-worship of state sovereignty to which I alluded earlier, that small band of farmers, merchants and lawyers who met in Philadelphia achieved consensus. Given the great odds against their success, what

explains their having forged the document we celebrate today? Scholars of the Constitution have various explanations, but I personally am struck by the comment of James Madison, who, after the close of the Constitutional Convention, was moved to say: "It is impossible for the man of pious reflection not to perceive in (the creation of the Constitution) a finger of that Almighty Hand, which has been so frequently . . . extended to our relief in the critical stages of the revolution."

Two hundred years of history suggest that Madison was right. We all should be grateful to God for having inspired the words of a Constitution which have enabled the people of this Nation to prosper materially, intellectually and spiritually—and, above all, to remain free. But our gratitude to God must be far more than that. I am convinced that words alone, Divinely inspired or not, would be insufficient *by themselves* to explain the blessings we have enjoyed under the Constitution of the United States. Rather, it is because, over the years, we have been blessed by leaders and a people who by and large have been committed to the philosophies and principles which underlie the Constitution.

Central to the philosophy of our Constitution are two beliefs. The first is that the freedoms of our people were given to us, *not by the government,* but by God. As Jefferson said in words eternally etched in the memorial which honors him in the Nation's capital, "God, who gave us life, gave us liberty." And he posed this all important question: "Can the liberties of a nation be secure when we have removed the conviction that those liberties are a gift from God?" I am convinced the answer is "no."

The second basic belief central to our constitutional philosophy is that the powers of the government have been *conferred upon it by the people* of this land. The preamble of the Constitution expresses this thought by saying, "We, the people of the United States . . . do ordain and establish this Constitution for the United States of America." We, the people.

It is that simple, three-word phrase which is what really distinguishes our system of government from that of others whose citizens or subjects do not know what freedom really means. The words of any nation's constitution can be living and vibrant, as they are here, or they can be devoid of any meaning at all. It all depends upon the ongoing commitment of the leadership and of the people of the nation to those words and to the principles which caused them to become part of the charter document in the first place.

The constitution of the Soviet Union is brimming with platitudes about the rights of individuals. Who within the hearing of my voice, or any free man or woman in any land, would trade places with anyone whose life, or liberty, or chance to succeed depends on the assurances of the Soviet constitution? Or, consider what they call the "constitution" of Nicaragua, unveiled with pomp and ceremony by Mr. Ortega a few weeks ago. Not even the American apologists for the Sandinista regime dared to attempt to persuade us that that phony document provided meaningful guarantees of liberty to the people.

A constitution "lives" because the people and the leaders of the nation governed by that constitution are committed to its life, to its vitality. And a living, vital constitution is capable of dealing with all sorts of situations which, while not specifically contemplated during the drafting of the charter document, nevertheless are amenable to the basic propositions concerning the fundamental relationships between government and citizens—and, in the case of the United States, that fundamental relationship between the national and state governments—upon which the Constitution is based.

A major Supreme Court case concerning the State of Nevada illustrates the point that, under our Constitution, we have a process for resolving conflicts between state and Federal powers in a manner consistent with the basic principles articulated in the Constitution. *Crandall v. Nevada* was decided some 120 years ago. Apparently, seeking sources of revenue in those days was as important as in these. So, your predecessor legislators decided to impose a per capita tax on each person traveling through or out of the state. That, however, was not much to the liking of Mr. Crandall, who operated the Pioneer Stage Coach Company out of headquarters just down the street from here, at the Pony Express Hotel. In the ensuing lawsuit, the U. S. Supreme Court was faced with the fact that no specific provision of the Federal Constitution spoke directly to the issue raised by Mr. Crandall. But the tax was struck down by resort to consideration of the fundamental fact that ours is a single nation, albeit one in which the several states play a vital role. Mr. Justice Miller explained it this way:

"Living as we do under a common government, charged with the great concerns of the whole Union, every citizen of the United States from the most remote States or territories, is entitled to free access, not only to the principal departments established at Washington, but also to its judicial tribunals and public offices in every State in the Union . . . For all the great purposes for which the Federal Government was formed, we are one people, with one common country. We are all citizens of the United States, and as members of the same community must have the right to pass and repass through every part of it without interruption, as freely as in our own States."

One beauty of our system of government, of course, is illustrated by that case. Our Constitution established an independent judiciary to resolve peaceably and under law disputes such as those in *Crandall v. Nevada.* On occasion, we may not like the results, but the alternatives for dispute resolution are much worse.

But let me suggest to you a concept which is even more important. I do not believe that, just because a law passed by Congress or an act of the Executive Branch can pass constitutional muster, it necessarily means that the law or that act is in furtherance of wise government. Constitutionality and sound public policy are not always the same thing. Certainly, when it comes to dealing with issues that touch upon that integral component of our Constitution which we call "federalism," I do not believe we can afford to stop after asking merely the sterile question of whether or not a particular action by the Federal Government is constitutional. Rather, the further question must be: if constitutional, is the proposed act of the Federal Government consistent with the Constitution's principles—its original philosophy—of federalism?

That philosophy was well articulated by Hamilton, who, in defense of the newly proposed Constitution, assured his fellow citizens that: "The powers reserved to the several States will extend to all the objects which, in the ordinary course of affairs, concern the lives, liberties, and properties of the people, and the internal order, improvement, and prosperity of the State."

Nevertheless, over the years there has been an erosion of the role of the states. And, under the rubric of ours being a "living Constitution," the courts have allowed to pass to the Federal Government many of those powers which Hamilton had explained were within the province of the states. It is for that reason I say we cannot content ourselves by focusing alone on the question of what is constitutional; instead, we must address also the issue of what, given the genius of our constitutional system of federalism, *is right.*

I submit that that is precisely the issue presented to us by the continuation of the federally mandated speed limits on our Nation's highways. Surely, it is constitutional for the Federal Government to set speed limits on highways funded in whole or in part by Federal dollars and to withhold funds where those speed limits are not obeyed. But, in my view, the Federal Government simply has no business setting traffic laws!

I have written about the error of Federally mandated traffic laws and often have raised the subject in speeches throughout the country. I say that in order to make plain that I don't just say that when I am here in the West where it is a popular point of view. To me this is a matter of principle—the principle of federalism. But if principle is not sufficient reason for some for getting the Federal Government out of the driver's seat, then let's deal with the proponents of Federal speed laws head-on. Let's point out to the rest of America that the alleged need for continuing Federal traffic laws clearly presupposes the belief that Federal bureaucrats care more about the lives and safety of people than do governors and state legislators. That's just not so!

I should point out, also, that, when there is genuine commitment to our system of Federalism, the Federal Government often can accommodate the legitimate interests of the states, even when the conflicting Federal interest also is legitimate. Allow me to give you a recent example of how this Administration worked in concert with the National Association of State Attorneys General to solve a problem of particular interest to the West.

As you know, in many instances there is uncertainty over the exact boundaries between Federal lands in the West and state-owned lands because of the interspersed or checkerboard pattern of ownership. Often, the states are not able, or have had no particular reason, to monitor the activities on the Federally held lands which would give notice of

Federal ownership claims. Yet, under the previously existing law, there was a rigid rule which said that, if a state wanted to bring suit against the Federal Government to establish the state's claim to a parcel of land, it had to do so within 12 years after they should have known of the Federal claim to the land. Failure to do so meant the state's claim would be barred forever.

Some of us felt that was not right. After all, when this Administration came into office, we pledged to be good neighbors to the states. We believed that if, in fact, a state is entitled under law to own a parcel of land, it should be able, subject to reasonable—not artibrary—rules, to let a court decide its claim when the Federal Government disputes title.

Thanks to a cooperative effort with the states' attorneys general, amendments eliminating the unfair rigidities were adopted and signed into law by President Reagan last November.

The key to maintaining the vitality of our Constitutional Federal system, as I mentioned earlier, is the commitment of the Nation's leaders and of our people to the basic principles upon which the Constitution was based, including, but by no means limited, to the integral role of the states in our Federal system. Some of our leaders bring to office a strong commitment to these principles, they fully understand the vital role of the states. They believe, as I do, that the phrase "our living Constitution" means, among other things, that the Tenth Amendment is not dead. They believe, as I do, in the wisdom and the vitality of that portion of our Bill of Rights which says that "the powers not delegated to the United States by the Constitution or prohibited by it to the States are reserved to the States respectively, or to the people."

Others of our leaders do not share those beliefs. They seem to believe that most all wisdom is confined within that small portion of America bounded on three sides by Maryland and on the fourth by the Potomac River. It is that narrowness becoming arrogance which led to those obnoxious Federal land management practices in the West which gave rise to the Sagebrush Rebellion. That rebellion now is dormant, but it better not be dead. It better be ready to spring back to life if the Federal Government ever again fails to understand and to honor its obligation to be a good neighbor to the states and to their people—especially those ranchers, farmers, miners and entrepreneurs who helped make America the great Nation that it is.

I have some hope, though, even with respect to those leaders who do not share our beliefs about the nature of our constitutional form of government. They are, after all, political beings, and, like it or not, they periodically are held accountable by the American people. And that is why it is so absolutely essential that the people of America—your fellow citizens and mine—understand both the words and principles so well articulated by Madison, Hamilton, Franklin and the others whose signal accomplishment we celebrate 200 years later.

It is in this context that I was shocked to learn from the results of a nationwide poll released just this week which indicated how woefully ill-informed so many Americans are about the context and meaning of our Constitution. The survey revealed more than lack of knowledge about what we might call the technical aspects of the Constitution, like the provision requiring Senate confirmation of presidential nominations to the Supreme Court. What astounded me was that nearly half of those polled believed that the Constitution of the United States of America contained the declaration, central to *Marxist* orthodoxy, "from each according to his ability, to each according to his need."

Obviously, we as leaders, as parents and as educators have not done the job we could and should have done.

But we still have a chance. We can use the occasion of the bicentennial of our Constitution not merely to celebrate its longevity. We can take the time and make the effort—and, where appropriate, spend the funds—to see to it that the words and principles of our Constitution become alive in the hearts and minds of all Americans, young and old. That's right—a "living Constitution." We can join with former Chief Justice Burger and his Bicentennial Commission. Or we can join with the numerous state and local civic groups, which seek to explain how our Constitution came into being. They seek to tell

what its objectives were *and remain to this day,* and how America is the bastion of freedom for all mankind because of our Constitution and our adherence to its values and principles.

Every one of us in elective or appointive position in this chamber took an oath of office which obliged us to defend the Constitution of the United States. I say we can do more. We can seize the opportunity to remind our fellow countrymen and women how truly blessed we are—and why—that we live in a Nation which, as Madison told us, has a Constitution crafted by the finger of the Almighty Hand.

Thank you for allowing me to be with you today. God bless you. God bless our Constitution. And God bless America.

Senator Rhoads moved that the Senate and Assembly in Joint Session extend a vote of thanks to Mr. Hodel for his timely, able and constructive message.

Motion carried.

The Committee on Escort escorted Mr. Hodel to the bar of the Assembly.

Assemblyman Nicholas moved that the Joint Session be dissolved.

Motion carried.

Joint Session dissolved at 11:30 a.m.

ASSEMBLY IN SESSION

At 11:34 a.m.

Mr. Speaker pro Tempore presiding.

Quorum present.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Wisdom, Freeman, Arberry, Evans, Spinello, Myrna Williams, Kerns, Tebbs, Nevin, Fay, Dini, May, Sedway, Thompson, Garner, Jeffrey, Gaston, Porter, Bergevin, DuBois, Banner, Triggs, Wendell Williams, Nicholas, McGaughey, Lambert, Craddock, Kissam, Adler and Thomas:

Assembly Bill No. 239—An Act relating to sales of goods and services; prohibiting certain methods of solicitation by telephone; and providing other matters properly relating thereto.

Assemblyman Wisdom moved that the bill be referred to the Committee on Commerce.

Motion carried.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Senate Concurrent Resolution No. 10.

REMARKS FROM THE FLOOR

Assemblyman Fay requested that Assemblyman Price's remarks be entered in the Journal.

Birthdays this week include: William Prescott, Revolutionary soldier who ordered "Don't fire until you see the whites of their eyes" at the Battle of Bunker Hill, born in

1775; Wendell Wilkie, lawyer, politician, 1940 Republican Presidential Candidate, born in 1892; and on Sunday, George Washington, our first President, the "Father of Our Country," in 1732.

During this week in 1787, in The Continental Congress, a motion to suspend recruiting for the army, due to funds of the United States being embarrassedly low, was defeated, with only five states voting in favor of it. George Washington, responding to an inquiry from Thomas Stone of Maryland regarding the issuance of paper money, stated, "The wisdom of man cannot at this time devise a plan, by which the credit of paper money would be long supported." James Madison wrote to Thomas Jefferson reporting on his first days in the legislature in Virginia, "The attempts to reduce former taxes were baffled and sundry new taxes added." The New York legislature instructed its congressional delegates to move for a Constitutional Convention, and Congress formally called for a convention to revise Articles of Confederation.

Having put down "Shay's Rebellion," an uprising of destitute farmers led by Daniel Shay attempting to halt foreclosure efforts in Massachusetts, Massachusetts passed legislation in 1787 barring Shayites from serving as jurors, school masters, innkeepers, retailers of spirituous liquors or from holding public office.

In 1861 during this week, Jefferson Davis was inaugurated as a President of the Confederate States. In 1945, the Battle of Iwo Jima began and lasted until March 17. John Glen became the first man to orbit the earth in the space capsule, Friendship 7, three orbits in 1962.

Nevada ratified its First Amendment to the U. S. Constitution as a state—the 13th Amendment which abolished slavery—in 1865. In 1913, the 17th Amendment, providing for the election of members of the Senate by "The People" was ratified in Nevada. And in 1871, after three futile attempts, Reno residents were successful in getting the 1871 Legislature to move the Washoe County seat from Washoe City to Reno.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Fay, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Tony Zappa and Abe Calvert.

On request of Assemblyman Getto, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Frank Thomas Sperry and Bob Spellberg.

On request of Assemblyman Kerns, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. W. Brent Hardy; Mesdames Helen Jo Osborne, Joan Meyer, Joy Wickwire, Dziurda, Kahl, Mss. Ann McCarty, Cassandra Smith, Mr. Glen Piretto and Fifth Grade Students from Hunter Lake School, Reno: Ben Barbot, Brett Orton, Brian Delmue, Brian Tillery, Charity Tanner, Dawson Taylor, Elizabeth Cameron, Erica Jacobs, Evan Colletti, Gavin Duffy, Heather Sutton, Heather Wellons, Jason Salzer, Jon Pakish, Karl Forsberg, Leah Steinhauser, Lorena Aguilar, Matt Meyer, Megan Lemonds, Patrick Alexander, Raymond Dalo, Richard Maxwell, Sara Walters, Wendy Wickwire, Charles Smythe, Colin Beck, Craig Burkham, Clinton Cates, Jason Ganzel, Kristian Hugdal, Cam Jones, Chris Kahl, Charles Moore, Aaron Rich, Jason Seammon, Mason Smith, Walter Smith, Sam Dringer, Tom Wainscoat, Doug White, David Wolf, Patrina Alexander, Michaun Chick, Sandra Cuevo, Melanie Dziurda, Susan Frankovich, Michon Herrin, Melanie Koch, Stephanie Lopes, Carissa Meyer, Liz Rice, Meg Urie, Jill Vacchina, Joseph Bailey, Patrick Buckingham, Chad Ferris, Ben Hawkins, David Lan,

Brian Lytle, Justin McDonald, Richie Panelli, Kris Radics, Eli Rogers, Mikel Sarratea, Charles Smith, Shawn Smith, Vincent Smith, Oliver Van Curren, Albert Ward, Jason Watkins, Yolanda Basterrechea, Susan Cameron, Stacy Carr, Athena Conton, Angie Davis, Donese Lessard, Jami Mitchell, Nicole Rode, Amber Smith and Courtney Weatherill.

On request of Assemblyman Price, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Donna Gazaway and Mr. Jay Bingham.

On request of Assemblyman Schofield, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Joann M. Kimball.

On request of Assemblyman Thompson, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Craig Pulsipher and Paul Henderson.

On request of Assemblyman Myrna Williams, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Rich Meyers.

Assemblyman Jeffrey moved that the Assembly adjourn until Monday, February 23, 1987 at 11 a.m., and that it do so in memory of George Washington.

Motion carried.

Assembly adjourned at 11:41 a.m.

Approved: JOSEPH E. DINI, JR.
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE THIRTY-SIXTH DAY

CARSON CITY (Monday), February 23, 1987

Assembly called to order at 11:08 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 Saviour 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 of 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 Congressmen, and for all 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 is 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 Jeffrey moved that further reading of the Journal be dispensed with, and the Speaker and Chief Clerk be authorized to make the necessary corrections and additions.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Concurrent Committee on Natural Resources, Agriculture and Mining, to which was referred Assembly Bill No. 65, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JAMES W. SCHOFIELD, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Judiciary, to which was referred Assembly Bill No. 65, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

ROBERT M. SADER, *Chairman*

Mr. Speaker:

Your Committee on Legislative Functions, to which was referred Senate 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.

MYRNA WILLIAMS, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Myrna Williams moved that Senate Bill No. 63 be placed on the Second Reading File.

Remarks by Assemblyman Myrna Williams.

Motion carried.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, February 20, 1987

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. 11.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bill No. 108.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Joint Resolutions Nos. 8, 9.

Also, I have the honor to inform your honorable body that the Senate on this day adopted, as amended, Senate Concurrent Resolution No. 5.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Senate Joint Resolution No. 8.

Assemblyman Jeffrey moved that the resolution be referred to the Committee on Natural Resources, Agriculture and Mining.

Motion carried.

Senate Joint Resolution No. 9.

Assemblyman Jeffrey moved that the resolution be referred to the Committee on Natural Resources, Agriculture and Mining.

Motion carried.

Senate Concurrent Resolution No. 5.

Assemblyman Jeffrey moved that the resolution be referred to the Committee on Health and Welfare.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Transportation:

Assembly Bill No. 240—An Act relating to air pollution; providing a penalty for the failure to pay certain fines; authorizing the collection of an additional fee for the issuance of a certificate of compliance; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Haller:

Assembly Bill No. 241—An Act relating to public records; providing in skeleton form for the limitation of the amount charged by governmental entities for copies of public records; and providing other matters properly relating thereto.

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

Motion carried.

Senate Bill No. 108.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

SECOND READING AND AMENDMENT

Senate Bill No. 63.

Bill read second time.

The following amendment was proposed by the Committee on Legislative Functions:

Amendment No. 93.

Amend sec. 2, page 2, line 1, by deleting "393.200" and inserting "393.220".

Assemblyman Schofield moved the adoption of the amendment.

Remarks by Assemblyman Schofield.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

GENERAL FILE AND THIRD READING

Assembly Bill No. 22.

Bill read third time.

Remarks by Assemblyman May.

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.

Bill ordered transmitted to the Senate.

Assembly Bill No. 46.

Bill read third time.

Remarks by Assemblyman Sedway.

Roll call on Assembly Bill No. 46:

YEAS—42.

NAYS—None.

Assembly Bill No. 46 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 117.

Bill read third time.

Remarks by Assemblymen Banner, Nicholas and Jeffrey.

Roll call on Assembly Bill No. 117:

YEAS—42.

NAYS—None.

Assembly Bill No. 117 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 122.

Bill read third time.

Remarks by Assemblyman Evans.

Roll call on Assembly Bill No. 122:

YEAS—42.

NAYS—None.

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. 182.

Bill read third time.

Remarks by Assemblymen Sader and Gaston.

Roll call on Assembly Bill No. 182:

YEAS—42.

NAYS—None.

Assembly Bill No. 182 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Joint Resolution No. 16 of the 63rd Session.

Resolution read third time.

Remarks by Assemblyman Swain.

Roll call on Senate Joint Resolution No. 16 of the 63rd Session:

YEAS—42.

NAYS—None.

Senate Joint Resolution No. 16 of the 63rd Session having received a constitutional majority, Mr. Speaker declared it passed.

Resolution ordered transmitted to the Senate.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Judiciary:

Assembly Bill No. 242—An Act relating to bail; authorizing the designee of a sheriff or chief of police to release certain persons without bail; removing the prohibition against releasing without bail a person who has previously failed to appear; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 243—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 1985; and providing other matters properly relating thereto.

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

Motion carried.

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. Ted Hunnewell, Joseph Lister, Al Benedetti and Ken Coverston.

On request of Assemblyman Swain, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Peto, R. Meade, Mrs. Noneman and the seventh and eighth grade classes of Traner Middle School: Faheem Akhtar, Helene Alix, Patricia Baker, Wendy Baker, Kiemly Boc, Robert Borger, Maria Cruz, Richard Custer, Richard Day, Leslie Deffner, Gilbert Delarosa, Gwenn Delorme, Cherry Geronimo, James Hutchison, John Huynh, Aaron Johnson, James Kinkle, Andy Kirkpatrick, Judeann Lingad, Dianne Mathews, Guadalupe Mendoza, Peter Michel, Threasa Parks, Terrisa Pettine, Daniel Plummer, Danaann Poole, Temoca Ramirez, Laura Rodriguez, Adam Serrao, Dustin Smith, Hoa Su, Veronica Talamante, Minh Thai, Sandra Ucovich, Regina Viens, Melissa Allen, Jared Cook, Evanja Costa, David Duggins, Todd Gee, Timothy Hawkins, Kyle Hildreth, Josh King, Jennifer Lee, David Marley, Gregory Mulz, Michelle Noe-Klepps, Son Yong Pak, Shomari Roberts, Willie Rudd, Bret Schaeffer, Heather Scow, Norman Smithart, Quentin Stone, Augustine Thrailkill, Michael Tiner, Kendra Urchison, Maria Valencia, Gabriela Villa, Billy Walker, Janice West, Leon West, Bradley Bell, Sean Callahan, Dianna Cortes, Cameron Cottle, Emily Desilva, Seida Dominguez, Moises Estrada, James Ferrel, John Gilman, Francisco Gomez, Tiki Gosser, Timpi Hamilton, Anizelu Kioa, Fidel Luna, Anthony McNamara, Peter Menchetti, Steven Morton, Steve Naughton, Chad Novack, Tedd Peard, Arnulfo Reyes, Brandy Riker, Kermit Scourby, Albertina Smith, Damiana Vital, Amy Webber, Dawanna William-Murray, Christina Ryan, Rachel Bessey, Marco Aguirre, Jose Berumen, Sara Borgen-Howard, Tony Borrayo, Justin Crago, James Cranfield, Maidest Dillon, Daniel Duffus, Judy Elliot, Jon Evans, Henrietta Flake, Alisha Henson, Leah Howell, Tanya Ivens, Quyen Ly, Rachel Maher, Jose Martinez, Manuel Medina, Laura Mendoza, Olivia Nelson, Jeffery Orr, Katherine Padgett, Matthew Parsons, Adrian Paschall, Denise Rivas, Joseph Sambrano, Rebecca Servi, Kevin Stewart-Wiley, Melanie Todd, Dorothy West, Manuel Acevedo, Jeremy Ames, Kostas Baladakis, Jeff Ballard, Ali Byrd, David Call, Philip Callahan, Joshua Crawford, Ricardo Enciso, Kato Fakatoumaf, Kristal Gonzalez, Jonathan-Jake Griffin, Sheena Hayes, Keri Hettwer, Kyle Howell, Cynthia Kersey,

Marquetta Mitchell, Izuchi Okezie, Monica Peabody, Freace Peavy, Carleton Pennington, Jermaine Robinson, Weston Sirex-Peer, Eva Taylor-Ray, Nesinali Tuipulotu, Justin Fouchet, Efram Bravo, Danny Chavez, Agustin Dominguez, Jannie Martinez, Jose Ponce and Miguel Puente.

On request of Assemblyman Price, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. C. W. Tom Collins.

Assemblyman Jeffrey moved that the Assembly adjourn until Tuesday, February 24, 1987 at 11 a.m.

Motion carried.

Assembly adjourned at 11:38 a.m.

Approved: JOSEPH E. DINI, JR.
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE THIRTY-SEVENTH DAY

CARSON CITY (Tuesday), February 24, 1987

Assembly called to order at 11:04 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 and 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 Jeffrey moved that further reading of the Journal be dispensed with, and the Speaker and Chief Clerk be authorized to make the necessary corrections and additions.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Judiciary, to which was referred Assembly Bill No. 34, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ROBERT M. SADER, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which were referred Assembly Bills Nos. 113, 125, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

ROBERT M. SADER, *Chairman*

Mr. Speaker:

Your Committee on Legislative Functions, 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.

MYRNA WILLIAMS, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, February 23, 1987

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bill No. 4.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Bill No. 131.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Myrna Williams moved that Senate Bill No. 63 be placed at the top of the General File.

Remarks by Assemblyman Myrna Williams.

Motion carried.

By Assemblymen DuBois, Tebbs and McGaughey:

Assembly Joint Resolution No. 23—Urging Congress to continue to support financially the Nevada Test Site.

Assemblyman DuBois moved that the resolution be referred to the Committee on Economic Development, Small Business and Tourism.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Government Affairs, to which were referred Assembly Bills Nos. 140, 157, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

DANNY L. THOMPSON, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Assembly Bill No. 153, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

DANNY L. THOMPSON, *Chairman*

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Ways and Means:

Assembly Bill No. 244—An Act making an appropriation to the contingency fund to restore and increase the balance; and providing other matters properly relating thereto.

Assemblyman Sedway moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By the Committee on Ways and Means:

Assembly Bill No. 245—An Act making an appropriation to the Secretary of State for a computerized filing system; and providing other matters properly relating thereto.

Assemblyman Sedway moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By the Committee on Ways and Means:

Assembly Bill No. 246—An Act making an appropriation to the State Controller for a computerized accounting system; and providing other matters properly relating thereto.

Assemblyman Sedway moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By the Committee on Ways and Means:

Assembly Bill No. 247—An Act making an appropriation to the Department of Education for contract services necessary to validate a competency test for new teachers; and providing other matters properly relating thereto.

Assemblyman Sedway moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By the Committee on Ways and Means:

Assembly Bill No. 248—An Act making an appropriation to the Department of Prisons for equipment and materials for law libraries necessary to finish certain facilities; and providing other matters properly relating thereto.

Assemblyman Sedway moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 249—An Act relating to the Airport Authority of Washoe County; increasing compensation for its members; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 250—An Act relating to public employees' retirement board; deleting the provisions which allow the board to hold closed meetings concerning investments or claims or suits by or against the system; allowing the board to hold closed meetings concerning applications for disability retirement or matters pertaining solely to the personnel of the system; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Dini, Getto and Bergevin:

Assembly Bill No. 251—An Act relating to the 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.

Assemblyman Getto 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. 131.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 65.

Bill read second time, ordered engrossed and to third reading.

GENERAL FILE AND THIRD READING

Senate Bill No. 63.

Bill read third time.

Remarks by Assemblymen Schofield, Jeffrey, Banner, Brookman, Getto and Craddock.

Assemblyman Nevin requested that the following remarks be entered in the Journal.

ASSEMBLYMAN SCHOFIELD:

Thank you, Mr. Speaker. I rise in support of Senate Bill No. 63. We heard it in the Legislative Functions Committee and it happens to be very close to me. There are a number of legislators who have passed through these halls both in this house and in the Senate who have attended Las Vegas High School. I'm going to stray a bit from the bill if I may, Mr. Speaker. This bill creates a situation that will not allow the school board to sell the two particular buildings that we are talking about which are already on the Historical Register. In 1946, if I may refer to my colleagues by name, Assemblyman Sedway graduated from Las Vegas High School. In 1947, Assemblyman May graduated from Las Vegas High School. In 1939, Assemblyman Banner graduated from Las Vegas High School. Our Governor graduated from Las Vegas High School in 1955, along with former Assemblyman Roger Bremner. In 1949, I was fortunate enough to serve as the student body president of Las Vegas High School. Assemblyman Coffin did not attend Las Vegas High School, but he sponsored this bill. It is a good bill. Assemblyman Jeffrey, who graduated from Basic High School, did bring up a valid point in the Legislative Functions Committee meeting that will actually take care of any problems or questions that anyone has. In support of this bill, what we are doing is setting it up so that Las Vegas High School building which was built in the early 20s, burned down in the 30s, and was reconstructed in the 30s, cannot be sold by the school board. Las Vegas High School is a very fine educational institution, part of the Clark County School District. I would certainly appreciate any support that any of you would give to this particular bill. Las Vegas High School building isn't too old, but it does have some value—historically, as well as for the future. Thank you.

ASSEMBLYMAN JEFFREY:

Mr. Speaker, Mr. Schofield is right, I did graduate from that little better high school to the south of Las Vegas High School. I rise in support of this bill, but I think there are a couple of points that need to be raised—points that were raised in committee. Under the language of the bill, the school district is basically stuck with the maintenance of the buildings. The bill generally would make the property impossible to sell should the school district decide to do so. The reason I support the bill is because I think it is important to preserve these buildings, but as far as the other points are concerned, the school district

has no plans in the immediate future to sell the buildings or the grounds. It will probably be ten years or longer before they would phase this school out and we will have subsequent sessions to take care of these problems. Mr. Humke made the point in committee, and I agree wholeheartedly, that if the general resident of the State of Nevada is to benefit from the actions we are taking here today, then they should be the ones to pay for it—either through state appropriation or some kind of trust set up by the county, or whatever. The school district should not be liable for this kind of activity under their budget.

ASSEMBLYMAN BROOKMAN:

Thank you, Mr. Speaker. To you and through you to the members of this august body, Las Vegas High School is in my district. I was not fortunate enough to graduate from there, but my children did, and a few of my grandchildren did. It is unfortunate that we lost our first grammar school. The people in my district would urge your support of this bill and they would like to preserve Las Vegas High School. It was our one and only for many, many years and we graduated a lot of people who served in high capacities in this state. We would like to see it preserved as an historical place. Thank you.

ASSEMBLYMAN GETTO:

Thank you, Mr. Speaker. I wonder by the passage of this bill if we are not going to set a precedent. I can foresee that great, wonderful high school in Ely being preserved and that wonderful high school that I graduated from in Fallon which was built in 1903. I can foresee passing a bill down the road to preserve these. I'm just kidding, of course, I will vote for the bill. But, I'm wondering if we're going to set a precedent.

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, as amended.

Assemblyman Myrna Williams moved that all rules be suspended and that Senate Bill No. 63 be immediately transmitted to the Senate.

Motion carried unanimously.

Assembly Bill No. 124.

Bill read third time.

Remarks by Assemblymen Gaston, Carpenter, Arberry and Thomas.

Roll call on Assembly Bill No. 124:

YEAS—41.

NAYS—Carpenter.

Assembly Bill No. 124 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 129.

Bill read third time.

Remarks by Assemblymen Sader and Carpenter.

Roll call on Assembly Bill No. 129:

YEAS—42.

NAYS—None.

Assembly Bill No. 129 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, February 24, 1987

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. 63.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

By the Committee on Elections:

Assembly Concurrent Resolution No. 12—Directing the Legislative Commission to continue to participate in the Block Boundary Suggestion Program and to participate in other programs conducted by the Bureau of the Census in preparation for the census in 1990.

Assemblyman Swain moved that the resolution be referred to the Committee on Elections.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Elections:

Assembly Bill No. 252—An Act relating to elections; requiring the boundaries of each election precinct to follow visible ground features; and providing other matters properly relating thereto.

Assemblyman Swain moved that the bill be referred to the Committee on Elections.

Motion carried.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Concurrent Resolution No. 11.

REMARKS FROM THE FLOOR

Assemblyman Brookman requested that her remarks be entered in the Journal.

WHEREAS, The University of Nevada-Las Vegas men's basketball team, known as the "Runnin' Rebels," has a glittering won-lost record of 28-1 for the 1986-1987 major college basketball season; and

WHEREAS, The UNLV Runnin' Rebels, under the excellent coaching of Jerry Tarkanian and his staff, have dominated the number one ranking most of the season of both the Associated Press poll of sportswriters-sportscasters and the United Press International poll of college basketball coaches; and

WHEREAS, This outstanding basketball team has brought great attention and credit to the State of Nevada and its university system; and

WHEREAS, The residents of Clark County and all other portions of the state are extremely proud of the Rebels' accomplishments during the current basketball season; now, therefore, be it

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, That the members of the 64th session of the legislature of the State of Nevada congratulate the UNLV Runnin' Rebels men's basketball team on its outstanding accomplishments during the 1986-1987 college basketball season; and be it further

RESOLVED, That the members of this legislature will be rooting for the Runnin' Rebels in their quest to extend their number one ranking through the end of the 1986-1987 basketball season by going undefeated through the National Collegiate Athletic Association Division I Basketball Championships; and be it further

RESOLVED, That this resolution be transmitted forthwith to the University of Nevada-Las Vegas men's basketball team.

Assemblyman Price requested that his remarks be entered in the Journal.

PETITIONING THE GOVERNMENT IN NEVADA

In the United States the right to petition was recognized during the American Revolution and formalized in the First Amendment to the U.S. Constitution. It came into the American system of government from Great Britain where the right to petition the crown was indirectly recognized by the Magna Carta in 1215 and reaffirmed in the British Bill of Rights in 1689.

In Nevada early settlers first petitioned the U.S. Congress to be removed from the jurisdiction of Utah Territory and for an independent territory in 1859. During Nevada's territorial period and early statehood, citizens would petition the legislature for consideration of laws and the governor for political appointments or the removal of public officials. But Nevada's Constitution did not have any provision regarding initiative, referendum and recall until much later. "The Constitution was amended in 1904 to add the amendments for referendum; amendments in 1912, in 1958, and in 1962 established the initiative and conditions for its use. The recall was added to the Constitution in 1911 and amended in 1970." (Bushnell, *The Nevada Constitution*, page 74). The 1958 and 1962 amendments made the requirements to intitiate and carry through an initiative petition more strict. Nevada and 13 other states can amend their constitutions by petition. Nevada is also among 21 states where citizens can petition to originate statewide legislation.

The following are examples of Nevada's initiative and referendum petitions:

1918, Petition for Amendment to Prohibit Alcoholic Beverages.
1920, Petition for the Candidacy of Anne Martin.
1926, Referendum Petition for a Constitutional Amendment to Repeal Prohibition.
1948, Petition to Allow Progressive Party on Election Ballot.
1954, Petition to Repeal Right to Work Law.
1956, Petition to Repeal Right to Work Law.
1956, Referendum Petition on Sales Tax.
1958, Petition for Annual Sessions of the Legislature.
1960, Petition for Biennial Session of the Legislature.
1966, Petition for State Lottery.
1968, Petition for State Lottery.
1974, Petition to allow Independent American Party on Election Ballot.
1987, Petition to form a new City of Lake Tahoe, Nevada?

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. Steve Thompson and Ron Anglin.

On request of Assemblyman Evans, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Leah Gorbet.

On request of Assemblyman Nicholas, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Joe Borgerding and Scott Holmes.

On request of Assemblyman Nevin, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. John Heise.

On request of Assemblyman Garner, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Gordon Gochnour.

On request of Assemblyman Adler, the privilege of the floor of the Assembly Chamber for this day was extended to Mss. Ruth Braswell, Carol Davis, Marty Stoloff and the fifth grade class of Fritsch Elementary School: Steve Avery, C. J. Bawden, Jeremy Connolly, Dan Davis, Janee Glanzmann, Shaun Hopper, Stephen Jaynes, Amber Lennon, Rob Manning, Brandi Mers, Kerri Oxoby, Sharon Page, Jason Reymus, Scott Rhodes, Susan Round, Jenny Sessions, Corey Sigafoos, Craig Smith, Jamie Smith, Erica Stoloff, Erin Summers, Ryan Swirczek, Mark Trabert, Autumn Whitehall, Tracey Mueller, Amy Zeilenga, Michael Welch and Keith Roach.

Assemblyman Jeffrey moved that the Assembly adjourn until Wednesday, February 25, 1987 at 10:15 a.m.

Motion carried.

Assembly adjourned at 11:55 a.m.

Approved: JOSEPH E. DINI, JR.
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE THIRTY-EIGHTH DAY

CARSON CITY (Wednesday), February 25, 1987

Assembly called to order at 10:25 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, Assemblyman James W. Schofield.

Heavenly Father, we come before Thee at the opening of this day just prior to a four day adjournment asking Thy blessings for what Thou has given us and blessed us with during the early stages of this session. We ask Thee to guide and watch over each and every one of us going to our various locations—those who are going to Washington, D.C., and those who are going home. May You guide them home in safety, may the accomplishments that we have done in Your name be satisfactory to You. We ask these blessings in Thy name. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Jeffrey moved that further reading of the Journal be dispensed with, and the Speaker and Chief Clerk be authorized to make the necessary corrections and additions.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Natural Resources, Agriculture and Mining, to which was referred Assembly Bill No. 198, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JAMES W. SCHOFIELD, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Assembly Bill No. 126, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

DANNY L. THOMPSON, *Chairman*

Mr. Speaker:

Your Committee on Elections, to which was referred Senate Bill No. 119, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

COURTENAY C. SWAIN, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, February 24, 1987

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 60, 61.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Bill No. 17.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 68, 106.

MARY JO MONGELLI
Assistant Secretary of the Senate

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblyman Wendell Williams:

Assembly Bill No. 253—An Act relating to industrial insurance; allowing any party to appeal a decision of the administrator of the division of industrial insurance regulation of the department of industrial relations; revising certain requirements for reporting and filing with respect to self-insured employers; and providing other matters properly relating thereto.

Assemblyman Wendell Williams moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

By Assemblyman Wendell Williams:

Assembly Bill No. 254—An Act relating to occupational safety and health; authorizing certain orders, rules, regulations, findings and decisions of the division of occupational safety and health of the department of industrial relations to be admitted as evidence in certain prosecutions; and providing other matters properly relating thereto.

Assemblyman Wendell Williams moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

By the Committee on Ways and Means:

Assembly Bill No. 255—An Act relating to the state public works board; placing it within the department of administration; reducing its membership; providing a time for submission of certain recommendations; providing for the expiration of the terms of the current members and the reappointment of certain members; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Ways and Means:

Assembly Bill No. 256—An Act relating to pensions for judicial service; increasing the maximum number of years of service for which a justice of the supreme court or district judge may earn credit for the calculation of his pension; and providing other matters properly relating thereto.

Assemblyman Sedway moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By the Committee on Ways and Means:

Assembly Bill No. 257—An Act relating to pensions for judicial service; providing for payments to a child of a deceased justice of the supreme court

or district judge in accordance with payments pursuant to the public employees' retirement system; and providing other matters properly relating thereto.

Assemblyman Sedway moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By the Committee on Ways and Means:

Assembly Bill No. 258—An Act relating to pensions for judicial service; authorizing partial payment of a pension to the surviving spouse of a justice of the supreme court or a district judge when the spouse is not eligible for full benefits; and providing other matters properly relating thereto.

Assemblyman Sedway moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

Senate Bill No. 17.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Taxation.

Motion carried.

Senate Bill No. 68.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Education.

Motion carried.

Senate Bill No. 106.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 34.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 72.

Amend section 1, page 1, line 2, by deleting: "2, 3 and 4" and inserting: "2 and 3".

Amend the bill as a whole by deleting sec. 2, and renumbering sections 3 through 10 as sections 2 through 9.

Amend sec. 3, page 1, line 10, by deleting: "*provided in section 4*" and inserting: "*otherwise provided in section 3*".

Amend sec. 3, page 1, line 15, by deleting "*203.119, 204.080,*".

Amend sec. 3, page 1, line 16, by deleting "*206.010 to*".

Amend sec. 3, page 2 by deleting line 1 and inserting: "*206.310, 207.210, 331.200,*".

Amend sec. 4, page 2, line 13, by deleting: "*Sections 2 and 3 of this act do*" and inserting: "*Section 2 of this act does*".

Amend sec. 5, page 2, lines 21 and 22, by deleting: "*2, 3 and 4*" and inserting: "*2 and 3*".

Amend sec. 6, page 2, line 28, by deleting: "*2, 3 and 4*" and inserting: "*2 and 3*".

Amend sec. 7, page 3, line 3, by deleting: "*2, 3 and 4*" and inserting: "*2 and 3*".

Amend sec. 7, page 3, line 5, by deleting: "*2, 3 and 4*" and inserting: "*2 and 3*".

Amend sec. 7, page 3, line 9, by deleting: "*2, 3 and 4*" and inserting: "*2 and 3*".

Amend sec. 7, page 3, line 11, by deleting: "*2, 3 and 4*" and inserting: "*2 and 3*".

Amend sec. 8, page 3, lines 28 and 29, by deleting: "*2, 3 and 4*" and inserting: "*2 and 3*".

Amend sec. 9, page 4, line 5, by deleting: "*2, 3 and 4*" and inserting: "*2 and 3*".

Amend sec. 10, page 4, line 18, by deleting: "*2, 3 and 4*" and inserting: "*2 and 3*".

Amend the title of the bill, second line, by deleting: "prisoners or by other".

Amend the summary of the bill to read as follows: "Limits certain causes of action by persons who commit certain crimes. (BDR 3-646)".

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. 113.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 125.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 127.

Bill read second time.

The following amendment was proposed by the Committee on Legislative Functions:

Amendment No. 95.

Amend section 1, page 1, line 5, by deleting "authorized" and inserting: "[authorized] *paid for in whole or in part by money appropriated*".

Amend section 1, page 1, line 8, by deleting "authorized." and inserting "[authorized.] *paid.*".

Amend section 1, pages 1 and 2, by deleting lines 16 through 18 on page 1 and lines 1 through 4 on page 2.

Amend section 1, page 2, by deleting line 5 and inserting: "*(b) Receive, as direct salary or wages, compensation for which the original*".

Amend the title of the bill by deleting the first line and inserting:

"An Act relating to legislators; revising provisions relating to governmental contracts with legislators; and".

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. 140.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 153.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 91.

Amend sec. 3, page 2, line 25, by deleting "*$50*" and inserting "*$500*".

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. 157.

Bill read second time, ordered engrossed and to third reading.

GENERAL FILE AND THIRD READING

Assembly Bill No. 65.

Bill read third time.

Remarks by Assemblyman Schofield.

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.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Thompson moved that Assembly Bill No. 81 be taken from the Chief Clerk's desk and placed on the General File.

Remarks by Assemblyman Thompson.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 81.

Bill read third time.

Remarks by Assemblymen Lambert, Banner, Porter and Thompson.

Assemblyman Nevin requested that the following remarks be entered in the Journal.

ASSEMBLYMAN LAMBERT:

Thank you, Mr. Speaker. To you and through you, I rise in support of this bill.

Assembly Bill No. 81 relates to the purchasing procedures which the statutes mandate for local governments. It adds two elements to the list of types of purchases which are exempt from the requirement for competitive bidding. The bill specifically provides that computer software and books, library materials and subscriptions are not subject to the competitive bidding procedures. Testimony before the committee indicated that both types of purchases are typically single-source products, and thus are not adaptable to competitive bidding. In the case of computer software, the local governments already have their basic equipment and know the type of software that is most compatible. They expressed a desire to protect their investment in personnel training and are wary of unstable providers who cannot provide products and services at future dates. The repeal of NRS 332.125 deletes the conflict provision which relates to advertising for bids in the purchase of books, library materials and subscriptions. Testimony was received in support of Assembly Bill No. 81 from the Northern Nevada Commission to Study Governmental Purchasing, which is established under NRS 332.215, to review practices and laws effecting governmental purchasing as well as the Clark County and Washoe County School Districts. There was no opposing testimony.

ASSEMBLYMAN BANNER:

I would like to speak in opposition to the bill. I believe there should not even be an exemption for insurance, having had some experience in that area. I was always critical of that, so to add something to that section of the law didn't please me. I am going to be opposed to the bill.

ASSEMBLYMAN PORTER:

Thank you, Mr. Speaker. To you and through you, I rise in opposition to Assembly Bill No. 81. I do so because the language on line 12 specifically deletes insurance contracts from the competitive bidding requirements of NRS Chapter 332. I am adamantly opposed to that. I believe insurance should be the subject of competitive bidding on the state level and so I rise in opposition.

ASSEMBLYMAN LAMBERT:

Mr. Speaker, if I might respond to my colleague. If you look on line 11, you will see that insurance is already existing language in the statutes. Voting "No" on this bill will not change that provision in the NRS.

ASSEMBLYMAN PORTER:

Thank you, Mr. Speaker. I am aware that it is old language, but it doesn't make it right. As long as the statute is currently in committee and being amended, I am of the position that insurance should be deleted and be the subject of competitive bidding.

ASSEMBLYMAN THOMPSON:

Mr. Speaker. This was a concern that was raised in committee and we discussed it. Mrs. Lambert is correct, it is existing language, that is the way it has been. Most local governments, if not all of them, can't buy insurance as it is. If you can't buy it, most of them are self-insured now and they are not doing that anyway. I really don't think it is a problem.

Roll call on Assembly Bill No. 81:

YEAS—32.

NAYS—Banner, Brookman, Callister, Carpenter, Gaston, Porter, Sedway, Thomas, Myrna Williams, Wisdom—10.

Assembly Bill No. 81 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Judiciary, to which were referred Assembly Bills Nos. 174, 221,

222; Senate Bill No. 86, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

ROBERT M. SADER, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which were referred Assembly Bills Nos. 33, 202, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ROBERT M. SADER, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, 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.

ROBERT M. SADER, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen Price, Schofield, Myrna Williams, Marvel, Spinello, Garner, Spriggs, Evans, Arberry, Swain, Bergevin, DuBois, Thomas, McGaughey, Nicholas, Wendell Williams, Humke, Triggs, Haller, Craddock, Lambert, Kissam, Adler, Thompson, Sedway, May, Fay, Tebbs, Brookman, Callister, Freeman, Gaston, Carpenter, Wisdom, Banner, Kerns, Porter, Getto, Jeffrey, Sader, Nevin and Dini:

Assembly Concurrent Resolution No. 13—Declaring the week of March 1 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 32 years; and

WHEREAS, The Thunderbirds have performed their precision maneuvers in 45 countries in the free world before 202 million persons, earning respect and admiration for themselves and the Air Force; and

WHEREAS, The 130 men and women that constitute the Thunderbird team exhibit the qualities of professionalism, dedication and patriotism that best reflect 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 March 1 is declared Nevada Thunderbird Week; and be it further

RESOLVED, That copies of this resolution be transmitted forthwith by the Chief Clerk of the Assembly to Lieutenant Colonel Roger D. Riggs, Commander/Leader of the U.S. Air Force Air Demonstration Squadron, Brigadier General Joel T. Hall, Commander of the 57th Fighter Weapons Wing, Major General Peter T. Kempf, Commander of the Tactical Fighter Weapons Air Center, General Robert D. Russ, Commander of the Tactical Air Command and General Larry D. Welch, Chief of Staff of the Air Force.

Assemblyman Price moved the adoption of the resolution.

Remarks by Assemblyman Price.

Resolution adopted unanimously.

Mr. Speaker announced that if there were no objections, the Assembly would recess subject to the call of the Chair for the purpose of a presentation by the Nevada Vocational Student Organization of a clock to the Members of the Assembly.

Assembly in recess at 10:50 a.m.

ASSEMBLY IN SESSION

At 10:52 a.m.

Mr. Speaker presiding.

Quorum present.

REMARKS FROM THE FLOOR

Assemblyman Myrna Williams requested that her remarks be entered in the Journal.

WHEREAS, The members of the Assembly are honored to accept this beautiful clock; and

WHEREAS, We wish to thank Marcus Sheppard and Preston King who worked diligently to create this work of art under the supervision of Scott Hovland, the carpentry instructor at Rancho High School in Las Vegas; and

WHEREAS, It has come to our attention that this clock was built with equipment made possible by money which was provided last session through the passage of Senate Bill No. 121; and

WHEREAS, We are honored to have with us today Christina Roth, President of the Area Technical Trade Center Student Body, Dan Berg, President of the Area Technical Trade Center in Las Vegas and Shirley Holst, President of the Nevada Council on Occupational Education and President of the Clark County School Board of Trustees; and

WHEREAS, This clock is a beautiful example of what can be accomplished by students when given the opportunity to learn unique skills in a school which provides an occupational curriculum; therefore,

Please accept our most sincere thanks for this beautiful clock which we will be honored to display and use in our Assembly chambers. Thank you very much.

Assemblyman Price requested that his remarks be entered in the Journal.

Birthdays: Charles Coatsworth Pinckney of South Carolina in 1746. Mr. Pinckney was one of the signers of the Constitution.

During this week in 1787, George Washington, in reply to Yale College President Ezra Stiles' comment on Shay's Rebellion, wrote "It must afford the greatest pleasure and satisfaction to every humane and feeling mind that there has been so little blood spilt in a contest which a few weeks ago threatened to drench the State of Massachusetts." On Thursday of that week, Congress, attended by only six states, adjourned until the next for want of a quorum. The next day, Friday, as with the previous day, only six states were in attendance and Congress again adjourned.

Secretary of War Henry Knox wrote to a friend in Boston, James Sullivan, "The late approbation of Congress of a Convention to be held at Philadelphia in May next will, it is presumed, remove all objections as to its legality. If men of truly great minds should compose the majority of the convention, something of importance may be affected. But, if a number of trifling characters get together, we shall only be deluded instead of being benefitted."

Thomas Jefferson wrote in a letter to Abigail Adams, "The spirit of resistance to government is so valuable on occasions, that I wish it to be always kept alive. It will often be exercised when wrong, but better so than not to be exercised at all. I like a little rebellion now and then. It is like a storm in the atmosphere."

In 1803, during this week, the U.S. Supreme Court, in the case of *Marburry vs. Madison*, declared an Act of Congress unconstitutional, for the first time.

The Twenty-second Amendment to the U.S. Constitution was ratified in 1951. This Amendment limits a person to two terms as President of the United States.

In 1933, the U.S.S. Ranger, our first aircraft carrier, was launched at Newport News, Virginia.

In Nevada, in 1869, an act to provide for the erection of a state capitol building in Carson City, was signed into law by Governor Henry Blasdel. Construction began on April 2, 1870 and the building was considered complete on May 1, 1871. The stone for the capital was supplied to the contractor by the state at no charge and was quarried at the Nevada State Prison.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bill No. 4; Senate Bill No. 63; Senate Joint Resolution No. 16 of the 63rd Session.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Speaker, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. David Fulstone, Sr., David Fulstone II, Misses Shauna Rusk, Jane Imamura, Mss. Shirley Holst, Sue Poland, Mrs. Lanelle Westerland, and members of the sixth grade class of Dayton Elementary School: Phillip Amato, Justin Elder, Aaron Fabbri, Brett Hawthorne, Bobby Key, Nathan Lillo, Tony Mackley, Logan Manley, Tony Medeiros, Randy Owings, Mike Slipcevic, Eric Smith, Jeremy Wilkinson, Ken Williamson, Mark Zodrow, Shellee Affonso, Andica Alexander, Jennifer Holley, Sharry Kerley, Margaret Lowder, Andreanna Overton, Jennifer Rodrigues, Mandy Stewart, Coell Wlodarczyk, Heath Alias, Tami Allen, Callie Benko, Joe Chambers, Mike Chubbuch, Sal Garcia, Hii Garrett, Bryan Gentry, Dan Harman, Angela Jacoboni, Brenda Johns, Janet Kerley, Christine Pickles, Brant Pradere, Ryan Service, Winston Seymore, Amber Ward, Josh Widell, Lisa Ashe and Nonie Selph.

On request of Assemblyman Brookman, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Kesterson, Mahlon Brown, Harley LaMay, Ernest Hall, Howard Hammill, Earl Yanashita, Mayor James Spoo, Mss. Thalia Dondero, Ruby Garland, Florence Schroeder, Lorna Kesterson, Dorothy Lum, Tennys Friberg, Myla Florence and Mrs. LaMay.

On request of Assemblyman Wendell Williams, the privilege of the floor of the Assembly Chamber for this day was extended to Reverend Johnny T. Collins.

Assemblyman Jeffrey moved that the Assembly adjourn until Monday, March 2, 1987 at 11 a.m.

Motion carried.

Assembly adjourned at 11:05 a.m.

Approved:

JOSEPH E. DINI, JR.
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE FORTY-THIRD DAY

CARSON CITY (Monday), March 2, 1987

Assembly called to order at 11:13 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, The Reverend Dave Charlton.

Father in Heaven, we thank You for this day and the many blessings we have received. Today as we enter this session, our prayer is that You give us encouragement for the hour, strength to endure the hours of long work and the wisdom to make the best decisions possible. For this day and this time together we give You the praise in Jesus name we pray. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Jeffrey moved that further reading of the Journal be dispensed with, and the Speaker and Chief Clerk be authorized to make the necessary corrections and additions.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Transportation, to which was referred Assembly Bill No. 104, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

LEONARD V. NEVIN, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which was referred Assembly Bill No. 99, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

MARVIN M. SEDWAY, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which was referred Assembly Bill No. 210, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

MARVIN W. SEDWAY, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Assembly Bill No. 6, 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.

DANNY L. THOMPSON, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which was re-referred Assembly Bill No. 116, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass, as amended.

MARVIN M. SEDWAY, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Assembly Bill No. 141, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

DANNY L. THOMPSON, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, February 25, 1987

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Senate Bills Nos. 110, 117.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen Spinello, Myrna Williams, Porter, McGaughey, Callister, Brookman, Tebbs, Sedway, Thompson, Kerns, Wisdom, Gaston, Thomas, Marvel, Fay, Nevin, Bergevin, Kissam, Nicholas, Wendell Williams, Triggs, Haller, May, Adler and Jeffrey:

Assembly Joint Resolution No. 24—Urging Congress to include insurance within antitrust laws.

Assemblyman Spinello moved that the resolution be referred to the Committee on Commerce.

Motion carried.

By the Committee on Ways and Means:

Assembly Concurrent Resolution No. 14—Authorizing certain expenditures from the legislative fund to pay certain travel allowances of the members and the staff of standing committees, special committees and subcommittees of the legislature during the 64th session of the legislature.

Assemblyman Sedway moved that the resolution be referred to the Committee on Ways and Means.

Motion carried.

By Assemblymen Getto, Dini, Brookman and May:

Assembly Concurrent Resolution No. 15—Commending Nevada's former Assemblyman John H. Homer.

WHEREAS, Former Assemblyman John H. Homer was born in Hoopeston, Illinois, on August 29, 1907; and

WHEREAS, This distinguished former state assemblyman is a graduate of Palmer College of Chiropractic in Davenport, Iowa and also of the Art Institute in Chicago, Illinois; and

WHEREAS, Dr. Homer was a member of the Nevada Assembly during the 1967, 1969 and 1971 sessions serving on the Elections Committee, the Health and Welfare Committee and as Chairman of the Fish and Game Committee in 1969; and

WHEREAS, Dr. Homer was a member and past President of the Chiropractic Association of Nevada and was bestowed numerous honors in his profession including being named Nevada Chiropractor of the Year in 1966 and 1968; and

WHEREAS, The warm-natured manner of Dr. Homer earned him the affectionate regard of his colleagues and friends; now, therefore, be it

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, THE SENATE CONCURRING, That the members of the 64th session of the Legislature of the State of

Nevada hereby extend their warmest regards to former Assemblyman John H. Homer and commend him for his dedicated service to the State of Nevada on behalf of the residents of this state; and be it further

RESOLVED, That a copy of this resolution be prepared and transmitted by the Chief Clerk of the Assembly to former Assemblyman John H. Homer.

Assemblyman Getto moved the adoption of the resolution.

Remarks by Assemblyman Getto.

Assemblyman Nevin requested that Assemblyman Getto's remarks be entered in the Journal.

Thank you, Mr. Speaker. Members of the Assembly, four of us presently here in this Assembly served with Dr. Homer two sessions in the old building and then the first session in this building. Dr. Homer was a very warm, real gentleman. A man who was considerate and worked hard for the endeavors he believed in. I remember his strong support for the V & T Railroad. He tried to get a large (at that time) appropriation for the V & T. It was a very timely resolution, but as always, we were short of money and had to consider the priorities so we did not fund his appropriation bill. We did finally fund part of it, but it was a very small amount compared to what was needed to buy the rolling stock and even to save the track. Dr. Homer had a tremendous foresight in that area. I remember he was a very quiet, but yet aggressive, person. It is my understanding that Dr. Homer is quite critically ill. His son lives at Lake Tahoe, but I do not know where Dr. Homer is at the present time. We certainly wish him the best.

Resolution adopted unanimously.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblyman Jeffrey:

Assembly Bill No. 259—An Act relating to taxation; repealing the provision relating to the taxation of material fabricated by a contractor for use in construction; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Taxation.

Motion carried.

By Assemblyman Jeffrey:

Assembly Bill No. 260—An Act relating to contractors; releasing a subcontractor who stops work because of the failure of the prime contractor to pay according to an agreed schedule from liability for nonperformance; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

By Assemblymen Marvel, Thompson, McGaughey, Getto, Bergevin and Garner:

Assembly Bill No. 261—An Act relating to general improvement districts; authorizing a district to furnish facilities for public postsecondary education; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Getto, Marvel, Dini, Carpenter and Bergevin:

Assembly Bill No. 262—An Act relating to the uniform commercial code; requiring the secretary of state to establish a central filing system for recording security interests in farm products; and providing other matters properly relating thereto.

Assemblyman Getto moved that the bill be referred to the Concurrent Committees on Natural Resources, Agriculture and Mining and Commerce.

Motion carried.

Senate Bill No. 110.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

Senate Bill No. 117.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, March 2, 1987

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. 105.

MARY JO MONGELLI
Assistant Secretary of the Senate

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Health and Welfare:

Assembly Bill No. 263—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; making an appropriation; and providing other matters properly relating thereto.

Assemblyman Arberry moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

By Assemblymen Wendell Williams, Arberry, Swain, Garner, Wisdom, Evans, Fay, Kerns, Tebbs, Spinello, Triggs, Haller, Sedway and Porter:

Assembly Bill No. 264—An Act relating to elections; increasing the area around a polling place where the solicitation of voters is prohibited; prohibiting certain persons from asking a voter his name, address or political affiliation in the area around a polling place; providing a penalty; and providing other matters properly relating thereto.

Assemblyman Wendell Williams moved that the bill be referred to the Committee on Elections.

Motion carried.

By Assemblymen Nevin, Dini, Getto, McGaughey, Banner, Jeffrey,

Spinello, Brookman, Freeman, Garner, Kerns, Wisdom, Humke, Thompson, Fay, Marvel, Arberry, Wendell Williams, Sedway, Schofield, Swain, Bergevin, Evans, Craddock, Price, Porter, DuBois, Nicholas, Triggs, Kissam, Myrna Williams and Gaston:

Assembly Bill No. 265—An Act relating to motor vehicles; limiting the height of the body of a passenger vehicle as measured from the surface of the highway; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Wisdom, Nevin, Spinello, Brookman, May, Adler, Garner, Freeman, Sedway, Banner, Thompson, Fay, Wendell Williams, Arberry, Jeffrey, Swain, Price, Evans, Schofield, Dini, Porter, Myrna Williams, Kissam, Haller, Gaston, Callister, Sader, Craddock and Triggs:

Assembly Bill No. 266—An Act relating to elections; authorizing the registration of voters by postcard; clarifying certain provisions governing eligibility to vote; and providing other matters properly relating thereto.

Assemblyman Wisdom moved that the bill be referred to the Committee on Elections.

Motion carried.

Senate Bill No. 105.

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

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen Price, Dini, Gaston, Schofield, Adler, Getto, Sedway, Arberry, Haller, Spinello, Banner, Humke, Spriggs, Brookman, Jeffrey, Swain, Callister, Kerns, Tebbs, Carpenter, Kissam, Thomas, Craddock, Lambert, Thompson, DuBois, McGaughey, Triggs, Evans, Nevin, Myrna Williams, Fay, Nicholas, Wendell Williams, Freeman, Porter, Wisdom, Garner, Sader and Marvel:

Assembly Joint Resolution No. 25—Withdrawing a previous request for the Congress of the United States to call a convention limited to proposing an amendment to the Constitution of the United States which would require a balanced federal budget in the absence of a national emergency.

Assemblyman Price moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

By the Committee on Legislative Functions:

Assembly Concurrent Resolution No. 16—Directing legislative commission to conduct interim study of the adoption laws in Nevada.

Assemblyman Sader moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 33.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 40.

Amend the bill as a whole by deleting section 1 and renumbering sections 2 through 4 as sections 1 through 3.

Amend sec. 3, page 3, line 25, by deleting "*state*" and inserting "*county*".

Amend sec. 4, page 3, by deleting lines 39 through 41 and inserting:

"7.155 [The] *Except as otherwise provided in NRS 354.5988, the* compensation and expenses of an attorney appointed to represent a defendant [shall] *must* be paid from the county treasury unless the proceedings are based upon a".

Amend the bill as a whole by deleting sections 5 through 7 and renumbering sections 8 and 9 as sections 4 and 5.

Amend sec. 8, page 5, line 39, by deleting "*pursuant to*" and inserting: "*in the manner provided for in*".

Amend sec. 9, page 6, by deleting lines 7 and 8 and inserting: "the examination [shall] *must* be paid as *a claim against the county in the manner* provided in NRS 7.125.".

Amend the bill as a whole by deleting sections 10 and 11 and adding a new section designated sec. 6, following sec. 9, to read as follows:

"Sec. 6. 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. If the amount of the supplemental city-county relief tax otherwise distributable to 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 sum of the money in the fund at the beginning of any fiscal year and any money which will accrue to the fund

from revenues of the preceding fiscal year exceeds $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 $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, *a substantial increase in the normal obligations of the counties pursuant to NRS 7.125, 7.135, 62.085, 128.100, 174.195 and 432B.420* 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 the title of the bill, first and second lines, by deleting: ''creating the account for court-appointed attorneys in the state general fund;'' and inserting: ''authorizing under certain circumstances the use of money from the reserve fund for the supplemental city-county relief tax for the compensation and expenses of appointed defense attorneys in criminal proceedings;''.

Assemblyman Sader moved the adoption of the amendment.

Remarks by Assemblymen Sader and Callister.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 107.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 103.

Amend section 1, page 1, line 8, by deleting ''*6*'' and inserting ''*10*''.

Amend section 1, page 1, line 9, by deleting "*$5,000.*" and inserting "*$10,000.*".

Assemblyman Sader moved the adoption of the amendment.

Remarks by Assemblyman Sader.

Amendment adopted.

Assemblyman Jeffrey 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.

Assembly Bill No. 126.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 97.

Amend section 1, page 2, by deleting line 26 and inserting: "*in contracts necessary to preserve life and property, for amounts less than $5,000.* The state".

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. 174.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 198.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 202.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 81.

Amend sec. 3, page 3, by inserting between lines 12 and 13:

"*4. Within 30 days after changing the location of the office which contains records for a limited partnership, the agent shall file a notice of the change in address with the secretary of state which sets forth the name of the limited partnership, the previous address of the office and the new address of the office.*".

Amend sec. 5, page 4, by deleting lines 13 and 14 and inserting:

"[(d)] *(c)* The name and the business address of each general partner;".

Amend sec. 5, page 4, line 15, before "(e)" by inserting an open bracket.

Amend sec. 6, page 5, line 16, by deleting "*general*" and inserting "general".

Amend sec. 6, page 5, line 17, by deleting "*general*" and inserting "general".

Amend sec. 6, page 5, by deleting lines 23 through 25 and inserting: "inaccurate in any respect, shall promptly amend the certificate.".

Amend sec. 9, page 6, line 14, by deleting "*general*" and inserting "general".

Amend sec. 11, page 7, line 11, by deleting the comma and inserting: "[,] *or restated certificate of limited partnership,*".

Amend sec. 11, page 7, by deleting line 14 and inserting: "[resident agent,] *an agent for service of process,* $30.".

Amend sec. 12, page 7, line 31, by deleting "1." and inserting "*1.*".

Amend sec. 12, page 7, line 35, by deleting "2." and inserting "*2.*".

Amend sec. 12, page 7, line 37, by deleting "(a)" and inserting "[1.] *(a)*".

Amend sec. 12, page 8, line 1, by deleting "(b)" and inserting "[2.] *(b)*".

Amend sec. 12, page 8, by deleting lines 5 through 7.

Amend sec. 13, page 8, line 30, after the closed bracket by inserting "*guaranteeing*".

Amend sec. 13, page 8, by deleting lines 39 through 42 and inserting: "or substantially all of the assets of the limited partnership ; [other than in the ordinary course of its business;]

(3) The incurrence of indebtedness by the limited partnership other than in the ordinary course of its business;".

Amend sec. 13, page 9, line 2, after "The" by inserting "*admission or*".

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. 221.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 222.

Bill read second time, ordered engrossed and to third reading.

Senate Bill No. 86.

Bill read second time and ordered to third reading.

Senate Bill No. 119.

Bill read second time and ordered to third reading.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Judiciary:

Assembly Bill No. 267—An Act relating to domestic violence; limiting the class of person considered to be in the family for purposes of mandatory arrest and delayed bail; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 268—An Act relating to records of criminal history; authorizing the release of records to the attorney for a local government for the defense of the local government in a civil action; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 269—An Act relating to criminal procedure; increasing the amount of the administrative assessment for misdemeanors which is distributed to the peace officers' standards and training committee; abolishing the requirement that any money not expended by the committee be credited to the state general fund; and providing other matters properly relating thereto.

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

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 113.

Bill read third time.

Remarks by Assemblyman Kissam.

Roll call on Assembly Bill No. 113:

YEAS—42.

NAYS—None.

Assembly Bill No. 113 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 125.

Bill read third time.

Remarks by Assemblyman Sader.

Roll call on Assembly Bill No. 125:

YEAS—40.

NAYS—None.

Not voting—Brookman, Mr. Speaker—2.

Assembly Bill No. 125 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 140.

Bill read third time.

Remarks by Assemblymen Nevin, Schofield and Thompson.

Roll call on Assembly Bill No. 140:

YEAS—42.

NAYS—None.

Assembly Bill No. 140 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 157.

Bill read third time.

Remarks by Assemblyman Thompson.

Roll call on Assembly Bill No. 157:

YEAS—41.

NAYS—May.

Assembly Bill No. 157 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Thompson moved that the vote whereby Assembly Bill No. 140 was passed be rescinded.

Remarks by Assemblyman Thompson.

Motion carried.

Assemblyman Thompson moved that Assembly Bill No. 140 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. 60, 61.

Mr. Speaker announced that if there were no objections, the Assembly would recess subject to the call of the Chair for the purpose of a presentation to the Assembly by Lt. Colonel Roger Riggs of the Thunderbirds.

Assembly in recess at 12:08 p.m.

ASSEMBLY IN SESSION

At 12:09 p.m.

Mr. Speaker presiding.

Quorum present.

REMARKS FROM THE FLOOR

Assemblyman Dini requested that the following remarks be entered in the Journal.

ASSEMBLYMAN DINI:

Brigadier General Drennan Anthony Clark is the Adjutant General for the State of Nevada.

General Clark was born on August 30, 1937, in Rochester, New York. He grew up in Reno, Nevada and graduated from Bishop Manogue High School in 1955. He attended the University of San Francisco and received a Bachelor of Science degree in Political

Science in 1959. He was active in student government, intercollegiate athletics and was an honor student. He attended Law School at the University of San Francisco receiving his Juris Doctor degree in 1964.

On graduation from law school, General Clark passed the Nevada Bar Examination and was admitted to the practice of law in Nevada. He served a one-year clerkship at the Nevada Supreme Court in Carson City, Nevada, clerking for Justice Gordon R. Thompson from August 1964 through August 1965. He then joined the law firm of Guild, Guild and Cunningham in Reno, Nevada as an associate. In June of 1969, he became a partner in the firm, and later a principal in the firm which is now Guild, Hagen & Clark, Ltd.

In July of 1960, General Clark joined the Nevada Air National Guard serving as a photo lab technician in the 152nd Tactical Reconnaissance Group. He was commissioned a Second Lieutenant on November 9, 1964. He was assigned as a Supply Officer in the 152nd Supply Squadron. He was called to active duty with the Nevada Air National Guard on January 28, 1968, during the Pueblo Crisis, and served as the Commander of the 6314th Supply Squadron's Operating Location at Suwon AB, Korea from July through December 1968. From December 1968 through June 9, 1969 he served as the Supplies Management Officer and later the Chief of the Special Operations Branch of the 6314th Supply Squadron at Osan AB, Korea. He returned to the Nevada Air National Guard from EAD on 9 June 1969.

In May of 1972, General Clark was assigned to Headquarters Nevada Air National Guard as the Staff Judge Advocate. In January, 1983, he was appointed State Judge Advocate, a position he had filled functionally since 1975. He was the Air National Guard's nominee for the Judge Advocate of the Year award for 1983. He was appointed as the Assistant Adjutant General for Air on June 8, 1984, and the Adjutant General for the State of Nevada on January 1, 1987.

General Clark is an attorney admitted to practice before the Nevada Supreme Court, the United States District Court for the District of Nevada, the United States Courts of Appeals for the 2nd, 9th and 11th Circuits, the United States Courts of Military Appeals and the United States Supreme Court. In 1981, he served as President of the Washoe County Bar Association, a 1,000 member lawyers group serving Reno, Sparks, and Incline Village, Nevada. He was the first chairman of the State Bar of Nevada's Committee for the Arbitration of Fee Disputes, 1973-1983, and is now a member of the Board of Governors of the State Bar of Nevada. He served from 1976 through 1979 as a member of the Nevada Board of Parole Commissioners, and from 1983 through 1985 served as the Nevada Governor's appointee to the Governing Board of the Tahoe Regional Planning Agency, a bi-state agency which is responsible for regulating growth and protecting the environment at Lake Tahoe, a large alpine lake in the Sierra Nevada mountains. He is a judge Pro-tem of the Reno Municipal Court.

His military decorations and awards include the Meritorious Service Medal (one oak leaf cluster), Air Force Commendation Medal (one oak leaf cluster), Air Force Achievement Medal, Air Force Outstanding Unit Award (one oak leaf cluster), Air Force Organizational Excellence Award, National Defense Service Medal, Armed Forces Expeditionary Medal, Air Force Overseas Ribbon, Air Force Longevity Award (five oak leaf clusters), Armed Forces Reserve Medal (hourglass device), Air Reserve Forces Meritorious Service Medal, and Small Arms Expert Marksmanship Ribbon.

He was promoted to Brigadier General on 31 January 1985.

General Clark is married to the former Barbara Jane Branick of San Franciso, California. They have five children: Kathleen, James, David, Tricia and Laura.

Lt. Col. Roger Riggs, 39, is in his second year flying the number one aircraft as the commander/leader. Prior to being selected for the Thunderbirds, he was the commander of the F-16 Division of the USA Fighter Weapons School, Nellis AFB, Nevada.

Calling Louisville, Kentucky home, Colonel Riggs graduated from the U.S. Air Force Academy with a bachelor of science degree in 1970. He earned his master's degree in administration from Central Michigan University in 1978.

After undergraduate pilot training at Laredo AFB, Texas, he was assigned to the 355th Tactical Fighter Wing, David-Monthan AFB, Arizona, as a A-7D pilot. Subsequent

assignments took him to Korat Royal Thai Air Base, Thailand, then back to Davis-Monthan AFB as an instructor pilot. In December 1977 Colonel Riggs began a two-year tour as an exchange pilot flying the A-7E with the U.S. Navy at Cecil NAS, Jacksonville, Florida.

Colonel Riggs transitioned into the F-16 at Hill AFB, Utah, in 1979, and later served as an instructor pilot and flight commander. While at Hill AFB, he represented the Tactical Air Forces in the Royal Air Force Bombing Competition at Lossiemouth RAFB, Scotland. In 1982 he was assigned to Headquarters, Tactical Air Command, initially with the Directorate of Training, and later with the Directorate of Operations for the F-16.

Colonel Riggs is a senior pilot with more than 3,900 hours flying time including 400 combat hours flown in Southeast Asia.

He is married to the former Cheryl Helfrich of Colorado Springs, Colorado. They have two sons, Douglas and Kevin.

ASSEMBLYMAN ADLER:

Flying the number eight Thunderbird aircraft, in his first year as narrator and advance man, is Captain Bert Nelson, 32. Arriving at each air demonstration site in advance of the main Thunderbird contingent, Captain Nelson ensures all arrangements for the performance are complete. He then narrates each demonstration and oversees the team's public relations activities.

Born in West Hartford, Connecticut, Captain Nelson enlisted in the U.S. Air Force in October 1972 and served as an FB-111 crew chief until 1974 when he left active duty to complete his college degree.

Captain Nelson was commissioned through the Air Force Reserve Officers' Training Corps program at the University of Connecticut after receiving a bachelor of science degree in finance in 1978. He was named distinguished graduate of the AFROTC program.

Following pilot training at Vance AFB, Oklahoma, in 1980, Captain Nelson was assigned as a T-38 instructor pilot there and later at Randolph AFB, Texas. While at Randolph he earned his master of arts degree in management from Webster University, Missouri. He then underwent fighter training at Holloman AFB, New Mexico, where he was selected as the distinguished graduate. Captain Nelson completed upgrade training into the F-4 at Homestead AFB, Florida, in July 1985.

Prior to his selection for the Thunderbirds, Captain Nelson served as a F-4E pilot at Osan AB, Republic of Korea. He has logged more than 2,000 hours flying jet aircraft during his Air Force career.

ASSEMBLYMAN GASTON:

Flying the number three aircraft in his first year as the right wing pilot in the Thunderbirds' diamond formation is Captain Joe Bulmer, Jr., 31, from Clifton Park, New York.

Captain Bulmer graduated from the U.S. Air Force Academy in 1977 with a bachelor of science degree in management.

He earned his pilot wings at Williams AFB, Arizona, and served there as a T-38 instructor pilot and flight examiner. In 1982, Captain Bulmer was assigned to the 355th Tactical Training Wing, Davis-Monthan AFB, Arizona, where he completed A-10 training as the top graduate. He was then assigned to the 81st Tactical Fighter Wing, RAF Bentwaters, United Kingdom. During that assignment he attended the USAF Fighter Weapons School, Nellis AFB, Nevada, and was named the outstanding graduate of his class. He also represented the U.S. Air Forces in Europe in the worldwide gunnery meet, Gunsmoke '85.

Captain Bulmer was an instructor at the USAF Fighter Weapons School, Nellis AFB, Nevada, prior to his selection for the Thunderbirds in September 1986.

He has logged more than 3,000 hours flying high performance jet aircraft during his Air Force career.

Captain Bulmer is married to the former Cindy McGarry of Tucson, Arizona.

ASSEMBLYMAN GETTO:

Captain Lance Undhjem, 30, is the Thunderbirds' slot pilot, flying the number four aircraft in his second air demonstration season.

A native of Twin Falls, Idaho, Captain Undhjem graduated from the U.S. Air Force Academy in 1978, earning his bachelor of science degree in mathematics and computer science.

He was a distinguished graduate in his pilot training class at Williams AFB, Arizona, and was in the first group of lieutenants selected to fly the F-16. Following this training, Captain Undhjem was assigned to the 388th Tactical Fighter Wing at Hill AFB, Utah, where he served as an aircraft commander and instructor pilot. In 1983, he was assigned to the 8th Tactical Figher Wing, Kunsan AB, Republic of Korea. While serving in Korea, Captain Undhjem was selected as the Pacific Air Command Aerial Demonstration Pilot.

Returning to the states, he attended the USAF Fighter Weapons School at Nellis AFB, Nevada. Just prior to joining the Thunderbirds, Captain Undhjem was an operational test pilot with the 422nd Test and Evaluation Squadron at Nellis AFB.

Captain Undhjem has logged more than 1,700 hours in the F-16.

He is married to the former Debra Absher of Del City, Oklahoma.

ASSEMBLYMAN NEVIN:

Captain K. C. Schow, 30, is the Thunderbirds' opposing solo pilot flying the number six aircraft in his first air demonstration season.

Calling Willmar, Minnesota home, he graduated from the U.S. Air Force Academy in 1978 with a bachelor's degree in psychology.

Captain Schow earned his pilot's wings at Reese AFB, Texas in 1979. He received A-10 training at Davis-Monthan AFB, Arizona, and was subsequently assigned to Myrtle Beach AFB, South Carolina as an aircraft commander and instructor pilot.

He was reassigend in 1982 to Williams AFB, Arizona, as an F-5 instructor pilot. While at Williams he was selected as the Tactical Air Command's F-5 Instructor Pilot of the Year for 1983. He was also a distinguished graduate, air-to-air Top Gun and air-to-ground Top Gun from the Fighter Weapons Instructor Course at Williams.

Captain Schow has logged more than 1,800 hours flying high performance jet aircraft during his Air Force career.

He is married to the former Mary Czachor from Long Island, New York. They have a son, Trey, and a daughter, Kristin.

ASSEMBLYMAN MCGAUGHEY:

Captain Rich Savko, 36, is the Thunderbirds' Executive Officer. In his second year, he supervises executive support, administration and personnel selection functions. He also manages the overall squadron operation and serves as squadron commander during the commander's frequent absences.

Born in Pasadena, California, but calling Arroyo Grande, California home, Captain Savko enlisted in the Air Force in April 1969. During ten years of enlisted service, he performed duties as an administrative specialist and command post controller. His assignments included: Vandenberg AFB, California, Kwangju AS, Republic of Korea, and Det. 620, Bowling Green State University.

Captain Savko attended the Air Force Reserve Officers' Training Corps program at Bowling Green State University, Bowling Green, Ohio, where he received a bachelor of science degree in business administration in 1979. He was named a distinguished graduate. His next assignment was to Schierstein, West Germany, as the 497th Intelligence Special Activity Squadron Commander. After completing a three-year tour there, he was reassigned to Reese AFB, Texas.

In 1983, Captain Savko served as Squadron Section Commander for the 64th Air Base Group at Reese. In 1984, his unit's administrative section was named best in Air Training Command. The captain was selected as the 64th Flying Training Wing's 1984 Company Grade Officer of the Year. In April, 1985, he was selected for duty with the Thunderbirds.

Captain Savko is married to the former Sarah Richardson of Santa Barbara, California. They have three daughters, Yvonne, Sheri and Lindsey.

ASSEMBLYMAN PRICE:

Captain Jim Benson, 37, serves as the Public Affairs Officer for the U. S. Air Force Air Demonstration Squadron, Thunderbirds. In his second year with the squadron, Captain Benson oversees Thunderbirds' publicity programs through his direction of public affairs, photographic and graphics specialists.

Born in Oak Park, Illinois, but calling Las Vegas, Nevada home, Captain Benson enlisted in the Air Force in October 1968 and was assigned to the tactical missile maintenance career field. During the next eight years, he performed a variety of duties including crew chief, training monitor, quality control inspector and munitions safety instructor. Assignments took him to George AFB, California; Ubon Royal Thai AB, Thailand; Nellis AFB, Nevada; Spangdahlem AB, West Germany; and Holloman AFB, New Mexico.

After separating from the Air Force in 1976, Captain Benson enrolled in the University of Nevada, Las Vegas, where he earned a bachelor of arts degree in communication in 1978. He completed a master's degree in communication at the University of Oklahoma in 1986. Captain Benson was commissioned in 1979 after being named a distinguished graduate of Officers Training School. His first assignment was a public affairs officer for the Air Force Contract Management Division, Kirtland AFB, New Mexico, where he was selected as the Air Force Systems Command Company Grade Public Affairs Officer of the Year 1980.

In 1981, Captain Benson was assigned as the public affairs officer for the National Defense University, Ft. McNair, Washington, D. C. Prior to his selection to the Thunderbirds, he served as public affairs staff officer in the media relations division at Headquarters, AFSC, Andrews AFB, Maryland.

Captain Benson is married to the former Linda Herring of Las Vegas, Nevada. They have two daughters, Colleen and Erin.

ASSEMBLYMAN SWAIN:

Captain Dave Robinson, 32, in his first year with the Thunderbirds, flies the number two aircraft as left wing pilot in the diamond formation.

Born in Woonsocket, Rhode Island, but calling Fairfield, Connecticut home, he graduated from the U. S. Air Force Academy in 1976 with a bachelor's degree in biological sciences.

Captain Robinson attended pilot training at Vance AFB, Oklahoma, where he was named outstanding graduate and was the recipient of the Air Training Command Commander's Trophy. He earned outstanding graduate honors at T-38 instructor pilot training at Randolph AFB, Texas, and returned to Vance AFB as a T-38 instructor pilot and flight examiner.

He underwent transition training for the F-15 at Luke AFB, Arizona, where he was an outstanding graduate in 1981. He was reassigned to the 59th Tactical Fighter Squadron, Eglin AFB, Florida, in 1981 and also served as the wing executive officer for the 33rd Tactical Fighter Wing. He returned to Luke AFB in 1983 as an instructor pilot with the 426th Tactical Fighter Training Squadron prior to his selection for the Thunderbirds.

Captain Robinson has logged more than 2,500 hours flying high performance jet aircraft during his career.

He is married to the former Lucy Lee Perkins of Monument, Colorado, and they have two children, Travis and Taryn.

ASSEMBLYMAN THOMAS:

Captain Tom Weiler, 32, is the Thunderbirds lead solo pilot, flying the number five aircraft in his second air demonstration season.

Calling Corvallis, Oregon home, he graduated from Oregon State University in 1977, earning his Air Force commission through the Reserve Officers Training Corps program. He received a bachelor's degree in accounting.

Captain Weiler earned his pilot's wings at Laughlin AFB, Texas. He then completed A-10 training at Davis-Monthan AFB, Arizona, where he won the class Top Gun award. From there, he reported to RAF Bentwaters, England, for a three-year tour, flying the A-

10 Thunderbolt II. He was next assigned to Davis-Monthan AFB as an A-10 instructor pilot. During this assignment, he was selected to attend the USAF Fighter Weapons School at Nellis AFB, Nevada.

He returned to Davis-Monthan AFB and was selected to fly for the Thunderbirds two years later.

Captain Weiler has logged more than 2,500 hours flying fighter aircraft during his Air Force career.

He is married to the former Sherrie Jarboe of Medford, Oregon.

ASSEMBLYMAN THOMPSON:

Major B. J. Java, 37, flies the number seven Thunderbird aircraft as the team's Logistics Officer. He also serves as the safety observer and evaluator for each air demonstration as well as the Deputy Commander for Maintenance.

A native of Frederic, Wisconsin, Major Java enlisted in the United States Army in 1968 and served as a Warrant Officer, helicopter pilot, for three years. Following his tour in the Army he received a bachelor's degree in aeronautical studies from Embry-Riddle Aeronautical University, Daytona Beach, Florida.

He was commissioned in 1974 through the Air Force Reserve Officers' Training Corps program. Following pilot training, he flew the T-37 as an instructor pilot and flight examiner at Vance AFB, Oklahoma. His next assignment was with the 474th Tactical Fighter Wing, Nellis AFB, Nevada, as an F-16 fighter pilot, flight safety officer, and flight commander.

Prior to his assignment to the Thunderbirds, Major Java served as an F-16 instructor pilot and flight examiner at MacDill AFB, Florida. He has logged more than 1,300 flying hours in the F-16 and a total of more than 4,800 military flying hours.

Major Java is married to the former Candace McKnight of Frederic, Wisconsin. They have two sons, Leon and Stuart.

ASSEMBLYMAN MYRNA WILLIAMS:

Captain Walt Williams, 32, is in his first year as the maintenance officer for the U.S. Air Force Air Demonstration Squadron, Thunderbirds.

Calling Uniontown, Alabama home, Captain Williams earned a bachelor of arts degree in history from the University of Alabama. He received his commission through the Air Force Reserve Officers' Training Corps in 1977 at the University of Mississippi.

After completing aircraft maintenance officer training at Chanute AFB, Illinois, he served as officer in charge of the flightline maintenance branch and as officer in charge of the Contract Field Team at Randolph AFB, Texas.

Captain Williams was subsequently assigned as an acquisition logistics research officer at Wright-Patterson AFB, Ohio, from 1981 to 1983. Captain Williams went on to serve as maintenance officer at Osan AB, Republic of Korea, from 1983 to 1984.

Prior to his assignment to the Thunderbirds, Captain Williams served as the 57th Component Repair Squadron's Maintenance Supervisor, Nellis AFB, Nevada.

Captain Williams is married to the former Patricia T. Albritton of Gulfport, Mississippi, also an Air Force captain assigned to Nellis. They have two daughters, Maria and Rebecca.

Assemblyman Price requested that his remarks be entered in the Journal.

About 126 years ago today on March 2, 1861, Nevada, by an Act of Congress, became the Nevada Territory. Two days later Abe Lincoln was sworn in as President of the United States and James Nye was appointed as our territorial governor.

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 Lieutenant Colonel Roger D. Riggs and Brigadier General Drennan Anthony Clark.

On request of Assemblyman Thomas, the privilege of the floor of the Assembly Chamber for this day was extended to Captain Thomas G. Weiler,

Mrs. Spofford and the fourth grade class of Fritsch school: Mark Albrecht, John Bradberry, Brett Faike, Max Gundlach, Jeremy Hodges, Karl Hutter, Kris Kaufman, Pete Kinne, Scott Margullis, Brian Moosburner, Dom Sinnott, Rob Stoddard, Mike Street, Luke Crittenden, Melanie Aldis, Tammy Blume, Christy DiLoreto, Tessa Dunlap, Rachel Garfin, Feather Gengozian, Amy Humphrey, Sarah Lopez, Senta Maffei, Cathy Marty, Kristen Peters, Andrea Ricci and Brenda Schorr.

On request of Assemblyman McGaughey, the privilege of the floor of the Assembly Chamber for this day was extended to Captain Rich Savko.

On request of Assemblyman Thompson, the privilege of the floor of the Assembly Chamber for this day was extended to Major B. J. Java.

On request of Assemblyman Gaston, the privilege of the floor of the Assembly Chamber for this day was extended to Captain Joseph J. Bulmer, Jr.

On request of Assemblyman Getto, the privilege of the floor of the Assembly Chamber for this day was extended to Captain Lance D. Undhjem.

On request of Assemblyman Swain, the privilege of the floor of the Assembly Chamber for this day was extended to Captain David A. Robinson, Messrs. Peto, Michael Delage and the students of Traner Middle School: Gregory Baker, Christie Bills, Sheri Borg, Patrick Carey, Amee Catlett, Shane Cline, Luther Dupree, Patricia Edwards, Jason Engel, William Estrada, Karen Gale, Robert Hempstead, Lou Iyolores, Warren Jeffers, James Martin-Armendarz, Aaron McArthur, Ronald Miller, Siobhan Mullen, Michael O'Neal, Ramon Pedroza, Wenona Quillin, Simona Ribera, Scott Varland, Rita Balderama, Jeff Vickers, Jolene Stacey, Rene Ayala, Cody Bendickson, Bryan Blochowiak, Charley Chapoose, Christopher Coil, Alexander Cortez-Debonar, Jennifer Day, Elena Harris, Mitchell Holmer, Tameka Johnson, Jennifer Marden, Ramiro Mendoza, Luis Nerey, John Phelan, Kristuffer Richmond, Yarazeth Rodriguez, Daphne Salsby, Michelle Scow, Mark Scribner, Annaliese Skeen, Michael Squier, Atanacio Torres, Jennifer Bagley, Jaqueline Barrientos, Clare Bedell, Khanh Do, Clay Espinosa, Telaviv Estigoy, George Forbush, Heather Hallahan, Kiwa Jefferson, Jessica Lee, Becky Martinez, Brian Osgood, Juana Rojas, Samuel Schlange, Monique Sinor, Catherine Stout, Richard Valenzuela, Richard Wheeler, Michele Whitehill, Jason Baker, Daniel Bigrigg, Billy Brown, Jeff Cooney, Sergio Garcia, Christina Gibson, Crystal Hegne, Lamont Hendershaw, Paul Henley-Gallegos, Christopher Hilsenbech, Jason Kincade, Vickie Kincheloe, Shaunna McCullough, Claudia Morgan, Justin Murphy, Matthew Pearce, Ben Roberts, Lyle Spicer, Laura Taylor-Bay, Jesse Ward, Amy Watson, Ginger Ames, Manuel Balderrama, Edyth Bazemore, Kiemmy Boc, Heidi Choate, Kelly Clark, Chad Clubb, Jennifer Coulter, Peter Filipas, Samuel Flora, Paul Hazlewood, Scott Hess, Awbry Johnson, Christopher Lundgren, John McConeghy, Daniel Morris, Cynthia Mulhall,

Ennis Palmer, Paul Randell, Michael Rollins, David Rowe, Timothy Shirk-Asbill, Ernie Smith, Mark Smith, Lorriania Taylor, Jack Tonata and Jonathan Wade.

On request of Assemblyman Adler, the privilege of the floor of the Assembly Chamber for this day was extended to Captain Herbert J. Nelson.

On request of Assemblyman Nevin, the privilege of the floor of the Assembly Chamber for this day was extended to Captain Kenneth C. Schow.

On request of Assemblyman Myrna Williams, the privilege of the floor of the Assembly Chamber for this day was extended to Captain Walter C. Williams, Jr.

On request of Assemblyman Price, the privilege of the floor of the Assembly Chamber for this day was extended to Captain James R. Benson.

Assemblyman Nevin moved that the Assembly adjourn until Tuesday, March 3, 1987 at 11 a.m.

Motion carried.

Assembly adjourned at 12:23 p.m.

Approved: JOSEPH E. DINI, JR.
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE FORTY-FOURTH DAY

CARSON CITY (Tuesday), March 3, 1987

Assembly called to order at 11:15 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, The Reverend Doctor Terry Arnold.

The Bible says, "The hope of the righteous is gladness (Proverbs 10:28)." Let us pray. Our Heavenly Father, please let the righteousness of today's activities bring us a gladness of heart. This I pray in the name of our Lord and Saviour. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Nevin 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. 131; Assembly Joint Resolution No. 15, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

LEONARD V. NEVIN, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, 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.

DANNY L. THOMPSON, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which were referred Assembly Bill No. 232; Senate Bill No. 114, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

DANNY L. THOMPSON, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, March 2, 1987

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 19, 20, 21, 56, 67, 92, 172.

Also, I have the honor to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 13.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Bill No. 49.

MARY JO MONGELLI
Assistant Secretary of the Senate

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblyman Nevin:

Assembly Bill No. 270—An Act relating to controlled substances; providing a fee for the analysis of a controlled substance for certain defendants; providing for the distribution and expenditure of the fee; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Nevin:

Assembly Bill No. 271—An Act relating to regional planning commissions; revising provisions governing qualifications of members; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Nevin:

Assembly Bill No. 272—An Act relating to traffic laws; removing the requirement that certain vehicles stop at a crossing of infrequently used railroad lines; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Nevin:

Assembly Bill No. 273—An Act relating to the tax on special fuels; providing in skeleton form for the payment at the pump of the tax on special fuels; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 274—An Act relating to local improvement districts; reducing the number of property owners required to prevent an improvement district by objecting to it; requiring the governing body to find that a proposed district will increase the market value of the real property within that district before proceeding with a project; removing certain procedural inconsistencies; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Ways and Means:

Assembly Bill No. 275—An Act making an appropriation to the legislative fund for improvements to the legislative building and surrounding grounds; and providing other matters properly relating thereto.

Assemblyman Sedway moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By Assemblyman Swain:

Assembly Bill No. 276—An Act relating to retail installment contracts; prohibiting a fee for the cancellation of a retail installment contract unless notice of the fee is clearly stated in the contract; and providing other matters properly relating thereto.

Assemblyman Swain moved that the bill be referred to the Committee on Commerce.

Motion carried.

By Assemblyman Swain:

Assembly Bill No. 277—An Act relating to county economic development revenue bonds; enlarges kinds of health and care facilities for which the bonds may be issued; and providing other matters properly relating thereto.

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

Motion carried.

Senate Bill No. 49.

Assemblyman Nevin moved that the bill be referred to the Committee on Commerce.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 6.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 94.

Amend the bill as a whole by deleting section 1 and adding new sections designated sections 1 and 2, following the enacting clause, to read as follows:

"Section 1. The charter of the City of Henderson, being chapter 266, Statutes of Nevada 1971, at page 402, is hereby amended by adding thereto a new section to be designated as section 2.225, immediately following section 2.220, to read as follows:

Sec. 2.225 Powers of city council: Airports. The city council may acquire, provide for, operate and maintain an airport for public use.

Sec. 2. Section 2.230 of the charter of the City of Henderson, being chapter 266, Statutes of Nevada 1971, at page 409, is hereby amended to read as follows:

Sec. 2.230 The city council may:

1. License, regulate or prohibit the location, construction or laying of tracks of any railroad or streetcar in any public right of way.

2. Grant franchises to any person or corporation to operate a railroad, streetcar or other public transit system upon public rights of way and adjacent property.

3. Declare a nuisance and require the removal of the tracks of any railroad or streetcar in any public right of way.

4. Condemn rights of way for any public purpose across any railroad right of way.

5. Prescribe the length of time any public right of way may be obstructed by trains standing thereon.

6. Require railroad companies to fence their tracks and to construct cattle guards and crossings and to keep them in repair.

7. Acquire, provide for, operate and maintain a railroad for public use.".

Amend the bill as a whole by renumbering sections 2 and 3 as sections 3 and 4.

Amend sec. 3, page 4, by deleting lines 14 through 27 and inserting:

"3. Offstreet parking projects;

4. Overpass projects;

5. Park projects;

6. Sanitary sewer projects;

7. Security walls;

8. Sidewalk projects;

9. Storm sewer projects;

10. Street projects;

11. *Telephone projects;*

12. Transportation projects;

13. Underground *and aboveground* electric and communication facilities;

[12.] *14.* Underpass projects; [and

13.] *15.* Water projects [.] *;*

16. Upon petition by a person or business authorized to provide the service, such other utility projects as are deemed necessary by the council; and".

Amend the bill as a whole by adding a new section designated sec. 5, following sec. 3, to read as follows:

"Sec. 5. Section 6.020 of the charter of the City of Henderson, being chapter 266, Statutes of Nevada 1971, as last amended by chapter 306, Statutes of Nevada 1973, at page 380, is hereby amended to read as follows:

Sec. 6.020 The city council on behalf of the city for the purpose of defraying all the costs of acquiring, improving or converting to any project authorized by section 6.010, or any portion of the cost thereof not to be defrayed with [moneys] *money* otherwise available therefor, is [vestd] *vested* with the powers granted to municipalities by chapters 271 and 704A of NRS, as amended from time to time [.] *, but not subject to the procedural limitations contained therein.*".

Amend the bill as a whole by renumbering sections 4 and 5 as sections 6 and 7.

Amend the title of the bill by deleting the first and second lines and inserting:

"An Act relating to the City of Henderson; authorizing the city to operate and maintain a public airport and railroad; clarifying the term of office for judges of the".

Assemblyman Thompson moved the adoption of the amendment.

Remarks by Assemblyman Thompson.

Amendment adopted.

Assemblyman Thompson moved that Assembly Bill No. 6 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. 99.

Bill read second time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 67.

Amend the bill as a whole by renumbering sec. 5 as sec. 6 and adding a new section designated sec. 5, following sec. 4, to read as follows:

"Sec. 5. There is hereby appropriated from the state general fund to the Department of Museums and History the sum of $14,268 for utility expenses of the Nevada museum and historical society. This appropriation is supplemental to that made by section 28 of chapter 525, Statutes of Nevada 1985, at page 1585.".

Amend the title of the bill, second line, by deleting: "and the Labor Commissioner;" and inserting: ", the Labor Commissioner and the Department of Museums and History;".

Amend the summary of the bill to read as follows: "Makes various supplemental appropriations. (BDR S-1419)".

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. 104.

Bill read second time.

The following amendment was proposed by the Committee on Transportation:

Amendment No. 84.

Amend the bill as a whole by deleting sec. 3.

Amend the title of the bill, first and second lines, by deleting: "stop lamps, theft alarms and tire chains;" and inserting: "stop lamps and theft alarms;".

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. 141.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 101.

Amend section 1, page 1, by deleting line 3 and inserting: "*The chief may, upon request from a using agency, contract for services needed by that agency if he*".

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. 210.

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 11:32 a.m.

ASSEMBLY IN SESSION

At 11:43 a.m.

Mr. Speaker presiding.

Quorum present.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Commerce:

Assembly Bill No. 278—An Act relating to plans for dental care; providing for review of deductibles and copayments charged by organizations for dental care; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

By the Committee on Commerce:

Assembly Bill No. 279—An Act relating to insurance; requiring triennial renewal of a license by an adjuster or an appraiser of damage to a motor vehicle; reducing the fee paid to the recovery fund by adjusters; making technical changes; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

By the Committee on Commerce:

Assembly Bill No. 280—An Act relating to insurance; including title insurance within the scope of the insurance recovery fund; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

By the Committee on Commerce:

Assembly Bill No. 281—An Act relating to insurance; authorizing health maintenance organizations and nonprofit corporations for hospital or medical service to administer programs of health insurance; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

By the Committee on Commerce:

Assembly Bill No. 282—An Act relating to casualty insurance; specifying which policy of insurance is primary and which policy provides excess coverage if a motor vehicle is involved in an incident while being operated by certain persons under certain circumstances; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

By the Committee on Commerce:

Assembly Bill No. 283—An Act relating to health maintenance organizations; authorizing the formation of a health maintenance organization which provides a single health care service; establishing requirements for the operation of such an organization; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

By the Committee on Commerce:

Assembly Bill No. 284—An Act relating to insurance; providing for the triennial renewal of certain licenses and certificates of authority issued by the commissioner of insurance; providing for uniform fees for licenses; requiring the collection of certain assessments from licensees who are not insurers; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

By Assemblymen Spriggs and Thompson:

Assembly Bill No. 285—An Act relating to mining; removing the provision governing the size of the map for the filing of certain claims; and providing other matters properly relating thereto.

Assemblyman Spriggs moved that the bill be referred to the Committee on Natural Resources, Agriculture and Mining.

Motion carried.

By Assemblymen Dini, Jeffrey, Sader, Brookman, Myrna Williams, Sedway, Getto, Schofield, Evans, Wisdom, Swain, Thompson, Arberry, Banner, Bergevin, May, Nevin, Fay, Tebbs, Gaston, Freeman, Triggs, Kissam, Wendell Williams, Adler, McGaughey, Marvel, Carpenter, Spinello, Nicholas, Thomas, Kerns, Haller, Lambert, Humke, Callister, Garner and Spriggs:

Assembly Bill No. 286—An Act relating to services to aging persons; establishing a program in the aging services division of the department of human resources to provide care at home for certain elderly persons and encourage them to maintain their independence and self-reliance; authorizing the division to contract for services, accept grants, establish a schedule of fees and initiate demonstrative projects; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Concurrent Committees on Health and Welfare and Ways and Means.

Motion carried.

By Assemblymen Jeffrey, Nevin, May, Fay, Tebbs, Sedway, Arberry, Dini, Marvel, Adler, Lambert, Craddock, Wendell Williams, McGaughey, Thompson, Banner, Getto, Freeman, Spinello, Wisdom, Kerns, Bergevin, Garner, Evans, Swain, Schofield, DuBois, Thomas, Kissam, Nicholas, Humke, Triggs, Haller, Sader, Price, Callister, Brookman, Myrna Williams, Gaston, Porter and Carpenter:

Assembly Bill No. 287—An Act relating to drivers' licenses; authorizing the replacement of the Social Security number of a licensee upon request; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Thompson, Dini, Getto, Marvel, DuBois, Bergevin, Garner, Haller, Spriggs, Kissam and Adler:

Assembly Bill No. 288—An Act relating to firearms; allowing limited local regulation; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Arberry, Schofield, Spinello, Wisdom, Wendell Williams, Myrna Williams, Price, Gaston, Thompson, May, Kissam, Triggs, Garner, Sader, Brookman, Haller, Freeman, Callister, Adler, Dini, Jeffrey, Nevin, Evans, McGaughey, Craddock, Swain and Porter:

Assembly Bill No. 289—An Act relating to health facilities; requiring hospitals to pay an assessment on profits which exceed an established limit; limiting the maximum charge for services provided by certain hospitals; requiring certain hospitals to provide an established amount of treatment for indigent patients or to pay a penalty; prohibiting certain transactions between affiliated health facilities and insurers and between hospitals and

their affiliates; requiring hospitals to provide needed medical care; revising the criteria for determining whether certain projects require the approval of the director of the department of human resources; and providing other matters properly relating thereto.

Assemblyman Arberry moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 34.

Bill read third time.

Remarks by Assemblyman Haller.

Roll call on Assembly Bill No. 34:

YEAS—42.

NAYS—None.

Assembly Bill No. 34 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 116.

Bill read third time.

Remarks by Assemblymen Arberry, Callister, Wendell Williams, Carpenter, Swain and Gaston.

Assemblyman Nevin requested that the following remarks be entered in the Journal.

ASSEMBLYMAN ARBERRY:

Thank you, Mr. Speaker. Assembly Bill No. 116 makes the third Monday of January, along with the Federal guidelines, a state holiday honoring Dr. Martin Luther King, Jr. This bill will also eliminate one of the Governor's discretionary holidays, allowing him only one per year. This bill includes the state, cities and all the counties. Your passage of this bill would be greatly appreciated.

I would also like to say a few words about Dr. Martin Luther King, Jr. Dr. King, from his perspective, has played a tremendous part in everyone's life—whether black, white, young or old. Dr. King was hated by some but loved by many. Most people associate Dr. King with only the black race, but he fought for equality for all—for whites as well as blacks. Dr. King was not just a hero for blacks, he was a hero for all mankind. He was not only a civil rights leader, he was a Christian as well. I just want to say your approval of this bill would be greatly appreciated. Hopefully we can all honor Dr. King and reflect on what he stood for by celebrating his holiday each year.

ASSEMBLYMAN CALLISTER:

Thank you, Mr. Speaker. I have been asked to read into the record a few remarks by my colleague, Mrs. Brookman.

Dr. Martin Luther King was born in Atlanta, Georgia, on January 15, 1929, one of three children of Martin Luther King, Sr., pastor of the Ebenezer Baptist Church. At an early age, he showed extraordinary intellectual gifts. At age 15, he was admitted to Morehouse College, receiving a bachelor of arts degree four years later. He then enrolled in Crozer Theological Seminary in Chester, Pennsylvania, where he was awarded a Bachelor of Divinity degree and was recognized as the most outstanding student of his graduating class. He later studied at the University of Pennsylvania, Harvard University and Boston University. He was awarded a Ph.D. degree in Systematic Theology from Boston University in 1955.

After completing his education, Dr. King moved to Montgomery, Alabama, where he became active in the Civil Rights movement. December 1, 1955, an historic date for the Civil Rights movement, was also a turning point in Dr. King's career. On that day, Mrs. Rose Parks, a Negro seamstress with tired feet, refused to yield her seat on a bus to a white person. Her arrest sparked a citywide Negro boycott of buses which lasted 382 days. The boycott was organized and directed by the Montgomery Improvement Association of which Dr. King was the president.

During the Montgomery bus boycott, Dr. King was harassed and threatened, his house was bombed, and he was thrown into jail. Still he suffered patiently, restraining his followers with pleas to forget bitterness and to forgive their enemies.

It was during the Montgomery bus boycott that Dr. King first put into practice the policy of nonviolent protest which was to become the dominant force in the Civil Rights struggle during the next decade.

Many years later, as he accepted the Nobel Peace Prize, Dr. King said:

"Nonviolence is the answer to the crucial political and moral questions of our time; the need for man to overcome oppression and violence without resorting to oppression and violence.

Man must evolve for all human conflict a method which rejects revenge, aggression and retaliation. The foundation of such a method is love."

These teachings of love, forgiveness and reconciliation have earned Dr. King a permanent place of honor in the history of this country. I urge the members of the body to join the nation in honoring a great man and a great American—Dr. Martin Luther King.

I would note that Mrs. Brookman has indicated to me that she was a personal friend and acquaintance of Dr. King and that she appreciates your taking the time to listen to these remarks and hopes that you will give them consideration.

ASSEMBLYMAN WENDELL WILLIAMS:

Thank you, Mr. Speaker. I rise in support of Assembly Bill No. 116, not only from the moral and spiritual right that the bill presents to us, but also from a political posture. It is good for our state to support this bill. In looking at Las Vegas alone, currently there are 56,900 hotel rooms in Las Vegas. During the past two years here in Nevada where we celebrate Dr. King's birthday through executive order from Governor Bryan, each of the hotels have raised their room rates $10 per night, which is commonly known as "holiday rates." In Las Vegas alone, we are making $564,000 per night from this holiday. So, we are already making money from the past two years' celebration of this holiday. I think that people who are considering the financial impact of the holiday, if they would look at the issue a little closer, would understand that we are making money already during this holiday weekend the last two years, in celebration of Dr. King's birthday, from the hotel rooms alone in Las Vegas. And this is not accounting for areas in the North who benefit from the holiday already being celebrated in California, allowing a large number of people from that state to come to Nevada to spend money here. Three nights in Las Vegas alone on just the $10 extra per night, earns Nevada $1,694,820 from hotel rooms. As we know there is a seven percent tax on each one of those hotel rooms; three percent of that money goes into the Las Vegas Convention Authority to promote tourism to our state and the remaining percentage of that money goes into our general fund, which we disseminate for all of the projects which we are concerned about. So, with that alone, we stand to make money. We also have been the recipient of hosting the second National Conference on the King Holiday which will be taking place April 9-11 in Las Vegas. So, not only in January is this holiday generating money, but we are also looking at other ways to make money.

In addition to these arguments, Mr. Speaker, and to this body, we are only one of eight states which has not adhered to the Federal guidelines establishing the holiday in our state which was mandated back in 1983 by our President. Nevada must move on, we must progress, but we must maintain peripheral vision and show that we are the type of state that is ready to move on to greater heights as most people have already shown that we are.

Along with the other remarks which have been made in reference to Dr. King and the holiday, I support the bill. I think we should also take a little bit of time to really clear up the misconception concerning the holiday. We are not honoring the man, per se, as much

as we are the principles and things Dr. King stood for which can serve us as a society to increase our awareness and increase our knowledge and dedication to committing ourselves to getting along with each other, not only as individuals, but as communities and as nations. That is the main thing we should look at concerning this holiday. Of the ten holidays we celebrate, this is the only one which causes us to reflect on peace and getting along with each other, opposed to going out and socializing and having a good time in the parks and having picnics. I strongly urge we look at these things when considering this holiday. If we cannot rise above our own individual concerns and on to the broader concerns of all humanity, we are not doing very much as legislators. Thank you.

ASSEMBLYMAN CARPENTER:

Thank you, Mr. Speaker. I realize this to be a sensitive issue, an issue of profound significance and high emotion. After much soul searching I feel compelled to speak on this subject. I have spoken to my colleague from District 7 in Las Vegas, so he understands where I am coming from. It is my sincere belief that more would be accomplished if this day were not named for one man. We have pretty much moved away from the idea of honoring one person on a given holiday. We honor all our Presidents, all great labor leaders and all the founders of our country. Perhaps more good would be accomplished if we were to dedicate a day of brotherhood or a day of equality among men. This, I believe, would give the incentive to each community to work on its own particular problems of prejudice or misunderstanding. There have been many persons, both black and white, who have diligently and eloquently pursued understanding and peace among all people. Black History Month has provided many examples to us here in Nevada. In our area, those who promoted peace and good will between the warring sheep and cattlemen were no less crusaders than were other ministers of good will in other parts of this nation. Equality for all without violence applies to many. Whether we be black or white, American-Indian or Mexican-American, Catholic or Protestant, our quest for equality is genuine. A day of special meaning, to be observed as each community sees fit, a day to work toward this goal of eliminating a particular prejudice would, I believe, be more meaningful and productive. I hope these remarks will be taken in the context that they were given, and that is to promote equality, understanding and good will. Thank you.

ASSEMBLYMAN SWAIN:

Thank you, Mr. Speaker. I served proudly as a member of the Governor's Commission on the Martin Luther King holiday and I think that as I look around the room now that the school children have gone from the balcony I can safely say that most of us in this room were alive when Martin Luther King was working. We saw the energy and the vitality that he put into his efforts. No matter whether we agreed with him or not, we saw that he accomplished so much in his lifetime that was for the betterment of mankind. I think that one of the primary aspects of a holiday like this is the education of our children. We all know what Martin Luther King stood for, but the children who are growing up in this great state today do not necessarily know what he stood for. They don't necessarily understand how hard he fought for the principles of brotherhood and peace and nonviolence and how he showed that those principles really can bring us into a true sense of unity, world unity. It is those things that concern me. It is those things that are so important in terms of putting this holiday into place in our great state. I see how the children who have been given these programs in the past two years have come to respect this great man who accomplished so much in his lifetime. For that reason, I urge your support for this bill because I want those qualities to carry on. I want there to be children out there who will come to respect and know that they can do exactly the same things. I want them to go out into the world and make sure that those qualities of brotherhood and peace and nonviolence are carried forward. Because as far as I'm concerned that's the only way we're really going to get anywhere as a country, or as a world.

ASSEMBLYMAN GASTON:

Thank you, Mr. Speaker. In a society that demeaned one race by laws restricting voting rights, transportation rights, education rights, rights to shop, the right to enter an eating establishment of your choice, even restaurant rights, Dr. King stood out for a reasonable, rational, nonviolent approach to righteous reform. He was criticized by a white population

that resisted these moral changes. But I think most of us remember that he was also criticized by many of his own race. They used terms as "Uncle Tom" and criticized him because he wasn't willing to take a violent reaction to achieve a needed purpose. As we look back retrospectively, Dr. King was right, his opponents were wrong. Dr. King was and is the embodiment of civil rights for all of us regardless of race. Dr. King's holiday is indeed a brotherhood day that we can all rejoice in and I encourage your support.

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. 127.

Bill read third time.

Remarks by Assemblymen Sader and Nicholas.

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. 153.

Bill read third time.

Remarks by Assemblyman Thompson.

Roll call on Assembly Bill No. 153:

YEAS—42.

NAYS—None.

Assembly Bill No. 153 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 174.

Bill read third time.

Remarks by Assemblyman Thompson.

Roll call on Assembly Bill No. 174:

YEAS—42.

NAYS—None.

Assembly Bill No. 174 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 198.

Bill read third time.

Remarks by Assemblyman Schofield.

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. 221.

Bill read third time.

Remarks by Assemblyman Kissam.

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.

Bill ordered transmitted to the Senate.

Assembly Bill No. 222.

Bill read third time.

Remarks by Assemblyman Kerns.

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.

Senate Bill No. 86.

Bill read third time.

Remarks by Assemblyman Haller.

Roll call on Senate Bill No. 86:

YEAS—42.

NAYS—None.

Senate Bill No. 86 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 119.

Bill read third time.

Remarks by Assemblyman Swain.

Roll call on Senate Bill No. 119:

YEAS—42.

NAYS—None.

Senate Bill No. 119 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 Bergevin, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. David Swart and the 12th Grade Government class of the Tahoe Academy: Mike Baump, Wendy Everly, Kimber Tuttle, Steve Gibbon, Mike Halley, Michelle McDonald,

Corey McKinley, Susan Michitarian, Steve Schreiber, Jay Smallen, Mike Tapper, Nykki Weissman, Steve Day, Rob Goodstein, Matt Kelley, Tracy King, Jason Reuther and Rob Kinney.

On request of Assemblyman Callister, the privilege of the floor of the Assembly Chamber for this day was extended to Judge Miriam Shearing.

On request of Assemblyman Carpenter, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. LeRoy Etchegarry, Pete Goicoechea and Jim Ithurralde.

On request of Assemblyman Craddock, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Dan Newburn.

On request of Assemblyman Humke, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Janice Clarke.

On request of Assemblyman Kerns, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Bruce Bogaert.

On request of Assemblyman Lambert, the privilege of the floor of the Assembly Chamber for this day was extended to Mss. Nancy Johnson and Marilyn Hanson.

On request of Assemblyman May, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Michelle Renea Long.

On request of Assemblyman Spriggs, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Frances Hawkins, Mr. Michael Fitzgerald and the students of Hawthorne Elementary and Junior High School: Matt Dennis, Sherri Boley, Carey Brandt, Megan Conly, Rachael Lebeau, Chris Milan, Melissa Miller, Chris Garcia, Paul King, Tracey Mullins, Patrick Scott, Monica Williams, Andrionna Williams, Larry Bird, Dion Cardenas, Samuel Draney, Yu Chong Feda, Mike Gustafson, Jana Kannier, David Littrell, Tommy Lyle, Margie Lyons, Derek Mahoney, Lorie Nixon, Danielle Oberhansli, Heidi Oberhansli, James Palmer, John Palmer, Butch Wheeler, Abe Best, Ben Clarke, Jim Lorengo, Coleen Ketchum, Stephanie Ramsey, Vicki Vigil, Danielle Chandler, Denae Mecham, Lori Bryant, Ryan Conly, Joan Cottrell, Keisha Johnson, Latasha Jones, Jonas Munger, Dawn Rutan, Tricia Seevers, James Vaden and Carrie Voelkel.

On request of Assemblyman Swain, the privilege of the floor of the Assembly Chamber for this day was extended to Mss. Janice Clarke, Janis MacKey, Sharon Mayer, Judy Dollinger and the fifth and sixth grade classes of Anderson School: Jason Rich, Jason Arnes, Kristi Bailey, Brian Brewer, Dana Buchwald, Sharie Cheng, Megan Deming, Robin Fletcher, Tracy Heinrich, Temple Ideguchi, Stephanie Mayer, Sharon Muff, Jack Merrin, Jason Ritch, Tristen Taylor, Shad Misseldine, Jeremy Chapman, Paige Dollinger, Robin Ellis, Jennifer Ghymn, Mike McDonald, Brien McKenzie,

Meggan MacKey, Jeremy Metzker, Lydia Raffealli, Mathew Reynolds, Molly Risouich, Jason Rothstein, Michelle Schochet, Ann-Marie Sevseik, Kara Tetzlaff and Bryan White.

Assemblyman Nevin moved that the Assembly adjourn until Wednesday, March 4, 1987 at 11 a.m., and that it do so in memory of Edward J. Kovacs. Motion carried.

Assembly adjourned at 12:38 p.m.

Approved: JOSEPH E. DINI, JR.
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE FORTY-FIFTH DAY

CARSON CITY (Wednesday), March 4, 1987

Assembly called to order at 11:13 a.m.

Mr. Speaker presiding.

Roll called.

All present except Assemblyman Craddock, who was excused.

Prayer by the Chaplain, Mr. Monte Fast.

Eternal God, our Creator, You made the world, all it contains, and finally as the crown of creation, humankind. You declared this to be good. As humankind has exercised judgment independent of You, we have spoiled Your creation and ourselves, and have become less than good. In revealing Yourself to us through lawgiver, prophet and apostle, You have given us opportunity to return to You, find Your perfect judgments, declare our dependence upon You and dress, till, and replenish the earth and creation. In humility we ask Your guidance, in this place, to these ends. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Nevin 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 Bills Nos. 71, 105, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

PAUL W. MAY, *Chairman*

Mr. Speaker:

Your Committee on Taxation, to which was referred Senate Bill No. 5, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

PAUL W. MAY, *Chairman*

Mr. Speaker:

Your Committee on Labor and Management, to which was referred Assembly Bill No. 175, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JAMES J. BANNER, *Chairman*

Mr. Speaker:

Your Committee on Transportation, to which was referred Senate Joint Resolution No. 13, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

LEONARD V. NEVIN, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, March 3, 1987

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. 15.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bill No. 129.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen Nevin, Dini, Adler, Arberry, Banner, Bergevin, Brookman, Callister, Carpenter, Craddock, DuBois, Evans, Fay, Freeman, Garner, Gaston, Getto, Haller, Humke, Jeffrey, Kerns, Kissam, Lambert, McGaughey, Marvel, May, Nicholas, Porter, Price, Sader, Schofield, Sedway, Spinello, Spriggs, Swain, Tebbs, Thomas, Thompson, Triggs, Myrna Williams, Wendell Williams and Wisdom:

Assembly Concurrent Resolution No. 17—Memorializing the late Jack Joseph Lamberti.

WHEREAS, The Legislature of the State of Nevada has learned with deepest sorrow and regret of the death of Justice of the Peace Jack Joseph Lamberti; and

WHEREAS, Jack Lamberti was born in New York City on Christmas Day 1916, to Gaetano and Ermin Lamberti; and

WHEREAS, Mr. Lamberti and his wife Marie moved to northern Nevada in 1959 and established Lamberti's Insurance Agency in Sparks; and

WHEREAS, Mr. Lamberti was elected Justice of the Peace for the City of Sparks in 1968 and held that position until his death; and

WHEREAS, As a member of the Sparks Sertoma Club, the Sons of Italy of Sparks, the Nevada Judges Association and the Reno Rodeo Association, the judge was an active participant in community organizations; and

WHEREAS, He is survived by his widow, Marie, sons George of Sparks and Steven of Dallas, Texas, and a daughter Pamela of Foster City, California, two brothers and several nieces and nephews; now, therefore, be it

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, THE SENATE CONCURRING, That members of the 64th session of the Nevada Legislature mourn the loss of a highly respected Nevadan and extend their sincere condolences to the family of Jack Joseph Lamberti; and be it further

RESOLVED, That a copy of this resolution be prepared and transmitted forthwith by the Chief Clerk of the Assembly to Jack Lamberti's widow, Marie.

Assemblyman Nevin moved the adoption of the resolution.

Remarks by Assemblyman Nevin.

Assemblyman Porter requested that Assemblyman Nevin's remarks be entered in the Journal.

Judge Jack Lamberti was one of the most compassionate and gentle men I have ever had the honor of knowing. He brought tremendous devotion and dedication to his job and he served the people of Sparks and Washoe County tirelessly. His many friends and associates throughout the State of Nevada have praised him for his extraordinary contributions both on and off the bench and for his enthusiasm for life. Judge Lamberti was wise and fair and possessed a fine sense of humor; those qualities were evident in the courtroom as well as his many community activities.

My fondest memory of Jack will always remain that he married Cindy and me back in 1983. He touched so many of our lives and left us having contributed much more than he ever sought to receive.

Mr. Speaker, to you and through you to this honorable body, it is with great honor that I introduce you to my friends, the family of Judge Jack Lamberti.

Resolution adopted unanimously.

Assemblyman Nevin moved that all rules be suspended and that Assembly Concurrent Resolution No. 17 be immediately transmitted to the Senate.

Motion carried unanimously.

Assemblyman Thompson moved that Assembly Bill No. 140 be taken from the Chief Clerk's desk and placed at the top of the General File.

Remarks by Assemblyman Thompson.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Taxation:

Assembly Bill No. 290—An Act relating to taxation; revising provisions concerning taxation of agricultural real property; and providing other matters properly relating thereto.

Assemblyman May moved that the bill be referred to the Committee on Taxation.

Motion carried.

By the Committee on Taxation:

Assembly Bill No. 291—An Act relating to property tax; revising the definition of "full cash value"; generally requiring the appraisal of single parcels to determine the taxable value of property; and providing other matters properly relating thereto.

Assemblyman May moved that the bill be referred to the Committee on Taxation.

Motion carried.

By the Committee on Taxation:

Assembly Bill No. 292—An Act relating to property tax; establishing the procedure for taxing personal property which was not assessed; establishing the procedure for collecting the additional tax due on personal property which was underassessed; establishing the procedure for correction of an overassessment resulting from factual error; providing a penalty for the failure to submit a certain report or the submission of an incorrect report; and providing other matters properly relating thereto.

Assemblyman May moved that the bill be referred to the Committee on Taxation.

Motion carried.

By Assemblymen Fay and Kerns:

Assembly Bill No. 293—An Act relating to elections; increasing the filing fee for candidates for the state legislature; and providing other matters properly relating thereto.

Assemblyman Fay moved that the bill be referred to the Committee on Elections.

Motion carried.

By Assemblymen Kerns, Fay, Banner, May, Garner, Nevin, Evans, Thomas and DuBois:

Assembly Bill No. 294—An Act relating to motor vehicles; authorizing the director of the department of motor vehicles and public safety to produce and sell souvenir license plates; and providing other matters properly relating thereto.

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

Motion carried.

Senate Bill No. 129.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 131.

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 Government Affairs:

Amendment No. 117.

Amend section 1, page 1, by deleting lines 11 and 12 and inserting: "3. If the local district managing board is elective, the".

Amend section 1, page 2, line 9, after "5." by inserting: "*Any vacancy on the board must be filled by a qualified elector of the district who is appointed by the board of county commissioners. If the local district managing board is appointive, the person appointed to fill the vacancy must be appointed to serve the remainder of the unexpired term. If the board is elective, the appointee must be appointed to serve until the 1st Monday in January when his successor in office, elected at the biennial election next following the vacancy, qualifies.*

6.".

Amend the title of the bill, second line, by deleting "certain".

Assemblyman Adler moved the adoption of the amendment.

Remarks by Assemblyman Adler.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 232.

Bill read second time, ordered engrossed and to third reading.

Assembly Joint Resolution No. 15.

Resolution read second time, ordered engrossed and to third reading.

Senate Bill No. 114.

Bill read second time and ordered to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Callister moved that Assembly Bill No. 33 be taken from the General File and re-referred to the Committee on Taxation.

Remarks by Assemblyman Callister.

Motion carried.

Assemblyman Schofield moved that the Assembly recess subject to the call of the Chair.

Motion carried.

Assembly in recess at 11:31 a.m.

ASSEMBLY IN SESSION

At 11:42 a.m.

Mr. Speaker presiding.

Quorum present.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Transportation:

Assembly Bill No. 295—An Act relating to motor carriers; removing the authority of the public service commission of Nevada to waive a certain requirement regarding operation in intrastate commerce; removing the exemption for vehicles used in highway construction from provisions regulating motor carriers; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 296—An Act relating to arbitration; requiring an arbitrator to order discovery upon application of a party; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 297—An Act relating to pornography involving children; making various changes to criminal offenses and penalties; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 298—An Act relating to mobile home parks; requiring the public service commission of Nevada to regulate certain services provided by a landlord to tenants of a mobile home park; prohibiting the installation of a central system for distribution of service to tenants; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 299—An Act relating to corporations; making various changes concerning the merger and consolidations of corporations; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 300—An Act relating to actions concerning property; excepting certain proceedings in other jurisdictions from the "one-action" rule for recovery of a debt secured by a mortgage or lien on real property; extending the period for filing an application for a deficiency judgment; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 301—An Act relating to juveniles; authorizing justices' courts and municipal courts to try all juveniles charged with minor traffic offenses; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 302—An Act relating to civil liability; limiting the liability of volunteers of certain charitable organizations; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 303—An Act relating to traffic laws; increasing the authority of peace officers in connection with certain crimes; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Natural Resources, Agriculture and Mining:

Assembly Bill No. 304—An Act relating to civil liability; limiting the liability of persons who voluntarily advise or assist in mitigating the effect of an actual or threatened release of hazardous materials; and providing other matters properly relating thereto.

Assemblyman Schofield moved that the bill be referred to the Concurrent Committees on Natural Resources, Agriculture and Mining and Judiciary.

Motion carried.

By Assemblymen Schofield and Dini:

Assembly Bill No. 305—An Act relating to hazardous materials; requiring the reporting of spills and accidents; requiring the division of emergency management of the department of the military to establish a procedure for that reporting; providing a definition of the term "hazardous material" applicable to Nevada Revised Statutes as a whole; and providing other matters properly relating thereto.

Assemblyman Schofield moved that the bill be referred to the Committee on Natural Resources, Agriculture and Mining.

Motion carried.

By Assemblymen Haller, Wisdom, Spinello, Porter, Triggs, Gaston, Wendell Williams, Craddock, Freeman and Evans:

Assembly Bill No. 306—An Act relating to elections; requiring the secretary of state to publish an abstract of votes after each general election; requiring the secretary of state to publish before each general election a pamphlet containing information relating to the election; and providing other matters properly relating thereto.

Assemblyman Haller moved that the bill be referred to the Committee on Elections.

Motion carried.

By Assemblymen Price, Sedway, Arberry, May, Wendell Williams, McGaughey, Schofield, Garner, Banner, Spinello, Gaston, Wisdom, Myrna Williams, Jeffrey, Fay, Tebbs, Brookman, Callister, DuBois, Thompson, Kissam, Triggs, Spriggs, Porter and Carpenter:

Assembly Bill No. 307—An Act making an appropriation to the Vegas Verdes Clinic; and providing other matters properly relating thereto.

Assemblyman Price moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 140.

Bill read third time.

The following amendment was proposed by Assemblyman Schofield:

Amendment No. 129.

Amend sec. 2, page 3, by deleting line 7 and inserting: "3. In case of emergencies [due to] *caused by* acts of God".

Amend sec. 2, page 3, line 8, by deleting "*catastrophes*".

Assemblyman Thompson moved the adoption of the amendment.

Remarks by Assemblyman Thompson.
Amendment adopted.
Bill ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 126.
Bill read third time.
Remarks by Assemblyman Garner.
Roll call on Assembly Bill No. 126:
YEAS—41.
NAYS—None.
Absent—Craddock.

Assembly Bill No. 126 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 202.
Bill read third time.
Remarks by Assemblyman Sader.
Roll call on Assembly Bill No. 202:
YEAS—40.
NAYS—Porter.
Absent—Craddock.

Assembly Bill No. 202 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 210.
Bill read third time.
Remarks by Assemblyman Sedway.
Roll call on Assembly Bill No. 210:
YEAS—41.
NAYS—None.
Absent—Craddock.

Assembly Bill No. 210 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bills Nos. 19, 20, 21, 56, 67, 92, 172; Assembly Concurrent Resolution No. 13.

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, Ms. Cathy Retterer and the students of Reno High School: Chris Herring, Scott Rikard, Paul Smith, Jim Zebrack, Sheila Su, Cindy Upton, Angela Bonk, Kandis West, Suzi Stender, Matt Zito, Sam Agulair, Daniel Morago, Lisa Davis,

Lorie Hannigan, Amy Berndt, Doug Losure, Ricky Reynolds, Adam Gehr, Kathleen Squires, Anitra Cassas, Megan Nenzel, David Silverman, Mark Woodard, Tony Machabee, Leslie Greenberg, Peter Murphy, David Asikainen, Alannah Inskip, Patrick Deming, Michael Dieleman, Christina Fockler, Jonathon Marston, Janelle Mousel, Justin Nicholas, Robert Vangorder, Kathryn Peacock, Nariman Rahimzadeh, Christopher Reddicks, Renee Seelbach, Kyle Sharp, Wally Thornton, Kirk Wagner, Kirk Wanless, Mike Porter, Jeff Smeath, Kim Bengston, Nancy Osborne and Laura Ganchan.

On request of Assemblyman Evans, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Doris Sonnemann, Kathi Evans, Bonnie Gering, Sharon Jeakins, Jill Price, Linda Roberto, Mrs. Avansino and the students of Florence Drake School: Elizabeth Ainsworth, Brittany Biglieri, Colleen Blalock, Mandi Boston, Joann Arribillaga, Wendy Chieng, Adene Cobbett, Diana Cooper, Eric DeMerritt, Jonathan Detschaschell, Steffanie Dowdle, Sergio Enriquez, Lisa Evans, Ray Gering, Lindsay Gonzalez, Jenny Harris, Sara Ing, Kris Jeakins, Sherri Olivera, John Peters, Michael Poole, Dannielle Adams, Noe Baeza, Kasey Bowling, Jamie Bradley, Teresa Cassinelli, Candace Clary, Shannon Dempsey, Jason Dixon, David Espinosa, Jeannete Fields, Michale Gallegos, Danelle Hulet, Bo Kendall, Paul Lemus, Monte Leveaux, Rhianna McCollum, Erika McDowell, Fara Regas, Barbara Olson, Joe Derther, Bryan Rose, Summer Thompson and Joshua Wasson.

On request of Assemblyman Nevin, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Marie Lamberti, Ms. Pamela Lamberti, Messrs. Harold Lamberti, George Lamberti, Dick Rock, Al Lamberti, Frank Gibson, Larry Horning, John Stralla, Felix Gonzales, Mss. Elaine Rock, Ida Lamberti, Marge Ernst, Carol Jeakins, Larma Volk, Ruth Gibson, Pat Morrison, Gayle Stone, Marge Fooshee, Pauline Creighton, Cindy Nevin and Carol Balaam.

On request of Assemblyman May, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. and Mrs. Robert Bergsten.

On request of Assemblyman Jeffrey, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Arnold O. Brown.

On request of Assemblyman Price, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Rachel Zeeman.

Assemblyman Jeffrey moved that the Assembly adjourn until Thursday, March 5, 1987 at 11 a.m.

Motion carried.

Assembly adjourned at 12:01 p.m.

Approved: JOSEPH E. DINI, JR.
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE FORTY-SIXTH DAY

CARSON CITY (Thursday), March 5, 1987

Assembly called to order at 11:03 a.m.

Mr. Speaker presiding.

Roll called.

All present except Assemblymen Jeffrey and Spriggs, who were excused.

Prayer by the Chaplain, Mr. Monte Fast.

God, who knows the raising up and lowering of kings, who grants authority to all who possess it, whose word and law corrects and adjusts all human words and laws, grant to the representative men and women of Nevada, here assembled, and to the other men and women assembled in the Congress of our nation, humility to search out and lead in Your paths. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Nevin 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. 101, 220, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ROBERT M. SADER, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which was referred Assembly Bill No. 28, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and re-refer to the Committee on Ways and Means.

MARVIN M. SEDWAY, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, 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 Ways and Means.

ROBERT M. SADER, *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which was referred Assembly Bill No. 54, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JANE WISDOM, *Vice-Chairman*

Mr. Speaker:

Your Concurrent Committee on Natural Resources, Agriculture and Mining, to which was referred Assembly Joint Resolution No. 14, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JAMES W. SCHOFIELD, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Economic Development, Small Business and Tourism, to which was referred Assembly Joint Resolution No. 14, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

BOB PRICE, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, March 4, 1987

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. 17.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

By the Committee on Economic Development, Small Business and Tourism:

Assembly Joint Resolution No. 26—Proposing to repeal section 9 of article 8 of the Nevada constitution which prohibits making gifts or loans of public money to certain corporations.

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 repealed.

TEXT OF REPEALED SECTION

Sec: 9. Gifts or loans of public money to certain corporations prohibited. The State shall not donate or loan money, or its credit, subscribe to or be, interested in the Stock of any company, association, or corporation, except corporations formed for educational or charitable purposes.

Assemblyman Price moved that the resolution be referred to the Committee on Economic Development, Small Business and Tourism.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 71.

Bill read second time.

The following amendment was proposed by the Committee on Taxation:

Amendment No. 132.

Amend sec. 11, page 8, line 33, by deleting "1986-87." and inserting "1987-88.".

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. 105.

Bill read second time.

Assemblyman Gaston moved that Assembly Bill No. 105 be taken from the Second Reading File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Gaston.

Motion carried.

Assembly Bill No. 175.
Bill read second time, ordered engrossed and to third reading.

Senate Bill No. 5.
Bill read second time and ordered to third reading.

Senate Joint Resolution No. 13.
Resolution read second time and ordered to third reading.

GENERAL FILE AND THIRD READING

Assembly Bill No. 99.
Bill read third time.
Remarks by Assemblyman Humke.
Roll call on Assembly Bill No. 99:
YEAS—40.
NAYS—None.
Absent—Jeffrey, Spriggs—2.

Assembly Bill No. 99 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.
Remarks by Assemblyman Nevin.
Roll call on Assembly Bill No. 104:
YEAS—40.
NAYS—None.
Absent—Jeffrey, Spriggs—2.

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. 131.
Bill read third time.
Remarks by Assemblyman Garner.
Roll call on Assembly Bill No. 131:
YEAS—40.
NAYS—None.
Absent—Jeffrey, Spriggs—2.

Assembly Bill No. 131 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 141.
Bill read third time.
Remarks by Assemblyman McGaughey.
Roll call on Assembly Bill No. 141:
YEAS—40.
NAYS—None.
Absent—Jeffrey, Spriggs—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. 232.

Bill read third time.

Remarks by Assemblyman Thompson.

Roll call on Assembly Bill No. 232:

YEAS—40.

NAYS—None.

Absent—Jeffrey, Spriggs—2.

Assembly Bill No. 232 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Joint Resolution No. 15.

Resolution read third time.

Remarks by Assemblyman Banner.

Roll call on Assembly Joint Resolution No. 15:

YEAS—40.

NAYS—None.

Absent—Jeffrey, Spriggs—2.

Assembly Joint Resolution No. 15 having received a constitutional majority, Mr. Speaker declared it passed.

Resolution ordered transmitted to the Senate.

Senate Bill No. 114.

Bill read third time.

Remarks by Assemblyman Thompson.

Roll call on Senate Bill No. 114:

YEAS—40.

NAYS—None.

Absent—Jeffrey, Spriggs—2.

Senate Bill No. 114 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assemblyman Nevin moved that the Assembly recess subject to the call of the Chair.

Motion carried.

Assembly in recess at 11:34 a.m.

ASSEMBLY IN SESSION

At 11:47 a.m.

Mr. Speaker presiding.

Quorum present.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Porter, Schofield, Arberry, Freeman, Spinello, Callister, Sader, Gaston, Haller, Adler, Craddock, Wendell Williams, Kissam, Wisdom, Myrna Williams, Thomas, DuBois, Brookman, Nevin, May, Fay, Sedway, Swain, Garner, Dini, Thompson, Nicholas, McGaughey, Kerns, Carpenter, Bergevin, Price, Evans, Getto and Humke:

Assembly Bill No. 308—An Act relating to contracts of insurance; prohibiting an insurer from canceling, refusing to renew or increasing the premium for certain policies as a result of claims for which the insured was not at fault; and providing other matters properly relating thereto.

Assemblyman Porter moved that the bill be referred to the Committee on Commerce.

Motion carried.

By Assemblymen Porter, Schofield, Arberry, Freeman, Spinello, Callister, Sader, Fay, Gaston, Haller, Adler, Craddock, Wendell Williams, Kissam, Wisdom, Myrna Williams, Thomas, DuBois, Brookman, Nevin, Sedway, Swain, Garner, Dini, Thompson, Nicholas, McGaughey, Kerns, Carpenter, Bergevin, Price, Evans and Humke:

Assembly Bill No. 309—An Act relating to insurance; providing for a state system to provide commercial property and liability insurance to certain persons; creating the fund for the state system of insurance; creating the commission for review of the system of regulating insurers; providing its powers and duties; changing the standards for determining whether a rate is excessive, inadequate or unfairly discriminatory; requiring the filing with the commissioner of insurance of certain information; requiring the creation of plans or associations to provide essential insurance not otherwise available; requiring the distribution to policyholders of excess profits earned by insurers on certain policies of insurance; requiring certain insurers to reduce their rates; and providing other matters properly relating thereto.

Assemblyman Porter moved that the bill be referred to the Committee on Commerce.

Motion carried.

By Assemblymen Porter, Schofield, Arberry, Freeman, Spinello, Callister, Tebbs, Sader, Gaston, Haller, Craddock, Wendell Williams, Kissam, Wisdom, Myrna Williams, Thomas, DuBois, Brookman, Nevin, Sedway, Swain, Garner, Dini, Thompson, Nicholas, McGaughey, Kerns, Carpenter, Bergevin, Price, Evans, Getto and Humke:

Assembly Bill No. 310—An Act relating to actions against insurers; allowing a claimant to recover damages from an insurer who fails to attempt in good faith to settle a claim; and providing other matters properly relating thereto.

Assemblyman Porter moved that the bill be referred to the Committee on Commerce.

Motion carried.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Senate Bills Nos. 86, 119; Assembly Concurrent Resolution No. 15.

REMARKS FROM THE FLOOR

Assemblyman Gaston requested that Assemblyman Brookman's remarks be entered in the Journal.

'Twas an hour before session
and all through the halls
committees were raging
with scuffles and brawls.

The mail was flung
in the boxes with care,
and the bill books grew weighty
for Pages to bear.

Hoping their bills
would pass without trouble
they craved for a drink—
make it a double!

The Assemblymen settled
into their chairs
frantically ripping out
all of their hairs.

Weary and ready
to throw in the towel
they spied on their desks
a wise, orange owl.

He winked his eye
and sang in a tune,
"Don't worry my friends,
it soon will be June."

Poem compliments of the Sergeant at Arms Staff.

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. Jerry Dini, McLean, Mrs. Parish, Mss. Carol Weston, Marna Zachry, Darlene Alvarado, Dottie Anderson and the fourth grade students of Dayton Elementary School: Amy Bulman, Dustin Cardoza, Kevin Christ, Jeff Dallas, Jason Forgette, Mike Frame, Melissa Graham, Sarah Harris, Daniel Jacobson, Matt Kitchens, Nick McLean, Jeremy Moore, Karie Morgan, Stacy Newman, Chi Pham, Amanda Sensibaugh, Moses Shepard, Brian Simmons, Joshua Soles, Chuck Strong, Brandon Tison, Zenith Williams, Ernest Wenanema, Aric Alias, Cory Breckenridge, Nicole Carl, Robb Chambers, Philip Cowee, B. J. Farris, Mike Franklin, Gibrian Friederich, Mala Garrett, Jesse Gentry, Marie Henderson, Mark Hoffert, Christina Jenkins, Jerrad Kordonowy, Twyla Lake, Carie Lamkin, Chris Machado, Dawn Martin, Mike Owings, Roan Parish, Bret Peterson, John Preku, Donny Schmitt, Nickie Silva, Monique Thomas, Carl Treece, Jake Wines and Wyatt Whitten.

On request of Assemblyman Adler, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Debra Lynn Bily Nevin.

On request of Assemblyman Humke, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Dale Erquiaga.

On request of Assemblyman McGaughey, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Barbara Zimmer.

On request of Assemblyman Spinello, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Joanne Brownlie.

On request of Assemblyman Thompson, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Tommy R. Leavitt.

On request of Assemblyman Callister, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Chris Giunchigliani.

On request of Assemblyman Kissam, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Dave Kent.

Assemblyman Nevin moved that the Assembly adjourn until Friday, March 6, 1987 at 11 a.m.

Motion carried.

Assembly adjourned at 11:51 a.m.

Approved: JOSEPH E. DINI, JR.
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE FORTY-SEVENTH DAY

CARSON CITY (Friday), March 6, 1987

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

Mr. Speaker presiding.

Roll called.

All present except Assemblymen Callister, Jeffrey, Sedway and Spriggs, who were excused.

Prayer by the Chaplain, Mr. Monte Fast.

Today, Friday, March 6th, has been designated World Day of Prayer by the Ecumenical Church world. At this hour, in this city, the State of Nevada, Jerusalem and Rome, Washington and Moscow, Managua and Johannesburg, men and women of all religions and faiths are praying, together. This is the World Day of Prayer. Let each person present participate in prayer or meditation, and from your own feelings of faith, join in a moment of silence. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Nevin 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. 77, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

PAUL W. MAY, *Chairman*

Mr. Speaker:

Your Committee on Legislative Functions, 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: Amend, and do pass as amended.

MYRNA WILLIAMS, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, March 5, 1987

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 5, 87.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Bill No. 139.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 50, 77.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Joint Resolution No. 10.

Also, I have the honor to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 11.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Senate Joint Resolution No. 10.

Assemblyman Nevin moved that the resolution be referred to the Committee on Natural Resources, Agriculture and Mining.

Motion carried.

Senate Concurrent Resolution No. 11.

Assemblyman Nevin moved the adoption of the resolution.

Resolution adopted.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Government Affairs, to which were referred Senate Bill No. 105; Assembly Joint Resolution 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.

DANNY L. THOMPSON, *Chairman*

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Taxation:

Assembly Bill No. 311—An Act relating to taxation; exempting certain boats from tax on personal property; and providing other matters properly relating thereto.

Assemblyman May moved that the bill be referred to the Committee on Taxation.

Motion carried.

By the Committee on Taxation:

Assembly Bill No. 312—An Act relating to local government budgets; making technical corrections; and providing other matters properly relating thereto.

Assemblyman May moved that the bill be referred to the Committee on Taxation.

Motion carried.

By the Committee on Taxation:

Assembly Bill No. 313—An Act relating to motor vehicle fuel; making retailers liable for the taxes, penalties and interest on certain fuel; and providing other matters properly relating thereto.

Assemblyman May moved that the bill be referred to the Committee on Taxation.

Motion carried.

By the Committee on Taxation:

Assembly Bill No. 314—An Act relating to taxation; standardizing the provisions relating to the interest and penalty imposed for the delinquent payment of certain taxes; and providing other matters properly relating thereto.

Assemblyman May moved that the bill be referred to the Committee on Taxation.

Motion carried.

By Assemblyman Nevin:

Assembly Bill No. 315—An Act relating to insurance; requiring an insurance company to show a net loss from its operations in Nevada as a condition for increasing rates; and providing other matters properly relating thereto.

Assemblyman Nevin moved that the bill be referred to the Committee on Commerce.

Motion carried.

By Assemblymen Getto, Dini, Nevin, Kerns, Myrna Williams, Garner, Banner, May, Porter, Carpenter, Bergevin, McGaughey, Evans, Humke, Arberry, Wendell Williams, Craddock, Thompson, Sader, Adler, Kissam, Lambert, Haller, Triggs, DuBois and Thomas:

Assembly Bill No. 316—An Act relating to state symbols; designating black fire opal as the state precious gemstone; designating turquoise as the state semiprecious gemstone; and providing other matters properly relating thereto.

Assemblyman Getto moved that the bill be referred to the Committee on Natural Resources, Agriculture and Mining.

Motion carried.

By the Committee on Labor and Management:

Assembly Bill No. 317—An Act relating to industrial insurance; extending coverage to certain corporate officers and sole proprietors; simplifying reporting requirements for income from tips; increasing the limit on investment of the system's money in common stock; and providing other matters properly relating thereto.

Assemblyman Banner moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

By the Committee on Labor and Management:

Assembly Bill No. 318—An Act relating to workmen's compensation; assessing all self-insured employers for the payment of retroactive benefits to certain claimants for death or disablement which resulted from an industrial injury or an occupational disease; and providing other matters properly relating thereto.

Assemblyman Banner moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

By the Committee on Labor and Management:

Assembly Bill No. 319—An Act relating to workers' compensation; clarifying the responsibility for transmitting records on appeal in contested cases; limiting access to the records of the state industrial insurance system;

revising the requirements for reporting by injured employees; barring claimants for death or disablement which results from an occupational disease from receiving benefits from another state; changing the process for determining the date of disablement; and providing other matters properly relating thereto.

Assemblyman Banner moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

By the Committee on Labor and Management:

Assembly Bill No. 320—An Act relating to industrial insurance; including medical benefits within the definition of accident benefits; clarifying the minimum period of incapacity required for benefits; equalizing the deemed wage of volunteers at all facilities of the mental hygiene and mental retardation division of the department of human resources; and providing other matters properly relating thereto.

Assemblyman Banner moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

Senate Bill No. 50.

Assemblyman Nevin moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 77.

Assemblyman Nevin moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 139.

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

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Myrna Williams moved that Assembly Joint Resolution No. 25 be placed on the Second Reading File.

Motion carried.

REPORTS OF COMMITTEES

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: Re-refer to the Committee on Government Affairs.

ROBERT M. SADER, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Sader moved that Assembly Bill No. 298 be re-referred to the Committee on Government Affairs.

Motion carried.

By Assemblymen Myrna Williams, Wisdom, Getto, Dini, Lambert, Banner, Thomas, Thompson, Adler, Garner, Nevin, Fay, Haller, Kerns, Porter, Brookman, Freeman, Evans, Bergevin, DuBois, Arberry, Kissam, Craddock, Triggs, Humke, McGaughey, Nicholas and Sader:

Assembly Concurrent Resolution No. 18—Directing the Legislative Commission to conduct an interim study of the laws relating to the financing of commercial and industrial development in this state.

Assemblyman Myrna Williams moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Myrna Williams, Nevin, Porter, Kerns, Gaston, Carpenter, Freeman, Wisdom, May, Marvel, Spinello, Sedway, Thomas, Getto, Lambert, Adler, Garner, Haller, Brookman, Evans, Bergevin, DuBois, Arberry, Kissam, Craddock, Triggs, Humke, McGaughey, Nicholas and Sader:

Assembly Bill No. 321—An Act relating to traffic laws; requiring a person with a prior conviction of driving while intoxicated to submit to a blood test under certain circumstances; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Taxation:

Assembly Bill No. 322—An Act relating to local financial administration; allowing an increase of the maximum allowable combined revenue of a local government that performs a function previously performed by a local government which no longer exists; and providing other matters properly relating thereto.

Assemblyman May moved that the bill be referred to the Committee on Taxation.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 28.

Bill read second time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 137.

Amend section 1, page 1, by deleting lines 1 through 3 and inserting:

"Section 1. 1. The state board of examiners shall issue general obligation bonds of the State of Nevada to provide the money necessary for the:

(a) Construction of a maximum security prison at Ely, Nevada, capable of housing 500 inmates and being expanded to house 1,000 inmates, in a face amount of not more than $35,900,000; and

(b) Completion of the architectural design and development of the site for a medium security prison at Lovelock, Nevada, capable of housing 500 inmates, in a face amount of not more than $9,660,000.

2. The bonds may be issued at one time or from time to time.

3. The provisions of the State Securities Law, contained in chapter 349 of NRS, apply to the issuance of bonds pursuant to this section.".

Amend the bill as a whole by deleting sec. 2, and renumbering sec. 3 as sec. 2.

Amend the title of the bill to read as follows:

"An Act relating to prisons; requiring the state board of examiners to issue general obligation bonds to finance the construction of a new prison at Ely and the design and development of a new prison at Lovelock; and providing other matters properly relating thereto.".

Amend the summary of the bill to read as follows: "Provides for issuance of general obligation bonds for construction of prison at Ely and design of prison at Lovelock. (BDR S-904)".

Assemblyman Getto moved the adoption of the amendment.

Remarks by Assemblyman Getto.

Amendment adopted.

Assemblyman Getto moved that Assembly Bill No. 28 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 Bill No. 54.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 143.

Amend section 1, page 1, by deleting lines 3 and 4 and inserting:

"*1. A person shall not use an automatic system to select, whether at random or sequentially, and dial telephone numbers to play automatically a recorded message to:*".

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. 101.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 119.

Amend sec. 2, page 1, line 5, by deleting: "*day the person sells or offers*" and inserting: "*sale or offer*".

Assemblyman Porter moved the adoption of the amendment.

Remarks by Assemblyman Porter.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 110.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 118.

Amend section 1, page 1, line 8, before "With" by inserting an open bracket.

Amend section 1, page 1, line 9, after "report." by inserting: "] *Such an investigation and report on the defendant has been made by the department within the 5 years immediately preceding the date initially set for sentencing on the most recent offense.*".

Amend section 1, pages 1 and 2, by deleting lines 10 to 15 on page 1 and lines 1 to 5 on page 2.

Amend section 1, page 2, line 6, by deleting "*3.*" and inserting "2.".

Amend the bill as a whole by deleting sec. 2.

Amend the title of the bill to read as follow:

"An Act relating to presentence investigations; removing the defendant's ability to waive such an investigation; removing the requirement for such an investigation if one has been made within the preceding 5 years; and providing other matters properly relating thereto.".

Amend the summary to read as follows: "Makes various changes regarding presentence investigations. (BDR 14-415)".

Assemblyman Sader moved the adoption of the amendment.

Remarks by Assemblyman Sader.

Amendment adopted.

Assemblyman Sader moved that Assembly Bill No. 110 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 Bill No. 220.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 114.

Amend section 1, page 1, by deleting lines 8 and 9 and inserting: "thereon for [work or labor done] *:*

(a) If the parties entered into a contract, the unpaid balance of the price agreed upon for; or

(b) In absence of a contract, an amount equal to the fair market value of,

the labor performed or material furnished or rented, as the case may be, by each respectively, *including a reasonable allowance for*".

Amend section 1, page 2, line 4, by deleting "shall" and inserting "[shall]".

Amend section 1, page 2, by deleting lines 5 and 6 and inserting: "*that* mine for [the amount and value of the work or] *:*

(a) If the parties entered into a contract, the unpaid balance of the price agreed upon for; or

(b) In absence of a contract, an amount equal to the fair market value of,

the labor so performed [,] or material furnished [.] , *including a reasonable allowance for overhead and a profit.*".

Amend sec. 2, page 2, line 22, after "addressed to the" by inserting "*record*".

Assemblyman Gaston moved the adoption of the amendment.

Remarks by Assemblyman Gaston.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Joint Resolution No. 14.

Resolution read second time, ordered engrossed and to third reading.

Assembly Joint Resolution No. 25.

Resolution read second time.

The following amendment was proposed by the Committee on Legislative Functions:

Amendment No. 134.

Amend the resolution, page 1, by inserting between lines 5 and 6:

"WHEREAS, If two more states make similar requests calling for such a convention, Congress is required by Article V of the Constitution of the United States to call the convention; and".

Amend the resolution, page 2, by deleting lines 8 through 11 and inserting:

"WHEREAS, The withdrawal of the joint resolution is possible because the".

Assemblyman Myrna Williams moved the adoption of the amendment.

Remarks by Assemblyman Myrna Williams.

Amendment adopted.

Resolution ordered reprinted, engrossed and to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, March 6, 1987

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Senate Bill No. 145.

MARY JO MONGELLI
Assistant Secretary of the Senate

INTRODUCTION, FIRST READING AND REFERENCE

Senate Bill No. 145.

Assemblyman Nevin moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Nevin moved that Assembly Bills Nos. 140, 154, 175; Senate Bill No. 5 and Senate Joint Resolution No. 13 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 Concurrent Resolution No. 17.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Brookman, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Mike Presti.

On request of Assemblyman Craddock, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. William Lloyd.

On request of Assemblyman Carpenter, the privilege of the floor of the Assembly Chamber for this day was extended to Second Lt. Doug Carpenter, Mr. Bruce Blackstock, Mrs. Barbara Blackstock, Miss Kathy Manilla and the Lamoille 4H Club members: Jodi Mothershead, Tammy Blackstock, Kathy Damele, Bill Alexander, Amber Blackstock, Bart Bottari, Travis Hesultin, Justin Blackstock and Mitch Buzzetti.

On request of Assemblyman Evans, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Bob Huwe, John Robertson, Marlow, Lindsay, Vevle, Mesdames Gish, Miles, Vevle, and the students of Alice Maxwell Elementary School: Rebecca Alderson, Cameron Andelin, Ryan Asher, Robert Barber, Marc Beggs, Damianne Berry, Brandi Berryman, Eric Brant, Jericho Bush, Michael Glover, Jesse Hon, Brandy Johnson, Scott Johnson, Wariya Landa, Travis Lee, Janice Lindsay, Shane Marlow, Jason Miles, Danna Miller, David Rogers, Lucia Talancon, Richard J. Wyllie, Nat Johnson, Danielle Cervantes, Glen Stevenson, Laura Bigrigg, Brian Bledsaw, Caroline Brown, Marc Burgess, Casey Childers, Cassadee Christensen, Rachel Cobb, Machelle Decker, Juliette Denetelli, Kyersti Freeman, Douglas Freitas, Jaimie Gubbine, Paul Gulk, Markus Hegman, Autumn Hill, Jessica Jame, Randy Johnson, Sayson Kornahrens, Neil Kostka, Dale Lloyd, Brent Lyon, Christn Miller, Erica Moore, Tam Nguyen, Dierdra Pere, Christopher Skjelvik, Bruce Soper, Stacey Vesco, Matthew Walker, Thomas Wambaugh and Kay William.

On request of Assemblyman Thompson, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. David Drake, Mark Dillard, Harold Wittwer, Elwin J. Whipple, Kent Anderson, Cliff Hughes, Joe Bowles, Kirk Brotherson, Mesdames JaNeene Anderson, Armita Wittwer, Mss. Dixie Bowler, Abbe Green and the students of Virgin Valley High School: Charlene Baumgarten, Tonya Benbrook, Sam Lee, Walter Laub, Leona Hughes, Russell Bowler, Daphne Dodenbier, Andrea

Anderson, Lori Brotherson, Nancy Bowler, Trenton Wilson, Cody Thornley, Brenda Nielson, Corri Peterson, Patrice Faught, Danny Brotherson, Matt Chism, Vernon Hardy, Charles Lee, Curtis Wittwer and Teddi Hughes.

Assemblyman Nevin moved that the Assembly adjourn until Monday, March 9, 1987 at 10:30 a.m.

Motion carried.

Assembly adjourned at 11:51 a.m.

Approved: JOSEPH E. DINI, JR.
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE FIFTIETH DAY

CARSON CITY (Monday), March 9, 1987

Assembly called to order at 10:36 a.m.

Mr. Speaker presiding.

Roll called.

All present except Assemblyman Jeffrey, who was excused.

Prayer by the Chaplain, The Reverend Gene Ratzlaff.

This is the day that the Lord has made, rejoice and be glad in it! Almighty God, giver of all good things, grant us Thy assistance as we begin this week's work. Be merciful to us, O Lord, and replenish us with Thy truth, we pray. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Nevin 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. 249, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

DANNY L. THOMPSON, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblyman Haller:

Assembly Concurrent Resolution No. 19—Directing the legislative commission to conduct an interim study of the laws governing business and nonprofit corporations in this state.

Assemblyman Haller moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

By Assemblyman Haller:

Assembly Concurrent Resolution No. 20—Directing the legislative commission to conduct an interim study of public education in this state.

Assemblyman Haller moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Taxation:

Assembly Bill No. 323—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 provide an exemption from the tax for

any item purchased with food stamps or certain federal checks or vouchers; contingently creating the same exemption from certain analogous taxes; and providing other matters properly relating thereto.

Assemblyman May moved that the bill be referred to the Committee on Taxation.

Motion carried.

By Assemblyman Haller:

Assembly Bill No. 324—An Act relating to elections; authorizing the registration of voters by postcard; increasing the area around a polling place where electioneering is prohibited; repealing the provision which authorizes the voting of an absent ballot in a county clerk's office; providing a penalty; and providing other matters properly relating thereto.

Assemblyman Haller moved that the bill be referred to the Committee on Elections.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 77.

Bill read second time, ordered engrossed and to third reading.

Assembly Joint Resolution No. 17.

Resolution read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 139.

Amend the resolution, line 16, by deleting "increased".

Amend the title of the resolution, third line, by deleting: "increase in the".

Assemblyman Nicholas moved the adoption of the amendment.

Remarks by Assemblyman Nicholas.

Amendment adopted.

Resolution ordered reprinted, engrossed and to third reading.

Senate Bill No. 105.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 144.

Amend the bill as a whole by deleting sec. 4 and renumbering sections 5 through 8 as sections 4 through 7.

Amend sec. 5, page 4, line 10, by deleting "*residence; removal.*" and inserting "*residence.*".

Assemblyman Thompson moved the adoption of the amendment.

Remarks by Assemblyman Thompson.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Price moved that Assembly Joint Resolution No. 25 be placed at the top of the General File.

Remarks by Assemblyman Price.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Legislative Functions:

Assembly Bill No. 325—An Act relating to ethics in government; authorizing a local government to purchase goods and services from a member of its governing body under certain circumstances; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Commerce:

Assembly Bill No. 326—An Act relating to mortgage companies; exempting from the provisions governing mortgage companies any person who makes loans with his own money or the money of an affiliated corporation; authorizing a mortgage company to advance certain payments; and providing other matters properly relating thereto.

Assemblyman Wisdom moved that the bill be referred to the Committee on Commerce.

Motion carried.

Mr. Speaker announced that if there were no objections, the Assembly would recess subject to the call of the Chair for a Joint Recess of the Senate and Assembly for the purpose of hearing Mr. James Dean, National Commander of the American Legion.

Assembly in recess at 10:58 a.m.

ASSEMBLY IN SESSION

At 11:43 a.m.

Mr. Speaker presiding.

Quorum present.

GENERAL FILE AND THIRD READING

Assembly Joint Resolution No. 25.

Resolution read third time.

Remarks by Assemblymen Price, May, Thomas and Gaston.

Assemblyman Fay requested that Assemblyman Price's remarks be entered in the Journal.

Thank you, Mr. Speaker. I will try to keep it brief since we have a relatively long General File. I would point out that on the desks of my colleagues I have distributed some papers and a kit—one is a resolution from the V.F.W. supporting the withdrawal as they are opposed to a constitutional convention; one contains papers quoting the President of

the United States and outlines the potential problems of having a Constitutional Convention; a paper that was Friday's opinion editorial from the *Nevada Appeal* supporting AJR 25; and we have had support also from the *Las Vegas Sun,* which is not enclosed. I know it will be some time before you have an opportunity to look through this packet, but there are about two or three things I would like to point out that you may find interesting.

On the front, you will see reductions of various articles that are inside the packet that talk about the potential constitutional crisis if we were to have a Constitutional Convention. They come from numerous areas. They are only a small portion as obviously the volume would be much thicker if we had everything available on the subject matter. On what would be page one, it is pointed out that the urgency for this resolution is because the Constitution requires that 34 states send forth a resolution asking for a Constitutional Convention of which 32 states have already done—including Nevada. I might add for those of you who were not here, I supported that resolution in 1979, but I have found that in the years since then there have been many things happen to change my mind on that. Potentially the main thing being that the weight of thought has come way down on the side that a Constitutional Convention could not be limited to one subject matter. That was a key discussion back in 1977 and 1979 when we considered this.

Let me tell you a little bit about Nevada's status. On page one there is a question, "Can a state petition be withdrawn?" Then on the back around page 34, I have an Attorney General's opinion from Nevada that says, "Yes." We have a Legislative Counsel's opinion that says, "Yes." We have a number of other states' Attorneys' General opinions that say, "Yes." And I assure you that I have volumes of further documentation by people who feel that there is no problem withdrawing a petition up until the time that you have 34 states.

The question about a Constitutional Convention being limited to a single issue is discussed in many of these articles if you have time to read them. This packet contains the question, "Who wants a Constitutional Convention and what changes do they want?" This is a report by a very distinguished panel with many famous names—James MacGregor Burns, Patrick Daniel Moynihan, Lowell Wicker, and Douglas Dillon, former Secretary of the Treasury. This is called the Committee on the Constitutional System and they were one of the first committees that raised some question as to the advisability of having a Constitutional Convention. They have recommended some 15 changes to our Constitution—all are listed in this document. On page three, I have listed four of them. They are asking or suggesting that we go to a Parliamentary European style of government, they are suggesting that the national political parties should appoint one-sixth of the Congressmen and Senators of the United States Congress. They are suggesting that we permit and give the Federal Government the regulatory power over cities which, under our Constitution and to this point in time is the right of the states, and many more things.

Another organization which is quoted in this document is the Center for the Democratic Institutions located in Santa Barbara. They have proposed after many years of study and 40 different revisions a Constitution of the New States, which, among many other things, would eliminate the 50 states of the United States and would divide us into some ten regional areas, each area subservient to a bureaucratic division of the Federal Government. Which sounds somewhat like what happened on the television series, Amerika.

Obviously I have picked out some of what I consider to be radical suggestions by various groups. I think most of the legislators who were elected prior to this session were sent a copy of this book. One of the things that I find most objectionable is called, "Amendment to the Constitution" by James O. Pace. There is an organization that is working very hard for a Constitutional Convention, and here is how they want to amend the Constitution: First they want to repeal the Fourteenth and Fifteenth Amendments; then they would like to add this section: No person shall be a citizen of the United States unless he is non-Hispanic, White, of the European race, in whom there is no ascertainable trace of Negro blood, nor more than one-eighth Mongolian, Asian, Asia Minor, middle-Eastern, Semetic, near-Eastern, American Indian, Malayan, or other non-European or non-White blood. Provided, however—they do have some exceptions—that anyone with an Hispanic ancestor may be a citizen if, in addition to meeting the aforesaid ascertainable traits and percentage tests, they are in appearance indistinguishable from Americans,

whose ancestral home is in the British Isles of northwestern Europe. They go on further to say that only citizens shall have the right to reside permanently in the United States. They have a plan for exporting everyone who does not meet those tests. I would like to read just one line in the back of this book giving you some thought as to their idea of a Constitutional Convention. They say, and I quote, "There are advantages to proposing an amendment through a Constitutional Convention. The most important one is that it can be achieved without Congress' consent or support." On the next page of this document, I have listed some distinguished Americans who are opposed to a Constitutional Convention and are concerned. If you look through that list, you will see that it spans political parties, there are distinguished Republicans and Democrats, and that it transcends political ideologies of the far left and far right, liberal and conservative. We have the Chairman of the Conservative Caucus, the Chairman of the National Conservative Union, the former Chairman of the Right to Work Committee, and on the other end of it we have the Honorable Tom Bradley, the Honorable Former President Jimmy Carter, Lane Kirkland of the AFL-CIO—all these people are opposed to a Constitutional Convention and talk about the problems.

Many of us have used Black's Law Book when we are doing our research—he opposes. Some of us may have used Gerald Gunther's Constitutional Law, he is in opposition. The only discernible bond that I can see among the people who are opposed to a Constitutional Convention is their love of America and their fear of the attack on our Constitution.

Around page five I have the veto message of former Governor Mike O'Callaghan. In 1977, a resolution was passed calling for a Constitutional Convention and Mike vetoed it and his message tells all the story; perhaps we should have listened better the next year.

Around page 13 is an enlargement, if anyone is interested, of the new States' Constitution asking to break us in to some ten states or areas and around page 27, enlarges again on the 15 recommendations of the committee on the constitutional system.

In conclusion, I would like to say that our United States Constitution has guaranteed our political and spiritual freedom; our economic opportunity; state diversity and national growth and its principles and practicalities have worked well for two centuries. I would like to quote Paul Harvey from an article last year and I think he says it all right here, "The Constitution is a living, breathing document that needs to be embraced and respected and we should stand beside it and protect it against anyone who would punch holes in it or set fire to it."

In this year, 1987, our bicentennial celebration of the Constitution, it should be a time of celebration and not a time of political crisis. I think that Mr. Donald Hodel when he spoke to us about two weeks ago on the Constitution celebration said it all in closing his talk when he said, "God bless Nevada, God bless America, and God bless our Constitution, let's protect it."

Roll call on Assembly Joint Resolution No. 25:

YEAS—39.

NAYS—Bergevin, May—2.

Absent—Jeffrey.

Assembly Joint Resolution No. 25 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Assemblyman Price moved that all rules be suspended and that Assembly Joint Resolution No. 25 be immediately transmitted to the Senate.

Motion carried unanimously.

Assembly Bill No. 71.

Bill read third time.

Remarks by Assemblyman May.

Roll call on Assembly Bill No. 71:

YEAS—41.

NAYS—None.

Absent—Jeffrey.

Assembly Bill No. 71 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 140.

Bill read third time.

Remarks by Assemblyman Nevin.

Roll call on Assembly Bill No. 140:

YEAS—41.

NAYS—None.

Absent—Jeffrey.

Assembly Bill No. 140 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 154.

Bill read third time.

Remarks by Assemblyman Adler.

Roll call on Assembly Bill No. 154:

YEAS—41.

NAYS—None.

Absent—Jeffrey.

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. 175.

Bill read third time.

Remarks by Assemblyman Banner.

Roll call on Assembly Bill No. 175:

YEAS—41.

NAYS—None.

Absent—Jeffrey.

Assembly Bill No. 175 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Joint Resolution No. 14.

Resolution read third time.

Remarks by Assemblymen Schofield and Price.

Roll call on Assembly Joint Resolution No. 14:

YEAS—41.

NAYS—None.

Absent—Jeffrey.

Assembly Joint Resolution No. 14 having received a constitutional majority, Mr. Speaker declared it passed.

Resolution ordered transmitted to the Senate.

Senate Bill No. 5.

Bill read third time.

Remarks by Assemblyman Adler.

Roll call on Senate Bill No. 5:

YEAS—40.

NAYS—None.

Absent—Jeffrey, Nicholas—2.

Senate Bill No. 5 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Nevin moved that Senate Joint Resolution No. 13 be taken from the General File and placed on the General File for the next legislative day.

Motion carried.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bills Nos. 5, 87.

REMARKS FROM THE FLOOR

Assemblyman Getto requested that the following remarks be entered in the Journal.

WHEREAS, Well-educated youth is fundamental to the prosperous future of our country; and

WHEREAS, One national organization has contributed significantly to the achievement of that goal 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 education system; and

WHEREAS, The Nevada Parent-Teacher Association is becoming influential in its support of legislation promoting the welfare and education of youth; now, therefore,

THE MEMBERS OF THE ASSEMBLY and the people of Nevada 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.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Adler, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Anne Lenhares.

On request of Assemblyman Arberry, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Bea Quill.

On request of Assemblyman Brookman, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Ruth A. Costello.

On request of Assemblyman Carpenter, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Florindo Mariani.

On request of Assemblyman Craddock, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Coni Longero.

On request of Mr. Speaker, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Ozzie Schroeder and Ms. Jimi Banach.

On request of Assemblyman DuBois, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Peggy Burger.

On request of Assemblyman Fay, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Bill Nachtsheim.

On request of Assemblyman Freeman, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Rolyne Wenger.

On request of Assemblyman Garner, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Dawn Marie Jackman.

On request of Assemblyman Getto, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Joanne Schank, Messrs. Bob Stewart, Larry Little, Gil Strickland and Fred Anderson.

On request of Assemblyman Haller, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Dena Guthrie.

On request of Assemblyman Humke, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Peggy Boesen.

On request of Assemblyman Kissam, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Cindy Katz.

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

On request of Assemblyman Marvel, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Pat Saake.

On request of Assemblymen Getto and Marvel, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Raylene Guillen.

On request of Assemblyman May, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Chere Iverson.

On request of Assemblyman McGaughey, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Mary Casey.

On request of Assemblyman Nevin, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Thomas Cunning.

On request of Assemblyman Nicholas, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Stephanie Parker.

On request of Assemblyman Porter, the privilege of the floor of the Assembly Chamber for this day was extended to Miss Gina Jenkins.

On request of Assemblyman Price, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Janet Coombs.

On request of Assemblyman Sedway, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Kathleen Gaston.

On request of Assemblyman Schofield, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Barbara Cullings.

On request of Assemblyman Spinello, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Mary Hawkins.

On request of Assemblyman Swain, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Margaret C. Broderick.

On request of Assemblyman Tebbs, the privilege of the floor of the Assembly Chamber for this day was extended to Mss. Pat Neil and Lee Gordon.

On request of Assemblyman Thomas, the privilege of the floor of the Assembly Chamber for this day was extended to Mss. Pamela Haller, Bee Staheli, Nancy Caldwell and the National Honor Society students of Carson City High School: Brian Bernard, Michelle Cain, Cathy Carlsen, John Eck, Melanie Fox, Tracey Grose, Sandy Harms, Melanie Harris, Melissa Harris, Pauline Holzhauer, Taat-Shing Hui, Amy Lynn, John Martini, Trang Nguyen, Scott Nowlin, Stephanie Owen, Cindy Rockwood, Clendon Snipes, Michelle Struthers, Amy Thatcher, Jim Theiss, Lori Thomas, Han Mi Yoon, Rhonda Diskin, Becky Grambes, Jim Reed, Sara Bierman, Michelle Heun and Bill Barriere.

On request of Assemblyman Thompson, the privilege of the floor of the Assembly Chamber for this day was extended to Mss. Terri L. Patterson and Karen L. David.

On request of Assemblyman Tebbs, the privilege of the floor of the Assembly Chamber for this day was extended to Mss. Lee Gorden and Patricia Neal.

On request of Assemblyman Triggs, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Starla Shadle.

On request of Assemblyman Myrna Williams, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Mary Elizabeth Arnold.

On request of Assemblyman Wendell Williams, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. William Moore.

On request of Assemblyman Wisdom, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Kathleen M. Wills.

Assemblyman Nevin moved that the Assembly adjourn until Tuesday, March 10, 1987 at 11 a.m.

Motion carried.

Assembly adjourned at 12:19 p.m.

Approved: JOSEPH E. DINI, JR.
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE FIFTY-FIRST DAY

CARSON CITY (Tuesday), March 10, 1987

Assembly called to order at 11:01 a.m.

Mr. Speaker presiding.

Roll called.

All present except Assemblyman Jeffrey, who was excused.

Prayer by the Chaplain, Rabbi Doctor C. Joseph Teichman.

Father, we are thankful for Your presence, Your word and Your spirit which dwells among us. We ask You to continue giving us the courage and the wisdom necessary to maintain this great state of Nevada and our magnificent republic. Maintain love and harmony among us and guide the members of this Assembly that they might bring glory and wisdom and unity to all of us. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Nevin 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 re-referred Assembly Bill No. 6, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass, as amended.

DANNY L. THOMPSON, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, March 9, 1987

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Senate Bills Nos. 113, 116.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 98, 99.

Also, I have the honor to inform your honorable body that the Senate on this day adopted, as amended, Senate Concurrent Resolution No. 6.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Senate Concurrent Resolution No. 6.

Assemblyman Nevin moved that the resolution be referred to the Committee on Judiciary.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Commerce:

Assembly Bill No. 327—An Act relating to the disposition of unclaimed property; reducing the holding period for certain property; increasing the minimum value on property required to be reported and on items that may be reported in the aggregate; revising the time for the holder to report or deliver certain property to the division of unclaimed property; prescribing the manner for the sale of abandoned securities; increasing the maximum balance in the abandoned property trust fund; and providing other matters properly relating thereto.

Assemblyman Wisdom moved that the bill be referred to the Committee on Commerce.

Motion carried.

By Assemblyman Banner:

Assembly Bill No. 328—An Act relating to county recorders; authorizing county recorders to arrange with local libraries for the retention of newspapers; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Banner:

Assembly Bill No. 329—An Act relating to county recorders; eliminating the requirement that the county recorder note any amendment to certain maps and surveys on the original if the county recorder maintains a cumulative index for the maps, surveys and amendments; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Banner:

Assembly Bill No. 330—An Act relating to mining claims; standardizing the size of maps which are recorded to perfect mining claims; and providing other matters properly relating thereto.

Assemblyman Banner moved that the bill be referred to the Committee on Natural Resources, Agriculture and Mining.

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 331—An Act relating to the state personnel system; making various changes relating to payment of state employees; requiring that certain money be deposited in the personnel operating fund; transferring the responsibility for contributions for group insurance for retired persons; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 332—An Act relating to relations between local governments and employees; restoring the definition of "confidential employee"; correcting a date relating to factfinding panels; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 333—An Act relating to the department of data processing; authorizing temporary advances from the state general fund to the informational facility fund and the informational service fund; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Gaston, Carpenter, Banner, Spinello, Getto, Wendell Williams, Arberry, Haller, Thomas, Kissam, McGaughey, Adler, Lambert, Craddock, Nicholas, Callister, Porter, Kerns, Wisdom and Freeman:

Assembly Bill No. 334—An Act relating to drivers' licenses; conditioning their issuance to certain pupils upon required attendance of school; providing for temporary licenses; setting fees for their issuance and renewal; and providing other matters properly relating thereto.

Assemblyman Gaston moved that the bill be referred to the Concurrent Committees on Transportation and Education.

Motion carried.

Senate Bill No. 98.

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

Assemblyman Arberry moved that Assemblyman Nevin's motion be amended and that Senate Bill No. 98 be referred to the Concurrent Committees on Health and Welfare and Judiciary.

Remarks by Assemblymen Arberry and Myrna 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 11:10 a.m.

ASSEMBLY IN SESSION

At 11:11 a.m.

Mr. Speaker pro Tempore presiding.

Quorum present.

Remarks by Assemblymen Arberry, Nevin and Dini.

Assemblyman Arberry's motion lost.
Assemblyman Nevin's 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 11:12 a.m.

ASSEMBLY IN SESSION

At 11:13 a.m.
Mr. Speaker presiding.
Quorum present.

INTRODUCTION, FIRST READING AND REFERENCE

Senate Bill No. 99.
Assemblyman Nevin moved that the bill be referred to the Committee on Judiciary.
Motion carried.

Senate Bill No. 113.
Assemblyman Nevin moved that the bill be referred to the Committee on Education.
Motion carried.

Senate Bill No. 116.
Assemblyman Nevin moved that the bill be referred to the Committee on Judiciary.
Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 249.
Bill read second time, ordered engrossed and to third reading.

GENERAL FILE AND THIRD READING

Assembly Bill No. 54.
Bill read third time.
Remarks by Assemblymen Thompson, Wisdom and Schofield.
Conflict of interest declared by Assemblyman Price.
Roll call on Assembly Bill No. 54:

YEAS—40.
NAYS—None.
Absent—Jeffrey.
Not voting—Price.

Assembly Bill No. 54 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 77.
Bill read third time.
Remarks by Assemblyman May.

Roll call on Assembly Bill No. 77:

YEAS—41.
NAYS—None.
Absent—Jeffrey.

Assembly Bill No. 77 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 101.

Bill read third time.

Remarks by Assemblyman Porter.

Roll call on Assembly Bill No. 101:

YEAS—41.
NAYS—None.
Absent—Jeffrey.

Assembly Bill No. 101 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 220.

Bill read third time.

Remarks by Assemblyman Gaston.

Roll call on Assembly Bill No. 220:

YEAS—40.
NAYS—None.
Absent—Jeffrey.
Not voting—Brookman.

Assembly Bill No. 220 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Joint Resolution No. 13.

Resolution read third time.

Remarks by Assemblymen Thomas and Nevin.

Roll call on Senate Joint Resolution No. 13:

YEAS—41.
NAYS—None.
Absent—Jeffrey.

Senate Joint Resolution No. 13 having received a constitutional majority, Mr. Speaker declared it passed.

Resolution ordered transmitted to the Senate.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen McGaughey, Schofield, Bergevin, Kerns, Banner, Garner, Getto, Adler, Thompson, Nevin, Kissam, Gaston, Sedway, Freeman, Marvel, Brookman, Spinello, Fay, Porter, May, Callister, Lambert, Craddock, Nicholas, Arberry, Thomas, DuBois, Wendell Williams, Humke, Triggs, Haller, Price, Tebbs and Carpenter:

Assembly Bill No. 335—An Act relating to liquefied petroleum gas; abolishing the board for the regulation of liquefied petroleum gas; transferring its authority to the public service commission of Nevada; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 336—An Act relating to private corporations; expanding certain powers of corporations; making certain changes regarding the permissible number and the method of electing directors; requiring that a certificate of approval be attached to an agreement for merger or consolidation; and providing other matters properly relating thereto.

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

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Natural Resources, Agriculture and Mining, to which was referred Assembly Concurrent Resolution No. 8, has had the same under consideration, and begs leave to report the same back with the recommendation: Be adopted.

JAMES W. SCHOFIELD, *Chairman*

Mr. Speaker:

Your Committee on Natural Resources, Agriculture and Mining, to which was referred Senate Joint Resolution No. 21 of the 63rd Session, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JAMES W. SCHOFIELD, *Chairman*

Mr. Speaker:

Your Committee on Natural Resources, Agriculture and Mining, to which was referred Assembly Bill No. 85, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JAMES W. SCHOFIELD, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, 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 do pass as amended.

ROBERT M. SADER, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which were referred Assembly Bills Nos. 112, 229, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

ROBERT M. SADER, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Natural Resources, Agriculture and Mining, 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: Amend, and do pass as amended.

JAMES W. SCHOFIELD, *Chairman*

Mr. Speaker:

Your Committee on Transportation, to which was referred Assembly 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.

LEONARD V. NEVIN, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assembly Concurrent Resolution No. 8.

Assemblyman Schofield moved the adoption of the resolution.

Remarks by Assemblyman Schofield.

Resolution adopted.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, March 10, 1987

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. 176.

MARY JO MONGELLI
Assistant Secretary of the Senate

INTRODUCTION, FIRST READING AND REFERENCE

Senate Bill No. 176.

Assemblyman Nevin moved that the bill be referred to the Committee on Commerce.

Motion carried.

By the Committee on Natural Resources, Agriculture and Mining:

Assembly Bill No. 337—An Act relating to the state horse; designating the American Bashkir Curly as the official state horse; and providing other matters properly relating thereto.

Assemblyman Schofield moved that the bill be referred to the Committee on Natural Resources, Agriculture and Mining.

Motion carried.

By the Committee on Taxation:

Assembly Bill No. 338—An Act relating to gaming; incrementally increasing the monthly fee based upon the highest category of gross revenue; and providing other matters properly relating thereto.

Assemblyman May 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 Senate Bill No. 114; Senate Concurrent Resolution No. 11.

REMARKS FROM THE FLOOR

Assemblyman Humke requested that Assemblyman Dini's remarks be entered in the Journal.

I would like to apologize to Mr. Nicholas today. We rushed into a reconsideration of Senate Bill No. 5 yesterday because we wanted to get it on its way, and he has lost his 100 percent voting record. There is no way I can correct that, Mr. Nicholas, or I would. We did that hastily and I did not realize that you were out of the building.

Assemblyman Fay requested that Assemblyman Nicholas's remarks be entered in the Journal.

Thank you, Mr. Speaker. I appreciate your courtesy of bringing up the matter at your desk. It was a situation which only comes up once every several sessions where bills are rolled, and then, assuming that they will stay rolled, a member leaves the floor as I did yesterday. It is always a disappointment to have a decent record flawed in one way, but I'll suggest that there are occasions in which that will happen, perhaps, to all of us. Thank you for recognizing this situation. I regret that it happened, but it can and if there were a piece of advice that I would respectfully pass along to my colleagues it would be: No matter what action has been taken on the floor, never assume it is over until it is over. And, if you have a friend sitting near you and you need to leave the floor for any reason make sure that someone knows where you are.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Callister, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. James Melvin and Chip Floyd.

On request of Assemblyman Craddock, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Robin Kathleen Craddock and Mr. Robert Michael Craddock.

On request of Assemblyman May, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Ron Lusch and Mrs. Karen Hayes.

On request of Assemblyman Price, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Alan J. Tenberg and Mr. Dwayne Soslofsky.

On request of Assemblyman Swain, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Linton, Miller, Fusick, Barela and the students of Bishop Manogue High School: Mike Allen, Suzanne Arden, Joe Arrascada, Anthony Baerlocher, Marci Barnes, William Barker, Valerie Berg, Arlo Bocks, Scott Bodensteiner, Kirsten Burlingame, Kim Callahan, Heather Cameron, Anthony Carr, Catherine Cashell, Kirsten Charlebois, David Clark, Paul Cole, Robert Conatser, Michael Coward, Carmen Cruces, Matina Daniel, Gino Distefano, Maribel Doratt, Michael Etheridge, Brian Fairchild, Scott Feld, Steve Fine, Brian Ford, Michelle Fores, Lisa Fox, Liese Fraide, Victoria Gallagher, Wendy Garect, Jason Gaston, Richard Givot, Mark Gore, Lauren GasKirk, Wendy Gray, John Grimes, Michelle Groves, Steve Guevin, Dean Hatcher, Deric Henry, Ken Hicken, Heather Hodge, Richie Imrisik, Eric Iveson, Peter Knight, Matthew Kruger, Julie Lazovich, Antonia Leal, Gina Lewis, Eric

Lieberman, Jason Lopez, MaryLiz Magee, Julia Manning, Tom Massaro, Kim Mathisen, Aarron Mayes, Paula Miller, Gary Montoya, Becky Nicks, James Norton, Courtney Oakes, Dionne Oliver, Anna Olsen, Debbie Orr, Mollie Paganetti, Jennifer Parkyn, Annette Phillips, Jessica Phillips, John Pieretti, Luke Prengaman, Melynda Reese, Stephanie Risley, Shannon Rose, Dana Roskowski, Erinn Schultz, Mellissa Schwartz, Shelly Schweigert, Tim Shakal, Brad Shirley, Todd Skelly, David Tallman, Brian Vanderschaaf, Jeremy Velasco, Jean Marie Walsh, Scott White and Mike Zabriskie.

Assemblyman Nevin moved that the Assembly adjourn until Wednesday, March 11, 1987 at 11 a.m.

Motion carried.

Assembly adjourned at 11:55 a.m.

Approved: JOSEPH E. DINI, JR.
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE FIFTY-SECOND DAY

CARSON CITY (Wednesday), March 11, 1987

Assembly called to order at 11:10 a.m.

Mr. Speaker presiding.

Roll called.

All present except Assemblyman Jeffrey, who was excused.

Prayer by the Chaplain, The Reverend Gene Ratzlaff.

Our Gracious God in Heaven, who knows all and sees all, search our hearts, that they might be pure within, and that we might feel Thy cleansing. Grant us the desires of Your heart as we openly and unashamedly seek Your will for our life as well as others.

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Nevin moved that further reading of the Journal be dispensed with, and the Speaker and Chief Clerk be authorized to make the necessary corrections and additions.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Elections, to which were referred Assembly Bills Nos. 40, 41, 183, 252, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

COURTENAY C. SWAIN, *Chairman*

Mr. Speaker:

Your Committee on Taxation, 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 re-refer to the Committee on Taxation.

PAUL W. MAY, *Chairman*

Mr. Speaker:

Your Committee on Taxation, to which was referred Senate Bill No. 17, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

PAUL W. MAY, *Chairman*

Mr. Speaker:

Your Committee on Elections, to which was referred Assembly Concurrent Resolution No. 12, has had the same under consideration, and begs leave to report the same back with the recommendation: Be adopted.

COURTENAY C. SWAIN, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which was referred Senate Bill No. 6, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ROBERT M. SADER, *Chairman*

Mr. Speaker:

Your Committee on Labor and Management, to which was referred Assembly Bill No. 179, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JAMES J. BANNER, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, March 10, 1987

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bill No. 122.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Bills Nos. 54, 147, 158.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

By the Committee on Legislative Functions:

Assembly Joint Resolution No. 27—Ratifying a proposed amendment to the Constitution of the United States providing that increases in compensation for Senators and Representatives may take effect only after an election of Representatives has intervened.

Assemblyman Myrna Williams moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

By the Committee on Legislative Functions:

Assembly Joint Resolution No. 28—Proposing to amend the constitution of the State of Nevada to lengthen the terms of legislators.

RESOLVED BY THE ASSEMBLY AND SENATE OF THE STATE OF NEVADA, JOINTLY, that sections 3 and 4 of article 4 of the constitution of the State of Nevada be amended to read respectively as follows:

[Sec:] *Sec.* 3. The members of the Assembly shall be chosen [biennialy] *biennially* by the qualified electors of their respective districts, on the Tuesday next after the first Monday in November and their term of office shall be [two] *4* years from the day next after their election.

[Sec:] *Sec.* 4. Senators shall be chosen at the same time and places as members of the Assembly by the qualified electors of their respective districts, and their term of Office shall be [four] *6* Years from the day next after their election.

and be it further

RESOLVED, That sections 9 and 10 of article 17 of the constitution of the State of Nevada be amended to read respectively as follows:

[Sec: 9. The Senators to be elected at the first election under this Constitution]

Sec. 9. The terms of senators incumbent on the day before the general election of 1994 expire on the day after the election. The senators elected at the general election in 1994 shall draw lots [, so that, the term of one half of the number as nearly as may be, shall expire on the day succeeding the general election in A.D. Eighteen Hundred and Sixty Six; and the term of the other half shall expire on the day succeeding the general election in A.D. Eighteen hundred and sixty eight, Provided, that in drawing lots for all Senatorial terms, the Senatorial representation shall be allotted, so that in the Counties having two or more Senators, the terms thereof shall be divided as nearly as may be between the long and short terms.] *to divide their terms into lengths of 2, 4 and 6 years respectively. The secretary of state shall conduct the drawing so that:*

1. No more than one senator in any senatorial district where three or fewer senators are elected may have terms of the same length; and

2. The terms of senators elected from each of the two largest counties and from the other counties collectively are allotted as equally as possible among the three lengths.

[Sec:] *Sec.* 10. At the general election in [A.D. Eighteen hundred and Sixty Six; and thereafter, the term of Senators shall be for Four Years from the day succeeding such general election, and members of Assembly for Two Years] *1992, members of the assembly must be elected to terms of 4 years* from the day [succeeding such] *after the* general election . [, and the terms of Senators shall be allotted by the Legislature in long and short terms as hereinbefore provided; so that one half the number as nearly as may be, shall be elected every Two Years.] *The members of the assembly elected at the general election in 1992 shall draw lots to divide their terms into lengths of 2 and 4 years respectively. The secretary of state shall conduct the drawing so that the terms of members of the assembly elected from each of the three largest counties and from the other counties collectively are allotted as equally as possible among the two lengths.*

Assemblyman Myrna Williams moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

Assembly Concurrent Resolution No. 12.

Assemblyman Lambert moved the adoption of the resolution.

Remarks by Assemblyman Lambert.

Resolution adopted.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Health and Welfare:

Assembly Bill No. 339—An Act relating to the state board of health; requiring the board to set fees charged by the health division of the department of human resources at amounts calculated to meet projections of revenue in the budget approved for the health division by the legislature; and providing other matters properly relating thereto.

Assemblyman Arberry moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

By the Committee on Health and Welfare:

Assembly Bill No. 340—An Act relating to certificates of marriage; requiring the issuance of a certificate after a marriage is solemnized; abolishing the requirement that the state registrar of vital statistics send a certificate to the parties of a marriage; and providing other matters properly relating thereto.

Assemblyman Arberry moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

By the Committee on Health and Welfare:

Assembly Bill No. 341—An Act relating to public health; providing for the licensing and regulation of parks for recreational vehicles; and providing other matters properly relating thereto.

Assemblyman Arberry moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

By the Committee on Health and Welfare:

Assembly Bill No. 342—An Act relating to the state board of health; authorizing the board to grant variances from the requirements of its regulations; and providing other matters properly relating thereto.

Assemblyman Arberry moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

By Assemblymen Myrna Williams, Nevin, Porter, Kerns, Carpenter, Gaston, Wisdom, Freeman, May, Marvel, Spinello, Sedway and Thomas:

Assembly Bill No. 343—An Act relating to public swimming pools; requiring the installation of a public telephone at every public swimming pool; and providing other matters properly relating thereto.

Assemblyman Myrna Williams moved that the bill be referred to the Committee on Commerce.

Motion carried.

By Assemblymen Nicholas, Kissam and Bergevin:

Assembly Bill No. 344—An Act relating to public safety; adopting comprehensive requirements for the respective responsibilities of skiers and operators of areas for skiing; providing a penalty; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Thomas and Nicholas:

Assembly Bill No. 345—An Act relating to property tax; exempting the property of certain organizations which is used for public meetings or recreation; and providing other matters properly relating thereto.

Assemblyman Thomas moved that the bill be referred to the Committee on Taxation.

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 346—An Act relating to public utilities which supply water; requiring the public entity responsible for providing services for protection from fire to compensate the public utility for supplying sufficient water and pressure for protection from fire to persons who are not customers of the utility; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Taxation:

Assembly Bill No. 347—An Act relating to the certification of appraisers; requiring the Nevada tax commission to pay the expenses of the appraiser certification board; and providing other matters properly relating thereto.

Assemblyman May moved that the bill be referred to the Committee on Taxation.

Motion carried.

Senate Bill No. 54.

Assemblyman Nevin moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

Senate Bill No. 147.

Assemblyman Nevin moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

Senate Bill No. 158.

Assemblyman Nevin moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Assembly Bill No. 97, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

DANNY L. THOMPSON, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Gaston moved that Assembly Bill No. 105 be taken from the Chief Clerk's desk and placed on the Second Reading File.

Remarks by Assemblyman Gaston.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 85.

Bill read second time.

The following amendment was proposed by the Committee on Natural Resources, Agriculture and Mining:

Amendment No. 96.

Amend the bill as a whole by renumbering section 1 as sec. 3 and adding new sections designated sections 1 and 2, following the enacting clause, to read as follows:

"Section 1. NRS 561.344 is hereby amended to read as follows:

561.344 1. The livestock inspection fund is hereby created in the state treasury as a special revenue fund for the use of the department.

2. The following special taxes, fees and other money must be deposited in the livestock inspection fund:

(a) All special taxes on livestock as provided by law, except the *assessment collected pursuant to section 3 of this act and any* tax levied pursuant to NRS 575.070.

(b) Fees and moneys collected pursuant to the provisions of chapter 564 of NRS.

(c) Fees collected pursuant to the provisions of chapter 565 of NRS.

(d) Unclaimed proceeds from the sale of estrays under the provisions of NRS 569.010 to 569.130, inclusive.

(e) Fees collected under the provisions of chapter 573 of NRS.

(f) Fees collected under the provisions of chapter 576 of NRS.

(g) Laboratory fees collected for the diagnosis of infectious, contagious and parasitic diseases of livestock, as authorized by NRS 561.305, and as may be necessary under the provisions of chapter 571 of NRS.

3. Expenditures from the livestock inspection fund must be made only for the purposes of carrying out the provisions of chapters 564, 569, 571, 573 and 576 of NRS, and the provisions of this chapter.

4. The interest and income earned on the money in the livestock inspection fund, after deducting any applicable charges, must be credited to the fund.

Sec. 2. NRS 561.407 is hereby amended to read as follows:

561.407 1. The fund for the promotion of beef is hereby created as an agency fund in the state treasury. [The proceeds of the special tax on cattle levied pursuant to NRS 575.070 must be deposited in this fund and all refunds made pursuant to NRS 575.070 must be paid from the fund.]

2. The interest and income earned on the money in the fund for the promotion of beef, after deducting any applicable charges, must be credited to the fund.

[3. After all refunds are made, the state controller shall draw warrants to distribute the amount remaining in the fund as follows:

(a) Eighty percent to the Beef Industry Council, transmitted through the executive director; and

(b) Twenty percent to the account of the Nevada beef council in the fund for the promotion of beef.]".

Amend the bill as a whole by adding new sections designated sections 4 and 5, following section 1, to read as follows:

"Sec. 4. NRS 575.070 is hereby amended to read as follows:

575.070 1. Upon receipt of the reports from the committee for assessing livestock pursuant to NRS 575.180, the Nevada beef council [shall] *may* fix a special tax, to be known as the tax to promote beef, on all cattle except calves that have not been weaned, the rate of which must not exceed [50 cents] *$1* per head. [The] *If such a tax is fixed, the* council shall send notice of the rate of this tax to the county assessor or treasurer of each county on or before the first Monday in May of each year. The *proceeds of the* tax *, if any,* must be deposited in the state treasury for credit to the fund for the promotion of beef.

2. During the month of April [,] *if such a tax is fixed,* any person who has paid the special tax [levied pursuant to this section] may file a claim for

refund with the state department of agriculture, accompanied by a receipt showing the payment. Upon verification of the claim, the department shall transmit it to the state controller for payment from the fund for the promotion of beef.

Sec. 5. This act becomes effective upon passage and approval.".

Amend the title of the bill, second line, after "state;" by inserting: "revising the provisions regarding the distribution of the money in the fund for the promotion of beef; making optional the levy of the tax to promote beef and increasing the maximum levy;".

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. 98.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 104.

Amend section 1, page 1, line 4, after "*acts*" by inserting "*or omissions*".

Amend section 1, page 1, line 5, after "*it*" by inserting: "*, nor are the individual officers and employees thereof,*".

Amend section 1, page 1, line 9, by deleting "*to*" and inserting "*or*".

Amend section 1, page 1, by inserting between lines 10 and 11: "*The provisions of this section are not intended to abrogate the principle of common law that the duty of governmental entities to provide services is a duty owed to the public, not to individual persons.*".

Amend the title of the bill by deleting the first and second lines and inserting:

"An Act relating to governmental liability; limiting the civil liability of fire departments, law enforcement agencies and the officers and employees thereof; and providing".

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. 112.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 185.

Bill read second time.

The following amendment was proposed by the Committee on Transportation:

Amendment No. 142.

Amend the bill as a whole by renumbering sections 1 to 3 as sections 2 to 4 and adding a new section designated section 1, following the enacting clause, to read as follows:

"Section 1. Chapter 482 of NRS is hereby amended by adding thereto a new section to read as follows:

For the purposes of registering a motor vehicle with a declared gross weight of less than 10,000 pounds, the declared gross weight must not exceed the gross weight rating of the vehicle according to the manufacturer's specifications.".

Amend section 1, page 1, by deleting lines 8 and 9 and inserting:

"*3. A trailer or other towed vehicle which is not used for a commercial enterprise;*

4. Towable tools or equipment, as that term is defined in NRS 484.202; or

5. A trailer which is:

(a) Controlled and operated by a farmer or rancher;

(b) Used to transport livestock, agricultural products, or ranch or farm machinery or supplies to or from a ranch or farm; and

(c) Not used in the operation of a common or contract carrier.".

Amend sec. 2, page 2, line 6, by deleting "*, motor home*".

Amend sec. 3, page 2, by deleting lines 30 and 31 and inserting:

"*3. A trailer or other towed vehicle which is not used for a commercial enterprise;*

4. Towable tools or equipment, as that term is defined in NRS 484.202; or

5. A trailer which is:

(a) Controlled and operated by a farmer or rancher;

(b) Used to transport livestock, agricultural products, or ranch or farm machinery or supplies to or from a ranch or farm; and

(c) Not used in the operation of a common or contract carrier.".

Amend the title of the bill, first line, after "vehicles;" by inserting: "prohibiting under certain circumstances the declaration of a gross weight which exceeds the manufacturer's rating;".

Assemblyman Nevin moved the adoption of the amendment.

Remarks by Assemblyman Nevin.

Amendment adopted.

Assemblyman Nevin moved that Assembly Bill No. 185 be re-referred to the Committee on Transportation.

Motion carried.

Bill ordered reprinted, engrossed and to the Committee on Transportation.

Assembly Bill No. 229.

Bill read second time, ordered engrossed and to third reading.

Assembly Joint Resolution No. 21.

Resolution read second time.

The following amendment was proposed by the Committee on Natural Resources, Agriculture and Mining:

Amendment No. 154.

Amend the resolution, page 1, by deleting lines 5 through 15 and inserting:

"WHEREAS, Aerojet-General Corporation has proposed to exchange certain land owned by it in Florida for federally administered land in southern and western Nevada for industrial development and testing; and

WHEREAS, The Florida land will be used to achieve the protection of valuable natural vegetation in the Everglades; and

WHEREAS, Industrial development is needed to strengthen and diversify Nevada's economy and the proposed development by Aerojet will help provide Lincoln County with a more stable economic base which is vitally needed; and

WHEREAS, Aerojet has caused environmental evaluations of its proposed sites in southern and western Nevada and agrees to use the sites in a manner which will minimize any adverse effects on the environment and agrees to mitigate those adverse effects; now, therefore, be it".

Amend the resolution, page 2, by deleting line 2 and inserting: "land owned by Aerojet-General Corporation in Florida for certain public land located in southern and western".

Amend the title of the resolution, third line, by deleting "Aerojet." and inserting "Aerojet-General Corporation.".

Amend the summary of the resolution, second line, by deleting "Aerojet." and inserting "Aerojet-General Corporation.".

Assemblyman Schofield moved the adoption of the amendment.

Remarks by Assemblyman Schofield.

Amendment adopted.

Resolution ordered reprinted, engrossed and to the Concurrent Committee on Economic Development, Small Business and Tourism.

Senate Joint Resolution No. 21 of the 63rd Session.

Resolution read second time and ordered to third reading.

Assembly Bill No. 105.

Bill read second time.

The following amendments were proposed by the Committee on Taxation:

Amendment No. 85.

Amend section 1, page 1, lines 3 and 4, by deleting: "*100 cubic feet of compressed*" and inserting: "*125 cubic feet of*".

Amendment No. 138.

Amend the bill as a whole by adding a new section designated sec. 3, following sec. 2, to read as follows:

"Sec. 3. NRS 366.190 is hereby amended to read as follows:

366.190 [A] *1. Except as otherwise provided in subsection 2, a* tax is hereby imposed at the rate of 13 cents per gallon on the sale or use of special fuels.

2. The rate of tax on compressed natural gas as a special fuel is 11 cents per gallon.".

Amend the title of the bill, second line, after "fuel;" by inserting: "providing a rate for taxing compressed natural gas as a special fuel;".

Assemblyman Gaston moved the adoption of the amendments.

Remarks by Assemblyman Gaston.

Amendments adopted.

Bill ordered reprinted, engrossed and to third reading.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Judiciary, to which were referred Assembly Bills Nos. 228, 233, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ROBERT M. SADER, *Chairman*

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Elections:

Assembly Bill No. 348—An Act relating to elections; requiring political parties and committees for political action to register with the secretary of state and report campaign contributions received or made by them; providing a penalty; and providing other matters properly relating thereto.

Assemblyman Swain moved that the bill be referred to the Committee on Elections.

Motion carried.

By Assemblymen Schofield and Dini:

Assembly Bill No. 349—An Act relating to hazardous waste; restricting the issuance and renewal of permits for facilities for the treatment, storage or disposal of hazardous waste; permitting the assertion of certain claims; removing restrictions on the regulation of the generation of hazardous waste; and providing other matters properly relating thereto.

Assemblyman Schofield moved that the bill be referred to the Committee on Natural Resources, Agriculture and Mining.

Motion carried.

By Assemblymen Myrna Williams, Marvel, Spinello, Triggs, Wisdom, Kerns, Tebbs, Fay, Porter, Brookman, Gaston, Freeman, Callister, Sedway, Nevin, Sader, Thompson, DuBois, Adler, Thomas, Kissam, McGaughey, Lambert, Nicholas, Craddock, Wendell Williams, Haller, Humke, Garner, Evans, Arberry, Swain and Schofield:

Assembly Bill No. 350—An Act relating to automotive repairs; requiring that a written estimate of the cost be provided to a customer; revising the procedure for the authorization of additional repairs; and providing other matters properly relating thereto.

Assemblyman Myrna Williams moved that the bill be referred to the Committee on Commerce.

Motion carried.

By Assemblymen Myrna Williams, Marvel, Spinello, Wisdom, Triggs, Kerns, Tebbs, Fay, Porter, May, Brookman, Getto, Carpenter, Gaston, Freeman, Callister, Price, Sedway, Nevin, Sader, Bergevin, Thompson,

Adler, Thomas, Kissam, McGaughey, Nicholas, Craddock, Wendell Williams, Haller, Humke, Garner, Spriggs, Evans, Arberry, Swain, Schofield and Dini:

Assembly Bill No. 351—An Act relating to deceptive trade practices; requiring businesses which do not allow refunds or exchanges to post that policy; and providing other matters properly relating thereto.

Assemblyman Myrna Williams moved that the bill be referred to the Committee on Commerce.

Motion carried.

By Assemblymen Schofield and Dini:

Assembly Bill No. 352—An Act relating to hazardous material; requiring certain carriers to obtain a permit to transport hazardous material into or through Nevada; creating a special fund for training for incidents involving hazardous material; requiring prior notification of shipments into or through Nevada; defining hazardous material; providing penalties; and providing other matters properly relating thereto.

Assemblyman Schofield moved that the bill be referred to the Concurrent Committees on Natural Resources, Agriculture and Mining and Transportation.

Motion carried.

By the Committee on Natural Resources, Agriculture and Mining:

Assembly Bill No. 353—An Act making an appropriation for the formation of a weed control district in Storey, Washoe and Lyon counties; and providing other matters properly relating thereto.

Assemblyman Schofield moved that the bill be referred to the Concurrent Committees on Natural Resources, Agriculture and Mining and Ways and Means.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 6.

Bill read third time.

Remarks by Assemblyman Thompson.

Roll call on Assembly Bill No. 6:

YEAS—41.

NAYS—None.

Absent—Jeffrey.

Assembly Bill No. 6 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 249.

Bill read third time.

Remarks by Assemblyman Thompson.

Roll call on Assembly Bill No. 249:

YEAS—41.
NAYS—None.
Absent—Jeffrey.

Assembly Bill No. 249 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Joint Resolution No. 17.

Resolution read third time.

Remarks by Assemblyman Nicholas.

Roll call on Assembly Joint Resolution No. 17:

YEAS—41.
NAYS—None.
Absent—Jeffrey.

Assembly Joint Resolution No. 17 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Resolution ordered transmitted to the Senate.

Senate Bill No. 105.

Bill read third time.

Remarks by Assemblyman Thompson.

Roll call on Senate Bill No. 105:

YEAS—41.
NAYS—None.
Absent—Jeffrey.

Senate Bill No. 105 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 Senate Bill No. 5.

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 Mss. Happy Kelly and Anna Sommers.

On request of Assemblyman Evans, the privilege of the floor of the Assembly Chamber for this day was extended to Dr. William Williams.

On request of Assemblyman Getto, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Pat Getto.

On request of Assemblyman Haller, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Bill Clark, Mrs. Rita Haller, Mss. Marjory Pettycrew and Ruby Leavitt.

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 the students of Reno High School: Jeff Lane, Loren Condron, Achilles Baldo, Rob Rice, Brad Warren, Jessica Olausson, Nicky Jones, Mike Douglas, Philip Romero, Colm Mateossian, Austin Anderson, Jessica Creps, Holly Squire, Karri Kuenzli, Dana Arthurs, Janet Prutzman, Kerri White, Megan Paradis, Jean Shim, Mike Fermoile, Steve Boucher, Renee Pickens, Katherine Goedert, Kyle Grundy, Rob Stone, Rodd Garcia, Trevor Averett, William Benedict, Mike Bennett, Yueh-Han Chung, Scott Crittenden-West, Brian Grayson, Angela Homann, Matthew Jones, Charles Richard (Brent), David Ross, Laura Smith, Cary Stephens, Stephanie St. Jeor, Tanya Wilsey, Julie Lane and Sheehan Niethoid.

On request of Assemblyman Lambert, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Obert Reslock.

On request of Assemblyman Nevin, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. C. A. Nevin and Ernie Givani.

On request of Assemblyman Price, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Gad Assouline.

On request of Assemblyman Swain, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Jessica Creps.

On request of Assemblyman Wendell Williams, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Verita Black.

Assemblyman Nevin moved that the Assembly adjourn until Thursday, March 12, 1987 at 11 a.m.

Motion carried.

Assembly adjourned at 11:59 a.m.

Approved:

JOSEPH E. DINI, JR.
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE FIFTY-THIRD DAY

CARSON CITY (Thursday), March 12, 1987

Assembly called to order at 11:14 a.m.

Mr. Speaker presiding.

Roll called.

All present except Assemblyman Jeffrey, who was excused.

Prayer by the Chaplain, The Reverend Gene Ratzlaff.

O God, eternal and ever blessed, who delightest in the assembling of Thy people, grant each man and woman present peace and prosperity so that all may be satisfied. Grant our hearts gladness because of You, most precious Lord and Saviour. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Nevin moved that further reading of the Journal be dispensed with, and the Speaker and Chief Clerk be authorized to make the necessary corrections and additions.

Motion carried.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, March 11, 1987

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. 85.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Sader moved that Senate Bill No. 6 be taken from its position on the Second Reading File and placed at the top of the Second Reading File.

Motion carried.

SECOND READING AND AMENDMENT

Senate Bill No. 6.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 160.

Amend the bill as a whole by renumbering sec. 7 as sec. 8 and adding a new section designated sec. 7, following sec. 6, to read as follows:

"Sec. 7. NRS 41.480 is hereby amended to read as follows:

41.480 [No] *1. A* nonprofit corporation, association or organization [shall be] *formed under the laws of this state is not* immune from liability for the injury or damage caused any person, firm or corporation as a result of

the negligent or wrongful act of [such] *the* nonprofit corporation, association or organization, or its agents, employees or servants acting within the scope of their agency or employment.

2. *No action may be brought against an officer, trustee, director or other possessor of the corporate powers of a nonprofit corporation, association or organization formed under the laws of this state based on any act or omission arising from failure in his official capacity to exercise due care regarding the management or operation of the entity unless the act or omission involves intentional misconduct, fraud or a knowing violation of the law.*".

Amend the title of the bill, fourth line, after "corporations;" by inserting: "limiting the personal liability of directors of nonprofit corporations under certain circumstances;".

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. 40.

Bill read second time.

The following amendment was proposed by the Committee on Elections:

Amendment No. 163.

Amend sec. 8, page 3, line 28, by deleting "*5*" and inserting "*10*".

Amend the bill as a whole by deleting sec. 10 and inserting:

"Sec. 10. (Deleted by amendment.)".

Amend the bill as a whole by deleting sec. 18 and inserting:

"Sec. 18. (Deleted by amendment.)".

Amend sec. 26, page 6, line 32, after: "of any county" by inserting: "*or the city council of any city*".

Amend sec. 33, page 9, line 13, after "county" by inserting "*or city*".

Amend sec. 33, page 9, line 14, after "use" by inserting: "*in any election*".

Amend sec. 35, page 10, line 19, by deleting "as" and inserting: "*for city elections and* as *otherwise*".

Amend sec. 41, page 12, lines 41 and 42, by deleting: "25 days [prior to]" and inserting: "[25 days prior to] *20 days*".

Amend sec. 41, page 13, line 2, by deleting "25" and inserting "[25] *20*".

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. 41.

Bill read second time.

The following amendment was proposed by the Committee on Elections:

Amendment No. 164.

Amend sec. 4, page 2, by deleting line 16 and inserting:

"Any district office *for which the compensation is more than $25 per month*..... 75

Any district office for which the compensation is $25 or less per month..... *15*".

Amend sec. 16, page 7, line 33, by deleting "*90*" and inserting "*60*".

Amend sec. 24, page 11, line 39, by deleting "*must*" and inserting "*may*".

Amend the title of the bill, first line, after "elections;" by inserting: "revising the schedule of fees for filing declarations or acceptances of candidacy;".

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. 72.

Bill read second time.

The following amendment was proposed by the Committee on Taxation:

Amendment No. 168.

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 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 *on the net proceeds of mines or* 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.".

Amend section 1, page 1, lines 8 and 9, by deleting: ", *excluding net proceeds of mines,*".

Amend section 1, page 1, line 12, by deleting: "year [.] *to determine the*" and inserting "year.".

Amend section 1, page 1, by deleting line 13.

Amend sec. 2, page 2, line 21, by deleting: "[maximum allowable from" and inserting: "maximum allowable [from".

Amend sec. 2, page 2, by deleting line 22, and inserting: "combined sources] *combined revenue*".

Amend sec. 2, page 2, line 23, by deleting "*was based*".

Amend sec. 2, page 2, line 27, after "*certified.*" by inserting: "*On or before January 1 of each year, each county treasurer shall submit a report of the excess ad valorem receipts for the prior year to the department of taxation, in the manner prescribed by the department. The executive director of the department of taxation shall withhold all revenue from the supplemental city-county relief tax otherwise payable to the county until an accurate and complete report is submitted.*".

Amend the bill as a whole by renumbering sec. 3 as sec. 6 and adding new sections designated secs. 4 and 5, following sec. 2, to read as follows:

"Sec. 4. 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

Political Subdivision	Percentage
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, any district created under chapter 318 of NRS to furnish emergency medical services, 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 , *excluding net proceeds of mines,* 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 and any district created under chapter 318 of NRS to furnish emergency medical services.

4. For the purposes of this section, a fire *protection* district organized pursuant to chapter 473 of NRS is a local government.

Sec. 5. 1. A local government which suffers a financial hardship as a direct result of the amendatory provisions of this act may apply to the department of taxation for an increase in its tax rate or a special distribution from the reserve fund for the supplemental city-county relief tax.

2. If the executive director of the department of taxation finds that the local government has suffered such a financial hardship, he shall allow the local government to increase its tax rate to recover only the amount lost as a result of the amendatory provisions of this act or recommend to the interim finance committee that a special distribution from the reserve fund for the supplemental city-county relief tax be made in the amount lost, if money is available for distribution from that fund pursuant to NRS 354.5988.

3. The interim finance committee shall consider any such recommendation made by the executive director and may direct the state controller to make the special distribution for the purposes stated in this section.".

Amend the title of the bill by deleting the second line and inserting: "basis for the maximum allowable combined revenue; requiring the department of taxation to withhold revenue under certain circumstances;".

Assemblyman May moved the adoption of the amendment.

Remarks by Assemblyman May.

Amendment adopted.

Assemblyman May moved that Assembly Bill No. 72 be re-referred to the Committee on Taxation.

Motion carried.

Bill ordered reprinted, engrossed and to the Committee on Taxation.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Swain moved that Assembly Bill No. 183 be taken from the Second Reading File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Swain.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 97.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 170.

Amend section 1, page 1, line 13, by deleting "less; or" and inserting: "less; [or] *and*".

Amend section 1, page 2, by deleting lines 3 through 7 and inserting: "or less during the immediately preceding 12 months . [,

and in either case they do not own or control any other business furnishing water or sewer service or water and sewer service within this state.]".

Amend section 3, page 2, by deleting lines 34 through 37 and inserting:

"(a) Is unable to provide reasonably continuous and adequate service; or

(b) Otherwise qualifies for appointment of a receiver pursuant to NRS".

Amend the title of the bill by deleting the second through fourth lines and inserting: "expanding the jurisdiction of the public service commission of Nevada; permitting the appointment of a receiver under additional".

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. 179.

Bill read second time.

The following amendment was proposed by the Committee on Labor and Management:

Amendment No. 176.

Amend the bill as a whole by deleting section 1 and inserting:

"Section 1. Chapter 612 of NRS is hereby amended by adding thereto a new section to read as follows:

Any finding of fact or law, judgment, determination, conclusion or final order made by the executive director or an appeal tribunal, examiner, board of review, district court or any other person with the authority to make findings of fact or law pursuant to NRS 612.450 to 612.530, inclusive, is not admissible or binding in any separate or subsequent action or proceeding, between a person and his present or previous employer brought before an arbitrator, court or judge of this state or the United States, regardless of whether the prior action was between the same or related parties or involved the same facts.".

Amend the title of the bill to read as follows:

"An Act relating to unemployment compensation; prohibiting the introduction of certain evidence concerning eligibility for benefits in any separate or subsequent proceeding; and providing other matters properly relating thereto.".

Amend the summary of the bill to read as follows: "Prohibits introduction of certain evidence relating to eligibility for unemployment compensation benefits in subsequent proceedings. (BDR 53-1304)".

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. 228.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 173.

Amend the bill as a whole by deleting sec. 3 and inserting:

"Sec. 3. (Deleted by amendment.)".

Amend the title of the bill, second line, by deleting: "providing that justices are judges of their courts;".

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. 233.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 172.

Amend sec. 2, page 1, by deleting lines 3 through 6 and inserting:

"Sec. 2. *The administrator, with the consent of the superintendent, may transfer to the school a male person between the ages of 8 and 18 years who is an inmate of the Nevada youth training center. If such a transfer is made, the general provisions regarding placements in the school apply.*".

Amend the bill as a whole by deleting sec. 6 and renumbering sec. 7 as sec. 6.

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. 252.

Bill read second time.

The following amendment was proposed by the Committee on Elections:

Amendment No. 162.

Amend section 1, page 1, line 8, by deleting the period and inserting: "*or extensions of visible ground features, except where the boundary coincides with the official boundary of the state or a county or city.*".

Assemblyman Lambert moved the adoption of the amendment.

Remarks by Assemblyman Lambert.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 17.

Bill read second time and ordered to third reading.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Ways and Means, 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: Re-refer to the Committee on Judiciary.

MARVIN M. SEDWAY, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Sedway moved that Assembly Bill No. 110 be re-referred to the Committee on Judiciary.

Remarks by Assemblyman Sedway.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Price, Sedway, Garner, Spriggs, Humke, Evans, Schofield, Arberry, Swain, Getto, Banner, Carpenter, Gaston, Freeman, Myrna Williams, Marvel, Spinello, Callister, Wisdom, Brookman, Kerns, Tebbs, Fay, Porter, Nevin, Bergevin, May, Sader, DuBois, Thomas, Adler, Kissam, McGaughey, Lambert, Craddock, Haller, Nicholas, Wendell Williams, Triggs and Thompson:

Assembly Bill No. 354—An Act making an appropriation for the support of the Nevada Commission of the Bicentennial of the United States Constitution; and providing other matters properly relating thereto.

Assemblyman Price moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

Senate Bill No. 85.

Assemblyman Nevin moved that the bill be referred to the Committee on Elections.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 112.

Bill read third time.

Remarks by Assemblyman Haller.

Roll call on Assembly Bill No. 112:

YEAS—41.

NAYS—None.

Absent—Jeffrey.

Assembly Bill No. 112 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 229.

Bill read third time.

Remarks by Assemblyman DuBois.

Roll call on Assembly Bill No. 229:

YEAS—41.

NAYS—None.

Absent—Jeffrey.

Assembly Bill No. 229 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Joint Resolution No. 21 of the 63rd Session.

Resolution read third time.

Remarks by Assemblyman Adler.

Roll call on Senate Joint Resolution No. 21 of the 63rd Session:
YEAS—41.
NAYS—None.
Absent—Jeffrey.

Senate Joint Resolution No. 21 of the 63rd Session having received a constitutional majority, Mr. Speaker declared it passed.

Resolution ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen DuBois, Thomas, Triggs, Humke, Haller, Lambert, Craddock, Kissam, Bergevin, Sedway, Nevin, Porter, Kerns, May, Fay, Wisdom, Myrna Williams, Spinello, Marvel, Price, Gaston, Freeman, Carpenter, Banner, Garner, Getto, Arberry, Wendell Williams, Evans, Spriggs, Nicholas, Thompson, Swain, Sader, Adler, Callister, Brookman, Tebbs and Schofield:

Assembly Concurrent Resolution No. 21—Designating September 17, 1987, as Constitution Day.

Assemblyman DuBois moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Government Affairs:

Assembly Bill No. 355—An Act relating to county government; changing the procedure for the sale of a county's real property at auction; allowing a county to exchange real property acquired by dedication for other property; resolving a statutory conflict by allowing real property acquired by dedication to be given back to the present owners of the property from which the dedication was made; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 356—An Act relating to local improvements; authorizing the creation of special maintenance areas for the provision of a greater level of service to certain areas; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Commerce:

Assembly Bill No. 357—An Act relating to historic districts; authorizing the renovation and operation of a brewery in the Comstock historic district; and providing other matters properly relating thereto.

Assemblyman Wisdom moved that the bill be referred to the Committee on Commerce.

Motion carried.

By Assemblymen DuBois, Thomas, McGaughey, Nevin, Kerns, Schofield, Sedway, Garner, Spinello, Wisdom, Tebbs, Freeman, Kissam, Humke, Bergevin, Wendell Williams, Fay, Lambert, Nicholas, May, Getto, Carpenter and Price:

Assembly Bill No. 358—An Act relating to civil actions; limiting the use of fictitious names in pleadings; allowing a court to award costs and attorney's fees to the prevailing party on a frivolous claim; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Taxation:

Assembly Bill No. 359—An Act relating to local governments; eliminating tentative budgets; and providing other matters properly relating thereto.

Assemblyman May moved that the bill be referred to the Committee on Taxation.

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 360—An Act relating to gaming; limiting the scope of judicial review in actions relating to the recovery of gaming debts by patrons; and providing other matters properly relating thereto.

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

Motion carried.

Assemblyman Nevin moved that the Assembly recess until 2 p.m.

Motion carried.

Assembly in recess at 12:01 p.m.

ASSEMBLY IN SESSION

At 2 p.m.

Mr. Speaker presiding.

Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Sader moved that all rules be suspended, and that Senate Bill No. 6 be declared an emergency measure under the Constitution and placed on third reading and final passage.

Motion carried unanimously.

GENERAL FILE AND THIRD READING

Senate Bill No. 6.

Bill read third time.

Remarks by Assemblymen Thomas, Sader and Swain.

Roll call on Senate Bill No. 6:

YEAS—40.

NAYS—None.

Absent—Callister, Jeffrey—2.

Senate Bill No. 6 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 Commerce, to which was referred Senate Bill No. 126, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JANE WISDOM, *Vice-Chairman*

Mr. Speaker:

Your Concurrent Committee on Natural Resources, Agriculture and Mining, to which was referred Assembly Bill No. 197, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JAMES W. SCHOFIELD, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Commerce, to which was referred Assembly Bill No. 197, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JANE WISDOM, *Vice-Chairman*

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Dini, Triggs, Arberry, Kissam, Freeman, Gaston, Callister, Haller, Tebbs, Craddock, Lambert, Marvel and Bergevin:

Assembly Bill No. 361—An Act relating to public schools; authorizing the formation of election districts by certain county school boards; and providing other matters properly relating thereto.

Assemblyman Swain moved that the bill be referred to the Committee on Elections.

Motion carried.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bill No. 122; Senate Joint Resolution No. 13.

REMARKS FROM THE FLOOR

Assemblyman Price requested that his remarks be entered in the Journal.

During this week in 1787, John Adams wrote Thomas Jefferson to say that he is anxious to return to the United States. "For a man who has been thirty years rolling like a stone never in the same place," he wrote, "it is my resolution of quitting Europe—if it lay in my power, I would take a vow to retire to my little turnip yard and never quit it again."

For nearly three months now, Governor Edmund Randolph and James Madison had been trying to convince Patrick Henry and George Washington to attend the upcoming Constitutional Convention. They were not having success with either. On March 1, 1787,

the Governor wrote James Madison that Henry "is peremptory in refusing—likewise," Randolph continued, "General Washington will be pressed again and again, but I fear ineffectually."

Sessions of the Congress had been sporadic for the past week, for lack of a quorum. They decided Sunday was a good excuse for not meeting.

George Washington recorded in his diary that Reverend Mason Weems was an overnight guest. Rev. Weems would later become famous as a book seller and biographer of notable Americans. His highly fictional and entertaining "Life & Memorable Actions of George Washington" was a best seller that went through numerous editions. The fifth edition immortalized the hatchet and cherry tree story and although this incident was perhaps the most familiar to most Americans, it almost certainly never happened.

John Armstrong, a former Revolutionary War Officer and secretary to the Supreme Executive Council of Pennsylvania, wrote a long epistle on the state of the nation to George Washington. He, like many others, through the political affairs of the nation were a "ground of serious concern to every worthy American." Congress had become "but a council of advice" whose influence daily grew less. Armstrong believed that an economical reformation of Congress and the government as a whole was necessary.

In 1789 during this week, the first Congress meeting in New York obtained a quorum and had an organizational meeting.

On March 4, 1861, Abraham Lincoln was inaugurated our sixteenth President.

In Nevada, in 1869, the Fifteenth Amendment to the Constitution was ratified. This Amendment guarantees the right to vote regardless of race or color.

In 1861, an act to organize the Territory of Nevada was approved by President James Buchanan. A census taken in July of that year showed a population of 16,347—not including Indians.

Finally, in 1863, a statehood bill for Nevada was introduced in Congress and passed by the Senate by a vote of 24 to 16. However, the thirty-seventh Congress expired at midnight and this statehood bill was lost in the House of Representatives when a motion to suspend the rules and take up the bills to admit Colorado and Nevada failed to obtain the necessary two-thirds majority.

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 Mr. Jim Burnett and Ms. Kathy Goheen and the seventh grade students of Carson Valley Middle School: Jesse Adams, Jeremy Alexander, Adam Atlanasio, Bill Axtell, Mark Coleman, Louis Destree, David Frobes, Jamie Hughes, Jeff Ives, Robert Krystofiak, Kim Lundergreen, Sarah McManus, Kevin Morton, Becky Pack, Eric Ramsey, Scott Rynerson, Stephanie Simpson, Katrina Taylor, and Aimee Conser; Messrs. Price and Coyen and the seventh and eighth grade students of Alpine Elementary School, Woodfords, California: Lindsay Jones, James Maloney, Jeff Hampton, Keri Callison, Amber Buchan, Clint Celio, Robert Brakensiek, Sylvia Simmons, Jackie Simmons, Katy Chandler, Gary Chandler, Beaver James, Diane Pyne, Jenny Halvorson, Lori Roper, Lodema Christensen, Todd McEwen, Adam Coyan, John Hughes and Sean Hennigan.

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

On request of Assemblyman Evans, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Lois Backlund.

On request of Assemblyman Getto, the privilege of the floor of the Assembly Chamber for this day was extended to Lisa Marie Fritz.

On request of Assemblyman Haller, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Heitmann, Mrs. Tupper and the sixth grade students of Roger Corbett Elementary School: Luke Sellers, Krista Angelini, Andrea Black-Benedict, Chris Manley, Josh Cochrane, Mark Drakulich, Kelly Fitzgerald, Molly Furner, Christina Graham, Jimmy Grisamer, John Harris, Veronica Jimenez, Daniel Lee, Jason Moyer, Danyal Muller, Thien Nguyen, Artice Smith, Luis Santoni, Kerry Schlingheyde, Jerry Schwartz, Janae Scott, Sara Cottam, Brian Spires, Jens Stoen, Melissa Van Orden, La Tricia Wahl, Keri Walkiewicz, Jake Carter, Amanda Loudenburg, Margaret Beltrano, Scott Benke, Billy Bento, Kurtis Berry, Scott Berry, Dharmish Brakata, Madeleine Cabrera, Sonia Canales, Jeff David, Jennifer Cooper, Erica Cronick, Mari Darnic, Mat Howell, Sherry Hurrle, Angelica Jimenez, George Marinaccio, Eric McCuskey, Marshall Mendez, Chris Moss, Tim O'Brien, Maria Reynolds, Tito Sanchez, Bao Tran, Jason Ulrich, Tara Van Orden and Tommy Walkiewicz.

On request of Assemblyman Humke, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Jake Capdeville and Ms. Liz Del Carlo.

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 Price, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Henry Harada.

On request of Assemblyman Spinello, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Makoto Ban.

On request of Assemblyman Triggs, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Seiki Taguchi.

Assemblyman Nevin moved that the Assembly adjourn until Friday, March 13, 1987 at 10 a.m.

Motion carried.

Assembly adjourned at 2:15 p.m.

Approved: JOSEPH E. DINI, JR.
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE FIFTY-FOURTH DAY

CARSON CITY (Friday), March 13, 1987

Assembly called to order at 10:08 a.m.

Mr. Speaker presiding.

Roll called.

All present except Assemblymen Carpenter and Jeffrey, who were excused.

Prayer by the Chaplain, The Reverend Gene Ratzlaff.

Today, most gracious Heavenly Father, we render unto Thee our most hearty thanks for the work accomplished thus far this week! Pour Your blessing upon us, we pray, so that Your love and care might flow through us, in our Saviour's name we ask. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Nevin 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. 95, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

DANNY L. THOMPSON, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, March 12, 1987

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 117, 182, 202.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Bill No. 172.

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. 105.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Nevin moved that Assembly Bills Nos. 85, 105 and Senate Bill No. 17 be taken from the General File and placed on the General File for the next legislative day.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 197.

Bill read second time, ordered engrossed and to third reading.

Senate Bill No. 126.

Bill read second time and ordered to third reading.

GENERAL FILE AND THIRD READING

Assembly Bill No. 98.

Bill read third time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 187.

Amend section 1, page 1, line 5, by deleting "*and employees*" and inserting: "*, employees or volunteers*".

Amend the title of the bill, second line, by deleting "and employees" and inserting: ", employees and volunteers".

Assemblyman Sader moved the adoption of the amendment.

Remarks by Assemblyman Sader.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Government Affairs:

Assembly Bill No. 362—An Act relating to state financial administration; abolishing the public works board option fund and the veterans' relief fund; designating the special maintenance fund for vocational rehabilitation of disabled persons as an account; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 363—An Act relating to state financial administration; categorizing certain funds; revising the required frequency of remittances to the fund for hospital care to indigent persons; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Triggs, Banner, Haller, Craddock, Freeman, Schofield, Dini and Kissam:

Assembly Bill No. 364—An Act relating to public works projects; requiring contractors to take affirmative action to employ handicapped persons; and providing other matters properly relating thereto.

Assemblyman Triggs moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

By Assemblymen Triggs, Schofield, Thompson, Garner, Haller, Myrna Williams, Brookman, Banner, Sedway, Wendell Williams, Craddock, Nicholas, Spinello, Wisdom, Porter, Nevin, Humke, Gaston, Freeman, Swain, Adler, Dini and Kissam:

Assembly Bill No. 365—An Act relating to employment practices; prohibiting an employer from asking an applicant seeking employment certain questions relating to physical handicaps, injuries from industrial accidents or occupational diseases; and providing other matters properly relating thereto.

Assemblyman Triggs moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

By Assemblymen Triggs, Thompson, Garner, Haller, Myrna Williams, Brookman, Banner, May, Craddock, Nicholas, Spinello, Wisdom, Porter, Nevin, Humke, DuBois, Schofield, Swain, Dini and Kissam:

Assembly Bill No. 366—An Act relating to state employees; requiring an increase in the salaries of certain employees who are proficient in sign language for the deaf; and providing other matters properly relating thereto.

Assemblyman Triggs moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By Assemblymen Triggs, Thompson, Garner, Haller, Myrna Williams, Brookman, Banner, Sedway, May, Wendell Williams, Craddock, Nicholas, Evans, Spinello, Wisdom, Porter, Nevin, Humke, Freeman, Gaston, Schofield, Swain, Adler, Dini, Carpenter and Kissam:

Assembly Bill No. 367—An Act relating to public telephones; requiring certain public telephones to be equipped with a device for the amplification of sound for use by persons with impaired hearing; and providing other matters properly relating thereto.

Assemblyman Triggs moved that the bill be referred to the Committee on Commerce.

Motion carried.

By Assemblymen Triggs, Nevin, Thompson, Garner, Haller, Myrna Williams, Brookman, Banner, Sedway, Wendell Williams, Craddock, Nicholas, Evans, Wisdom, Spinello, Porter, DuBois, Gaston, Freeman, Schofield, Swain, Adler, Dini and Kissam:

Assembly Bill No. 368—An Act relating to service stations; requiring operators of certain service stations and retail stores to refuel, upon request, motor vehicles of persons who are physically handicapped; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Triggs, Schofield, Thompson, Garner, Haller, Myrna Williams, Brookman, Banner, Sedway, May, Wendell Williams, Craddock, Nicholas, Evans, Spinello, Wisdom, Porter, Nevin, Humke, DuBois, Freeman, Gaston, Swain, Adler, Dini, Carpenter and Kissam:

Assembly Bill No. 369—An Act relating to handicapped persons; encouraging and authorizing cities and counties to hire certain handicapped persons on a temporary and limited basis; and providing other matters properly relating thereto.

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

Motion carried.

Senate Bill No. 172.

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

Motion carried.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Senate Bill No. 105.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Gaston, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Sandra Mueller.

Assemblyman Nevin moved that the Assembly adjourn until Monday, March 16, 1987 at 10:45 a.m.

Motion carried.

Assembly adjourned at 10:21 a.m.

Approved:

JOSEPH E. DINI, JR.
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE FIFTY-SEVENTH DAY

CARSON CITY (Monday), March 16, 1987

Assembly called to order at 10:50 a.m.

Mr. Speaker presiding.

Roll called.

All present except Assemblyman Jeffrey, who was excused.

Prayer by the Chaplain, The Reverend Robert Schwartz.

It's the beginning of a new week, Lord. Already we have the awareness that there is a great deal to sort through. We would pray for a spirit of effectiveness and efficiency that we might deal with it all responsibly. Help us to see what is important and handle what matters the most. And at the right times, slow us down, Lord, that we may truly hear what is being said to us and thank those who are helping us. May sensitivity never be sacrificed for efficiency. Bless us with Your Spirit. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Nevin 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 Taxation, to which was referred Assembly Bill No. 136, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

PAUL W. MAY, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Assembly Bill No. 32, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend and re-refer to the Committee on Government Affairs.

DANNY L. THOMPSON, *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.

DANNY L. THOMPSON, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which were referred Assembly Bill No. 160; Senate Bills Nos. 4, 117, 145, 158, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

MARVIN M. SEDWAY, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, 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.

MARVIN M. SEDWAY, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Natural Resources, Agriculture and Mining, 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: Do pass.

JAMES W. SCHOFIELD, *Chairman*

Mr. Speaker:

Your Concurrent 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: Do pass.

ROBERT M. SADER, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which was referred Assembly Concurrent Resolution No. 14, has had the same under consideration, and begs leave to report the same back with the recommendation: Be adopted.

MARVIN M. SEDWAY, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, March 13, 1987

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 125, 174.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 123, 124.

Also, I have the honor to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 12.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

By the Committee on Ways and Means:

Assembly Joint Resolution No. 29—Urging Congress to enact legislation to transfer any unclaimed property of a resident of one of the several states back to the state of his last residence.

Assemblyman Sedway moved that the resolution be referred to the Committee on Ways and Means.

Motion carried.

Assembly Concurrent Resolution No. 14.

Assemblyman Swain moved the adoption of the resolution.

Remarks by Assemblyman Swain.

Resolution adopted.

Senate Concurrent Resolution No. 12.

Assemblyman Nevin moved the adoption of the resolution.

Remarks by Assemblyman Kerns.

Resolution adopted unanimously.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Swain, Tebbs, Sedway, Spinello, Getto, Lambert, Kerns, Craddock, Nevin, McGaughey, Garner, Freeman, Arberry, Gaston, Price, Wendell Williams, Triggs, Myrna Williams, Wisdom, Evans, Dini, Porter, Adler and Thompson:

Assembly Bill No. 370—An Act relating to controlled substances; requiring a portion of the money collected as a civil penalty in an action involving certain controlled substances to be used for programs of education about the abuse of controlled substances; and providing other matters properly relating thereto.

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

Motion carried.

Senate Bill No. 123.

Assemblyman Nevin moved that the bill be referred to the Committee on Taxation.

Motion carried.

Senate Bill No. 124.

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

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 95.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 178.

Amend the bill as a whole by deleting section 1 and inserting:

"Section 1. NRS 278.335 is hereby amended to read as follows:

278.335 1. A copy of the tentative map must be forwarded by the local government to the division of water resources and the division of environmental protection of the state department of conservation and natural resources and the health division of the department of human resources, or the local representative acting for the health division, for review.

2. The authority of the health division to review and certify proposed subdivisions and conduct construction or installation inspections must be exercised by the district board of health or, where there is no district board of health, then by the incorporated city within whose limits, or the county in whose unincorporated area, the subdivision is to be situated if:

(a) The district board of health or the city or county requests such authority of the health division; and

(b) The health division determines that the district board of health or the city or county is adequately staffed to conduct the subdivision review and inspections.

3. A district board of health or a city or county which conducts reviews and inspections under this section shall certify to the health division within 10 days after filing its recommendations concerning the tentative map and after approving the final map that the subdivision meets all the requirements of the law concerning sewage disposal, water pollution, water quality and water supply facilities.

4. The state is not chargeable with any expense incurred by a district board of health or a city or county acting pursuant to this section.

5. Each reviewing agency shall within 15 days from the receipt of the tentative map file its written comments with the planning commission or the governing body recommending approval, conditional approval or disapproval and stating the reasons therefor.

6. The local government shall, for informational purposes only, forward a copy of the tentative map to the public service commission of Nevada for any subdivision which will provide water or services for the disposal of sewage and is subject to the provisions of NRS 704.679.".

Amend the title of the bill by deleting the first through third lines and inserting:

"An Act relating to the subdivision of land; requiring a local government to forward a copy of the tentative map to the public service commission of Nevada under certain circumstances; requiring the public service commission to examine carefully a".

Assemblyman Thompson moved the adoption of the amendment.

Remarks by Assemblyman Thompson.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

By the Committee on Government Affairs:

Assembly Joint Resolution No. 30—Proposing to amend sections 1 and 8 of article 8 of the constitution of the State of Nevada to grant the right of self-government to cities and towns.

RESOLVED BY THE ASSEMBLY AND THE SENATE OF THE STATE OF NEVADA, JOINTLY, That sections 1 and 8 of article 8 of the constitution of the State of Nevada be amended to read respectively as follows:

Section [.] 1. The Legislature shall pass no Special Act in any manner relating to corporate powers except , *subject to the limitations of section 8 of this article,* for Municipal purposes . [; but corporations] *The electors of a Municipality may amend a charter which was passed by Special Act and which governs the Municipality. Corporations* may be formed under general laws [;] and all such laws may , from time to time, be altered or repealed.

[Section] *Sec. 8. The residents of each city and town have the right of self-government in local and municipal matters.* The legislature shall provide for the organization of cities and towns by general laws and shall [restrict their power of taxation, assessment, borrowing money, contracting debts and loaning their credit, except for procuring supplies of water; *provided, however,* that the legislature may, by general laws, in the manner and to the extent therein provided, permit and] authorize the electors of any city or town to frame, adopt and amend a charter for its own government, or to amend [any] *an* existing charter of [such] *the* city or town. *A law that restricts a city in its power of taxation, assessment, borrowing money, contracting debts or loaning credit is void.*

Assemblyman Thompson moved that the resolution be referred to the Committee on Government Affairs.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Education:

Assembly Bill No. 371—An Act relating to postsecondary educational institutions; clarifying that only natural persons may act as agents; providing additional exceptions to the requirement for investigation of certain employees and agents; and providing other matters properly relating thereto.

Assemblyman Craddock moved that the bill be referred to the Committee on Education.

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Swain moved that Assembly Bill No. 183 be taken from the Chief Clerk's desk and placed on the Second Reading File.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 40.

Bill read third time.

Remarks by Assemblyman Swain.

Roll call on Assembly Bill No. 40:

YEAS—41.

NAYS—None.

Absent—Jeffrey.

Assembly Bill No. 40 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. 97 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. 41.

Bill read third time.

Remarks by Assemblyman Swain.

Roll call on Assembly Bill No. 41:

YEAS—41.

NAYS—None.

Absent—Jeffrey.

Assembly Bill No. 41 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 Getto and Schofield.

Roll call on Assembly Bill No. 85:

YEAS—41.
NAYS—None.
Absent—Jeffrey.

Assembly Bill No. 85 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 105.

Bill read third time.

Remarks by Assemblyman Gaston.

Roll call on Assembly Bill No. 105:

YEAS—41.
NAYS—None.
Absent—Jeffrey.

Assembly Bill No. 105 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 179.

Bill read third time.

Remarks by Assemblyman Banner.

Roll call on Assembly Bill No. 179:

YEAS—41.
NAYS—None.
Absent—Jeffrey.

Assembly Bill No. 179 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 Porter.

Roll call on Assembly Bill No. 197:

YEAS—41.
NAYS—None.
Absent—Jeffrey.

Assembly Bill No. 197 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 228.

Bill read third time.

Remarks by Assemblyman Nicholas.

Roll call on Assembly Bill No. 228:

YEAS—41.
NAYS—None.
Absent—Jeffrey.

Assembly Bill No. 228 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 233.

Bill read third time.

Remarks by Assemblyman Spriggs.

Roll call on Assembly Bill No. 233:

YEAS—41.

NAYS—None.

Absent—Jeffrey.

Assembly Bill No. 233 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 252.

Bill read third time.

Remarks by Assemblyman Lambert.

Roll call on Assembly Bill No. 252:

YEAS—41.

NAYS—None.

Absent—Jeffrey.

Assembly Bill No. 252 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 17.

Bill read third time.

Remarks by Assemblyman Marvel.

Roll call on Senate Bill No. 17:

YEAS—41.

NAYS—None.

Absent—Jeffrey.

Senate Bill No. 17 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 Kerns.

Roll call on Senate Bill No. 126:

YEAS—41.

NAYS—None.

Absent—Jeffrey.

Senate Bill No. 126 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

SECOND READING AND AMENDMENT

Assembly Bill No. 183.

Bill read second time.

The following amendment was proposed by the Committee on Elections:

Amendment No. 165.

Amend section 1, page 2, line 7, by deleting "not include" and inserting: "[not] include *a specific listing of*".

Amend sec. 3, page 3, by inserting after line 20:

"*(c) Group of persons advocating the election or defeat of a candidate.*".

Amend the title of the bill, second line, after "questions;" by inserting: "requiring certain contributions to be listed in disclosures of expenses made by certain persons and groups of persons; expanding the material which the secretary of state must make available for public inspection;".

Assemblyman Price moved the adoption of the amendment.

Remarks by Assemblyman Price.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Mr. Speaker announced the appointment of Assemblyman Callister to the Committee on Commerce.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bills Nos. 117, 182, 202; Senate Joint Resolution No. 21 of the 63rd Session.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Brookman, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Laura Kelly Smith.

On request of Assemblyman Humke, the privilege of the floor of the Assembly Chamber for this day was extended to Mesdames Bosarge, Carson, Brezlin, Jackson and the students of Edwin Dodson Elementary School: Travis Paul, Joseph Bosarge, Aaron Aytes, Jasson Gummert, Terry Anderson, Christy Ewing, Laura Squille, Tanya Washington, Jasson Tripp, Brian MacKie, Norman Maxwell, Mike Whitford, Heather Brown, Michelle Fu, Dong-Mi Min, Mike Shannon, Otto Raszler, Ellie Booth, Jamie Erickson, Heather Cobb, Heather McDermott, Mike Johnston, Sean Yancey, Jon Sloan, Marsha Zappettini, Natalie Brondz, Shenlene Shafer and Amanda Mentor.

On request of Assemblyman May, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Ruth Day.

On request of Assemblyman Thompson, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Jeff Jones and Charles England.

On request of Assemblyman Triggs, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Joe Quercia.

On request of Assemblyman Wisdom, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Don Quinto and Ms. Linda M. Madill.

Assemblyman Nevin moved that the Assembly adjourn until Tuesday, March 17, 1987 at 11 a.m.

Motion carried.

Assembly adjourned at 11:40 a.m.

Approved: JOSEPH E. DINI, JR.
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE FIFTY-EIGHTH DAY

CARSON CITY (Tuesday), March 17, 1987

Assembly called to order at 11 a.m.

Mr. Speaker presiding.

Roll called.

All present except Assemblymen Jeffrey and Marvel, who were excused.

Prayer by the Chaplain, The Reverend Robert Schwartz.

Dear God, on this St. Patrick's Day, we bow before You in prayer. We are thankful, not only for the Irish, but for all those from all over the world who have come here to blend their destinies with those already here to make this state what it is today. We celebrate our diversity and glory in the possibility of what we can learn from each other. Dear Lord, continue to be the magnetic spirit in the midst of us that draws us all together in cooperation and unity. In Your name, O God of all the peoples. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Nevin 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. 235, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

LEONARD V. NEVIN, *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which were referred Assembly Bills Nos. 279, 280, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JANE WISDOM, *Vice-Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which was re-referred Assembly Bill No. 28, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass, as amended.

MARVIN M. SEDWAY, *Chairman*

Mr. Speaker:

Your Committee on Economic Development, Small Business and Tourism, 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: Amend, and do pass as amended.

BOB PRICE, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, March 16, 1987

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bill No. 15.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Bills Nos. 160, 163, 182.

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. 6.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Joint Resolution No. 15.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Senate Joint Resolution No. 15.

Assemblyman Nevin moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Education:

Assembly Bill No. 372—An Act relating to county school districts; limiting the number of terms for office of trustee; and providing other matters properly relating thereto.

Assemblyman Craddock moved that the bill be referred to the Committee on Education.

Motion carried.

By the Committee on Economic Development, Small Business and Tourism:

Assembly Bill No. 373—An Act relating to economic development; requiring the commission on economic development to create an office for rural development within the division of economic development; and providing other matters properly relating thereto.

Assemblyman Price moved that the bill be referred to the Committee on Economic Development, Small Business and Tourism.

Motion carried.

By Assemblyman Banner:

Assembly Bill No. 374—An Act relating to mobile home parks; making various changes concerning the rights of tenants; and providing other matters properly relating thereto.

Assemblyman Banner moved that the bill be referred to the Committee on Commerce.

Motion carried.

By Assemblyman Banner:

Assembly Bill No. 375—An Act relating to mobile home parks; revising provisions governing landlords and tenants of the parks; and providing other matters properly relating thereto.

Assemblyman Banner moved that the bill be referred to the Committee on Commerce.

Motion carried.

By Assemblymen Adler, Dini, Nicholas, Thomas, Kissam, Price, Thompson, Gaston, Lambert, Craddock and Triggs:

Assembly Bill No. 376—An Act relating to motor vehicles; providing special license plates for veterans of Pearl Harbor; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Adler, Dini, Swain, Nicholas, Thomas, Kissam, Price, Thompson, Gaston, Lambert, Craddock, Haller and Triggs:

Assembly Bill No. 377—An Act relating to handicapped persons; expanding the definitions of "guide dog" and "hearing dog" to include dogs in training; requiring their admittance to buildings open to the public; and providing other matters properly relating thereto.

Assemblyman Adler moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

By the Committee on Elections:

Assembly Bill No. 378—An Act relating to elections; requiring an earlier close of registration of voters conducted by deputy registrars; and providing other matters properly relating thereto.

Assemblyman Swain moved that the bill be referred to the Committee on Elections.

Motion carried.

By the Committee on Transportation:

Assembly Bill No. 379—An Act relating to motor vehicles; repealing the provision relating to the payment of fees for the registration of motor vehicles owned by the state contractors' board; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Transportation:

Assembly Bill No. 380—An Act relating to highways; requiring the department of transportation to establish a system of emergency telephones along the public highways; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Commerce:

Assembly Bill No. 381—An Act relating to landlords; making air conditioning, if provided, an essential service which may not be willfully interrupted; and providing other matters properly relating thereto.

Assemblyman Wisdom moved that the bill be referred to the Committee on Commerce.

Motion carried.

By the Committee on Commerce:

Assembly Bill No. 382—An Act relating to generators of electricity; prescribing the procedures for their installation; requiring notice to the public utility furnishing electricity of the existence of a generator of electricity; requiring certain notices to explain the procedures for installation and to warn of the hazards of those generators; providing a penalty; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Commerce:

Assembly Bill No. 383—An Act relating to mortgage companies; clarifying the definition of "mortgage company"; exempting from the provisions governing mortgage companies any person who makes loans with his own money or the money of an affiliated corporation; authorizing a mortgage company to advance certain payments; and providing other matters properly relating thereto.

Assemblyman Wisdom moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 160.

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

Motion carried.

Senate Bill No. 163.

Assemblyman Nevin moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

Senate Bill No. 182.

Assemblyman Nevin moved that the bill be referred to the Committee on Commerce.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 32.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 161.

Amend the bill as a whole by deleting sections 1 through 5 and inserting:

"Section 1. NRS 248.040 is hereby amended to read as follows:

248.040 1. Except as *otherwise* provided in subsections 4 and 5, each sheriff may appoint, in writing signed by him, one or more deputies, who may perform all the duties devolving on the sheriff of the county. *Any person employed by the sheriff to act as a dispatcher must be appointed a deputy sheriff.*

2. No deputy sheriff is qualified to act as such unless he has taken an oath to discharge the duties of the office faithfully and impartially. The oath must be certified on the back of his appointment and filed in the office of the county auditor.

3. Except as *otherwise* provided in subsections 4 and 5, the sheriff may remove his deputy or deputies at pleasure. The sheriff may require of his deputies such bonds as to him seem proper.

4. The sheriff of a metropolitan police department may appoint one or more police officers who have the same powers and duties as deputy sheriffs. The appointment and removal of those police officers by the sheriff of a metropolitan police department must be only in accordance with the provisions of the civil service system for the department.

5. In any county whose population is 100,000 or more, the sheriff shall appoint and remove deputies only in accordance with the provisions of the merit personnel system of that county.".

Amend the title of the bill to read as follows:

"An Act relating to sheriffs; requiring any person employed as a dispatcher to be appointed a deputy sheriff; and providing other matters properly relating thereto.".

Amend the summary of the bill to read as follows: "Requires dispatchers to be appointed deputy sheriffs. (BDR 20-254)".

Assemblyman Thompson moved the adoption of the amendment.

Remarks by Assemblyman Thompson.

Amendment adopted.

Assemblyman Thompson moved that Assembly Bill No. 32 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. 134.

Bill read second time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 196.

Amend the bill as a whole by deleting sections 1 through 4 and inserting:

"Section 1. 1. There is hereby appropriated from the state general fund to the State Public Works Board:

(a) The sum of $2,349,211 to construct an additional 88 in-patient beds for the Southern Nevada Adult Mental Health Center, to be used in conjunction with the money appropriated in chapter 509, Statutes of Nevada 1985, for capital improvement project 85-42.

(b) The sum of $168,409 to upgrade the air-conditioning system in the in-patient units of Buildings B and C of the Las Vegas Mental Health Center.

2. Any remaining balance of the appropriations made by subsection 1 must not be committed for expenditure after the respective projects are completed, and reverts to the state general fund as soon as all payments of money committed have been made.

Sec. 2. This act becomes effective upon passage and approval.".

Amend the title of the bill to read as follows:

"An Act making appropriations to the State Public Works Board for the construction of additional in-patient hospital beds at the Southern Nevada Adult Mental Health Center and for upgrading the air-conditioning system at the Las Vegas Mental Health Center; and providing other matters properly relating thereto.".

Assemblyman Spinello moved the adoption of the amendment.

Remarks by Assemblyman Spinello.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 136.

Bill read second time.

The following amendment was proposed by the Committee on Taxation:

Amendment No. 190.

Amend sec. 4, page 2, line 22, by deleting "*and one-half*".

Amend sec. 4, page 2, lines 23 and 24, by deleting "*and (b)*" and inserting:

"*(b) One-half of one percent to the Nevada state council on the arts to be used as grants for the development of local cultural activities; and*

(c)".

Assemblyman May moved the adoption of the amendment.

Remarks by Assemblyman May.

Amendment adopted.

Bill ordered reprinted, engrossed and to the Concurrent Committee on Ways and Means.

Assembly Bill No. 160.

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. 166.

Amend sec. 5, page 2, by deleting lines 21 and 22 and inserting:

"Sec. 5. *The committee on group insurance shall by regulation provide for specific procedures for the determination of contested claims.*".

Amend sec. 7, page 3, line 26, by deleting the period and inserting: "*and the legislative commission.*".

Amend the bill as a whole by adding a new section designated sec. 10, following sec. 9, to read as follows:

"Sec. 10. 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] *and the committee on group insurance are* 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) Chapter 612 of NRS for the distribution of regulations by and the judicial review of decisions of the employment security department;

(b) Chapters 616 and 617 of NRS for the determination of contested claims; and

(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.".

Assemblyman Thompson moved the adoption of the amendment.

Remarks by Assemblyman Thompson.

Amendment adopted.

Assemblyman Nevin moved that Assembly Bill No. 177 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 Bill No. 199.

Bill read second time, ordered engrossed and to third reading.

Senate Bill No. 4.

Bill read second time and ordered to third reading.

Senate Bill No. 117.

Bill read second time and ordered to third reading.

Senate Bill No. 145.

Bill read second time and ordered to third reading.

Senate Bill No. 158.

Bill read second time and ordered to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Thompson moved that Assembly Bill No. 97 be taken from the Chief Clerk's desk and placed on the General File.

Remarks by Assemblyman Thompson.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Judiciary:

Assembly Bill No. 384—An Act relating to judges; granting them immunity from any civil action; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 385—An Act relating to traffic laws; expanding the list of persons who may administer blood tests to determine alcohol content or the presence of a controlled substance; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 386—An Act relating to parole; requiring the department of parole and probation to reimburse local governments for the cost of holding persons arrested for violating their parole; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 387—An Act relating to juries; authorizing a board of county commissioners to require a deposit by the person demanding a trial by jury in civil cases to pay the cost of summoning the jury; and providing other matters properly relating thereto.

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

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 98.

Bill read third time.

Remarks by Assemblyman Kerns.

Roll call on Assembly Bill No. 98:

YEAS—40.

NAYS—None.

Absent—Jeffrey, Marvel—2.

Assembly Bill No. 98 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 97.

Bill read third time.

Remarks by Assemblyman Thompson.

Roll call on Assembly Bill No. 97:

YEAS—40.

NAYS—None.

Absent—Jeffrey, Marvel—2.

Assembly Bill No. 97 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 for the purpose of hearing an Irish ballad sung by Mr. William Marks.

Assembly in recess at 11:40 a.m.

ASSEMBLY IN SESSION

At 11:42 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. 125, 174; Senate Bill No. 6.

REMARKS FROM THE FLOOR

Assemblyman Price requested that his remarks be entered in the Journal.

On March 10, 1790, Pennsylvania became the seventh state to ratify the Bill of Rights. Enough state delegations were present in Congress to constitute a quorum and the major issue before the body was whether or not the United States should establish a consulate in Lisbon, Portugal. After some discussion Congress passed a resolution to do so.

The Postmaster General, on March 15, 1787, sent a resolution to Congress asking to *decrease* postal rates to be effective January 1, 1788.

During this same period, Walnut Street Prison in Philadelphia reported it had foiled an escape plan but provided few details.

On St. Paddy's day in 1787, the friendly sons of St. Patrick invited Ben Franklin to be their special guest for dinner at City Tavern in Philadelphia to celebrate St. Patrick's Day.

An interesting note on another Constitution—On March 11, 1861, the Confederate States of America adopted its Constitution.

In 1933, President Franklin D. Roosevelt made the first of his Sunday evening fireside chats. Speaking from the White House, he reported on the economic problems of the country and on his actions to deal with them.

The first "Uncle Sam" cartoon was published in 1852 by Frank Bellew. The Uncle Sam character was modeled after Samuel Wilson of New Hampshire.

In Nevada, on March 17, 1879, the first Nevada Homestead Act was enacted. This act exempted property up to $5,000.

On that same date, in the Nevada Legislature $30,000 was appropriated for a state asylum for the poor and maimed.

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 Mesdames Melinda Reynolds, Jeannette Fernandez, Gaye Tyndall, Astrid Sady, Linda Everson and the third grade students of Gardnerville Elementary School: Woody Askin, Babe Benso, Kristen Broughton, Kristine Bums, Brandilyn Carden, Olivia Ceballos, David Covault, Erin Cressalty, Jim Ensor, Jared Gloisten, Steven Kish, Drew Kolbe, Karen Kubeny, Michael Laxague, Tina Martello, LaTisha Nagel, Stephen Oakes, Kevin Sady, Jeff Sanders, Dave Tyndall, Toby Jo Widmer, Christy Peterson, Chris Bormann and Eric Goker; Mesdames Vogt, Gloistein, Vickers, Shull, Kenworthy, Damon and the third grade students of Gardnerville Elementary School: Laurel Vickers, Marco Chalton, Christopher Field, John Snider, Alishia Gordon, Ian Kilbourne, Noel Arraiz, Jennifer Blumenthal, Karen Burns, Autumn Child, Kinsie Damon, Gideon DiPeso, Evisael Iguado, Kelly Dickerson, Trevor Madsen, Rachel McDonald, Emmont Rosaschi, Eric Scheetz, Jeremy Scossa, Barry Schull, Kathy Shurtliff, Sam Slader, Barrett Smallwood, Nicole Thornton, Christa Van Foeken, Michelle Williams, Sean Gemmell, Russell Cook, Nicholas Kenworthy; Mss. Janelle Davey, Cindy McEwan, Mesdames Wallstrum, Crossman and the third grade students of Gardnerville Elementary School: Amy Arlit, Russell Beach, Cathy Biggs, Maja Caya, Sherryl

Cephas, Tomi Cioffi, Angie Colquhoun, Beckie Conetto, April Crossman, Cody Cummings, Daniel Davis, Vikki Eisenmann, Teresa Hatley, Jeremiah Higley, Brian Kincade, Jason Kuhn, Jaime Maple, David Morris, Erik McBride, Jackie McFarland, Peter O'Reilly, Jarrett Paullo, Phil Pedrojetti, Courtney Rohrbough, Richard Romero, Heather Ross, Steve Schmid and Peter Wallstrum.

On request of Mr. Speaker, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. John Dibbals and the students of Yerington High School: Connie Aiazzi, Judy Andrade, Rich Ayres, Eric Bobrick, Shawna Chisum, Steph Conway, Julee Davis, George Dotson, Lyle Hibbard, Juan Larrien, Jim Yenesini, Jason Reid, Paul Roberts, Laura Smith, Sheila Williams, Mark Wertz; Messrs. Ron Beck, Mike Longero, Daryl Hart, Allen Ansart and the students of Dayton High School: David Aurano, Leah Beaudette, Mike Brantingham, Collette Burke, Kris Burke, Dana Caraway, Cindy Carlisle, Vicky Carlson, Emily Davidson, Stacey Delaney, Tony Dilk, Wendy Dimarzo, Dan Edington, Shannon Eitel, Joanie Eitel-Marti, Ray Fierro, Tammy Fridley, Brad Gill, Kathy Glick, Stacey Grogan, Paul Howard, Pat Hughes, Charles Keller, Kris Kelley, Lauren Kerri, Joey Lloyd, Angel Medina, Monie Newman, Tricia Parker, Michelle Piland, Sheri Ray, Dan Ross, Mike Seal, Randy Selmi, Kurt Service, Paul Silva, Shawn Smith, Michelle Thomas, Shelina Thomas, Jason Thrailkill, Reese Tietje, Randy Travis, Niki Turner, Joyce Valentine, Gidget Warren, Steph Derby, James Gillespie, Tara Good, Alyna Digiacinto, Wendy Branscombe, John Fleckenstein, Carolyn Goodshield, Toby Jacoboni, Jason Myer, Chris Polinsky, Laura Stulce, Danielle Thomas and Pat Wiggins.

On request of Assemblyman May, the privilege of the floor of the Assembly Chamber for this day was extended to Mss. Alice McGuinness and Andrea Engleman.

On request of Assemblyman Price, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Kay Keever.

On request of Assemblyman Myrna Williams, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Barbara Olavarria.

On request of Assemblyman Wisdom, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Doris Beckie.

Assemblyman Nevin moved that the Assembly adjourn until Wednesday, March 18, 1987 at 11 a.m.

Motion carried.

Assembly adjourned at 11:47 a.m.

Approved: JOSEPH E. DINI, JR.
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE FIFTY-NINTH DAY

CARSON CITY (Wednesday), March 18, 1987

Assembly called to order at 11:03 a.m.

Mr. Speaker presiding.

Roll called.

All present except Assemblyman Jeffrey, who was excused.

Prayer by the Chaplain, The Reverend Robert Schwartz.

It's mid-week, Lord, half-way through! We would pray that we can look back on what we have already accomplished this week with a certain degree of satisfaction. May we be so blessed by You that we may look forward to the rest of the week with anticipation and dedication. There is a lot of work to do and we know we cannot do it without the help of others and without Your light guiding the way. Hear our prayer, O God, who is heard by all. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Nevin moved that further reading of the Journal be dispensed with, and the Speaker and Chief Clerk be authorized to make the necessary corrections and additions.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Elections, to which was referred Senate Bill No. 85, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

COURTENAY C. SWAIN, *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which was referred Assembly Bill No. 12, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JANE WISDOM, *Vice-Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which was referred Senate Bill No. 108, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

MARVIN M. SEDWAY, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which were referred Assembly Bills Nos. 328, 333; Assembly Joint Resolution No. 18, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

DANNY L. THOMPSON, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, March 17, 1987

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bill No. 175.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Bills Nos. 121, 141.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

NEVADA ASSEMBLY, Carson City, Nevada 89710

To thank you for your kindness and sympathy at a time when it was deeply appreciated. Words cannot express my gratitude for your tribute to our husband and father.

THE KOVACS FAMILY

By the Committee on Taxation:

Assembly Joint Resolution No. 31—Proposing to amend section 1 of article 10 of the constitution of the State of Nevada to authorize an exemption from taxation for improvements made to certain real property for the reduction of noise near airports.

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.

2. Shares of stock, 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 tax shall ever be levied.

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 improvements to real property in the vicinity of a municipal or military airport made for the purpose of reducing the level of noise in the interior of a structure generated by the operation of the airport. The legislature may provide by law the criteria under which an improvement qualifies for the exemption, including:

(a) The distance of the real property from the boundary of the airport;

(b) Compliance with local building codes; and

(c) The level of noise, measured in decibels, in the interior of the structure that must be achieved by the improvement.

Assemblyman May moved that the resolution be referred to the Committee on Taxation.

Motion carried.

By Assemblymen Brookman, Callister, Sedway, Dini, Tebbs, Myrna Williams, Spinello, Wisdom, Kerns, Porter, Fay, Price, Nevin, May, Thompson, Adler, Thomas, Kissam, Nicholas, Craddock, Haller, Wendell Williams, Triggs, Humke, Evans, Garner, Spriggs, Arberry, Swain, Getto, Gaston, Schofield, Carpenter, Freeman and Marvel:

Assembly Concurrent Resolution No. 22—Directing the Public Service Commission of Nevada to conduct an interim study of the installation of emergency telephones along the highways of the state.

Assemblyman Brookman moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Lambert, May, Adler, Dini, Wisdom, Kerns, Bergevin, Tebbs, Sedway, Arberry, Swain, Thompson, McGaughey, Kissam and Myrna Williams:

Assembly Bill No. 388—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 a proposed amendment indicating whether the original fiscal note would be 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.

Assemblyman Lambert moved that the bill be referred to the Committee on Legislative Functions.

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 389—An Act relating to financing by a local government; excluding certain lease-purchases and contracts for purchases in installments from the provisions governing short-term financing by a local government; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 390—An Act relating to public employees' retirement; changing the composition of the board; and providing other matters properly relating thereto.

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

Motion carried.

Senate Bill No. 121.

Assemblyman Nevin moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

Senate Bill No. 141.

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

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 128.

Bill read second time.

The following amendment was proposed by the Committee on Economic Development, Small Business and Tourism:

Amendment No. 189.

Amend the bill as a whole by adding a new section designated sec. 2, following section 1, to read as follows:

"Sec. 2. This act expires by limitation on July 1, 1989.".

Amend the title of the bill, first line, after "Magazine;" by inserting "temporarily".

Assemblyman Price moved the adoption of the amendment.

Remarks by Assemblyman Price.

Amendment adopted.

The following amendment was proposed by Assemblyman Tebbs:

Amendment No. 207.

Amend section 1, page 1, line 11, by deleting "*others*" and inserting "*airlines*".

Amend the title of the bill, second line, by deleting "others" and inserting "airlines".

Assemblyman Tebbs moved the adoption of the amendment.

Remarks by Assemblymen Tebbs, Price, Nicholas, Bergevin, Spinello, Humke, Nevin, Swain, Thomas, Fay, DuBois, May and Gaston.

Assemblyman Triggs requested that the following remarks be entered in the Journal.

ASSEMBLYMAN TEBBS:

Thank you, Mr. Speaker. Amendment 207 to Assembly Bill No. 128 will limit the use of trading advertising space in the *Nevada Magazine* for airline tickets only. In the testimony we heard, we were told that the Commission on Tourism, when they were approached with the idea of trading advertising space, was told by the Executive Director that the trade would be for airline tickets to try to sell more ads back in New York, California and Las Vegas. The Commission was also warned of the potential abuse of this type policy and that tight controls would need to be set up. Although trading ads is a common practice in the publishing business, this practice should not be taken lightly. The ultimate objective in selling an ad is to bring in cash. Once *Nevada Magazine* begins trading with a particular business, it will be very hard, if not impossible, to convert that ad into cash payments. I strongly feel that if we do not impose our own limits as to what *Nevada Magazine* may trade advertising space for, we will soon find restaurants, hotels and other businesses trading, rather than paying cash. After this occurs, the beneficiaries will not be the financial well-being of the publication, but its employees and special clients. Given the fact that we supplement *Nevada Magazine* with almost $600,000 a biennium with tax dollars, we urge your approval of this amendment to guarantee trade will be limited to airline tickets only. I might add that is the purpose of the bill and they testified to that. All the amendment does is clarify the fact that they can use it for airline travel only. It does not conflict with the amendment spoken to earlier.

ASSEMBLYMAN PRICE:

Thank you, Mr. Speaker. I would rise in opposition to Amendment No. 207 to Assembly Bill No. 128. During the hearings, which actually were over a period of two different days on this particular subject matter, the committee listened to the testimony and we had the staff of *Nevada Magazine* actually bring in the recommendation from the Committee on Economic Development. The language that is in this amendment is exactly what they recommended with the exception that we considered the possibility of limiting their trading only to airlines and it was rejected by the Committee by a five to five vote—we had one member absent. After that we decided that the sunset provision plus the checks and balances that were already in the law—they have to go through three committees and you have several agencies overlooking this—that there were sufficient safeguards there so the committee rejected it. I would stand in opposition to this particular amendment.

ASSEMBLYMAN NICHOLAS:

Thank you, Mr. Speaker. To you and through you, having had many years of experience in the advertising business and in media, I'm reasonably familiar with the trade-out methodologies utilized in those businesses. I do not think that they apply to government work and government employees. It is not intended that an employee of an organization subsidized by our Legislature and a part of state government would be in a position to exercise the trade-out methodologies that are a normal part of the industry—exchange of meals and other favors. I tend to wish to restrict this and believe that this amendment does, indeed, exercise some restriction and therefore would vote for it. Thank you.

ASSEMBLYMAN BERGEVIN:

Mr. Speaker, I also rise in support of Amendment No. 207. Even though we do have a one-year sunset, it would seem to me that we ought to restrict the capability of the magazine for trade-outs even during that one-year period to see if there was any abuse that was contingent with it. I would certainly say, inasmuch as we are putting in $600,000 of state money to subsidize this magazine which in my estimation should be self-paying, that this amendment makes eminently good sense.

ASSEMBLYMAN SPINELLO:

Thank you, Mr. Speaker. Two points to bring out—first, it has been difficult for the magazine to attract airline advertisements because of their inability to do trading which is

commonplace within that particular industry. The second portion in terms of the checks and balances, the amount, $10,000, that is allowed for a trade-out is contained in the travel line item in the budget. This means they can only not use ten percent of that before going to the Interim Finance Committee for approval of use other than for travel. That, it seems to me, does give this an adequate check and balance that they would have to come before a body of this Legislature before they could use ten percent or up to only $1,000 of the total amount allocated here. So I think there are sufficient safeguards with that, with the line item, and with the fact that the commission itself has required of them that those funds can only be used for travel. I think the safeguards are there, I think to put in more restrictions is doing exactly what we always say we don't want to do—we claim we want to make government operate as efficiently as business can and when we give them the opportunity when they ask for the opportunity we then inflict so many restrictions on them that they are not able to do it.

ASSEMBLYMAN HUMKE:

Thank you, Mr. Speaker. I rise in support of Amendment No. 207 to Assembly Bill No. 128. Based on the remarks of previous speakers, the proposer of this amendment did some research and found that the original intent of the executive branch Commission on Tourism was exactly to limit this to airline usage only. I think we are just staying with their intent. I feel that the bill was probably drafted somewhat in error to not provide for the restriction and I think this is just being prudent to amend it to restrict it to this extent. Thank you.

ASSEMBLYMAN NEVIN:

Thank you, Mr. Speaker. I rise in opposition to Amendment No. 207 to Assembly Bill No. 128. I think it is pretty well handled in the amendment we just voted on, Amendment No. 189 to Assembly Bill No. 128. We have a sunset clause in there and if this appears to be a problem, I think it is something to be considered at that time. There has been no indication brought up on the floor that this has been a problem and has been abused. I stand in opposition to this amendment.

ASSEMBLYMAN SWAIN:

Mr. Speaker, I, too, rise in opposition to Amendment No. 207 to Assembly Bill No. 128. I feel that we discussed this issue in committee ad nauseam, and we voted on this amendment in committee and the amendment went down and then we decided that we would put a sunset on it. I feel very strongly that the sunset gives us the opportunity to review the situation two years from now and I feel very strongly that the people who came before us requesting this bill in the beginning had no intentions of using it for any other purposes than airline travel.

ASSEMBLYMAN THOMAS:

Thank you, Mr. Speaker. I rise in support of the amendment. I voted that way in committee and I shall vote that way today. Thank you.

ASSEMBLYMAN FAY:

Thank you, Mr. Speaker. Admittedly I was not a member of that committee. But on the face of this, I rise in support of Amendment No. 207 to Assembly Bill No. 128 for this reason: Unlike my colleague, Mr. Nicholas, I am not familiar with publishing and the people in my district are not familiar with the publishing business. The perception of this is that in my estimation we are wheeling and dealing with taxpayers' money. Therefore, I do rise in support of Amendment No. 207.

ASSEMBLYMAN DUBOIS:

Thank you, Mr. Speaker. I rise in support of Amendment No. 207 to Assembly Bill No. 128. As it has been stated in this body this morning, the intention is only for airline travel; therefore, based upon what those who would oppose the amendment say, I see no reason not to favor the amendment if they agree with what the amendment says. Having also been in the advertising business for a number of years, trade-outs are common, but they are common in the private sector. In most cases they are used for trade-outs with restaurants, hotels, and this sort of thing and are used to entertain their clients to get more business. I can see in this bill without the amendment a lot of abuse going on by state employees.

ASSEMBLYMAN PRICE:

Thank you, Mr. Speaker. I would like to clear up what I perceive to be a bit of a misconception by at least a couple of speakers. With regard to the intent, and again I would like to make it very clear that the commission that controls this magazine approved the language at their commission meeting and we were furnished with the minutes and there was no doubt about that. I think that where there may have been some confusion, initially at least, when the director appeared before our committee is that he did use the word that they were primarily thinking of airline exchanges. But, they did not prohibit nor did that preclude the use of other types of trade-outs. Now, I've never been directly in advertising, but I was at least one step removed and have used trade-outs myself. It is not, as my one colleague suggested, subsidizing a state employee. What it is is an item against the budget. Any trade-out would be reflected within their budget year and it is an exchange of services as opposed to an exchange of dollars. I sometimes wonder about my colleagues who talk about government being more efficient like private enterprise and then when we try to do something, get up and talk on the floor against becoming more efficient and against more like becoming private enterprise. Thank you.

ASSEMBLYMAN MAY:

Mr. Speaker, thank you. As a member not on the committee, but yet as a devotee of *Nevada Magazine,* in the first few days of the session, Mr. Speaker, I called the editor of that magazine and asked them to furnish some information as to what it would cost this body in appropriations to place on selected flights out of Nevada or coming into Nevada extra copies of that magazine. I have subscribed to it for years and find it a valuable tool. As I read this language, it is broad enough as written without the amendment to allow them to do some trading with selected airlines and perhaps smaller numbers on an experimental basis only to provide outflying customers or incoming customers into Nevada to a free copy of that magazine to take home with them thereby spreading the glory of the great State of Nevada to those people who might not otherwise have a chance to avail themselves of it. I stand in opposition to the amendment.

ASSEMBLYMAN TEBBS:

Thank you, Mr. Speaker. Although those remarks from my colleague to my right did not have anything to do with the amendment, I will not address those. However, there were a few other remarks that were made that I would like to shed a little light on. It was stated that the commission did not intend to limit this particular bill to airline travel only. A close review of the minutes of that commission hearing, you will see by reading them, that was in fact the topic of discussion and just because they did not specifically limit it in the bill. If you read the minutes, you will see that is what they were talking about. Also, a point that people who have not been in the business may not understand about trades, unless that is controlled, there is a real possibility that you may be adding to the expense of the magazine. When you print a magazine, you do not print one page at a time, you print eight or 16 pages at a time. If you happen to get enough trade-out ads in that publication that you need to add one page, you are going to add probably 16 pages in *Nevada Magazine.* Therefore, your expense is going to go up tremendously each month. I think that is something the committee really needs to consider and just ask yourself the question, "Are we here to be responsible?" I feel limiting this would not in any way do anything different than what the Commission on Tourism intended to do. Thank you.

ASSEMBLYMAN GASTON:

Thank you, Mr. Speaker. I rise in opposition to the amendment. I think that this body should realize the purpose of the entire bill. They came to us indicating that we do have an efficiently run operation and I think that was very evident in all of the proceedings that we have had in that committee up to this point. But they need to run it more efficiently. One way they need to run it more efficiently is to have access to the southern part of the state. They don't have access as frequently to the southern part of the state because of the expense involved. So they have proposed a trade-out whereby they can trade out advertising space for airline tickets so they could have access and become more efficiently operative and represent the entire State of Nevada. That is the real purpose of this initially,

for the airline travel which was impacting on them. They did indicate this and we had a serious conversation and discussion regarding opening it up a little broader than just the airline tickets. There are other things that come up that may require a trade-out in order for them to do their job best. If, for example, they are travelling down south into southern Nevada on a weekly basis on behalf of the magazine and they need a place to reside while there, this may also be part of the trade-out. So, they are not trying to live in the lap of luxury or be on a gravy train in any stretch of the imagination. They are wanting to make the magazine much more efficient like they have all the other areas of economic development and tourism. We would strongly urge your opposition to this amendment and let them do their job.

ASSEMBLYMAN SPINELLO:

Thank you, Mr. Speaker. Just to clarify when I rose earlier it was in opposition to this amendment. A couple of people have asked me so I must not have been lucid enough when I rose. I rise again in opposition to the amendment. Again, the committee rejected this amendment when it was brought before the committee. It was debated there thoroughly. All the points that were listed today were debated thoroughly, and it was rejected. I think, too, though, what should be considered is that this amendment attacks the magazine, the use of that $10,000, but I think it is in the overall context of whether or not that magazine should exist. That is not the issue. The issue is, can they use $10,000 worth of a travel budget to trade. It is a line item by our rules. They can only use up to ten percent of that for another use—that's $1,000. We are arguing here about the use of $1,000. There are sufficient procedures, there are three bodies, including our own that govern the use of this money. There are sufficient safeguards. We are being responsible with the people's money in this case. We are giving the magazine room to operate and I urge your defeat of the amendment.

Assemblymen Thompson, Sader and Schofield moved the previous question.

Motion carried.

The question being on the motion to adopt Amendment No. 207 to Assembly Bill No. 128.

Assemblymen Price, Thompson and Craddock requested a roll call on Assemblyman Tebbs's motion.

Roll call on Assemblyman Tebbs's motion:

YEAS—15.

NAYS—Arberry, Bergevin, Brookman, Callister, Craddock, Evans, Freeman, Garner, Gaston, Haller, Kissam, May, Nevin, Porter, Price. Sader, Schofield, Sedway, Spinello, Swain, Thompson, Triggs, Myrna Williams, Wisdom, Mr. Speaker—25.

Absent—Jeffrey.

Not voting—Adler.

The motion having failed to receive a majority, Mr. Speaker declared the amendment lost.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 235.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 279.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 280.

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 for the purpose of a presentation by The Honorable W. E. Teurman to Assemblyman Virgil Getto.

Assembly in recess at 11:33 a.m.

ASSEMBLY IN SESSION

At 11:45 a.m.

Mr. Speaker presiding.

Quorum present.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Haller, Nevin, Triggs, Wendell Williams, Nicholas, Thomas, Porter, Wisdom, Myrna Williams, Callister and Price:

Assembly Bill No. 391—An Act relating to the registration of motor vehicles; requiring the fee for the highway patrol special fund to be paid once for all registered motor vehicles owned by a person rather than once for each motor vehicle; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Transportation:

Assembly Bill No. 392—An Act relating to casualty insurance; requiring an insurer to give to certain persons 55 years of age or older a discount on the premiums for a policy of liability insurance covering a motor vehicle; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 393—An Act relating to compensation for victims of crime; removing the restriction upon providing compensation to nonresidents; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 394—An Act relating to gaming; creating the Nevada racing broadcast authority; authorizing the authority to enter into agreements with disseminators and race tracks for the transmission of live broadcasts; providing a penalty; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 395—An Act relating to support for children; revising the procedures for the withholding of income; requiring the appointment of a master in certain cases; requiring payment towards arrearages; eliminating limitations on actions to enforce orders for support; specifying that actions to determine paternity are civil suits in equity; providing a penalty; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Sedway, Swain, Freeman, Haller, Myrna Williams, Craddock, Bergevin, Kerns, Lambert, Marvel and DuBois:

Assembly Bill No. 396—An Act relating to education; requiring each school district to establish a course of study on human sexuality to be taught in all grades; and providing other matters properly relating thereto.

Assemblyman Sedway moved that the bill be referred to the Committee on Education.

Motion carried.

By Assemblymen Sedway, Dini, Nevin, Evans, Wendell Williams, Wisdom, Porter, Haller, Myrna Williams, Price, Triggs, Kissam, Callister, Spinello, Craddock, Arberry, Freeman, Swain, Thompson, Gaston, Bergevin, Thomas, Nicholas, DuBois, McGaughey, Getto, Lambert, Marvel, Humke and Tebbs:

Assembly Bill No. 397—An Act relating to governmental financing; requiring an interim study of the fiscal affairs of the state and local governments in Nevada; making an appropriation; and providing other matters properly relating thereto.

Assemblyman Sedway moved that the bill be referred to the Committee on Legislative Functions.

Motion carried.

By Assemblymen Sedway, Dini, Sader, Nevin, Evans, Fay, Porter, Wendell Williams, Wisdom, Haller, Myrna Williams, Garner, Price, Kissam, Callister, Craddock, Arberry, Freeman, Swain, Schofield, Thompson, Gaston, Bergevin, Thomas, Nicholas, DuBois, Carpenter, Getto, Kerns, Lambert, Tebbs and Humke:

Assembly Bill No. 398—An Act making a supplemental appropriation to the Department of Human Resources to continue the program to provide assistance to physically disabled persons; and providing other matters properly relating thereto.

Assemblyman Sedway moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By Assemblymen Sedway, Dini, Jeffrey, Thompson, Sader, Brookman, May, Arberry, Nevin, Evans, Porter, Wisdom, Haller, Myrna Williams,

Garner, Price, Kissam, Callister, Spinello, Craddock, Freeman, Swain, Schofield, Gaston, Bergevin, Thomas, Nicholas, DuBois, McGaughey, Carpenter, Getto, Kerns, Lambert, Tebbs and Humke:

Assembly Bill No. 399—An Act making an appropriation to the state public works board for the designs of new buildings for the Supreme Court and the state library and archives; and providing other matters properly relating thereto.

Assemblyman Sedway moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By Assemblymen Sedway, Nevin, Evans, Wisdom, Wendell Williams, Myrna Williams, Haller, Price, Triggs, Kissam, Spinello, Callister, Craddock, Freeman, Arberry, Swain, Schofield, Thompson, Gaston, Bergevin, DuBois, McGaughey, Getto, Kerns, Lambert, Marvel, Humke and Tebbs:

Assembly Bill No. 400—An Act relating to indigent persons; requiring counties to adopt standards of eligibility for financial and medical assistance; establishing a minimum standard for eligibility for medical assistance; authorizing an appeal of a denial of benefits; and providing other matters properly relating thereto.

Assemblyman Sedway moved that the bill be referred to the Concurrent Committees on Health and Welfare and Ways and Means.

Motion carried.

By Assemblymen Sedway, Dini, Nevin, Evans, Porter, Wisdom, Wendell Williams, Myrna Williams, Haller, Garner, Price, Kissam, Callister, Craddock, Arberry, Freeman, Swain, Schofield, Thompson, Gaston, Bergevin, DuBois, Carpenter, Getto, Kerns, Marvel, Humke and Tebbs:

Assembly Bill No. 401—An Act relating to public welfare; establishing a limit on monthly income for eligibility for benefits for long-term medical care; and providing other matters properly relating thereto.

Assemblyman Sedway moved that the bill be referred to the Concurrent Committees on Health and Welfare and Ways and Means.

Motion carried.

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.

GENERAL FILE AND THIRD READING

Assembly Bill No. 28.

Bill read third time.

Remarks by Assemblymen Getto, Sedway, Dini, Fay, Nevin, Adler, Spinello, Marvel, Craddock, Callister and DuBois.

Assemblyman Triggs requested that the following remarks be entered in the Journal.

ASSEMBLYMAN GETTO:

Mr. Speaker pro Tem, I am not an advocate of long explanations of bills, but I think since we are proposing to obligate to the taxpayer about $45 million, it does deserve a complete explanation. Assembly Bill No. 28 provides for issuance of general obligation bonds for construction of a prison at Ely and the design of a prison at Lovelock. As amended, it provides for the State Board of Examiners to issue general obligation bonds of the State of Nevada for the funding necessary for the construction of the Maximum Security Prison at Ely in the amount of $35,900,000 and for the architectural design and development of the site for the Medium Security Prison at Lovelock in the amount of $9,660,000. Senate Bill No. 446, as approved by the 1985 Legislature established a committee to select sites for new prisons and provided for the advanced plan and design of those prisons. This committee held numerous hearings and received public testimony surrounding the selection of the site for these new prisons. Two sites were selected—one in Ely for the Maximum Security Prison and the other site in Lovelock for the Medium Security Prison. The selection of these sites was approved by the Interim Finance Committee at their December meeting. The initial phase of the construction of the Ely prison will provide for 484 inmates inside the fence, a minimum security dormitory for 16 inmates outside the fence and internal supporting facilities to serve as a core to serve 500 inmates. Phase two of the construction at some future date will provide for an additional 500 inmates for a total of 1,000 inmates at that prison.

The design and construction schedule as supplied by the architects of the projects indicates that if the bidding is completed by May 13, 1987, that construction could begin as early as June 11, 1987. It is critical that the construction of the Ely prison be started before the winter season begins so as not to delay the construction for another entire year. The amount included in this legislation for the Lovelock prison will provide for the completion of the design and the site development only for the eventual construction of a Medium Security Prison in Lovelock. It is anticipated that the balance of the construction costs will be funded by the 1989 Legislature which will provide for construction of phase one. It will provide for 500 inmates in medium security custody and a 16-inmate medium security dormitory outside the secure perimeter. Phase two of the project would then ultimately provide for an additional 500 inmates at some future date for a total of 1,000 inmates there. The executive budget recommends the issuance of bonds for the Lovelock facility in the amount of $9,660,000 in June 1987, and the issuance of bonds for $35,900,000 in April 1987 for the Ely maximum security prison.

I want to strongly stress the urgency of this bill. We have lost a month of construction already because it takes at least a month to sell the bonds. It takes another month of bidding and then by the time the company moves in a good part of the summer will be gone. I strongly urge you to support this bill and get the facility on its way.

ASSEMBLYMAN SEDWAY:

Thank you, Mr. Speaker pro Tem. I cannot stress to my colleagues the gravity of the situation as outlined by Assemblyman Getto. As you know, our prisons are loaded to the maximum. As a matter of fact, in testimony before the Ways and Means Committee, we know that we are a substantial number—between 600, 700 or whatever number is given to us today—over what is called, "Critical Occupancy." They are reaching the stage that is called, "Emergency Level."

I am totally opposed to the building of the Lovelock prison. However, I am practical enough to understand the actions of the Federal court which may come to take place on the State of Nevada in the near future unless we make a very strong effort to build a facility to house the prisoners that we have in the State of Nevada. I know that the Federal courts will fine us at some level approaching what they fined the State of Texas which amounts to $30 million a month for overcrowding of prisons. Nobody likes to appropriate money to build prisons—nobody. We would all rather spend the money for educational facilities or for social programs that we find are necessary. I can only tell you, my colleagues, that the original bill, if you will look at it, calls for the construction of a prison in Ely, Nevada,

which has my name on it. The bill was amended to include the Lovelock prison for the simple reason that our friends at the opposite end of the building have insisted that we include the Lovelock prison.

Assemblyman Getto outlined for you the gravity of the building situation with the short building period that they have in White Pine County because of weather, and I can assure you that unless we act in a positive manner to start construction on the Ely prison we will be under not only a cloud of suspicion from the Federal courts, but direct action.

I will never, ever again vote to put a prison in a rural area for many reasons. The most important of which is that it is not sound chronology to separate prisoners from their families. This was told to us by the Director of the State Prisons. But, I feel constrained to tell you that I feel a gun at my head from the Federal court which will act unless we do and without our consent they will turn prisoners loose as they do in Texas. They will take felons and turn them into the street because we cannot house them. If we make a good faith effort to meet the mandates of Federal courts throughout this country, we will not operate in that manner. If we do not, then we have only ourselves to blame.

ASSEMBLYMAN DINI:

Thank you, Mr. Speaker pro Tem, Ladies and Gentlemen of the House, I rise in support of Assembly Bill No. 28. We have gone through an evolution in the Nevada Legislature for the past ten years on getting tough on crime. We have the toughest laws in the United States. We incarcerate prisoners for longer periods of time, our parole board does not let them off as fast as they used to and we have caused a jam-up in the prison system that has been readily apparent now for four or five years. We have the prisoners, we have the obligation to put them in there and keep them there, we have to start the process of building some jails. We can no longer go with putting it off until next session, doing another study and playing games. We have done everything we can with honor camps, restitution centers and we must have a Maximum Security Prison built immediately.

This is only the beginning of what we are going to propose at this session. There will be a lot of other things come through this House costing many millions of dollars for the prison system to get us in compliance. The Ely prison will take a couple of years to build and we want to do the next phase of Lovelock. I think we have made a commitment to the people in Lovelock. The committee that studied this for two years made the commitment that they were going to go there. I think it is the implied commitment.

We also had a real feeling at the last session from the people in Clark County that they did not want any more prisons in Clark County and that is pretty well documented by the committee that went out all over the state looking for sites. They came out with two rural communities that were willing to accept the prison. Not every community would. If you went to my home town of Yerington, I'm afraid they would not approve a prison there. They don't even want the honor camp and there has been some discussion about that.

This is an important thing for the future of our state. We must get on with the business of state, and we must pass this bill and get on with our business because we are going to be here all session and talking about prisons from now until the end of the session on how to bring Nevada into compliance and take care of this overload of prisoners.

ASSEMBLYMAN FAY:

Thank you, Mr. Speaker pro Tem. I do echo the sentiments of Speaker Dini and Assemblyman Marvin Sedway, but I must admonish my colleagues that in the future if there is a problem with construction in the north that on major projects like this we should maybe look more to the southern part of the state. Not necessarily Clark County, but somewhere down south where construction is feasible on a 12-month-a-year basis.

ASSEMBLYMAN NEVIN:

Thank you, Mr. Speaker pro Tem. I stand up in favor of Assembly Bill No. 28, I sat on Ways and Means last session, Interim Finance, and received reports on the interim study of this prison. They did travel all over the state and there were communities who flat said, "We don't want a prison here." The people of Lovelock and the people of Ely said, "We'll take it," and they invested a lot of money into this. We made a commitment to

these people, they have an investment in our state and I think with everything that has been done with this study and all the work that has been done, I am in full support of this bill.

ASSEMBLYMAN ADLER:

I'd like to speak in favor of this. Part of my background is that I represented the Department of Prisons for some six years. If we don't approve these two institutions, it is clear to me that we will have the Federal courts releasing prisoners. It is not because the Federal court judges in Nevada are malicious, they are just going to look at the numbers and see that we are over capacity.

As to Mr. Sedway's comments about good faith, that will have nothing to do with it. They are just going to look at our prisons and see that they have too many inmates in them and at that point, they are compelled under the Constitution of the United States to reduce the population of those prisoners either through a fining system or through direct releases. However, I have some reservations about this because I think this may have gone too far already. I believe it is quite possible that we can approve these prisons and still have a Federal court order requiring a reduction of population before these get on line. I think that we are way into the critical capacity areas right now and that is serious—given the numbers I have seen in the increased population of prisoners. Thank you.

ASSEMBLYMAN SPINELLO:

Thank you, Mr. Speaker pro Tem. I, too, rise in support of Assembly Bill No. 28. I do so because of the emergency we are operating under. I do so with a certain sadness knowing that the money that we put in, the prisons would seem to be one of our fastest growing industries. It is money that comes from education, the very life blood and future of the state. Be that as it may, the necessity is there and we have to build it. I also am aware that we must undertake that process of looking at alternatives to our system of incarceration in Nevada, to our rate of incarceration in Nevada and to our program for parole in Nevada. I would hope that all of us as we vote for or against this bill do so knowing in the back of our minds that we must begin that process and look to that day when we don't have to sit here and as an emergency measure build another prison. Thank you.

ASSEMBLYMAN GETTO:

Thank you, Mr. Speaker pro Tem. I would like to just point out by some remarks made by my good fellow, the chairman of our committee, that the site selection committee adopted a criteria for the selection of a prison and the criteria was adopted with expertise in the area and with the sanction of the members who were on the committee. The prime number one criteria for the selection of the prison was the community's desire for a prison. A notice was sent to every county and none of the urban areas requested or even asked for a chance to be heard. They were not interested in a prison. I truly believe that my good friend is sincere in what he says about the prisoners being close to their families and I am sure that we all feel that way. But if the community does not want a prison, and they push it away like they have down south, it becomes an eternal problem. We are facing it today. We have a bill in, we had it last session, we have it this session, and it will cost us a million dollars each biennium just in transportation.

Now the areas that we did consider are willing to place the prisons within a short distance from the community which does not have a need for transportation or additional costs. Those are the facts that we have to face, so I want to remind you that the urban areas did not want a prison located near them—they haven't before and they do not now. The prisoners were put down there and we had to push them away from the communities.

ASSEMBLYMAN MARVEL:

Thank you, Mr. Speaker pro Tem. I chaired the Site Selection Committee and I will probably repeat much of what Speaker Dini and Assemblyman Getto said. We did set forth some rather rigid criteria in our site selection. I think one of the major ingredients in our site selection was public acceptance. Of course, the other criteria were considered such as schools, hospitals, court systems and several others. I have to agree with Chairman of Ways and Means, Mr. Sedway, it is sad that we have to spend money on

prisons. I must agree with Mr. Spinello, we are going to have to look at some of our own statutes. It would be rather difficult to have to vote for something where we could be spending the money for the children of the State of Nevada. I will support Assembly Bill No. 28.

ASSEMBLYMAN CRADDOCK:

Mr. Speaker pro Tem, it gives me considerable pain, too, to stand up in support of this bill. There is a tremendous volume of statistical data available which indicates clearly that a better educated public produces less penal population. Somewhere along the way the State of Nevada will turn the corner and decide that we are going to do whatever needs to be done by way of education in order to preclude this problem from recurring on an on-going basis. The sooner we do that, the sooner the State of Nevada will get on the track of avoiding the type of problem that actually grieves us all to face. With that thought in mind, let's think in terms of what we are going to be looking at by way of educational funding on down the road. Because, our failure to do so will result in more of the same.

ASSEMBLYMAN CALLISTER:

Thank you, Mr. Speaker pro Tem. I had originally intended to oppose this measure, and it is only after some deep soul searching and after having listened to those who are more knowledgeable than I am as it pertains to the pending Federal action that we are faced with, that I will support this measure. But, I hope that the sentiments that I am hearing expressed here today pertaining to searching for alternatives towards addressing in a more creative fashion the critical needs of this state and in particular how we deal with crime and how we deal with the criminal justice system, I hope that is not mere lip service. I would suggest to the members of this esteemed body that there is a new wind blowing in this state and the essence of that new breeze would be that our good constituents look towards these programs and ask us much as the way they would analyze a business proposition, "Are we getting what we paid for?" We are spending enormous sums of money. Money that comes directly from education, needs that go screaming and unheeded and we continue to legislate laws that put more and more people behind bars.

In a recent tour of the prison, the Director of the Department of Prisons turned to me—and I'm sure you've all met that gentleman and he is certainly no raving liberal—and when a gentleman of that stature would suggest to me that 45 percent of the individuals behind prison bars in this state ought not be there and would not be there in many other states because they are first-time offenders and non-violent offenders and that it is our fault, I think that we need to address that issue. I think that if we are going to be considered good representatives of the public and representatives of the public purse strings, then we need to focus our minds and efforts on some creative new solutions. You begin to wonder who we are punishing with the state's prison system. Are we punishing those individuals we put behind bars, or are we punishing the future and the children of the State of Nevada.

ASSEMBLYMAN DUBOIS:

Mr. Speaker pro Tem, I fully support this bill. I think it answers the will of the people, although I do agree with statements made concerning alternative means of penalizing criminals. My only regret is that for the first time that I know of, the State of Nevada is required, because of our financial State of the State, to go into bonding for a prison. Prior to this, they have all been built out of surplus tax so this will really require a double payment for the same thing that we are getting from our money. That is our only regret.

Roll call on Assembly Bill No. 28:

YEAS—41.

NAYS—None.

Absent—Jeffrey.

Assembly Bill No. 28 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 95.

Bill read third time.
Remarks by Assemblyman Thompson.
Roll call on Assembly Bill No. 95:
YEAS—41.
NAYS—None.
Absent—Jeffrey.

Assembly Bill No. 95 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 160.
Bill read third time.
Remarks by Assemblyman Price.
Roll call on Assembly Bill No. 160:
YEAS—41.
NAYS—None.
Absent—Jeffrey.

Assembly Bill No. 160 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 183.
Bill read third time.
Remarks by Assemblyman Price.
Roll call on Assembly Bill No. 183:
YEAS—41.
NAYS—None.
Absent—Jeffrey.

Assembly Bill No. 183 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 199.
Bill read third time.
Remarks by Assemblyman Haller.
Roll call on Assembly Bill No. 199:
YEAS—40.
NAYS—Thompson.
Absent—Jeffrey.

Assembly Bill No. 199 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.
Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Nevin moved that Senate Bills Nos. 4, 117, 145 and 158 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. 15; Senate Bills Nos. 17, 126; Senate Concurrent Resolution No. 12.

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 Judge William Teurman, Mr. Ben Bartlett, Mr. David Charlton, Mesdames Tamara Barengo, Joanne Botsford, Pauline Carpenter, Ms. Elaine MacKenzie, Messrs. Henry Berk, David Boles, Richard Colon, Lester Conklin, Robert Forest, Marvin Humphrey, Claude Hunter, Larsh Kellogg, Walter Martini, Albert Oliver, Donald Peckham, James Simms, Merle Snider, Vern Willis, Messrs. and Mesdames Biegler, Donald Damoth, Elia, George Hershey, Raymond Horst, Harley LeMay, Keith Meador, William Sastaunik and Wallis Teeter.

On request of Assemblyman Adler, the privilege of the floor of the Assembly Chamber for this day was extended to Misses Stephanie Hardie and Tracie Matorian.

On request of Assemblyman Evans, the privilege of the floor of the Assembly Chamber for this day was extended to Mss. Mary Ellen Lemon and Joan Zenan.

On request of Assemblyman Freeman, the privilege of the floor of the Assembly Chamber for this day was extended to Miss Emily Bean.

On request of Assemblyman Gaston, the privilege of the floor of the Assembly Chamber for this day was extended to Mesdames Barbara Lake, Pam Matorian, Nedra Bean, Marge Aldrich, Gayle Luke, Patte Eads, Diane Miller, Mr. Larry Lake, Misses Jamie Matorian and Amy Luke.

On request of Assemblyman Getto, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Lisa Reck and Mr. Marc Picker.

On request of Assemblyman Kerns, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Jack Neal, Ms. Gloria Romero and the American Government Class of Reno High School: Sean Singer, Robert Spano, Scott Thomas, John Devine, Kristy McCorkle, Liz Casazza, Susan Peters, Lisa Mahan, Holly Rice, Julie McGinn, Erik Moranville, Jungmin Han, John Anastasakes, Eric White, Lisa Carlson, Kelly Kinney, Mary Pastrell, Jenny Mannix, Steffanie Helms, Fonda Manley, Kristin Brownlee, Casey Rose, Lane Swall, Nely Jacobo, Lucy Michel, Randy Klefman, Jolyn Bilovesky, Steve Cude, Cora Bottorff, Haley Henson, Robyn Ruper, Eric Sohn, Mark Choy, Heidi Zuehlsdorff, Kevin Foster, Bob Rechenmacher, Tim Roberts, Ken Griffin, Scott Genevish, Jeff Austin, Robert Wood, Eric Broili, Justin Clipperton, Debbie Hendrich, Janelle Jamieson, Liz Kottinger, Thomas Malone, Crystal Morgan and Richard Rapuano.

On request of Assemblyman Lambert, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Robert Gastonguay.

On request of Assemblyman Swain, the privilege of the floor of the Assembly Chamber for this day was extended to Misses Renee Aldrich, Janice Lehman; Messrs. Steve Steidel, John Smith, Ms. Teri Rothschild and the sixth grade class of Sierra Vista Elementary School: Eric Benton, Jeremy Benton, Mimi Douglas, Lisa Edwards, Danny Erlendson, Efran Gomez, Dash Griggs, Sharon Hansen, Brandy Hungate, Renee Kinkle, Lou Bracket, Bliss Oxier, Dare West, Jason Nixon, Beverly Primeau, Becky Primeau, Joanne Ratliff, Isaac Robles, Lena Seaborn, Mark Sun, Hon To, Hoa Van, Josh Ross, Jenny Bennet, Nikole Turner, Nadine Freeman, Vickie Boisvert, Harold Breyer and Pedro Gomez.

On request of Assemblyman Thomas, the privilege of the floor of the Assembly Chamber for this day was extended to Misses Alyson Andreasen and Shannon Eades.

On request of Assemblyman Myrna Williams, the privilege of the floor of the Assembly Chamber for this day was extended to Misses Kristy Miller and Jessie Quinn.

On request of Assemblyman Wendell Williams, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Mujahid Ramadan and Ms. Nedra Cooper Scott.

Assemblyman Nevin moved that the Assembly adjourn until Thursday, March 19, 1987 at 11 a.m.

Motion carried.

Assembly adjourned at 12:32 p.m.

Approved: JOSEPH E. DINI, JR.
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE SIXTIETH DAY

CARSON CITY (Thursday), March 19, 1987

Assembly called to order at 11:03 a.m.

Mr. Speaker presiding.

Roll called.

All present except Assemblyman Jeffrey, who was excused.

Prayer by the Chaplain, The Reverend Robert Schwartz.

The snow has come back as a surprise, Lord. For some, it has been received as a nuisance, just some more trouble to contend with. For others, it has been greeted as a blanket of beauty, bedecking our valley as a winter wonderland. The same reality, yet two far different reactions. Lord, in all the realities that confront us, help us to have the eyes of appreciation and a mind that seizes upon challenges and opportunities rather than eyes that see no further than faults and minds that shut down in the face of difficulties. You are the sensitizing spirit within us, Lord. Let us ever respond to You. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Nevin 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 were referred Assembly Bills Nos. 158, 159, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

MORSE ARBERRY, JR., *Chairman*

Mr. Speaker:

Your Committee on Health and Welfare, to which were referred Assembly Bill No. 155; Assembly 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.

MORSE ARBERRY, JR., *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, March 18, 1987

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. 55, 142.

MARY JO MONGELLI
Assistant Secretary of the Senate

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Thomas and Porter:

Assembly Bill No. 402—An Act relating to insurance; establishing a state system to provide casualty insurance to local governments and to certain persons; providing for the administration of the system; requiring that

certain purchases of casualty insurance be made from the system; and providing other matters properly relating thereto.

Assemblyman Sader moved that the bill be referred to the Committee on Commerce.

Motion carried.

By Assemblymen Price, Swain, Garner, Triggs, Humke, Wendell Williams, Thomas, Gaston, Spinello and Lambert:

Assembly Bill No. 403—An Act relating to the state legislature; creating the legislative committee on the development of small business; prescribing the committee's powers and duties; and providing other matters properly relating thereto.

Assemblyman Price moved that the bill be referred to the Concurrent Committees on Economic Development, Small Business and Tourism and Ways and Means.

Motion carried.

By Assemblyman Swain:

Assembly Bill No. 404—An Act relating to aid to certain victims of crime; expanding the provisions to include victims who are nonresidents; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Swain, Sedway, Spinello, Arberry, Gaston, Lambert, Triggs, Wendell Williams, Wisdom, Myrna Williams, Evans, Spriggs and Brookman:

Assembly Bill No. 405—An Act making an appropriation to the department of prisons for a "pilot program" to study the use of depo-provera on certain offenders in the state prison; and providing other matters properly relating thereto.

Assemblyman Swain moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By the Committee on Labor and Management:

Assembly Bill No. 406—An Act relating to labor; removing the liability of a general contractor for indebtedness relating to industrial insurance and unemployment compensation for employees of subcontractors; specifying that governmental entities are not liable for such indebtedness; and providing other matters properly relating thereto.

Assemblyman Banner moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

By the Committee on Commerce:

Assembly Bill No. 407—An Act relating to insurance; requiring an insurer to include consideration of the experience on claims in Nevada in establishing its rates; requiring an insurer to disclose the experience used in

establishing rates to the commissioner of insurance; and providing other matters properly relating thereto.

Assemblyman Wisdom moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 55.

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

Motion carried.

Senate Bill No. 142.

Assemblyman Nevin moved that the bill be referred to the Committee on Commerce.

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Thompson moved that Assembly Bill No. 12 be taken from the Second Reading File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Thompson.

Motion carried.

By the Committee on Commerce:

Assembly Resolution No. 7—Directing the Assembly Standing Committee on Commerce to investigate during this legislative session the method used to determine the prices for the retail sale of liquefied petroleum gas in this state.

Assemblyman Wisdom moved that the resolution be referred to the Committee on Commerce.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 328.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 333.

Bill read second time, ordered engrossed and to third reading.

Assembly Joint Resolution No. 18.

Resolution read second time, ordered engrossed and to third reading.

Senate Bill No. 85.

Bill read second time and ordered to third reading.

Senate Bill No. 108.

Bill read second time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 200.

Amend the bill as a whole by deleting section 1 and renumbering sections 2 to 4 as sections 1 to 3.

Amend the title of the bill, first and second lines, by deleting: "Welfare Division of the Department of Human Resources, and the".

Amend the summary of the bill, first and second lines, by deleting: "Welfare Division of the Department of Human Resources, and".

Assemblyman Sedway moved the adoption of the amendment.

Remarks by Assemblyman Sedway.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

GENERAL FILE AND THIRD READING

Assembly Bill No. 134.

Bill read third time.

Remarks by Assemblyman Spinello.

Roll call on Assembly Bill No. 134:

YEAS—41.

NAYS—None.

Absent—Jeffrey.

Assembly Bill No. 134 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 235.

Bill read third time.

Remarks by Assemblyman Fay.

Roll call on Assembly Bill No. 235:

YEAS—40.

NAYS—Haller.

Absent—Jeffrey.

Assembly Bill No. 235 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 279.

Bill read third time.

Remarks by Assemblyman McGaughey.

Roll call on Assembly Bill No. 279:

YEAS—41.

NAYS—None.

Absent—Jeffrey.

Assembly Bill No. 279 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 280.

Bill read third time.

Remarks by Assemblyman Nicholas.

Roll call on Assembly Bill No. 280:

YEAS—41.
NAYS—None.
Absent—Jeffrey.

Assembly Bill No. 280 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 4.

Bill read third time.

Remarks by Assemblyman Getto.

Roll call on Senate Bill No. 4:

YEAS—40.
NAYS—Thomas.
Absent—Jeffrey.

Senate Bill No. 4 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 Spinello and Kissam.

Conflict of interest declared by Assemblyman Kissam.

Roll call on Senate Bill No. 117:

YEAS—40.
NAYS—None.
Absent—Jeffrey.
Not voting—Kissam.

Senate Bill No. 117 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 145.

Bill read third time.

Remarks by Assemblyman Spinello.

Roll call on Senate Bill No. 145:

YEAS—41.
NAYS—None.
Absent—Jeffrey.

Senate Bill No. 145 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 Sedway and Humke.

Roll call on Senate Bill No. 158:
YEAS—41.
NAYS—None.
Absent—Jeffrey.

Senate Bill No. 158 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Health and Welfare:

Assembly Bill No. 408—An Act relating to public health; authorizing the issuance of orders by the health division of the department of human resources or a local board of health to stop work on projects for noncompliance with certain requirements; and providing other matters properly relating thereto.

Assemblyman Arberry moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

By the Committee on Health and Welfare:

Assembly Bill No. 409—An Act relating to unarmed combat; revising certain provisions governing the medical advisory board; and providing other matters properly relating thereto.

Assemblyman Arberry moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

By the Committee on Health and Welfare:

Assembly Bill No. 410—An Act relating to medical laboratories; transferring the duty to regulate the licensing and operation of medical laboratories from the state board of health to the health division of the department of human resources; and providing other matters properly relating thereto.

Assemblyman Arberry moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

By the Committee on Health and Welfare:

Assembly Bill No. 411—An Act relating to pupils; requiring certificates of immunization to be signed by a physician or registered nurse; requiring the certificate to be transferred as part of the pupil's academic record; and providing other matters properly relating thereto.

Assemblyman Arberry moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bill No. 175.

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. John Dibble and the students of Yerington High School: Brandee Arigoni, Ami Bowman, Pat Boyer, Michelle Burns, Lori Cambell, Tammy Clark, Tara Feutz, Jonnie Fletcher, Shawn Goben, Tami Grady, Ron Gunn, Angela Gutieres, Jim Hamilton, Rochelle Lawrence, Lynetta McGowan, Jason McKay, Miguel Minoz, Trish Nagel, Sherilyn Ostrander, Tod Sceirine, Angel Smith, Kirk Stanton, Robin Stebbens, Tami Waddle, Tony Whittington, Alicia Pancho, Lori Goodwin and Rich Villarreal.

On request of Assemblyman Callister, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Scott Courtney.

On request of Assemblyman Getto, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Kimberly Getto.

On request of Assemblyman Haller, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Minard Maus.

On request of Assemblyman Marvel, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Richard A. Wagner, Earl Wagner, Mss. Kristiana Wagner, Jennifer Wagner; Ms. Barbara Ferguson and the students of McDermitt High School: Ivora Crutcher, Ace Hawks, LaVeen Tom and Rudy Villalobos.

On request of Assemblyman May, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. William Purvis.

On request of Assemblyman Price, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Robert S. Garrett.

Assemblyman Nevin moved that the Assembly adjourn until Friday, March 20, 1987 at 11 a.m.

Motion carried.

Assembly adjourned at 11:49 a.m.

Approved:

JOSEPH E. DINI, JR.
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE SIXTY-FIRST DAY

CARSON CITY (Friday), March 20, 1987

Assembly called to order at 11:06 a.m.

Mr. Speaker presiding.

Roll called.

All present except Assemblyman Jeffrey, who was excused.

Prayer by the Chaplain, The Reverend Robert Schwartz.

Dear Lord, the week has rolled along. We hope that much of what has been done is acceptable in Your sight. And now the weekend looms invitingly before us. We look forward to times of refreshment and relaxation. But there is still today to deal with. Keep us on target to direct our thoughts and energies to the matters before us. Help us to do our best this day, in Your name and spirit. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Nevin moved that further reading of the Journal be dispensed with, and the Speaker and Chief Clerk be authorized to make the necessary corrections and additions.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Labor and Management, to which were referred Assembly Bills Nos. 253, 254, 317, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JAMES J. BANNER, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which 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.

ROBERT M. SADER, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, March 19, 1987

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. 101, 102, 210.

MARY JO MONGELLI
Assistant Secretary of the Senate

INTRODUCTION, FIRST READING AND REFERENCE

Senate Bill No. 101.

Assemblyman Nevin moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

Senate Bill No. 102.

Assemblyman Nevin moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

Senate Bill No. 210.

Assemblyman Nevin moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Wisdom moved that Assembly Bill No. 12 be taken from the Chief Clerk's desk and placed at the top of the Second Reading File.

Motion carried.

Assemblyman Arberry moved that Assembly Bills Nos. 155 and 159 be taken from the Second Reading File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Arberry.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Judiciary:

Assembly Bill No. 412—An Act relating to domestic violence; removing inappropriate references to probation and suspension of sentence from the penalty for misdemeanor battery involving family members; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 413—An Act relating to the abuse of alcohol and drugs; restricting eligibility for civil commitment of alcoholics and drug addicts convicted of crime; allowing the imposition of conditions to such commitment; establishing a minimum term for such commitment; requiring that a person electing such commitment be advised of the conditions and minimum term; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 414—An Act relating to crimes against the person; including kidnaping with intent to kill or inflict substantial bodily harm in the definition of first degree kidnaping; and providing other matters properly relating thereto.

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

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Assembly Bill No. 329, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

DANNY L. THOMPSON, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, March 20, 1987

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 13.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Senate Concurrent Resolution No. 13.

Assemblyman Nevin moved the adoption of the resolution.

Remarks by Assemblymen Bergevin and Nicholas.

Resolution adopted unanimously.

SECOND READING AND AMENDMENT

Assembly Bill No. 12.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 120.

Amend the bill as a whole by deleting sections 1 through 9 and inserting:

"Section 1. NRS 675.030 is hereby amended to read as follows:

675.030 The legislature finds as facts and determines that:

1. There exists in this state a widespread demand for loans repayable in installments, which loans may or may not be made on substantial security. This demand has been steadily increased by many social and economic factors.

2. The expenses of making and collecting installment loans are necessarily high in relation to the amounts lent.

3. [The need of legislation is especially apparent in the area of loans of $10,000 or less.

4.] It is the purpose of this chapter to:

(a) Bring under public supervision those engaged in the business of making loans *;* [of $10,000 or less;]

(b) Attract adequate commercial capital to the business, so that the demand for such loans may be satisfied; and

(c) Ensure the availability in this state of adequate, efficient and competitive financial services.

Sec. 2. NRS 675.060 is hereby amended to read as follows:

675.060 1. No person may engage in the business of lending [in amounts of $10,000 or less, except as authorized by this chapter,] without first having obtained a license from the administrator.

2. [For the purpose of this section a loan shall be deemed to be in the amount of $10,000 or less if the net amount or value advanced to or on behalf of the borrower, after deducting all payments for interest, principal, expenses and charges of any nature taken substantially contemporaneously with the making of the loan, does not exceed $10,000.

3.] For the purpose of this section, a person engages in the business of lending if he solicits loans [of $10,000 or less] in this state and, in connection therewith, makes loans to persons in this state, unless these are isolated, incidental or occasional transactions.

Sec. 3. NRS 675.120 is hereby amended to read as follows:

675.120 If the administrator finds:

1. That the financial responsibility, experience, character and general fitness of the applicant are such as to command the confidence of the public and to warrant belief that the business will be operated lawfully, honestly, fairly and efficiently, within the purposes of this chapter;

2. That allowing the applicant to engage in business will promote the convenience and advantage of the community in which the licensed office is to be located; and

3. That the applicant , *unless he will function solely as a loan broker,* has available for the operation of the business at the specified location liquid assets of at least $50,000,

he shall thereupon enter an order granting the application, and file his findings of fact together with the transcript of any hearing held under this chapter, and forthwith issue and deliver a license to the applicant.

Sec. 4. NRS 675.280 is hereby amended to read as follows:

675.280 [No licensee shall] *A licensee shall not* advertise or permit to be advertised in any manner whatsoever any false, misleading or deceptive statement or representation with regard to the rates, terms or conditions for loans . [in the amount or of the value of $10,000 or less.]

Sec. 5. NRS 675.330 is hereby amended to read as follows:

675.330 The payment of [$10,000 or less in] money, credit, goods or things in action, as consideration for any sale, assignment or order for the payment of wages, salary, commissions or other compensation for services earned or to be earned, shall , for the purposes of regulation under this chapter , be deemed a loan of money secured by [such] *the* sale, assignment or order. The amount by which [such] *the* compensation so sold, assigned or ordered paid exceeds the amount of [such] *the* consideration actually paid shall , for the purposes of regulation under this chapter , be deemed interest or charges on [such] *the* loan from the date of [such] *the* payment to the date [such] *the* compensation is payable. Such a transaction [shall be] *is* subject to the provisions of this chapter.

Sec. 6. NRS 675.380 is hereby amended to read as follows:

675.380 1. For the purpose of discovering violations of this chapter or of securing information lawfully required under this chapter, the administrator or his duly authorized representatives may at any time investigate the business and examine the books, accounts, papers and records used therein of:

(a) Any licensee;

(b) Any other person engaged in the business described in NRS 675.060 or participating in such business as principal, agent, broker or otherwise; and

(c) Any person who the administrator has reasonable cause to believe is violating or is about to violate any provision of this chapter, whether or not [such] *the* person claims to be within the authority or beyond the scope of this chapter.

2. For the purpose of examination the administrator or his authorized representatives shall have and be given free access to the offices and places of business, files, safes and vaults of such persons.

3. For the purposes of this section, any person who advertises for, solicits or holds himself out as willing to make loan transactions [in the amount or of the value of $10,000 or less] is presumed to be engaged in the business described in NRS 675.060.".

Amend the title of the bill to read as follows:

"An Act relating to installment loans; expanding the applicability of provisions regarding licensure; and providing other matters properly relating thereto.".

Amend the summary of the bill to read as follows: "Expands applicability of provisions regarding installment loans. (BDR 54-157)".

Assemblyman Wisdom moved the adoption of the amendment.

Remarks by Assemblyman Wisdom.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 158.

Bill read second time, ordered engrossed and to third reading.

Assembly Joint Resolution No. 7.

Resolution read second time.

The following amendment was proposed by the Committee on Health and Welfare:

Amendment No. 80.

Amend the resolution, page 1, line 14, by deleting "Secretary" and inserting "Chief Clerk".

Assemblyman Arberry moved the adoption of the amendment.

Remarks by Assemblyman Arberry.

Amendment adopted.

Resolution ordered reprinted, engrossed and to third reading.

GENERAL FILE AND THIRD READING

Assembly Bill No. 128.

Bill read third time.

Remarks by Assemblymen Price, Humke, DuBois, Nevin, Spinello and Adler.

Assemblyman May requested that the following remarks be entered in the Journal.

ASSEMBLYMAN PRICE:

Thank you, Mr. Speaker. Assembly Bill No. 128, a meritorious proposal, is like a fresh breath of air. It is unique in that it allows a department of state government to emulate the private sector by operating more efficiently and more like a private business, if you will. Something that we have all heard our constituents advocate many times and something that many of our distinguished colleagues, especially those from the other side of the aisle, have often advocated themselves.

Assembly Bill No. 128 authorizes the *Nevada Magazine* to trade advertising for services of comparable value that it needs. Its primary benefit is to allow the magazine to provide advertising to airlines in exchange for plane tickets. It also allows them to do similar exchanges with other businesses; but particularly in the case of the airlines, it is envisioned that it would enable the editorial staff to better cover stories in southern Nevada.

The majority of your committee felt that this was a meritorious piece of legislation and we hope that we will all support it. Thank you.

ASSEMBLYMAN HUMKE:

Thank you, Mr. Speaker. I will be voting "no" on the bill for technical reasons. We discussed some of these reasons at the amendment process on second reading. I would like to attempt to counter the argument as to the efficiency that is found in the business world and trying to transfer that to the world of government.

With regard to trades, typically there are two reasons why people barter or trade in the business world. I am not making this as an accusation of what would happen here; but one of those reasons, very frequently, is to avoid taxes; and another effect of trading is that values are inflated on both sides of the trade. I feel that most people who have engaged in trading would stipulate that this is probably true—that values do get inflated. I feel that this counters the efficiency argument. Thank you.

ASSEMBLYMAN DUBOIS:

Thank you, Mr. Speaker. I rise in opposition to the bill from the other side of the aisle.

My problem with this bill is that it opens the door for any kind of trade-out. It says trade and services, and that could include restaurants, ski resorts—a whole gamut of activities, anything that would involve any particular advertising that they would advertise in the magazine. In looking through the magazine, there is quite a variety of advertising.

The supporters have stipulated that their primary aim is for travel and yet they are not willing to put the words "for travel" in the bill to limit that.

So, I have some serious qualms about the bill.

Let me point out in looking at the budget, for fiscal 1987, combining both in-state and out-of-state travel, they had a work program of $11,000. They actually spent, through March 6, only $2,490. So, they are not even coming close to what their work program is.

Now I notice in the budget that for the biennium 1987-89, they are requesting in their budget $63,400, just for in-state and out-of-state travel. In addition to that, they want a trade-out so they can go anywhere in the world, literally. The bill has no safeguards in it whatsoever and in a trade-out you can simply trade-out—there is no cash that exchanges, you simply have a credit.

Also, if they were to get the $63,400 (which I doubt they will), they could add another $100,000 and go all over the world. They could go to the best restaurants and use the trade-out with the best restaurants in New York and Nevada and California. I just see this as wide open with no safeguards and I can see no need for the bill.

Furthermore, I think the bill should go through Ways and Means. Those are my objections to it.

ASSEMBLYMAN NEVIN:

Thank you, Mr. Speaker. I rise in favor of Assembly Bill No. 128. The *Nevada Magazine* contributes a great deal towards tourism and economic development. If we get the word out with this magazine, we let people in other states know what a fine state the State of Nevada is.

I have to disagree with the last speaker's remarks. If you look on page two, it says that the State Board of Examiners must approve the trade. This doesn't mean that they would be running rampant and making all kinds of fast deals and trades and everything because it states right here it must be approved by the Board of Examiners. Thank you.

ASSEMBLYMAN SPINELLO:

Thank you, Mr. Speaker. I rise in support of Assembly Bill No. 128. Again, the use of this trade is to help stimulate sales, and in so doing, to help stimulate tourism for the State of Nevada and all the benefits that would imply.

The amounts they anticipate trading represent $4,000 in in-state travel, $6,000 in out-of-state travel and those are line items. They can only use the discretionary amount in another area of up to ten percent in any line item amount without coming before the Interim Finance Committee. That is one of the places where this is regulated, which seems to be the concern. The second body that would regulate them would be the Commission. The third body is the Board of Examiners. There is an ample amount of protection for this particular line item within the bill and I think that we are again arguing over a matter where, in order to offer government the ability to act as efficiently and effectively as business, we want to overly stipulate how they can do it. I think we have argued it to death. Thank you very much.

ASSEMBLYMAN ADLER:

Mr. Speaker, I did not vote on the motion because I thought I had a possible conflict, but I checked that out and I really don't so I will be voting on Assembly Bill No. 128.

As to my position on this bill I would say that Nevada was founded by miners as well as horse traders and this, perhaps, returns us to our original historical roots.

Assemblymen Triggs, Thompson and May moved the previous question.

Motion carried.

The question being on the passage of Assembly Bill No. 128.

Roll call on Assembly Bill No. 128:

YEAS—34.

NAYS—DuBois, Fay, Getto, Humke, Spriggs, Tebbs, Thomas—7.

Absent—Jeffrey.

Assembly Bill No. 128 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 328.

Bill read third time.

Remarks by Assemblyman Banner.

Roll call on Assembly Bill No. 328:

YEAS—41.

NAYS—None.

Absent—Jeffrey.

Assembly Bill No. 328 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 Thompson.

Roll call on Assembly Bill No. 333:

YEAS—41.

NAYS—None.

Absent—Jeffrey.

Assembly Bill No. 333 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Joint Resolution No. 18.

Resolution read third time.

Remarks by Assemblymen Nicholas and Getto.

Conflicts of interest declared by Assemblymen Getto and Swain.

Roll call on Assembly Joint Resolution No. 18:

YEAS—39.
NAYS—None.
Absent—Jeffrey.
Not voting—Getto, Swain—2.

Assembly Joint Resolution No. 18 having received a constitutional majority, Mr. Speaker declared it passed.

Resolution ordered transmitted to the Senate.

Senate Bill No. 85.

Bill read third time.

Remarks by Assemblyman Swain.

Roll call on Senate Bill No. 85:

YEAS—41.
NAYS—None.
Absent—Jeffrey.

Senate Bill No. 85 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Judiciary, to which was referred Assembly Bill No. 303, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ROBERT M. SADER, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which was referred Senate Bill No. 116, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

ROBERT M. SADER, *Chairman*

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Thompson, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Anne Bourn.

On request of Assemblyman Spinello, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Tamara Davis.

On request of Assemblyman Kissam, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Blanche M. Zucker.

On request of Mr. Speaker, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Curtis Baker and George Churchyard.

Assemblyman Nevin moved that the Assembly adjourn until Monday, March 23, 1987 at 11 a.m.

Motion carried.

Assembly adjourned at 11:44 a.m.

Approved: JOSEPH E. DINI, JR.
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE SIXTY-FOURTH DAY

CARSON CITY (Monday), March 23, 1987

Assembly called to order at 11:02 a.m.

Mr. Speaker presiding.

Roll called.

All present except Assemblyman Jeffrey, who was excused.

Prayer by the Chaplain, The Reverend Doctor Gregg Townsley.

Heavenly Father, our Father. We stand this day in prayer in recognition that You are the Lord of our world. The earth is Yours. The nations are Yours. And though we may sometimes live with our own agendas, selfish and often filled with pride, we know that You are the Lord of our agendas, and the great "influencer" of our lives. For clouded mountains, for fields and woodland, for desert and running streams we thank You. For towns and cities where men and women may talk and work together, for planners and statesmen, for those who speak out and for those who are silently faithful, we give thanks. Give us vision this day, as we seek the greater purposes hidden in our day's agenda. We pray in the name of our Lord. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Nevin 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 Concurrent Resolution No. 6, has had the same under consideration, and begs leave to report the same back with the recommendation: Be adopted.

ROBERT M. SADER, *Chairman*

Mr. Speaker:

Your Committee on Transportation, to which was referred Assembly Bill No. 265, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

LEONARD V. NEVIN, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Senate Bill No. 139, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

DANNY L. THOMPSON, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Assembly Bill No. 288, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

DANNY L. THOMPSON, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which 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.

MARVIN M. SEDWAY, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, March 20, 1987

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 22, 39, 99, 101, 113, 140, 198, 210, 221, 222.

Also, I have the honor to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 3.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bill No. 211.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblyman Nicholas:

Assembly Concurrent Resolution No. 23—Directing the Legislative Commission to conduct an interim study of the allocation of money to Nevada by the Federal Government.

Assemblyman Nicholas moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

Senate Concurrent Resolution No. 6.

Assemblyman Triggs moved the adoption of the resolution.

Remarks by Assemblyman Triggs.

Resolution adopted.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Government Affairs:

Assembly Bill No. 415—An Act relating to personnel of school districts; requiring a hearing before the transfer or reassignment of a noncertificated employee as a form of discipline; and providing other matters properly relating thereto.

Assemblyman Thompson moved that the bill be referred to the Committee on Education.

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 416—An Act relating to personnel of school districts; prohibiting the transfer or reassignment of a noncertificated employee as a form of discipline; and providing other matters properly relating thereto.

Assemblyman Thompson moved that the bill be referred to the Committee on Education.

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 417—An Act relating to public employment; adding certain subjects concerning teachers to the list of subjects of mandatory collective bargaining for local government employers; and providing other matters properly relating thereto.

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

Motion carried.

Senate Bill No. 211.

Assemblyman Nevin moved that the bill be referred to the Committee on Natural Resources, Agriculture and Mining.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 103.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 253.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 254.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 303.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 217.

Amend section 1, page 2, line 9, by deleting the period and inserting: "*pursuant to NRS 483.490.*".

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. 317.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 329.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 203.

Amend the bill as a whole by renumbering sections 1 through 3 as sections 2 through 4 and adding a new section designated section 1, following the enacting clause, to read as follows:

"Section 1. 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] *The acceptance must* be recorded in the office of the county recorder and be so noted by the recorder on the subdivision plot [.] , *if the county recorder does not maintain a cumulative index for such plots and amendments. If such an index is maintained, the county recorder shall direct an appropriate entry for the amendment.*".

Assemblyman Thompson moved the adoption of the amendment.

Remarks by Assemblyman Thompson.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 116.

Bill read second time and ordered to third reading.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Government Affairs:

Assembly Bill No. 418—An Act relating to public employment; adding certain subjects relating to teachers to the list of subjects of mandatory collective bargaining for local government employers; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 419—An Act relating to public employment; changing the criteria for a factfinder in a dispute concerning the ability of a local government employer to pay its employees; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Nevin, McGaughey, Wisdom, Freeman, Brookman, Price, May, Garner, Banner, Schofield, Dini, Getto, Thompson, Arberry, Wendell Williams, Fay, Humke, Porter, Swain, Myrna Williams, Sedway, Kissam, Spinello, Haller, Evans, Craddock, DuBois, Carpenter, Gaston, Marvel, Callister, Sader, Triggs, Thomas, Nicholas, Spriggs and Lambert:

Assembly Bill No. 420—An Act relating to service stations; imposing certain restrictions on who may operate a service station; prohibiting discrimination between holders of franchises in the same marketing area; and providing other matters properly relating thereto.

Assemblyman Nevin moved that the bill be referred to the Committee on Commerce.

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Arberry moved that Assembly Bill No. 158 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Arberry.

Motion carried.

Assemblyman Arberry moved that Assembly Bill No. 155 be taken from the Chief Clerk's desk and placed on the Second Reading File.

Remarks by Assemblyman Arberry.

Motion carried.

By Assemblymen Myrna Williams, Wisdom, Banner, Carpenter, Brookman, McGaughey, Nicholas, Thomas, May, Dini, Spriggs, Haller, Humke, Nevin, Porter, Getto, Arberry, Tebbs, Callister, Evans, Freeman, Thompson, Swain, Garner, Sedway, Bergevin, DuBois, Adler, Kissam, Lambert, Craddock, Triggs, Spinello, Sader, Fay and Gaston:

Assembly Concurrent Resolution No. 24—Directing the Legislative Commission to conduct an interim study of the availability of low-income housing.

Assemblyman Myrna Williams moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Education:

Assembly Bill No. 421—An Act relating to educational personnel; making final and binding the decision of a hearing officer in a proceeding for the discipline or dismissal of a certificated employee of a school district; providing for judicial review of that decision in certain circumstances; removing the presumption of just cause for dismissal; and providing other matters properly relating thereto.

Assemblyman Craddock moved that the bill be referred to the Committee on Education.

Motion carried.

By the Committee on Education:

Assembly Bill No. 422—An Act relating to educational personnel; requiring a hearing before the dismissal of any certificated employee; and providing other matters properly relating thereto.

Assemblyman Craddock moved that the bill be referred to the Committee on Education.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 155.

Bill read second time.

The following amendment was proposed by the Committee on Health and Welfare:

Amendment No. 209.

Amend section 1, page 1, by deleting lines 9 through 15 and inserting:

"(c) Hallway, waiting room or [cafeteria opened to the general public and located in a state building.

(d) Any area in any state facility when so designated by the head of the state department having control of the area.

(e)] *other area located in a building owned or occupied by a public governmental agency when so designated by the governing body of that agency or the head of that agency, if no governing body exists.*

(d) Public waiting room, lobby or hallway of any:".

Amend section 1, page 2, by deleting lines 4 and 5 and inserting:

"*(e) Hotel, motel or restaurant when so designated by the operator thereof.*

(f) Public area of a store principally devoted to the sale of food for human consumption off the premises.".

Amend section 1, page 2, by deleting lines 9 and 10 and inserting:

"(b) May provide separate rooms or portions of [designated no-smoking] areas *where smoking is prohibited* to be used [as smoking areas] *for smoking* where it is possible to confine the smoke".

Amend the title of the bill, second and third lines, by deleting: "granting the state board of health and local boards of health the authority to prohibit smoking in public facilities;".

Assemblyman Arberry moved the adoption of the amendment.

Remarks by Assemblyman Arberry.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

GENERAL FILE AND THIRD READING

Senate Bill No. 108.

Bill read third time.

Remarks by Assemblyman Evans.

Roll call on Senate Bill No. 108:

YEAS—41.

NAYS—None.

Absent—Jeffrey.

Senate Bill No. 108 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 Senate Bills Nos. 4, 117, 145, 158.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Callister, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Robert E. Reesman.

On request of Assemblyman Getto, the privilege of the floor of the Assembly Chamber for this day was extended to Mss. Shirley Walker and Mary Carter.

On request of Assemblyman Haller, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Rick Squires, Ms. Karen Simms and the students of Wooster High School: Wendy Kruse, Anne Alama, Lesley Aluffi, Dawn Camp, Christie Carlson, Nathan Collett, Ottilis Cools, Monica Goegg, Donna Hammond, Michelle Herbeck, Michelle Klindera, Angela Lambert, Todd Larramendy, Mike Olivas, Pat Patel, Shawn Petersen, Stacy Slazas, Stephanie Sioleau, Scott Taylor, Tammy Taylor, Rick Aguilar, Joseph Barainca, Jodi Blueberg, Anthony Basco, Mark Drahos, Diana Eadington, Dave Gardner, Lisa Hardenbrook, Anne McAlpine, Mike McKenzie, Mike Morrison, Joe Olaciregui, Ryan Parks, Lisa Ruggerio, Jill Simpkins, Roger Gardner, Terri Taylor, Anne Thiery and Tracy Preston.

On request of Assemblyman Lambert, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Jane Ham.

On request of Assemblyman Marvel, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Marsha Grant and Mr. Travis Grant.

On request of Assemblyman May, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Beverly Farley.

On request of Assemblyman Nicholas, the privilege of the floor of the Assembly Chamber for this day was extended to Mss. Irene K. McKean, Jean Scribner, Lorraine Jackson; Mss. Shirley Yates, Charlotte Dinning, Maggie Lightner, Cathy Maupin, Abby Kirst, Barbara Sprenger, and the fourth and fifth grade classes of Huffaker School: Jason Avakian, Marisa Ayvazian, Thomas Bailie, Nicholas Baliva, Felicia Bell, Christina Carter, Karen Carter, Kevin Collins, Susan Digrazia, Wendy Dix, Robert Eikelberger, Wade Haas, Adam Hart, Jennifer Irvine, Alison Johnson, Kendra Krueger, Alexander Mast, Darren Maupin, Summer Paganetti, Kelly Pitman, Shannon Racine, Rainie Rogers, Casey Sanders, Hunter Sprenger, Jeffrey Tetzlaff, Brigitte Weir, Gabe Willaman, Melonie Bothem, Brian Brandt, William Conran, Matthew Cooke, Washington Delossantos, Travis Grant, Jason Irvine, Eric Kellermeyer, Cody Kennedy, Kevin Kinkel, Reed Kirst, Jessica Lancaster, David Ludlow, Jennifer Massaro, Joseph McMullen, Maeghan Moore, Jason Neeser and Kristie Tacadina.

On request of Assemblyman Thompson, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Cal Lyon.

Assemblyman Nevin moved that the Assembly adjourn until Tuesday, March 24, 1987 at 11 a.m.

Motion carried.

Assembly adjourned at 11:40 a.m.

Approved: JOSEPH E. DINI, JR.
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE SIXTY-FIFTH DAY

CARSON CITY (Tuesday), March 24, 1987

Assembly called to order at 11:04 a.m.

Mr. Speaker presiding.

Roll called.

All present except Assemblyman Jeffrey, who was excused.

Prayer by the Chaplain, Mr. Monte Fast.

Eternal God, our Father, we acknowledge Your presence in our work today and every day. We learn from You that You are interested, yes, even command, that we love and serve You first, but equally important is our love and service to our fellow man. May our work on this day be pleasing to You, our Creator. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Nevin 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. 234, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ROBERT M. SADER, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which was referred Assembly Bill No. 178, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

ROBERT M. SADER, *Chairman*

Mr. Speaker:

Your Committee on Transportation, to which were referred Assembly Bills Nos. 132, 148, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

LEONARD V. NEVIN, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Assembly Bill No. 115, 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.

DANNY L. THOMPSON, *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which were referred Assembly Bill No. 216; Senate Bill No. 70, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JANE WISDOM, *Vice-Chairman*

Mr. Speaker:

Your Committee on Government Affairs, 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.

DANNY L. THOMPSON, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, March 23, 1987

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 34, 220.

Also, I have the honor to inform your honorable body that the Senate on this day passed Assembly Joint Resolutions Nos. 2, 6, 9.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Bill No. 138.

MARY JO MONGELLI
Assistant Secretary of the Senate

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Swain, Myrna Williams, Nicholas, McGaughey, Thomas, DuBois, Schofield, Arberry, Evans, Triggs, Haller, Kissam, Porter, Wisdom, Kerns, Price, May, Sedway, Thompson, Sader, Nevin, Callister, Brookman, Gaston, Freeman, Spinello, Banner, Carpenter and Craddock:

Assembly Bill No. 423—An Act relating to public works; creating the fund for art in public works; requiring the Nevada state council on the arts to develop and administer a program for the acquisition of works of art for inclusion with public works in this state; and providing other matters properly relating thereto.

Assemblyman Swain moved that the bill be referred to the Concurrent Committees on Government Affairs and Ways and Means.

Motion carried.

By Assemblymen Swain, Myrna Williams, Garner, Nicholas, Arberry, Evans, Haller, Triggs, Kissam, Lambert, Porter, Wisdom, Price, Sedway, Adler, Sader, Nevin, Brookman, Freeman, Gaston, Banner and Craddock:

Assembly Bill No. 424—An Act relating to the support of children; revising the provisions governing the enforcement of orders for support; providing formulas to determine the amount of support; prohibiting licensure, registration and certification of members of professions and occupations under certain circumstances; expanding the policy of the state concerning the custody of children; expanding the duties of the court administrator; requiring the responsible parent to keep current his written statement concerning his ability to support his child; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Marvel, Bergevin, Tebbs, Nevin and Wisdom:

Assembly Bill No. 425—An Act relating to financial institutions; authorizing a financial institution to bring an action for the recovery of damages against a borrower who engages in certain fraudulent conduct; and providing other matters properly relating thereto.

Assemblyman Marvel moved that the bill be referred to the Committee on Commerce.

Motion carried.

By Assemblymen Lambert, Thompson, McGaughey, Nicholas, Craddock, Sader and Kissam:

Assembly Bill No. 426—An Act relating to planning for the use of land; requiring additional notice of hearings concerning the granting of variances or special use permits; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 427—An Act relating to deputies attorney general; revising the provision regarding the reimbursement by a state agency for the services of a deputy attorney general; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 428—An Act relating to motor vehicles; prohibiting the possession of an open container of an intoxicating liquor in a motor vehicle under certain circumstances; providing a penalty; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 429—An Act relating to public health; revising provisions governing the reporting of communicable diseases; and providing other matters properly relating thereto.

Assemblyman Sader moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 430—An Act relating to subpenas; requiring a court to allow a law enforcement agency 5 working days to respond to a subpena for delivery of documents in a criminal proceeding; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 431—An Act relating to the forfeiture of property; providing for the use of the proceeds from the sale of forfeited property to pay the entire cost of the criminal investigation resulting in the forfeiture; providing for the deposit of any remaining balance in a special fund for the purpose of law enforcement only; and providing other matters properly relating thereto.

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

Motion carried.

Senate Bill No. 138.

Assemblyman Nevin moved that the bill be referred to the Committee on Education.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 152.

Bill read second time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 233.

Amend section 1, page 1, by deleting lines 1 through 4 and inserting:

"Section 1. There is hereby appropriated from the State General Fund:

1. To the Motor Pool Working Capital Fund the sum of $96,033 to purchase 12 vehicles to replace vehicles that are in poor condition in the motor pool fleet.

2. To the Welfare Division of the Department of Human Resources the sum of $31,768 to be combined with an equal amount of money obtained from the Federal Government to purchase eight motor vehicles for the Division's use.".

Amend the title of the bill, second line, by deleting "fleet;" and inserting: "fleet and to the Welfare Division of the Department of Human Resources to purchase vehicles;".

Assemblyman Sedway moved the adoption of the amendment.

Remarks by Assemblyman Sedway.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Thompson moved that Assembly Bill No. 288 be taken from the Second Reading File and re-referred to the Committee on Government Affairs.

Remarks by Assemblyman Thompson.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 265.

Bill read second time.

The following amendment was proposed by the Committee on Transportation:

Amendment No. 208.

Amend section 1, page 1, by deleting lines 3 through 5 and inserting:

"*1. A motor vehicle must not be operated on any highway of this state if the lowest portion of its body, as measured from the surface on which the vehicle stands, exceeds, for passenger cars, 24 inches, and for a truck or other motor vehicle having manufacturer's gross vehicle weight rating:*

(a) Of 4,500 pounds or less, 28 inches.

(b) Of more than 4,500 pounds but less than 7,501 pounds, 30 inches.

(c) Of 7,501 pounds or more, 31 inches.

2. The measurement taken to determine compliance with this section must be taken from level ground to a portion of the body or parts attached to the body which have not been added or altered from the manufacturer's original body design.

3. This section does not apply to a motor vehicle manufactured before 1935.".

Amend the title of the bill, first line, by deleting: "of a passenger vehicle".

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. 139.

Bill read second time and ordered to third reading.

GENERAL FILE AND THIRD READING

Assembly Bill No. 12.

Bill read third time.

Remarks by Assemblyman Wisdom.

Roll call on Assembly Bill No. 12:

YEAS—41.

NAYS—None.

Absent—Jeffrey.

Assembly Bill No. 12 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 103.

Bill read third time.

Remarks by Assemblyman Spriggs.

Roll call on Assembly Bill No. 103:

YEAS—41.

NAYS—None.

Absent—Jeffrey.

Assembly Bill No. 103 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 Wendell Williams.

Roll call on Assembly Bill No. 253:

YEAS—41.

NAYS—None.

Absent—Jeffrey.

Assembly Bill No. 253 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 254.

Bill read third time.

Remarks by Assemblyman Wendell Williams.

Roll call on Assembly Bill No. 254:

YEAS—41.

Nays—None.

Absent—Jeffrey.

Assembly Bill No. 254 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 317.

Bill read third time.

Remarks by Assemblyman Carpenter.

Roll call on Assembly Bill No. 317:

YEAS—41.

NAYS—None.

Absent—Jeffrey.

Assembly Bill No. 317 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Joint Resolution No. 7.

Resolution read third time.

Remarks by Assemblyman Garner.

Roll call on Assembly Joint Resolution No. 7:

YEAS—41.

NAYS—None.

Absent—Jeffrey.

Assembly Joint Resolution No. 7 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Resolution ordered transmitted to the Senate.

Senate Bill No. 116.

Bill read third time.

Remarks by Assemblyman Sader.

Roll call on Senate Bill No. 116:

YEAS—41.

NAYS—None.

Absent—Jeffrey.

Senate Bill No. 116 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Mr. Speaker appointed a Committee of three consisting of Assemblymen Myrna Williams, May and Brookman to meet with Mr. Robert Erickson for the purpose of coordinating Old-timers Day, May 5, 1987, in the Assembly.

By the Committee on Legislative Functions:

Assembly Joint Resolution No. 32—Proposing to amend section 33 of article 4 of the constitution of the State of Nevada, relating to the legislative department, to authorize payment of the members of the legislature for each day the legislature is in session.

RESOLVED BY THE ASSEMBLY AND SENATE OF THE STATE OF NEVADA, JOINTLY, That section 33 of article 4 of the constitution of the State of Nevada be amended to read as follows:

[Sec:] *Sec.* 33. The members of the Legislature [shall] *are entitled to* receive for their services, a compensation to be fixed by law and paid out of the public treasury, for [not to exceed 60 days during any regular session of the legislature and not to exceed 20 days during any special session convened by the governor; but no increase of such compensation shall] *each day in which the legislature is in regular or special session. No increase in that compensation may* 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.

Assemblyman Myrna Williams moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Sader, Thompson, Sedway, Evans, Craddock, Nevin, Freeman, Kissam, Gaston, Schofield, Porter, Myrna Williams, Wendell Williams, Fay, Wisdom, Triggs, Swain, Price, Garner, Haller, Callister, Spinello, Arberry, Dini, May, Thomas, Carpenter, Adler, Getto, Brookman, Kerns, Tebbs, Spriggs and Marvel:

Assembly Bill No. 432—An Act relating to elections; authorizing a person to register to vote when he applies for a driver's license or identification card; providing for the appointment of examiners of applicants for drivers' licenses as special deputy registrars of voters; and providing other matters properly relating thereto.

Assemblyman Sader moved that the bill be referred to the Committee on Elections.

Motion carried.

By Assemblymen Sader, Thompson, Sedway, Evans, Craddock, Freeman, Gaston, Nevin, Kissam, Schofield, Porter, Myrna Williams, Wendell Williams, Fay, Wisdom, Price, Triggs, Swain, Garner, Haller, Callister, Spinello, Arberry, Dini, May, Carpenter, Adler, Getto, Bergevin, Brookman, Kerns, Humke, Marvel and Lambert:

Assembly Bill No. 433—An Act relating to elections; authorizing the reregistration of a voter by mail after a notice of cancellation; and providing other matters properly relating thereto.

Assemblyman Sader moved that the bill be referred to the Committee on Elections.

Motion carried.

By the Committee on Elections:

Assembly Bill No. 434—An Act relating to elections; making county offices nonpartisan; and providing other matters properly relating thereto.

Assemblyman Swain moved that the bill be referred to the Committee on Elections.

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 435—An Act relating to public employment; providing for the submission of a dispute between teachers and their local government employer to an arbitrator; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 436—An Act relating to public employment; allowing the employees of a local government to negotiate their salaries as a percentage of the total budget of the local government employer; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Health and Welfare:

Assembly Bill No. 437—An Act relating to facilities for the dependent; requiring the state board of health to adopt separate regulations governing the licensing and operation of certain facilities for the dependent; and providing other matters properly relating thereto.

Assemblyman Arberry moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bills Nos. 22, 39, 99, 101, 113, 140, 198, 210, 221, 222; Senate Bill No. 85; Assembly Concurrent Resolution No. 3; Senate Concurrent Resolution No. 13.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Adler, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Gena Kies, Mesdames Kris Fiegehen, Christine Telling, Cathy Denton and the second grade class of E. W. Fritsch Elementary School: Elizabeth Basta, Anna Bierman, Joey Carlsen, Robyn Faike, Valerie Jaynes, Kara Nelson, Jennifer Johson, Kristine Putt, Ingrid Sedlacek, Kourtny Sheldon, Catherine Swain, Amber Simpson, Brant Berry, Jared Cumings, Donald Denton, Christopher Fiegehen, Zachary Higgins, Tulley Hubert, Cullen Jones, Stephen Marty, Brian Murdock, Dustin Riley, Shane Shivji, Michael Telling, Edward Tumbusch, David Welden, Ricky Yeates and Jeremy Zutter.

On request of Assemblyman Bergevin, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Norm Hicks and the students of Liberty Christian Academy: Jon Avery, Merry Begovich, Shannon Bobek, Denise Chapin, Jamie Clark, Justin Cline, Jason Girouard, Brandi Hayes, Chris Hicks, Brandi Hull, Ken Facciolla, Tim Facciolla, Mike Loser, Steve Loser, Rob McNeely, Butch Parker, Michelle Sando, Phillip Shively, Lisa Sproul, Eric Turcich and Jennifer Turcich.

On request of Assemblyman Carpenter, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Syd Chalmers and Mrs. Joan Chalmers.

On request of Mr. Speaker, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Orval Grundy, Arnold Martin, Frank Mathews, Herb Rountree, Jim Critchlow, Mss. Mary Hite, Rachel Johnson, Marie Grundy, Helen Hawkins, Teresa McBride, Valaree Newcombe, Phyllis Mathews, Elsie Rountree, Shirley Critchlow and Mildred Campbell.

On request of Assemblyman Marvel, the privilege of the floor of the Assembly Chamber for this day was extended to Miss Shari Andreasen.

On request of Assemblyman Sader, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Mike Morcom, Mss. Sue Merritt, Shelley Herndon, Bridget Loyle, Laura Olson, Luanne Hanson and the fifth grade students of Sun Valley Elementary School: Donald Corless, Yvonne Crabtree, Chris Day, Jothan Dunham, Layla Elder, Kathy Estrada, Jason Fisher, Luis Godoy, Brawn Gragg, Melanie Hammond, Lacey Herndon, Christy Huffman, Cameron Jackson, Dawn Jimenez, Corinne Loyle, JoAnn Merritt, Stacy Miller, Robert Moran, William Moran, Jennifer Morris, Kristine Petersen, Jesus Rodarte, Melissa Rollins, Amy Scott, Joe Squier, Nancy Treme, Lyle Wegley, Carlos Zendejas, Raymond Bowman, Andrea Bear, Carmen Ortiz and Amy Sourjohn.

On request of Assemblyman Sedway, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Tom Weber, Mrs. Marla Weber and Master Daniel Weber.

Assemblyman Nevin moved that the Assembly adjourn until Wednesday, March 25, 1987 at 11 a.m.

Motion carried.

Assembly adjourned at 11:49 a.m.

Approved: JOSEPH E. DINI, JR.
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE SIXTY-SIXTH DAY

CARSON CITY (Wednesday), March 25, 1987

Assembly called to order at 11:03 a.m.

Mr. Speaker presiding.

Roll called.

All present except Assemblyman Jeffrey, who was excused.

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 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 Nevin 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. 264, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

COURTENAY C. SWAIN, *Chairman*

Mr. Speaker:

Your Committee on Elections, to which was referred Assembly Bill No. 361, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

COURTENAY C. SWAIN, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Assembly Bill No. 7, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and re-refer to the Committee on Government Affairs.

DANNY L. THOMPSON, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, March 24, 1987

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. 36, 157, 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. 66, 149, 197.

MARY JO MONGELLI
Assistant Secretary of the Senate

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Commerce:

Assembly Bill No. 438—An Act relating to naturopathy; repealing the provisions regulating it as a healing art; and providing other matters properly relating thereto.

Assemblyman Wisdom moved that the bill be referred to the Committee on Commerce.

Motion carried.

By the Committee on Taxation:

Assembly Bill No. 439—An Act relating to taxation; eliminating the provisions authorizing the deduction of allowances by certain persons for the collection of taxes; and providing other matters properly relating thereto.

Assemblyman May moved that the bill be referred to the Committee on Taxation.

Motion carried.

By Assemblymen Dini and Thompson:

Assembly Bill No. 440—An Act relating to public obligations; allocating the limits established by federal law on the issue of certain bonds exempt from taxation; designating persons required to comply with certain reporting requirements relating to such bonds; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Myrna Williams and Sedway:

Assembly Bill No. 441—An Act relating to motor vehicles; revising the penalty for the misuse of special parking permits and special license plates issued to handicapped persons; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Haller and Triggs:

Assembly Bill No. 442—An Act relating to domesticated animals; requiring the department of transportation to send an identification tag found on a dead, domesticated animal to the local governmental office of animal control for notification of the owner; and providing other matters properly relating thereto.

Assemblyman Haller moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 443—An Act relating to the Statutes of Nevada; deleting the minimum number of copies required to be printed; removing specific references to types of binding materials which may be used; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 444—An Act relating to the legislative counsel bureau; authorizing the director of the legislative counsel bureau conduct a search by computer of specified materials for any person; authorizing the director of the legislative counsel bureau to make certain information available for access by computer to governmental entities and the public; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen DuBois, Kissam, Lambert, Nevin, Carpenter, Gaston, Freeman, Thomas, McGaughey, Nicholas, Humke, Triggs, Fay, Tebbs, Callister, Marvel, Kerns, Sedway and Swain:

Assembly Bill No. 445—An Act relating to pupils; requiring a pupil in a public high school to maintain a passing grade in all of his classes to remain eligible to participate in interscholastic athletics; requiring the state board of education to adopt necessary regulations to carry out that requirement; and providing other matters properly relating thereto.

Assemblyman DuBois moved that the bill be referred to the Committee on Education.

Motion carried.

Senate Bill No. 66.

Assemblyman Nevin moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 149.

Assemblyman Nevin moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

Senate Bill No. 197.

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

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Sedway moved that Assembly Bill No. 152 be placed at the top of the General File.

Remarks by Assemblyman Sedway.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 115.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 227.

Amend sec. 3, page 1, line 6, after "*appointed*" by inserting "*annually*".

Amend sec. 3, page 1, line 7, after "*appointed*" by inserting "*annually*".

Amend sec. 3, page 2, line 2, by deleting the period and inserting: "*and such other matters as the board directs.*".

Amend sec. 4, page 2, by deleting line 10 and inserting: "*and the development of standards for construction of facilities for the control of floods;*".

Amend sec. 4, page 2, line 12, by deleting the period and inserting: "*; and*

(e) The establishment of additional long-range priorities for the control of floods.".

Amend sec. 4, page 2, by deleting lines 14 through 20 and inserting: "*review. The report must set forth:*

(a) The source and amount of money received during the previous year;

(b) The amount of money expended during the previous year;

(c) A listing of any project completed during the previous year;

(d) A listing of any project under construction;

(e) A listing of any project which is proposed for the ensuing year and the time estimated for its completion; and

(f) Any recommended amendments of the master plan.".

Amend sec. 4, page 2, line 23, after "*printing*" by inserting "*and mailing*".

Amend sec. 5, page 2, line 31, by deleting "*revisions*" and inserting "*amendments*".

Amend sec. 6, page 2, by deleting lines 33 through 38 and inserting:

"Sec. 6. (Deleted by amendment.)".

Amend sec. 7, page 2, by deleting line 39 and inserting:

"Sec. 7. *1. The review provided for in section 5 of this act may*".

Amend sec. 7, page 3, line 2, by deleting "*revision*" and inserting "*amendment*".

Amend sec. 7, page 3, by deleting lines 3 and 4.

Amend sec. 8, page 3, by deleting lines 5 through 13 and inserting:

"Sec. 8. *1. Any person or governmental entity proposing to add to or change the district's master plan shall submit the proposal to the district as a proposed amendment to the master plan. Upon receipt of such a proposal,*

the board shall determine whether the proposal is consistent with the general principles set forth in subsection 3 of NRS 543.590 for the master plan. If the proposal is determined to be generally consistent with the principles, the board shall hold a public hearing to consider the adoption of the proposed amendment. The board may adopt a proposed amendment to the district's master plan with the approval of two-thirds of the members of the board. The board shall file a copy of any amendment so adopted with the governing body of each local government whose jurisdiction includes a hydrographic area affected by the adopted amendment.

2. Upon receipt of such an amendment, the governing body of each local government affected shall hold a public hearing to consider the adoption of the proposed amendment as a component of its comprehensive master plan. If the governing bodies of each local government whose jurisdiction includes a hydrographic area affected by the amendment to the district's master plan approve the proposed amendment, it becomes effective.".

Amend sec. 9, page 3, by deleting lines 14 through 30 and inserting:

"Sec. 9. *1. If, at the time a particular regulation is enacted, the exceptional narrowness, shallowness or shape of a specific piece of property is such that the strict application of the regulation would result in peculiar and exceptional practical difficulties to or exceptional and undue hardships upon the owner of the property, the board may grant a variance from the strict enforcement of the regulation for that piece of property.*

2. If by reason of an exceptional topographic condition or any other extraordinary condition, the board determines that the strict application of a regulation would result in peculiar and exceptional practical difficulties to or exceptional and undue hardships upon the owner of a particular piece of property, the board may grant a variance from the strict enforcement of the regulation for that piece of property if the granting of the variance will not cause a:

(a) Substantial detriment to the public good;

(b) Substantial impairment of any affected natural resources; or

(c) Significant deviation from the intent and purpose of the district's master plan.

3. Before granting such a variance, the board shall consider the effect of the proposed variance on the adjacent property, the entire hydrographic area and the continued implementation of the master plan.".

Amend sec. 11, page 3, by deleting lines 34 through 39 and inserting:

"Sec. 11. NRS 543.180 is hereby amended to read as follows:

543.180 As used in NRS 543.160 to 543.830, inclusive, *and sections 2 to 10, inclusive, of this act,* unless the context otherwise requires, the words and terms defined in NRS 543.181 to 543.188, inclusive, *and section 2 of this act* have the meanings ascribed to them in those sections.".

Amend sec. 12, page 4, line 21, by deleting the period and inserting: ", *except the member from the citizens' advisory committee and the chief executive and general manager, each of whom may otherwise participate in the activities of and make recommendations to the technical committee.*".

Amend sec. 12, page 4, by deleting lines 26 through 29 and inserting:

"3. *The board may contract with any agency of the Federal Government for any services related to projects for the control of floods in the district.*".

Assemblyman Thompson moved the adoption of the amendment.

Remarks by Assemblyman Thompson.

Amendment adopted.

Assemblyman Thompson moved that Assembly Bill No. 115 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. 132.

Bill read second time.

The following amendment was proposed by the Committee on Transportation:

Amendment No. 167.

Amend the bill as a whole by deleting section 1 and inserting:

"Section 1. NRS 484.373 is hereby amended to read as follows:

484.373 1. If any driver drives a motor vehicle at a speed so slow as to impede the forward movement of traffic proceeding immediately behind him, on any highway whereon a higher speed is lawful, unless reduced speed is necessary for safe operation or in compliance with law, the driver shall:

(a) If the highway has one lane for traveling in each direction and the width of the paved portion permits, drive to the extreme right side of the highway;

(b) If the highway has two or more clearly marked lanes for traffic traveling in his direction, drive in the extreme right-hand lane except when necessary to pass other slowly moving vehicles; or

(c) If the highway is a controlled-access highway, use alternate routes whenever possible.

2. *On any rural highway which has only one lane for traveling in each direction, the driver of any vehicle traveling slower than the normal speed of traffic shall, to allow the following vehicles to pass, turn off the highway at the nearest place designated for that purpose or wherever sufficient area exists for the vehicle to turn off safely, if:*

(a) There are three or more vehicles traveling immediately behind him; and

(b) Passing by the drivers of those vehicles would be unsafe because of oncoming traffic or other conditions.

3. A person shall not bring a vehicle to a complete stop upon a roadway so as to impede or block the normal and reasonable movement of traffic unless the stop is necessary for safe operation or in compliance with law.".

Amend the title of the bill to read as follows:

"An Act relating to traffic laws; requiring slower drivers to turn off the highway under certain circumstances; and providing other matters properly relating thereto.".

Amend the summary of the bill to read as follows: "Requires slower drivers to turn off highway under certain circumstances. (BDR 43-41)".

Assemblyman Kerns moved the adoption of the amendment.

Remarks by Assemblyman Kerns.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 148.

Bill read second time.

The following amendment was proposed by the Committee on Transportation:

Amendment No. 188.

Amend section 1, page 1, line 3, by deleting "*1.*".

Amend section 1, page 1, line 12, by deleting "*(a)*" and inserting "*1.*".

Amend section 1, page 2, by deleting lines 1 through 7 and inserting:

"2. *Without a warrant, seize and take possession of the motor vehicle and cause it to be towed and impounded until the owner claims it by:*

(a) Presenting proof that the vehicle's registration has been reinstated by the department; and

(b) Paying the cost of the towing and impoundment.".

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. 178.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 216.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 234.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 218.

Amend section 1, page 2, line 14, after "*sufficient*" by inserting: "*in a county whose population is less than 100,000*".

Amend section 1, page 2, by deleting lines 17 and 18 and inserting: "*the period of adjournment for a period not exceeding 10 days.* The time within which a preliminary examination or".

Amend the title of the bill, first line, by deleting "a court" and inserting "certain courts".

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. 355.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 238.

Amend the bill as a whole by adding new sections, designated sections 5 and 6, following sec. 4, to read as follows:

"Sec. 5. NRS 244.2967 is hereby amended to read as follows:

244.2967 A board of county commissioners which establishes a county fire department shall levy a tax for its support *and for the payment of the interest and principal on any indebtedness incurred for its buildings or equipment,* on all property within the boundaries of the service area of the fire department, and shall establish a separate fund in the county treasury for the receipt and expenditure of and accounting for the proceeds of this tax.

Sec. 6. This act becomes effective upon passage and approval.".

Amend the title of the bill, line 5, after "made;" by inserting: "requiring the levy of a tax for the support of a county fire department to include any indebtedness incurred for its buildings and equipment;".

Amend the summary of the bill to read as follows: "Makes various changes relating to county government. (BDR 20-544)".

Assemblyman Thompson moved the adoption of the amendment.

Remarks by Assemblyman Thompson.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 70.

Bill read second time and ordered to third reading.

GENERAL FILE AND THIRD READING

Assembly Bill No. 152.

Bill read third time.

Remarks by Assemblyman Sedway.

Roll call on Assembly Bill No. 152:

YEAS—41.

NAYS—None.

Absent—Jeffrey.

Assembly Bill No. 152 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Assemblyman Sedway moved that all rules be suspended and that Assembly Bill No. 152 be immediately transmitted to the Senate.

Motion carried unanimously.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Education:

Assembly Bill No. 446—An Act relating to the department of education; revising provisions governing the organization of the department; and providing other matters properly relating thereto.

Assemblyman Craddock moved that the bill be referred to the Committee on Education.

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 447—An Act relating to public utilities; requiring the public service commission of Nevada to establish a simplified procedure for a change of rates by certain public utilities; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 448—An Act relating to apprenticeships; providing standards for programs of apprenticeship; authorizing the state apprenticeship council to approve programs and standards for apprenticeship; forbidding discrimination based on religion in apprenticeships; providing requirements for agreements of indenture as an apprentice; making various technical and administrative changes; and providing other matters properly relating thereto.

Assemblyman Thompson moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 449—An Act relating to jails; establishing a committee to study proposals for jail projects; making appropriations; and providing other matters properly relating thereto.

Assemblyman Thompson moved that the bill be referred to the Committee on Legislative Functions.

Motion carried.

By the Committee on Transportation:

Assembly Bill No. 450—An Act relating to crimes; prohibiting the display of items for sale on vacant land unless certain conditions are met; providing a penalty; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Transportation:

Assembly Bill No. 451—An Act relating to motor carriers; increasing the maximum number of miles allowed on a used motor vehicle purchased for use as a taxicab; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Commerce:

Assembly Bill No. 452—An Act relating to contractors; expanding certain grounds for disciplinary action; clarifying certain exemptions from licensing; requiring a local government to determine whether a person is licensed

by the state contractors' board before granting a license or permit; and providing other matters properly relating thereto.

Assemblyman Wisdom moved that the bill be referred to the Committee on Commerce.

Motion carried.

By the Committee on Commerce:

Assembly Bill No. 453—An Act relating to physical therapy; authorizing the state board of physical therapy examiners to charge certain fees; authorizing the board to require continuing education for physical therapists' assistants; and providing other matters properly relating thereto.

Assemblyman Wisdom moved that the bill be referred to the Committee on Commerce.

Motion carried.

By the Committee on Commerce:

Assembly Bill No. 454—An Act relating to the state contractors' board; making various changes relating to the powers and duties of the board; and providing other matters properly relating thereto.

Assemblyman Wisdom moved that the bill be referred to the Committee on Commerce.

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen Dini, Sader, Triggs, Arberry, Brookman, Haller, Freeman, Evans, Adler, Gaston, Myrna Williams, Sedway, Spinello, Schofield, Porter, Wendell Williams, Callister, Craddock, Kissam, Swain, Wisdom, Price, Fay, Garner, Nevin, May, Tebbs, Lambert, Bergevin, Carpenter and DuBois:

Assembly Concurrent Resolution No. 25—Memorializing Mary Gojack, former state legislator.

WHEREAS, This Legislature notes with sorrow the untimely death of former legislator, Mary Gojack, on November 12, 1985; and

WHEREAS, Mary L. Gojack was born in Hillsboro, Iowa, on February 19, 1936;

WHEREAS, Throughout Mary Gojack's life she was always ready to stand up to a challenge; and

WHEREAS, Elected to the Assembly in 1972, Mary began her illustrious legislative career serving one term in the Assembly followed by two terms in the Senate; and

WHEREAS, Mary Gojack gained the recognition and respect of Nevadans because she spoke up for what she believed in; and

WHEREAS, Mary was deeply involved in helping her community and throughout the years she had been a member of the Nevada Opera Guild, Washoe County Council on Alcoholism, American Legion Auxiliary, American Association of University Women, Reno Branch, the Business and Professional Women, Washoe County Democratic Women and the Democratic Central Committee; and

WHEREAS, Mary Gojack represented many things to many people, but to her children, Patricia and John Hixson she was first and foremost their mother; now, therefore, be it

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, THE SENATE CONCURRING, That the members of the 64th session of the Legislature of the State of Nevada extend their heartfelt sympathy to Mary's children Patricia and John and to Mary's supportive and devoted husband, Robert Gorrell; and be it further

RESOLVED, That copies of this resolution be transmitted forthwith by the Chief Clerk of the Assembly to Mary's children, Patricia and John Hixson and to her husband Robert Gorrell.

Assemblyman Haller moved the adoption of the resolution.

Remarks by Assemblymen Haller, Nicholas, Brookman, Swain, Craddock, Myrna Williams, Getto, May, Freeman and Price.

Assemblyman Brookman requested that the following remarks be entered in the Journal.

ASSEMBLYMAN HALLER:

Mr. Speaker, Mary was a dear friend, not only to me and my family, but to all of us here. They say the good die young. Mary did so many things that I cannot even begin to enumerate them. I would say that in her short life—shorter than mine, by the way—she struck out at all kinds of injustice. She never hesitated to speak out for those things she believed in and against those things she was against. It is with deep regret that I move this resolution.

ASSEMBLYMAN NICHOLAS:

Thank you very much, Mr. Speaker. To you and through you, we are speaking now of a constituent who was one of the most illustrious in my district who held the seat for District No. 23 some years ago, who was an extremely respected and well-spoken lady, and who richly deserves this recognition. I'm very pleased to see this happening today. Thank you.

ASSEMBLYMAN BROOKMAN:

Mr. Speaker, to you and through you to the members of the house, I had the great honor of serving with Mary and all I can tell you is that she was one hell of a woman. She fought for the little people, she did many good deeds, and it saddened my heart to learn of her death. I and everyone else who served with her knew she was a woman of her convictions and she never backed down. I urge the adoption. We shall all miss you, Mary.

ASSEMBLYMAN SWAIN:

Thank you, Mr. Speaker. Mary was also a personal friend of mine and I really feel like I owe her a lot because when I first decided to run for public office, she took me under her wing. One of the first things she did for me was to take me back to Washington, D.C. with her to a Democratic national training session. She took me everywhere with her, and introduced me to all kinds of people and she watched over my shoulder to make sure that I was attending the right functions and meeting the right people and learning the right things. She gave me a good start in being where I am today and I owe her a great deal. She was a good friend. She was a gutsy lady and I really admired her for that.

ASSEMBLYMAN CRADDOCK:

Mr. Speaker, to you and through you to the members. Mary and I worked together on the development of the legislation which led up to the development of geothermal energy in the State of Nevada. Because of Mary, the State of Nevada is a better place to live. As I think back over the many things, it is hard to single out only one thing that Mary was outstanding in. I would conclude my remarks by saying that I am pleased to stand and announce that she was among my friends.

ASSEMBLYMAN MYRNA WILLIAMS:

Thank you, Mr. Speaker. Mary was a close, personal friend of mine also. But more than that I think it is important to know that Mary Gojack was admired not just in the north, but statewide. She was a mentor to many of us and her loss has been significant.

ASSEMBLYMAN GETTO:

Thank you, Mr. Speaker. I could not let this pass without saying something since I

served when Mary first came to the Legislature. Although we had differing philosophies, I had a very high respect for Mary Gojack. She was an intelligent, courageous, marvelous lady. I think she will go down in history as one of our leading ladies in the State of Nevada. Mary had the courage to walk where others feared to tread and I will always remember that. Even with our differences in philosophy, we many times joined on issues that we thought were the best for Nevada. As my colleagues said, she truly represented the little people.

ASSEMBLYMAN MAY:

Mr. Speaker, in memory of Mary Gojack, and as one of her cohorts, if that is the proper word, speaking for all of them, I know some of us truly loved her, others simply admired her and all of us will miss her.

ASSEMBLYMAN FREEMAN:

I would only echo the remarks of all the previous speakers and to add, simply, that she was a friend and that we miss her.

ASSEMBLYMAN PRICE:

Thank you, Mr. Speaker. To you and through you, I, too, had the pleasure of serving with Mary and echo all the accolades that have been said. But, in addition, to being a fine legislator, I remember something, which I believe was the last basketball game that the Assembly played against the Senate, and I believe the Senate won because of Mary's high scoring. So she was an excellent basketball player, too.

Resolution adopted unanimously.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Health and Welfare:

Assembly Bill No. 455—An Act relating to autopsies; requiring a person to notify the parents or guardian of a minor in writing before performing an autopsy upon the body of the minor; and providing other matters properly relating thereto.

Assemblyman Arberry moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 155.

Bill read third time.

Remarks by Assemblymen McGaughey, Thomas, Sader, Arberry, Gaston, Haller, Sedway, Fay, Nevin, Adler and Swain.

Assemblymen Bergevin, Haller and Lambert moved the previous question.

Motion carried.

The question being on the passage of Assembly Bill No. 155.

Roll call on Assembly Bill No. 155:

YEAS—31.

NAYS—Banner, Fay, Haller, Lambert, Marvel, May, Sedway, Thomas, Myrna Williams, Mr.Speaker—10.

Absent—Jeffrey.

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. 303.
Bill read third time.
Remarks by Assemblyman Kissam.
Roll call on Assembly Bill No. 303:
YEAS—41.
NAYS—None.
Absent—Jeffrey.

Assembly Bill No. 303 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 329.
Bill read third time.
Remarks by Assemblyman Thompson.
Roll call on Assembly Bill No. 329:
YEAS—41.
NAYS—None.
Absent—Jeffrey.

Assembly Bill No. 329 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Senate Bill No. 139.
Bill read third time.
Remarks by Assemblyman Garner.
Roll call on Senate Bill No. 139:
YEAS—41.
NAYS—None.
Absent—Jeffrey.

Senate Bill No. 139 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bills Nos. 34, 220; Assembly Joint Resolutions Nos. 2, 6, 9; Senate Concurrent Resolution No. 6.

REMARKS FROM THE FLOOR

Assemblyman Kerns requested that his remarks be entered in the Journal.

WHEREAS, Western Industrial Nevada was formed in the early 1960's by a group of local businessmen to attract new industry into Northern Nevada for warehousing and economic diversification purposes; and

WHEREAS, since that beginning Western Industrial Nevada has promoted and demonstrated a steady growth pattern in the Western Nevada business and industrial community, and

WHEREAS, Western Industrial Nevada is an organization dedicated to promotion of a working partnership among business, government, and education for a viable, stable economic future for Nevada; and

WHEREAS, the 343 partners of Western Industrial Nevada strive, collectively and individually to invite, encourage, and solicit new businesses to come to Northern Nevada; and

WHEREAS, Western Industrial Nevada wants to see good things occur in Nevada and for Nevada industry, government, and education, now, therefore, be it

RESOLVED, that the Nevada State Legislature recognizes the many efforts of Western Industrial Nevada to promote Nevada business opportunities; and be it further

RESOLVED, that we recognize the Western Industrial Nevada as our special guests on this 25th day of March, 1987.

Assemblyman Spinello requested that Assemblyman Porter's remarks be entered in the Journal.

Thank you, Mr. Speaker. To you and through you to the members of this body, it is my pleasure to introduce today one of the most successful recording engineers in the history of American music. A gentleman who has recorded over 57 top ten hits and 37 gold records, which, by the way, is more than any other engineer in America.

For those of you who enjoyed your teenage years a lot earlier than I did, I would like to read to you a list of some of the hits that this man was responsible for. They include: *Last Date* by Floyd Cramer; *The End of the World, I Can't Stay Mad at You* by Skeeter Davis; *Till I Kissed You, Cathy's Clown, When Will I Be Loved, Walk Right Back, Ebony Eyes* and *Crying in the Rain* by the Everly Brothers; *Java* by Al Hirt; *Together* by Connie Francis; *Please Help Me I'm Falling* by Hank Locklin; *Let's Talk About Living* by Bob Luman; *Only the Lonely, Blue Angel, Running Scared, Crying, It's Over* and a Grammy nomination for *Pretty Woman* by Roy Orbison; *Stuck on You, It's Now or Never, Are You Lonesome Tonight, Surrender, I Feel So Bad, Marie's the Name, Little Sister, Good Luck Charm, Return to Sender, Devil in Disguise, Crying in the Chapel* and *Suspicious Minds* by Elvis Presley; *He'll Have to Go* by Jim Reeves; *Sheila* by Tommy Roe; *Little GTO* by Ronnie and the Daytonas; *Sad Movies* and *Norman* by Sue Thompson; and *It Keeps Right on Hurtin'* by Johnny Tillotson.

Mr. Speaker, it is my distinct pleasure to introduce my father, Mr. Bill Porter.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Banner, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Chris Opolka.

On request of Mr. Speaker, the privilege of the floor of the Assembly Chamber for this day was extended to Mss. Laura Smith, Shana Chism, Mr. Hawkins and the students of Yerington Intermediate School: Cary Chisum, Kevin Weese, Marc Hillygus, Chris Fraze, Stephanie Bowen, Kayelynn Evasovic, Barbra Cottle, Richard Oliver, Robert Reed, Tricia Roberts, Matt Moore, Tamie Rathburn, Joe Lowery, Gretchen Mettler, Taime Arigoni, Shawnna Whalin, Teressa Hagen and Randy Rupracht.

On request of Assemblyman Getto, the privilege of the floor of the Assembly Chamber for this day was extended to the fourth grade class of Fallon Elementary School: Mae Haden, Elizabeth Almanza, Shonilee Berg, Bo Blaylock, Amber Cassel, Callie Chealander, Michael Coughlin, Jason Dee, Nathan Gailey, Carrie Green, Gabe Hardin, Brandy Hinesly, Tommy Madole, Addie Penrod, Philip Risi, Jared Schank, Kelli Scharmann, Charles Shuey, Shawna Taylor, Katie Tucker, Chad Wallace, Andy Warbington, Jennifer Whipple, Cindy Young, Jimmy Harman, Greg Malo, Eric Benson, Chris Marsh, Joanne Schank, Joann Spencer and Laurie Chealander.

On request of Assemblyman Humke, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Mike Rainey and Jim Carrico.

On request of Assemblyman Marvel, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Keith Odle, Jim Rowe, Lou Greenwell, Mesdames Hughes, Moura, Chacon, Morris and the eighth grade students of Pershing County Junior High School: Melinda Austin, Jason Barrick, Dusty Biggs, Nate Bordenkircher, Scott Brown, Ronnie Burrows, Jackie Magerio, Martha Cholico, Javier Cuellar, Lori Dennison, Tony George, Marco Guerrero, Cory Hailey, Jose Hunt, Anna Marcuerguiaga, Ruth Mitchell, Anthony Moura, Carrie Norrie, Richie Pantoja, Don Rieg, Chris Smith, Thersa Serani, Lisa Story, Carolyn Brinkerhoff, Andy Raymond, Deana Howery, Tracy Mazza, Ivo Hughes, Andrea Martinez, Mandy Altman, Jenni Baker, Leti Castro, Jason Chacon, Rosa Dominquez, Darrell Gogert, Nathan Hyde, Tyrell Looney, Wayne Maita, Andrew Munk, Gary Nance, Jackie Rodriguez, Chris Russell, Sandra Safford, Wendy Stevens, Jesus Valtierra, Tammi Whitaker, Laurie Willes, Jennifer Yanni, Jeni Sands, Chris O'Niel, Kessler Morris, Lance Lucas, Irene Walker, Jamie Burgman and Cynthia Gamez.

On request of Assemblyman Nicholas, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Rita Braninburg, Mr. Dick Harding, Mesdames Wissenback, Van Straten and students of Pleasant Valley Elementary School: Josh Carson, Heidi Greenleaf, Jeremy Harding, Chris Holloway, Andrea Jacklich, Dan Malloy, D. J. Navaee, Ruth Orebaugh, Trina Rose, Katherine Rush, Jennifer Sumpter, Shannon Van Straten, Corey Wissenback; Messrs. Bill Meister, Roger Boise, Mss. Debbie Sheltra, Laurel Wadman, Revella Beane, Sherrie Key, Deborah Roberts, Kim McElroy and the fifth and sixth grade students of Pleasant Valley School: Kenny Beane, Jimmy Boegle, Mike Ivers, Steven Mahoney, Blake McElroy, Brett Skubitz, Clifford Tietje, Rhonda Bailey, Jaunice Cumpton, Karen Downes, Marie Oakden, Kate Sheriff, Heidi Wadman, Heather Williams, Amanda Wixom, Tim Baldwin, Jay Harrower, Alex Leon, Justin Roberts, Jennifer Boise, Rachel Dodini, Amanda Martin, Rlise Peltier and Nicole Peterson.

On request of Assemblyman Tebbs, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Andrew Uster.

On request of Assemblyman Thompson, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Jay Whipple.

Assemblyman Nevin moved that the Assembly adjourn until Thursday, March 26, 1987 at 11 a.m.

Motion carried.

Assembly adjourned at 12:17 p.m.

Approved: JOSEPH E. DINI, JR.
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE SIXTY-SEVENTH DAY

CARSON CITY (Thursday), March 26, 1987

Assembly called to order at 11:08 a.m.

Mr. Speaker presiding.

Roll called.

All present except Assemblymen Craddock and Jeffrey, who were excused.

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. Speak to us of human needs in education, in mental health, and in the various aspects of human wealth. 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 Nevin 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 Bills Nos. 73, 314; Senate Bill No. 123, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

PAUL W. MAY, *Chairman*

Mr. Speaker:

Your Committee on Transportation, 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: Do pass.

LEONARD V. NEVIN, *Chairman*

Mr. Speaker:

Your Committee on Natural Resources, Agriculture and Mining, 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 W. SCHOFIELD, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, 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.

DANNY L. THOMPSON, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, March 25, 1987

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 11, 228, 229.

Also, I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bill No. 154, 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. 223.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 18, 143, 144.

MARY JO MONGELLI
Assistant Secretary of the Senate

INTRODUCTION, FIRST READING AND REFERENCE

Senate Bill No. 18.

Assemblyman Nevin moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 143.

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

Motion carried.

Senate Bill No. 144.

Assemblyman Nevin moved that the bill be referred to the Committee on Taxation.

Motion carried.

Senate Bill No. 223.

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

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Judiciary, to which was referred Senate Bill No. 172, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

ROBERT M. SADER, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which were referred Assembly Bill No. 205; Assembly Joint Resolution No. 1, 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.

ROBERT M. SADER, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Nevin moved that Assembly Bill No. 265 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Nevin.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 178.
Bill read third time.
Remarks by Assemblyman Sader.
Conflict of Interest declared by Assemblyman Brookman.
Roll call on Assembly Bill No. 178:
YEAS—40.
NAYS—None.
Absent—Craddock, Jeffrey—2.

Assembly Bill No. 178 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 216.
Bill read third time.
Remarks by Assemblyman Myrna Williams.
Conflict of Interest declared by Assemblyman Callister.
Roll call on Assembly Bill No. 216:
YEAS—40.
NAYS—None.
Absent—Craddock, Jeffrey—2.

Assembly Bill No. 216 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 70.
Bill read third time.
Remarks by Assemblyman Fay.
Roll call on Senate Bill No. 70:
YEAS—40.
NAYS—None.
Absent—Craddock, Jeffrey—2.

Senate Bill No. 70 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen Dini, Getto, Sader, Triggs, Haller, Arberry, Brookman, Freeman, Evans, Adler, Gaston, Myrna Williams, Sedway, Spinello, Schofield, Porter, Wendell Williams, Callister, Craddock, Kissam, Swain, Wisdom, Price, Fay, Garner, Nevin, Bergevin, McGaughey, Nicholas, DuBois, Kerns, Tebbs, Marvel, Thompson, Banner, Carpenter, May, Thomas, Lambert, Humke and Spriggs:

Assembly Concurrent Resolution No. 26—Memorializing a former Justice of the Supreme Court, Jon Collins.

WHEREAS, This legislature is deeply grieved by the passing of Jon Collins, a resident of Nevada whose distinguished career brought him national attention and admiration; and

WHEREAS, Jon Collins was born in Ely on May 7, 1923; and

WHEREAS, The former justice was educated at George Washington University, Harvard, and the University of Pennsylvania, and received his law degree from Georgetown University; and

WHEREAS, Jon Collins was an active, knowledgeable and respected Nevadan who participated in numerous political, social and community activities; and

WHEREAS, He was in charge of the presidential campaign in Nevada for Jimmy Carter and was later appointed by President Carter to a board which recommended future judges for appointment to the U.S. Ninth Circuit; and

WHEREAS, Former Governor Mike O'Callaghan appointed Mr. Collins to chair the State Energy Resources Advisory Board; and

WHEREAS, Jon Collins was appointed to the Supreme Court on May 5, 1966, to fill a vacancy created by the death of Justice Milton B. Badt; and

WHEREAS, Jon Collins distinguished himself as one of Nevada's most respected attorneys as senior partner in the largest law firm in the State of Nevada, Lionel, Sawyer and Collins; and

WHEREAS, Former Justice Collins was dedicated to his family and his passing will be felt deeply by his wife Rita, and their five daughters, Candace Olson, Melissa Collins, Pamela Collins and Kelly Collins of Las Vegas, and Jona Wallace of Ohio; now, therefore, be it

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, THE SENATE CONCURRING, That the members of the 64th session of the Legislature of the State of Nevada extend their heartfelt sympathy to the family of Jon Collins; and be it further

RESOLVED, That a copy of this resolution be transmitted forthwith by the Chief Clerk of the Assembly to Rita Collins, his widow, and to each of his five daughters.

Assemblyman Getto moved the adoption of the resolution.

Remarks by Assemblymen Getto, Nicholas, Porter, Sader, Schofield, Fay and Carpenter.

Assemblyman McGaughey requested that the following remarks be entered in the Journal.

ASSEMBLYMAN GETTO:

Mr. Speaker, I believe it is only fitting that I make some remarks since Judge Collins was born in the small town of Ely. He was certainly a distinguished scholar in that community and as the resolution states, he went on to George Washington and to Harvard and the University of Pennsylvania.

My association with Judge Collins was in the area of the province of our youth. When I was first elected to the Legislature, we used to spend several hours discussing our youth. He had a very sincere interest in the welfare of our young people and we used to discuss the juvenile problems and juvenile probation areas and I learned a lot from Judge Collins.

I think I became a pretty good friend of his. We had not seen each other in several years but I always respected him very highly and felt a sincere friendship with him. I certainly want to extend our heartfelt sympathy to his family. We in the state will all miss him very much. The State of Nevada will experience a great loss with his passing.

ASSEMBLYMAN NICHOLAS:

Thank you, Mr. Speaker. To you and through you, the Justice was a multi-faceted gem, whose accomplishments were not limited to the directions taken by the prior speaker on this subject matter. He was an expert in areas of health care regulation. The guest at my desk today, Bob Lyle, and I served in a function that often brought us in close proximity to the Justice in his legal days down in Las Vegas some ten or more years ago. I learned more from that man involving what I do today than from almost any other human being. And, he did it so well! We will honestly miss him. He was a great guy. Thank you.

ASSEMBLYMAN PORTER:

Thank you, Mr. Speaker. I had the pleasure of going to high school with the Judge's daughter, Melissa. Judge Collins was also the man who was assigned to interview me to approve my application to take the bar exam for admission to the Bar of the State of

Nevada. He helped me through that exam. I had a discussion with him when I decided to run for office and he was nothing but supportive. He told me that it would be a tough fight, but he was there and would counsel me all the way through.

On behalf of the Collins family, I urge unanimous adoption of this resolution. Thank you.

ASSEMBLYMAN SADER:

Mr. Speaker, I would be remiss if I did not say a few words about Judge Collins' contribution to the legal profession. When he was a Supreme Court Justice he, of course, authored many opinions that those of us in the legal profession have to interpret and abide by today. He has left a fine legacy of scholarship for all of us who practice.

In his business, he was one of the founding partners of the largest firm in the state and proved, both as a businessman and as a lawyer in private practice, that he was as adept in private law and practice as he was in his career as a jurist.

ASSEMBLYMAN SCHOFIELD:

Thank you, Mr. Speaker. I became acquainted with Justice Collins about ten years ago. Oftentimes, as some of my colleagues have indicated, there are people whose lives touch our own. The accomplishments that this man has made through the history of the State of Nevada will long live and long be remembered by many of us and by many of the people that go behind us.

I just wanted to say that we really will miss him. All of his virtues and accomplishments will certainly be living in our memories from now on. He was a tremendous Nevadan, a tremendous person, very soft-spoken, and had attributes about him, as you've heard in some of the remarks already made. I really admired this man. I think he has left a legacy on the State of Nevada's history that will long be remembered and long remain.

ASSEMBLYMAN FAY:

Thank you, Mr. Speaker. I never knew Jon Collins on a professional basis, only on a personal basis. You never heard of his accomplishments from him; he was totally unassuming and he was a good fellow lawman.

ASSEMBLYMAN CARPENTER:

I grew up in the Ely area with Jon Collins. He was a year or two older than I am. Through the years we would come in contact with each other and he always acknowledged me. I think this is important because he became what I think to be one of the most well-known, respected men to come out of the Ely area.

I just want to echo the sentiments that have been said here today.

Resolution adopted unanimously.

By Assemblymen Brookman, Dini, Getto, May, Banner, Craddock, Jeffrey, Price, Bergevin, Marvel, Schofield, DuBois, Nicholas, Sader, Thompson, Humke, Kerns, Nevin, Sedway, Swain, Thomas, Arberry, Lambert, McGaughey, Spriggs, Tebbs, Myrna Williams, Fay, Kissam, Adler, Callister, Carpenter, Evans, Freeman, Garner, Gaston, Haller, Porter, Spinello, Triggs, Wendell Williams and Wisdom:

Assembly Concurrent Resolution No. 27—Commending Mike O'Callaghan for his public service and declaring March 26, 1987, as Mike O'Callaghan Day.

WHEREAS, The State of Nevada is proud to recognize one of its most respected residents, former Governor Mike O'Callaghan; and

WHEREAS, Elected to the office of Governor in 1970, Mike O'Callaghan provided strong leadership for the State of Nevada for 8 years; and

WHEREAS, While serving as Governor, Mike O'Callaghan placed emphasis on upgrading and expanding services to mentally retarded and mentally ill persons; and

WHEREAS, Today, as a journalist, Mike O'Callaghan continues to strive for improvements in the services provided for those persons; and

WHEREAS, Mike O'Callaghan's contributions to the State of Nevada, his strength of character and his continued dedication to the people of this state have secured for him a place in the hearts of all Nevadans; now, therefore, be it

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, THE SENATE CONCURRING, That March 26, 1987, is hereby declared Mike O'Callaghan Day in honor of a man who personifies dignity, honesty, integrity and public service; and be it further

RESOLVED, That a copy of this resolution be prepared and transmitted forthwith by the Chief Clerk of the Assembly to Mike O'Callaghan.

Assemblyman Brookman moved the adoption of the resolution.

Remarks by Assemblymen Brookman, Callister, Thompson, Nicholas, Getto, Myrna Williams, Kissam, Haller, Gaston, Price, Thomas and May.

Assemblyman Brookman requested that the following remarks be entered in the Journal.

ASSEMBLYMAN BROOKMAN:

Mr. Speaker and Members of the Assembly, it was my distinct honor to serve under Governor O'Callaghan together with a few of us who now serve in this house. Not only is he a great man, he did so much for the little people in the State of Nevada, and I think that is what he is being remembered for. He did all good things for all people.

He is one of my constituents. I have to straighten up my act with him around my neighborhood.

I appreciate everyone signing this resolution. There is not much more I can say about this man, he is just one of God's gifts to all of us in the State of Nevada. We should be proud.

ASSEMBLYMAN CALLISTER:

Thank you. I just want to join with Assemblyman Brookman in her comments. I think that it is important for us to recognize the significant impact that Governor O'Callaghan has had especially in the area of rural mental health, which, of course, we will be honoring him in regard to later on this week. I just wanted to additionally urge all my colleagues to support this resolution.

I also wanted to commend my colleague to the right for her representation on behalf of the little people.

ASSEMBLYMAN THOMPSON:

Mr. Speaker, I rise in support of this resolution. Governor O'Callaghan was a great influence on my getting into politics eight years ago, and he has always been very supportive of me.

He is probably the most outspoken and colorful man I've ever met in my life. I think those members in the house who served when he was Governor would remember when he called you at three o'clock in the morning and told you what he thought of you and everything you owned and your dog. I think that's what I really like about the man, you always know where you stand with him. He does not pull any punches with anybody.

ASSEMBLYMAN NICHOLAS:

Thank you, Mr. Speaker. The gentleman sitting at my desk and I years ago used to work for this guy, this subject of our resolution today. We both had tremendous respect for him. Also, if we didn't verbally acknowledge this situation, he would probably call us up at 5:30 in the morning as has happened over the years. It's a fine honor for a fine man and I'm pleased to endorse it. Thank you.

ASSEMBLYMAN GETTO:

Yes, Mr. Speaker. I feel compelled to say something. Governor O'Callaghan had a tremendous impact on my life. I respect him very highly even though we spent several hours at different times arguing about bills. We had different philosophies in a lot of areas, but he is a person who is direct and I really admire his strength—he is truly a worker.

Mike was usually in his office at 6:00 a.m. or sometimes before. I recall one time when I had a couple of students from Australia who were visiting Nevada and they didn't have too much time. I called Governor O'Callaghan and asked if he would spend a little time with them. Although I didn't give him much advance notice (they only had a day or so), he indicated that if we could get to his office by quarter to six in the morning he would spend a little time with them. He spent over an hour with these two youths from Australia. You can be sure it left a tremendous impression on these young people.

He did the same with many of our own youth. I recall a youth in Fallon who lost a leg and was very depressed in a hospital. Lo and behold, one morning that youth, at six o'clock in the morning, got a call from the Governor of the State of Nevada. That certainly improved the morale of that young man.

These are some of the qualities that Governor Mike has. I also both respect and admire his memory. This man could remember a person whom he met only once. That certainly impresses people who have only met the Governor once and on their second meeting he calls them by name. That's something.

ASSEMBLYMAN MYRNA WILLIAMS:

Thank you, Mr. Speaker. It is a privilege to rise in support of a resolution honoring our former Governor Mike O'Callaghan. Mike O'Callaghan has had a major influence on me and on my political life. I think that the most important thing that I admire about Mike is his strength, and yet his ability to be gentle and caring. Anybody who has any kind of problem, whether it is in politics, or whether it is just somebody who lives in our area, can pick up the phone and call Mike at any time and he is always there for you. So, it is a privilege to honor former Governor O'Callaghan.

ASSEMBLYMAN KISSAM:

Thank you, Mr. Speaker. I had the pleasure of serving in this Chamber ten years ago when Mike was Governor, and I was the recipient of one of those late in the session midnight calls two days before we were supposed to adjourn *sine die*. He told me that his office caught a mistake that the Legislative Counsel Bureau had overlooked, we overlooked, the Senate overlooked and that he was going to have to veto one of my major pieces of legislation that I was very much in favor of—as were we here and in the Senate. Luckily, with his help, after he vetoed my bill, he helped me with the rewording of it to where, in the last two days, we rushed it through and all of the adopted children in this state were the beneficiaries. That was my personal experience, along with a lot of other minor ones, with Mike. He is a great man.

ASSEMBLYMAN HALLER:

Mr. Speaker, I, too, have been chewed out by Mike. I have also been praised on occasion and I have met with him at six o'clock in the morning. I do, however, have one reservation about this. I can't understand how Assemblyman Brookman missed it, but I didn't hear anything about Carolyn in this resolution.

ASSEMBLYMAN GASTON:

Thank you, Mr. Speaker. On behalf of the class of little people, of which I am a member, I join in with the commendation of Governor O'Callaghan. I can only say that I must not have been home at two o'clock in the morning recently for one of his telephone calls. I wish I had. Unfortunately he had to communicate with me through his column in the newspaper. Notwithstanding that, Mike O'Callaghan has been a great man and a great leader for all of us and for the people of the state. I think that this is a very small thing that we can do, but it is certainly for a great man and I would certainly join in the support.

ASSEMBLYMAN PRICE:

Thank you, Mr. Speaker. It is also my pleasure to rise in support of this resolution, having had the pleasure of serving with Governor O'Callaghan in the first years. He used to roam these halls from time to time as we recall, twisting a few arms.

I also have been the recipient of some barbs and front page headlines about my ability in thinking, but then he turned around and endorsed me and supported me over the years. He is the epitome of a person who is fair and just.

The characteristic I respect the most about Governor O'Callaghan is, when the chips were down, you could always be assured that he would be on the side of the people of Nevada and the little person.

I think it is a fine thing that we are doing here today.

ASSEMBLYMAN THOMAS:

Thank you, Mr. Speaker. Fifteen years ago next month when we first moved to Carson City, Mike O'Callaghan hadn't been Governor very long. I remember when he ran for his second term I took out a full-page newspaper advertisement in the *Nevada Appeal*, in fact I took it out three days running, probably vilifying him worse than he has probably been taken apart by anybody before. You have to remember, when I came from California in those days from the heart of Orange County, I was somewhat to the right of Ghengis Khan. It is a miracle that I am still here today to talk about it.

Some years later when I ran for the Assembly the first time, I think that was in 1978, in the last two days of the campaign the polls had me leading by some two to three percent. Mike jumped in and interceded for my opponent and I lost by, I think, 95 votes or so. I sent him a little note saying, "We're even." This isn't exactly a public apology, perhaps it should be. I guess it really should be because I think Mike O'Callaghan will go down in history as one of the greatest Governors in the State of Nevada. And that just goes to show you how wrong I can be. Thank you.

ASSEMBLYMAN MAY:

Thank you, Mr. Speaker. I too had the great pleasure to serve with Iron Mike during his eight years of tenure in the State House of Nevada. In reflection, Nevada over the years since its admittance to the Union in 1864, has had some excellent Governors, some average Governors and some even less than that. Certainly Mike falls in one of those categories.

To serve with Iron Mike was indeed a pleasure. As has been reiterated here already, you knew always every moment where he was with regard to whatever position you were advocating. He would do his best to swing you to his point of view. His convictions were firm and rock-solid and I learned a great deal from the man. I respect him, I admire him, and I am happy he is with us today.

Resolution adopted unanimously.

Assemblyman Brookman moved that all rules be suspended and that Assembly Concurrent Resolution No. 27 be immediately transmitted to the Senate.

Motion carried unanimously.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Kissam, Dini, Brookman, Lambert, Schofield, DuBois, McGaughey, Nicholas, Haller, Getto, Marvel, Wisdom, Tebbs, Kerns, Price, May, Sedway, Sader, Thompson, Adler, Garner, Triggs and Arberry:

Assembly Bill No. 456—An Act relating to community property; allowing the division of the community property of a husband and wife if one spouse enters a facility for skillled nursing or facility for intermediate care; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 457—An Act relating to securities; adopting the Uniform Securities Act for the regulation of securities and the licensing of persons who deal in securities; providing penalties; and providing other matters properly relating thereto.

Assemblyman Sader moved that the bill be referred to the Committee on Commerce.

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 458—An Act relating to parole; restricting the release from custody of any person arrested for an alleged violation of his parole; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 459—An Act relating to traffic laws; authorizing a nonresident who is convicted in this state of driving while under the influence of intoxicating liquor or a controlled substance to attend an educational course in the jurisdiction of his residence on the abuse of alcohol and controlled substances; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 460—An Act relating to law enforcement agencies; requiring law enforcement agencies to release photographs and documentation of accidents under certain circumstances; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 461—An Act relating to traffic laws; requiring that a person convicted, as a first offender, of driving while under the influence of intoxicating liquor or a controlled substance be evaluated for the abuse of alcohol or controlled substances; requiring that the report of the evaluation be considered by the court in imposing sentence; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 462—An Act relating to gaming; requiring the state gaming control board to include an explanation in the notice of a determination of deficiency when the reason for the deficiency is not apparent; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 463—An Act relating to gaming; clarifying that manufacturers and distributors of gaming devices are required to obtain a gaming license; reducing the period of notice for adoption of a regulation by the Nevada gaming commission; permitting the commission to hold a hearing at any location; making various technical and administrative changes; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 464—An Act relating to gaming; revising the provisions governing the inclusion of a credit instrument in the gross revenue of a gaming licensee; clarifying the procedure for the determination and redetermination of taxes or fees; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 465—An Act relating to bail; requiring that the identity of an arrested person be established before he is admitted to bail; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 466—An Act relating to bail; revising provisions relating to notice of the forfeiture of bail; and providing other matters properly relating thereto.

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

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 7.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 215.

Amend section 1, pages 1 and 2, by deleting lines 3 through 16 on page 1 and lines 1 through 12 on page 2 and inserting: "commissioners of any county which has adopted a master plan [,] *and recreation plan,* as provided in this chapter, which includes, as a part of the plan, future or present sites for *neighborhood* parks [and playgrounds] may *, by ordinance,* impose a residential construction tax pursuant to this section.

2. The residential construction tax is imposed on the privilege of constructing apartment houses and residential dwelling units and developing mobile home lots in the respective cities and counties. The rate of the tax must not exceed [:

(a) In any county having a population of 250,000 or more, 1 percent of the valuation shown on the building permit for single-family residences.

(b) In any county having a population of less than 250,000, 2 percent of the valuation shown on the building permit for single-family residences.] *1 percent of the actual square footage of living space, not to exceed 1,800 square feet, multiplied by $26.*

3. The purpose of the tax is to raise revenue to enable the cities and counties to provide *neighborhood* parks [and playgrounds] which are required by the residents of those apartment houses, mobile homes and residences.

4. [The city councils and the boards of county commissioners may, in their respective cities and counties, enact ordinances establishing] *An ordinance enacted pursuant to subsection 1 must establish* the procedures for collecting the tax, [setting] *set* its rate, and [determining] *determine* the purposes for which the tax is to be used, subject to the restrictions and standards provided in this chapter. The ordinance must, without limiting the general powers conferred in this chapter, *also* include *:* [the following:]

(a) Provisions for the creation, in accordance with the applicable master plan, of park districts [or service areas] which would serve neighborhoods [or communities of interest] within the city or county.".

Amend section 1, page 2, by deleting lines 20 through 26 and inserting: "Except as *otherwise* provided in subsection 6, the fund may only be used for the acquisition, improvement and expansion of [public park, playground and recreational facilities] *neighborhood parks* in the city or county. Money in the fund must be expended, insofar as it is practicable and feasible to do so, for the benefit of the [immediate area from which they were] *area located within a 1 1/2-mile radius of the residences for which it was* collected.

6. If a *neighborhood* park [or playground] has not been developed in the park district [or service area] created to serve the neighborhood in which the subdivision or".

Amend section 1, page 2, after line 33 by inserting:

"*7. For the purposes of this section, "neighborhood park" means a site, ranging in size from 1 to 15 acres, designed to serve the recreational and outdoor needs of natural persons, families and small groups, generally located near the users' residences. The facilities provided at such a park*

may include turf, trees, irrigation, playground apparatus, playing fields, play areas, picnicking areas, horseshoe pits and other recreational facilities.".

Amend the title of the bill to read as follows:

"An Act relating to the residential construction tax; providing the manner of imposition; restricting its use; revising the rate; and providing other matters properly relating thereto.".

Assemblyman Thompson moved the adoption of the amendment.

Remarks by Assemblyman Thompson.

Amendment adopted.

Assemblyman Thompson moved that Assembly Bill No. 7 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. 264.

Bill read second time.

The following amendment was proposed by the Committee on Elections:

Amendment No. 197.

Amend section 1, page 1, by deleting line 13 and inserting:

"(f) [Within 100] *Inside a polling place or within 300* feet of the *exterior perimeter of the* polling place, ask another person for".

Amend section 1, page 2, line 2, by deleting: ", *within 300 feet*" and inserting: "*in the course of his official duties, inside a polling place or within 300 feet of the exterior perimeter*".

Amend section 1, page 2, by deleting lines 4 and 5.

Amend sec. 2, page 2, line 15, by deleting: "within [100] *300*" and inserting "[within 100".

Amend sec. 2, page 2, line 16, by deleting the colon and inserting: ":] *inside a polling place or within 300 feet of the exterior perimeter of the polling place:*".

Amend sec. 2, page 2, by inserting between lines 20 and 21:

"*(c) For any person to erect or post a political sign.*".

Assemblyman Swain moved the adoption of the amendment.

Remarks by Assemblymen Swain and Wendell Williams.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 361.

Bill read second time, ordered engrossed and to third reading.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 36.

The following Senate amendment was read:

Amendment No. 192.

Amend the bill as a whole by renumbering section 1 as sec. 3 and adding new sections designated sections 1 and 2, following the enacting clause, to read as follows:

"Section 1. NRS 245.043 is hereby amended to read as follows:

245.043 1. As used in this section:

(a) "County" includes Carson City.

(b) "County commissioner" includes the mayor and supervisors of Carson City.

2. Except as provided by any special law, the elected officers of the counties of this state are entitled to receive annual salaries in the base amounts specified in the following table. The annual salaries are in full payment for all services required by law to be performed by such officers. Except as otherwise provided by law, all fees and commissions collected by such officers in the performance of their duties must be paid into the county treasury each month without deduction of any nature.

ANNUAL SALARIES

Class	County	County Commissioner	District Attorney	Sheriff	County Clerk	County Assessor	County Recorder	County Treasurer	*Public Administrator*
1	Clark	$29,800	$63,900	$60,200	$44,000	$44,000	$44,000	$44,000	*$44,000*
2	Washoe	20,200	55,900	51,000	42,800	42,800	42,800	42,800	*42,800*
3	Carson City	13,100	45,200	39,900	35,700	35,700	35,700	.....	.....
	Churchill	10,700	42,800	32,700	28,600	28,600	28,600	.....	.....
	Douglas	11,900	45,200	39,900	35,700	35,700	35,700	.....	.....
	Elko	11,900	45,200	39,900	32,100	32,100	32,100	32,100	.....
	Humboldt	10,700	42,800	32,700	28,600	28,600	28,600	28,600	.....
	Lyon	10,700	42,800	32,700	28,600	28,600	28,600	.....	.....
	Nye	10,700	42,800	32,700	28,600	28,600	28,600	28,600	.....
	White Pine	10,700	42,800	32,700	28,600	28,600	28,600	28,600	.....
4	Lander	10,000	39,900	28,600	25,000	25,000	25,000	25,000	.....
	Lincoln	10,000	39,900	28,600	25,000	25,000	25,000	25,000	.....
	Mineral	10,000	39,900	28,600	25,000	25,000	25,000	.....	.....
	Pershing	10,000	39,900	29,800	25,000	25,000	25,000	.....	.....
5	Esmeralda	8,600	30,000	23,800	21,400	21,400	21,400	.....	.....
	Eureka	8,600	30,000	23,800	21,400	21,400	21,400	.....	.....
	Storey	8,600	30,000	23,800	21,400	21,400	21,400	.....	.....

Sec. 2. NRS 245.044 is hereby amended to read as follows:

245.044 1. On and after July 1, 1973, if an elected county officer has served in his office for more than 4 years, he is entitled to an additional salary of 1 percent of his base salary provided in NRS 245.043 [or 253.043] for each full calendar year he has served in his office. The additional salary provided in this section must not exceed 20 percent of the base salary provided in NRS 245.043 . [or 253.043.]

2. Payment for longevity under the provisions of this section must be computed on the basis of full calendar years of service and only at the beginning of a term of office.

3. Service on the board of supervisors of Carson City for the initial term which began on July 1, 1969, and ended on the 1st Monday of January, 1973, shall be deemed to constitute 4 full calendar years of service for the purposes of this section.".

Amend the bill as a whole by renumbering sec. 2 as sec. 5 and adding a new section designated sec. 4, following section 1, to read as follows:

"Sec. 4. NRS 253.050 is hereby amended to read as follows:

253.050 1. For the administration of the estates of deceased persons, public administrators are entitled to be paid as other administrators or executors are paid, subject to the provisions of NRS [253.043.] *245.043.*

2. The district attorneys of Lander, Lincoln and White Pine counties as ex officio public administrators and the recorder of Carson City serving as public administrator of Carson City may retain all fees provided by law received by them as public administrators.

3. The public administrator is entitled to compensation by the court for the reasonable value of his services performed in preserving the personal property of an estate of a deceased person before the appointment of an administrator.".

Amend sec. 2, page 1, by deleting lines 4 through 15 and inserting:

"Sec. 5. Section 1 of Assembly Bill No. 87 of this session is hereby amended to read as follows:

Section 1. NRS 245.043 is hereby amended to read as follows:

245.043 1. As used in this section:

(a) "County" includes Carson City.

(b) "County commissioner" includes the mayor and supervisors of Carson City.

2. Except as provided by any special law, the elected officers of the counties of this state are entitled to receive annual salaries in the base amounts specified in the following table. The annual salaries are in full payment for all services required by law to be performed by such officers. Except as otherwise provided by law, all fees and commissions collected by such officers in the performance of their duties must be paid into the county treasury each month without deduction of any nature.

ANNUAL SALARIES

Class	County	County Commissioner	District Attorney	Sheriff	County Clerk	County Assessor	County Recorder	County Treasurer	Public Administrator
1	Clark	$29,800	$63,900	$60,200	$44,000	$44,000	$44,000	$44,000	$44,000
2	Washoe	20,200	55,900	51,000	42,800	42,800	42,800	42,800	42,800
3	Carson City	13,100	45,200	39,900	35,700	35,700	[35,700	.....]	.....
							.....	*35,700*	.....
	Churchill	10,700	42,800	32,700	28,600	28,600	28,600	.....	.....
	Douglas	11,900	45,200	39,900	35,700	35,700	35,700	.....	.....
	Elko	11,900	45,200	32,700	32,100	32,100	32,100	32,100	.....
	Humboldt	10,700	42,800	32,700	28,600	28,600	28,600	28,600	.....
	Lyon	10,700	42,800	32,700	28,600	28,600	28,600	.....	.....
	Nye	10,700	42,800	32,700	28,600	28,600	28,600	28,600	.....
	White Pine	10,700	42,800	32,700	28,600	28,600	28,600	28,600	.....
4	Lander	10,000	39,900	28,600	25,000	25,000	25,000	25,000	.....
	Lincoln	10,000	39,900	28,600	25,000	25,000	25,000	25,000	.....
	Mineral	10,000	39,900	28,600	25,000	25,000	25,000	.....	.....
	Pershing	10,000	39,900	29,800	25,000	25,000	25,000	.....	.....
5	Esmeralda	8,600	32,700	23,800	21,400	21,400	21,400	.....	.....
	Eureka	8,600	32,700	23,800	21,400	21,400	21,400	.....	.....
	Storey	8,600	32,700	23,800	21,400	21,400	21,400	.....	.....”

Amend the bill as a whole by adding new sections designated sections 6, 7 and 8, and the text of the repealed section, following sec. 2, to read as follows:

"Sec. 6. Section 5 of Assembly Bill No. 87 of this session is hereby amended to read as follows:

Sec. 5. NRS 253.050 is hereby amended to read as follows:

253.050 1. For the administration of the estates of deceased persons, public administrators are entitled to be paid as other administrators or executors are paid, subject to the provisions of NRS 245.043.

2. The district attorneys of Lander, Lincoln and White Pine counties as ex officio public administrators and the [recorder] *clerk* of Carson City serving as public administrator of Carson City may retain all fees provided by law received by them as public administrators.

3. The public administrator is entitled to compensation by the court for the reasonable value of his services performed in preserving the personal property of an estate of a deceased person before the appointment of an administrator.

Sec. 7. NRS 253.043 is hereby repealed.

Sec. 8. This act becomes effective on May 11, 1987.

TEXT OF REPEALED SECTION

253.043 Salary; deposit of fees and compensation. [Effective January 5, 1987.] The public administrator is entitled to receive an annual salary in the amount of $44,000 in full payment for all services required by law to be performed by him. All fees or compensation collected pursuant to NRS 253.050 and 253.230 must be deposited, without deduction, with the county treasurer for credit to the general fund of the county.".

Assemblyman Sader moved that the Assembly concur in the Senate amendment to Assembly Bill No. 36.

Remarks by Assemblyman Sader.

Motion carried.

Bill ordered enrolled.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Myrna Williams moved that Assembly Bill No. 229 be returned from enrollment.

Remarks by Assemblyman Myrna Williams.

Motion carried.

Assemblyman Myrna Williams moved that the vote whereby Assembly Bill No. 229 was passed be rescinded.

Motion carried.

Assemblyman Myrna Williams moved that Assembly Bill No. 229 be taken from the General File and placed on the Chief Clerk's desk.

Motion carried.

Mr. Speaker appointed a Committee of six members consisting of Assemblymen Sader, Sedway, Spinello, Humke, Callister and Thomas with Assemblyman Sader to serve as Chairman as a Select Committee on Corrections to study alternate sentencing.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Senate Bill No. 116.

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 the students of Lassen College: Stefanie Ehman, Pellar Wong, Jennifer Olegerul, Candelaria Osuna, Justin Cowell, Dale Spencer, Mark Zuelch, Cindy Gutierrez, Michelle Schaap, Mari Kaniko, Sara Jones, Leonard Bridges, Angie Wilson, Sherri Sreer, Katie Sreer, Robert Gisham, Robert Grabarry, Mary Samuel, Nirom Rengul, Jeff Titimel, Susan Toews, Bobby Omachea, Dirk Theiler, Robert Harlan, Garrett Taylor, Theresa Lemon, Ken Unterreiner, Jeff Montgomer, Kelly Myers, Jon Sherve, Denise Green, Keeli Cooper, Mario Recanzone, Mike Condon, Lawrence Goss, Kathy Andersen, Candee Sorini, Angie Wilson, Craig Robison, Maria Woodrins and McKnight Emes; Messrs. Lawson, T. Zachry, Bob Aurand, Mesdames Johnson, Bardsley and the fifth grade students of Dayton Elementary School: Mac David Arnold, Desirae Burke, Adam Humphrey Case, Chad Collins, Sara Cowan, James W. Crews, Thomas Ralph Curl, Matt Fullenwider, Phyllis Gahr, Sonya Good, Kenny Hughes, Damon Jacobsen, Beverly Ann Keith, Brian Lillo, Marci Minton, Gina Monticelli, Brian Ness, Stephanie Preku, Jason Smith, Brenda Stevenson, Coy Treece, Tyson Adamson, Robin Amato, Chris Arnold, Devon Brown, John Cullmer, Nikki Dillon, April Lynn Enea, Bryan Lane Evenson, Tommy Gray, Jason Andrew Griffin, Andrew M. Groner, Debra Holley, Mary Kolar, Amy Lawson, Erica Suewynne Sawaya, Charles N. Smith (Proctor), Anthony D. Spence, Rebecca Wear, Eric Wilkin, Karen Williams, Tina Nicole Wilson; Messrs. Shawn Goben and Kirk Stanton.

On request of Assemblyman Spinello, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Delia Martinez.

On request of Assemblyman Getto, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Scott Heiss and Ms. Julie Heiss.

Assemblyman Nevin moved that the Assembly adjourn until Friday, March 27, 1987 at 11 a.m.

Motion carried.

Assembly adjourned at 12:13 p.m.

Approved: JOSEPH E. DINI, JR.
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE SIXTY-EIGHTH DAY

CARSON CITY (Friday), March 27, 1987

Assembly called to order at 11:05 a.m.

Mr. Speaker presiding.

Roll called.

All present except Assemblymen Jeffrey and Triggs, who were excused.

Prayer by the Chaplain, The Reverend Doctor Gregg Townsley.

Our Heavenly Father. We stand in prayer this morning and at the beginning of this 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 times this weekend, help us to relax. We pray in the name of our Lord. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Nevin 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 announced that Assemblyman Triggs is excused for the purpose of attending a seminar on drugs and drug control.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Taxation, to which was referred Assembly Bill No. 311, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and re-refer to the Committee on Taxation.

PAUL W. MAY, *Chairman*

Mr. Speaker:

Your Committee on Taxation, to which were referred Assembly Bills Nos. 259, 312, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

PAUL W. MAY, *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which was 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.

JANE WISDOM, *Vice-Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Senate Bill No. 141, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

DANNY L. THOMPSON, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which were referred Assembly Bills Nos. 325, 363, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

DANNY L. THOMPSON, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Thompson moved that Senate Bill No. 141 be placed on the Chief Clerk's desk.

Remarks by Assemblyman Thompson.

Motion carried.

Assemblyman Nevin moved that Assembly Bill No. 265 be taken from the Chief Clerk's desk and placed on the General File.

Motion carried.

Assemblyman Sader moved that Assembly Bill No. 229 be taken from the Chief Clerk's desk and placed on the General File.

Remarks by Assemblyman Sader.

Motion carried.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, March 26, 1987

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. 124, and respectfully requests your honorable body to concur in said amendment.

Also, I have the honor to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolutions Nos. 25, 27.

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. 108.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Joint Resolution No. 6.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

By the Committee on Taxation:

Assembly Joint Resolution No. 33—Proposing to amend section 3 of article 9 of the constitution of the State of Nevada to raise the limit of indebtedness which the state may incur to 3 percent of assessed valuation.

RESOLVED BY THE ASSEMBLY AND 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] *three* 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 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. 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.

Assemblyman May moved that the resolution be referred to the Committee on Taxation.

Motion carried.

By the Committee on Taxation:

Assembly Joint Resolution No. 34—Proposing to amend section 3 of article 9 of the constitution of the State of Nevada to raise the limit of indebtedness which the state may incur to 2 percent of assessed valuation.

RESOLVED BY THE ASSEMBLY AND 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] *two* 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 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. 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.

Assemblyman May moved that the resolution be referred to the Committee on Taxation.

Motion carried.

By Assemblyman Haller:

Assembly Joint Resolution No. 35—Proposing to amend section 4 of article 19 of the constitution of the State of Nevada, relating to the initiative and referendum, to allow the registered voters of a county or municipality to exercise those powers concerning zoning ordinances.

RESOLVED BY THE ASSEMBLY AND SENATE OF THE STATE OF NEVADA, JOINTLY, That section 4 of article 19 of the constitution of the State of Nevada be amended to read as follows:

Sec. 4. The *powers of* initiative and referendum [powers] provided for in this article are further reserved to the registered voters of each county and each municipality as to all local, special and municipal legislation of every kind in or for [such] *the* county or municipality [.] , *including any zoning ordinances, whether legislative or administrative in character.* In counties and municipalities initiative petitions may be instituted by a number of registered voters equal to 15 percent or more of the voters who voted at the last preceding general county or municipal election. Referendum petitions may be instituted by 10 percent or more of [such] *those* voters.

Assemblyman Haller moved that the resolution be referred to the Committee on Government Affairs.

Motion carried.

Senate Joint Resolution No. 6.

Assemblyman Nevin moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

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

Assembly in recess at 11:14 a.m.

ASSEMBLY IN SESSION

At 11:15 a.m.

Mr. Speaker pro Tempore presiding.

Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen Dini, Adler, Arberry, Banner, Bergevin, Brookman, Callister, Carpenter, Craddock, DuBois, Evans, Fay, Freeman, Garner, Gaston, Getto, Haller, Humke, Jeffrey, Kerns, Kissam, Lambert, McGaughey, Marvel, May, Nevin, Nicholas, Porter, Price, Sader, Schofield, Sedway, Spinello, Spriggs, Swain, Tebbs, Thomas, Thompson, Triggs, Myrna Williams, Wendell Williams and Wisdom:

Assembly Concurrent Resolution No. 28—Commending the boys' and girls' basketball teams of Yerington on their recent victory.

WHEREAS, On Saturday, March 7, 1987, Yerington High School swept the boys' and girls' championships in the "A" state basketball tournament; and

WHEREAS, This year's win over the southern zone champion, Lincoln County, was the second consecutive championship for the girls' team; and

WHEREAS, The boys' team defeated their northern "A" rival, Battle Mountain, for their first championship; and

WHEREAS, Clark Reid (boys' coach) and Dave Sanford (girls' coach) did an outstanding job of preparing their teams for this tournament; now, therefore, be it

RESOLVED, BY THE ASSEMBLY OF THE STATE OF NEVADA, THE SENATE CONCURRING, That members of this legislature commend the boys' and girls' basketball teams of Yerington High School on their victories in the class "A" state championship tournament; and be it further

RESOLVED, That a copy of this resolution be prepared and transmitted forthwith by the Chief Clerk of the Assembly to the members of the basketball teams and Coach Reid and Coach Sanford.

Assemblyman Dini moved the adoption of the resolution.

Remarks by Assemblyman Dini.

Assemblyman Brookman requested that Assemblyman Dini's remarks be entered in the Journal.

Mr. Speaker pro Tem. Through you and to you to the members of the house, it is my deep pleasure to present this resolution to you.

It is not too often that you get two championship teams in the same season for the same sport—boys and girls. We are very highly honored that these teams are continuing the tradition of championship athletics in the Yerington High School era.

Yerington goes back in history, many, many years ago, in football when we defeated Las Vegas. That was when everybody played in the same category. There was only one league then—there were no A, B, C, or anything else—and the Las Vegas boys came to Yerington and met their downfall by a bunch of farmers out in Yerington. There was a Dini on that team, his name was Mario Dini.

We continued our tradition in the old days with John Polish, a former member of this house, who was a three-star athlete in our community. He established a tradition which has never been excelled in the history of our school system. He was in football, basketball and track. For many years Yerington was the champion in track in all divisions in the state. Mr. Polish set many records.

Then there was a fellow named Angelo Aiazzi, whose record in the shot put withstood in this state for some 45 years before it was broken by the schools we have today.

In wrestling, we had the Mike Lowry era of championship wrestling in the Yerington schools.

This is the first time, I believe, in the history of the school, that we ever had a boys' championship basketball team. So we are doubly honored to have both teams here today representing the Yerington school. I hope you concur with me in adopting this resolution, and once we adopt the resolution, I would like to introduce to you the members of the team. Thank you, Mr. Speaker pro Tem.

Resolution adopted unanimously.

Assemblyman Dini moved that all rules be suspended and that Assembly Concurrent Resolution No. 28 be immediately transmitted to the Senate.

Motion carried unanimously.

REMARKS FROM THE FLOOR

Assemblyman Brookman requested that Assemblyman Dini's remarks be entered in the Journal.

I would like to present an engrossed copy of Assembly Concurrent Resolution No. 28 to both the coach of the Yerington Boys' Team and the coach of the Yerington Girls' Team. Individual copies of this resolution will be presented to all members of the team afterwards.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Natural Resources, Agriculture and Mining, to which was referred

Senate Joint Resolution No. 8, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JAMES W. SCHOFIELD, *Chairman*

Mr. Speaker:

Your Committee on Natural Resources, Agriculture and Mining, 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.

JAMES W. SCHOFIELD, *Chairman*

SECOND READING AND AMENDMENT

Assembly Bill No. 73.

Bill read second time.

The following amendment was proposed by the Committee on Taxation:

Amendment No. 249.

Amend section 1, page 1, by deleting lines 7 and 8 and inserting:

"3. [In any county having a population of 100,000 or more, taxes] *Taxes* assessed upon a mobile home may be paid in four equal".

Amend section 1, page 1, by deleting lines 10 through 14 and inserting:

"4. *If a person elects to pay in semiannual installments pursuant to subsection 2, the first installment is due on the first Monday of August and the second installment on the first Monday of February.* If a person elects to pay in quarterly installments [,] *pursuant to subsection 3,* the first installment is due on the [3rd] *third* Monday of July, the second installment on the [1st] *first* Monday of October, the third installment on the [1st] *first* Monday of January, and the fourth installment on the [1st] *first* Monday of March.".

Amend the title of the bill, first line, by deleting "reducing" and inserting: "revising the provisions relating to".

Assemblyman May moved the adoption of the amendment.

Remarks by Assemblyman May.

Amendment adopted.

Assemblyman May moved that Assembly Bill No. 73 be placed on the Chief Clerk's desk.

Motion carried.

Bill ordered reprinted, engrossed and to the Chief Clerk's desk.

Assembly Bill No. 205.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 121.

Amend section 1, page 3, by deleting lines 8 through 15.

Amend the bill as a whole by renumbering sec. 7 as sec. 8 and adding a new section designated sec. 7, following sec. 6, to read as follows:

"Sec. 7. Chapter 80 of NRS is hereby amended by adding thereto a new section to read as follows:

1. A corporation or insurance association transacting business pursuant to NRS 80.240 without qualification or compliance with the provisions of NRS 80.010 to 80.230, inclusive, shall register its name with the secretary of state by filing a certificate of registration and paying a fee of $25.

2. The secretary of state shall not accept such a certificate if the name is the same as or deceptively similar to:

(a) The name of any corporation formed or incorporated in this state;

(b) The name of any other foreign corporation authorized to transact business within this state;

(c) A name reserved for the use of any proposed corporation;

(d) The name of any limited partnership formed in this state;

(e) The name of any foreign limited partnership authorized to transact business in this state; or

(f) A name reserved for the use of any proposed limited partnership,

unless the written acknowledged consent of the corporation or limited partnership using the name, or of the person for whom the name is reserved, to the adoption of the name is filed with the certificate.

3. Such a certificate of registration expires 1 year after it is filed with the secretary of state and may be renewed by filing a certificate of renewal with the secretary of state and paying a fee of $15.

4. If such a certificate is not renewed within 30 days after its expiration, the secretary of state shall, upon receipt of the appropriate certificate and applicable fee, accept registration of that name by any other person desiring to do so.".

Amend sec. 7, page 7, by deleting line 22 and inserting: "*partnership using the name,* or *of the* person for whom the name is reserved , to the adoption of the".

Amend the bill as a whole by renumbering sections 8 through 10 as sections 10 through 12 and adding a new section designated sec. 9, following sec. 7, to read as follows:

"Sec. 9. NRS 80.170 is hereby amended to read as follows:

80.170 1. Subject to the provisions of subsections 3 and 4, the secretary of state is authorized:

(a) To reinstate any corporation which has forfeited or which forfeits its right to transact business under the provisions of NRS 80.110 to 80.170, inclusive; and

(b) To restore to the corporation its right to carry on business in this state, and to exercise its corporate privileges and immunities, upon the filing with the secretary of state of an affidavit stating the reason for the forfeiture of its right to transact business, 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 forfeiture of its right to carry on business, and also all filing fees, licenses and penalties which have accrued since the forfeiture of its right to transact business.

2. In case payment is made and the secretary of state reinstates the corporation to its former rights he shall:

(a) Immediately issue and deliver to the corporation so reinstated a certificate of reinstatement authorizing it to transact business in the same manner as if the filing fee had been paid when due; and

(b) Upon demand, issue to the corporation one or more certified copies of the certificate of reinstatement, a copy of which must be filed or microfilmed

in the office of the county clerk of the county in which the principal place of business of the corporation is located or in any other county in which it may own, hold or lease property or transact business.

3. The secretary of state shall not order a reinstatement unless all delinquent fees, penalties and costs have been paid, and the revocation of the right to transact business occurred only by reason of failure to pay the fees, penalties and costs.

4. If the right of a corporation to carry on business in this state has been annulled pursuant to the provisions of NRS 80.160 and has remained annulled for a period of [10] *5* consecutive years, the right is not subject to reinstatement.

5. At least 30 days before the right of a corporation to reinstatement is due to expire pursuant to the provisions of subsection 4, the secretary of state shall send notice to the last registered agent of the corporation or to the last president of the corporation. The notice must state the conditions under which reinstatement may be granted before the expiration of the [10-year] *5-year* period.".

Amend sec. 9, page 8, line 11, after the semicolon by inserting "[and]".

Amend sec. 9, page 8, by deleting lines 12 through 14.

Amend sec. 9, page 8, line 15, by deleting "4." and inserting "3.".

Amend sec. 9, page 8, line 23, by deleting "*5.*" and inserting "*4.*".

Amend sec. 9, page 8, line 26, by deleting "*6.*" and inserting "*5.*".

Amend the bill as a whole by adding new sections designated sections 13 and 14, following sec. 10, to read as follows:

"Sec. 13. NRS 680A.230 is hereby amended to read as follows:

680A.230 The general corporation laws of this state [shall] *do* not apply to foreign insurers holding certificates of authority to transact insurance in this state, except as [required by NRS 80.190.] *otherwise provided in NRS 80.190, 80.240 and 80.250 and section 7 of this act.*

Sec. 14. 1. A limited partnership formed under any statute of this state before July 1, 1931, may register its name with the secretary of state by filing a certificate of registration and paying a fee of $25.

2. Such a certificate of registration expires 5 years after it is filed with the secretary of state and may be renewed by filing a certificate of renewal with the secretary of state and paying a fee of $15.

3. If the name is not registered or the certificate of registration is not renewed within 30 days after its expiration, the secretary of state shall, upon receipt of the appropriate certificate and applicable fee, accept registration of that name by any other person desiring to do so.".

Amend the title of the bill, fourth line, after "partnership;" by inserting: "providing for the registration of the names of certain foreign corporations and certain limited partnerships; reducing the time within which an annulled corporation may apply for reinstatement;".

Assemblyman Sader moved the adoption of the amendment.

Remarks by Assemblyman Sader.

Amendment adopted.

Assemblyman Sader moved that Assembly Bill No. 205 be re-referred to the Committee on Judiciary.

Motion carried.

Bill ordered reprinted, engrossed and to the Committee on Judiciary.

Assembly Bill No. 255.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 199.

Amend the bill as a whole by renumbering sections 2 through 4 as sections 3 through 5 and adding a new section designated sec. 2, following section 1, to read as follows:

"Sec. 2. NRS 341.100 is hereby amended to read as follows:

341.100 1. The [board] *manager* may appoint [a manager and such other] *such* technical and clerical assistants as may be necessary to carry into effect the [purposes of its acts.] *provisions of this chapter.*

2. The manager and his deputy are in the unclassified service of the state.

3. The manager and his deputy:

(a) Must each be a registered professional engineer pursuant to the provisions of chapter 625 of NRS or an architect licensed under the provisions of chapter 623 of NRS; and

(b) Shall each devote his entire time and attention to the business of his office and shall not pursue any other business or occupation or hold any other office of profit.

4. The manager shall [serve] *:*

(a) Serve as the secretary of the board.

(b) Manage the daily affairs of the board.

(c) Represent the board before the legislature.

(d) Prepare and submit to the board, for its approval, the recommended priority for proposed capital improvement projects and provide the board with an estimate of the cost of each such project.

(e) Make recommendations to the board for the selection of architects, engineers and contractors.

(f) Make recommendations to the board regarding the acceptance of completed projects.

(g) Advise the board and the legislature, or the interim finance committee if the legislature is not in session, on a monthly basis of the progress of all public works projects which are a part of the approved capital improvement program.".

Amend the bill as a whole by renumbering sec. 5 as sec. 7 and adding a new section designated sec. 6, immediately following sec. 4, to read as follows:

"Sec. 6. NRS 284.173 is hereby amended to read as follows:

284.173 1. Elective officers and heads of departments, boards, commissions or institutions may contract for the services of persons as independent contractors.

2. An independent contractor is a natural person, firm or corporation who agrees to perform services for a fixed price according to his or its own methods and without subjection to the supervision or control of the other contracting party, except as to the results of the work, and not as to the means by which the services are accomplished.

3. For the purposes of this section:

(a) Travel, subsistence and other personal expenses may be paid to an independent contractor, if provided for in the contract, in such amounts as provided for in the contract. Those expenses must not be paid under the provisions of NRS 281.160.

(b) There must be no:

(1) Withholding of income taxes by the state;

(2) Industrial insurance coverage provided by the state;

(3) Participation in group insurance plans which may be available to employees of the state;

(4) Participation or contributions by either the independent contractor or the state to the public employees' retirement system;

(5) Accumulation of vacation leave or sick leave; or

(6) Unemployment compensation coverage provided by the state if the requirements of NRS 612.085 for independent contractors are met.

4. An independent contractor is not in the classified or unclassified service of the state, and has none of the rights or privileges available to officers or employees of the State of Nevada.

5. Except as otherwise provided in this subsection, each contract for the services of an independent contractor must be in writing. The form of the contract must be first approved by the attorney general, and, except as *otherwise* provided in subsection 7, an executed copy of each contract must be filed with the fiscal analysis division of the legislative counsel bureau and the clerk of the state board of examiners. The state board of examiners may waive the requirements of this subsection in the case of contracts for repair or maintenance whose amount is less than $500.

6. Except as *otherwise* provided in subsection 7, and except contracts entered into by the University of Nevada, each proposed contract with an independent contractor must be submitted to the state board of examiners. The contracts do not become effective without the prior approval of the state board of examiners , but the state board of examiners may authorize its clerk to approve contracts whose amount is less than $1,200 which are submitted to the board for its prior approval. The state board of examiners shall adopt regulations to carry out the provisions of this section.

7. Copies of the following types of contracts need not be filed or approved as provided in subsections 5 and 6:

(a) Contracts executed by the department of transportation for any work of construction or reconstruction of highways.

(b) Contracts executed by the state public works board or any other state department or agency for any work of construction or major repairs of state buildings [.] , *if the contracting process was controlled by the rules of open competitive bidding.*

(c) Contracts executed by the housing division of the department of commerce.

(d) Contracts executed with business entities for any work of maintenance or repair of office machines and equipment.".

Amend the title of the bill, second line, after "membership;" by inserting: "making various changes regarding the manager of the board; providing for the filing and approval of certain contracts;".

Assemblyman May moved the adoption of the amendment.

Remarks by Assemblyman May.

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 11:29 a.m.

ASSEMBLY IN SESSION

At 11:30 a.m.

Mr. Speaker presiding.

Quorum present.

SECOND READING AND AMENDMENT

Assembly Bill No. 295.

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 Taxation:

Amendment No. 251.

Amend sec. 2, page 1, line 4, by deleting "*366,*".

Amend sec. 3, page 1, line 14, after "*chapter*" by inserting "*364, 366,*".

Assemblyman May moved the adoption of the amendment.

Remarks by Assemblyman May.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Joint Resolution No. 1.

Resolution read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 246.

Amend the resolution, page 1, by deleting line 3 and text of repealed section, and inserting: "Nevada be amended to read as follows:

[Sec: 24. No lottery shall]

Sec. 24. 1. Except as otherwise 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 and the political subdivisions thereof shall not operate a lottery. The legislature may authorize persons engaged in charitable activities or activities not for profit to operate a lottery on their own behalf, but the net proceeds of each such lottery must be used only to benefit charitable or nonprofit activities in this State. The legislature may provide by law for the regulation of such lotteries.".

Amend the title of the resolution to read as follows:

"ASSEMBLY JOINT RESOLUTION—Proposing to amend the constitution of the State of Nevada to permit the operation of lotteries under certain circumstances.".

Amend the summary of the resolution to read as follows: "Proposes to amend constitution to permit operation of certain lotteries. (BDR C-919)".

Assemblyman Haller moved the adoption of the amendment.

Remarks by Assemblyman Haller.

Amendment adopted.

Assemblyman Haller moved that Assembly Joint Resolution No. 1 be rereferred to the Committee on Judiciary.

Motion carried.

Resolution ordered reprinted, engrossed and to the Committee on Judiciary.

Senate Bill No. 123.

Bill read second time.

The following amendment was proposed by the Committee on Taxation:

Amendment No. 250.

Amend section 1, page 1, line 7, by deleting "$3,000,000" and inserting "$2,900,000".

Amend section 1, page 1, line 8, by deleting "3,900,000" and inserting "3,800,000".

Amend the bill as a whole by adding a new section designated sec. 2, following section 1, to read as follows:

"Sec. 2. This act becomes effective upon passage and approval.".

Assemblyman May moved the adoption of the amendment.

Remarks by Assemblyman May.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 172.

Bill read second time and ordered to third reading.

Senate Joint Resolution No. 10.

Resolution read second time and ordered to third reading.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Humke, Sader, Porter, Arberry, Garner, Brookman, Freeman, Haller, Kissam, Wendell Williams, Wisdom, Kerns, Carpenter, McGaughey and Nicholas:

Assembly Bill No. 467—An Act relating to medical care; authorizing a person to designate another person by a power of attorney to make decisions concerning health care for the person who executes the power if he becomes incapable of making the decisions himself; and providing other matters properly relating thereto.

Assemblyman Humke moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Nevin moved that Assembly Bills Nos. 132, 148, 234, 355 and 361 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. 265.

Bill read third time.

The following amendment was proposed by the Committee on Transportation:

Amendment No. 267.

Amend section 1, page 1, line 9, by deleting "*or more,*" and inserting: "*but less than 10,000 pounds,*".

Amend section 1, page 2, by deleting lines 3 and 4 and inserting:

"*3. This section does not apply to a motor vehicle which:*

(a) Was manufactured before 1935; or

(b) Has a manufacturer's gross vehicle weight rating of 10,000 pounds or more.".

Assemblyman Nevin moved the adoption of the amendment.

Remarks by Assemblyman Nevin.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 229.

Bill read third time.

The following amendment was proposed by Assemblyman Sader:

Amendment No. 266.

Amend section 1, page 2, line 40, by deleting: "Security officers of the legislature" and inserting: "Legislative police officers".

Amend the bill as a whole by adding a new section designated sec. 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, 1987.".

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

Mr. Speaker announced that the Assembly would not be in session on Good Friday, April 17, 1987.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bills Nos. 11, 36, 228; Senate Bills Nos. 108, 139.

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. Clark Reid, Dave Sanford, Bill Frade, Dr. Larry Moses and the members of the Yerington High School Championship Basketball Teams: Tricia Nagel, Tami Grady, Shawna Chisum, Sherilyn Ostrander, Pam Nagel, Dona King, Jeanna Whalin, Laurie Benjamin, Derra Perumean, Tarita Williams, Dee Ann Thom, Shelly Hanes, Jim Hamilton, Jason McKay, Jason Reid, Paul Grush, Duane Mattice, Rob McGuire, Louie Nez, Ken Picotte, Dorsey Thom, Jeff Stanton and Jonas Prida; and the members of the Mason Valley Industrial Committee: Messrs. John Sanderson, John Frank McGowan, Rob Minister, George Ostrander, Tom Grady, David Fulstone, Mss. Carol Whittington and Mary Ann Sceirine.

On request of Assemblyman Callister, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Carol Carlson.

On request of Assemblyman Gaston, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Scott Warner and Fred Spindel.

On request of Assemblyman Nicholas, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Robert Seale.

On request of Assemblyman Price, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. David Bogan.

On request of Assemblyman Wisdom, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Rene Rampton.

On request of Assemblyman Haller, the privilege of the floor of the Assembly Chamber for this day was extended to Mesdames Karen Thompson, Joann Elston, Sue Banks, Ann L. Collidge, Elaina Pridimore and students from Echo Loder Elementary School: Stella Chung, Carrie Derbin, Rodrigo Flores, America Garzon, Angela Green, Cynthia Gonzales, Jabette Jaime, Jolene Johnson, Jason McGuigan, Michelle Peterson, Jeff Rocke, Michael Taylor, Anna Acosta, Billy Holloway, Amber Stacy, Alexander

Maldondo, Wilson Leano, Josefina Cano, Craig Allan, Carey Canale, Candi Colledge, Gaby Delapuenta, Richard Diaz, Angie Dunston, Justin Gilbert, Jessica King, Kristie Martinez, Magda Osuna, Angel Pridimore, Scotty Taylor, Guido Tevini and Scott Thompson.

Assemblyman Nevin moved that the Assembly adjourn until Monday, March 30, 1987 at 11 a.m.

Motion carried.

Assembly adjourned at 11:46 a.m.

Approved: JOSEPH E. DINI, JR.
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE SEVENTY-FIRST DAY

CARSON CITY (Monday), March 30, 1987

Assembly called to order at 11 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, Father John McShane.

Loving and provident Father, watch over and protect our lawmakers and their families as they continue to pursue what is best for the common good of all Nevadans. We ask this through Christ, our Lord. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Jeffrey moved that further reading of the Journal be dispensed with, and the Speaker and Chief Clerk be authorized to make the necessary corrections and additions.

Motion carried.

Mr. Speaker announced that if there were no objections, the Assembly would recess subject to the call of the Chair for the purpose of hearing the Schola Cantorum of the Pacific Choir conducted by Father Ted Ley.

Assembly in recess at 11:06 a.m.

ASSEMBLY IN SESSION

At 11:08 a.m.

Mr. Speaker presiding.

Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Concurrent Committee on Health and Welfare, 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: Do pass.

MORSE ARBERRY, JR., *Chairman*

Mr. Speaker:

Your Concurrent Committee on Ways and Means, 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: Do pass.

MARVIN M. SEDWAY, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which was re-referred Assembly Bill No. 177, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass, as amended.

MARVIN M. SEDWAY, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which were referred Assembly Bills Nos. 247, 275; Senate Bills Nos. 54, 147, 210; Assembly Joint Resolution No. 29, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

MARVIN M. SEDWAY, *Chairman*

Mr. Speaker:

Your Committee on Commerce, 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: Amend, and do pass as amended.

JOHN E. JEFFREY, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, March 27, 1987

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. 26, 28.

MARY JO MONGELLI
Assistant Secretary of the Senate

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblyman Jeffrey:

Assembly Bill No. 468—An Act relating to public works; defining domestic contractor for the purpose of the limitation on granting contracts for public works to a contractor in another state; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

By Assemblyman Jeffrey:

Assembly Bill No. 469—An Act relating to contractors; eliminating the exemption of public works from the requirement for payment of a contractor after the completion of construction; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

By Assemblymen Jeffrey and Nevin:

Assembly Bill No. 470—An Act relating to drivers' licenses; allowing the use of an affidavit from a local joint apprenticeship committee to qualify for a driver's license for certain vehicles; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Ways and Means:

Assembly Bill No. 471—An Act making an appropriation to the law firm of Blum, Nash and Railsback for payment for legal services for certain litigation; and providing other matters properly relating thereto.

Assemblyman Sedway moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 63.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 206.

Amend section 1, page 1, by deleting lines 5 and 6 and inserting:

"*(a) The proposed operations are not within the scope of activities regulated pursuant to chapter 704 of NRS;*".

Assemblyman Wisdom moved the adoption of the amendment.

Remarks by Assemblyman Wisdom.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 259.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 311.

Bill read second time.

The following amendment was proposed by the Committee on Taxation:

Amendment No. 169.

Amend the bill as a whole by adding new sections designated sections 2 through 5, following section 1, to read as follows:

"Sec. 2. NRS 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] *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.] *3.* 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.] *4.* 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.] *5.* 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. 3. 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 the certificates and shall, as a part of the notification, furnish the department of wildlife with his new address. [The department of wildlife shall give written notice of the new address to the appropriate county assessor.]

2. The commission may provide in its regulations for the surrender of 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. 4. NRS 488.1797 is hereby amended to read as follows:

488.1797 1. 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 the transfer to the appropriate county assessor.]

Sec. 5. 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 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.''.

Amend the title of the bill by deleting the first line and inserting:

''An Act relating to boats; exempting certain boats from the tax on personal property; removing the requirements for reporting by the department of wildlife to county assessors of information concerning registration of boats; and''.

Assemblyman May moved the adoption of the amendment.

Remarks by Assemblyman May.

Amendment adopted.

Assemblyman May moved that Assembly Bill No. 311 be re-referred to the Committee on Taxation.

Motion carried.

Bill ordered reprinted, engrossed and to the Committee on Taxation.

Assembly Bill No. 312.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 325.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 262.

Amend section 1, page 1, line 3, by deleting ''*majority*'' and inserting ''*two-thirds*''.

Amend section 1, page 1, line 6, by deleting the period and inserting: ''*if the public notice of the meeting specifically mentioned that such a purchase would be discussed.*''.

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. 363.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 255.

Amend section 1, page 1, line 4, by deleting "budget" and inserting: "[budget] *risk management*".

Amend section 1, page 1, line 8, by deleting "budget" and inserting: "[budget] *risk management*".

Amend sec. 3, page 2, line 23, by deleting "*quarterly*" and inserting: "*in the manner provided for in NRS 361.745*".

Amend the title of the bill, first line, after "administration;" by inserting: "transferring the administrative responsibility for the fund for insurance premiums;".

Assemblyman Thompson moved the adoption of the amendment.

Remarks by Assemblyman Thompson.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Joint Resolution No. 8.

Resolution read second time.

The following amendment was proposed by the Committee on Natural Resources, Agriculture and Mining:

Amendment No. 271.

Amend the resolution, page 2, line 6, by deleting "is" and inserting "Nevada".

Assemblyman Schofield moved the adoption of the amendment.

Remarks by Assemblyman Schofield.

Amendment adopted.

Resolution ordered reprinted, re-engrossed and to third reading.

Senate Joint Resolution No. 9.

Resolution read second time and ordered to third reading.

Assemblyman Nevin 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 11:32 a.m.

Mr. Speaker presiding.

Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Judiciary, 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 re-refer to the Committee on Judiciary.

ROBERT M. SADER, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which was referred Assembly Bill No. 299, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ROBERT M. SADER, *Chairman*

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Triggs, Banner, Haller, Craddock, Arberry, Sedway and Kissam:

Assembly Bill No. 472—An Act relating to handicapped persons; prohibiting discrimination in housing and public accommodations against visually, physically and aurally handicapped persons; adding other protections and preferences in property and services; providing a penalty; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Triggs, Banner, Arberry, Sedway and Kissam:

Assembly Bill No. 473—An Act relating to handicapped persons; prohibiting discrimination in employment against a person with a handicap not related to his ability to perform a job; and providing other matters properly relating thereto.

Assemblyman Triggs moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

By Assemblymen Triggs, Banner, Craddock, Arberry, Sedway and Kissam:

Assembly Bill No. 474—An Act relating to industrial insurance; requiring an insurer and the administrator of the state industrial insurance system to accept an evaluation made by a physician retained by the employer as evidence of a permanent physical impairment for the purpose of a claim against the subsequent injury fund; and providing other matters properly relating thereto.

Assemblyman Triggs moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

By Assemblymen Sedway, Thompson, Swain, Arberry, Garner, Haller, Schofield, McGaughey, Wendell Williams, Craddock, Kissam, May, Nevin, Porter, Brookman, Myrna Williams, Spinello, Adler, Evans, Banner, Gaston and Freeman:

Assembly Bill No. 475—An Act relating to mobile home parks; establishing the state commission on mobile home parks; requiring the commission to review any proposed increase in rent and all rental agreements for a mobile home park; authorizing the commission to hold public hearings; requiring the licensing of mobile home parks; and providing other matters properly relating thereto.

Assemblyman Sedway moved that the bill be referred to the Committee on Commerce.

Motion carried.

By Assemblymen Adler, Kissam, Lambert, Price, Jeffrey, Brookman, Swain, Arberry, Evans, Nevin, Porter, Spinello, Getto, Thompson and Banner:

Assembly Bill No. 476—An Act relating to elections; revising certain provisions governing the cancellation of an affidavit of registration of a voter; and providing other matters properly relating thereto.

Assemblyman Adler moved that the bill be referred to the Committee on Elections.

Motion carried.

By Assemblyman Humke (by request):

Assembly Bill No. 477—An Act relating to elections; requiring a voter to deposit his ballot in the ballot box; and providing other matters properly relating thereto.

Assemblyman Humke moved that the bill be referred to the Committee on Elections.

Motion carried.

By the Committee on Transportation:

Assembly Bill No. 478—An Act relating to motor carriers; increasing the additional fee for an identifying device; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Education:

Assembly Bill No. 479—An Act making an appropriation to the Division of Mental Health and Mental Retardation of the Department of Human Resources for continuation of the Home Activity Program for Parents and Youngsters; and providing other matters properly relating thereto.

Assemblyman Craddock moved that the bill be referred to the Concurrent Committees on Education and Ways and Means.

Motion carried.

By the Committee on Education:

Assembly Bill No. 480—An Act relating to pupils; making a violation of the provision concerning attendance unlawful; imposing a fine; authorizing the principal to issue citations for violations; and providing other matters properly relating thereto.

Assemblyman Craddock moved that the bill be referred to the Committee on Education.

Motion carried.

By the Committee on Labor and Management:

Assembly Bill No. 481—An Act relating to wages; removing the exemption from the requirements of payment of extra compensation for overtime for persons who are paid one and one-half times the minimum wage; and providing other matters properly relating thereto.

Assemblyman Banner moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

By the Committee on Labor and Management:

Assembly Bill No. 482—An Act relating to public works; prescribing the size of projects to be considered in establishing the prevailing wage; and providing other matters properly relating thereto.

Assemblyman Banner moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

By the Committee on Labor and Management:

Assembly Bill No. 483—An Act relating to industrial insurance; providing for the payment of certain penalties and attorneys' fees; revising provisions concerning redeterminations; and providing other matters properly relating thereto.

Assemblyman Banner moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

By the Committee on Labor and Management:

Assembly Bill No. 484—An Act relating to public works; prohibiting the labor commissioner from considering work on residential construction in determining the prevailing wage; and providing other matters properly relating thereto.

Assemblyman Banner moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

By the Committee on Labor and Management:

Assembly Bill No. 485—An Act relating to labor; making various changes in the provisions governing the establishment and enforcement of the prevailing wage for public works projects; increasing the penalty for persons who do not furnish certain information to the labor commissioner; clarifying that an assignment of wages or commissions is not a prerequisite to the enforcement of certain laws relating to labor; and providing other matters properly relating thereto.

Assemblyman Banner moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

By the Committee on Labor and Management:

Assembly Bill No. 486—An Act relating to the state industrial insurance system; limiting plans for retrospective rating of risks to individual employers; and providing other matters properly relating thereto.

Assemblyman Banner moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

By the Committee on Labor and Management:

Assembly Bill No. 487—An Act relating to industrial insurance; increasing the maximum amount of the administrative fine imposed upon certain self-insured employers who fail to pay compensation; requiring the commissioner of insurance to pay the compensation owing to the claimant from the fine; and providing other matters properly relating thereto.

Assemblyman Banner moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

By the Committee on Labor and Management:

Assembly Bill No. 488—An Act relating to industrial insurance; establishing the percentage of a claim to be paid from the subsequent injury fund; and providing other matters properly relating thereto.

Assemblyman Banner moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

By the Committee on Labor and Management:

Assembly Bill No. 489—An Act relating to public works; revising the criteria for holding a hearing concerning the prevailing wage; and providing other matters properly relating thereto.

Assemblyman Banner moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

By Assemblymen DuBois, McGaughey, Thomas, Tebbs, Callister, Garner, Spriggs and Humke:

Assembly Bill No. 490—An Act relating to abortions; prohibiting the use of public money for an abortion unless it is necessary to save the life of the mother; and providing other matters properly relating thereto.

Assemblyman DuBois moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

By Assemblymen DuBois, McGaughey, Thomas, Callister, Garner, Tebbs and Spriggs:

Assembly Bill No. 491—An Act relating to abortions; revising the provision requiring care be given to an infant born as a result of an attempted abortion; and providing other matters properly relating thereto.

Assemblyman DuBois moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 132.

Bill read third time.

Remarks by Assemblymen Kerns, Getto, Nicholas and Thomas.

Roll call on Assembly Bill No. 132:

YEAS—42.

NAYS—None.

Assembly Bill No. 132 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 Assemblymen Thomas, Sader, Nevin and McGaughey.

Assemblyman Nevin moved that Assembly Bill No. 148 be taken from the General File and placed on the Chief Clerk's desk.

Motion carried.

Assembly Bill No. 234.

Bill read third time.

Remarks by Assemblyman Carpenter.

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, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 264.

Bill read third time.

Remarks by Assemblymen Wendell Williams, Kissam, Swain and Schofield.

Assemblyman Schofield moved that Assembly Bill No. 264 be taken from the General File and placed on the Chief Clerk's desk.

Motion carried.

Assembly Bill No. 295.

Bill read third time.

Remarks by Assemblymen Garner and Adler.

Roll call on Assembly Bill No. 295:

YEAS—40.

NAYS—Adler, Mr. Speaker—2.

Assembly Bill No. 295 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 355.
Bill read third time.
Remarks by Assemblyman Garner.
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. 361.
Bill read third time.
Remarks by Assemblyman Swain.
Roll call on Assembly Bill No. 361:
YEAS—42.
NAYS—None.

Assembly Bill No. 361 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Senate Bill No. 172 and Senate Joint Resolution No. 10 be taken from the General File and placed on the General File for the next legislative day.
Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Dini, Sedway, Carpenter, Bergevin, Price, Marvel, Nevin, Spinello, Freeman, DuBois, Nicholas, Adler, Kissam, Thompson, Lambert, Craddock, Haller, Triggs, Wendell Williams, Spriggs, Humke, Garner, Evans, Swain, Jeffrey, Callister, Tebbs, Fay, May, Brookman, Porter, Getto, Banner, Gaston, Myrna Williams, Wisdom, Sader, McGaughey, Kerns and Schofield:

Assembly Bill No. 492—An Act relating to the commission on economic development; increasing its membership by adding two members as additional representatives from the rural counties; and providing other matters properly relating thereto.

Assemblyman Price moved that the bill be referred to the Committee on Economic Development, Small Business and Tourism.
Motion carried.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Senate Bill No. 70; Assembly Concurrent Resolutions Nos. 25, 27.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Banner, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Jean Sullivan.

On request of Assemblyman Bergevin, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Jim Bell, Mike Madsen, Dressler, Bob Rajs, Mesdames Hammerlun, Johnson, Mss. Sue Lammay, Danette Morgan, and the students of Gardnerville Elementary School: Brad Benson, Katie Everson, Tristan Gorrindo, Teresa Hadfield, Amber Hatley, Ryan Hearold, Kevin Hickey, Jennifer Isaaks, Robyn Keosababian, Dan Lammay, R. J. Lundergreen, Mark Madsen, Mike McKenzie, Kelley Menesini, Dixie Ramirez, Michelle Shearer, Joey Susich, Janelle Turtle, Tammy Valenzuela, Carmen Vides, Sarah Walker, Delena White, Shane Reynolds, Melissa Fiore, Richard Burchett, Kris Butler, Scott Davis, Nathan Giddner, Lance Gorrindo, Tyler Johnson, Ryan Martin, Jared Page, Derrick Plain, Josh Rosenbloom, Byron Smith, Byron White, Chris Michelson, Floyd Wiggins, Crystal Alexander, Heather Carrillo, Jana Dexter, Tamera Fitzsimons, Anna Hastie, Natalie Naugle, Jesse Schaffer, Natalie Reich, Monica Varoslaski, Amber Mortenson, Jeannine Staneel, Lisa Jorgenson, Andy Allbee, Kevin Clark, Ryan Currenie, Casey Dallaire, Justin Hammerlun, Tim Hampton, Jason Hartong, Justin Adie, Michael Paluch, Ethan Petite, David White, Sarah Blakeslee, Trisha Brown, Karrie Cole, Melissa Denser, Danielle Edney, Lindy Herman, Diana Higvera, Heather Hoffman, Karen Hunter, Tami McGinley, Belinda Thomson, Kristi Wheeler, Kathy Young, Aaron Barnett, Brady Clark, Anton Hafele, Chris Leck, Travis Madsen, Sam Panici, David Pulver, Tyler Ramsey, Bryce Sady, Bob Stroup, Gavin Ward, Marc Ceniceros, Marie Burruel, Kim Erb, Teresa Fernandez, Lisa Gardner, Kacey Kester, Allison Matts, Eve Mortensen, Jaime Sandy, Becky Sarratea, Jessica Stewart, Jaime Snider, Tanya Tribon, Stephanie Turria and Shalon Brooks.

On request of Mr. Speaker, the privilege of the floor of the Assembly Chamber for this day was extended to The Reverend Theodore C. Ley, S.M., Mr. and Mrs. L. Glenn Horn, Mr. and Mrs. Gil Gonzalez, Mrs. Charles E. Hayes, II, Mr. and Mrs. Joseph Stark, Mrs. John Sunquist, Miss Tanya Simen and the members of the Schola Cantorum of the Pacific: Steven Simen, Dennis Rucker, Lynh Naeole, Mary Frances Burke, Onofre Ramirez, Elizabeth Kelly, Martin Vasquez, John Roth, Paul Ellis, Traci Horn, Kelli Horn, Bobby Roth, Brian Horn, Woody Sunquist, Erik Johnson, Julie Sunquist, Rheeah Yoo, Adrienne Gonzales, Gabriel Gonzalez, Alfonso Valencia, Francisco Magana, Lauro Blanco, Mynor Sosa, Tina Baker and Benjamin Castellanos; Mr. Arnold Martin, Misses Rachelle Lawrence and Susan Groteguth; Mesdames Wilson, Morgan and the students of Yerington Elementary School: Tracy Barlow, Tara Bartlett, Luis Cervantes, Coco Corona, Paul Dockter, Jerry Dunlap, Shani Gore, Deshonna Henry, Sarah Ireland, Marcey Johnson, Jennifer Kayes, Joey Martinez, Sergio Ramirez, Quenton Reading, Amy Roberts, Heidi Rundle, Ofelia Sandoval, Krissy Smith, Russelle Smith, Shane Stromer, Shawna Thompson, Gary Webb,

Desiree Rew, Danny Baldwin, Amanda Banta, Chris Bartles, Victor Berumen, Nancy Bezaviff, Jaime Cervantes, Dale Cox, Jeremy Evans, Eddie Foster, Mandy Glass, Jimmy Hakin, Lucille Hood, Shawn Howard, Carman Levier, B. J. Macfarlane, Mirta Madera, Adrian Martinez, Leona Munoz, Juanita Oliver, Timmy Owen, Kyle Penney, Solin Sandoval, Curtis Seales, Daniel Spracklen, Amy Tibbals and Michelle Vernarecci.

On request of Assemblyman Carpenter, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Flo Reed.

On request of Assemblyman Evans, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Ron Sousa and Ms. Glenda Allen.

On request of Assemblyman Getto, the privilege of the floor of the Assembly Chamber for this day was extended to Mss. Myrl Coverston, Louvena Chapman and Peggy Ward.

On request of Assemblyman Haller, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Hilda Hosley, Marjory Pettygrew, Marion Cashill and Ruby Leavitt.

On request of Assemblyman May, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Christine R. Clarke.

On request of Assemblyman Nevin, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Bill Clark.

On request of Assemblyman Nicholas, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Dianne Cornwall.

On request of Assemblyman Swain, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Catherine Loughlin.

Assemblyman Jeffrey moved that the Assembly adjourn until Tuesday, March 31, 1987 at 11 a.m.

Motion carried.

Assembly adjourned at 12:16 p.m.

Approved: JOSEPH E. DINI, JR.
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE SEVENTY-SECOND DAY

CARSON CITY (Tuesday), March 31, 1987

Assembly called to order at 11:06 a.m.

Mr. Speaker presiding.

Roll called.

All present except Assemblyman Bergevin, who was excused.

Prayer by the Chaplain, The Reverend Tim Jantos.

Our gracious Heavenly Father, we thank You for the privilege of being here today. And, Father, we thank You as well for Your divine presence here among us. Father, give us a sense of that presence as we go about the tasks to which You have called us this day. May this not be simply "another day," but rather may it be a day of new insight, fresh vision and renewed commitment as we seek to better serve the people who have placed their trust in us, and ultimately, as we seek to better serve You. And Father, may we not forget those areas of our personal lives that so often overflow into our public lives and affect them for better or for worse. May we not neglect those characteristics of personal integrity, forgiveness, mercy, patience, self-control, joy and love. May our hearts be joyful, our consciences clear, our motives pure, our expectations high. In other words, Lord, give us Your divine perspective upon everything we do and say today, for we pray these things in Your great and powerful name. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Nevin 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 were referred Assembly Bill No. 119; Senate Joint Resolution No. 6 of the 63rd Session, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

MYRNA WILLIAMS, *Chairman*

Mr. Speaker:

Your Committee on Transportation, to which were referred Assembly Bill No. 294; 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.

LEONARD V. NEVIN, *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which was referred Assembly Bill No. 327, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JANE WISDOM, *Vice-Chairman*

Mr. Speaker:

Your 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: Amend, and do pass as amended.

MARVIN M. SEDWAY, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Assembly Bill No. 362, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

DANNY L. THOMPSON, *Chairman*

Mr. Speaker:

Your 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 re-refer to the Committee on Government Affairs.

DANNY L. THOMPSON, *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which were referred Assembly Bill No. 284; Senate Bills Nos. 129, 131, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN E. JEFFREY, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, March 30, 1987

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 6, 153.

Also, I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bill No. 55, and respectfully requests your honorable body to concur in said amendment.

Also, I have the honor to inform your honorable body that the Senate on this day passed Assembly Joint Resolution No. 14.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Bills Nos. 150, 198, 205.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 118, 190.

MARY JO MONGELLI
Assistant Secretary of the Senate

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Brookman, Jeffrey, Myrna Williams, Thompson, Sader, Kissam, Craddock, Haller, Wendell Williams, Thomas, Sedway and Nevin:

Assembly Bill No. 493—An Act relating to minimum wages; increasing the allowable minimum wage; providing an exemption for certain handicapped persons; and providing other matters properly relating thereto.

Assemblyman Brookman moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 494—An Act relating to the Fort Mohave Valley development fund; establishing priorities for use of the money in the fund; requiring reimbursement to the fund under certain circumstances; authorizing grants from the fund for certain water and sewerage systems; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 495—An Act relating to regional transportation commissions; expanding the powers of commissions; specifying that commissions are public employers for the purpose of employees' retirement and political subdivisions for the purpose of civil liability; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 496—An Act relating to public employment; authorizing the imposition of a fine against a local government employer or administrative or supervisory employee for the commission of a prohibited labor practice in a dispute with local government employees; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Elections:

Assembly Bill No. 497—An Act relating to elections; requiring the disclosure of the source of any excess money spent if a candidate's total amount of campaign expenses exceeds the total amount of campaign contributions; revising the provisions requiring the identification of the sources of campaign contributions and expenses; and providing other matters properly relating thereto.

Assemblyman Swain moved that the bill be referred to the Committee on Elections.

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 498—An Act relating to contractors; reducing the time for the replacement of an employee qualifying in regard to his experience and knowledge on behalf of a contractor; and providing other matters properly relating thereto.

Assemblyman Thompson moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 118.

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

Motion carried.

Senate Bill No. 150.

Assemblyman Nevin moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

Senate Bill No. 190.

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

Motion carried.

Senate Bill No. 198.

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

Motion carried.

Senate Bill No. 205.

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

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen Brookman, Evans, Swain, May, Carpenter, Freeman, Callister, Tebbs, Kerns, Wisdom, Price, Kissam, Craddock, Haller, Triggs, Humke, Wendell Williams, Nicholas, McGaughey, Thomas, DuBois and Nevin:

Assembly Joint Resolution No. 36—Proposing to amend section 7 of article 1 of the constitution of the State of Nevada to permit the denial of bail to any person accused of a felony who has two or more prior convictions for violent felonies.

RESOLVED BY THE ASSEMBLY AND SENATE OF THE STATE OF NEVADA, JOINTLY, That section 7 of article 1 of the constitution of the State of Nevada be amended to read as follows:

Sec. 7. All persons shall be bailable by sufficient sureties; unless for Capital Offenses or murders punishable by life imprisonment without possibility of parole when the proof is evident or the presumption great [.] *, or for felonies when the person accused has been convicted twice previously in this or any other state of any crime of violence constituting a felony under the laws of this state or of the state in which the person was convicted.*

Assemblyman Brookman moved that the resolution be referred to the Committee on Judiciary.

Motion carried.

Assemblyman Jeffrey moved that Rule No. 14 of the Joint Rules of the Senate and Assembly be suspended and that a joint resolution (BDR R-2075), requested by the Committee on Legislative Functions, be introduced by individual Assemblymen.

Remarks by Assemblyman Jeffrey.

Roll call on Assemblyman Jeffrey's motion:

YEAS—39.

NAYS—Marvel, Spriggs.

Absent—Bergevin.

The motion, having received a constitutional majority, Mr. Speaker declared it carried.

By the Committee on Government Affairs:

Assembly Concurrent Resolution No. 29—Approving the execution of a lease of certain state land to the Carson City Chamber of Commerce.

Assemblyman Thompson moved that the resolution be referred to the Committee on Government Affairs.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Judiciary:

Assembly Bill No. 499—An Act relating to gaming; revising the conditions for issuance of a license to operate 15 or fewer slot machines; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 500—An Act relating to assistance to the medically indigent; assigning the welfare division of the department of human resources to the rights of an applicant for assistance against a third party; making certain information confidential; authorizing the appointment of a hearing officer; requiring the welfare division to adopt regulations prescribing the procedures for the appeal by providers of services from its decisions; and providing other matters properly relating thereto.

Assemblyman Sader moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

By Assemblymen Price, Triggs, Swain, Lambert, Garner, Gaston and Wendell Williams:

Assembly Bill No. 501—An Act relating to economic development; creating a division for the advocacy of small businesses within the commission on economic development; specifying the powers and duties of the division; and providing other matters properly relating thereto.

Assemblyman Price moved that the bill be referred to the Committee on Economic Development, Small Business and Tourism.

Motion carried.

By the Committee on Transportation:

Assembly Bill No. 502—An Act relating to motor carriers; making various technical and administrative changes; clarifying the scope of certain statutes relating to reports; making certain fees consistent with other state and federal requirements; eliminating double taxation of certain vehicles; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Health and Welfare:

Assembly Bill No. 503—An Act relating to indigent persons; prohibiting counties from giving cash grants to employable persons who do not have dependent children; and providing other matters properly relating thereto.

Assemblyman Arberry moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

By Assemblymen DuBois, Kissam, Haller, Gaston, Wisdom, Porter, Spriggs, Carpenter, Myrna Williams, Callister and Sedway:

Assembly Bill No. 504—An Act relating to justices of the peace; requiring justices in larger counties to be attorneys at law; and providing other matters properly relating thereto.

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

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 50.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 247.

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. 299.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 240.

Amend section 1, page 2, line 11, after "*Each*" by inserting: "*treasury share or*".

Amend section 1, page 2, line 17, after "*merger*" by inserting an italicized comma.

Amend section 1, page 2, line 31, by deleting: "*with no stockholders*" and inserting: "*organized under this chapter which has not issued shares of stock*".

Assemblyman Sader moved the adoption of the amendment.

Remarks by Assemblyman Sader.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Joint Resolution No. 29.

Resolution read second time, ordered engrossed and to third reading.

Senate Bill No. 54.

Bill read second time and ordered to third reading.

Senate Bill No. 106.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 264.

Amend section 1, page 1, line 4, by deleting "*vehicle*" and inserting: "*home or coach*".

Amend section 1, page 1, line 8, by deleting "*vehicle*" and inserting: "*home or coach*".

Assemblyman Wisdom moved the adoption of the amendment.

Remarks by Assemblyman Wisdom.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 147.

Bill read second time and ordered to third reading.

Senate Bill No. 210.

Bill read second time and ordered to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen Myrna Williams, Dini, Spinello, Wisdom, McGaughey, Lambert, Porter, Sedway, Swain, Callister, Adler, Getto, Evans, Arberry, Schofield, Freeman, Nevin, DuBois, Thomas, Nicholas, Triggs, Haller, Craddock, Kissam, Thompson, Sader, May, Price, Tebbs, Brookman and Gaston:

Assembly Joint Resolution No. 37—Urging Congress not to allow the location of a repository for nuclear waste in Nevada.

Assemblyman Myrna Williams moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen DuBois and Nevin:

Assembly Bill No. 505—An Act relating to traffic laws; requiring the use of mudguards on the rear tires of certain trucks and combinations of vehicles; and providing other matters properly relating thereto.

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

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 110.

Bill read third time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 205.

Amend the bill as a whole by renumbering section 1 as sec. 2 and adding a new section designated section 1, following the enacting clause, to read as follows:

"Section 1. NRS 176.035 is hereby amended to read as follows:

176.035 1. Except as *otherwise* provided in subsection 2, whenever a person is convicted of two or more offenses, and sentence has been pronounced for one offense, the court in imposing any subsequent sentence may [, in its discretion,] provide that the sentences subsequently pronounced [shall] run either concurrently or consecutively with the sentence first imposed. Except as *otherwise* provided in subsections 2 and 3, if the court makes no order with reference thereto, all *such subsequent* sentences [shall] run concurrently.

2. [Whenever] *Except as otherwise provided in this subsection, whenever* a person under sentence of imprisonment commits another crime constituting a felony and is sentenced to another term of imprisonment for [such felony, such latter term shall] *that felony, the latter term must* not begin until the expiration of all prior terms. *If the person is a probationer at the time the subsequent felony is committed, the court may provide that the latter term of imprisonment run concurrently with any prior terms or portions thereof.*

3. Whenever a person under sentence of imprisonment commits another crime constituting a misdemeanor or gross misdemeanor, the court shall provide expressly whether the sentence subsequently pronounced [shall run] *runs* concurrently or consecutively with the one first imposed.

4. Whenever a person under sentence of imprisonment commits another crime for which the punishment is death, the sentence [shall] *must* be executed without reference to the unexpired term of imprisonment.

5. This section does not prevent the state board of parole commissioners from paroling a person under consecutive sentences of imprisonment from a current term of imprisonment to a subsequent term of imprisonment.".

Amend the bill as a whole by adding a new section designated sec. 3, following section 1, to read as follows:

"Sec. 3. NRS 176.185 is hereby amended to read as follows:

176.185 1. Whenever any person has been found guilty in a district court of a crime upon verdict or plea, the court, except in cases of murder of the first or second degree, kidnaping in the first degree, sexual assault, or an offense for which the suspension of sentence or the granting of probation is expressly forbidden, may by its order suspend the execution of the sentence imposed and grant probation to the convicted person as the judge thereof deems advisable. The court may grant probation to a person convicted of indecent or obscene exposure or of lewdness only if a certificate of a psychiatrist, as required by NRS 201.210, 201.220 or 201.230, is received by the court.

2. The district judge shall not, except as provided herein, grant probation to a person convicted of a felony until the judge receives a written report from the chief parole and probation officer. The chief parole and probation

officer shall submit a written report not later than 30 days following a request for a probation investigation from the county clerk, but if no report is submitted by the chief parole and probation officer within 30 days the district judge may grant probation without the written report.

3. In issuing the order granting probation, the court may fix the terms and conditions thereof, including a requirement for restitution or an order that the probationer dispose of all the weapons he possesses.

4. The court [shall not] *may, for good cause shown,* suspend the execution of a sentence of imprisonment after the defendant has begun to serve it.

5. In placing any defendant on probation or in granting any defendant a suspended sentence, the court shall direct that he be placed under the supervision of the chief parole and probation officer.

6. The court shall also, upon the entering of the order of probation or suspension of sentence, as provided for in NRS 176.175 to 176.245, inclusive, direct the clerk of the court to certify a copy of the records in the case and deliver the copy to the chief parole and probation officer.".

Amend the title of the bill to read as follows:

"An Act relating to criminal procedure; authorizing a court to set concurrent sentences for subsequent offenses by probationers; removing the defendant's ability to waive a presentence investigation; removing the requirement for such an investigation if one has been made within the preceding 5 years; authorizing a court to suspend the execution of a sentence of imprisonment for a probationer under certain circumstances; and providing other matters properly relating thereto.".

Assemblyman Sader moved the adoption of the amendment.

Remarks by Assemblyman Sader.

Amendment adopted.

Assemblyman Sader moved that Assembly Bill No. 110 be re-referred to the Committee on Judiciary.

Motion carried.

Bill ordered reprinted, re-engrossed and to the Committee on Judiciary.

Assembly Bill No. 177.

Bill read third time.

Remarks by Assemblymen Adler and Marvel.

Conflict of Interest declared by Assemblyman Kissam.

Roll call on Assembly Bill No. 177:

YEAS—40.

NAYS—None.

Absent—Bergevin.

Not voting—Kissam.

Assembly Bill No. 177 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.

Remarks by Assemblyman DuBois.

Roll call on Assembly Bill No. 229:

YEAS—41.

NAYS—None.

Absent—Bergevin.

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. 255.

Bill read third time.

Remarks by Assemblyman Sedway.

Roll call on Assembly Bill No. 255:

YEAS—41.

NAYS—None.

Absent—Bergevin.

Assembly Bill No. 255 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 259.

Bill read third time.

Remarks by Assemblyman May.

Roll call on Assembly Bill No. 259:

YEAS—40.

NAYS—None.

Absent—Bergevin.

Not voting—McGaughey.

Assembly Bill No. 259 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 265.

Bill read third time.

Remarks by Assemblymen Nevin, Haller, Schofield, Kissam, Porter, Banner, Carpenter, Price, Thomas, Thompson, Adler and Getto.

Assemblymen Gaston, May and Swain moved the previous question.

Motion carried.

The question being on the passage of Assembly Bill No. 265.

Roll call on Assembly Bill No. 265:

YEAS—34.

NAYS—Adler, Banner, Carpenter, Craddock, Haller, Price, Thompson—7.

Absent—Bergevin.

Assembly Bill No. 265 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 312.

Bill read third time.

Remarks by Assemblyman May.

Roll call on Assembly Bill No. 312:

YEAS—41.

NAYS—None.

Absent—Bergevin.

Assembly Bill No. 312 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 314.

Bill read third time.

Remarks by Assemblyman May.

Roll call on Assembly Bill No. 314:

YEAS—41.

NAYS—None.

Absent—Bergevin.

Assembly Bill No. 314 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 123.

Bill read third time.

Remarks by Assemblymen Lambert, Nevin, Haller, Sader, Sedway, May, Swain, Adler, Getto and Gaston.

Assemblyman Haller requested that the following remarks be entered in the Journal.

ASSEMBLYMAN LAMBERT:

Thank you, Mr. Speaker. I stand in reluctant support of Senate Bill No. 123, which would allow the Washoe County Commission to raise the ad valorem taxes in Washoe County to pay for the increased operating costs of the new consolidated jail. The override would increase the tax rate about seven and a half cents in 1987 and 1988, and then up to about ten cents each subsequent year. That translates into around $26 the first year and $34 each year thereafter on a $100,000 house. This is in addition to what we are now paying—about $21 a year to pay off the construction bonds on a $100,000 house.

I say I stand in reluctant support of the bill because the whole issue was handled poorly in 1984 when the bond issued to build the jail was on the ballot. We were told in 1984 that we had to build a new jail to meet Federal court standards and that this proposed jail would be cheaper and more efficient to operate. Instead, the operating costs are over $8 million a year—almost double the cost of the four existing facilities. This dramatic increase comes as an unpleasant surprise to the people of Washoe County now. Voters should have been told in 1984 that upon completion of the jail the county would have to ask for a tax override for increased operating costs due to the Federal court standards we have to meet.

People should feel that they can trust their government to be up front with them if they are going to have a good relationship between government and the people it serves. Situations like this erode that trust and are very discouraging. It falls to us to pick up the pieces and move forward. Now the county is facing a Federal court consent decree to improve jail conditions and an almost completed jail will meet those conditions, but only if the county can add almost $4 million to its budget to properly staff the jail. While none of us like to see taxes increase, especially to fund jail operations, we find ourselves with little or no choice in this instance but to meet the Federal court standards—and they are expensive.

Your Taxation Committee urges your support. Thank you.

ASSEMBLYMAN NEVIN:

Thank you, Mr. Speaker. I also echo the sentiments of Assemblyman Lambert. I had problems with this also. This went to a bond issue before the people and the thing that disturbs me the most is the feeling that I get that they knew the cost was higher than the bond issue and they broke ground and started anyway. Then they said they were in a spot and had to come before us and ask us for additional money.

I also will vote for this bill because if we don't build it, the government will tell us we have to anyway. I just don't like the approach that was made and I think the voters will be unhappy with our commissioners the way this was approached. Thank you.

ASSEMBLYMAN HALLER:

Mr. Speaker, I also am very reluctantly voting for this bill. I do want it on the record, and I haven't seen it in writing anywhere, that both the City of Sparks and the City of Reno are committed to help support this jail when it is built. Therefore, I would request that our remarks be entered on the record.

ASSEMBLYMAN SADER:

I have just one question of the Committee, and it is really tangential to the passage of this bill. With the problems of prison construction and financing that we are facing, and now with Washoe County facing problems with expanding their jail and having to pay for it through property taxes, I wonder if we shouldn't be requiring that the property taxes that citizens pay for prison facilities and jail facilities be listed separately on their property tax bills so that the citizen starts to see that the citizen is paying for the increasing population of prisoners we are having in this state. It is my thought that if that fiscal problem is brought to the attention of the taxpayer, that we might start to address prison reform in the issues of expanding our prison population.

ASSEMBLYMAN SEDWAY:

Thank you, Mr. Speaker. I would like to echo the comments of my colleague from Washoe County. In the Ways and Means Committee we discussed this same issue as put forth by the previous speaker and it is our recommendation that in the future some effort be made to put on your property tax bills that you get a line item that says "Prison Construction Bonds" with the exact number that it will cost the people of the state.

ASSEMBLYMAN MAY:

Mr. Speaker, although not within the context of the bill in response to the two previous speakers, your Committee on Taxation will certainly undertake a measure to do exactly as proposed. And, to the members of the Washoe delegation, not a member of Taxation, there is a small consolation involved—you are not levying this tax by enactment of this measure, you are simply granting your Board of Commissioners in Washoe County in their wisdom the authority, if they find it necessary, to oppose it.

ASSEMBLYMAN SWAIN:

Mr. Speaker, as a member of the Washoe delegation I merely want to go on record as echoing the sentiments of my fellow Washoe County delegation members and also the recommendation of our Chairman of Judiciary on this particular issue. I feel very reluctant, myself, in having to vote for this, but I recognize it is a necessity.

ASSEMBLYMAN ADLER:

I would just like to say as Vice-Chairman of Taxation that perhaps the only reason we approved this bill was the fact that we would end up with a new jail without staffing. So, that is the reality we were faced with in approving this bill, so I would say all of us reluctantly voted for the bill and only did so because we didn't want to have a brand-new jail with no one to operate it.

ASSEMBLYMAN GETTO:

Mr. Speaker, since you have allowed other members to stray from the bill a little bit, may I stray also? Thank you.

Having served on prison subcommittees over three interims, I have been concerned about the costs of prisons and, of course, we have been pushed by a wave of public sentiment. But the statements that were made about putting the costs of prisons on tax

statements, that is just the tip of the iceberg because that is only going to deal with the prisons in the local area. The costs of prisons statewide is a big ticket item that the taxpayer never sees.

This money comes out of the General Fund which is gaming tax revenues and sales tax revenues and some other small revenues. If the public had to pay for that ticket, it would be a big one and if they could see it, I think we might have some change in the philosophy in how long we keep prisoners in prison.

ASSEMBLYMAN GASTON:

Thank you, Mr. Speaker. I would like to echo the comments and sentiments of my colleagues from Washoe County. We were all saddened, to be honest with you, and very disturbed at the testimony that we heard because it appeared that there was either a neglectful or very intentional failure to disclose the true picture. If it was intentional, I think it was unconscionable and this act really set the citizenry back a long way as far as trusting the governmental body. I kind of felt like we were being held hostage because we have a jail here that we have to maintain. You have to do this because what are we going to do with this white elephant of a jail if we don't have the funds to maintain it? I feel annoyed by that and all the members of the Committee also felt annoyed and I think the people, the citizens of Washoe County, were duped. I'd like to encourage this body to look at possible laws regarding disclosure so that this kind of thing doesn't happen again, that we are not put in a position that we are this time, and that the citizens are not led astray. I would like to see us look at disclosure laws and if they don't fully disclose, this type of referendum would not be legal.

Roll call on Senate Bill No. 123:

YEAS—41.
NAYS—None.
Absent—Bergevin.

Senate Bill No. 123 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 172.

Bill read third time.

Remarks by Assemblyman Thomas.

Roll call on Senate Bill No. 172:

YEAS—41.
NAYS—None.
Absent—Bergevin.

Senate Bill No. 172 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Joint Resolution No. 9.

Resolution read third time.

Remarks by Assemblyman Schofield.

Roll call on Senate Joint Resolution No. 9:

YEAS—41.
NAYS—None.
Absent—Bergevin.

Senate Joint Resolution No. 9 having received a constitutional majority, Mr. Speaker declared it passed.

Resolution ordered transmitted to the Senate.

Senate Joint Resolution No. 10.

Resolution read third time.

Remarks by Assemblyman Schofield.

Roll call on Senate Joint Resolution No. 10:

YEAS—41.

NAYS—None.

Absent—Bergevin.

Senate Joint Resolution No. 10 having received a constitutional majority, Mr. Speaker declared it passed.

Resolution ordered transmitted to the Senate.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Price, Triggs, Wendell Williams, Thomas, Swain, Sader, Gaston, Tebbs, Spinello, Lambert, Humke and Garner:

Assembly Bill No. 506—An Act relating to economic development; allowing the commission on economic development to expand the program for the development of occupational education; and providing other matters properly relating thereto.

Assemblyman Price moved that the bill be referred to the Committee on Economic Development, Small Business and Tourism.

Motion carried.

By Assemblymen Getto, Schofield, Swain, Spriggs, Carpenter, Gaston, Freeman, Myrna Williams, Spinello, Wisdom, Nevin, Jeffrey, Sedway, May, Price, Fay, Tebbs, Brookman, Callister, Marvel, Arberry, Garner, Wendell Williams, Evans, Humke, Nicholas, McGaughey, Thomas, DuBois, Thompson, Adler, Kissam, Lambert, Craddock, Haller and Triggs:

Assembly Bill No. 507—An Act relating to attorneys at law; requiring the suspension of the license of an attorney convicted of misappropriating the property of a client; and providing other matters properly relating thereto.

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

Motion carried.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 55.

The following Senate amendment was read:

Amendment No. 219.

Amend section 1, page 2, line 5, after "*district.*" by inserting: "*The representative shall send a written notice to the authority which appointed him containing the name and address of the person so designated. The notice must be sent in such a manner that it will be received before the date of the meeting which the alternate is to attend.*".

Assemblyman Schofield moved that the Assembly concur in the Senate amendment to Assembly Bill No. 55.

Remarks by Assemblyman Schofield.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 154.

The following Senate amendment was read:

Amendment No. 222.

Amend section 1, page 2, by deleting line 3 and inserting:

"(b) *Provide for the terms of office for the members of the board;*

(c) Contain a recital of the powers delegated and duties assigned by the".

Amend section 1, page 2, line 5, by deleting "(c)" and inserting "[(c)] *(d)*".

Assemblyman Thompson moved that the Assembly concur in the Senate amendment to Assembly Bill No. 154.

Remarks by Assemblyman Thompson.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 157.

The following Senate amendment was read:

Amendment No. 193.

Amend section 1, page 1, by deleting lines 2, 3 and 4 and inserting:

"244.188 [A] *1. Except as otherwise provided in subsection 2, a* board of county commissioners may, outside the boundaries of incorporated cities [:

1.] *and general improvement districts:*

(a) Provide those services on an exclusive basis or, by ordinance, adopt a".

Amend section 1, page 1, line 7, by deleting "2." and inserting "[2.] *(b)*".

Amend section 1, page 1, by inserting after line 10:

"2. *The board of county commissioners may exercise the authority provided in subsection 1 within the boundaries of a general improvement district if that district is not authorized to provide those services.*".

Amend the title of the bill, second line, after "garbage;" by inserting: "limiting the board's authority to displace or limit competition in a general improvement district;".

Amend the summary of the bill to read as follows: "Revises provisions governing displacement or limitation of competition by county in certain areas. (BDR 20-559)".

Assemblyman Thompson moved that the Assembly concur in the Senate amendment to Assembly Bill No. 157.

Remarks by Assemblyman Thompson.

Motion carried.

Bill ordered enrolled.

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. 265 was this day passed.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Concurrent Resolutions Nos. 26, 28.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Haller, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Paul Stieger and Herb Huntoon.

On request of Assemblyman Kerns, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Rick Bennett.

On request of Assemblyman Price, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Esther V. Borden, Reverend Tim Jantos and Mrs. Jeanne Jantos.

Assemblyman Jeffrey moved that the Assembly adjourn until Wednesday, April 1, 1987 at 11 a.m.

Motion carried.

Assembly adjourned at 12:37 p.m.

Approved: JOSEPH E. DINI, JR.
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE SEVENTY-THIRD DAY

CARSON CITY (Wednesday), April 1, 1987

Assembly called to order at 11:05 a.m.

Mr. Speaker presiding.

Roll called.

All present except Assemblyman Bergevin, who was excused.

Prayer by the Chaplain, Father Dave Casaleggio.

God, our Father, You guide and govern everything with order and love. Look upon this Assembly of our state leaders and fill them with the spirit of Your wisdom. May they always act in accordance with Your will and may their decisions be for the well-being of all. We pray this, Father, with faith and confidence in Your promise to listen to Your people. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Nevin moved that further reading of the Journal be dispensed with, and the Speaker and Chief Clerk be authorized to make the necessary corrections and additions.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Concurrent Committee on Natural Resources, Agriculture and Mining, to which was referred Assembly 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.

JAMES W. SCHOFIELD, *Chairman*

Mr. Speaker:

Your Committee on Taxation, to which was referred Assembly Bill No. 323, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

PAUL W. MAY, *Chairman*

Mr. Speaker:

Your Committee on Taxation, to which was re-referred Assembly Bill No. 72, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass, as amended.

PAUL W. MAY, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, March 31, 1987

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. 2, 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. 14.

MARY JO MONGELLI
Assistant Secretary of the Senate

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Fay and Jeffrey:

Assembly Bill No. 508—An Act relating to municipal corporations; revising the procedure for incorporating a city; removing the authority for incorporating a town; revising the provisions governing the commission form of government; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Taxation:

Assembly Bill No. 509—An Act relating to taxation; imposing a tax upon the furnishing of certain labor and services; providing its rate and certain exemptions; providing for its collection; providing penalties; and providing other matters properly relating thereto.

Assemblyman May moved that the bill be referred to the Committee on Taxation.

Motion carried.

By the Committee on Ways and Means:

Assembly Bill No. 510—An Act relating to motor vehicles; increasing a certain additional fee for registration; and providing other matters properly relating thereto.

Assemblyman Sedway moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By the Committee on Ways and Means:

Assembly Bill No. 511—An Act relating to parole; increasing the number of members of the state board of parole commissioners; requiring the concurrence and ratification of a majority of the members of the board on certain decisions; and providing other matters properly relating thereto.

Assemblyman Sedway moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By the Committee on Ways and Means:

Assembly Bill No. 512—An Act relating to pensions for judicial service; increasing the amount of benefits for the surviving spouse of a justice of the supreme court or district judge; and providing other matters properly relating thereto.

Assemblyman Sedway moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 513—An Act relating to crimes against public safety; defining "alcoholic beverage"; prohibiting persons under 21 years of age from possessing an alcoholic beverage; and providing other matters properly relating thereto.

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

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 119.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 137.

Bill read second time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 285.

Amend section 1, page 1, line 3, by deleting "$17,473,765" and inserting "$16,973,766".

Assemblyman Sedway moved the adoption of the amendment.

Remarks by Assemblyman Sedway.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Arberry moved that Assembly Bill No. 158 be taken from the Chief Clerk's desk and placed on the General File.

Remarks by Assemblyman Arberry.

Motion carried.

Assemblyman Schofield moved that Assembly Bill No. 196 be placed on the Second Reading File.

Remarks by Assemblyman Schofield.

Motion carried.

Assemblyman Swain moved that Assembly Bill No. 264 be taken from the Chief Clerk's desk and placed on the General File.

Remarks by Assemblyman Swain.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 284.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 294.

Bill read second time.

The following amendment was proposed by the Committee on Transportation:

Amendment No. 265.

Amend section 1, page 1, line 9, by deleting "*state general*" and inserting "*motor vehicle*".

Amend the bill as a whole by deleting sec. 2.

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. 327.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 260.

Amend the bill as a whole by deleting section 1 and renumbering sections 2 and 3 as sections 1 and 2.

Amend the bill as a whole by deleting sec. 4 and renumbering sections 5 through 14 as sections 3 through 12.

Amend sec. 10, page 6, lines 38 and 39, by deleting: "*2, 4 and 5*" and inserting: "*2 and 4,*".

Amend sec. 10, page 7, by deleting lines 20 through 22.

Amend sec. 10, page 7, line 23, by deleting "*5.*" and inserting "*4.*".

Assemblyman Jeffrey moved the adoption of the amendment.

Remarks by Assemblyman Jeffrey.

Amendment adopted.

Assemblyman Jeffrey moved that Assembly Bill No. 327 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 Bill No. 346.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 239.

Amend section 1, page 1, line 14, by deleting "*The local*".

Amend section 1, pages 1 and 2, by deleting line 15 on page 1 and lines 1 through 3 on page 2.

Amend section 1, page 2, line 4, by deleting "*utility.*" and inserting: "*Each owner of real property who does not receive water from the public utility, but benefits from the services required by this section, shall adequately compensate the public utility, at a rate determined by the commission, by paying a pro rata share of the cost to the utility of installing and maintaining fire hydrants in the immediate area.*".

Amend the title of the bill, first and second lines, by deleting: "requiring the public entity responsible for providing services for protection from fire to compensate" and inserting: "providing for the compensation of".

Assemblyman Thompson moved the adoption of the amendment.

Remarks by Assemblyman Thompson.

Amendment adopted.

Assemblyman Thompson moved that Assembly Bill No. 346 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. 362.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 256.

Amend the bill as a whole by renumbering sections 2 and 3 as sections 15 and 16 and adding new sections designated sections 2 through 14, following section 1, to read as follows:

"Sec. 2. NRS 328.450 is hereby amended to read as follows:

328.450 1. The state treasurer shall deposit in the state distributive school *account in the state general* fund money received in each fiscal year pursuant to 30 U.S.C. § 191 in an amount not to exceed $10,000,000.

2. Any amount received in a fiscal year by the state treasurer pursuant to 30 U.S.C. § 191 in excess of $10,000,000 must be deposited in the account for revenue from the lease of federal lands, which is hereby created.

3. The interest and income earned on the money in the account, after deducting any applicable charges, must be credited to the account.

Sec. 3. NRS 328.460 is hereby amended to read as follows:

328.460 The state controller shall apportion money in the account for revenue from the lease of federal lands as follows:

1. Twenty-five percent to the state distributive school *account in the state general* fund.

2. Fifty percent to the counties from which the fuels, minerals and geothermal resources are extracted. Of the amount received by each county, one-fourth must be distributed to the school district in that county.

3. Twenty-five percent to the office of community services for distribution as grants to agencies and political subdivisions of the state.

Sec. 4. NRS 328.480 is hereby amended to read as follows:

328.480 1. Money received by the office of community services pursuant to NRS 328.460 must be distributed to agencies and political subdivisions of the state as grants for:

(a) Projects to demonstrate uses for geothermal and solar energy and other alternative sources of energy;

(b) Research to stimulate the use and production of energy from alternative sources;

(c) Projects to assess potential alternative sources of energy;

(d) Projects to increase available supplies of fossil and synthetic fuels and electricity and to increase the stability of those supplies;

(e) Studies of the possible social, economic and environmental effects of the use of alternative sources of energy and means of mitigating those effects;

(f) State and local plans for the development and use of alternative sources of energy;

(g) Projects to convert existing public facilities to the use of alternative sources of energy; and

(h) Establishing a program to provide loans, at low interest or that may be forgiven, to encourage the use of alternative sources of energy.

2. The governing body of any political subdivision may apply to the office of community services for a grant pursuant to this section.

3. The director of the office of community services shall review all applications for grants and forward his recommendations to the interim finance committee for its approval. The distribution of such grants must be made without regard to whether fuels, minerals or geothermal resources were extracted from the county in which the political subdivision applying for the grant is located. No money may be committed pursuant to this section until the grant is approved by the interim finance committee.

4. A political subdivision which receives such a grant shall maintain an account for that money separate from other accounts or funds.

5. Any money received by the office of community services from the state treasurer pursuant to NRS 328.460 which has not been granted to a political subdivision within 1 year after the date on which that money from the lease of federal lands is received must be returned to the state treasurer and deposited in the state distributive school *account in the state general* fund.

Sec. 5. NRS 353.225 is hereby amended to read as follows:

353.225 1. In order to provide some degree of flexibility to meet emergencies arising during each fiscal year in the expenditures for the state distributive school *account in the state general* fund and for operation and maintenance of the various departments, institutions and agencies of the executive department of the state government, the chief, with the approval in writing of the governor, may require the state controller or the head of each such department, institution or agency to set aside a reserve in such amount as the chief may determine, out of the total amount appropriated or out of other funds available from any source whatever to the department, institution or agency.

2. At any time during the fiscal year this reserve or any portion of it may be returned to the appropriation or other fund to which it belongs and may be added to any one or more of the allotments, if the chief so orders in writing.

Sec. 6. NRS 353.268 is hereby amended to read as follows:

353.268 1. When any state agency or officer, at a time when the legislature is not in session, finds that circumstances for which the legislature has made no other provision require an expenditure during the biennium of money in excess of the amount appropriated by the legislature for the biennium for the support of that agency or officer, or for any program, including the state distributive school *account in the state general* fund, the agency or officer shall submit a request to the state board of examiners for an allocation by the interim finance committee from the contingency fund.

2. The state board of examiners shall consider the request, may require from the requester such additional information as they deem appropriate,

and shall, if [they find] *it finds* that an allocation should be made, recommend the amount of [such] *the* allocation to the interim finance committee for its independent evaluation and action. The interim finance committee is not bound to follow the recommendation of the state board of examiners.

Sec. 7. NRS 374.015 is hereby amended to read as follows:

374.015 The legislature, having carefully considered the needs of the public school system and the financial resources of the State of Nevada, and its several classes of local governments, finds and declares:

1. That sound principles of government require an increased contribution by the local district, which controls its schools, to their support.

2. That such an increase equitably should not and economically cannot be provided through an increase in the tax upon property.

3. That there is no other object of taxation, except retail sales, which is so generally distributed among the several school districts in proportion to their respective population and wealth as to be suitable for the imposition of a tax in each school district for the support of its local schools.

4. That it is therefore necessary to impose, in addition to the sales and use taxes enacted in 1955 to provide revenue for the State of Nevada, a separate tax upon the privilege of selling tangible personal property at retail in each county to provide revenue for the school district comprising such county.

5. That in order to avoid imposing unfair competitive hardships upon merchants in the several counties, it is necessary that such additional tax be imposed:

(a) At the same rate in each county; and

(b) Upon tangible personal property purchased outside this state for use within the state.

6. That the imposition of such a tax at a mandatory and uniform rate throughout the counties of the state makes such tax a fair counterpart to the mandatory property tax levy which it is designed to supplement.

7. That the tax collected upon property purchased outside the state, which cannot for this reason be returned to its county of origin, can best serve its purpose of supporting local schools if it is channeled to the several school districts through the state distributive school *account in the state general* fund.

8. That the convenience of the public and of retail merchants will best be served by imposing the local school support tax upon exactly the same transactions, requiring the same reports and making such tax parallel in all respects to the sales and use taxes.

Sec. 8. NRS 374.785 is hereby amended to read as follows:

374.785 1. All fees, taxes, interest and penalties imposed and all amounts of tax required to be paid to counties under this chapter must be paid to the department in the form of remittances payable to the department.

2. The department shall deposit the payments in the state treasury to the credit of the sales and use tax account in the state general fund.

3. The state controller, acting upon the collection data furnished by the department, shall, each month, from the sales and use tax account in the state general fund:

(a) Transfer one-half of 1 percent of all fees, taxes, interest and penalties collected in each county during the preceding month to the appropriate account in the state general fund as compensation to the state for the costs of collecting the tax for the counties.

(b) Determine the amount of money equal to the taxes and any fees, interest and penalties which relate to the operation of each project for the generation, transmission or distribution of electricity, or to any other electrical facilities, whose construction is commenced on or after January 1, 1982. For the purposes of this paragraph, "commencement of construction" has the meaning ascribed to it in NRS 704.840. This amount must be apportioned:

(1) Ten percent to the county in which the project is located; and

(2) The remainder among all counties of the state in proportion to their respective populations.

The legislature finds and declares that the consumption of electricity is roughly proportionate to population and that this apportionment fairly distributes revenues arising from this consumption, and takes fair account of the effect of the generation of power on the natural resources of the state as a whole.

(c) Determine for each county the amount of money equal to the fees, taxes, interest and penalties collected in the county pursuant to this chapter during the preceding month less the amount transferred pursuant to paragraph (a) of this subsection and the sum of any amounts determined pursuant to paragraph (b).

(d) Transfer the total amount of taxes collected pursuant to this chapter during the preceding month from out-of-state businesses not maintaining a fixed place of business within this state to the state distributive school *account in the state general* fund.

(e) Transfer the amount owed to each county to the intergovernmental trust fund and remit the money to the credit of the county school district fund.

4. For the purpose of the distribution required by this section, the occasional sale of a vehicle shall be deemed to take place in the county to which the privilege tax payable by the buyer upon that vehicle is distributed.

Sec. 9. NRS 385.190 is hereby amended to read as follows:

385.190 1. The superintendent of public instruction or a staff member designated by him shall:

(a) Convene teachers' conferences in the various sections of the state in such places and at such times as he deems advisable.

(b) Engage such conference lecturers and leaders as he deems advisable.

(c) Preside over and regulate the programs of all teachers' conferences.

2. No teachers' conference may continue more than 5 days.

3. The superintendent of public instruction or his designated staff member shall convene, in such places and at such times as he may designate, conferences of school administrators.

4. The expenses of holding teachers' and administrators' conferences [shall] *must* be paid from the state distributive school *account in the state general* fund, but the amount [shall] *must* not exceed $8,400 in any one biennium. The state controller shall draw his warrants for such expenses upon the order of the superintendent of public instruction.

Sec. 10. NRS 387.030 is hereby amended to read as follows:

387.030 All money derived from interest on the state permanent school fund, together with all money derived from other sources provided by law, [shall:] *must:*

1. Be placed in the state distributive school [fund] *account* which is hereby created [as an agency fund;] *in the state general fund;* and

2. Be apportioned among the several school districts of the state at the times and in the manner provided by law.

Sec. 11. NRS 387.122 is hereby amended to read as follows:

387.122 For making the apportionments of the state distributive school *account in the state general* fund required by the provisions of this Title, the basic support guarantee per pupil for each school district and the basic support guarantee for each special education program unit maintained and operated during at least 9 months of a school year are established by law for each school year.

Sec. 12. NRS 387.124 is hereby amended to read as follows:

387.124 1. On or before August 1, November 1, February 1 and May 1 of each year, the state controller shall render to the superintendent of public instruction a statement of the money in the state treasury subject to distribution to the several school districts of the state as provided in this section.

2. Except as otherwise provided in subsection 3, immediately after the state controller has made his quarterly report, the superintendent shall apportion the state distributive school *account in the state general* fund among the several county school districts in amounts approximating one-fourth of their respective yearly apportionments less any amount set aside as a reserve. Apportionment computed on a yearly basis equals the difference between the basic support and the local funds available or 10 percent of basic support, whichever is greater.

3. If the state controller finds that such *an* action is needed to maintain the balance in the state general fund at a level sufficient to pay the other appropriations from it, he may pay out the apportionments monthly, each approximately one-twelfth of the yearly apportionment less any amount set aside as a reserve.

Sec. 13. NRS 387.1243 is hereby amended to read as follows:

387.1243 1. The first apportionment based on an estimated number of pupils and special education program units and succeeding apportionments are subject to adjustment from time to time as the need therefor may appear.

2. A final apportionment [shall] *must* be computed as soon as practicable following the close of the school year, but not later than August 1. The final

computation [shall] *must* be based upon the actual counts of pupils required to be made for the computation of basic support and the limits upon the support of special education programs, except that for any year when the total enrollment of pupils and children described in paragraphs (a), (b), (c) and (d) of subsection 1 of NRS 387.123 is greater on the last day of any school month after the second school month and [such] *the* increase in enrollment shows at least:

(a) A 3 percent gain, basic support as computed from first month enrollment [shall] *must* be increased by 2 percent.

(b) A 6 percent gain, basic support as computed from first month enrollment [shall] *must* be increased by an additional 2 percent.

3. If the final computation of apportionment for any school district exceeds the actual amount paid to [such] *the* school district during the school year, the additional amount due [shall] *must* be paid before September 1. If the final computation of apportionment for any school district is less than the actual amount paid to [such] *the* school district during the school year, the amount of overpayment [shall] *must* be deducted from the next apportionment payable to [such] *the* school district. If the amount of overpayment is greater than the next apportionment payable, the difference [shall] *must* be repaid to the state distributive school *account in the state general* fund by the school district before September 1.

Sec. 14. NRS 387.1245 is hereby amended to read as follows:

387.1245 1. The board of trustees of any school district in this state whose estimated receipts from all sources provided by this chapter and chapter 374 of NRS are less than the total estimated receipts from these sources in the final approved budget for the fiscal year, and which cannot therefore provide a minimum program of education and meet its contract obligations, may apply for emergency financial assistance from the state distributive school *account in the state general* fund.

2. The application must be made to the state board of education in the form prescribed by the superintendent of public instruction, and in accordance with guidelines for evaluating needs for emergency financial assistance as established by the state board of education.

3. Before acting on any such application, the state board of education and state board of examiners, jointly, shall determine the difference between the total amount of money appropriated and authorized for expenditure during the current biennium from the state distributive school *account in the state general* fund and the total amount of money estimated to be payable from that fund during the biennium, and shall make no distribution in excess of that difference.

4. The state board of education shall review each application and shall by resolution find the least amount of additional money, if any, which it deems necessary to enable the board of trustees of the applying school district to provide a minimum educational program and meet its irreducible contract obligations. In making this determination, the state board of education shall consider also the amount available in the *state* distributive school *account in the state general* fund and the anticipated amount of future applications, so

that no deserving school district will be wholly denied relief. Any money allocated by the state board of education under this section may not exceed, when added to all other estimated resources, the total estimated receipts in the final approved budget of the applying school district for the fiscal year.

5. If the state board of education finds that emergency assistance should be granted to an applying school district, it shall transmit its resolution finding [such] *the* amount to the state board of examiners, along with a report of its then current estimate of the total requirements to be paid from the state distributive school *account in the state general* fund during the then current fiscal year.

6. The state board of examiners shall independently review each resolution so transmitted by the state board of education, may require the submission of such additional justification as it deems necessary, and shall find by resolution the amount of emergency assistance, if any, to be granted. The board may defer, and subsequently grant or deny, any part of a request. Any emergency assistance granted by the state board of examiners may not exceed, when added to all other estimated resources, the total estimated receipts in the final approved budget of the applying school district for the fiscal year.

7. The state board of examiners shall transmit one copy of its finding to the state board of education and one copy to the state controller. A claim pursuant to a grant of emergency assistance must be paid from the state distributive school *account in the state general* fund as other claims against the state are paid.

8. Money received by a school district pursuant to a grant of relief may be expended only in accordance with the approved budget of that school district for the fiscal year for which the grant is made. No formal action to incorporate the money so received in the approved budget is required, but the receipts must be reported as other receipts are reported and explained in a footnote as short-term financing is explained.

9. The state board of education shall transmit to the legislature a report of each grant of emergency assistance paid pursuant to this section.".

Amend the bill as a whole by renumbering sections 4 through 6 as sections 18 through 20 and adding a new section designated sec. 17, following sec. 3, to read as follows:

"Sec. 17. NRS 463.385 is hereby amended to read as follows:

463.385 1. In addition to any other license fees and taxes imposed by this chapter, there is hereby imposed upon each slot machine operated in this state an annual tax of $250. If a slot machine is replaced by another, the replacement is not considered a different slot machine for the purpose of imposing this tax.

2. The commission shall:

(a) Collect the tax annually on or before June 20, as a condition precedent to the issuance of a state gaming license to operate any slot machine for the ensuing fiscal year beginning July 1, from a licensee whose operation is continuing.

(b) Collect the tax in advance from a licensee who begins operation or puts additional slot machines into play during the fiscal year, prorated monthly after July 31.

(c) Include the proceeds of the tax in its reports of state gaming taxes collected.

3. The commission shall pay over the tax as collected to the state treasurer to be deposited to the credit of the state distributive school *account in the state general* fund, the capital construction fund for higher education and the special capital construction fund for higher education, hereby created in the state treasury, in the amounts and to be expended only for the purposes specified in this section.

4. During each fiscal year the state treasurer shall deposit the tax paid over to him by the commission as follows:

(a) The first $5,000,000 of the tax in the capital construction fund for higher education;

(b) Twenty percent of the tax in the special capital construction fund for higher education; and

(c) The remainder of the tax in the state distributive school *account in the state general* fund.

5. There is hereby appropriated from the balance in the special capital construction fund for higher education on July 31 of each year the amount necessary to pay the principal and interest due in that fiscal year on the bonds issued pursuant to section 5 of chapter 679, Statutes of Nevada 1979, as amended by chapter 585, Statutes of Nevada 1981, at page 1251. If in any year the balance in that fund is not sufficient for this purpose, the remainder necessary is hereby appropriated on July 31 from the capital construction fund for higher education. The balance remaining unappropriated in the capital construction fund for higher education on August 1 of each year and all amounts received thereafter during the fiscal year must be transferred to the state general fund for the support of higher education. If those bonds are refunded and if the amount required to pay the principal of and interest on the refunding bonds in any fiscal year during the term of the bonds is less than the amount that would have been required in the same fiscal year to pay the principal of and the interest on the refunded bonds if they had not been refunded, there is appropriated to the University of Nevada an amount sufficient to pay the principal of and interest on the refunded bonds, as if they had not been refunded. The amount required to pay the principal of and interest on the refunding bonds must be used for that purpose from the amount appropriated, and the amount equal to the saving realized in that fiscal year from the refunding must be used by the University of Nevada to defray wholly or in part the expenses of operation and maintenance of the facilities acquired in part with the proceeds of the refunded bonds.

6. After the requirements of subsection 5 for each fiscal year, when specific projects are authorized by the legislature, money in the capital construction fund for higher education and the special capital construction fund for higher education must be transferred by the state controller and the state treasurer to the state public works board for the construction of capital

improvement projects for the University of Nevada System, including but not limited to capital improvement projects for the community colleges of the University of Nevada System. As used in this subsection, "construction" includes but is not limited to planning, design, acquiring and developing a site, construction, reconstruction, furnishing, equipping, replacing, repairing, rehabilitating, expanding and remodeling. Any money remaining in either fund at the end of a fiscal year does not revert to the general fund in the state treasury but remains in those funds for authorized expenditure.

7. The money deposited in the state distributive school *account in the state general* fund under this section must be apportioned as provided in NRS 387.030 among the several school districts of the state at the times and in the manner provided by law.

8. The board of regents of the University of Nevada may use any money in the capital construction fund for higher education and the special capital construction fund for higher education for the payment of interest and amortization of principal on bonds and other securities, whether issued before, on or after July 1, 1979, to defray in whole or in part the costs of any capital project authorized by the legislature.".

Amend the bill as a whole by adding a new section designated section 21, following sec. 6, to read as follows:

"Sec. 21. The legislative counsel, in preparing the supplement to the Nevada Revised Statutes, with respect to any section which is not amended by this act or is enacted or further amended by another act, shall appropriately correct, in a manner consistent with this act, any reference to the state distributive school fund.".

Amend the title of the bill, first line, after "administration;" by inserting: "replacing the state distributive school fund with the state distributive school account in the state general fund;".

Assemblyman Thompson moved the adoption of the amendment.

Remarks by Assemblyman Thompson.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 124.

Bill read second time.

The following amendment was proposed by the Committee on Transportation:

Amendment No. 289.

Amend sec. 2, page 2, line 23, by deleting "*9,999*" and inserting "*10,000*".

Amend sec. 2, page 2, line 26, by deleting "*10,000*" and inserting "*10,001*".

Assemblyman Nevin moved the adoption of the amendment.

Remarks by Assemblyman Nevin.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 129.

Bill read second time and ordered to third reading.

Senate Bill No. 131.

Bill read second time and ordered to third reading.

Senate Joint Resolution No. 6 of the 63rd Session.

Resolution read second time and ordered to third reading.

Assembly Bill No. 196.

Bill read second time.

The following amendment was proposed by the Committee on Natural Resources, Agriculture and Mining:

Amendment No. 288.

Amend the bill as a whole by deleting sections 5 and 6 and renumbering sec. 7 as sec. 5.

Amend the bill as a whole by deleting sec. 8.

Amend the title of the bill by deleting the third through fifth lines and inserting: "content of operator's blood; and providing other matters".

Assemblyman Schofield moved the adoption of the amendment.

Remarks by Assemblyman Schofield.

Amendment adopted.

Bill ordered reprinted, engrossed and to the Concurrent Committee on Judiciary.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Natural Resources, Agriculture and Mining, to which was referred Senate 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 W. SCHOFIELD, *Chairman*

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Callister, Schofield, Adler, Thompson, Sader, Kissam, Lambert, Craddock, Haller, Humke, Wendell Williams, Nicholas, McGaughey, Thomas, Garner, Spriggs, Evans, Swain, DuBois, Arberry, Sedway, Tebbs, Brookman, Marvel, Myrna Williams, Spinello, Wisdom, Kerns, Porter, Nevin, Jeffrey, Getto, Gaston and Freeman:

Assembly Bill No. 514—An Act relating to mobile homes; increasing the bond required of dealers; and providing other matters properly relating thereto.

Assemblyman Callister moved that the bill be referred to the Committee on Commerce.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 50.

Bill read third time.

Remarks by Assemblyman Arberry.

Roll call on Assembly Bill No. 50:

YEAS—41.
NAYS—None.
Absent—Bergevin.

Assembly Bill No. 50 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 63.

Bill read third time.

Remarks by Assemblyman Getto.

Roll call on Assembly Bill No. 63:

YEAS—41.
NAYS—None.
Absent—Bergevin.

Assembly Bill No. 63 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 247.

Bill read third time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 306.

Amend section 1, page 1, line 3, by deleting "new teachers." and inserting: "the initial certification of prospective teachers, administrators and other certificated personnel.".

Amend the title of the bill, second line, by deleting "new teachers;" and inserting: "prospective certificated personnel;".

Assemblyman Spinello moved the adoption of the amendment.

Remarks by Assemblyman Spinello.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 275.

Bill read third time.

Remarks by Assemblymen Schofield, Triggs and Sedway.

Roll call on Assembly Bill No. 275:

YEAS—41.
NAYS—None.
Absent—Bergevin.

Assembly Bill No. 275 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 Assemblymen Thompson, Gaston and Spriggs.

Roll call on Assembly Bill No. 325:

YEAS—33.

NAYS—Freeman, Gaston, Haller, Price, Spinello, Swain, Wisdom, Mr. Speaker—8.

Absent—Bergevin.

Assembly Bill No. 325 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 363.

Bill read third time.

Remarks by Assemblyman Adler.

Roll call on Assembly Bill No. 363:

YEAS—41.

NAYS—None.

Absent—Bergevin.

Assembly Bill No. 363 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Joint Resolution No. 29.

Resolution read third time.

Remarks by Assemblyman Swain.

Roll call on Assembly Joint Resolution No. 29:

YEAS—41.

NAYS—None.

Absent—Bergevin.

Assembly Joint Resolution No. 29 having received a constitutional majority, Mr. Speaker declared it passed.

Resolution ordered transmitted to the Senate.

Senate Bill No. 54.

Bill read third time.

Remarks by Assemblyman Humke.

Roll call on Senate Bill No. 54:

YEAS—41.

NAYS—None.

Absent—Bergevin.

Senate Bill No. 54 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 147.

Bill read third time.

Remarks by Assemblyman Evans.

Roll call on Senate Bill No. 147:

YEAS—41.

NAYS—None.

Absent—Bergevin.

Senate Bill No. 147 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 210.

Bill read third time.

Remarks by Assemblyman Price.

Roll call on Senate Bill No. 210:

YEAS—41.

NAYS—None.

Absent—Bergevin.

Senate Bill No. 210 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Joint Resolution No. 8.

Resolution read third time.

Remarks by Assemblyman Schofield.

Roll call on Senate Joint Resolution No. 8:

YEAS—41.

NAYS—None.

Absent—Bergevin.

Senate Joint Resolution No. 8 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Resolution ordered transmitted to the Senate.

Assembly Bill No. 158.

Bill read third time.

Remarks by Assemblymen McGaughey and Gaston.

Roll call on Assembly Bill No. 158:

YEAS—41.

NAYS—None.

Absent—Bergevin.

Assembly Bill No. 158 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 264.

Bill read third time.

The following amendment was proposed by Assemblyman Wendell Williams:

Amendment No. 292.

Amend sec. 2, page 2, line 24, by deleting the period and inserting: "*, except on private property with the expressed permission of the property owner.*".

Assemblyman Swain moved the adoption of the amendment.

Remarks by Assemblymen Swain, Adler, Sader, Price and Jeffrey.

Assemblyman Jeffrey moved that Assembly Bill No. 264 be taken from the General File and placed on the Chief Clerk's desk.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Getto, Dini, Marvel, Spriggs and Carpenter:

Assembly Bill No. 515—An Act making an appropriation to the Nevada High School Rodeo Association for the Nevada International Invitational Rodeo; and providing other matters properly relating thereto.

Assemblyman Getto moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By Assemblyman DuBois:

Assembly Bill No. 516—An Act relating to controlled substances; extending the penalty for murder to a person who sells a controlled substance that causes the death of a person who receives the controlled substance from the purchaser; and providing other matters properly relating thereto.

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

Motion carried.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bills Nos. 6, 55, 153, 154, 157; Assembly Joint Resolution No. 14.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Wisdom, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. James Fifield, Dan Olma, Mss. Dottie Wanderer, Beth Dias, Jane Schorr, Homa Soroosh and the fourth grade class of Las Vegas Meadows School: Kelly Allen, Tiffany Baxter, Benny Behnen, Jennifer Dias, Massoumeh Emami, Jonathan Fine, Gabriel Gentile, Neelu Jain, Keith Gilbertson, Cori Krauss, Richard McKnight, Jayme Phillips, Brian Plaster, Luke Recine, Seth Schorr, Mina Soroosh, Megan Thomas, Michelle Whitaker, Cindy Allen, Kamali Downey, Cara Halpin, Neeta Jain, Jaime Martin, Melanie Olma, Liz Trent and Mara Wanderer.

On request of Assemblyman Callister, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Jemal Smith.

On request of Assemblyman Price, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Keisuke Kawahara.

On request of Assemblyman Getto, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Barlow White and Ted Honeywell.

Assemblyman Nevin moved that the Assembly adjourn until Thursday, April 2, 1987 at 11 a.m.

Motion carried.

Assembly adjourned at 12:12 p.m.

Approved: JOSEPH E. DINI, JR.
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE SEVENTY-FOURTH DAY

CARSON CITY (Thursday), April 2, 1987

Assembly called to order at 11:02 a.m.

Mr. Speaker presiding.

Roll called.

All present except Assemblyman Freeman, who was excused.

Prayer by the Chaplain, Father Dave Casaleggio.

God, our Father, You reveal that those who work for peace will be called Your people. Help us to work without ceasing for that justice which brings true and lasting peace. We ask this with faith and confidence in You, our Father, who promises to listen to Your people. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Jeffrey moved that further reading of the Journal be dispensed with, and the Speaker and Chief Clerk be authorized to make the necessary corrections and additions.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Commerce, to which was referred Senate Bill No. 176, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN E. JEFFREY, *Chairman*

Mr. Speaker:

Your Committee on Transportation, 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: Do pass.

LEONARD V. NEVIN, *Chairman*

Mr. Speaker:

Your Committee on Transportation, to which were referred Assembly Bills Nos. 145, 147, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

LEONARD V. NEVIN, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, 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: Amend, and do pass as amended.

DANNY L. THOMPSON, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, April 1, 1987

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bill No. 229.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Joint Resolution No. 14.

Also, 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

Assemblyman Jeffrey moved that Assembly Bill No. 119 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Jeffrey.

Motion carried.

Assemblyman Thompson moved that Senate Bill No. 141 be taken from the Chief Clerk's desk and re-referred to the Committee on Government Affairs.

Remarks by Assemblyman Thompson.

Motion carried.

Assemblyman Wendell Williams moved that Assembly Bill No. 264 be taken from the Chief Clerk's desk and placed on the General File.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 72.

Bill read third time.

Remarks by Assemblymen Marvel and Adler.

Assemblyman Spriggs requested that the following remarks be entered in the Journal.

ASSEMBLYMAN MARVEL:

Thank you, Mr. Speaker. Assembly Bill No. 72 revises the method of calculating the maximum allowable revenue from taxes ad valorem for local governments. Assembly Bill No. 72, as amended, completely removes net proceeds from the ad valorem limitations on local governments. This will allow certain governments to use the volatile net proceeds revenue to rebuild the infrastructure, rather than to finance on-going operations. This may greatly enhance economic development efforts of many of our areas and furthermore, these governments will no longer be penalized because of unforeseen net proceeds revenue received in the prior year. This bill will cause some minor redistribution of the SCCRT revenues within each county—generally from the county to other local governments of that county. But for those cities, towns and special districts capped at the four and a half percent ad valorem limit, this will mean extra resources for each year. Also, any entity which may lose revenue because of the SCCRT redistribution, it is protected by a provision that allows an increase in the ad valorem rate or a special distribution from the SCCRT reserve fund. Assembly Bill No. 72 has been endorsed by NACO, by the League of Cities, by our Department of Taxation, and by your Committee on Taxation.

ASSEMBLYMAN ADLER:

I would just like to say I sat on Taxation and I think this is an extremely fair bill. The way we had the law before actually penalized many of the rural counties for actually having a mine because of the unpredictability of predicting what a net proceed would be in any given year.

Roll call on Assembly Bill No. 72:

YEAS—41.

NAYS—None.

Absent—Freeman.

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. 284.

Bill read third time.

Remarks by Assemblyman Callister.

Roll call on Assembly Bill No. 284:

YEAS—41.

NAYS—None.

Absent—Freeman.

Assembly Bill No. 284 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 299.

Bill read third time.

Remarks by Assemblymen Haller, Porter, Sader and Nicholas.

Roll call on Assembly Bill No. 299:

YEAS—30.

NAYS—Arberry, Banner, Carpenter, Nevin, Porter, Schofield, Sedway, Spinello, Myrna Williams, Wendell Williams, Wisdom—11.

Absent—Freeman.

Assembly Bill No. 299 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 106.

Bill read third time.

Remarks by Assemblyman Porter.

Roll call on Senate Bill No. 106:

YEAS—41.

NAYS—None.

Absent—Freeman.

Senate Bill No. 106 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 129.

Bill read third time.

Remarks by Assemblyman Fay.

Roll call on Senate Bill No. 129:

YEAS—41.

NAYS—None.

Absent—Freeman.

Senate Bill No. 129 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 131.

Bill read third time.
Remarks by Assemblyman DuBois.
Roll call on Senate Bill No. 131:
YEAS—41.
NAYS—None.
Absent—Freeman.

Senate Bill No. 131 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Joint Resolution No. 6 of the 63rd Session.
Resolution read third time.
Remarks by Assemblyman Bergevin.
Roll call on Senate Joint Resolution No. 6 of the 63rd Session:
YEAS—41.
NAYS—None.
Absent—Freeman.

Senate Joint Resolution No. 6 of the 63rd Session having received a constitutional majority, Mr. Speaker declared it passed.
Resolution ordered transmitted to the Senate.

Assembly Bill No. 264.
Bill read third time.
The following amendment was proposed by Assemblyman Wendell Williams:
Amendment No. 309.
Amend sec. 2, page 2, by deleting line 24.
Assemblyman Wendell Williams moved the adoption of the amendment.
Remarks by Assemblyman Wendell Williams.
Amendment adopted.
Bill ordered reprinted, re-engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Senate Joint Resolution No. 14.
Assemblyman Jeffrey moved that the resolution be referred to the Committee on Taxation.
Motion carried.

Senate Concurrent Resolution No. 15.
Assemblyman Jeffrey moved the adoption of the resolution.
Remarks by Assemblyman May.
Resolution adopted unanimously.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Humke, Sedway, Arberry, Spinello, Marvel and Tebbs:
Assembly Bill No. 517—An Act relating to the state public works board; allowing the board to delegate its authority to the department of the military concerning property of the department; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Spinello, Myrna Williams, Callister, Porter, Sedway, Evans, Sader, Jeffrey, Thompson, Adler, Brookman, Gaston, Freeman, Carpenter, Arberry, Tebbs, Marvel and Humke:

Assembly Bill No. 518—An Act relating to employment practices; prohibiting discrimination in employment against a person who is more than 69 years of age; and providing other matters properly relating thereto.

Assemblyman Spinello moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 323.

Bill read second time, ordered engrossed and to third reading.

Senate Bill No. 211.

Bill read second time.

The following amendment was proposed by the Committee on Natural Resources, Agriculture and Mining:

Amendment No. 300.

Amend the bill as a whole by renumbering section 1 as sec. 3 and adding new sections designated sections 1 and 2, following the enacting clause, to read as follows:

"Section 1. Chapter 584 of NRS is hereby amended by adding thereto a new section to read as follows:

"Fresh dairy products" includes, but is not limited to, buttermilk, skim milk, chocolate drink, ice cream, ice milk mix, sherbet, sour cream, sour cream dressing and cottage cheese, without regard to the class of fluid milk or fluid cream which is used to make those products.

Sec. 2. NRS 584.325 is hereby amended to read as follows:

584.325 [Unless] *As used in NRS 584.330 to 584.690, inclusive, unless* the context otherwise requires, the [definitions] *words and terms defined* in NRS 584.330 to 584.385, inclusive, [govern the construction of NRS 584.325 to 584.690, inclusive.] *and section 1 of this act, have the meanings ascribed to them in those sections.*".

Amend section 1, page 1, line 4, by deleting "*other*" and inserting "*fresh*".

Amend the bill as a whole by renumbering sec. 2 as sec. 5 and adding a new section designated sec. 4, following section 1, to read as follows:

"Sec. 4. NRS 584.445 is hereby amended to read as follows:

584.445 1. Each member of the commission is entitled to receive a salary of not more than [$60] *$75* per day, as fixed by the commission, while engaged in the business of the commission.

2. The commission may expend in accordance with law all money made available for its use.".

Amend the bill as a whole by renumbering sections 3 through 7 as sections 7 through 11 and adding a new section designated sec. 6, following sec. 2, to read as follows:

"Sec. 6. NRS 584.582 is hereby amended to read as follows:

584.582 It is unlawful for any distributor or retailer to manipulate the prices of fluid milk, fluid cream, butter or *any* fresh dairy [by-products] *product* for the purpose of injuring, harassing or destroying competition.".

Amend sec. 3, page 2, by deleting line 2 and inserting: "butter or *any* fresh dairy [by-products] *product* below cost.".

Amend sec. 3, page 2, lines 8 and 9, by deleting: "[fresh dairy by-products,] *any other dairy*" and inserting: "*any* fresh dairy [by-products,]".

Amend sec. 3, page 3, line 11, by deleting: "[fresh dairy by-products] *any other dairy*" and inserting: "*any* fresh dairy [by-products]".

Amend sec. 3, page 3, line 21, by deleting: "[fresh dairy by-products] *any other dairy*" and inserting: "*any* fresh dairy [by-products]".

Amend sec. 4, page 3, by deleting lines 32 and 33 and inserting: "*fluid milk, fluid cream,* butter, fresh dairy [by-products] *products* or *products made from* fluid milk , [products] and a distributor who meets in good".

Amend sec. 5, page 4, line 10, by deleting: "[of fresh dairy by-products]" and inserting: "of fresh dairy [by-products] *products*".

Amend sec. 6, page 4, lines 27 and 28, by deleting: "[fresh dairy by-product] *other dairy*" and inserting: "fresh dairy [by-product]".

Amend sec. 7, page 4, line 37, by deleting "*other*" and inserting "*fresh*".

Amend sec. 7, page 4, line 40, by deleting "*other*" and inserting "*fresh*".

Amend sec. 7, page 5, line 4, by deleting "*any other*" and inserting "*fresh*".

Amend sec. 7, page 5, line 8, by deleting "*other*" and inserting "*fresh*".

Amend the title of the bill, first line, after "products;" by inserting: "increasing the salary of members of the state dairy commission;".

Assemblyman Sader moved the adoption of the amendment.

Remarks by Assemblymen Sader, Swain, Schofield and Adler.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2.

The following Senate amendment was read:

Amendment No. 253.

Amend the preamble of the bill, page 1, line 2, by deleting "notoriety" and inserting: "attention and publicity".

Amend section 1, page 1, line 16, by deleting "and".

Amend section 1, page 2, line 1, by deleting the period and inserting: "; and

3. Accept any contributions which may be made by local governments and business organizations located along that portion of highway to help pay for the costs of installing and maintaining the markers in their areas.''.

Assemblyman Getto moved that the Assembly concur in the Senate amendment to Assembly Bill No. 2.

Remarks by Assemblyman Getto.

Motion carried.

Bill ordered enrolled.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Callister, Myrna Williams, Porter, Spinello, Wisdom, Tebbs, Bergevin, Marvel, Garner, Evans, Arberry, Swain, Schofield, Getto, Gaston, Brookman, Kerns, Price, Nevin, Jeffrey, Sedway, Sader, Thompson, DuBois, Adler, Thomas, Kissam, McGaughey, Craddock, Haller, Wendell Williams, Triggs, Humke, Nicholas and Dini:

Assembly Bill No. 519—An Act relating to actions against insurers; allowing a claimant to recover punitive damages from an insurer who fails to attempt in good faith to settle a claim; and providing other matters properly relating thereto.

Assemblyman Callister moved that the bill be referred to the Committee on Commerce.

Motion carried.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Senate Bill No. 172; Senate Joint Resolutions Nos. 9, 10; Assembly Concurrent Resolution No. 14.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Adler, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Wesley Powless, Mrs. Betty Powless; Mesdames Charlene Menzies, Jeanne Abercrombie, Jenny Kilpatrick and the students of Mildred Bray School: Gerardo Benitez, Quiko Garcia, Ryan Indiano, Ben Kallas, Casey Kruse, Zelma Miller, Steven Nina, Devin Quirk, Sherry Redican, Seamus Redmond, Derek Weisenthal, Jay Williams, Christy Wood, Jason Simms, Chris Rivera, Clancy Christopher, Alicia Spencer, Areceli Arellano, Irma Sepulveda, Wayne Petersen, Nick Olds, Dominique DeLucchi and Jenny Studley.

On request of Assemblymen Arberry and Wendell Williams, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Herb Brown.

On request of Assemblyman Carpenter, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Roy Ladd.

On request of Assemblyman Evans, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Marian Conrad, Miss

Faunael Jones and the students of Robert Mitchell School: Tuan Cao, Richard Cleveland, Sara Crittenden, Mary Dalston, Yaesa Hanson, Sabrina Hodgdon, Jennifer Hussey, Nathan Johnson, Dena Lepp, William Lynch, Juan Martinez, Angel McGinnis, John McGrogan, Stephenie McMullin, James Menzel, Erin Merritt, Laura Pribison, Blas Antonio Rodriguez, Ann Salzman, Christopher Shilts, Melissa Short, Jesse Smith, Nicole Stone, Taryn Tygrett, Charles Uihlein, Nathan Wetherbee, Suzanne Willden, Julia Worack, Anisa Zimmerman, Roger Ancell, Mary Beavor, Huong Cao, Melissa Carrabis, Danielle Condon, Dylan Eschrich, Candy Ezell, Wayne Forrester, Amber Freese, Christi Hayden, Eric Hemenway, Tom Henderson, William Henry, Michelle Johnson, Trista Johnson, Misty Knoblock, Laronda McGrogan, Jenny Nadeau, Leah Nixon, Tamara Notterman, Nicole Paris, Lourdes Reyes, Kylie Smith, Thomas Smith, Dawn Turner, Garrett Vogler, Jennifer Waters, Andrew White, David Wood and Keri Yocom.

On request of Assemblyman Fay, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Fred Bradley.

On request of Assemblyman Humke, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Bob Marshall.

On request of Assemblyman Jeffrey, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Tom Burns.

On request of Assemblyman Marvel, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Lewis Chatelle and Mrs. Darden Chatelle.

On request of Assemblyman May, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Ken Ellingson.

On request of Assemblyman Price, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Bob King.

On request of Assemblyman Spriggs, the privilege of the floor of the Assembly Chamber for this day was extended to Sgt. Wade Lieseke, Jr.

On request of Assemblyman Thompson, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Nancy Adamson, Messrs. Richard Perkins and Gary Cameron.

Assemblyman Jeffrey moved that the Assembly adjourn until Friday, April 3, 1987 at 11 a.m.

Motion carried.

Assembly adjourned at 11:50 a.m.

Approved: JOSEPH E. DINI, JR.
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE SEVENTY-FIFTH DAY

CARSON CITY (Friday), April 3, 1987

Assembly called to order at 11:03 a.m.

Mr. Speaker presiding.

Roll called.

All present except Assemblyman Freeman, who was excused.

Prayer by the Chaplain, Father Dave Casaleggio.

God, our Father, You guide everything in wisdom and love. Accept the prayers we offer for our state; by the wisdom of our leaders and integrity of our citizens, may harmony and justice be secured and may there be lasting prosperity and peace. We ask this with faith and confidence in You, Father, who promise to listen to Your people. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Jeffrey moved that further reading of the Journal be dispensed with, and the Speaker and Chief Clerk be authorized to make the necessary corrections and additions.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Labor and Management, to which was referred Assembly Bill No. 89, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JAMES J. BANNER, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which were referred Assembly Bill No. 206; Senate Bill No. 98, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ROBERT M. SADER, *Chairman*

Mr. Speaker:

Your Committee on Legislative Functions, to which was referred Assembly Concurrent Resolution No. 18, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and be adopted as amended.

MYRNA WILLIAMS, *Chairman*

Mr. Speaker:

Your Committee on Education, to which were referred Assembly Bills Nos. 188, 371; Senate Bills Nos. 68, 113, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

ROBERT G. CRADDOCK, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which were referred Assembly Bills Nos. 443, 444, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

DANNY L. THOMPSON, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, April 2, 1987

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 233, 328.

Also, I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bill No. 126, and respectfully requests your honorable body to concur in said amendment.

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. 10, and respectfully requests your honorable body to concur in said amendment.

Also, I have the honor to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 12.

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. 123.

MARY JO MONGELLI
Assistant Secretary of the Senate

SENATE CHAMBER, Carson City, April 3, 1987

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. 28, and respectfully requests your honorable body to concur in said amendment.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bill No. 250.

MARY JO MONGELLI
Assistant Secretary of the Senate

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Swain, Garner, Evans, Arberry, Carpenter, Gaston, Myrna Williams, Marvel, Callister, Spinello, Wisdom, Brookman, Tebbs, Kerns, Porter, Price, Nevin, May, Jeffrey, Sedway, Thompson, Adler, Thomas, McGaughey, Kissam, Lambert, Craddock, Haller, Wendell Williams, Triggs, Humke, Schofield and Getto:

Assembly Bill No. 520—An Act relating to elections; revising the provisions governing the procedure for the cancellation of voters' registration; and providing other matters properly relating thereto.

Assemblyman Swain moved that the bill be referred to the Committee on Elections.

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 521—An Act relating to concealed weapons; expanding the list of weapons to include ballistic knives; providing a penalty; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 522—An Act relating to planning for the use of land; clarifying that the statutory provision which prohibits a zoning ordinance

from discriminating against certain homes for mentally retarded persons does not affect private restrictions on the use of land; and providing other matters properly relating thereto.

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

Motion carried.

Senate Bill No. 250.

Assemblyman Jeffrey moved that all rules be suspended, reading so far had considered first reading, rules further suspended, bill declared an emergency measure under the Constitution and placed on third reading and final passage.

Remarks by Assemblyman Jeffrey.

Motion carried unanimously.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Senate Bill No. 250 be taken from its position on the General File and placed at the top of the General File.

Motion carried.

Assemblyman Wendell Williams moved that Assembly Bill No. 264 be placed on the General File.

Remarks by Assemblyman Wendell Williams.

Motion carried.

Assemblyman Sader moved that Assembly Bill No. 148 be taken from the Chief Clerk's desk and placed on the General File.

Remarks by Assemblyman Sader.

Motion carried.

By Assemblymen Nevin and Dini:

Assembly Concurrent Resolution No. 30—Expressing support for the new maximum speed limit and directing the Governor to ensure the appropriate signs are changed accordingly.

Assemblyman Nevin moved the adoption of the resolution.

Remarks by Assemblyman Nevin.

Resolution adopted.

Assemblyman Nevin moved that all rules be suspended and that Assembly Concurrent Resolution No. 30 be immediately transmitted to the Senate.

Motion carried unanimously.

Assembly Concurrent Resolution No. 18.

Resolution read.

The following amendment was proposed by the Committee on Legislative Functions:

Amendment No. 315.

Amend the resolution, pages 1 and 2, by deleting lines 2 through 17 on page 1 and lines 1 through 21 on page 2 and inserting:

"WHEREAS, The continued development of the residential, commercial and industrial sectors of Nevada's economy is vitally important to the future of this state; and

WHEREAS, The cost of providing public facilities and public works as a part of each project is passed on to the consumer in the form of higher costs; and

WHEREAS, As a result of these higher prices, the ability to provide affordable housing in this state is in jeopardy; and

WHEREAS, Laws governing the methods used and methods which may be used to provide and finance these public facilities and public works need to be examined in order to ensure an equitable distribution of the costs of providing these public improvements; now, therefore, be it

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, THE SENATE CONCURRING, That the Legislative Commission is hereby directed to conduct a comprehensive study of the laws governing the methods used to finance public facilities and public works which accompany new residential, commercial and industrial development in this state; and be it further

RESOLVED, That the study include:

1. An examination of the effect on new development of providing services for utilities, streets, disposal of sewage, parks and other public services and facilities;
2. An identification of all the methods and sources of funding authorized by the laws of this state, and the use or lack of use by local governments of these methods and sources of financing;
3. An evaluation of the projected need for services necessary to maintain existing facilities and sustain continued future development; and
4. An identification and examination of any new methods which may be used to finance public facilities and public works for residential, commercial and industrial development; and be it further

RESOLVED, That the Governor is hereby directed to appoint nine persons as members of an advisory committee to assist the subcommittee appointed by the Legislative Commission to study the financing of public facilities and public works for residential, commercial and industrial development; and be it further

RESOLVED, That the advisory committee consists of:

1. Three members involved in residential housing development;
2. Two members involved in commercial or industrial development;
3. Two members involved in local government;
4. One member representing public utilities; and
5. One member involved in the economic development of the state;".

Amend the title of the resolution, second line, after "financing of" by inserting: "public facilities and public works which accompany residential,".

Assemblyman Myrna Williams moved the adoption of the amendment.

Remarks by Assemblyman Myrna Williams.

Amendment adopted.

Resolution ordered reprinted and engrossed.

SECOND READING AND AMENDMENT

Assembly Bill No. 145.

Bill read second time.

The following amendment was proposed by the Committee on Transportation:

Amendment No. 273.

Amend section 1, page 1, by deleting line 9 and inserting: "department and return the *completed* form [and evidence of the insurance] within 15 days".

Amend section 1, page 2, line 1, by deleting: "does not have a current" and inserting: "[does] *did* not have a [current]".

Amend section 1, page 2, line 2, by deleting the period and inserting: "[.] *on the date the vehicle was selected pursuant to subsection 1.*".

Amend section 1, page 2, by deleting line 3 and inserting: "5. The department".

Amend section 1, page 2, line 12, by deleting "*and*".

Amend section 1, page 2, by deleting lines 13 through 17 and inserting: "*(b) Submits a completed form regarding his insurance on the date the vehicle was selected pursuant to subsection 1; and*

(c) Presents evidence of current insurance,

the department shall rescind its suspension of the registration and mail the completed form to the named insurer. Upon receipt of the form from the department, the insurer shall verify the information on the form and return it to the department only if the insurer did not have a contract of insurance covering the vehicle on the date the vehicle was selected pursuant to subsection 1. If the form is returned by the insurer with a denial of such coverage, the department shall suspend the registration and require the return of the".

Amend the title of the bill, first line, by deleting: "providing an exception" and inserting: "making various changes".

Assemblyman Garner moved the adoption of the amendment.

Remarks by Assemblyman Garner.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 147.

Bill read second time.

The following amendment was proposed by the Committee on Transportation:

Amendment No. 272.

Amend section 1, page 1, line 2, by deleting "*1.*".

Amend section 1, page 1, line 3, by deleting "*(a) Forges*" and inserting: "*1. Forges, materially alters*".

Amend section 1, page 1, line 6, by deleting "*(b)*" and inserting "*2.*".

Amend section 1, page 1, line 7 after "forged" by inserting ", *altered*".

Amend section 1, page 1, line 9, by deleting "*(c)*" and inserting "*3.*".

Amend section 1, page 1, line 11, by deleting "gross" and inserting "[gross]".

Amend section 1, page 1, by deleting lines 12 through 15.

Amend the title of the bill by deleting the second line and inserting: "responsibility; reducing the penalty for forgery of".

Assemblyman Garner moved the adoption of the amendment.

Remarks by Assemblyman Garner.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 379.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 440.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 308.

Amend sec. 5, page 2, lines 15 and 16, by deleting "state agency" and inserting: "agency of this or any other state".

Assemblyman Thompson moved the adoption of the amendment.

Remarks by Assemblyman Thompson.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 176.

Bill read second time and ordered to third reading.

GENERAL FILE AND THIRD READING

Senate Bill No. 250.

Bill read third time.

Remarks by Assemblyman Sedway.

Roll call on Senate Bill No. 250:

YEAS—41.

NAYS—None.

Absent—Freeman.

Senate Bill No. 250 having received a constitutional majority, Mr. Speaker declared it passed.

Assemblyman Jeffrey moved that all rules be suspended and that Senate Bill No. 250 be immediately transmitted to the Senate.

Motion carried unanimously.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Taxation, 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: Amend, and re-refer to the Committee on Taxation.

PAUL W. MAY, JR., *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Bergevin moved that Assembly Bill No. 290 be placed on the Second Reading File.

Remarks by Assemblyman Bergevin.

Motion carried.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 28.

The following Senate amendment was read:

Amendment No. 283.

Amend section 1, page 1, by deleting lines 2 and 3 and inserting: "bonds of the State of Nevada to provide the money necessary for the construction of a maximum security prison at Ely, Nevada, capable of".

Amend section 1, page 1, by deleting lines 5 through 8 and inserting: "amount of not more than $35,900,000.".

Amend the bill as a whole by renumbering sec. 2 as sec. 3 and adding a new section designated sec. 2, following section 1, to read as follows:

"Sec. 2. It is the intention of this legislature that, after the prison in Ely, Nevada is authorized, the next prison to be authorized in this state, whether public or private, be located in Lovelock, Nevada, as recommended by the committee to select sites for new prisons created pursuant to section 1 of chapter 572, Statutes of Nevada 1985, and approved by the interim finance committee.".

Amend the title of the bill by deleting the second and third lines and inserting: "bonds to finance the construction of a new prison at Ely; declaring the intention of the legislature that the site for the next prison be Lovelock; and providing other matters properly".

Amend the summary of the bill by deleting the second line and inserting: "Ely. (BDR S-904)".

Assemblyman Sedway moved that the Assembly concur in the Senate amendment to Assembly Bill No. 28.

Remarks by Assemblyman Getto.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 126.

The following Senate amendment was read:

Amendment No. 286.

Amend section 1, page 2, line 27, by deleting "*necessary*" and inserting: "*which are required in cases of emergencies*".

Assemblyman Thompson moved that the Assembly do not concur in the Senate amendment to Assembly Bill No. 126.

Remarks by Assemblyman Thompson.

Motion carried.

Bill ordered transmitted to the Senate.

Assembly Joint Resolution No. 10.

The following Senate amendment was read:

Amendment No. 252.

Amend the resolution, pages 1 and 2, by deleting lines 2 through 14 on page 1 and lines 1 through 8 on page 2 and inserting: "United States Department of Transportation because there is no separate, central administration for motor carriers such as those which exist for the aviation, maritime and railroad industries; and

WHEREAS, Of all modes of transporting freight, the motor carrier industry is the largest, carrying the most freight, traveling the most miles, employing over 7,000,000 people, and affecting the daily lives of all Americans; and

WHEREAS, Each year, the motor carrier industry transports freight which is worth more than $200,000,000,000, representing a substantial percentage of the gross national product and three-quarters of the nation's total annual expenditures for the transportation of freight; and

WHEREAS, The motor carrier industry includes 5,000,000 medium and heavy-duty trucks which hauled 2,000,000,000 tons of freight in 1986 and traveled 138,000,000,000 miles; and

WHEREAS, The motor carrier industry plays a vital role in the nation's economy by providing service to every community and rural area in the nation, and contributes significantly to the health, safety and well-being of the citizens of this country; and

WHEREAS, The creation of a motor carrier administration within the United States Department of Transportation would improve the industry's record of safety by coordinating safety regulations and providing assistance in research and development; and

WHEREAS, The creation of a motor carrier administration would aid in the development of a coherent and comprehensive federal policy of transportation; and

WHEREAS, Without a motor carrier administration, members of Congress and administrative agencies do not have an adequate source of information on which to base sound legislative and regulatory decisions; and

WHEREAS, It is in the best interests of motor carriers and members of the public to establish a federal program coordinating motor carriers within the United States Department of Transportation by consolidating the various existing federal agencies which regulate the trucking industry into a motor carrier administration to provide increased efficiency at a low cost; and

WHEREAS, Legislation was introduced in the 99th Congress to establish a motor carrier administration within the United States Department of

Transportation and similar legislation is expected to be introduced in the 100th Congress; now, therefore, be it

RESOLVED BY THE ASSEMBLY AND SENATE OF THE STATE OF NEVADA, JOINTLY, That the Nevada Legislature urges the Secretary of the Department of Transportation to support the establishment of a motor carrier administration; and be it further

RESOLVED, That the Congress of the United States is urged to enact legislation establishing a motor carrier administration within the United States Department of Transportation; and be it further

RESOLVED, That copies of this resolution be prepared and transmitted by the Chief Clerk of the Assembly to the Vice President of the United States as the presiding officer of the Senate, the Speaker of the House of Representatives, the Secretary of the United States".

Amend the title of the resolution, first line, after "Urging" by inserting "Congress and".

Amend the summary of the resolution, first line, after "Urges" by inserting "Congress and".

Assemblyman Nevin moved that the Assembly concur in the Senate amendment to Assembly Joint Resolution No. 10.

Remarks by Assemblyman Nevin.

Motion carried.

Resolution ordered enrolled.

GENERAL FILE AND THIRD READING

Assembly Bill No. 137.

Bill read third time.

Remarks by Assemblyman Sedway.

Roll call on Assembly Bill No. 137:

YEAS—41.

NAYS—None.

Absent—Freeman.

Assembly Bill No. 137 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 247.

Bill read third time.

Remarks by Assemblymen Spinello, Gaston and Sedway.

Roll call on Assembly Bill No. 247:

YEAS—40.

NAYS—Haller.

Absent—Freeman.

Assembly Bill No. 247 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 294.

Bill read third time.

Remarks by Assemblyman Kerns.
Roll call on Assembly Bill No. 294:
YEAS—41.
NAYS—None.
Absent—Freeman.

Assembly Bill No. 294 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 Assemblymen Myrna Williams and Bergevin.
Roll call on Assembly Bill No. 323:
YEAS—40.
NAYS—Carpenter.
Absent—Freeman.

Assembly Bill No. 323 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 362.
Bill read third time.
Remarks by Assemblymen Thompson, Gaston and Bergevin.
Roll call on Assembly Bill No. 362:
YEAS—41.
NAYS—None.
Absent—Freeman.

Assembly Bill No. 362 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Senate Bill No. 124.
Bill read third time.
Remarks by Assemblyman Nevin.
Roll call on Senate Bill No. 124:
Yeas—41.
Nays—None.
Absent—Freeman.

Senate Bill No. 124 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 264.
Bill read third time.
Remarks by Assemblymen Wendell Williams and Adler.
Roll call on Assembly Bill No. 264:
YEAS—40.
NAYS—Price.
Absent—Freeman.

Assembly Bill No. 264 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.

The following amendment was proposed by Assemblyman Nevin:

Amendment No. 305.

Amend section 1, page 1, line 3, before "*A*" by inserting "*1.*".

Amend section 1, page 2, line 1, by deleting "*1.*" and inserting "*(a)*".

Amend section 1, page 2, line 4, by deleting "*2.*" and inserting "*(b)*".

Amend section 1, page 2, line 6, by deleting "*(a)*" and inserting "*(1)*".

Amend section 1, page 2, line 8, by deleting "*(b)*" and inserting "*(2)*".

Amend section 1, page 2, by inserting between lines 8 and 9:

"2. *Neither the peace officer nor the governmental entity which employs him is civilly liable for any damage to the vehicle that occurs after the vehicle is seized, but before the towing process begins.*".

Assemblyman Sader moved the adoption of the amendment.

Remarks by Assemblyman Sader.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

SECOND READING AND AMENDMENT

Assembly Bill No. 290.

Bill read second time.

The following amendment was proposed by the Committee on Taxation:

Amendment No. 328.

Amend sec. 5, page 2, line 18, by deleting: "*waives any right to*" and inserting "*may*".

Amend sec. 5, page 2, by deleting line 20 and inserting: "*based in the manner provided in section 4 of this act.*".

Amend sec. 8, page 3, by deleting lines 13 through 27 and inserting:

"(a) Land [devoted] *:*

(1) Devoted exclusively for at least 3 consecutive years immediately preceding the assessment date to:

[(1)] *(I)* Agricultural use; or

[(2)] *(II)* Activities which prepare the land for agricultural use [.] *; and*

(2) Composed of any lot or parcel which is:

(I) Larger than 7 acres; or

(II) Contiguous to other agricultural real property,

and leased by the owner to another person for agricultural use.".

Amend sec. 9, pages 3 and 4, by deleting lines 38 through 42 on page 3 and lines 1 through 19 on page 4 and inserting:

"Sec. 9. (Deleted by amendment.)".

Amend sec. 12, page 5, line 13, after "true." by inserting: "*The application must prominently contain the printed statement "This property may be subject to liens for undetermined amounts."* ".

Amend sec. 13, page 5, line 35, by deleting "*3 years*" and inserting "*2 years*".

Amend sec. 23, page 10, by deleting lines 40 and 41 and inserting:

"[3. Each year a statement of liens attached pursuant to this section must be".

Amend sec. 23, page 11, line 3, by deleting "[4.] *7.*" and inserting "4.] *6.*".

Amend sec. 23, page 11, line 5, by deleting "valorem," and inserting "valorem [,".

Amend sec. 23, page 11, line 9, by deleting "taxation." and inserting: "taxation.] *, any such liens for deferred taxes must be canceled.*".

Amend sec. 23, page 11, line 10, by deleting "*8.*" and inserting "*7.*".

Amend sec. 24, page 11, line 19, by deleting "*or*".

Amend sec. 24, page 11, line 22, by deleting the period and inserting: "*; or*

4. A change in zoning to a higher use made at the request of the owner.".

Assemblyman Bergevin moved the adoption of the amendment.

Remarks by Assemblyman Bergevin.

Amendment adopted.

Assemblyman Bergevin moved that Assembly Bill No. 290 be re-referred to the Committee on Taxation.

Motion carried.

Bill ordered reprinted, engrossed and to the Committee on Taxation.

Assemblyman Nevin moved that the Assembly recess subject to the call of the Chair.

Motion carried.

Assembly in recess at 11:53 a.m.

ASSEMBLY IN SESSION

At 12:01 p.m.

Mr. Speaker presiding.

Quorum present.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Tebbs, Spinello, Sedway, Adler, Bergevin, DuBois, Marvel, Callister, Wisdom, Kerns, Porter, Price, Sader, Thomas, Thompson, Kissam, Lambert, McGaughey, Craddock, Nicholas, Haller, Wendell Williams, Triggs, Humke, Garner, Arberry, Swain, Schofield, Getto, Carpenter, Myrna Williams and Brookman:

Assembly Bill No. 523—An Act relating to sentencing; authorizing the residential confinement of a person convicted of a nonviolent crime who violates the conditions of his parole or sentence of probation; requiring the use of an electronic monitoring or supervising device by that person; requiring supervision of such persons by the department of parole and probation; and providing other matters properly relating thereto.

Assemblyman Tebbs moved that the bill be referred to the Select Committee on Corrections.

Motion carried.

By the Committee on Transportation:

Assembly Bill No. 524—An Act relating to motor vehicles; revising the definition of "moped"; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 525—An Act relating to medical and related facilities; requiring a medical facility or facility for the dependent to comply with local zoning regulations before receiving a license from the health division of the department of human resources; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 526—An Act relating to public works projects; authorizing the use of an arbitrator other than the American Arbitration Association or Nevada Arbitration Association in a dispute concerning public works; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 527—An Act relating to occupational diseases; increasing the interval between X-ray examinations required for firemen and police officers for diseases of the lungs; and providing other matters properly relating thereto.

Assemblyman Thompson moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

By the Committee on Elections:

Assembly Concurrent Resolution No. 31—Urging the 66th session of the Nevada Legislature to combine within one assembly district the areas in Washoe Valley on the east and west sides of Washoe Lake.

Assemblyman Swain moved that the resolution be referred to the Committee on Elections.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Natural Resources, Agriculture and Mining:

Assembly Bill No. 528—An Act relating to the sale of wood for fuel or pulp; including cord as a standard measure; requiring the use of an invoice; prohibiting the use of certain terms in advertising; and providing other matters properly relating thereto.

Assemblyman Schofield moved that the bill be referred to the Committee on Natural Resources, Agriculture and Mining.

Motion carried.

By the Committee on Natural Resources, Agriculture and Mining:

Assembly Bill No. 529—An Act relating to petroleum products; providing for the inspection and labeling of gasohol; replacing the term "distillate" with the term "diesel fuel"; making various technical and administrative changes; and providing other matters properly relating thereto.

Assemblyman Schofield moved that the bill be referred to the Committee on Natural Resources, Agriculture and Mining.

Motion carried.

By the Committee on Natural Resources, Agriculture and Mining:

Assembly Bill No. 530—An Act relating to motor carriers; exempting farm vehicles and certain vehicles used for the transportation of livestock from the provisions governing motor carriers; and providing other matters properly relating thereto.

Assemblyman Schofield moved that the bill be referred to the Concurrent Committees on Natural Resources, Agriculture and Mining and Transportation.

Motion carried.

By the Committee on Natural Resources, Agriculture and Mining:

Assembly Bill No. 531—An Act relating to watercraft; increasing the penalty for altering a watercraft's serial number; classifying the requirements for lighting watercraft; conforming to federal law the state requirements concerning the lighting of watercraft; revising the times of the day during which water skiing is prohibited; and providing other matters properly relating thereto.

Assemblyman Schofield moved that the bill be referred to the Committee on Natural Resources, Agriculture and Mining.

Motion carried.

By Assemblymen Schofield and Dini:

Assembly Bill No. 532—An Act relating to emergency management; requiring the establishment of a statewide system of radio communication for use in emergencies; creating an account in the state general fund for that system; making an appropriation; and providing other matters properly relating thereto.

Assemblyman Schofield moved that the bill be referred to the Concurrent Committees on Natural Resources, Agriculture and Mining and Ways and Means.

Motion carried.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bills Nos. 2, 229; Senate Bills Nos. 54, 123, 147, 210.

REMARKS FROM THE FLOOR

Assemblyman Price requested that his remarks be entered in the Journal.

Congress devoted a great deal of time to reviewing reports from John Jay, the Secretary of Foreign Affairs. Jay had recommended that Congress accept the credentials of Phineas Bond as his Britannic Majesty's consul, regardless of the fact that the United States did not have a commerce treaty with England. Further, he suggested that Congress consider appointing consuls for London, Bristol, Dublin and Cork until a treaty was negotiated with England. Jay reasoned that American representatives would help trade in these port cities and perhaps speed negotiations for a more permanent treaty.

Neither George Washington nor Ben Franklin made significant contributions as delegates to the Constitutional Convention, but the mere fact that both attended and signed the final document gave a legitimacy to the Constitution that made it acceptable to many who would have otherwise been skeptical. Many scholars over the years have argued that the Constitution might well have not been ratified if these two men had not attended.

On March 31, 1870, Thomas Peterson-Menday, of Perth Amboy, New Jersey, became the first black man to vote under the Fifteenth Amendment to the Constitution.

Congress established the first United States Mint at Philadelphia, Pennsylvania on April 2, 1792. The Carson City Mint was established on November 1, 1869.

Nevada's first special session of the legislature ended on April 3, 1867. Governor Henry Blasdell called the special session for the purpose of providing necessary state revenue.

The Pennsylvania Assembly today passed a bill giving John Fitch an exclusive right for 14 years to make and sell steamboats. Fitch apparently was very successful in designing, building and operating steam powered vessels, but could not seem to finance or market them, leaving the way open for Robert Fulton who came along much later.

Congress convened today with eight states fully represented. A committee resolution was introduced to address "the present deranged condition of the national revenues and numerous demands of the federal treasury." The resolution concluded, recommending the reduction of salaries of civil servants. Congress voted unanimously to adopt the report.

Today, Rufus King, who would soon represent Massachusetts in the Constitutional Convention, celebrated his 32nd birthday.

There had been a number of suggestions to strengthen the Articles of Confederation over the past few months. Today, a writer under the name of "B. Reason," offered yet another plan. In a letter to the *New York Advertiser,* he wrote "instead of attempting to amend the present Articles of Confederation with a view to retaining them as the form of government, would it not be preferable to distribute the states into three republics, who should enter into a perpetual league or alliance for mutual defense."

Meeting in its room on the first floor of the state house, the Pennsylvania Legislature prepared to correct an embarrassing oversight. The act of December 30 appointing delegates to the proposed federal convention had not included Benjamin Franklin, Presi-

dent of the Supreme Executive Council and by far the state's most eminent citizen. Today, the Assembly read for a second time and ordered printed an amendment adding Franklin to the state's delegation.

On March 23, 1961, the Twenty-third Amendment to the United States Constitution was ratified. The amendment gave the citizens of the District of Columbia the same voting rights as the rest of the citizens of the United States.

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. Ed Murkovich, Gil Gladding and the students of Virginia City High School: Mike Clerico, Lewis Lambert, Jim Murkovich, Connie Jacobsen, Jill Hess, Christi Conners, Dave Fate, Mark Hess, Kevin Ayer, Steve Daino, Christa Goeres, Vicki Avansino, Barbara Kaiser, Peggy Simon, Ray Williams, Spence Williams, Dave Ballard and Shawn Harrison.

On request of Assemblyman Adler, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Mark Hodas.

On request of Assemblyman Getto, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Jarod Blum, Michael Lunceford and Stephen Lozowich.

On request of Assemblyman Marvel, the privilege of the floor of the Assembly Chamber for this day was extended to Mss. Rose Walker, Delia Nuffer, Teri Peter, Paula Brown, Linda Schade, Rene Maestrejuan and the students of Denio School: Marlene Evans, Brenda McLean, Vicki Goodloe, Mona Huitt, Joanne Land, Jake Brown, Donny Land, Dawn Soward, Nadine Winegarden, Jodie Huitt, Jared Nuffer, John Evans, Brandon Nuffer, Riley Brown, Shannon Peter, Marshall Huitt, Willy Land, Michael Schade, Jennifer Kimble, Naomie Schade, Johni Peter, Justin McLean and Wendy Schade.

On request of Assemblyman Nevin, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Polly King.

Assemblyman Jeffrey moved that the Assembly adjourn until Monday, April 6, 1987 at 11 a.m.

Motion carried.

Assembly adjourned at 12:15 p.m.

Approved: JOSEPH E. DINI, JR.
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE SEVENTY-EIGHTH DAY

CARSON CITY (Monday), April 6, 1987

Assembly called to order at 11 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, The Reverend Bruce Henderson.

Our wonderful Heavenly Father, we thank Thee for a beautiful day! Lord, whether we consider taxes or health care, animals or motorcycles, bless us in our every decision and may we never forget the people. In the name of Thy power we pray. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Jeffrey moved that further reading of the Journal be dispensed with, and the Speaker and Chief Clerk be authorized to make the necessary corrections and additions.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Education, to which was referred Senate Bill No. 32, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ROBERT G. CRADDOCK, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was re-referred Assembly Bill No. 288, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

DANNY L. THOMPSON, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Assembly Bill No. 138, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

DANNY L. THOMPSON, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, April 3, 1987

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 134, 178.

Also, I have the honor to inform your honorable body that the Senate amended, and on this day adopted, as amended, Assembly Concurrent Resolution No. 30, 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. 24.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 42, 184, 220, 222.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Assembly Concurrent Resolution No. 18.

Assemblyman Myrna Williams moved the adoption of the resolution.

Remarks by Assemblyman Myrna Williams.

Resolution adopted, as amended.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Brookman, Kerns, Thompson, Wisdom, Fay, Jeffrey, Tebbs, May, Sedway, Sader, Price, Kissam, Porter, Gaston, Myrna Williams, Spinello, Banner, Getto, Carpenter, Schofield and DuBois:

Assembly Bill No. 533—An Act relating to the department of motor vehicles and public safety; prohibiting the use of the files of the department for commercial purposes; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Brookman, Sedway, Porter, Jeffrey, DuBois, Adler, Thomas, Thompson, Kissam, McGaughey, Lambert, Nicholas, Haller, Wendell Williams, Garner, Arberry, Evans, Swain, Schofield, Getto, Myrna Williams, Spinello, Callister and Wisdom:

Assembly Bill No. 534—An Act relating to the state board of health; increasing the size of the board; increasing the number of members required for a quorum of the board; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 535—An Act relating to school districts; accelerating the date for preparation of the annual audit of a school district; and providing other matters properly relating thereto.

Assemblyman Thompson moved that the bill be referred to the Committee on Education.

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 536—An Act relating to the public service commission of Nevada; imposing a penalty for the late payment of fees by the operator of a tow car, taxicab or warehouse; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 537—An Act relating to foreign corporations; requiring a foreign corporation doing business in this state to provide the secretary of state with certification that it has complied with local requirements regarding business licenses; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 538—An Act relating to planning commissions; simplifying the procedure for obtaining the approval of the planning commission for certain actions; and providing other matters properly relating thereto.

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

Motion carried.

Senate Bill No. 24.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Taxation.

Motion carried.

Senate Bill No. 42.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

Senate Bill No. 184.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 220.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

Senate Bill No. 222.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 89.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 188.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 206.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 126.

Amend the bill as a whole by renumbering sections 4 through 10 as sections 5 through 11 and adding a new section designated sec. 4, following sec. 3, to read as follows:

"Sec. 4. NRS 240.030 is hereby amended to read as follows:

240.030 1. Each *person applying for appointment as a* notary public shall:

(a) At the time he [receives his certificate of appointment,] *submits his application,* pay to the secretary of state $35.

(b) Take and subscribe to the oath set forth in section 2 of article 15 of the constitution of the State of Nevada as if he were a public officer.

(c) Enter into a bond to the State of Nevada in the sum of $10,000, to be approved by the clerk of the county in which the [notary] *applicant* resides.

2. The bond, together with the oath, must be filed and recorded in the office of the county clerk of the county in which the [notary] *applicant* resides when he [receives] *applies for* his appointment. On a form provided by the secretary of state, the county clerk shall immediately certify to the secretary of state that the bond and oath have been filed and recorded. [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.] *Upon receipt of the application, fee and certification that the bond and oath have been filed and recorded, the secretary of state shall issue a certificate of appointment as a notary public to the applicant.*

3. The secretary of state shall charge a fee of $10 for each duplicate or amended certificate of appointment which is issued to a notary.".

Amend sec. 5, page 3, by deleting line 11 and inserting: "*The secretary of state may establish a reasonable fee, not to exceed $10, for the cancellation*".

Amend sec. 10, page 4, line 22, by deleting: "1 and 3" and inserting: "1, 3 and 4".

Amend sec. 10, page 4, line 24, by deleting: "4 to 9," and inserting: "5 to 10,".

Amend the title of the bill, third line, after "duties;" by inserting: "revising the procedure for the issuance of a certificate of appointment as a notary public;".

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. 371.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 443.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 444.

Bill read second time, ordered engrossed and to third reading.

Senate Bill No. 68.

Bill read second time and ordered to third reading.

Senate Bill No. 98.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 301.

Amend sec. 3, page 1, by deleting line 9 and inserting:

"Sec. 3. *If a child has been placed in the custody of the welfare division of the department of human resources*".

Amend sec. 3, page 1, by deleting lines 12 and 13 and inserting: "*which the child so placed or the plan was commenced, whichever occurs later, that failure to comply is evidence of failure of parental*".

Assemblyman Triggs moved the adoption of the amendment.

Remarks by Assemblyman Triggs.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 113.

Bill read second time and ordered to third reading.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Concurrent Resolution No. 30.

The following Senate amendment was read:

Amendment No. 336.

Amend the resolution, page 1, line 15, after "all" by inserting "appropriate".

Assemblyman Nevin moved that the Assembly concur in the Senate amendment to Assembly Concurrent Resolution No. 30.

Remarks by Assemblyman Nevin.

Motion carried.

Resolution ordered enrolled.

GENERAL FILE AND THIRD READING

Assembly Bill No. 379.

Bill read third time.

Remarks by Assemblyman Thomas.

Roll call on Assembly Bill No. 379:

YEAS—42.

NAYS—None.

Assembly Bill No. 379 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 176.

Bill read third time.

Remarks by Assemblymen McGaughey, Carpenter and Jeffrey.

Roll call on Senate Bill No. 176:

YEAS—40.

NAYS—Banner, Carpenter—2.

Senate Bill No. 176 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 211.

Bill read third time.

Remarks by Assemblymen Schofield, Gaston, Getto, Price and Fay.

Assemblymen Spinello, Nevin and Sedway moved the previous question.

Motion carried.

The question being on the passage of Senate Bill No. 211.

Roll call on Senate Bill No. 211:

YEAS—39.

NAYS—Banner, Carpenter, Gaston—3.

Senate Bill No. 211 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

REMARKS FROM THE FLOOR

Assemblyman Getto requested that his remarks be entered in the Journal.

Many people think that I am involved in the dairy business, and I am not. I just wanted to explain that I do not have a conflict when I vote for this bill.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Elections, to which was referred Assembly Bill No. 184, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

COURTENAY C. SWAIN, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Mr. Speaker announced the appointment of Assemblyman Getto to the Select Committee on Corrections.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bills Nos. 28, 233, 328; Senate Bills Nos. 129, 131, 250; Assembly Joint Resolution No. 10; Senate Joint Resolution No. 6 of the 63rd Session; Assembly Concurrent Resolution No. 12; Senate Concurrent Resolution No. 15.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Adler, the privilege of the floor of the Assembly Chamber for this day was extended to Miss Stephanie Martin.

On request of Assemblyman Arberry, the privilege of the floor of the Assembly Chamber for this day was extended to Miss Kara Anderson.

On request of Assemblyman Banner, the privilege of the floor of the Assembly Chamber for this day was extended to Miss Lisa Moore.

On request of Assemblyman Bergevin, the privilege of the floor of the Assembly Chamber for this day was extended to Miss Jessica Potts.

On request of Assemblyman Brookman, the privilege of the floor of the Assembly Chamber for this day was extended to Miss Dana Lee Carter.

On request of Assemblyman Callister, the privilege of the floor of the Assembly Chamber for this day was extended to Miss Michelle Knight.

On request of Assemblyman Carpenter, the privilege of the floor of the Assembly Chamber for this day was extended to Misses Jackie Humphreys, Liberty Taufer and Mrs. Karen Taufer.

On request of Assemblyman Craddock, the privilege of the floor of the Assembly Chamber for this day was extended to Miss Kirsten L. Stokes.

On request of Mr. Speaker, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Carla Gatzke, Miss Kim Newton and Mrs. Sharon Newton.

On request of Assemblyman DuBois, the privilege of the floor of the Assembly Chamber for this day was extended to Miss Tasha Hill.

On request of Assemblyman Evans, the privilege of the floor of the Assembly Chamber for this day was extended to Misses Joann Beth Capurro and Amanda May Hansen.

On request of Assemblyman Fay, the privilege of the floor of the Assembly Chamber for this day was extended to Miss Jennifer Coleman.

On request of Assemblyman Freeman, the privilege of the floor of the Assembly Chamber for this day was extended to Misses Tiffany Yuill and Trinity Winslow.

On request of Assemblyman Garner, the privilege of the floor of the Assembly Chamber for this day was extended to Misses Tammy Hall and Lindsay Burgarello.

On request of Assemblyman Gaston, the privilege of the floor of the Assembly Chamber for this day was extended to Misses Amy Boyer and Renee France.

On request of Assemblyman Getto, the privilege of the floor of the Assembly Chamber for this day was extended to Miss Brandy Hinesley.

On request of Assemblyman Haller, the privilege of the floor of the Assembly Chamber for this day was extended to Miss Lauren Sankovich.

On request of Assemblyman Humke, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Albert G. Puliz and Miss Michelle J. Fellows.

On request of Assemblyman Jeffrey, the privilege of the floor of the Assembly Chamber for this day was extended to Misses Melisa Juenke and Angela Bullentini.

On request of Assemblyman Kerns, the privilege of the floor of the Assembly Chamber for this day was extended to Misses Danielle Lallement and Ginny Chamberlain.

An request of Assemblyman Kissam, the privilege of the floor of the Assembly Chamber for this day was extended to Misses Jennifer Padilla and Suzanne Brick.

On request of Assemblyman Lambert, the privilege of the floor of the Assembly Chamber for this day was extended to Miss Joanna Boles and Mrs. Debbie Boles.

On request of Assemblyman McGaughey, the privilege of the floor of the Assembly Chamber for this day was extended to Miss Debbie Azhikakath.

On request of Assemblyman Marvel, the privilege of the floor of the Assembly Chamber for this day was extended to Misses LaRinda DeWitt and Jerri DeWitt.

On request of Assemblyman May, the privilege of the floor of the Assembly Chamber for this day was extended to Miss Karen Cavanaugh.

On request of Assemblyman Nevin, the privilege of the floor of the Assembly Chamber for this day was extended to Miss Christine Salkowski.

On request of Assemblyman Nicholas, the privilege of the floor of the Assembly Chamber for this day was extended to Miss Melissa Lima, Mss. Jeannie Stone and Jane Hirsch.

On request of Assemblyman Porter, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Gloria Sturman and Miss Heather Grant.

On request of Assemblyman Price, the privilege of the floor of the Assembly Chamber for this day was extended to Miss Melissa Hollman.

On request of Assemblyman Sader, the privilege of the floor of the Assembly Chamber for this day was extended to Misses April Ballew and Julie Warren.

On request of Assemblyman Schofield, the privilege of the floor of the Assembly Chamber for this day was extended to Misses Paulette Carson and Nicole Reyes.

On request of Assemblyman Sedway, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Stanley Sperling and Miss Jennifer Estes.

On request of Assemblyman Spinello, the privilege of the floor of the Assembly Chamber for this day was extended to Miss Stephanie Quinton and Mrs. Carolyn Quinton.

On request of Assemblyman Spriggs, the privilege of the floor of the Assembly Chamber for this day was extended to Miss Christie Elderkin.

On request of Assemblyman Swain, the privilege of the floor of the Assembly Chamber for this day was extended to Misses Rhonda Henderson and Janelle D'Andrea.

On request of Assemblyman Tebbs, the privilege of the floor of the Assembly Chamber for this day was extended to Miss Eve Weigel.

On request of Assemblyman Thomas, the privilege of the floor of the Assembly Chamber for this day was extended to Misses Anita Enders and Julie Reimer.

On request of Assemblyman Thompson, the privilege of the floor of the Assembly Chamber for this day was extended to Miss Melissa Bickett and Mr. Dennis Bickett.

On request of Assemblyman Triggs, the privilege of the floor of the Assembly Chamber for this day was extended to Misses Kim Dockins and Kelly Elliott.

On request of Assemblyman Myrna Williams, the privilege of the floor of the Assembly Chamber for this day was extended to Misses Traci Aleena Lefever and Patricia Kathleen McHone.

On request of Assemblyman Wendell Williams, the privilege of the floor of the Assembly Chamber for this day was extended to Miss Keira Rhuebotton.

On request of Assemblyman Wisdom, the privilege of the floor of the Assembly Chamber for this day was extended to Misses Robin Modl and Annjanette Blackmer.

Assemblyman Jeffrey moved that the Assembly adjourn until Tuesday, April 7, 1987 at 11 a.m.

Motion carried.

Assembly adjourned at 12 noon.

Approved: JOSEPH E. DINI, JR.
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE SEVENTY-NINTH DAY

CARSON CITY (Tuesday), April 7, 1987

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

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, The Reverend Bruce Henderson.

Our prayer today is from the fourth Psalm: "Answer me when I call to You, O my righteous God. Give me relief from my distress; be merciful to me and hear my prayer." In Your name and by Your authority, I pray. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Jeffrey moved that further reading of the Journal be dispensed with, and the Speaker and Chief Clerk be authorized to make the necessary corrections and additions.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Government Affairs, to which 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.

DANNY L. THOMPSON, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, April 6, 1987

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bill No. 85.

Also, I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bill No. 152, and respectfully requests your honorable body to concur in said amendment.

Also, I have the honor to inform your honorable body that the Senate on this day passed Assembly Joint Resolutions Nos. 17, 18.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bill No. 112.

MARY JO MONGELLI
Assistant Secretary of the Senate

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Wendell Williams, Arberry, Triggs, Haller, Craddock, Humke, Nicholas, McGaughey, Thomas, DuBois, Bergevin, Lambert, Kissam, Adler, Thompson, Sader, Sedway, May, Price, Fay, Tebbs, Brookman, Callister, Marvel, Wisdom, Spinello, Myrna Williams, Freeman, Banner, Jeffrey, Nevin, Porter, Kerns, Garner, Evans and Swain:

Assembly Bill No. 539—An Act relating to elections; requiring the establishment of polling places in certain residential developments for elderly persons; and providing other matters properly relating thereto.

Assemblyman Wendell Williams moved that the bill be referred to the Committee on Elections.

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 540—An Act relating to legislative audits; establishing a procedure to carry out recommendations of the legislative auditor for corrective action concerning the financial administration of state agencies; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Wisdom, Freeman, Brookman, Gaston, Garner, Adler, Nevin, Banner, Carpenter, Myrna Williams, Spinello, Callister, Kerns, Wendell Williams, Swain, Evans, Arberry, Jeffrey, Sedway, Haller, Thompson, Porter, Triggs, DuBois and Dini:

Assembly Bill No. 541—An Act relating to public welfare; establishing a board to distribute money to certain shelters for homeless Nevadans; establishing criteria for a shelter to be eligible for assistance; making an appropriation; and providing other matters properly relating thereto.

Assemblyman Wisdom moved that the bill be referred to the Concurrent Committees on Health and Welfare and Ways and Means.

Motion carried.

By the Committee on Natural Resources, Agriculture and Mining:

Assembly Bill No. 542—An Act relating to beekeeping; expanding the definition of "disease"; changing certain requirements for inspections; prohibiting the feeding of honey to queen bees while they are in transit; authorizing the imposition of a civil penalty for certain violations; changing certain fees; and providing other matters properly relating thereto.

Assemblyman Schofield moved that the bill be referred to the Committee on Natural Resources, Agriculture and Mining.

Motion carried.

Senate Bill No. 112.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen Dini, Myrna Williams, Adler, Arberry, Banner, Bergevin, Brookman, Callister, Carpenter, Craddock, DuBois, Evans, Fay, Freeman, Garner, Gaston, Getto, Haller, Humke, Jeffrey, Kerns, Kissam,

Lambert, McGaughey, Marvel, May, Nevin, Nicholas, Porter, Price, Sader, Schofield, Sedway, Spinello, Spriggs, Swain, Tebbs, Thomas, Thompson, Triggs, Wendell Williams and Wisdom:

Assembly Concurrent Resolution No. 32—Designating April 7, 1987, as Junior League Day in Nevada.

WHEREAS, Junior League promotes participation and involvement in educational and charitable community projects; and

WHEREAS, This organization contributes to communities everywhere affiliates are organized and currently the State of Nevada has one in Reno and one in Las Vegas; and

WHEREAS, Membership of the Junior League has included Eleanor Roosevelt, Sandra Day O'Connor and Nevada's first lady, Bonnie Bryan; and

WHEREAS, Reno's Junior League was instrumental in bringing Bill Cosby to Reno last September for a benefit for the Ronald MacDonald House; and

WHEREAS, They also are designing and implementing the Discovery Room at the San Raphael Park and their program "Kids on the Block" has helped elementary school children relate to handicapped persons; and

WHEREAS, Las Vegas' Junior League initiated the Drug Abuse Resistance Education program in elementary schools, the Community Alternative Sentencing program which is now an integral part of the criminal justice system and the Nevada State Museum Docent program which is a voluntary tour guide program for the Nevada State Museum; now, therefore, be it

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, THE SENATE CONCURRING, That members of the Junior Leagues of Nevada be commended for their unselfish contributions to the residents of Nevada and to the nation; and be it further

RESOLVED, That April 7, 1987, is hereby designated as Junior League Day in Nevada; and be it further

RESOLVED, That copies of this resolution be transmitted by the Chief Clerk of the Assembly to the Junior League of Las Vegas and the Junior League of Reno.

Assemblyman Myrna Williams moved the adoption of the resolution.

Remarks by Assemblyman Myrna Williams.

Resolution adopted unanimously.

Assemblyman Myrna Williams moved that all rules be suspended and that Assembly Concurrent Resolution No. 32 be immediately transmitted to the Senate.

Motion carried unanimously.

Assemblyman Thompson moved that Assembly Bill No. 288 be taken from the Second Reading File and placed on the Chief Clerk's desk.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 138.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 275.

Amend section 1, pages 1 and 2, by deleting lines 1 through 16 on page 1 and lines 1 through 3 on page 2 and inserting:

"Section 1. Chapter 113 of NRS is hereby amended by adding thereto a new section to read as follows:

1. Any person who is proposing to sell a previously unsold home or improved lot for which water or sewerage services will be provided by a public utility that:

(a) Serves or plans to serve more than 25 customers; and

(b) Presently serves fewer than 2,000 customers,

shall post in a conspicuous place on the property a notice which states the extent to which the cost of the system to supply water or dispose of sewage is included in the purchase price and the manner in which any costs not so included will be recovered by the seller or other person furnishing the service. The notice must also contain the name, address and telephone number of the public utility and the division of consumer relations of the public service commission of Nevada.

2. Before the home or lot is sold, the seller shall give the purchaser a copy of the notice described in subsection 1.".

Amend the title of the bill, first line, by deleting "subdivided land;" and inserting "real property;".

Amend the summary of the bill, first line, by deleting "subdivided land" and inserting: "certain real property".

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. 184.

Bill read second time.

The following amendment was proposed by the Committee on Elections:

Amendment No. 254.

Amend section 1, page 1, line 2, by deleting "7," and inserting "7.5,".

Amend sec. 3, page 1, line 8, by deleting "*and*".

Amend sec. 3, page 1, line 9, by deleting the period and inserting: "*; and*

(d) Name of the person authorized to file the list of its candidates with the secretary of state.".

Amend sec. 3, page 2, by inserting between lines 3 and 4:

"*5. A minor political party which fails to file a list of candidates pursuant to section 6 of this act must file a notice of continued existence with the secretary of state not later than the 2nd Friday in August preceding the general election.*

6. A minor political party which fails to file a notice of continued existence as required by subsection 5 ceases to exist as a minor political party in this state.".

Amend sec. 4, page 2, line 8, after "*later than*" by inserting: "*65 days before*".

Amend sec. 6, page 2, by deleting lines 34 through 40 and inserting:

"Sec. 6. *1. A minor political party which desires to place its candidates on the ballot for a general election and:*

(a) Is entitled to do so pursuant to paragraph (a) or (b) of subsection 2 of section 4 of this act; or

(b) Files a petition pursuant to paragraph (c) of subsection 2 of section 4 of this act,

must file with the secretary of state a list of its candidates not earlier than January 1 preceding the election nor later than the last Friday in June. The list must be filed with the secretary of state by the person so authorized in the certificate of existence of the minor political party.

2. The secretary of state shall immediately transmit a certified copy of the list of candidates of each minor political party to the filing officer with whom each candidate must file his declaration of candidacy.

3. Each candidate on the list must file his declaration of candidacy with the proper filing officer and pay the fee required by NRS 293.193 not earlier than the date on which the list of candidates of his minor political party is filed with the secretary of state nor later than the 1st Wednesday in July.".

Amend sec. 7, page 3, lines 1 and 2, by deleting: "*or any of its candidates*".

Amend sec. 7, page 3, line 3, by deleting: "*1st Friday in September.*" and inserting: "*3rd Friday in August.*".

Amend sec. 7, page 3, line 5, by deleting: "*1st Friday in September.*" and inserting: "*3rd Friday in August.*".

Amend sec. 7, page 3, by deleting lines 6 through 10 and inserting:

"2. *Any such challenge must be filed with the first judicial district court if the petition was filed with the secretary of state.*".

Amend the bill as a whole by adding a new section designated sec. 7.5, following sec. 7, to read as follows:

"Sec. 7.5. *The filing fee of an independent candidate who files a petition pursuant to NRS 293.200 or 298.109, or of a candidate of a minor political party, must be returned to the candidate by the officer to whom the fee was paid within 10 days after the date on which a final determination is made that the petition of the candidate or minor political party failed to contain the required number of signatures.*".

Amend sec. 11, page 3, line 27, by deleting "*or certificate*".

Amend sec. 11, page 3, line 35, by deleting "*or certificate*".

Amend sec. 11, page 3, line 36, by deleting: "[.] *or certificate.*" and inserting a period.

Amend sec. 12, page 4, by deleting line 20 and inserting: "*5. For any petition other than a petition containing signatures*".

Amend sec. 13, page 5, by deleting line 15 and inserting: "*5. For any petition other than a petition containing signatures*".

Amend sec. 14, page 5, line 35, by deleting "*5*" and inserting "*10*".

Amend sec. 14, page 5, line 39, by deleting "5" and inserting "[5] *10*".

Amend the bill as a whole by adding a new section designated sec. 19.5, following sec. 19, to read as follows:

"Sec. 19.5. NRS 293.180 is hereby amended to read as follows:

293.180 1. Ten or more registered voters may, not earlier than the last Monday in May nor later than 5 p.m. on the last Friday in June, file a certificate of candidacy designating any registered voter as a candidate for his *political* party's nomination for any partisan elective office, or as a

candidate for nomination for any nonpartisan office. When the certificate has been filed, the officer in whose office it is filed shall notify the person named in the certificate. If the person named in the certificate files an acceptance of [such] candidacy and pays the required fee, as provided by law, he [shall be] *is* a candidate in the primary election in like manner as if he had filed a declaration of candidacy.

2. If [any such] *a* certificate of candidacy relates to a partisan office, all of the signers [shall] *must* be of the same political party as the candidate designated.".

Amend sec. 21, pages 9 and 10, by deleting lines 35 through 41 on page 9 and lines 1 through 23 on page 10 and inserting:

"Sec. 21. (Deleted by amendment.)".

Amend sec. 22, pages 10 and 11, by deleting lines 25 through 41 on page 10 and lines 1 through 31 on page 11 and inserting:

"293.200 1. Independent candidates for partisan office [shall qualify by filing] *must file* with the proper filing officer a [certificate] *petition* of candidacy signed by a number of registered voters equal to at least [5] *3* percent of the total number of ballots cast in the state or in the county [, district or municipality electing such] *or district electing that* officer at the last preceding general election.

2. The [certificate] *petition* may consist of more than one document.

[2.] *Each document must bear the name of a county and only registered voters of that county may sign the document. The documents which are circulated for signature in a county must be submitted to that county clerk for verification in the manner prescribed in NRS 293.1276 to 293.1279, inclusive, not later than 65 days before filing the petition of candidacy with the proper filing officer.* Each signer shall add to his signature the address of the place at which he actually resides and the name of the county where he is registered to vote for the purpose of determining whether he is a registered voter. One of the signers of each [such certificate] *petition* shall sign an affidavit attesting that the signatures on the [certificate] *petition* are genuine to the best of his knowledge and belief [.] *and were signed in his presence by persons registered to vote in that county.*

3. The [certificate] *petition* of candidacy may state the principle, if any, which the person qualified represents.

4. [Certificates of candidacy provided for in this section for officers to be voted for by the registered voters of the entire state or by districts composed of two or more counties must be filed with the secretary of state and all other such certificates of candidacy must be filed with the clerk of the county wherein the officers are to be voted for.

5. Certificates] *Petitions* of candidacy [provided for in this section] must be filed not earlier than [the last Monday in May] *January 1 preceding the general election* and not later than 5 p.m. on the 2nd Friday in [June.

6. No certificate] *August.*

5. No petition of candidacy [, provided for in this section,] may contain the name of more than one candidate for each office to be filled.

[7.] *6.* A person may not file as an independent candidate if he [, in fact,] is proposing to run as the candidate of a political party whose name includes the word "independent."

[8.] *7.* The names of independent candidates must be placed on the general election ballot and must not appear on the primary election ballot.

[9.] *8.* If the candidacy of any person seeking to qualify under this section is challenged, all affidavits and documents in support of [such] *the* challenge must be filed not later than 5 p.m. on the [1st Wednesday in July. Any court] *3rd Friday in August. Any judicial* proceeding resulting from [such challenge shall] *the challenge must* be set for hearing not [less than 5 days and not] more than [10] *5* days after the [1st Wednesday in July.

10.] *3rd Friday in August.*

9. Any challenge pursuant to subsection [9] *8* must be filed with:

(a) The *first judicial* district court [for Carson City] if the [certificate] *petition* of candidacy was filed with the secretary of state.

(b) The district court for the county where the [certificate] *petition* of candidacy was filed if the [certificate] *petition* was filed with a county clerk.

10. An independent candidate for partisan office must file a declaration of candidacy with the proper filing officer and pay the fee required by NRS 293.193 not earlier than January 1 of the year in which the election is held nor later than 5 p.m. of the last Wednesday in July.".

Amend the bill as a whole by adding new sections designated sections 22.3 and 22.6, following sec. 22, to read as follows:

"Sec. 22.3. NRS 293.247 is hereby amended to read as follows:

293.247 1. The secretary of state shall adopt regulations, not inconsistent with the election laws of this state, for the conduct of primary, general, special and district elections in all counties. *The secretary of state shall prescribe the forms for a declaration of candidacy, certificate of candidacy, acceptance of candidacy, affidavit of candidacy and any petition which is filed pursuant to the general election laws of this state.*

2. [Such regulations shall] *The regulations must* prescribe:

(a) The duties of election boards;

(b) The type and amount of election supplies;

(c) The manner of printing ballots and the number of ballots to be distributed to precincts and districts;

(d) The method to be used in distributing ballots to precincts and districts;

(e) The method of inspection and the disposition of ballot boxes;

(f) The form and placement of instructions to voters;

(g) The recess periods for election boards;

(h) The size, lighting and placement of voting booths;

(i) The amount and placement of guardrails and other furniture and equipment at voting places;

(j) The disposition of election returns;

(k) The procedures to be used for canvasses, ties, recounts and contests; and

(l) Such other matters as determined necessary by the secretary of state.

3. The secretary of state may provide interpretations and take other actions necessary for the effective administration of the statutes and regulations governing the conduct of primary, general, special and district elections in this state.

4. The secretary of state shall prepare and distribute to county clerks the election officer's digest and instructions for election boards, and copies of any attorney general's opinions or any state or federal court decisions which affect state election laws or regulations whenever any of those opinions or decisions become known to the secretary of state.

Sec. 22.6. NRS 293.287 is hereby amended to read as follows:

293.287 1. A registered voter applying to vote at any primary election shall give his name and political affiliation, if any, to the election board officer in charge of the election board register, and [such] *the* officer shall immediately announce the name and political affiliation.

2. Any person's right to vote may be challenged by any registered voter upon any of the grounds allowed for a challenge in NRS 293.303 or on the ground that the person applying does not belong to the political party *or minor political party* designated upon the register, or that the register does not show that he designated the political party *or minor political party* to which he claims to belong.

3. Any such challenge [shall] *must* be disposed of in the manner provided by NRS 293.303.

4. When the election board is satisfied as to the name, political affiliation and identity of the registered voter, the board shall issue the proper party and nonpartisan ballot.

5. A registered voter who has designated on his affidavit of registration an affiliation with a minor political party may vote a nonpartisan ballot at the primary election.".

Amend sec. 24, page 12, by deleting lines 22 through 30 on page 12 and inserting:

"Sec. 24. (Deleted by amendment.)".

Amend sec. 26, page 13, by deleting lines 10 through 19 and inserting:

"Sec. 26. (Deleted by amendment.)".

Amend sec. 30, page 15, line 23, by deleting "*90*" and inserting "*60*".

Amend sec. 31, page 16, line 19, after "*10.*" by inserting: "*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

(c) Distribute any material concerning a candidate or question which will be on the ballot for the ensuing election,

while he is registering an elector or immediately before or after he registers the elector.

11.".

Amend sec. 32, page 16, by deleting lines 21 through 38 and inserting:

"Sec. 32. (Deleted by amendment.)".

Amend sec. 38, page 18, line 33, by deleting "*last*" and inserting "*2nd*".

Amend sec. 38, page 18, line 35, by deleting: "state a certificate" and inserting: "state *a declaration of candidacy and* a [certificate] *petition*".

Amend sec. 38, page 18, line 36, by deleting "certificate" and inserting "[certificate] *petition*".

Amend sec. 38, page 19, line 4, by deleting "certificate" and inserting "[certificate] *petition*".

Amend sec. 38, page 19, line 9, by deleting "*certificate*" and inserting "*petition*".

Amend sec. 38, page 19, line 12, by deleting "certificate" and inserting "[certificate] *petition*".

Amend sec. 38, page 19, line 17, by deleting "certificate" and inserting "[certificate] *petition*".

Amend sec. 38, page 19, by deleting lines 28 through 30 and inserting: "*p.m. on the 3rd Friday in August. Any judicial proceeding relating to the challenge must be set for hearing not more than 5 days after the 3rd Friday in August.*".

Amend the title of the bill by deleting the fourth line and inserting: "certain counties; revising certain time limits; requiring the secretary of state to prescribe certain forms for a person declaring his candidacy; making other various changes;".

Assemblyman Swain moved the adoption of the amendment.

Remarks by Assemblyman Swain.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 32.

Bill read second time.

The following amendment was proposed by the Committee on Education:

Amendment No. 334.

Amend section 1, page 1, line 5, by deleting: "*Possesses or uses*" and inserting "*Uses*".

Amend the title of the bill, second line, by deleting "possesses or".

Assemblyman Craddock moved the adoption of the amendment.

Remarks by Assemblyman Craddock.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Thompson moved that Assembly Bill No. 288 be taken from the Chief Clerk's desk and placed on the Second Reading File.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Labor and Management:

Assembly Bill No. 543—An Act relating to unemployment compensation; removing the receipt of severance pay as a ground for disqualification of a claimant for benefits under unemployment compensation; and providing other matters properly relating thereto.

Assemblyman Banner moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

By the Committee on Labor and Management:

Assembly Bill No. 544—An Act relating to unemployment compensation; revising the method of calculating the amount of the weekly benefit; and providing other matters properly relating thereto.

Assemblyman Banner moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

By the Committee on Labor and Management:

Assembly Bill No. 545—An Act relating to unemployment compensation; removing the receipt of vacation pay as a ground for the disqualification of a claimant for benefits; and providing other matters properly relating thereto.

Assemblyman Banner moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

By the Committee on Transportation:

Assembly Bill No. 546—An Act relating to motor vehicles; limiting the class of persons who may rent or lease space for others to display for sale any motor vehicle; repealing the requirement that the suggested retail price of a new truck or van be displayed; and providing other matters properly relating thereto.

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

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 288.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 261.

Amend section 1, page 1, line 4, after "*firearms*" by inserting: ", *components thereof and ammunition*".

Amend section 1, page 1, line 5, by deleting "*to firearms.*" and inserting "*thereto.*".

Amend section 1, page 1, line 7, by deleting the period and inserting: ", *spring, gas, air or other force.*".

Amend sec. 2, page 1, line 11, after "*firearms*" by inserting: ", *components thereof and ammunition*".

Amend sec. 2, page 1, line 12, by deleting "*to firearms.*" and inserting "*thereto.*".

Amend sec. 2, page 1, line 14, by deleting the period and inserting: ", *spring, gas, air or other force.*".

Amend sec. 3, page 2, line 1, after "*firearms*" by inserting: ", *components thereof and ammunition*".

Amend sec. 3, page 2, line 3, by deleting "*to firearms.*" and inserting "*thereto.*".

Amend sec. 3, page 2, line 5, by deleting the period and inserting: ", *spring, gas, air or other force.*".

Assemblyman Thompson moved the adoption of the amendment.

Remarks by Assemblyman Thompson.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

GENERAL FILE AND THIRD READING

Assembly Bill No. 89.

Bill read third time.

Remarks by Assemblymen Thompson, Tebbs, Banner, Spinello, Nevin, DuBois, Price, Adler, Wisdom and Bergevin.

Assemblymen Thomas, Adler and Thompson moved the previous question.

Motion carried.

The question being on the passage of Assembly Bill No. 89.

Mr. Speaker requested that the following remarks be entered in the Journal.

ASSEMBLYMAN THOMPSON:

Mr. Speaker, to you and through you to the members of the house. For the freshmen, this bill has been around and a lot of us have gone down in flames on this in the past. To a lot of the older members, this will be a common argument—they've heard it all before.

We passed this bill out of the Labor and Management Committee last week with one "No" vote. I think the bill is pretty clear in what it says—it prohibits a requirement that would prohibit the use of a lie detector examination—a polygraph examination—in employment. If I may, Mr. Speaker, speak to some of the points of polygraph in general. We heard testimony in the committee that the validity of the machine is really in question. The American Medical Association, some of the best medical minds in the world, not only in the United States, but in the world, place its accuracy at between 75 and 95 percent. The Congressional Committee on Technology Assessments, which did a comprehensive study of this issue, places it between 64 and 98 percent. Oftentimes in employment, the polygraph examination is used as a sole determination of the facts. In that setting, to use that as the sole determination of the facts is wrong. I think that if you look at the study done by the Public Affairs Review prior to this session, they asked that question of people in the state and an overwhelming number of people—anywhere from 64 to 75 percent—said that polygraph examinations in employment should be banned. So, it's not just an issue that has been around these halls for a long time. I think it is now an issue that a lot of people have been hurt by.

When the polygraph is used as the sole determination of the facts, there are a couple of things that come into play. These examinations are not for free. An employer has to pay for these examinations. If a person fails the first test, it is not always economically feasible for the employer to pay for another test to clear that person. In that vein, a person is, in effect, blackballed from his job. We had people come to our committee and testify that they had been fired for money that was missing and had failed a lie detector test and now they cannot get another job. In one particular case, a young man from Reno who had worked at a local supermarket chain had gone from boxboy to manager. Some money was discovered missing and he took the test and failed it and was subsequently fired as a result of that test. He could prove that he wasn't even in the State of Nevada when the issue came

up. The money was later found, but he was not reemployed. Since that time, he has not been considered for another job because he has to tell people where he has been for the past 14 years. It tends to follow you.

Nineteen states have banned the use of polygraphs in employment. New Jersey doesn't use it. There are a number of gamers in Las Vegas who don't use it and they have gotten along just fine.

Another big question with this is the constitutionality of the examination itself. I think it violates a person's constitutional rights in that the Fifth Amendment says that you don't have to self-incriminate yourself. Under the way a polygraph examination is used, you are forced to incriminate yourself. It takes away your Sixth Amendment right to confront your accusers and your right of privacy.

There is a section in the law that didn't come up until we had the subcommittee hearing on this bill that no one had really thought about. In 1981, I introduced the bill originally and it was a one-paragraph bill—as a matter of fact, it was the identical bill. It passed out 11 pages, and I think for the veterans here, they will remember the fiery time we had with that bill. It passed out as 11 pages and you can currently find those 11 pages in NRS 648 under Investigators and Related Occupations which is where polygraph examinations are regulated. Under NRS 648.189, as the law is currently written, it says, "A polygraph examination must not be conducted for" several things. One of those things, under number 2, "unless the person examined consents to it in writing." The consent to that polygraph examination in writing is a consent to waive your constitutional rights and that you are agreeing to hold the people who examine you harmless, your employer harmless, and, in effect, you have signed your rights away. A lot of the waivers say that you understand that if you refuse to sign the waiver that you lose your job—that it is a basis for termination. So, under that section of law, there is no choice, you either sign it and take the test, or you don't sign it and lose your job. If you sign it, you are signing away your constitutional rights. I personally think that the State of Nevada does not have the authority to do away with someone's constitutional rights—especially on an issue like this.

This bill came out of committee with one dissenting vote and the person who voted against it indicated that they were going to vote for the bill on the floor. I would urge its passage because there have been so many people hurt from this machine as it is used in employment. I cannot begin to tell you the people who have called me, not only from the lower end of the scale, but executives, who said that their lives have been ruined and they are suspect even though they may not have lost their job, they are now a suspect for everything that happens. So I would urge, Mr. Speaker, a "do pass."

ASSEMBLYMAN TEBBS:

Thank you, Mr. Speaker. Since the previous speaker brought up the fact that there was a "No" vote and that that person probably would vote for the bill on the floor, I felt that perhaps I should stand up and explain that.

In the hearings on the bill we received testimony from the police department in Las Vegas that they have been using the polygraph as a tool to try and weed out the potential bad applicants. They also gave testimony that the fact that a person who has a desire to apply for a job in the police department knows that they have to take a polygraph test, it stops potential bad officers from applying. However, I also made the statement in committee on the day that we voted on the bill that that was my only concern with the bill. I have had enough personal experience with the polygraph in my own family to know the undue pressure that one is put under when they are mandated by an employer to take the test.

Even though I did vote against the bill in committee, I intend to vote for the bill here. The fact that we were not able to amend the bill to allow the Police Department to continue to use the polygraph, it will not stop me from voting for the bill. I would encourage the other members to vote for it also.

ASSEMBLYMAN BANNER:

Mr. Speaker. I have been in the legislature for a while and I feel it incumbent on me to speak on this bill.

Assemblyman Thompson has outlined this bill very well about three times in Room 131, and he has done a really good job. He's done all the research and I think I should back him up having been the chairman of that committee at those times the polygraph bill has been considered.

Since the 1981 session, I feel that I have heard and read about everything relative to this polygraph issue. The people who testify in favor of the use of this contraption always acknowledge they are not 100 percent accurate. They acknowledge that. They do not even seem to be concerned about any harm done to those innocent or wrongly accused people. Those people who may, in fact, be telling the truth. That concerns me—that someone may be falsely accused when they are innocent.

The proponents of the polygraph use said they believed that the tests were maybe 90 percent accurate—not accurate. They said this without taking a polygraph test themselves. The question I had as chairman of the committee is, "Were they telling the truth?", because I wasn't subjecting them to the polygraph—and maybe I should.

As legislators we are required to listen to those people who make statements and determine who is telling the truth. That is our skill—that is what we are supposed to do. And, if you are hiring someone, you should be skilled in that. If you are a personnel officer, you should be skilled or you shouldn't have the job. We do research, we investigate and we make decisions of great importance and we do it without the polygraph. Should we use the polygraph for those people who testify before us? I was thinking about that in our last hearing. Decisions concerning the merits of our bills could be done by machines, not legislators. If we make a mistake, we'll take the attitude they had, "So what?" We could say, "Maybe we made a mistake, sorry the polygraph is just a tool."

ASSEMBLYMAN SPINELLO:

Thank you, Mr. Speaker. I rise in support of Assembly Bill No. 89. One of the most pressing and troubling dilemmas we face as legislators in the modern world is reconciling our principles and our technology. It should not be that troubling. The most basic tenet of our system is that there are certain inviolate rights to which every individual is entitled. These rights are not granted by the government, and certainly not by the employer. They are simply a right of birth.

Assembly Bill No. 89 speaks to one of the most fundamental of these rights. For certainly if we have the right to be secure in our homes, then we have the right to be secure in our person. Passage of this bill will end a practice that has become far too widespread to the detriment of the individual. This is not liberal, this is not conservative; it is not Democrat or Republican, it is simply a right and it is high time. I urge passage.

ASSEMBLYMAN NEVIN:

Thank you, Mr. Speaker. To you and through you to this body, I rise in support of Assembly Bill No. 89. As a retired police officer of 23 years, I have seen the polygraph used and misused for different investigations. I have always felt that the polygraph should never be used for background investigation of police officers. They should have that expertise and find out that information by contacting other people. But, it goes a lot deeper than that. It goes to a person's right. I don't think anyone should be put in a position where they have a job and the employer walks up and says, "Today it is your turn to take the polygraph because we want you to take it. We have no reason, we just think it is a good idea today." I am opposed to that and I don't think anyone should have to work under those conditions. Thank you.

ASSEMBLYMAN DUBOIS:

Thank you, Mr. Speaker. I support the bill. I have been wrestling with this subject since the Assemblyman from Henderson introduced it in 1981. I have studied quite a bit on it over the years and I have drawn the conclusion that it is not accurate as a tool if it is only anywhere from 40 to 80 percent accurate depending on what research you look at. If I had any kind of assurance that this would only be used as a tool for hiring and firing, that would be another matter, but we have no assurance that it will only be used as a tool, and because of that there are obviously many injustices which occur. I urge support of this bill.

ASSEMBLYMAN PRICE:

Thank you, Mr. Speaker. In a time-honored tradition of seven terms now, I rise again as we have done almost every year to support this bill and this concept against a polygraph.

I guess since the beginning of time, depending on which philosophy you subscribe to, man has been searching for some means to determine the truth of another man's statement. Adam and Eve, or the aborigines who had a method of determining the truth where they brewed up some type of a concoction and a person would put their hand into it and if the fingers fell off, they were not telling the truth. It was all in the mind, but it was something that they actually ascribed and did. Lovers have always attempted to find the truth from the other; parents from children; legislators are constantly attempting to learn the truth from lobbyists.

I was appalled to read the transcript of a Gaming Control Board hearing earlier—I say earlier, but I mean in 1986—where one of our Gaming Control Board members attempted to badger an applicant from New Jersey, who was attempting to be, and at this time is, licenced here—badgered him because that applicant did not intend to use the polygraph as an employer tool in Nevada first of all because it was against his principles, and secondly because they did not use, and did not need it, in their New Jersey operations.

With all due respect to the police officers, and any other employee, the threat of a polygraph may, in fact, for all I know, turn away some employee who might not be a good employee. But I would suggest that it also turns away potential good employees who, on principle, would not subject themselves to the indignity of a polygraph test as part of an employer-employee relationship. By the way, I have no objection to using the polygraph as a tool as part of a criminal investigation. And that is all it is ever used as—it is not admissible in and of itself in our state in court, only upon the consent of the accused, and even then it is not always admitted.

I can think of at least one property on the strip that has become so paranoid in the repeated use of the polygraph that I had one of their employees report to me about three months ago that a person whose job it was to schedule what shift you were on was actually subjected to a polygraph test because someone said that they had been scheduled on the wrong shift because the scheduler didn't like them—that sort of thing. We are not talking about stealing, we are not talking about dishonesty, we are talking about scheduling your work shift—and I find that ridiculous. At any rate, again, I rise in support of this legislation and I hope that this year we can get it all the way through.

ASSEMBLYMAN ADLER:

I rise in reluctant support of this bill because I would like there to be a law enforcement exception. I think there has been some misconception as to how law enforcement agencies use the polygraph. I have been involved in a number of internal investigations when I worked for the state and essentially we only used it to clear someone's name and if someone was to be terminated or disciplined, then there had to be independent evidence and the polygraph could not be introduced as evidence to show that someone was guilty of an offense. So, I think that the law enforcement contacts have been fairly used at least by the State of Nevada. I do agree with many of the other comments made by the other speakers, so I will be supporting Assembly Bill No. 89.

ASSEMBLYMAN WISDOM:

Thank you, Mr. Speaker, to this most honorable body. I rise in support of this bill, Assembly Bill No. 89. I worked within the hotel and gaming industry. Many of my constituents who work in that industry also are without work at this very moment. They have been out of work for anywhere from 18 months to three years due to the effects of this polygraph. It is not very valid and therefore I rise in support of this bill. Thank you.

ASSEMBLYMAN BERGEVIN:

Mr. Speaker, I supported this bill in committee and I support it on the floor.

Roll call on Assembly Bill No. 89:

YEAS—41.

NAYS—Nicholas.

Assembly Bill No. 89 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 145.

Bill read third time.

Remarks by Assemblyman Garner.

Roll call on Assembly Bill No. 145:

YEAS—40.

NAYS—Arberry, Price—2.

Assembly Bill No. 145 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 147.

Bill read third time.

Remarks by Assemblyman Garner.

Roll call on Assembly Bill No. 147:

YEAS—40.

NAYS—Arberry, Price—2.

Assembly Bill No. 147 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 Thomas.

Roll call on Assembly Bill No. 148:

YEAS—35.

NAYS—Arberry, Evans, Freeman, McGaughey, Price, Schofield, Spriggs—7.

Assembly Bill No. 148 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 188.

Bill read third time.

Remarks by Assemblymen Carpenter, Sader and Craddock.

Roll call on Assembly Bill No. 188:

YEAS—42.

NAYS—None.

Assembly Bill No. 188 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 371.

Bill read third time.

Remarks by Assemblyman Craddock.

Roll call on Assembly Bill No. 371:

YEAS—42.

NAYS—None.

Assembly Bill No. 371 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 440.

Bill read third time.

Remarks by Assemblyman Bergevin.

Roll call on Assembly Bill No. 440:

YEAS—42.

NAYS—None.

Assembly Bill No. 440 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 443.

Bill read third time.

Remarks by Assemblyman Thompson.

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.

Bill ordered transmitted to the Senate.

Assembly Bill No. 444.

Bill read third time.

Remarks by Assemblymen Thompson, Gaston and 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.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Senate Bills Nos. 68 and 113 be taken from the General File and placed on the General File for the next legislative day.

Motion carried.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bills Nos. 134, 178; Assembly Concurrent Resolution No. 30.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Evans, the privilege of the floor of the Assembly Chamber for this day was extended to Mss. Karen Thompson and Bobbie Gang.

On request of Assemblyman Freeman, the privilege of the floor of the Assembly Chamber for this day was extended to Mss. Susie McQuaid and Johnna F. Cashill.

On request of Assemblyman Gaston, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Julie Doyle.

On request of Assemblyman Getto, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Carl Stanek, Robert Johnson, Mss. Brenda Wright and Ruth Lewis.

On request of Assemblyman Haller, the privilege of the floor of the Assembly Chamber for this day was extended to Mss. Kathy Schonder and Kim Loyd.

On request of Assemblyman Humke, the privilege of the floor of the Assembly Chamber for this day was extended to Mss. Linda Rogers, Kristin Felton and Mr. Paul Felton.

On request of Assemblyman Kerns, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Oliver Denzil Taylor and Ms. Patti Thaheld.

On request of Assemblyman Nevin, the privilege of the floor of the Assembly Chamber for this day was extended to Mss. Leslie McHugh and Jeannie Lyle.

On request of Assemblyman Nicholas, the privilege of the floor of the Assembly Chamber for this day was extended to Mss. Tammy Martin and Elaine Manoukian.

On request of Assemblyman Porter, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Mike Bonner.

On request of Assemblyman Sader, the privilege of the floor of the Assembly Chamber for this day was extended to Mss. Diane Mooney, Joan Pokroy and Mr. Eugene Ghymm.

On request of Assemblyman Schofield, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Rosemary Pressler.

On request of Assemblyman Swain, the privilege of the floor of the Assembly Chamber for this day was extended to Master Brandon Swain and Mrs. Cynthia Townley.

On request of Assemblyman Myrna Williams, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Katherine J. Dalvey.

On request of Assemblyman Wisdom, the privilege of the floor of the Assembly Chamber for this day was extended to Mss. Debbie Angel and Claudene Whorton.

On request of Assemblyman Lambert, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Sue Katzman.

Assemblyman Jeffrey moved that the Assembly adjourn until Wednesday, April 8, 1987 at 11 a.m.

Motion carried.

Assembly adjourned at 12:19 p.m.

Approved: JOSEPH E. DINI, JR.
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE EIGHTIETH DAY

CARSON CITY (Wednesday), April 8, 1987

Assembly called to order at 11:17 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, The Reverend Bruce Henderson.

Father, creator and lover of all, we thank You, we praise You, we laud, magnify, and glorify Your name as we humble ourselves before You. Please see us. Please hear us. In the name of our Saviour we pray. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Jeffrey moved that further reading of the Journal be dispensed with, and the Speaker and Chief Clerk be authorized to make the necessary corrections and additions.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Transportation, to which was referred Assembly Bill No. 478, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

LEONARD V. NEVIN, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, 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.

DANNY L. THOMPSON, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, April 7, 1987

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Senate Bill No. 244.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 256, 282.

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. 106, 124; Senate Joint Resolution No. 8.

MARY JO MONGELLI
Assistant Secretary of the Senate

SENATE CHAMBER, Carson City, April 8, 1987

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. 32.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen Banner, Dini, Carpenter, Getto, Freeman, Gaston, Jeffrey, Humke, Adler, Haller, Myrna Williams, Garner, Thomas, Swain, Thompson, Sader, Price, Arberry, Schofield, Triggs, Sedway, Nevin, Kissam, Tebbs, Nicholas, Callister, Brookman, Kerns, Fay, Wisdom, Craddock, Lambert, Bergevin, Marvel, May, Evans, McGaughey, Spinello, Porter, Wendell Williams, Spriggs and DuBois:

Assembly Concurrent Resolution No. 33—Memorializing the late former Assemblyman Jack Fogliani.

WHEREAS, The members of the Legislature of the State of Nevada note with profound sorrow the recent death of former Assemblyman Jack Fogliani; and

WHEREAS, Mr. Fogliani was a native Nevadan, born August 25, 1900, to Louis and Teodora Fogliani in Pioche, Nevada; and

WHEREAS, For the past 36 years, Mr. Fogliani and his wife Sarah had made their home in Jacks Valley; and

WHEREAS, Jack Fogliani served as a Nevada Assemblyman from Lincoln County in 1935-1936; and

WHEREAS, Jack Fogliani was an Army veteran of World War I and had served as a correctional warden for the Nevada state prisons; and

WHEREAS, Mr. Fogliani is survived by his widow, Sarah, sons Milt of Carson City and Wendell of Skagway, Alaska, one brother, five sisters and seven grandchildren; now, therefore, be it

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, THE SENATE CONCURRING, That the members of the Nevada Legislature express their condolences to the family of the late Jack Fogliani; and be it further

RESOLVED, That a copy of this resolution be prepared and transmitted forthwith by the Chief Clerk of the Assembly to Mr. Fogliani's widow, Sarah.

Assemblyman Banner moved the adoption of the resolution.

Remarks by Assemblyman Banner.

Resolution adopted unanimously.

By Assemblymen Dini, Marvel, Schofield, Tebbs, Nicholas, Fay, Callister, Brookman, Myrna Williams, Porter, Spinello, Price, May, DuBois, Nevin, Evans, McGaughey, Thomas, Gaston, Garner, Bergevin, Thompson, Kerns, Sedway, Jeffrey, Carpenter, Freeman, Adler, Banner, Humke, Spriggs, Wendell Williams, Lambert, Triggs, Arberry, Wisdom, Getto, Haller, Swain, Craddock, Kissam and Sader:

Assembly Concurrent Resolution No. 34—Designating the week of June 22, 1987, as Imperial Shrine Week in Nevada.

WHEREAS, The Shriners Hospitals for Crippled Children have served children in North America since 1922; and

WHEREAS, These hospitals provide outstanding care to children who have orthopedic problems or who have been severely burned; and

WHEREAS, The Shriners Hospital network currently includes 22 hospitals, of which 19 are orthopedic units and 3 are burns institutes; and

WHEREAS, There is no charge for any of the care or services provided by a Shriners Hospital; and

WHEREAS, This year the 1987 Imperial Shrine Session is being hosted by the Zelzah Temple in Las Vegas under the direction of the Imperial Potentate of Shriners in North America, Russell H. Anthony, D.V.M.; and

WHEREAS, Approximately 55,000 Shriners are expected to attend the various meetings, parades and competitions; now, therefore, be it

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, THE SENATE CONCURRING, That members of the Nevada Legislature are honored that Nevada has been selected to host the Imperial Session; and be it further

RESOLVED, That the week of June 22, 1987, is hereby designated Imperial Shrine Week in Nevada in honor of this philanthropic organization; and be it further

RESOLVED, That a copy of this resolution be prepared and transmitted by the Chief Clerk of the Assembly to the Imperial Potentate, Russell H. Anthony.

Assemblyman Marvel moved the adoption of the resolution.

Remarks by Assemblyman Marvel.

Resolution adopted unanimously.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Getto, Dini, Kerns, Garner, May, Nevin, Adler, Tebbs, Marvel and Carpenter:

Assembly Bill No. 547—An Act relating to tags for hunting; authorizing the board of wildlife commissioners to issue an additional bighorn sheep tag each year; and providing other matters properly relating thereto.

Assemblyman Getto moved that the bill be referred to the Committee on Natural Resources, Agriculture and Mining.

Motion carried.

By Assemblymen Callister, Schofield, Tebbs, Marvel, Brookman, Spinello, Myrna Williams, Fay, Sedway, Adler, Kissam, Triggs, Freeman, Gaston, Carpenter and Bergevin:

Assembly Bill No. 548—An Act relating to water; providing procedures and requirements to establish and operate a project to recharge ground water; providing procedures and requirements to establish and operate a project for underground storage and recovery; allowing ground water to be pumped to prevent damage caused by levels of ground water which have risen as a result of recharged water; and providing other matters properly relating thereto.

Assemblyman Callister moved that the bill be referred to the Committee on Natural Resources, Agriculture and Mining.

Motion carried.

Assemblyman Thompson moved that the Assembly recess subject to the call of the Chair.

Motion carried.

Assembly in recess at 11:27 a.m.

ASSEMBLY IN SESSION

At 11:37 a.m.

Mr. Speaker presiding.

Quorum present.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Getto, Swain, Evans, Carpenter, Marvel, Tebbs, Brookman, Sader, Adler, Kissam, Triggs, Bergevin, DuBois, Porter and Humke:

Assembly Bill No. 549—An Act relating to campaign contributions; requiring a candidate to report to the secretary of state the amount of contributions received and not spent; providing for the disposition of unspent contributions after the election; requiring a candidate for public office to return contributions to contributors if he files for a different office than the one he publicly sought or previously held; providing penalties; and providing other matters properly relating thereto.

Assemblyman Getto moved that the bill be referred to the Committee on Elections.

Motion carried.

By Assemblymen DuBois, Thomas, Wisdom, Fay, Lambert, Tebbs, Nicholas, McGaughey, Triggs and Kerns:

Assembly Bill No. 550—An Act relating to acquired immune deficiency syndrome; making certain acts of prostitution unlawful; requiring testing of certain persons for exposure to the virus which causes the syndrome; making a person who tests positive for the virus and later engages in prostitution guilty of attempted murder; making certain owners of houses of prostitution liable for damages if they employ as a prostitute a person who has tested positive; providing a penalty; and providing other matters properly relating thereto.

Assemblyman DuBois moved that the bill be referred to the Concurrent Committees on Judiciary and Ways and Means.

Motion carried.

By the Committee on Transportation:

Assembly Bill No. 551—An Act relating to motor vehicles; increasing the reimbursement for agents connected with their registration; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Education:

Assembly Bill No. 552—An Act relating to education; requiring the department of education to acquire and distribute informational material regarding the prevention of acquired immune deficiency syndrome; requiring all pupils in certain grades to receive instruction in the prevention of that disease unless excused upon request of a parent or guardian; making an appropriation; and providing other matters properly relating thereto.

Assemblyman Craddock moved that the bill be referred to the Concurrent Committees on Education and Ways and Means.

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 553—An Act relating to legislators' retirement; permitting a retired legislator who is reelected to the legislature to receive

benefits under the legislators' retirement system for any day in which he does not receive a legislative salary; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 554—An Act relating to asbestos; requiring the department of industrial relations to license and regulate persons who remove asbestos from buildings or otherwise abate the dangers of asbestos; requiring the department to adopt regulations in compliance with federal law for the removal of asbestos from schools; requiring a survey for the presence of asbestos before the demolition or renovation of a public building; providing a penalty; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Commerce:

Assembly Bill No. 555—An Act relating to mortgage companies; expanding the applicability of provisions relating to mortgage companies; requiring certain licensees to post a bond with the administrator of financial institutions; abolishing the fund for audits of mortgage companies; exempting mortgage companies from compliance with provisions relating to the purchase and sale of securities; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 244.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Natural Resources, Agriculture and Mining.

Motion carried.

Senate Bill No. 256.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 282.

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

Motion carried.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 152.

The following Senate amendment was read:

Amendment No. 284.

Amend section 1, page 1, by deleting line 3 and inserting: "purchase 12 vehicles to be added to the".

Amend the title of the bill, second line, by deleting "replacement" and inserting "additional".

Assemblyman Sedway moved that the Assembly concur in the Senate amendment to Assembly Bill No. 152.

Remarks by Assemblyman Sedway.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 124.

The following Senate amendment was read:

Amendment No. 225.

Amend section 1, page 2, line 13, by deleting: "*in accord with the terms of*" and inserting: "*approved by a vote or the consent of the partners as provided in*".

Amend section 1, page 2, by deleting line 15 and inserting:

"*(b) Written notice of the sale is sent by registered or certified mail to all partners at least 15 days before the date of the sale.*".

Assemblyman Sader moved that the Assembly do not concur in the Senate amendment to Assembly Bill No. 124.

Remarks by Assemblyman Sader.

Motion carried.

Bill ordered transmitted to the Senate.

SECOND READING AND AMENDMENT

Senate Bill No. 118.

Bill read second time and ordered to third reading.

GENERAL FILE AND THIRD READING

Assembly Bill No. 206.

Bill read third time.

Remarks by Assemblyman Nicholas.

Roll call on Assembly Bill No. 206:

YEAS—42.

NAYS—None.

Assembly Bill No. 206 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 68.

Bill read third time.

Remarks by Assemblymen Kissam, Gaston, Porter and Adler.

Assemblyman Porter moved that Senate Bill No. 68 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Craddock.

Motion carried.

Senate Bill No. 98.
Bill read third time.
Remarks by Assemblyman Triggs.
Roll call on Senate Bill No. 98:
YEAS—42.
NAYS—None.

Senate Bill No. 98 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Senate Bill No. 113.
Bill read third time.
Remarks by Assemblyman Craddock.
Roll call on Senate Bill No. 113:
YEAS—42.
NAYS—None.

Senate Bill No. 113 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. 85; Senate Bills Nos. 106, 124, 176; Assembly Joint Resolutions Nos. 17, 18; Senate Joint Resolution No. 8.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Adler, the privilege of the floor of the Assembly Chamber for this day was extended to Mesdames Muriel R. Mersereau and Josephine Mersereau.

On request of Assemblyman Freeman, the privilege of the floor of the Assembly Chamber for this day was extended to Mss. Janet Ross, Mary Beedle, Pat Ferraro, Rose Oyarbide, Messrs. John Flynn, Ron Pagni and the Senior Government Students of Robert McQueen High School: Scott Bailey, Lea Bianchi, Russell Chudd, Tommy Donham, Matthew Donovan, Anthony English, Robert Finley, Ruth Harmon, Lisa Jackson, Annie Jaramillo, Angela McKinnon, James Morley, John Patchet, Katherine Patterson, Amy Peters, Nice Raphael, Charles Romo, Marco Salinas, Hollis Severns, David Smith, Toni Smith, Zachary Stefun, Justin Walker, Nathan White, Michael Whiting, Rick Robinson, David Arden, Robert Barnes, Kastli Beck, Waynea Chen, Lushell Curt, Michael DeAngelis, Geoffrey Duncan, Rudy Evenson, John Folsom, Jodi Freemonth, Lawrence Henkes, Michelle Kantor, Kelli Keegan, Jennifer Legere, Michael Linde, Louis Locke, David Lopez, John Lopez, Richard Allegretti, Kathy Boysol, Wendy Brannan, Tim Cronley, Daniel Cuevas, Steven Firth, Heather Glosen, Walter Greninger, Douglas Hill, David Irwin, Teri Jones, Julie Leslie, Audrey Montooth, Troy Papp, Karen Pardini, Nicholas Pfaff, Francis Roges, Sheila Rogers, Wendy

Woods, Jon Wunder, William Ames, Gloria Boracchia, Samantha Cawiezell, Sabrina Cellucci, Kristanne Clubb, Michelle Copenhaver, Nicole Culver, Jennifer Eisele, Stephen Fiore, Sean Flynn, Diana Gunbjornsen, Marnie Hammerel, Michael Harper, Jeffrey Heinz, Michele Horlacher, Karla Leach, Christopher Malucelli, Patrick Markovich, Joanie McCarty, Craig McGlynn, Laura Misel, Jori Mouliot, Michael Pezonella, Tiffany Roberts, Vince Rossi, Marc Spencer, John Stanlee, Carla Alocco, Dena Baker, Trina Bettencourt, Kristina Booth, Deann Bour, Todd Brown, Joseph Cote, Thomas Dunn, Thomas Frazier, Alycia Fritsche, Michael Goldsby, Alison Guinan, Joyce Henry, Kevin Janoski, Jennifer Keith, Michael Leone, Kerry Lucia, Robert McGhie, Russell Mitchell, Granville Oleson, Darius Peele, Marcos Perez, Richard Squailia, Anthony Valdez, Susana Velazquez, Patrick Young, Robert Franklin, Leigh Ann Moss, Jodi Marcucci, Mary Martini, Cheryl Mendoza, Brian Metzger, Lee Orozco, Sandra Paszek, Julie Stowers, Denise Trimble, Heather Vanwormer, Patrick Winans, Jana MacMillan, Sean Barry, Matthew Bonari, Sean Borchardt, Elaine Chau, Lester Cooper, Kathryn Corsentino, Raymond Draper, Maria Garay, Lesley Gillespie, Jennifer Graves, Edward Hill, Tracy MacFawn, Steven Maguire, Tonia Myers, Danny Peek, Donald Rader, Cara Ramociotti, Trent Rance, Adam Richards, Mark Robison, Geni Weathers, Nancy Young, Paul Zelinski, Thomas Darnell, Jason Davis, Dean Estes, Deidra Ferguson, Thomas Giller, Andrew Harper, Wayne Hawley, Tamara Heatherly, Sandra Hedicke, Sherri Holmes, Christopher Hubbell, Michael Kennedy, Kurt Kinder, Adam Kjorvestad, Lisa Krajewski, Holly Lacruze, Stacy Lantis, Megan Maxfield, Paula Moore, Christy Morgan, Christine Ruybalid, Hope Sanders, Spencer Schaupp, Clifton Scott, Dana Swartzendruber, Kathleen Wrenn and Pat Smith.

On request of Assemblyman Getto, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Paul Hudson, John Whalen, John Weinrauch, Dennis Achurra, Daniel Lyons, Wayne McComber, Royce Hettinger, Kenneth Andreson, Gordon Stauffer III, Jack Yetter, Richard Evans, Frank Weinrauch, Mss. Patricia Ouellette, Doris Day, Mable Day and Edith Smith.

On request of Assemblyman Jeffrey, the privilege of the floor of the Assembly Chamber for this day was extended to Mss. Wilma Barlow, Frankie Lucasco, Marj Maples, Suzy Sepahpour, Joanne Vecchiarelli, Beverly Palmer, Sally Herman, Traci Haakinson, Jan Bachman, Jean Bundy, Yvonne Saddler, Janet Empery, Dora Witt, Barbara Matthews, Shirley Huzarski, Penelope Kiechler, Martha Gould, Joan Kerschner, Bonnie Buckley, Joyce Lee, Sherry Allen, Joy Schendel, Janet Clark, Rosa Herwick, Messrs. John Horgan, Chuck Manley, Oscar Ford, H. Harold Morehouse, Robert Blesse, Peter Bandurraga, Charles Stottlemeyer and Jim Clawson.

On request of Assemblyman Price, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Barbara McArthur.

On request of Assemblyman Spinello, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Gus West and Ms. Lisa Campagna.

Assemblyman Jeffrey moved that the Assembly adjourn until Thursday, April 9, 1987 at 11 a.m.

Motion carried.

Assembly adjourned at 12:18 p.m.

Approved: JOSEPH E. DINI, JR.
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE EIGHTY-FIRST DAY

CARSON CITY (Thursday), April 9, 1987

Assembly called to order at 11:05 a.m.

Mr. Speaker presiding.

Roll called.

All present except Assemblyman Wendell Williams, who was excused.

Prayer by the Chaplain, The Reverend Bruce Henderson.

Our prayer this morning is from the eighth Psalm: "O Lord, our Lord, how majestic is Your name in all the earth! O Lord, our Lord, how majestic is Your name in all the earth!" It is in that great name that we pray. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Jeffrey moved that further reading of the Journal be dispensed with, and the Speaker and Chief Clerk be authorized to make the necessary corrections and additions.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Commerce, to which was referred Assembly Bill No. 45, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN E. JEFFREY, *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which was referred Senate Bill No. 97, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN E. JEFFREY, *Chairman*

Mr. Speaker:

Your Committee on Transportation, to which was referred Assembly Bill No. 451, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

LEONARD V. NEVIN, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which was re-referred Assembly Bill No. 327, 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.

MARVIN M. SEDWAY, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, April 8, 1987

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bill No. 333.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Bills Nos. 146, 263.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bill No. 180.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

By the Committee on Legislative Functions:

Assembly Resolution No. 8—Providing for the appointment of additional attachés.

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, That Rodger J. Genereux, Phyllis Berkson and Heidi Wood are elected as additional attachés of the Assembly for the 64th session of the Legislature of the State of Nevada.

Assemblyman Myrna Williams moved the adoption of the resolution.

Remarks by Assemblyman Myrna Williams.

Resolution adopted.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Judiciary:

Assembly Bill No. 556—An Act relating to justices of the peace; requiring a justice of the peace to have a high school diploma or its equivalent; requiring the court administrator to provide certain training at least annually; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 557—An Act relating to justices' courts; providing fees for certain additional acts performed by a justice of the peace; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 558—An Act relating to crimes against property; clarifying the status of mobile homes in connection with the crime of arson; removing the element of malice from the crime of giving a false alarm of fire; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 559—An Act relating to the office of court administrator; requiring the court administrator to compile statistics from the information maintained by the clerks of the district courts on cases filed in the district courts; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 560—An Act relating to parole; permitting the state board of parole commissioners to petition for a modification of a sentence of life imprisonment after the person has been on parole for a certain period; and providing other matters properly relating thereto.

Assemblyman Sader moved that the bill be referred to the Select Committee on Corrections.

Motion carried.

By Assemblymen Getto, Dini, Carpenter, Marvel and Bergevin:

Assembly Bill No. 561—An Act relating to the subdivision of land; requiring the board of directors of an irrigation district to review a tentative map of the subdivision of land; requiring a tentative map to show the location of irrigation ditches and rights of way for irrigation ditches; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Kissam, Nevin, Jeffrey, Wisdom, Brookman, Thomas and Haller:

Assembly Bill No. 562—An Act relating to the Nevada highway patrol; requiring the Nevada highway patrol to protect and secure the property of the University of Nevada System; abolishing the police department for the University of Nevada System; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Kissam, Nevin, Dini, Jeffrey, Sedway, Fay, DuBois, Gaston, Wisdom, Kerns, Callister, Brookman, Lambert and Thomas:

Assembly Bill No. 563—An Act relating to motor vehicles; requiring the department of motor vehicles and public safety to license and regulate mopeds, power cycles and trimobiles in the same manner as motorcycles; and providing other matters properly relating thereto.

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

Motion carried.

Senate Bill No. 146.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

Senate Bill No. 180.

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

Motion carried.

Senate Bill No. 263.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Judiciary, to which was referred Assembly Bill No. 462, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

ROBERT M. SADER, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which was referred Senate Bill No. 99, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ROBERT M. SADER, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen Kissam, Nevin, Sader, Gaston, Wisdom, Callister, Thomas and Haller:

Assembly Joint Resolution No. 38—Urging the Department of Energy to use the Nevada Highway Patrol to secure the facilities at the Nevada Test Site.

Assemblyman Kissam moved that the resolution be referred to the Committee on Transportation.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 478.

Bill read second time, ordered engrossed and to third reading.

Senate Bill No. 205.

Bill read second time and ordered to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman May moved that Assembly Bill No. 73 be taken from the Chief Clerk's desk and placed on the General File.

Remarks by Assemblyman May.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 138.

Bill read third time.

Remarks by Assemblyman Lambert.

Roll call on Assembly Bill No. 138:

YEAS—41.
NAYS—None.
Absent—Wendell Williams.

Assembly Bill No. 138 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. 118 be taken from the General File and re-referred to the Committee on Ways and Means.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 184.

Bill read third time.

Remarks by Assemblyman Swain.

Roll call on Assembly Bill No. 184:

YEAS—41.
NAYS—None.
Absent—Wendell Williams.

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. 288.

Bill read third time.

Remarks by Assemblymen Thompson, Gaston, Jeffrey, Schofield, Nevin, Adler and Price.

Roll call on Assembly Bill No. 288:

YEAS—40.
NAYS—Triggs.
Absent—Wendell Williams.

Assembly Bill No. 288 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 32.

Bill read third time.

Remarks by Assemblymen Craddock, Carpenter, Sedway, Thomas, Getto, Schofield, Fay, Banner and Gaston.

Assemblymen Nevin, Bergevin and Thompson moved the previous question.

Motion carried.

The question being on the passage of Senate Bill No. 32.

Roll call on Senate Bill No. 32:

YEAS—14.

NAYS—Banner, Bergevin, Brookman, Carpenter, Craddock, DuBois, Evans, Fay, Freeman, Garner, Gaston, Getto, Humke, Jeffrey, Kerns, Marvel, Nevin, Porter, Sedway, Spinello, Spriggs, Swain, Thomas, Thompson, Myrna Williams, Wisdom, Mr. Speaker—27.

Absent—Wendell Williams.

Senate Bill No. 32 having failed to receive a constitutional majority, Mr. Speaker declared it lost.

Assembly Bill No. 73.

Bill read third time.

The following amendment was proposed by the Committee on Taxation:

Amendment No. 325.

Amend section 1, page 1, line 8, by deleting "four" and inserting "[four] *two*".

Amend section 1, page 1, by deleting lines 10 through 17 and inserting:

"4. If a person elects to pay in [quarterly] *semiannual* installments, the first installment is due on the [3rd Monday of July,] *1st Monday of August and* the second installment on the 1st Monday of [October, the third installment on the 1st Monday of January, and the fourth installment on the 1st Monday of March.] *February.*".

Assemblyman May moved the adoption of the amendment.

Remarks by Assemblyman May.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Government Affairs:

Assembly Bill No. 564—An Act relating to public utilities; providing for the use of estimated revenues, expenses, investments and costs of capital in setting their rates; providing for the subsequent adjustment of rates so set; facilitating the reconsideration of pending, contested or disallowed items; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Sader, Dini, Bergevin, DuBois, Thomas, McGaughey, Thompson, Sedway, Jeffrey, May, Nevin, Adler, Kissam, Lambert, Craddock, Price, Fay, Schofield, Swain, Arberry, Evans, Spriggs, Garner, Humke, Triggs, Haller, Nicholas, Porter, Kerns, Wisdom, Spinello, Myrna Williams, Marvel, Callister, Tebbs, Getto, Carpenter, Brookman, Gaston and Freeman:

Assembly Bill No. 565—An Act relating to gaming; restricting certain repurchases of stock by corporate gaming licensees; requiring the approval of the Nevada gaming commission for certain corporate acquisitions; revising provisions relating to the suitability of persons associated with corporate

licensees; providing penalties; and providing other matters properly relating thereto.

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

Motion carried.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bill No. 152; Assembly Concurrent Resolution No. 32.

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 Mss. Helen Jenkins, Georgia James, Bonnie Lenz, Mildred Campbell, Helen Carter, Mary Boatwright, Pat Gable, Pat Ralls, Irene Crouse, Peg Wilson, Judy LaPlante, Eunice Damron, Bobbie Bullington, Christine Neusbaum, Lola Childs and Vivian Pickett.

On request of Assemblyman Getto, the privilege of the floor of the Assembly Chamber for this day was extended to Mss. Lisa Reck, Dee Gipson, Messrs. Jerry Piccinini, Buddy Sampson, Bernie Romero, Larry Swanson and Wayne Cameron.

On request of Assemblyman Haller, the privilege of the floor of the Assembly Chamber for this day was extended to Sr. Elizabeth O'Neill, Mrs. Eileen Morrison and the Seventh Grade students of Little Flower School: Andrea Adams, James Arden, Monica Berge, Richard Brown, Steve Caramella, Darrell Chapman, David Danen, Michael Davis, Sean Featham, Marc Fraide, Lucy Guzman, Lisa Harshbarger, Sheehan Ilarina, Kari Kincannon, Christopher King, Jennifer Kirsch, Cleo Libang, Heidi Manson, John Marshall, Mary Martinez, Gabriel Mazzo, Scott Means, James Meek, John Mendez, Dylan Menes, Craig Mynatt, Jose Ruiz, Lilly Smith, Charmaine Tirona, Tamsen Turner, Josielyn Valera, John Velasco, Lisa Vernillo and Tae Kyu Yim.

On request of Assemblyman Lambert, the privilege of the floor of the Assembly Chamber for this day was extended to the students of Lemmon Valley School: Reece Borges, Amber Boston, Michelle Cramer, Sandor Demosthenes, Mark Donnelly, Sarah Edwards, Joshua Geeraerts, Erin Harvey, Kari Hilton, Bardwell Kimball, Corinna Landers, Angela Luna, Rex Owen, Elizabeth Pettit, Nathan Pipkin, Steven Rawson, Danny Sherman, Ian Stoddard, Julia Tom, Nathanial Wakeling, Angela Wall, Valerie Yates, Justin Miles, Kelly Baker, David Bessette, Rebecca Carrigan, Venus Dross, Johnathan Dunn, Richard Hagen, John Howard, Shawna Jordan, James Lambert, Christopher Lee, Tim Lovett, Misty McNatt, Paul Mock, Kimberly Murphy, Dena Olkjer, Mark Pendergrass, Stacey Phillips-Vetch, Jason Rivera, Jason Saner, Jessica Schwarz, Jacob Stoner, Theresa Stuart, Patricia Sutherland, Lisa Tanner-Holmes, Bobbie Thebodeau, Kim Trehal,

Taras Zaryczny, Michelle Albretsen, Jason Allen, Lloyd Askins, Wendelynn Barger, Melissa Casey, Linda Church, Melissa Cross, Lacy Decremer, Dayton Germino, Tatianna Land, Landon Lee, Nathan Lowery, Lisabeth McGowan, Phillip McMaster, Julia Miley, James Moore, Viola Morales, Shellie O'Neil, Joshua Palmer, Gordon Petersen II, Jonathan Porto, Tamatha Ranvier, Keith Reader, Justin Shaffer-Clark and Roberta Swartz-Pannell.

On request of Assemblyman Marvel, the privilege of the floor of the Assembly Chamber for this day was extended to Miss Jacqueline Slagle, Messrs. Christopher Slagle, Nicholas Slagle and Patrick Slagle.

On request of Assemblyman Sader, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. John O'Rielly.

On request of Assemblyman Thomas, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. John Yurtinus and the students of Western Nevada Community College: Marry Beattie, Kurt Green, Tim Phillips, Kathy King, Mike Wright, Harriet Jones, Lisa Nilsen, Kathie Heath, Lisa Wright, Robin Bartlow, Analee Anderson, Cookie Kidder, Peggy Clark, Pat DiLoreto, Linda Dunn, Amy Corda, Terry Bill Engel, Randall Newberg, Nancy Lujain, Beverly Reeves, Sharlene Law, Sharon Matthews, Afsaneh Gafepaur, Nanette Swain, Ray Herbert, Rowena Pagne, Debbie Norvell, Aleta Haglund, Cindy McMurry, Marilynne Rodrigues, Brenda Schroeder, Karen Smith and Denise Rheault.

Assemblyman Jeffrey moved that the Assembly adjourn until Friday, April 10, 1987 at 11 a.m.

Motion carried.

Assembly adjourned at 11:58 a.m.

Approved: JOSEPH E. DINI, JR.
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE EIGHTY-SECOND DAY

CARSON CITY (Friday), April 10, 1987

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

Mr. Speaker presiding.

Roll called.

All present except Assemblymen Arberry, Swain and Wendell Williams, who were excused.

Prayer by the Chaplain, The Reverend Bruce Henderson.

Father, we come to You this day as quite an assortment of your creation. We come to you in different sizes, shapes, beliefs and unbeliefs. We thank You for loving us all and pray that we never allow our differences to separate us from one another or from You. We pray this in whatever name each of us holds dear. Please hear us, Lord. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Nevin 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. 8, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN E. JEFFREY, *Chairman*

Mr. Speaker:

Your Committee on Natural Resources, Agriculture and Mining, 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: Do pass.

JAMES W. SCHOFIELD, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, April 9, 1987

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 179, 252.

Also, I have the honor to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolutions Nos. 33, 34.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Bills Nos. 219, 271, 279.

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. 211.

MARY JO MONGELLI
Assistant Secretary of the Senate

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Triggs and Thomas:

Assembly Bill No. 566—An Act making an appropriation to the Nevada State Council on the Arts to match a grant from the National Endowment for the Arts; and providing other matters properly relating thereto.

Assemblyman Triggs moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

Senate Bill No. 219.

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

Motion carried.

Senate Bill No. 271.

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

Motion carried.

Senate Bill No. 279.

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

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 45.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 343.

Amend sec. 2, page 1, line 9, by deleting "and".

Amend sec. 2, page 1, line 12, by deleting the period and inserting: "; and

(c) In which a fee of at least $500 must be paid from the franchisee to the franchiser for the right granted by the franchise. The fee must not include compensation paid for wholesale purchases or the rental of property or inventory.".

Amend sec. 2, page 2, by inserting between lines 1 and 2:

"4. "Retail food establishment" means any single place, structure or premises at which more than 85 percent of all retail sales are for food or beverages which are manufactured, prepared, cooked or packaged at that establishment for consumption by retail customers, excluding food and beverages prepackaged elsewhere.".

Amend sec. 4, page 2, by deleting line 23 and inserting: "operator or wholesale purchaser pursuant to NRS 598.650 to 598.680, inclusive;".

Amend sec. 4, page 2, line 25, by deleting "or".

Amend sec. 4, page 2, line 27, by deleting "inclusive." and inserting: "inclusive;

(f) Relating to real estate businesses which are owned, operated or employ real estate brokers or real estate salesmen licensed pursuant to chapter 645 of NRS;

(g) Relating to hotels, inns, motels, motor courts, boardinghouses or lodging houses; or

(h) Relating to retail food establishments.".

Amend sec. 7, page 3, line 28, by deleting "or".

Amend sec. 7, page 3, line 29, by deleting the period and inserting: "; or

(c) Because of any other compelling exigency.".

Assemblyman Porter moved the adoption of the amendment.

Remarks by Assemblyman Porter.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 451.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 462.

Bill read second time, ordered engrossed and to third reading.

Senate Bill No. 97.

Bill read second time and ordered to third reading.

Senate Bill No. 99.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 313.

Amend section 1, page 1, by deleting lines 1 through 7 and inserting:

"Section 1. NRS 128.105 is hereby amended to read as follows:

128.105 An order of the court for termination of parental rights [may] *must* be made [on the grounds that the termination is in the child's best interest] in light of the considerations set forth in this section and NRS 128.106, 128.107 and 128.108 [:] , *with the initial and primary consideration being whether the best interests of the child would be served by the termination, but requiring a finding that the conduct of the parent or parents demonstrated at least one of the following:*

1. Abandonment of the child;

2. Neglect of the child;

3. Unfitness of the parent;

4. Risk of serious physical, mental or emotional injury to the child if he were returned to, or remains in, the home of his parent or parents;

5. Only token efforts by the parent or parents:

(a) To support or communicate with the child;

(b) To prevent neglect of the child;

(c) To avoid being an unfit parent; or

(d) To eliminate the risk of serious physical, mental or emotional injury to the child; or

6. With respect to termination of the parental rights of one parent, the abandonment by that parent.".

Amend the title of the bill to read as follows:

"An Act relating to the termination of parental rights; revising the basic considerations required for such a termination; and providing other matters properly relating thereto.".

Assemblyman Gaston moved the adoption of the amendment.

Remarks by Assemblyman Gaston.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Judiciary:

Assembly Bill No. 567—An Act relating to county recorders; requiring the county recorder to conform a copy of any instrument, paper or notice presented for record or filing; and providing other matters properly relating thereto.

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

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Judiciary, to which was referred Assembly Bill No. 243, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ROBERT M. SADER, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, 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: Do pass.

ROBERT M. SADER, *Chairman*

Mr. Speaker:

Your Select Committee on Corrections, to which was referred Assembly Bill No. 560, has had the same under consideration, and begs leave to report the same back with the recommendation: Re-refer to the Committee on Judiciary.

ROBERT M. SADER, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Sader moved that Assembly Bill No. 560 be re-referred to the Committee on Judiciary.

Motion carried.

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

Assembly in recess at 11:24 a.m.

ASSEMBLY IN SESSION

At 11:29 a.m.

Mr. Speaker pro Tempore presiding.

Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen Dini, Adler, Arberry, Banner, Bergevin, Brookman, Callister, Carpenter, Craddock, DuBois, Evans, Fay, Freeman, Garner, Gaston, Getto, Haller, Humke, Jeffrey, Kerns, Kissam, Lambert, McGaughey, Marvel, May, Nevin, Nicholas, Porter, Price, Sader, Schofield, Sedway, Spinello, Spriggs, Swain, Tebbs, Thomas, Thompson, Triggs, Myrna Williams, Wendell Williams and Wisdom:

Assembly Concurrent Resolution No. 35—Memorializing Leo K. Johnson.

WHEREAS, Leo K. Johnson was born June 6, 1905, in Corinda, Iowa, and moved to Battle Mountain, Nevada, in 1928; and

WHEREAS, While living in Battle Mountain Leo Johnson met Lavelle Morgan and they were married in Tonopah, Nevada, on June 13, 1929; and

WHEREAS, In 1932 Leo Johnson moved to Gold Hill where he and Lavelle lived for 47 years; and

WHEREAS, Leo Johnson was a real estate broker, deputy sheriff of Storey County for many years and a security officer for the State Capitol in Carson City; and

WHEREAS, Leo Johnson served as an Assemblyman representing Storey County during the 1943 session of the Nevada Legislature; and

WHEREAS, He was a member of the Virginia City Escurial Lodge 7, F. & A.M. and the Virginia City Chapter 7, Order of the Eastern Star; and

WHEREAS, Leo Johnson came to Nevada intent on becoming a miner and throughout his life he was able to fulfill this dream, first at Battle Mountain, and later at Gold Hill, nearby Silver City; and

WHEREAS, Leo K. Johnson will be remembered with highest regard by all Nevadans who were fortunate enough to have known and worked with him over the years; now, therefore, be it

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, THE SENATE CONCURRING, That the members of this body express their deepest sympathies and extend their sincere condolences to Leo Johnson's lovely wife, Lavelle Johnson, who has been employed by the Assembly as a Bill Clerk since 1959 and as Bill Clerk Supervisor since 1971, and to his sister Electa Quellettes of Mountain View, 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 Lavelle Johnson.

Assemblyman Dini moved the adoption of the resolution.

Remarks by Assemblyman Dini.

Assemblyman Thompson requested that Assemblyman Dini's remarks be entered in the Journal.

Mr. Speaker pro Tem and members of the Assembly. It is certainly my privilege today to have Mrs. Johnson here with me. We have been friends since I first started to serve in the Assembly.

I became acquainted with Leo in my first session here in the legislature in 1967. His wife was already here as a long-time employee of the legislature and she still remains with us.

After I got elected in the Comstock in 1972, we became very closely acquainted and enjoyed many good talks about the development of Gold Hill and Silver City and Virginia City as well as all of western Nevada.

Leo was a brother of mine in Lodge and in Eastern Star as well as in other areas. He was a highly respected man in Virginia City and had the high respect of all the business people in that community and on the hill.

We want to extend our sympathy to Lavelle who has been with us all these years. On behalf of the Assembly we want to present this resolution in memory of Mr. Johnson for the family to have.

Lavelle, we extend our sympathy to you and it is certainly great to have you with us.

Resolution adopted unanimously.

GENERAL FILE AND THIRD READING

Assembly Bill No. 327.

Bill read third time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 333.

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 120A.160 is hereby amended to read as follows:

120A.160 The following property held or owing by a banking or financial organization or by a business association is presumed abandoned:

1. Any demand, savings or matured time deposit or other certificate of deposit with a banking organization, together with any interest or dividend thereon, excluding any charges that may lawfully be withheld, including a deposit that is automatically renewable, and any money paid toward the purchase of a share, a mutual investment certificate or any other interest in a banking or financial organization, unless the owner has within 5 years:

(a) In the case of a deposit, increased or decreased the amount of the deposit, or presented the passbook or other similar evidence of the deposit for the crediting of interest;

(b) Communicated in writing with the banking organization concerning the property;

(c) Otherwise indicated an interest in the property as evidenced by a memorandum or other record on file prepared by an employee of the banking or financial organization;

(d) Owned other property to which paragraph (a), (b) or (c) applies and if the banking or financial organization communicates in writing with the owner with regard to the property that would otherwise be presumed abandoned under this subsection at the address to which communications regarding the other property regularly are sent; or

(e) Had another relationship with the banking or financial organization concerning which the owner has:

(1) Communicated in writing with the banking or financial organization; or

(2) Otherwise indicated an interest as evidenced by a memorandum or other record on file prepared by an employee of the banking or financial organization and if the banking or financial organization communicates in writing with the owner with regard to the property that would otherwise be abandoned under this subsection at the address to which communications regarding the other relationship regularly are sent.

For the purposes of this subsection, "property" includes interest and dividends.

2. Any property described in subsection 1 that is automatically renewable is matured for purposes of subsection 1 upon the expiration of its initial time period, but in the case of any renewal to which the owner consents at or about the time of renewal by communicating in writing with the banking or financial organization or otherwise indicating consent as evidenced by a memorandum or other record on file prepared by an employee of the organization, the property is matured upon the expiration of the last time period for which consent was given. If, at the time provided for delivery in NRS 120A.320, a penalty or forfeiture in the payment of interest would result from the delivery of the property, the time for delivery is extended until the time when no penalty or forfeiture would result.

3. Any sum payable on a check certified in this state or on a written instrument issued in this state on which a banking or financial organization or business association is directly liable, including any draft or [money order,] *cashier's check,* which has been outstanding for more than [7 years from] *5 years after* the date it was payable, or [from] *after* the date of its issuance if payable on demand, *or any sum payable on a money order which has been outstanding for more than 7 years after its issuance,* or any sum payable on a traveler's check which has been outstanding for more than 15 years [from] *after* the date of its issuance, unless the owner has within the specified period corresponded in writing with the banking or financial organization or business association concerning it, or otherwise indicated an interest as evidenced by a memorandum on file with the banking or financial organization or business association.

4. Any money or other personal property, tangible or intangible, removed from a safe-deposit box or any other safekeeping repository on which the lease or rental period has expired because of nonpayment of rental charges or other reason, or any surplus amounts arising from the sale thereof pursuant to law, that have been unclaimed by the owner for more than 5 years from the date on which the lease or rental period expired. A safe-deposit box for which no rent is charged or which is provided to the user because of a specific amount deposited with a banking or financial organization or business association is presumed abandoned at the same time as the account for which it was given.".

Amend the bill as a whole by renumbering sections 3 through 12 as sections 5 through 14 and adding a new section designated sec. 4, following sec. 2, to read as follows:

"Sec. 4. NRS 120A.220 is hereby amended to read as follows:

120A.220 All intangible personal property held for the owner by any court, public corporation, public authority or public officer [of this state,] , *an appointee thereof, a federal or state governmental entity* or a political subdivision thereof, that has remained unclaimed by the owner for more than [7 years is presumed abandoned.] *5 years after it became payable or distributable is presumed abandoned and subject to the provisions of this chapter if:*

1. The last known address or residence of the owner of the property is in this state; or

2. The property is otherwise abandoned in this state.

This section does not apply to refunds held by the public service commission of Nevada pursuant to NRS 703.374.".

Amend the title of the bill, first line, after "property;" by inserting: "expanding the class of property presumed abandoned;".

Assemblyman Sedway moved the adoption of the amendment.

Remarks by Assemblyman Sedway.

Amendment adopted.

Assemblyman Sedway moved that Assembly Bill No. 327 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.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Assembly Bill No. 478 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. 333; Senate Bills Nos. 113, 211.

REMARKS FROM THE FLOOR

Assemblyman Fay requested that Assemblyman Price's remarks be entered in the Journal.

During this week in 1787, the Board of Treasury reported to Congress on the plan for selling western lands (western, in those days meant Pennsylvania, West Virginia, and Kentucky). Of 657,000 acres surveyed, one-seventh was reserved for veterans of the late war. The land was to be advertised four months in advance and was to be sold for not less than $1 per acre.

James Robertson of Nashville, Tennessee, wrote to William Blount, North Carolina member of Congress: "On my return to this country, I find it involved in a war with the Chickamaguas which seems to threaten the most disagreeable consequences and without some timely assistance I fear will be productive of the ruin of the settlement. I beg you will use all your influence with the Governor to forward out some immediate assistance as I have no hopes of getting peace by any other means than by carrying the war into the Indian country."

In June 1784, North Carolina ceded its western lands to the United States. Residents of the area, comprising the present counties of Green, Sullivan and Washington in Tennessee, met and erected a new state. At a meeting in Greenville, John Sevier was elected Governor, courts were established, taxes levied, laws enacted and a constitution adopted. The citizens named their new state after the venerable Benjamin Franklin. Applying to Congress for recognition and admission to the Confederation, the citizens were shocked to learn the Confederation was not interested. The State of Franklin passed out of existence in 1788. The land reverted to North Carolina jurisdiction and became a part of Tennessee when that state was established.

The Seventeenth Amendment was ratified on April 8, 1913, allowing for popular election of United States Senators. As more people became eligible to vote, the idea of electing senators in the same way as representatives gained support, prompting the call for this amendment.

April 6, 1917, the United States declared war on Germany. President Woodrow Wilson had been elected on a platform of "He kept us out of war," but three months after his election, German submarines began sinking American merchant ships. Almost two million men volunteered for service, and approximately three million men were drafted. World War I ended in an Allied victory with an Armistice signed on November 11, 1918.

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 Mesdames Suzanne Troup, Marcy Welch, Linda Atcheson, Valerie Bantum, Polly Proffit-Higgins, Linda Russell, Carole Graham, Karen Karst-Hoskin, Denise Klaich, Violetta Karst, Mr. Marvin Karst and the students of Roy Gomm School: Nate Atcheson, Brian Bantum, Christine Bantum, Erin Chamberlain, Jennifer Chumrau, Kim Dickson, Aaron Dyches, Erin Fockler, Melissa Ford, Kristin Fromhart, Christine Graham, Jill Hamilton, David Heinrich, Alex Isbell, Jeremy Judd, Soma Miller, Damien Melgaard, Bronwyn Proffit-Higgins, Ben Rogers, Erin Russell, Matt Schiff, Ben Skaggs, Mark Vollmer, Kathryn Wallace, Dustin Wanco, Emily Welch, Jennifer Burkhamer, Britt Faber, JoLynn Grayson, Erin Klaich, Heather Line, Jeff Kopicko, Brook Mackey, Casey Meaders, Danielle Parsons, Suzanne Sawyer, Corinna Standlee and Maile Young.

On request of Assemblyman Craddock, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Jerry Bing.

On request of Assemblyman Gaston, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Russell Eaton.

Assemblyman Jeffrey moved that the Assembly adjourn until Monday, April 13, 1987 at 11 a.m.

Motion carried.

Assembly adjourned at 11:44 a.m.

Approved: JOSEPH E. DINI, JR.
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE EIGHTY-FIFTH DAY

CARSON CITY (Monday), April 13, 1987

Assembly called to order at 11:02 a.m.

Mr. Speaker presiding.

Roll called.

All present except Assemblyman Craddock, who was excused.

Prayer by the Chaplain, Father John McShane.

Father, thank You for this day of sunshine and hope. Bless our Nevada lawmakers. May this be a holy week for all of us. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Jeffrey moved that further reading of the Journal be dispensed with, and the Speaker and Chief Clerk be authorized to make the necessary corrections and additions.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Transportation, to which was referred Assembly Bill No. 368, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

LEONARD V. NEVIN, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Assembly Bill No. 369, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

DANNY L. THOMPSON, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, April 10, 1987

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 84, 141, 279, 280.

Also, I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bill No. 197, 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. 225.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bill No. 249.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Joint Resolution No. 17 of the 63rd Session.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Mr. Speaker instructed the Chief Clerk to read the following communication:

NEVADA STATE ASSEMBLY, Carson City, Nevada, 89701

Thank you for the remembrance of our father. His greatest years were spent in the Senate.

The family of Snowy Monroe acknowledges with deep appreciation your kind expression of sympathy.

LARRY MONROE
TIM MONROE

Senate Joint Resolution No. 17 of the 63rd Session.

Assemblyman Jeffrey moved that the resolution be referred to the Committee on Judiciary.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

Senate Bill No. 225.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Taxation.

Motion carried.

Senate Bill No. 249.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 8.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 297.

Amend the bill as a whole by renumbering section 1 as sec. 2 and adding a new section designated section 1, following the enacting clause, to read as follows:

"Section 1. NRS 645B.010 is hereby amended to read as follows:

645B.010 As used in this chapter, unless the context otherwise requires:

1. "Administrator" means the administrator of financial institutions.

2. "Depository financial institution" means a bank, savings and loan association, thrift company or credit union.

3. "Mortgage company" means any person who, directly or indirectly:

(a) Holds himself out for hire to serve as an agent for any person in an attempt to obtain a loan which will be secured by a lien on real property;

(b) Holds himself out for hire to serve as an agent for any person who has money to lend, if the loan is or will be secured by a lien on real property;

(c) Holds himself out as being able to make loans secured by liens on real property, unless the loans are made pursuant to subsection 6 or 8 of NRS 645B.015; [or]

(d) Holds himself out as being able to buy or sell notes secured by liens on real property [.] *; or*

(e) Offers for sale in this state any security which is exempt from registration under state or federal law and purports to make investments in promissory notes secured by liens on real property.".

Amend section 1, page 1, line 3, after "of this state" by inserting: ", *any other state*".

Amend the bill as a whole by deleting sec. 2.

Amend the title of the bill to read as follows:

"An Act relating to mortgage companies; expanding the definition of "mortgage company" under certain circumstances; allowing certain companies which are exempt from the requirement of licensing of mortgage companies to maintain accounts for repayment of loans; and providing other matters properly relating thereto.".

Assemblyman Jeffrey moved the adoption of the amendment.

Remarks by Assemblyman Jeffrey.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 243.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 324.

Amend sec. 35, page 43, by deleting lines 35 through 40 and inserting:

"3. Deny the principal owner the opportunity to designate his spouse, a member of his family or other qualified designee as entitled to participate in the ownership of [the] *:*

(a) The franchised dealership [or] *;*

(b) A successor franchised dealership for 2 years or a longer reasonable time after the [death or] incapacity of [such] *the* principal owner [.] *; or*

(c) A successor franchised dealership after the death of the principal in accordance with sections 3 to 9, inclusive, of this act.

4. Modify unilaterally, replace, enter into, relocate, terminate or".

Amend sec. 62, page 80, line 11, by deleting "*which is*" and inserting: "*which:*

(a) Is".

Amend sec. 62, page 80, line 13, by deleting: "*corporation and owns,*" and inserting: "*corporation; and*

(b) Owns,".

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. 316.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 504.

Bill read second time, ordered engrossed and to third reading.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Labor and Management:

Assembly Bill No. 568—An Act relating to the state industrial insurance system; requiring the manager of the system to establish premium rates for certain workers in the employment classified as construction based on the number of hours worked; and providing other matters properly relating thereto.

Assemblyman Banner moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

By the Committee on Commerce:

Assembly Bill No. 569—An Act relating to the distribution of alcoholic beverages; requiring a supplier of such beverages under a franchise to give notice to a wholesaler of any intended termination or nonrenewal of the franchise; specifying the grounds upon which a franchise may be terminated or not renewed; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 570—An Act relating to controlled substances; revising the provisions relating to the sealing of records of certain persons convicted of possession of controlled substances not for the purpose of sale; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 571—An Act relating to local improvements; authorizing a special assessment for the maintenance of a project of a local government; and providing other matters properly relating thereto.

Assemblyman Thompson moved that the bill 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 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.

JAMES W. SCHOFIELD, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was re-referred Assembly Bill No. 115, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

DANNY L. THOMPSON, *Chairman*

GENERAL FILE AND THIRD READING

Assembly Bill No. 73.

Bill read third time.

Remarks by Assemblymen May, Marvel, Getto, DuBois, Lambert, Banner and Price.

Assemblyman May moved that Assembly Bill No. 73 be taken from the General File and re-referred to the Committee on Taxation.

Remarks by Assemblyman May.

Motion carried.

Assembly Bill No. 451.

Bill read third time.

Remarks by Assemblyman Nevin.

Roll call on Assembly Bill No. 451:

YEAS—41.

NAYS—None.

Absent—Craddock.

Assembly Bill No. 451 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 462.

Bill read third time.

Remarks by Assemblyman Porter.

Roll call on Assembly Bill No. 462:

YEAS—41.

NAYS—None.

Absent—Craddock.

Assembly Bill No. 462 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 Assemblyman Nevin.

Roll call on Assembly Bill No. 478:

YEAS—41.

NAYS—None.

Absent—Craddock.

Assembly Bill No. 478 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 Assemblyman Fay.

Roll call on Senate Bill No. 97:

YEAS—41.

NAYS—None.

Absent—Craddock.

Senate Bill No. 97 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 205.

Bill read third time.

Remarks by Assemblyman Garner.

Roll call on Senate Bill No. 205:

YEAS—41.

NAYS—None.

Absent—Craddock.

Senate Bill No. 205 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Schofield moved that Assembly Bill No. 285 be placed on the Second Reading File.

Remarks by Assemblyman Schofield.

Motion carried.

By Assemblymen Bergevin, Sedway, Dini, Carpenter, Marvel, Getto, Spriggs, Humke and Nicholas:

Assembly Joint Resolution No. 39—Proposing to amend the Nevada constitution to establish a tax on the net proceeds of minerals extracted at rates separate from the tax on property.

RESOLVED BY THE ASSEMBLY AND SENATE OF THE STATE OF NEVADA, JOINTLY, That section 1 of article 10 be amended and a new section be added to article 10 of the constitution of the State of Nevada to read respectively 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.] *only as provided in section 5 of this article.*

2. Shares of stock, 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 tax shall ever be levied.

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.

Sec. 5. 1. As used in this section:

(a) "Gross proceeds" means the total revenue received from the sale of a mineral or the equivalent value if the mineral, in a form ready for sale, is otherwise used by its extracter. In the case of a geothermal resource, it means the value of the energy produced plus any byproduct.

(b) "Net proceeds" means the gross proceeds minus the cost of extracting the mineral and preparing it for sale. In the case of a geothermal resource, the deductions to be allowed include the cost of generating any energy sold or otherwise used by the producer.

2. The legislature shall levy a tax upon the net proceeds of all minerals, including oil, gas and other hydrocarbons, and all geothermal resources, extracted in this state, at the rates provided in this section. No other tax may be imposed upon a mineral or geothermal resource so taxed until its identity as such is lost.

3. The rate of tax depends upon the ratio of the net proceeds to the gross proceeds resulting from each geographically separate extractive or geothermal operation as a whole, according to the following table:

Net proceeds as percentage of gross proceeds	*Rate of tax as percentage of net proceeds*
Less than 10	*2*
10 or more but less than 13.5	*2.25*
13.5 or more but less than 17	*2.5*
17 or more but less than 20.5	*2.75*
20.5 or more but less than 24	*3*
24 or more but less than 27.5	*3.25*
2.75 or more but less than 31	*3.5*
31 or more but less than 34.5	*3.75*
34.5 or more but less than 38	*4*
38 or more but less than 42	*4.25*
42 or more but less than 46	*4.5*
46 or more but less than 50	*4.75*
50 or more	*5*

4. The legislature shall appropriate to each county that sum which would be produced by levying a tax upon the entire amount of the net proceeds taxed in each taxing district in the county at the rate levied in that district upon the assessed valuation of real property. The total amount so appropriated to each county must be apportioned among the respective governmental units and districts within it, including the county itself and the school district, in the same proportion as they share in the total taxes collected on property according to value.

5. Each patented mining claim must be assessed and taxed as other real property is assessed and taxed, except that no value may be attributed to any mineral or geothermal

resource known or believed to underlie it, and no value may be attributed to the surface if one hundred dollars' worth of labor has been actually performed on the claim during the year preceding the assessment.

Assemblyman Bergevin moved that the resolution be referred to the Committee on Taxation.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 285.

Bill read second time.

The following amendment was proposed by the Committee on Natural Resources, Agriculture and Mining:

Amendment No. 363.

Amend section 1, page 2, by deleting line 3 and inserting: "and location of his claim. The size of each sheet must be [24 by 32 inches.] *either 8 1/2 by 14 inches or 24 by 36 inches. Any 8 1/2- by 14-inch sheet must be capable of being photocopied. Any 24- by 36-inch sheet must be a mylar print or other material capable of being reproduced by standard means.*".

Amend the title of the bill, first line, by deleting "removing" and inserting "revising".

Amend the summary of the bill, first line, by deleting "Removes" 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.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bills Nos. 179, 252; Assembly Concurrent Resolutions Nos. 33, 34; Assembly Resolution No. 8.

REMARKS FROM THE FLOOR

Assemblyman Adler requested that Assemblyman Wisdom's remarks be entered in the Journal.

As most of you who were here from the last session will recall, my predecessor was a great quoter of Thomas Jefferson. Today marks his 244th birthday and he was truly a great American.

Thomas Jefferson was born on this day at Chadwell, Virginia. His adult home at Monticello was not far removed from his birthplace. Jefferson is remembered in many ways: author of the Declaration of Independence, scholar, political philosopher, scientist, inventor, foreign ambassador, Secretary of State, Vice President and third President of these United States.

Mr. Jefferson also is remembered as the first President to actively promote the western expansion of the United States through both the Louisiana Purchase and the Lewis and Clark expeditions.

And, I want to tell you that that is the last you'll hear about Thomas Jefferson this session from me.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Speaker, the privilege of the floor of the Assembly Chamber for this day was extended to Miss Michele Thomas, Messrs. Bill Vencensio, J. R. "Dick" Bails, Dale Barkman, William Bowman, Barry Brooks, John Wesley Brown, Wallace Brown, George Chiatovich, Franklin Coonley, Robert Deal, Calvin Dodson, Carl Friesen, Walter Hanson, Oliver Hatlestad, Arthur Johnson, Eric Meale, Emmett Moss, Fred Parisi, Theodore Parrish, Don Questa, Col. Clifford Quilici, R. W. "Dick" Rice, H. B. Sprenger, Sr., Robert Stevenson, Frank Curry Stokes, Elda Stovall, William Werkheiser, Henry Miller and George Doering.

On request of Assemblyman Evans, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Kathy Olsen.

On request of Assemblyman Kissam, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Bill Kissam, Jr.

On request of Assemblymen Nicholas and Thomas, the privilege of the floor of the Assembly Chamber for this day was extended to Mesdames Nita Jameson, Sheila Kover, Pam Holt, Mel Sale, Misses Margaret Jameson, Suzanne Kover, Dane Jensen and the members of Cub Scout Pack No. 87: Andrew Sale, Mark Oakden, Elijah Richa, Justin Martin, Jeff Kover, Brian Hurst, Kurt Jameson, Tristin Sale, Gary Wilcox, Zachary Nash, Aaron Holt, Brice Oakden, Ben Lyman and Seth Jameson.

On request of Assemblyman Spriggs, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Beth Weldon.

On request of Assemblyman Myrna Williams, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Bernice Cook.

On request of Assemblyman Wisdom, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Ellen J. Cali.

Assemblyman Jeffrey moved that the Assembly adjourn until Tuesday, April 14, 1987 at 11 a.m., and that it do so in memory of Thomas Jefferson. Motion carried.

Assembly adjourned at 11:48 a.m.

Approved: JOSEPH E. DINI, JR.
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE EIGHTY-SIXTH DAY

CARSON CITY (Tuesday), April 14, 1987

Assembly called to order at 11:03 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, Father John McShane.

O wonderful and majestic God, day after day we delight in Your precious gifts so simple and yet so powerful. Keep us humble in Your service and continue to grant us an assortment of Your choicest blessings. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Jeffrey moved that further reading of the Journal be dispensed with, and the Speaker and Chief Clerk be authorized to make the necessary corrections and additions.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Commerce, to which was referred Assembly Bill No. 351, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN E. JEFFREY, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which were referred Assembly Bills Nos. 162, 180, 463, 464, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ROBERT M. SADER, *Chairman*

Mr. Speaker:

Your Committee on Transportation, to which was referred Assembly Bill No. 376, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

LEONARD V. NEVIN, *Chairman*

Mr. Speaker:

Your Committee on Transportation, to which was referred Assembly Bill No. 273, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and re-refer to the Committee on Transportation.

LEONARD V. NEVIN, *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which were referred Assembly Bill No. 282; Senate Bill 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.

JOHN E. JEFFREY, *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which was referred Assembly Bill No. 214, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and re-refer to the Committee on Commerce.

JOHN E. JEFFREY, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, April 13, 1987

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, 131.

Also, I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bills Nos. 127, 329, 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. 29.

Also, I have the honor to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 35.

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. 124 and requests a conference, and appointed Senators Wagner, Joerg and Jones 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. 126 and requests a conference, and appointed Senators Joerg, Malone and Neal as a first Committee on Conference to meet with a like committee of the Assembly.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 193, 226.

Also, I have the honor to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 18.

MARY JO MONGELLI
Assistant Secretary of the Senate

UNFINISHED BUSINESS

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker appointed Assemblymen Sader, Callister and Carpenter as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Assembly Bill No. 124.

Mr. Speaker appointed Assemblymen Garner, Kerns and Adler as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Assembly Bill No. 126.

MOTIONS, RESOLUTIONS AND NOTICES

Senate Concurrent Resolution No. 18.

Assemblyman Bergevin moved the adoption of the resolution.

Remarks by Assemblyman Bergevin.

Resolution adopted unanimously.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblyman Price:

Assembly Bill No. 572—An Act relating to property tax; excepting from the adjustment of the actual age of improvements to real property in the computation of depreciation any improvement required by damage caused by a natural disaster; and providing other matters properly relating thereto.

Assemblyman Price moved that the bill be referred to the Committee on Taxation.

Motion carried.

By Assemblymen Fay and Sedway:

Assembly Bill No. 573—An Act relating to elections; requiring the county clerk to include in each sample ballot for the primary and general elections a list of the names of candidates for uncontested nominations or unopposed offices; and providing other matters properly relating thereto.

Assemblyman Fay moved that the bill be referred to the Committee on Elections.

Motion carried.

By Assemblyman Banner:

Assembly Bill No. 574—An Act relating to industrial insurance; repealing certain provisions concerning accident benefits provided by an employer; and providing other matters properly relating thereto.

Assemblyman Banner moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

By Assemblymen Getto and Dini:

Assembly Bill No. 575—An Act relating to district courts; requiring an additional district judge in the third judicial district; and providing other matters properly relating thereto.

Assemblyman Getto moved that the bill be referred to the Concurrent Committees on Judiciary and Ways and Means.

Motion carried.

Senate Bill No. 193.

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

Motion carried.

Senate Bill No. 226.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Taxation.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 368.

Bill read second time.

The following amendment was proposed by the Committee on Transportation:

Amendment No. 354.

Amend section 1, page 1, by deleting lines 5 through 11 and inserting: "*a driver who is physically handicapped and not accompanied by a passenger capable of refueling the motor vehicle. The motor vehicle to be refueled must display the special license plate issued by the department of motor vehicles and public safety which indicates that the driver of the motor vehicle is physically handicapped. The motor vehicle must be parked beside or sufficiently near a pump designated for self-service. Before complying with such a request, the operator may request the production of a valid Nevada driver's license which verifies the driver's physical handicap.*".

Amend section 1, page 2, line 1, after "*3.*" by inserting: "*Any person who has wrongfully been refused service pursuant to this section may file a formal complaint with the local law enforcement agency whose jurisdiction includes the operator's business.*

4.".

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. 369.

Bill read second time, ordered engrossed and to third reading.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Transportation:

Assembly Bill No. 576—An Act relating to motor vehicles; requiring the department of motor vehicles and public safety to license and regulate mopeds in the same manner as motorcycles; and providing other matters properly relating thereto.

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

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 45.

Bill read third time.

Remarks by Assemblyman Thompson.

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. 115.

Bill read third time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 391.

Amend sec. 3, page 1, line 6, by deleting "*annually*".

Amend sec. 3, page 1, by deleting line 8 and inserting: "*by each member of the board. The board shall determine the terms of the members.*".

Amend sec. 4, page 2, line 11, by deleting: "*development of a*" and inserting "*district's*".

Amend sec. 4, page 2, line 25, by deleting "*and*".

Amend sec. 4, page 2, line 26, after "*(f)*" by inserting: "*The amount of money expended during the previous year for the operation and maintenance of facilities for the control of floods; and*

(g)".

Amend sec. 4, page 2, line 27, by deleting "*district*" and inserting "*district's chief*".

Amend sec. 8, page 3, by deleting lines 3 through 5 and inserting:

"Sec. 8. *1. The district's chief engineer or any governmental entity may propose to add to or change the district's master plan. Any such proposal must be submitted to the district. Upon receipt of such a proposal,*".

Amend sec. 8, page 3, line 17, by deleting the period and inserting: "*pursuant to chapter 278 of NRS.*".

Amend sec. 9, page 3, by deleting lines 21 through 40 and inserting:

"Sec. 9. (Deleted by amendment.)".

Amend sec. 12, page 4, by deleting line 13 and inserting: "[must] *may* be selected from among [three] nominees proposed by [a committee of".

Amend sec. 13, page 5, by deleting lines 10 through 14 and inserting: "after the regulations become effective. The regulations may include provisions for the granting of a variance by the board upon application *by the governmental entity having jurisdiction* and showing of conditions [peculiar to certain land] which justify the variance. *The board may grant a variance from the strict enforcement of the uniform regulations for that piece of property if the granting of the variance will not cause a:*

(a) Detriment to the public good;

(b) Impairment of any affected natural resources; or

(c) Deviation from the intent and purpose of the district's master plan.

2. Before granting such a variance, the board shall consider the effect of the proposed variance on the adjacent property, the entire hydrographic area and the continued implementation of the master plan.".

Amend sec. 13, page 5, line 15, by deleting "2." and inserting "[2.] *3.*".

Amend sec. 13, page 5, line 22, by deleting "3." and inserting "[3.] *4.*".

Amend sec. 16, page 6, by deleting lines 24 and 25, and inserting:

"5. After completing its review, the committee shall report its finding to the legislature on whether the question of the necessity to continue imposition of the tax should be put to a vote of the".

Amend the bill as a whole by deleting sec. 16 and renumbering sec. 17 as sec. 16.

Amend sec. 17, page 6, by deleting lines 28 through 30, and inserting:

"Sec. 16. This act becomes effective upon passage and approval.".

Amend the title of the bill, fourth and fifth lines, by deleting: "providing for the review of the sales tax imposed in certain areas;".

Assemblyman McGaughey moved the adoption of the amendment.

Remarks by Assemblyman McGaughey.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 316.

Bill read third time.

Remarks by Assemblyman Getto.

Roll call on Assembly Bill No. 316:

YEAS—42.

NAYS—None.

Assembly Bill No. 316 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 504.

Bill read third time.

Remarks by Assemblymen DuBois, Thompson, Spriggs, Carpenter, Getto, Nicholas, Banner, Fay and Kissam.

Assemblymen Nevin, Haller and Triggs moved the previous question.

Motion carried.

The question being on the passage of Assembly Bill No. 504.

Roll call on Assembly Bill No. 504:

YEAS—15.

NAYS—Adler, Arberry, Banner, Bergevin, Carpenter, Craddock, Evans, Fay, Garner, Getto, Humke, Jeffrey, Kerns, Lambert, McGaughey, Marvel, May, Nevin, Nicholas, Price, Schofield, Spriggs, Tebbs, Thomas, Triggs, Wendell Williams, Mr. Speaker—27.

Assembly Bill No. 504 having failed to receive a constitutional majority, Mr. Speaker declared it lost.

Senate Bill No. 99.

Bill read third time.

Remarks by Assemblyman Gaston.

Roll call on Senate Bill No. 99:

YEAS—42.

NAYS—None.

Senate Bill No. 99 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 329.

The following Senate amendment was read:

Amendment No. 316.

Amend the bill as a whole by renumbering sections 1 through 4 as sections 2 through 5 and adding a new section designated section 1, following the enacting clause, to read as follows:

"Section 1. Chapter 278 of NRS is hereby amended by adding thereto a new section to read as follows:

If a county recorder maintains a cumulative index, he shall indicate on any copy of a plot, plat, map or survey which he provides that subsequent changes to that document should be examined and may be determined by reference to the cumulative index.".

Assemblyman Thompson moved that the Assembly do not concur in the Senate amendment to Assembly Bill No. 329.

Remarks by Assemblyman Thompson.

Motion carried.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

By the Committee on Natural Resources, Agriculture and Mining:

Assembly Joint Resolution No. 40—Proposing to amend section 1 of article 10 of the Nevada Constitution to allow the proceeds of mines to be exempted from general taxation ad valorem if a separate tax ad valorem is imposed.

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] *the proceeds of mines which may be taxed as provided in subsection 6. 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.

2. Shares of stock, 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 may exempt the proceeds of mines from the tax required by this section, and in lieu thereof shall provide for a tax ad valorem upon the proceeds so exempted. The amount of the tax so imposed must not exceed five cents on each dollar of the assessed valuation of the mineral or ore extracted.*

7. The legislature shall provide by law for a progressive reduction in the tax upon business inventories by 20 percent in each year following the adoption of this provision, and after the expiration of the 4th year such inventories are exempt from taxation. The legislature may exempt any other personal property, including livestock.

[7.] *8.* No inheritance tax shall ever be levied.

[8.] *9.* The legislature may exempt by law property used for municipal, educational, literary, scientific or other charitable purposes, or to encourage the conservation of energy or the substitution of other sources for fossil sources of energy.

Assemblyman Schofield moved that the resolution be referred to the Committee on Taxation.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Natural Resources, Agriculture and Mining, to which was referred Assembly Bill No. 161, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JAMES W. SCHOFIELD, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

By the Committee on Legislative Functions:

Assembly Concurrent Resolution No. 36—Directing the Legislative Commission to conduct an interim study of the preservation of Nevada's cultural resources.

Assemblyman Schofield 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. 84, 141, 279, 280.

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 Mesdames Cheryl Valcarce, Kelli O'Connor, Maureen Savidge, Carol Fuller and the students of Smith Valley Elementary School: Michael McAllister, Heather Barton, Sandy Blandin, Amanda Carlton, Ernesto Cueva, Lupe Cueva, Frank DeChambeau, Jennifer Lommori, Rickie Maldonado, Benji Nuti, Anne Orsen, Stephanie Palomarez, Robert Pineda, Austin Rice, Lawrence Satica, Sandy Thran, Karen Wright, Michelle Lowry, Joey Acciari, Wendy Berrington, Heidi

Fletcher, Ryan Lewis, Sam Lewis, Patricia Knapp, Monica Nuti, Nancy Pineda, Meghan Saunders, Ryan Roberts, Willie Renner, Chris Stack, Cathy Jo Acciari, Becky Amodei, Sharon Blandin, Alex Contreras, Scott Garms, Sarah Huggans, Tammy Manford, Russell Nuti, Jill Roberts, Matt Rosaschi, Laura Rangel and Robin Katelnikoff.

On request of Assemblyman Evans, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Lois Larson.

On request of Assemblyman Getto, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. James Price.

On request of Assemblyman Humke, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Lee Berk.

On request of Assemblyman Marvel, the privilege of the floor of the Assembly Chamber for this day was extended to Mesdames Betty Sheehan, Rosemary Crowder, Sharon Diez, Janel Franklin, Lori Hanson, Dr. Rowley and the third grade students of Fremont School: Chuck Anderson, Ty Crowder, John Franklin, Matt Horwath, Brian Kennard, James Navarro, Earl Nino, Reid Percivalle, Ryan Philippi, Isaiah Treur, Shaun Vigue, Brooke Walker, Donavon Diez, Shari Andreasen, Mandi Davis, Christa Dunning, Meredith Haddock, Kristi Miller, Pamela Moore, Gina Panuzzi, Heather Round, Rachelle Rowley, Katie Seaman, Tara Schmidt, Chrissy Thompson, Genevieve Van Pelt and Jessica McQueary.

On request of Assemblyman Price, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Laura Kelly Smith, Misses Shilo Sanders, Shana Goddard, Dawn McMichael and Mr. Ross Gooding.

On request of Assemblyman Nicholas, the privilege of the floor of the Assembly Chamber for this day was extended to Mss. Susan Anderson, Martha Bernard, Mollie Charlton, Barbara Danielson, Vicky Duhagon, Sally Grueson, Joan Kerchner, Mary Ann Brown, Sharon Lancaster, Angela Leonard, Kay Scott, Gayle McGaugh, Irene McKean, Dee Olsen, Roslyn Pogal, Sophia Preston, Jean Scribner, Judy Temme, Isabel Trevillian, Clarice Wangsness, Messrs. Delmer Scott, Bud McKean, Marv Wangsness and Chuck Lancaster.

On request of Assemblyman Spriggs, the privilege of the floor of the Assembly Chamber for this day was extended to Mss. Holly Robinson and Stephanie Fairchild.

On request of Assemblyman Myrna Williams, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Kirk Bennett.

Assemblyman Jeffrey moved that the Assembly adjourn until Wednesday, April 15, 1987 at 11 a.m.

Motion carried.

Assembly adjourned at 12:02 p.m.

Approved: JOSEPH E. DINI, JR.
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE EIGHTY-SEVENTH DAY

CARSON CITY (Wednesday), April 15, 1987

Assembly called to order at 11:01 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, Father John McShane.

Father give us the grace to work as if all depended on us and to pray as if all depended on You. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Nevin 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. 313, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

PAUL W. MAY, *Chairman*

Mr. Speaker:

Your Committee on Taxation, to which were referred Assembly Joint Resolutions Nos. 33, 34, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

PAUL W. MAY, *Chairman*

Mr. Speaker:

Your Committee on Legislative Functions, to which was referred Assembly Joint Resolution No. 37, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

MYRNA WILLIAMS, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, April 14, 1987

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Senate Bills Nos. 232, 233, 339.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 177, 295.

MARY JO MONGELLI
Assistant Secretary of the Senate

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Ways and Means:

Assembly Bill No. 577—An Act relating to indigent persons; prohibiting counties from giving cash grants to employable persons who do not have

dependent children; requiring hospitals to attempt to collect for certain charges from other sources before applying for reimbursement from the fund for hospital care to indigent persons; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Ways and Means:

Assembly Bill No. 578—An Act relating to the Tahoe Regional Planning Agency; changing the distribution of money appropriated for the agency in 1985; and providing other matters properly relating thereto.

Assemblyman Sedway moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By the Committee on Ways and Means:

Assembly Bill No. 579—An Act relating to public offenses; changing the administrative assessment collected from persons convicted of misdemeanors from a fixed amount to an escalating amount; providing for the distribution of money collected; and providing other matters properly relating thereto.

Assemblyman Sedway moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

Senate Bill No. 177.

Assemblyman Nevin moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 232.

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

Motion carried.

Senate Bill No. 233.

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

Motion carried.

Senate Bill No. 295.

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

Motion carried.

Senate Bill No. 339.

Assemblyman Nevin moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 161.

Bill read second time.

The following amendment was proposed by the Committee on Natural Resources, Agriculture and Mining:

Amendment No. 392.

Amend section 1, page 1, by deleting lines 3 and 4 and inserting:

"*1. Each person who extracts gold from land in Nevada shall pay:*

(a) A fee of $10; and

(b) An additional fee of $1,

per troy ounce or portion thereof of gold recovered to the state department of".

Amend section 1, page 1, line 10, after "*collect any*" by inserting: "*portion of either*".

Amend section 1, page 2, by deleting lines 2 through 7 and inserting:

"*3. The state treasurer shall credit the fees collected pursuant to:*

(a) Paragraph (a) of subsection 1 to the state general fund.

(b) Paragraph (b) of subsection 1 to a special account in the state general fund for the use of the state department of conservation and natural resources for use in programs for the reclamation of land damaged by mining.".

Amend the bill as a whole by renumbering sec. 2 as sec. 4 and adding new sections designated sections 2 and 3, following section 1, to read as follows:

"Sec. 2. NRS 362.120 is hereby amended to read as follows:

362.120 1. The department shall, from the statement and from all obtainable data, evidence and reports, compute in dollars and cents the gross yield and net proceeds of the period covered by the statement.

2. The gross yield must include the value of any product of the mine which was:

(a) Sold;

(b) Exchanged for any thing or service;

(c) Removed from the state in a form ready for use or sale; or

(d) Used in a manufacturing process or in providing a service,

during the period covered by the statement.

3. The net proceeds are ascertained and determined by subtracting from the gross yield the following deductions for costs incurred during that period, and none other:

(a) The actual cost of extracting the ore from the mines.

(b) The actual cost of transporting the product of the mine to the place or places of reduction, refining and sale.

(c) The actual cost of reduction, refining and sale.

(d) The actual cost of marketing and delivering the product and the conversion of the product into money.

(e) The actual cost of maintenance and repairs of:

(1) All mine machinery, equipment, apparatus and facilities.

(2) All milling, smelting and reduction works, plants and facilities.

(3) All facilities and equipment for transportation except those that are under the jurisdiction of the public service commission of Nevada as public utilities.

(f) The actual cost of fire insurance on the machinery, equipment, apparatus, works, plants and facilities mentioned in paragraph (e).

(g) Depreciation of the original capitalized cost of the machinery, equipment, apparatus, works, plants and facilities mentioned in paragraph (e). The annual depreciation charge consists of amortization of the original cost in a manner prescribed by regulation of the Nevada tax commission. The probable life of the property represented by the original cost must be considered in computing the depreciation charge.

(h) All money expended for premiums for industrial insurance, and the actual cost of hospital and medical attention and accident benefits and group insurance for all employees.

(i) All money paid as contributions under the unemployment compensation law of the State of Nevada, as contained in chapter 612 of NRS, all money paid as contributions under the Social Security Act of the Federal Government, and all money paid to either the State of Nevada or the Federal Government under any amendment to either or both of the statutes mentioned in this paragraph.

(j) The actual cost of developmental work in or about the mine or upon a group of mines when operated as a unit.

(k) All money paid as royalties by a lessee or sublessee of a mine, or by both, constitutes a deductible item for that lessee or sublessee in determining the net proceeds of the lessee or sublessee or both; but the royalties so deducted by the lessee or sublessee constitute part of the gross yield of the mine for the purpose of determining the net proceeds upon which a tax must be levied against the person, corporation, association or partnership to which the royalty has been paid.

4. Every person, corporation or association acquiring property in the State of Nevada to engage in mining and who incurs any of the expenses mentioned in subsection 3 shall report those expenses and the recipient of any royalty payments to the department on forms provided by the department.

5. The several deductions mentioned in subsection 3 do not include [any] *:*

(a) The fees imposed by section 1 of this act; or

(b) Any expenditures for salaries, or any portion of salaries, of any person not actually engaged in:

[(a)] *(1)* The working of the mine;

[(b)] *(2)* The operating of the mill, smelter or reduction works;

[(c)] *(3)* The operating of the facilities or equipment for transportation;

[(d)] *(4)* Superintending the management of any of those operations; or

[(e)] *(5)* The State of Nevada, in office, clerical or engineering work necessary or proper in connection with any of those operations.

Sec. 3. NRS 362.140 is hereby amended to read as follows:

362.140 *1.* The net proceeds of any mine [shall be taxed at the same rate ad valorem as other property is taxed.] *are exempt from the tax levied pursuant to chapter 361 of NRS.*

2. There is hereby imposed on the net proceeds of all mines a tax of $5 per $100.

3. The legislature shall appropriate to each county from the proceeds of the tax imposed by subsection 2 that sum which would be produced by levying a tax upon the entire amount of the net proceeds taxed in each taxing district in the county at the rate levied in that district upon the assessed valuation of real property. The total amount so appropriated to each county must be apportioned among the respective governmental units and districts within it, including the county itself and the school district, in the same proportion as they share in the total taxes collected on property according to value.".

Amend sec. 2, page 2, by deleting line 10 and inserting:

"Sec. 4. 1. This section and sections 1 and 2 of this act become effective upon passage and approval for the".

Amend sec. 2, page 2, after line 12, by inserting:

"2. Section 3 of this act becomes effective and sections 1 and 2 of this act expire by limitation on the effective date of the first amendment after January 1, 1987, to section 1 of article 10 of the Nevada constitution which allows the legislature to tax the proceeds of mines separately from other property.".

Amend the title of the bill to read as follows:

"An Act relating to minerals; requiring the state department of conservation and natural resources to collect for a limited time two fees on gold extracted from land in Nevada; imposing a separate ad valorem tax on the net proceeds of mines effective upon amendment of the Nevada constitution to allow such a tax; and providing other matters properly relating thereto.".

Amend the summary of the bill to read as follows: "Makes various changes concerning fees and taxes collected on proceeds of mines. (BDR 46-809)".

Assemblyman Schofield moved the adoption of the amendment.

Remarks by Assemblymen Schofield, Getto, Spriggs, Lambert and Bergevin.

Assemblyman Schofield 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 11:22 a.m.

Mr. Speaker presiding.

Quorum present.

Assemblyman Spinello moved that Assembly Bill No. 161 be taken from the Second Reading File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Schofield.

Motion carried.

Assembly Bill No. 162.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 327.

Amend sec. 2, page 2, line 26, by deleting "and" and inserting "[and]".

Amend sec. 2, page 2, line 28, by deleting the period and inserting: "*; and*

(c) The offender was not in violation of NRS 484.379 or punishable pursuant to NRS 484.3795.".

Amend sec. 3, page 3, line 3, by deleting: "state board of examiners" and inserting: "[state board of examiners] *board*".

Amend sec. 3, page 3, line 21, after "*must be*" by inserting: "*accounted for separately and, except as otherwise provided in this subsection,*".

Amend sec. 3, page 3, line 23, after the period by inserting: "*No other money in the fund may be used for that purpose. The board may direct that the money in the separate account also be used to compensate other victims.*".

Amend sec. 4, page 4, line 2, by deleting "*$10*" and inserting "*$35*".

Amend the bill as a whole by adding thereto new sections designated sections 5 and 6, immediately following sec. 4, to read as follows:

"Sec. 5. The state board of examiners shall, in the biennial report prepared and submitted to the 65th session of the Nevada legislature pursuant to NRS 217.250, report specifically on the amount of money received pursuant to NRS 483.410 and the amount of compensation awarded pursuant to subsection 4 of NRS 217.260.

Sec. 6. Section 3 of this act expires by limitation on July 1, 1989.".

Amend the title of the bill, third line, after "financial aid;" by inserting: "providing for the collection and deposit of an additional fee for the reinstatement of a driver's license;".

Assemblyman Sader moved the adoption of the amendment.

Remarks by Assemblyman Sader.

Amendment adopted.

Assemblyman Schofield moved that Assembly Bill No. 162 be re-referred to the Committee on Ways and Means.

Remarks by Assemblyman Schofield.

Motion carried.

Bill ordered reprinted, engrossed and to the Committee on Ways and Means.

Assembly Bill No. 180.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 323.

Amend the bill as a whole by deleting section 1 and renumbering sec. 2 as section 1.

Amend the title of the bill, first through third lines, by deleting: "clarifying that providers of goods or services to contractors or subcontractors on projects of the department may not sue the department to collect payment;".

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. 214.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 269.

Amend section 1, pages 1 and 2, by deleting lines 3 through 9 on page 1 and lines 1 through 25 on page 2 and inserting:

"*1. An insurer which intends to cancel or not renew any policy of insurance shall notify the commissioner of that intention at least 60 days before the notice of cancellation or nonrenewal is delivered or mailed to the insured.*".

Amend section 1, page 2, line 26, by deleting "*3.*" and inserting "*2.*".

Amend the bill as a whole by adding new sections designated sections 2 through 5, following section 1, to read as follows:

"Sec. 2. NRS 687B.310 is hereby amended to read as follows:

687B.310 1. NRS 687B.310 to 687B.390, inclusive, apply to all binders and all contracts of insurance the general terms of which are required to be approved or are subject to disapproval by the commissioner, except as otherwise provided by statute or by rule under subsection 3.

2. The contract may provide terms more favorable to policyholders than are required by NRS 687B.310 to 687B.390, inclusive.

3. The commissioner may by rule exempt from NRS 687B.310 to 687B.390, inclusive, classes of insurance contracts where the policyholders do not need protection against arbitrary termination.

4. The rights provided by NRS 687B.310 to 687B.390, inclusive, are in addition to and do not prejudice any other rights the policyholder may have at common law or under other statutes.

5. NRS 687B.310 to 687B.390, inclusive, do not prevent the rescission or reformation of any life or health insurance contract not otherwise denied by the terms of the contract or by any other statute.

6. Any notice to an insured required pursuant to NRS 687B.320 to 687B.350, inclusive, must be personally delivered to the insured or mailed first class or certified to the insured at his address last known by the insurer. The notice must state the effective date of the cancellation or nonrenewal and be accompanied by a written explanation of the specific reasons for the cancellation or nonrenewal.

Sec. 3. NRS 687B.320 is hereby amended to read as follows:

687B.320 1. No insurance policy that has been in effect for at least 70 days or that has been renewed may be canceled by the insurer prior to the expiration of the agreed term or 1 year from the effective date of the policy or renewal, whichever is less, except on any one of the following grounds:

(a) Failure to pay a premium when due; [and

(b) Such grounds as are specified in the policy.

The commissioner shall not disapprove grounds for cancellation specified in the policy which are reasonably necessary to protect the insurer against material misrepresentations and against substantial changes in the risk it has assumed, except to the extent that it should reasonably foresee such changes.] *(b) Conviction of the insured of a crime arising out of acts increasing the hazard insured against;*

(c) Discovery of fraud or material misrepresentation in the obtaining of the policy or in the presentation of a claim thereunder;

(d) Discovery of:

(1) An act or omission; or

(2) A violation of any condition of the policy,

which occurred after the first effective date of the current policy and substantially and materially increases the hazard insured against;

(e) A material change in the nature or extent of the risk, occurring after the first effective date of the current policy, which causes the risk of loss to be substantially and materially increased beyond that contemplated at the time the policy was issued or last renewed;

(f) A determination by the commissioner that continuation of the insurer's present volume of premiums would jeopardize the insurer's solvency or be hazardous to the interests of policyholders of the insurer, its creditors or the public; or

(g) A determination by the commissioner that the continuation of the policy would violate, or place the insurer in violation of, any provision of the code.

2. No cancellation under subsection 1 [shall be] *is* effective until in the case of paragraph (a) of subsection 1 at least 10 days and in the case of *any other* paragraph [(b)] of subsection 1 at least 30 days after the [first class mailing or delivery of a written] notice *is delivered or mailed* to the policyholder.

Sec. 4. NRS 687B.330 is hereby amended to read as follows:

687B.330 A policy issued for a term longer than 1 year may be canceled by the insurer by giving notice [30 days prior to any anniversary date as provided in subsection 1 of NRS 687B.340 for nonrenewals.] *of the cancellation:*

1. For commercial or business policies, 60 days before any anniversary date of the policy.

2. For all other policies, 30 days before any anniversary date of the policy.

Sec. 5. NRS 687B.340 is hereby amended to read as follows:

687B.340 1. Subject to subsection 2, a policyholder has a right to have his policy renewed, on the terms then being applied by the insurer to

persons, similarly situated, for an additional period [of time] equivalent to the expiring term if the agreed term is 1 year or less, or for 1 year if the agreed term is longer than 1 year, unless [at] :

(a) At least 60 days for commercial or business policies; and

(b) At least 30 days [prior to] *for all other policies,*

before the date of expiration provided in the policy the insurer mails [first class] or delivers to him a notice of intention not to renew the policy beyond the agreed expiration date. *If an insurer fails to provide a timely notice of nonrenewal, the insurer shall provide the insured with a policy of insurance on the identical terms as in the expiring policy.*

2. This section does not apply if the policyholder has accepted replacement coverage or has requested or agreed to nonrenewal, or if the policy is expressly designated as nonrenewable by a clause approved or deemed to be approved by the commissioner.".

Amend the title of the bill to read as follows:

"An Act relating to insurance; prohibiting insurers from canceling policies except on certain grounds; revising the procedure for nonrenewal; providing for a review of cancellation or nonrenewal by the insurance division of the department of commerce; and providing other matters properly relating thereto.".

Assemblyman Jeffrey moved the adoption of the amendment.

Remarks by Assemblyman Jeffrey.

Amendment adopted.

Assemblyman Jeffrey moved that Assembly Bill No. 214 be re-referred to the Committee on Commerce.

Motion carried.

Bill ordered reprinted, engrossed and to the Committee on Commerce.

Assembly Bill No. 273.

Bill read second time.

The following amendment was proposed by the Committee on Transportation:

Amendment No. 242.

Amend the bill as a whole by deleting section 1 and inserting:

"Section 1. Chapter 366 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 and 3 of this act.

Sec. 2. *1. On or before the last day of each month, a special fuel dealer shall file with the department a tax return for the preceding month, regardless of the amount of tax he collected, on a form prescribed by the department.*

2. A monthly return must show such information as the department requires for the proper administration and enforcement of this chapter. The return must be accompanied by a remittance, payable to the department, for the amount of excise tax due.

Sec. 3. *1. A special fuel user may receive a refund of special fuel tax or a credit against future payments of special fuel tax for the amount paid on a purchase exempt pursuant to subsection 1 of NRS 366.200. A claimant must*

present to the department a claim for a refund or credit and an invoice showing the purchase. The department shall by regulation prescribe the information to be included in the claim and invoice.

2. The minimum claim for a refund or credit must be based on at least 200 gallons purchased and used in a 6-month period. The amount refunded or credited must be reduced by the percentage paid to special fuel dealers pursuant to NRS 366.390.

3. A special fuel dealer shall not collect the special fuel tax from a person exempt from the tax pursuant to subsection 2, 3 or 4 of NRS 366.200.

Sec. 4. 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 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 shall be deemed received on the date shown by the postmark stamped on the envelope containing 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.

Sec. 5. NRS 366.221 is hereby amended to read as follows:

366.221 1. No special fuel user's license may be required of the following classes of special fuel users:

(a) Operators of motor vehicles who make occasional trips into this state for service or repair.

(b) Operators of house coaches as defined in NRS 484.067.

(c) Operators of motor vehicles having a declared gross weight of [less than 10,000 pounds.] *26,000 pounds or less.*

(d) Operators of unladened motor vehicles purchased in this state for the trip from the point of delivery to the state boundary.

(e) Operators of motor vehicles who make occasional trips into or across this state for nonprofit or eleemosynary purposes.

(f) Operators of motor vehicles used in the production of motion pictures, including films to be shown in theaters and on television, industrial, training and educational films, commercials for television and video discs and tapes.

(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.

2. Any special fuel purchased in this state by any person exempt from licensing under subsection 1 must be purchased from a licensed special fuel dealer, who shall collect the tax on any special fuel delivered into the vehicle's fuel supply tank.

[3. The department may adopt regulations concerning the application and administration of this section.]

Sec. 6. NRS 366.240 is hereby amended to read as follows:

366.240 1. Upon receipt of the application and bond in proper form, the department shall issue to the applicant a special fuel dealer's license or special fuel user's license . [and an appropriate device for identification.]

2. The department may refuse to issue a special fuel dealer's license or special fuel user's license [or other appropriate device for identification] to any person:

(a) Who formerly held a special fuel dealer's license [or device for identification which, prior to] *which, before* the time of filing the application, has been revoked for cause;

(b) Who applies as a subterfuge for the real party in interest whose license [or identification, prior to] , *before* the time of filing the application, has been revoked for cause;

(c) Who neglects or refuses to furnish bond as required by the department; or

(d) Upon other sufficient cause being shown.

Sec. 7. NRS 366.260 is hereby amended to read as follows:

366.260 1. Each special fuel dealer's license or special fuel user's license is valid until suspended or revoked for cause or otherwise canceled.

2. [Each device for identification is valid for the calendar year unless suspended or revoked for cause or otherwise canceled.

3.] No special fuel dealer's license or special fuel user's license is transferable.

Sec. 8. NRS 366.270 is hereby amended to read as follows:

366.270 Whenever any person ceases to be a special fuel dealer or special fuel user within the state by reason of discontinuance, sale or transfer of his business, he shall:

1. Notify the department in writing at the time the discontinuance, sale or transfer takes effect. The notice must give the date of discontinuance and, in the event of a sale, the date thereof and the name and address of the purchaser or transferee.

2. Surrender to the department the license certificate issued to him by the department.

3. [File] *If he is a special fuel user, file* a quarterly tax return and pay all taxes, interest and penalties pursuant to NRS 366.370 and 366.380, except

that both the filing and payment are due on or before the last day of the month following the month of discontinuance, sale or transfer of the business.

4. [Return his devices for identification as a special fuel user or dealer to the department.] *If he is a special fuel dealer, file a monthly tax return and pay all taxes, interest and penalties pursuant to NRS 366.370 and section 2 of this act on or before the last day of the month following the month of discontinuance, sale or transfer of the business.*

Sec. 9. NRS 366.370 is hereby amended to read as follows:

366.370 1. [The] *Except as otherwise provided in subsection 4, the* excise tax imposed by this chapter with respect to the use or sale of special fuel during any calendar quarter [shall be] *is* due [and payable] on or before the last day of the first month following the quarterly period to which it relates.

2. If the due date falls on a Saturday, Sunday or legal holiday, the next business day is the final due date.

3. Payment shall be considered received on the date shown by the post office cancellation mark stamped upon an envelope containing payment properly addressed to the department.

4. A special fuel dealer shall pay the tax imposed by this chapter at the time he files his monthly tax return pursuant to section 2 of this act.

Sec. 10. NRS 366.380 is hereby amended to read as follows:

366.380 1. On or before the last day of January, April, July and October in each year, each [special fuel dealer or] special fuel user shall file with the department a quarterly tax return for the preceding quarter, regardless of the amount of excise tax due, on a form prescribed by the department, together with supporting schedules.

2. The return [shall] *must* show such information as the department may reasonably require for the proper administration and enforcement of this chapter. *The department may establish a simplified form for reports by special fuel users who operate motor vehicles or combinations of motor vehicles upon the highways of this state for periods of not more than 48 hours at a time.*

3. The quarterly tax return [shall] *must* be accompanied by a remittance, payable to the department, for the amount of excise tax due or $6, whichever is greater.

Sec. 11. NRS 366.395 is hereby amended to read as follows:

366.395 1. Any person failing to pay any excise tax, except taxes assessed under the provisions of NRS 366.405, within the time prescribed by this chapter shall pay in addition to [such] *the* tax a penalty of 10 percent of the amount thereof, plus interest on the amount of [such] *the* tax at the rate of 1 percent per month or fraction thereof, from the date [such] *the* tax became finally due [and payable] until the date of payment.

2. Any person who fails to submit a quarterly *or monthly* tax return *as required by NRS 366.380 or section 2 of this act, respectively,* shall pay a penalty of $10 for each delinquent tax return, in addition to any other penalty provided by this chapter.

3. A tax return is considered delinquent when it has not been received by the department by the due date of the tax return, as prescribed by this chapter or by [rules or] regulations of the department.

Sec. 12. NRS 366.540 is hereby amended to read as follows:

366.540 The tax provided for by this chapter must be paid by [the special fuel dealer in all cases where the special fuel is sold within the State of Nevada to a special fuel user who is not the holder of a special fuel user's license, a device for identification, or a temporary special fuel license. In all other cases the tax must be paid by the user of the special fuel, and] *special fuel dealers and special fuel users. A special fuel dealer shall remit the excise tax he collects from special fuel users with the monthly return filed pursuant to section 2 of this act. The tax paid by a special fuel user* must be computed by multiplying the tax rate per gallon provided in this chapter by the number of gallons of special fuel consumed by him in the propulsion of motor vehicles on the highways of this state [.] *, then subtracting the amount of tax paid to special fuel dealers.*

Sec. 13. NRS 366.650 is hereby amended to read as follows:

366.650 1. If illegally or through error the department collects or receives any excise tax, penalty or interest imposed under this chapter, the excise tax, penalty or interest must be refunded to the person paying [the same.] *it.* Except as *otherwise* provided in NRS 360.235, a written application for refund, stating the specific grounds therefor, must be made within 28 months after the date of payment, whether or not the excise tax, penalty or interest was paid voluntarily or under protest.

2. Refunds must be made to a successor, assignee, estate or heir of such *a* person if written application is made within the time limit.

3. Any amount determined to be refundable by the department must be refunded or credited to any amounts then due from the special fuel dealer or special fuel user to whom the refund is due.

4. All amounts refunded under the provisions of this chapter must be paid from the state highway fund on claims presented by the department, approved by the state board of examiners, and allowed and paid as other claims against the state are allowed and paid.

5. Licensed special fuel users operating interstate who can prove to the satisfaction of the department that their special fuel purchases in Nevada exceed their use over the highways of this state for a certain month may apply for a *refund of* special fuel tax [refund] or apply credit in lieu of *a* refund to succeeding reports.

[6. Temporary special fuel licensees are eligible for special fuel tax refunds in the manner provided by the regulations of the department.]

Sec. 14. NRS 481.051 is hereby amended to read as follows:

481.051 1. As executive head of the department, the director shall direct and supervise all administrative and technical activities of the department. He shall devote his entire time to the duties of his office, and shall *not* follow [no] other gainful employment or occupation.

2. The director may organize the department into various divisions and alter the organization and reassign responsibilities and duties as he [may deem] *deems* appropriate.

3. The director shall:

(a) Formulate the policy of the department and the various divisions thereof.

(b) Coordinate the activities of the various divisions of the department.

(c) Adopt such regulations consistent with law as he [may deem] *deems* necessary for the operation of the department and the enforcement of all laws administered by the department.

4. The director may appoint vendors to serve as agents of the department to sell temporary licenses. The vendor must be remunerated at a rate not to exceed 75 cents per temporary license. The vendor shall collect the tax, fees and licenses provided for in [chapters 366 and] *chapter* 706 of NRS, and pay them to the department. The vendor shall guarantee payment by giving a bond to the state in [such sum as may be] *an amount* fixed by the director. The premium on the bond may be paid by the department. The director may appoint inspectors of the public service commission of Nevada and troopers of the Nevada highway patrol to serve without remuneration as vendors for the purposes of this subsection.

5. The director may delegate to the officers and employees of the department such authorities and responsibilities not otherwise delegated by law as he deems necessary for the efficient conduct of the business of the department.

6. The director has the powers of a peace officer.

Sec. 15. NRS 366.225 and 366.230 are hereby repealed.

TEXT OF REPEALED SECTIONS

366.225 Charge for credit against license fee or tax. Where credit is allowed against any subsequent license fee or tax for a license fee paid pursuant to NRS 366.220, there shall be a nonrefundable charge of $1.

366.230 Special fuel user: Application for license and identification for vehicle. Every user of special fuels, except temporary special fuel licensees and any user exempt under this chapter, must, prior to the use of such fuel, apply to the department on a form prescribed by the department for a special fuel user's license and a special fuel vehicle identification for each vehicle other than a piece of special mobile equipment propelled by fuel subject to tax under this chapter.''.

Amend the title of the bill to read as follows:

''An Act relating to the tax on special fuels; revising the method of payment under certain circumstances; removing the requirement of a special fuel user's license for operators of certain motor vehicles; and providing other matters properly relating thereto.''.

Assemblyman Nevin moved the adoption of the amendment.

Remarks by Assemblyman Nevin.

Amendment adopted.

Assemblyman Nevin moved that Assembly Bill No. 273 be re-referred to the Committee on Transportation.

Motion carried.

Bill ordered reprinted, engrossed and to the Committee on Transportation.

Assembly Bill No. 282.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 310.

Amend section 1, page 1, by deleting line 11 and inserting: "(b) If the motor vehicle was".

Amend section 1, page 2, by deleting lines 1 through 5 and inserting:

"*(c) If, while his own vehicle was being repaired or serviced in the bailment of a garageman engaged in the business of repairing or servicing motor vehicles, the customer is lent by the garageman a motor vehicle for use during the time required to complete the repairs or service, the policy issued to the customer shall be deemed to be primary and all other policies shall be deemed to provide excess coverage. A garageman engaged in the business of repairing or servicing motor vehicles who loans his customer a vehicle for use during the time required to complete the repairs or service shall provide express notice to the customer that the customer's policy of insurance will provide primary coverage while the customer is operating that vehicle.*".

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. 351.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 376.

Bill read second time.

Assemblyman Nevin moved that Assembly Bill No. 376 be taken from the Second Reading File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Nevin.

Motion carried.

Assembly Bill No. 463.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 357.

Amend the bill as a whole by deleting section 1 and renumbering sections 2 through 9 as sections 1 through 8.

Amend sec. 4, page 3, by deleting lines 26 and 27 and inserting: "regulation of the commission and such bond as the commission may require for the payment of license fees and taxes and the faithful".

Amend sec. 6, page 4, between lines 35 and 36 by inserting:

"*4. The decision of the board's agent is effective on the date the aggrieved party receives notice of the decision. The date of receipt is presumed to be the date specified on the return receipt.*".

Amend sec. 9, page 5, by deleting lines 41 and 42 and inserting: "a condition which was previously placed on the license,] *Lapses,*".

Amend the title of the bill, first and second lines, by deleting: "clarifying that manufacturers and distributors of gaming devices are required to obtain a gaming license;".

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. 464.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 358.

Amend sec. 2, page 3, by deleting lines 15 and 16 and inserting:

"2. *The amount of fees or taxes estimated pursuant to paragraph (c) of subsection 1 is presumed to be accurate unless the licensee produces substantial evidence to*".

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. 2.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 296.

Amend the bill as a whole by renumbering section 1 as sec. 2 and adding a new section designated section 1, following the enacting clause, to read as follows:

"Section 1. NRS 661.035 is hereby amended to read as follows:

661.035 1. A banking corporation doing business under the provisions of this Title may increase its capital stock as provided by law for other corporations.

2. A bank may, with the approval of the administrator and by the vote of the holders of at least two-thirds of the stock of the particular class or classes of stock entitled to vote on such proposal, amend its charter to authorize an increase in the authorized but unissued common stock of the bank . [, in an amount not to exceed 10 percent of the outstanding shares of such class or classes of stock.] Any such authorized increase of stock must be free from preemptive rights.

3. The authorized but unissued stock may be issued from time to time to officers or employees of the bank pursuant to a stock option or stock purchase plan adopted in accordance with this Title.".

Amend the title of the bill, first line, after "banks;" by inserting: "removing the limit on the increase of capital stock;".

Assemblyman Jeffrey moved the adoption of the amendment.

Remarks by Assemblyman Jeffrey.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Commerce, to which was referred Senate Bill No. 77, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN E. JEFFREY, *Chairman*

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Legislative Functions:

Assembly Bill No. 580—An Act relating to lobbyists; enlarging the scope of reports which a lobbyist must file; and providing other matters properly relating thereto.

Assemblyman Myrna Williams moved that the bill be referred to the Committee on Legislative Functions.

Motion carried.

By Assemblymen Tebbs and Spinello:

Assembly Bill No. 581—An Act relating to public health; requiring certain prostitutes to submit samples of blood and cultures to the state hygienic laboratory to be tested for the presence of syphilis or gonorrhea; and providing other matters properly relating thereto.

Assemblyman Tebbs moved that the bill be referred to the Concurrent Committees on Health and Welfare and Ways and Means.

Motion carried.

By the Committee on Health and Welfare:

Assembly Bill No. 582—An Act relating to barber schools; identifying the requirements for a person to be certified as an instructor; making it unlawful for an uncertified person to instruct in a barber school; and providing other matters properly relating thereto.

Assemblyman Arberry moved that the bill be referred to the Committee on Commerce.

Motion carried.

By Assemblymen Wendell Williams, Haller, Triggs, Kissam, Banner, Freeman, Gaston, Carpenter, Myrna Williams, Wisdom, Porter, Nevin, Nicholas, Arberry and Craddock:

Assembly Bill No. 583—An Act relating to public schools; requiring public schools to fingerprint each pupil and to keep a record of the fingerprints and a photograph of the pupil in its records; and providing other matters properly relating thereto.

Assemblyman Wendell Williams moved that the bill be referred to the Committee on Education.

Motion carried.

By the Select Committee on Corrections:

Assembly Bill No. 584—An Act relating to parole; requiring the state board of parole commissioners to release certain prisoners on parole; requiring that these parolees be placed under strict supervision by the department of parole and probation; and providing other matters properly relating thereto.

Assemblyman Sader moved that the bill be referred to the Select Committee on Corrections.

Motion carried.

By the Select Committee on Corrections:

Assembly Bill No. 585—An Act relating to parole; eliminating the requirement that an offender serve at least 1 year in prison as a condition precedent to parole; and providing other matters properly relating thereto.

Assemblyman Sader moved that the bill be referred to the Select Committee on Corrections.

Motion carried.

By the Committee on Education:

Assembly Bill No. 586—An Act relating to financial support for special education; providing in skeleton form for the revision of the method of financing education for handicapped minors by requiring the support to be calculated per pupil; and providing other matters properly relating thereto.

Assemblyman Craddock moved that the bill be referred to the Concurrent Committees on Education and Ways and Means.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 8.

Bill read third time.

Remarks by Assemblyman DuBois.

Roll call on Assembly Bill No. 8:

YEAS—42.

NAYS—None.

Assembly Bill No. 8 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 243.

Bill read third time.

Remarks by Assemblymen Porter and Callister.

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, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 285.

Bill read third time.

Remarks by Assemblyman Spriggs.

Roll call on Assembly Bill No. 285:

YEAS—42.

NAYS—None.

Assembly Bill No. 285 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 369.

Bill read third time.

Remarks by Assemblyman Triggs.

Roll call on Assembly Bill No. 369:

YEAS—42.

NAYS—None.

Assembly Bill No. 369 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Health and Welfare, 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.

MORSE ARBERRY, JR., *Chairman*

Mr. Speaker:

Your Committee on Economic Development, Small Business and Tourism, to which was referred Assembly Joint Resolution No. 23, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

BOB PRICE, *Chairman*

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Brookman, Callister, McGaughey, Nevin, Sedway, Nicholas, Myrna Williams, Kissam and Haller:

Assembly Bill No. 587—An Act relating to sheriffs; establishing a maximum amount a sheriff may charge for commissions for receiving and paying over money on certain executions; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Brookman, Callister, Tebbs, McGaughey, Nevin, Sader, Thomas, Sedway, Nicholas, Myrna Williams, Kissam, Garner, Dini, Haller and Getto:

Assembly Bill No. 588—An Act relating to bail; requiring the surrender of passports as a condition to the release of persons arrested for a felony; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Brookman, Sedway, Nicholas, Myrna Williams, Haller and Getto:

Assembly Bill No. 589—An Act relating to elections; extending the provision which allows a voter to express opposition to all candidates to include the offices of state senator and assemblyman; and providing other matters properly relating thereto.

Assemblyman Brookman moved that the bill be referred to the Committee on Elections.

Motion carried.

By Assemblymen Callister, Myrna Williams, Spinello, Tebbs and Brookman:

Assembly Bill No. 590—An Act relating to organizations which provide credit services; prohibiting certain practices by such organizations; requiring that they obtain a bond or certain other comparable security before engaging in certain acts; providing certain remedies for persons injured by such organizations; providing a penalty; and providing other matters properly relating thereto.

Assemblyman Callister moved that the bill be referred to the Committee on Commerce.

Motion carried.

By the Committee on Labor and Management:

Assembly Bill No. 591—An Act relating to employment practices; allowing an employer to test certain persons for the use of controlled substances as a condition of employment; allowing a person who tests positive to require that a confirming test be conducted at his expense; and providing other matters properly relating thereto.

Assemblyman Banner moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bills Nos. 112, 131; Senate Bills Nos. 97, 205; Assembly Joint Resolution No. 29; Assembly Concurrent Resolution No. 35.

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. Monte Martin and the students of Fernley High School: Curtis Allec, DeAnna Choguer, Lillian Douglas,

Jason Fletcher, Dianna Frederick, Donovan Garret, David Johnson, Dennis Kurosaki, Vito Locricchio, John Marshall, Ken Miller, Ray Nichols, Monica Pelletier, Deana Young, Malia Ambrosius, Mead Crowford, Stacey Haas, Scott Hodges, Tom Hope, Alan Jenne, Pat Jenson, Tony Keever, Katie Myer, Karen Norlie, Skip Rocky, George Shaw, Tina Tilton, Bryan Wolf, Billy Lehans, Tami Balbini, Steve Day, Rick Eimer, April Ellis, Toby Garman, Shaun Hodge, Skip O'Daherty, Wendy Scott, Frank Silva, Tom Vandyke, Maria Webb, Marie Pennington and Jeff Macedo.

On request of Assemblyman Evans, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Terry Ann Stone.

On request of Assemblyman Getto, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Joe deBraga, Brian Hill, Mss. Glenda Price, Mary Carter, Denise Alvarez, Elizabeth Grimes, Jessica Treichel and the Honor Society members of Churchill County High School: Miriam Ali, Angela Beeghly, Sherri Briggs, Todd Doyle, Trish Hardin, Sandra Hunnewell, Scott Hurd, Jane Jabines, Alana Kroll, Amy MacKedon, Lynn Maffi, Travis Owen, Rene Roze, Rick Saake, Sharon Sharen, Sandi Weishaupt, Yvonne Wight, Amee Williams and Steve Moon.

On request of Assemblyman Haller, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Hugo Wagner.

On request of Assemblyman Humke, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Benton Marshall, Bob Marshall and Miss Elizabeth Humke.

On request of Assemblyman Kissam, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Helen Myers.

On request of Assemblyman Nevin, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Michael Hicks, Mss. Bridgette Nevin, Stephanie Nevin, Marge Hicks and Holly Chrisman.

On request of Assemblyman Spriggs, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Fred Fortenberry, Mss. Dorothy Fortenberry, Ida Smith and the students of the Business Law Class of Hawthorne: James Berrier, Chris Bikus, Shannon Castagnola, Gregg Christ, Melissa Geerdes, Irene Gisvold, Shani Hemmer, Theora Jackson, Joe Koch, Earnest Madrid, LaShawna Morgan, Bonnie McQueen, Kim Rutledge, Alicia Torres, Melanie Trujillo, Andy Verbeck, Theresa Willis, Paul Lininger, Billy Scrivner, Brad Shorey, George Chapline, Mark Garcia, Richard Merritt, Danny Mullins, Daphne Collier, Tonja Lyle, Becky Robinson, Jenny Piatt, Crystal Palmer, Mike Reed, Lisa Mullins, Anna Keller, Mike Potter and Richard Bochman.

Assemblyman Jeffrey moved that the Assembly adjourn until Thursday, April 16, 1987 at 11 a.m.

Motion carried.

Assembly adjourned at 12:21 p.m.

Approved: JOSEPH E. DINI, JR.
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE EIGHTY-EIGHTH DAY

CARSON CITY (Thursday), April 16, 1987

Assembly called to order at 11:07 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, Father John McShane.

Father of love and compassion, bless today's proceedings and give all associated with the Nevada Legislature a restful and safe weekend. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Jeffrey moved that further reading of the Journal be dispensed with, and the Speaker and Chief Clerk be authorized to make the necessary corrections and additions.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Commerce, to which were referred Assembly Bills Nos. 217, 276, 357, 381; Senate Bill No. 53, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN E. JEFFREY, *Chairman*

Mr. Speaker:

Your Committee on Transportation, to which were referred Assembly Bills Nos. 470, 502, 505, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

LEONARD V. NEVIN, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, April 15, 1987

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 160, 247.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Bill No. 267.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 81, 191.

Also, I have the honor to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolutions Nos. 20, 21.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen Thomas, Dini, Adler, Arberry, Banner, Bergevin, Brookman, Callister, Carpenter, Craddock, DuBois, Evans, Fay, Freeman, Garner, Gaston, Getto, Haller, Humke, Jeffrey, Kerns, Kissam, Lambert,

McGaughey, Marvel, May, Nevin, Nicholas, Porter, Price, Sader, Schofield, Sedway, Spinello, Spriggs, Swain, Tebbs, Thompson, Triggs, Myrna Williams, Wendell Williams and Wisdom:

Assembly Concurrent Resolution No. 37—Commending members of Kiwanis clubs and designating April 16, 1987, as Kiwanis Day in Nevada.

WHEREAS, Seventy-two years ago a club was organized and chose "Kiwanis" for its name which is a Chippewa Indian word meaning "We make ourselves known"; and

WHEREAS, Members of the Kiwanis club work toward six principles which include the primacy of spiritual values, living by the Golden Rule, adhering to high personal standards, engendering strong citizenship, building better communities through service and assisting in the formation of sound public opinion; and

WHEREAS, Since 1917, the California, Nevada and Hawaii district, CAL-NEV-HA, has become the largest district in Kiwanis International; and

WHEREAS, Nevada is proud of its own state divisions 23, 28 and 45 for their long history of service to Nevada; and

WHEREAS, This body is honored to have governor Wayne Hoeft and governor-elect Bob Jolley of the California, Nevada and Hawaii district in attendance today; now, therefore, be it

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, THE SENATE CONCURRING, That April 16, 1987, is hereby declared Kiwanis Day in Nevada; and be it further

RESOLVED, That copies of this resolution be transmitted by the Chief Clerk of the Assembly to governor Wayne Hoeft and governor-elect Bob Jolley and to the lieutenant governors of the respective divisions of Nevada, Al Garcia of Division 23, Juan B. Sotomayor of Division 28 and Art O'Rear of Division 45.

Assemblyman Thomas moved the adoption of the resolution.

Remarks by Assemblyman Thomas.

Assemblyman Nevin requested that Assemblyman Thomas' remarks be entered in the Journal.

Thank you, Mr. Speaker. As you all know, this is Kiwanis Day at the legislature and it is my privilege and pleasure as a Kiwanian to just briefly tell you that it is without question one of the finest service organizations in the whole world.

The Kiwanis Club here in Carson City is an extremely active service club—one of many active service clubs. But, the Kiwanis Club is probably the most active. I think it is safe to say that of the many projects the Kiwanis Club of Carson City does, that the Senior Citizens Center here would probably still be a figment of someone's imagination if it were not for the Kiwanis Club.

Resolution adopted unanimously.

Assemblyman Thomas moved that all rules be suspended and that Assembly Concurrent Resolution No. 37 be immediately transmitted to the Senate.

Motion carried unanimously.

By Assemblymen Carpenter, Dini, Brookman, Getto, Myrna Williams, Porter, Nicholas, Kissam, Fay, Banner, Adler, Garner, Gaston, Freeman, Wendell Williams, Spinello, Wisdom, Kerns, Marvel, Nevin, Jeffrey, Bergevin, Schofield, DuBois, Swain, Arberry, McGaughey, Evans, Spriggs, Humke, Lambert, Triggs, Haller, Thompson, Callister, Price, Thomas, Tebbs, Sader, Craddock, Sedway and May:

Assembly Concurrent Resolution No. 38—Memorializing former legislator Warren L. "Snowy" Monroe.

WHEREAS, The hearts of countless Nevadans were grieved and sorrow-stricken by the recent passing of Warren L. Monroe, a distinguished gentleman and a friend; and

WHEREAS, Former State Senator Warren L. Monroe was born in Rocklin, California, on April 17, 1906; and

WHEREAS, Senator Monroe attended Sparks High School and graduated from the University of Nevada in 1929; and

WHEREAS, After 8 years as the managing editor of the *Humboldt Star* in Winnemucca, on March 1, 1937, Mr. Monroe and his late wife Mary purchased half interest in the *Elko Independent*, and 6 months later they purchased the remaining half interest from R. C. Stitzer; and

WHEREAS, Although he sold the *Elko Independent* in 1974, Warren L. Monroe's column, "Hot Copy" continued until his death and the column recently celebrated its 50th anniversary, with Governor Bryan declaring March 20, 1987, as "Warren L. Monroe Day"; and

WHEREAS, Warren L. Monroe, fondly known as "Snowy" by his friends and colleagues, served three consecutive terms in the Nevada Assembly, and in 1959 he was elected to the Senate serving continuously until his retirement in 1975; and

WHEREAS, During Senator Monroe's esteemed career in public service, he served as chairman of the Democratic State Central Committee, the Nevada Fish and Game Commission and the Nevada Highway Advisory Board, and he was past president of the Elko Rotary Club and Elko Chamber of Commerce; and

WHEREAS, Warren Monroe was honored by the University of Nevada Board of Regents in March 1986, by being named "Distinguished Nevadan" and he also received the "Silver Makeup Rule," a lifetime achievement award presented by the Nevada State Press Association; now, therefore, be it

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, THE SENATE CONCURRING, That members of the 64th session of the Legislature of the State of Nevada will treasure the memories of a man who dedicated his life to the best interests of the State of Nevada and whose colorful personality brightened the day for everyone he came in contact with; and be it further

RESOLVED, That this body offers its sincere condolences and heartfelt sympathy to Senator Monroe's two sons, Tim and Larry; and be it further

RESOLVED, That a copy of this resolution be transmitted forthwith by the Chief Clerk of the Assembly to the sons of Warren L. "Snowy" Monroe, Tim of Casper, Wyoming, and Larry of Kodiak, Alaska.

Assemblyman Carpenter moved the adoption of the resolution.

Remarks by Assemblymen Carpenter, Nicholas, Haller, Brookman and Getto.

Assemblyman Nevin requested that the following remarks be entered in the Journal.

ASSEMBLYMAN CARPENTER:

Thank you, Mr. Speaker. "Snowy" served three terms in the Assembly and eight terms in the Senate. Those of us who knew Snowy appreciated his accomplishments for Nevada and especially Elko County. Those of you who didn't know him, I think, would have appreciated his candor and his humor.

There really isn't much more that can be said about Snowy, except that he was a great person and a great friend to all of us. I urge your support for this resolution.

ASSEMBLYMAN NICHOLAS:

Thank you, Mr. Speaker. About a week and a half before Senator Monroe died, our Natural Resources Committee met in Elko and had a dinner there and I sat next to him. I had talked to him fairly often in the past, and although we weren't friends, I had an awful lot of respect for the man.

I recall his closing words after an excellent conversation with him over the period of the evening. He was obviously tiring slightly and he said, "Let's stop the bull, it's time to go home." He was a fine man.

ASSEMBLYMAN HALLER:

Mr. Speaker, Snowy Monroe was also a great Democrat. I can remember many instances over the past 20 years when we would be hot and heavy about something and Snowy would stand up as the senior and be the guy who put the cap on problems by saying something that would calm down the hot spirits. It happened more than once. The last time I had a lot of business with him we ran the Democratic Convention in Elko. He was co-chairman. It was one of the best Democratic Conventions we have ever had.

ASSEMBLYMAN BROOKMAN:

Yes, Mr. Speaker, to you and through you to the members of the Assembly. I had the pleasure of serving with Snowy. Although our philosophy differed many times, he was a great man. I, too, got to see Snowy on our Agriculture and Mining trip. It was good to see him. I gave him regards from all the old ones like May, Dini, Getto, and the others who had the pleasure of serving with him. He appreciated that. I appreciated him and I think the state will have a great loss.

ASSEMBLYMAN GETTO:

Thank you, Mr. Speaker. I, too, knew Snowy for many years and I also saw him when the Natural Resources, Agriculture and Mining Committee was in Elko. I saw him very briefly and I didn't get to talk to him when we were in Elko.

Snowy was a great man. He represented his district very capably. He was outspoken; he was a newsman. I remember some of his comments. One of Snowy's characteristics was that he didn't like to waste a lot of time on the highway. He thought that was a pure waste, so the faster he could get from Elko to Carson City, the better he liked it. He was usually a streak through some of the rural communities. I don't think he got caught too many times—he was able to outrun them.

Another comment that I think will be remembered for many years was when one of our colleagues who is still down at the other end of this building couldn't make up his mind which way to vote over a very controversial issue, Senator Snowy Monroe told him, "Will you quit straddling the fence or you'll get some splinters in your ass."

Resolution adopted unanimously.

By the Committee on Government Affairs:

Assembly Concurrent Resolution No. 39—Urging the Tahoe Regional Planning Agency not to remove the cases filed by Nevada property owners to federal courts.

Assemblyman Thompson moved that the resolution be referred to the Committee on Government Affairs.

Motion carried.

By Assemblymen Kissam, Schofield, Porter, Wendell Williams, Haller, Gaston, Garner, Triggs, Lambert, Callister and Spinello:

Assembly Concurrent Resolution No. 40—Directing the Legislative Commission to conduct an interim study concerning the desirability and feasibility of authorizing the University of Nevada System to pursue grants from the United States Department of Energy to establish and carry on research projects.

Assemblyman Myrna Williams moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

By Assemblyman Price:

Assembly Concurrent Resolution No. 41—Authorizing expenditure from the legislative fund for the payment of a speaker to appear before a standing committee of the Assembly during the 64th session of the legislature.

Assemblyman Price moved the adoption of the resolution.

Remarks by Assemblymen Price and Sedway.

Resolution lost on a division of the house.

Senate Concurrent Resolution No. 20.

Assemblyman Jeffrey moved the adoption of the resolution.

Remarks by Assemblyman May.

Assemblyman Nevin requested that Assemblyman May's remarks be entered in the Journal.

Mr. Speaker, I am happy to rise in support of the resolution. It was indeed a flag day for Nevada when UNLV hit the road to New Orleans. Unfortunately they didn't spend too much time there, but the road that put them there was a thrill and a treat for all of us, particularly those of us from southern Nevada who are devotees of this great team. They will be back next year bigger and better than ever. This time we are going to go all the way. We ask your support.

Resolution adopted unanimously.

Senate Concurrent Resolution No. 21.

Assemblyman Jeffrey moved the adoption of the resolution.

Remarks by Assemblymen Carpenter, Getto, Brookman, Craddock and May.

Assemblyman Nevin requested that the following remarks be entered in the Journal.

ASSEMBLYMAN CARPENTER:

Thank you, Mr. Speaker. It looks like today is memory day for Elko County. Roy Young truly exemplified the roll of a cowboy legislator. He was always willing to look at all issues. He always recognized that there are always two sides to every story.

Roy was my neighbor in Elko. Our ranches adjoined. He was one of the first persons in Elko who encouraged me to get into politics. He was a real dear friend and we are all going to miss him.

ASSEMBLYMAN GETTO:

Mr. Speaker, I, too, served with Roy. He was one of my mentors. I remember Roy's faith and strength. You never found Roy feeling weak about anything. He was very outspoken and as my colleague stated, he always viewed both sides.

Roy served as chairman of Ways and Means more than once. He was truly a true western cowboy, a rancher, a fellow who made his own way in this world and he leaves a great legacy. We are going to miss him.

ASSEMBLYMAN BROOKMAN:

Mr. Speaker, to you and through you to the members of this Assembly. I, too, had the pleasure in the old building of sitting next to Roy, Fransway, all of our old buddies who sat in the back—which we called "Tortilla Flats"—good old boys as they were. But, they included me in their group with Papa Viani, Mr. Speaker and Getto.

It is sad to stand here today and have memorializing for two old, good buddies. They were great guys and I will miss them as will the state.

ASSEMBLYMAN CRADDOCK:

Mr. Speaker, to you and to the members. In Mr. Young's concluding remarks before he left these halls for his final time, he characterized several members of the Assembly and he compared them with predecessors. In concluding, the very last words that he said were, "I leave the State in good hands." I truly know he felt that to be the way it was. He expressed a great deal of confidence in the process and I think it would currently behoove us all to recognize that he felt that way about us and see to it that his tradition carries through as long as we are here.

ASSEMBLYMAN MAY:

Mr. Speaker, as I stand today in memory of Roy Young, it is perhaps indicative of the change that is occurring throughout Nevada. Today we are paying tribute to two of our former legislators, one from each house, both from Elko County, who added in their own distinct ways a great deal to the history that is now a part of Nevada. The state is changing, but I guess the question remains, "Is it changed for the better?", because those gentlemen both served, as it's difficult to serve today.

Resolution adopted unanimously.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Concurrent Committee on Economic Development, Small Business and Tourism, 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: Amend, and do pass as amended.

BOB PRICE, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Nevin moved that Assembly Bill No. 376 be taken from the Chief Clerk's desk and placed on the Second Reading File.

Remarks by Assemblyman Nevin.

Motion carried.

Assemblyman Schofield moved that Assembly Bill No. 161 be taken from the Chief Clerk's desk and placed on the Second Reading File.

Motion carried.

Assemblyman Jeffrey moved that the Assembly recess until 11:43 a.m.

Motion carried.

Assembly in recess at 11:38 a.m.

ASSEMBLY IN SESSION

At 11:59 a.m.

Mr. Speaker presiding.

Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Spinello moved that the action whereby Assembly Concurrent Resolution No. 41 was lost be rescinded.

Remarks by Assemblyman Spinello.

Motion carried.

Assembly Concurrent Resolution No. 41.

Assemblyman Price moved the adoption of the resolution.

Remarks by Assemblyman Price.

Resolution adopted.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Education, to which was referred Senate Bill No. 67, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ROBERT G. CRADDOCK, *Chairman*

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblyman Freeman:

Assembly Bill No. 592—An Act relating to dead bodies; allowing a licensed nurse to remove eyes to carry out a gift made pursuant to the Uniform Anatomical Gift Act; and providing other matters properly relating thereto.

Assemblyman Freeman moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

By Assemblyman DuBois:

Assembly Bill No. 593—An Act relating to elections; authorizing a candidate for public office to designate a registered voter to challenge a person intending to vote in certain precincts or districts; requiring a voter to present identification before voting; and providing other matters properly relating thereto.

Assemblyman DuBois moved that the bill be referred to the Committee on Elections.

Motion carried.

Senate Bill No. 81.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Natural Resources, Agriculture and Mining.

Motion carried.

Senate Bill No. 191.

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

Motion carried.

Senate Bill No. 267.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 289.

Bill read second time.

The following amendment was proposed by the Committee on Health and Welfare:

Amendment No. 390.

Amend sec. 10, page 2, lines 17 and 18, by deleting: "adopted by the department for use by hospitals" and inserting: "hospitals are required to use".

Amend sec. 22, page 4, line 6, by deleting the period and inserting: "on or after January 1, 1987.".

Amend sec. 22, page 4, line 12, by deleting: "Each maximum billed charge" and inserting: "The maximum billed charges".

Amend sec. 22, page 4, line 14, by deleting the comma and inserting: "for all service units of the hospital not specifically exempted from Medicare's system of prospective payments,".

Amend sec. 22, page 4, line 15, by deleting "charges" and inserting: "maximum billed charges must be at least 100 percent of the national rate established by Medicare and".

Amend sec. 22, page 4, line 19, by deleting the semicolon and inserting: ", including bad debt and involuntary contractual allowances;".

Amend sec. 22, page 5, line 10, by deleting "lower" and inserting "different".

Amend sec. 22, page 5, between lines 10 and 11 by inserting:

"9. For the purposes of this section, "maximum billed charge" means the rate of payment negotiated or contracted for pursuant to subsection 8 or, if no such rate has been negotiated or contracted for, the maximum billed charge established by the commission for the particular medical care provided."

Amend sec. 23, page 5, line 30, after "actual" by inserting "inpatient".

Amend sec. 23, page 5, line 32, after "actual" by inserting "inpatient".

Amend sec. 25, page 6, line 11, by deleting "absolute duty" and inserting "obligation".

Amend sec. 25, page 6, line 12, by deleting the period and inserting: ", regardless of the financial status of the patient.".

Amend sec. 25, page 6, line 18, after "charge" by inserting: "established by the commission".

Amend sec. 25, page 6, by inserting between lines 20 and 21:

"4. This section does not prohibit the transfer of a patient from one hospital to another when the patient is covered by an insurance policy or other contractual arrangement which provides for payment at the receiving hospital.".

Amend sec. 31, page 9, line 23, by deleting "financial".

Amend sec. 31, page 9, line 26, after "patients" by inserting: ", services or supplies".

Amend sec. 31, page 9, by inserting between lines 34 and 35:

"4. In addition to the penalties prescribed in chapter 205 of NRS, a practitioner or health facility which violates any provision of this section is liable to the State of Nevada for:

(a) A civil penalty in an amount of three times the amount unlawfully obtained, but in no case may the amount be less than $5,000 for each violation.

(b) Any reasonable expenses incurred by the state in enforcing this section.".

Amend sec. 32, page 10, line 14, after the semicolon by inserting "or".

Amend sec. 32, page 10, line 16, by deleting "; or" and inserting a period.

Amend sec. 32, page 10, by deleting lines 17 through 19.

Amend sec. 33, page 11, line 2, by deleting the period and inserting: "if the director determines that the hospital did violate a provision of this chapter.".

Amend sec. 36, pages 12 and 13, by deleting lines 40 through 42 on page 12 and lines 1 through 14 on page 13 and inserting:

"*1. Each hospital in this state shall use for all patients discharged the form commonly referred to as the "UB-82" and include in the form all information required by the department.*

2. The department shall by regulation:

(a) Specify the information required to be included in the form for each patient; and

(b) Require each hospital to provide specified information from the form to the department.

3. Each insurance company or other payer shall accept the form as the bill for services provided by hospitals in this state.

4. Each hospital with more than 200 beds shall provide the information required pursuant to paragraph (b) of subsection 2 on magnetic tape or by".

Amend sec. 45, page 18, line 24, by deleting "[moneys] *money*" and inserting "money".

Amend sec. 45, page 18, line 26, after "428.050," by inserting: "428.265, 428.275 and 428.285,".

Amend sec. 45, page 18, line 34, by deleting "[funds] *money*" and inserting "money".

Amend sec. 45, page 18, line 35, by deleting "rules and".

Amend sec. 46, page 19, by deleting lines 3 through 8 and inserting: "and maintain him, or when such relatives refuse or neglect to care for and maintain him, then he [must] *is entitled to* receive such relief as is in accordance with the policies and standards established and approved by the board of county commissioners and within the limits of the money which may be lawfully appropriated pursuant to NRS 428.050, 428.265, 428.275 or 428.285, for this purpose.".

Amend sec. 47, page 19, line 27, by deleting "[funds] *money*" and inserting "money".

Amend sec. 47, page 19, line 29, by deleting the period and inserting: ", 428.265, 428.275 or 428.285.".

Amend sec. 48, page 20, line 32, by deleting: "*fair market value.*" and inserting: "*it charges other insurers for the same services or products.*".

Amend sec. 48, page 20, line 41, after "*Attempt*" by inserting "*artificially*".

Assemblyman Arberry moved the adoption of the amendment.

Remarks by Assemblymen Arberry, Nicholas, Tebbs, Thomas and Porter.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 313.

Bill read second time.

The following amendment was proposed by the Committee on Taxation:

Amendment No. 311.

Amend section 1, page 1, line 3, before "*A*" by inserting "*1.*".

Amend section 1, page 1, after line 7, by inserting:

"*2. Verification by the retailer of the identification number printed on the delivery ticket of the dealer shall be deemed compliance with the provisions of subsection 1.*".

Amend the bill as a whole by adding a new section, designated sec. 2, following section 1, to read as follows:

"Sec. 2. NRS 365.300 is hereby amended to read as follows:

365.300 *1.* Upon approval of the application the department shall issue to the dealer [a] *:*

(a) An identification number; and

(b) A nonassignable license with a duplicate copy for each place of business of the dealer in this state.

2. Each license and all duplicates must bear the dealer's identification number.

3. The license [shall continue] *continues* in force until canceled, suspended or revoked.

4. The dealer shall have his identification number printed on each of his delivery tickets.".

Amend the title of the bill, second line, after "fuel;" by inserting: "requiring dealers to print their identification numbers on their delivery tickets;".

Assemblyman May moved the adoption of the amendment.

Remarks by Assemblyman May.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Schofield moved that Assembly Bill No. 161 be taken from its position on the Second Reading File and placed at the top of the Second Reading File.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 161.

Bill read second time.

The following amendment was proposed by the Committee on Natural Resources, Agriculture and Mining:

Amendment No. 412.

Amend section 1, page 1, by deleting lines 3 and 4 and inserting:

"*1. Each person who extracts gold from land in Nevada shall pay:*

(a) A fee of $10; and

(b) An additional fee of $1,

per troy ounce or portion thereof of gold recovered to the state department of".

Amend section 1, page 1, line 10, after "*collect any*" by inserting: "*portion of either*".

Amend section 1, page 2, by deleting lines 2 through 7 and inserting:

"*3. The state treasurer shall credit the fees collected pursuant to:*

(a) Paragraph (a) of subsection 1 to the state general fund.

(b) Paragraph (b) of subsection 1 to a special account in the state general fund for the use of the state department of conservation and natural resources in programs for the reclamation of land damaged by mining.".

Amend the bill as a whole by renumbering sec. 2 as sec. 3 and adding a new section designated sec. 2, following section 1, to read as follows:

"Sec. 2. NRS 362.120 is hereby amended to read as follows:

362.120 1. The department shall, from the statement and from all obtainable data, evidence and reports, compute in dollars and cents the gross yield and net proceeds of the period covered by the statement.

2. The gross yield must include the value of any product of the mine which was:

(a) Sold;

(b) Exchanged for any thing or service;

(c) Removed from the state in a form ready for use or sale; or

(d) Used in a manufacturing process or in providing a service,

during the period covered by the statement.

3. The net proceeds are ascertained and determined by subtracting from the gross yield the following deductions for costs incurred during that period, and none other:

(a) The actual cost of extracting the ore from the mines.

(b) The actual cost of transporting the product of the mine to the place or places of reduction, refining and sale.

(c) The actual cost of reduction, refining and sale.

(d) The actual cost of marketing and delivering the product and the conversion of the product into money.

(e) The actual cost of maintenance and repairs of:

(1) All mine machinery, equipment, apparatus and facilities.

(2) All milling, smelting and reduction works, plants and facilities.

(3) All facilities and equipment for transportation except those that are under the jurisdiction of the public service commission of Nevada as public utilities.

(f) The actual cost of fire insurance on the machinery, equipment, apparatus, works, plants and facilities mentioned in paragraph (e).

(g) Depreciation of the original capitalized cost of the machinery, equipment, apparatus, works, plants and facilities mentioned in paragraph (e). The annual depreciation charge consists of amortization of the original cost in a manner prescribed by regulation of the Nevada tax commission. The probable life of the property represented by the original cost must be considered in computing the depreciation charge.

(h) All money expended for premiums for industrial insurance, and the actual cost of hospital and medical attention and accident benefits and group insurance for all employees.

(i) All money paid as contributions under the unemployment compensation law of the State of Nevada, as contained in chapter 612 of NRS, all money paid as contributions under the Social Security Act of the Federal Government, and all money paid to either the State of Nevada or the Federal Government under any amendment to either or both of the statutes mentioned in this paragraph.

(j) The actual cost of developmental work in or about the mine or upon a group of mines when operated as a unit.

(k) All money paid as royalties by a lessee or sublessee of a mine, or by both, constitutes a deductible item for that lessee or sublessee in determining the net proceeds of the lessee or sublessee or both; but the royalties so deducted by the lessee or sublessee constitute part of the gross yield of the mine for the purpose of determining the net proceeds upon which a tax must be levied against the person, corporation, association or partnership to which the royalty has been paid.

4. Every person, corporation or association acquiring property in the State of Nevada to engage in mining and who incurs any of the expenses mentioned in subsection 3 shall report those expenses and the recipient of any royalty payments to the department on forms provided by the department.

5. The several deductions mentioned in subsection 3 do not include [any] *:*

(a) The fees imposed by section 1 of this act; or

(b) Any expenditures for salaries, or any portion of salaries, of any person not actually engaged in:

[(a)] *(1)* The working of the mine;

[(b)] *(2)* The operating of the mill, smelter or reduction works;

[(c)] *(3)* The operating of the facilities or equipment for transportation;

[(d)] *(4)* Superintending the management of any of those operations; or

[(e)] *(5)* The State of Nevada, in office, clerical or engineering work necessary or proper in connection with any of those operations.".

Amend sec. 2, page 2, line 10, before "This" by inserting "*1.*".

Amend sec. 2, page 2, after line 12, by inserting:

"2. This act expires by limitation after section 1 of article 10 of the Nevada constitution has been amended to require or allow the separate taxation of the proceeds of mines, on the day the separate tax becomes effective.".

Amend the title of the bill to read as follows:

"An Act relating to minerals; requiring the state department of conservation and natural resources to collect for a limited time two fees on gold extracted from land in Nevada; and providing other matters properly relating thereto.".

Assemblyman Schofield moved the adoption of the amendment.

Remarks by Assemblymen Schofield and Getto.

Assemblyman Getto moved that Assembly Bill No. 161 be taken from the Second Reading File and placed on the Chief Clerk's desk.

Remarks by Assemblymen Schofield, Getto, Callister, Marvel, Spriggs, Haller, Jeffrey and Thomas.

Assemblymen Spinello, Wisdom and Nevin moved the previous question.

Motion carried.

The question being on the motion to take Assembly Bill No. 161 from the Second Reading File and place it on the Chief Clerk's desk.

Motion lost.

Remarks by Assemblymen Tebbs, Schofield, Carpenter and Sedway.

Assemblymen Nevin, Spinello and Jeffrey moved the previous question.

Motion carried.

The question being on the motion to adopt Amendment No. 412 to Assembly Bill No. 161.

Assemblymen Humke, Bergevin and Jeffrey requested a roll call on Assemblyman Schofield's motion.

Roll call on Assemblyman Schofield's motion:

YEAS—29.

NAYS—Bergevin, Carpenter, DuBois, Getto, Humke, Kerns, Lambert, McGaughey, Marvel, Nicholas, Sader, Spriggs, Tebbs—13.

The motion having received a majority, Mr. Speaker declared the amendment adopted.

Assemblyman Marvel moved that Assembly Bill No. 161 be re-referred to the Committee on Taxation.

Remarks by Assemblymen Marvel, Callister, May and Getto.

Assemblymen Triggs, Haller and Thompson moved the previous question.

Motion carried.

The question being on the motion to re-refer Assembly Bill No. 161 to the Committee on Taxation.

Motion lost.

Bill ordered reprinted, engrossed and to third reading.

Assembly Joint Resolution No. 23.

Resolution read second time, ordered engrossed and to third reading.

Assembly Joint Resolution No. 33.

Resolution read second time, ordered engrossed and to third reading.

Assembly Joint Resolution No. 34.

Resolution read second time, ordered engrossed and to third reading.

Assembly Joint Resolution No. 37.

Resolution read second time, ordered engrossed and to third reading.

Senate Bill No. 77.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 406.

Amend sec. 24, page 14, line 33, by deleting the brackets.

Amend sec. 24, page 14, by deleting lines 34 through 37.

Amend sec. 24, page 14, line 38, by deleting "*(f)*" and inserting "(e)".

Assemblyman Porter moved the adoption of the amendment.

Remarks by Assemblyman Porter.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 376.

Bill read second time.

The following amendment was proposed by the Committee on Transportation:

Amendment No. 413.

Amend section 1, page 1, line 8, by deleting: "*VETERAN OF PEARL HARBOR*" and inserting: "*PEARL HARBOR VETERAN*".

Amend section 1, page 1, by deleting lines 14 through 18.

Amend section 1, page 2, line 1, by deleting "*4.*" and inserting "*3.*".

Amend section 1, page 2, line 9, by deleting "*5.*" and inserting:

"*4. The fee for the special license plate is $25, in addition to all other applicable registration and license fees and motor vehicle privilege taxes.*".

Assemblyman Adler moved the adoption of the amendment.

Remarks by Assemblyman Adler.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Assembly Bills Nos. 115, 351 and 368 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 Concurrent Resolution No. 18.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Speaker, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Charles Porterfield, R. W. Budd and J. A. Rubert.

On request of Assemblyman Adler, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Charles Clark and R. B. Peachee.

On request of Assemblyman Banner, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Robert Lloyd and Donald Ziegler.

On request of Assemblyman Callister, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Edward Hearne.

On request of Assemblyman DuBois, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Robert Williams.

On request of Assemblyman Gaston, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Harold Abbott.

On request of Assemblyman Haller, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Dick Stopp.

On request of Assemblyman Jeffrey, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Thomas Wilson and Charles Turner.

On request of Assemblyman Lambert, the privilege of the floor of the Assembly Chamber for this day was extended to Mss. Antonine Gratonik, Laurann Kjorvestad, Mr. Jay Stuart and the students of Sierra Nevada Job Corps Center: Rafael Baez, Kim Bell, Vanessa Clemons, Danny Cuttoni, John Dezsi, Sary Dim, Kim Dority, Roberta Elias, Jammi Ellis, Tracy Gamble, Fernando Gomez, Jason Grimes, Quang Ha, David Huddleston, James Hunt, Sambun Ke, Chorn Kloak, Linna Lu, Sandra McTere, Sovuthea Mey, Melissa Miller, Abdou Mohamed, Jon Murphy, Roland Newby, Binh Nguyen, Tien Nguyen, Cuong Phung, Larry Robertson, Gurmail Sandhu, Mircea Sferle, Celia Tarrant and Robert Wilson.

On request of Assemblyman May, the privilege of the floor of the Assembly Chamber for this day was extended to Miss Mary Lou Hickey.

On request of Assemblyman Nevin, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. George Sieeter and Louis Shanus.

On request of Assemblyman Nicholas, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Ray Plunkett.

On request of Assemblyman Price, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Lavar Young.

On request of Assemblyman Thomas, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Wayne Hoeft and Bob Belknap.

On request of Assemblyman Thompson, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. David Marshall and Ed Bruce.

On request of Assemblyman Triggs, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Dayton Russell.

On request of Assemblyman Wendell Williams, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Jerry Morlan and Ms. Kathleen Morlan.

Assemblyman Nevin moved that the Assembly adjourn until Monday, April 20, 1987 at 10:30 a.m.

Motion carried.

Assembly adjourned at 12:48 p.m.

Approved: JOSEPH E. DINI, JR.
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE NINETY-SECOND DAY

CARSON CITY (Monday), April 20, 1987

Assembly called to order at 10:38 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, The Reverend Doctor Terry Arnold.

The Bible says, "Let us not lose heart in doing good, for in due time we shall reap if we do not grow weary (Galatians 6:9)." Let us pray. Our Heavenly Father, give us energy, wisdom and joy to face the demands this day is bringing. In the name of our Lord and Saviour, I pray. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Jeffrey moved that further reading of the Journal be dispensed with, and the Speaker and Chief Clerk be authorized to make the necessary corrections and additions.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Judiciary, to which was referred Assembly Bill No. 557, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ROBERT M. SADER, *Chairman*

Mr. Speaker:

Your Committee on Labor and Management, to which was referred Assembly Bill No. 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 J. BANNER, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which were referred Assembly Bill No. 534; 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.

DANNY L. THOMPSON, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, April 16, 1987

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, 65, 71, 299.

Also, I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bills Nos. 128, 199, 234, 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. 37.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Bill No. 323.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bill No. 246.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Assembly Bill No. 289 be placed at the top of the General File.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 289.

Bill read third time.

The following amendment was proposed by Assemblyman Carpenter:

Amendment No. 440.

Amend sec. 21, page 3, line 36, by deleting "and".

Amend sec. 21, page 3, line 38, by deleting the period and inserting: "; and

(d) Review the record of the public hearings relating to a hospital's obligation pursuant to section 28 of this act to provide treatment to indigent inpatients and establish the percentage of a hospital's actual revenue from care of inpatients used to determine that obligation.".

Amend the bill as a whole by adding a new section designated sec. 21.5, following sec. 21, to read as follows:

"Sec. 21.5. 1. A hospital shall not charge a rate to any person which exceeds by more than 15 percent the lowest rate that the hospital charges for the health service provided pursuant to an agreement between the hospital and a third party.

2. A hospital shall submit to the director each agreement between the hospital and a third party concerning rates charged by the hospital for services provided to the third party's members, subscribers or insureds. An agreement must be submitted within 30 days after it is executed.

3. The director may use the information contained in the agreements for statistical purposes and to determine whether a hospital is complying with subsection 1.

4. Any patient or payer is entitled to recover from a hospital an amount equal to three times the difference between the maximum charge allowed pursuant to subsection 1 and the amount actually charged, plus reasonable attorney's fees and costs.".

Amend sec. 22, page 4, line 5, by deleting "only to" and inserting: "only:

(a) To".

Amend sec. 22, page 4, by inserting between lines 6 and 7:

"(b) In the calendar year following a fiscal year in which such a hospital exceeds the maximum allowable rate of profit established pursuant to section 23 of this act.

The provisions of this section are in addition to the requirements of section 21.5 of this act.".

Amend sec. 22, page 5, lines 4 and 5, by deleting: "any amount charged in excess of that limit," and inserting: "the amount actually charged,".

Amend sec. 23, page 5, by deleting lines 19 through 22 and inserting:

"Sec. 23. 1. The maximum allowable rate of profit for hospitals in this state is 15 percent.".

Amend sec. 23, page 5, lines 24 and 25, by deleting: "establishing the maximum allowable" and inserting: "determining a hospital's".

Amend sec. 23, page 5, by deleting line 33 and inserting: "hospital must reduce its actual inpatient revenue per inpatient below its actual inpatient revenue".

Amend sec. 23, page 6, line 1, after "6." by inserting: "Each hospital shall submit to the director an audit prepared by an independent auditor on or before September 15 of each year. The audit must include:

(a) The amount and percentage of a hospital's profit in the preceding year, determined in accordance with regulations established by the director; and

(b) The percentage by which the hospital reduced its actual inpatient revenue per inpatient below its actual inpatient revenue per inpatient in the preceding fiscal year.

7.".

Amend sec. 28, page 7, line 23, by deleting "commission" and inserting "director".

Amend sec. 29, page 8, line 3, by deleting "subsection 2," and inserting: "subsections 2 and 3,".

Amend sec. 29, page 8, line 15, after "3." by inserting: "A board of county commissioners may use a definition of "indigent" other than the definition established by the director until July 1, 1991.

4."

Amend sec. 29, page 8, line 19, by deleting "4." and inserting "5.".

Amend sec. 29, page 8, line 23, by deleting "5." and inserting "6.".

Amend the bill as a whole by adding a new section designated sec. 30.5, following sec. 30, to read as follows:

"Sec. 30.5. A person who:

1. Has established to the satisfaction of a hospital that he is eligible for Medicare, is not eligible for Medicaid and has an annual income of $15,000 or less; and

2. Receives a bill from the hospital in excess of the first-day deductible established by Medicare,

is entitled to a credit of $150 against that deductible.".

Amend sec. 35, page 11, line 37, by deleting "The" and inserting: "[The] *Except as otherwise provided in subsection 6, the*".

Amend sec. 50, page 21, lines 34 and 35, by deleting: "with more than 200 beds" and inserting "subject to the provisions of section 22 of this act".

Amend sec. 50, pages 21 and 22, by deleting lines 39 through 41 on page 21 and lines 1 through 6 on page 22 and inserting:

"2. The provisions of subsection 1 of section 23 of this act do not apply in the fiscal year 1987-88. A hospital which does not reduce its actual inpatient revenue per inpatient in the fiscal year 1987-88 by 7 percent below its actual inpatient revenue per inpatient in the fiscal year 1986-87 is subject to the provisions of section 22 of this act in calendar year 1989.".

Amend sec. 50, page 22, by deleting lines 9 through 18 and inserting: "regulation that defines "indigent," a county shall use its own standards for determining indigence.".

Assemblyman Carpenter moved the adoption of the amendment.

Remarks by Assemblymen Carpenter, Arberry, Sedway and Sader.

Amendment lost.

The following amendment was proposed by Assemblymen Dini, Jeffrey and Sader.

Amendment No. 443.

Amend the bill as a whole by adding a new section designated sec. 30.5, following sec. 30, to read as follows:

"Sec. 30.5. A person who:

1. Has established to the satisfaction of a hospital that he is eligible for Medicare, is not eligible for Medicaid and has an annual income of $15,000 or less; and

2. Receives a bill from the hospital in excess of the first-day deductible established by Medicare,

is entitled to a credit of $250 against that deductible.".

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. 115.

Bill read third time.

Remarks by Assemblyman McGaughey.

Roll call on Assembly Bill No. 115:

YEAS—42.

NAYS—None.

Assembly Bill No. 115 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 180.

Bill read third time.

Remarks by Assemblyman Sader.

Roll call on Assembly Bill No. 180:

YEAS—42.

NAYS—None.

Assembly Bill No. 180 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 282.
Bill read third time.
Remarks by Assemblyman Porter.
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. 351.
Bill read third time.
Remarks by Assemblymen Myrna Williams, Schofield, Jeffrey and Thompson.
Assemblyman Schofield moved that Assembly Bill No. 351 be taken from the General File and placed on the Chief Clerk's desk.
Remarks by Assemblymen Jeffrey, Myrna Williams, Adler and Schofield.
Assemblymen Bergevin, DuBois and Adler moved the previous question.
Motion carried.
The question being on the motion to take Assembly Bill No. 351 from the General File and place it on the Chief Clerk's desk.
Motion lost.
Roll call on Assembly Bill No. 351:
YEAS—41.
NAYS—Schofield.

Assembly Bill No. 351 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 368.
Bill read third time.
Remarks by Assemblymen Evans, Sader and McGaughey.
Assemblyman McGaughey moved that Assembly Bill No. 368 be taken from the General File and placed on the Chief Clerk's desk.
Remarks by Assemblymen McGaughey and Brookman.
Motion carried.

Assembly Bill No. 463.
Bill read third time.
Remarks by Assemblyman Porter.
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, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 464.
Bill read third time.

Remarks by Assemblyman Porter.

Roll call on Assembly Bill No. 464:

YEAS—42.

NAYS—None.

Assembly Bill No. 464 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.

The following amendment was proposed by the Committee on Economic Development, Small Business and Tourism:

Amendment No. 419.

Amend the resolution, page 2, line 7, by deleting the semicolon and inserting: "if a right-of-way corridor not more than 1-mile wide is reserved therefrom to the United States for the construction, operation and maintenance of electric transmission lines;".

Assemblyman Price moved the adoption of the amendment.

Remarks by Assemblyman Price.

Amendment adopted.

Resolution ordered reprinted, re-engrossed and to third reading.

Assembly Joint Resolution No. 23.

Resolution read third time.

Remarks by Assemblyman DuBois.

Roll call on Assembly Joint Resolution No. 23:

YEAS—42.

NAYS—None.

Assembly Joint Resolution No. 23 having received a constitutional majority, Mr. Speaker declared it passed.

Resolution ordered transmitted to the Senate.

Assembly Joint Resolution No. 33.

Resolution read third time.

Remarks by Assemblymen May, Getto, Bergevin, Adler and Sedway.

Roll call on Assembly Joint Resolution No. 33:

YEAS—41.

NAYS—Getto.

Assembly Joint Resolution No. 33 having received a constitutional majority, Mr. Speaker declared it passed.

Resolution ordered transmitted to the Senate.

Assembly Joint Resolution No. 34.

Resolution read third time.

Remarks by Assemblyman May.

Roll call on Assembly Joint Resolution No. 34:

YEAS—42.

NAYS—None.

Assembly Joint Resolution No. 34 having received a constitutional majority, Mr. Speaker declared it passed.

Resolution ordered transmitted to the Senate.

Assembly Joint Resolution No. 37.

Resolution read third time.

Remarks by Assemblymen Myrna Williams, Spriggs, Sader, Humke, Spinello, Nevin, DuBois, McGaughey, Gaston and Craddock.

Assemblymen Lambert, Nicholas and Kissam moved the previous question.

Motion carried.

The question being on the passage of Assembly Joint Resolution No. 37.

Roll call on Assembly Joint Resolution No. 37:

YEAS—39.

NAYS—Marvel, Spriggs—2.

Not voting—Thomas.

Assembly 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 Porter moved that Senate Bill No. 68 be taken from the Chief Clerk's desk and placed on the General File.

Remarks by Assemblyman Porter.

Motion carried.

Assemblyman Sader moved that all rules be suspended and that Assembly Bills Nos. 463 and 464 be immediately transmitted to the Senate.

Motion carried unanimously.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblyman Banner:

Assembly Bill No. 594—An Act relating to industrial insurance; defining "rehabilitative services"; requiring employers to display a notice describing benefits for injured employees; requiring employers to inform employees of the rights and procedures for appeal; identifying certain circumstances under which certain compensation may be terminated; requiring self-insured employers to maintain files of claims; and providing other matters properly relating thereto.

Assemblyman Banner moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 595—An Act relating to accounting procedures for the state; revising the State Accounting Procedures Law in conformity with the standards of the Governmental Accounting Standards Board; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 596—An Act relating to programs for public employees; extending the authority of the committee established to administer the public employees' deferred compensation program; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Price:

Assembly Bill No. 597—An Act relating to grand juries; making various changes related to grand jurors and their alternates; providing for the retention of untranscribed tape recordings of proceedings; requiring the court administrator, if any, to submit the monthly financial statement to the grand jury; clarifying the scope of authority of grand jurors; providing for verbatim notes of a proceeding for the use of a juror who was absent; requiring the concurrence of 12 jurors to find no true bill of indictment; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Price, Tebbs, Spinello, Swain, Lambert, Humke, Gaston, Triggs, Wendell Williams, Garner and Thomas:

Assembly Bill No. 598—An Act relating to economic development; authorizing the commission on economic development to coordinate the process of application for the superconducting super collider; creating the authority for the development of a community for the superconducting super collider; providing its powers and duties; authorizing the authority to issue revenue bonds for the purpose of construction or improving projects connected with the superconducting super collider; providing in skeleton form for the allocation of revenue to the authority from various fees and taxes; requiring the state engineer to give priority to any petition or application for water rights related to the superconducting super collider; and providing other matters properly relating thereto.

Assemblyman Price moved that the bill be referred to the Committee on Economic Development, Small Business and Tourism.

Motion carried.

Senate Bill No. 246.

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

Motion carried.

Senate Bill No. 323.

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

Motion carried.

Assemblyman Nevin moved that the Assembly recess subject to the call of the Chair.

Motion carried.

Assembly in recess at 11:56 a.m.

ASSEMBLY IN SESSION

At 12:11 p.m.

Mr. Speaker presiding.

Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Concurrent Committee on Economic Development, Small Business and Tourism, to which was referred Assembly Bill No. 90, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

BOB PRICE, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Ways and Means, to which was referred Assembly Bill No. 90, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

MARVIN M. SEDWAY, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which were referred Assembly Bills Nos. 123, 257, 399, 510, 511; Senate Bill No. 110, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

MARVIN M. SEDWAY, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

By the Committee on Legislative Functions:

Assembly Concurrent Resolution No. 42—Directing the Legislative Commission to conduct an interim study on the desirability and feasibility of establishing a state home for veterans.

Assemblyman Myrna Williams moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Humke, Sader, Myrna Williams, Haller, Triggs, Callister and Spriggs:

Assembly Bill No. 599—An Act relating to minors; authorizing the juvenile division of the district court to remove certain disabilities of minority and declare the minor to be emancipated; establishing the procedure to be followed in such cases; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Ways and Means:

Assembly Bill No. 600—An Act making a supplemental appropriation to the Southern Nevada Adult Mental Health Services; and providing other matters properly relating thereto.

Assemblyman Sedway moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By the Committee on Transportation:

Assembly Bill No. 601—An Act relating to traffic laws; removing the state prohibition against violating the national speed limit upon invalidation of the national limit; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Commerce:

Assembly Bill No. 602—An Act relating to contractors; requiring the state contractors' board to increase the bond or cash deposit of a contractor who fails to pay for materials or services; requiring verification of a contractor's license when he submits a bid for public work; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

By the Committee on Commerce:

Assembly Bill No. 603—An Act relating to trust companies; removing the requirement that a majority of the board of directors must be residents of this state; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

By Assemblyman Porter (by request):

Assembly Bill No. 604—An Act relating to the practice of law; allowing the reciprocal licensing of attorneys under certain circumstances; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Marvel, Bergevin, Spriggs, Carpenter, Lambert and Getto:

Assembly Bill No. 605—An Act relating to the Nevada tax commission; requiring one member of the commission to have experience in mining; and providing other matters properly relating thereto.

Assemblyman Marvel moved that the bill be referred to the Committee on Taxation.

Motion carried.

By the Committee on Education:

Assembly Bill No. 606—An Act relating to counselors; regulating the practice of counseling; creating the board of examiners for counselors; providing for its organization, powers and duties; providing for licensing and disciplinary actions; providing penalties; and providing other matters properly relating thereto.

Assemblyman Craddock moved that the bill be referred to the Committee on Education.

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 607—An Act relating to the commissioner of consumer affairs; authorizing the commissioner, on behalf of himself and other parties aggrieved, to bring an action involving the violation of any provision the commissioner is charged to enforce; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 608—An Act relating to cruelty to animals; repealing the provision authorizing a member of a society for the prevention of cruelty to animals to make arrests for the violation of provisions relating to cruelty to animals; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 609—An Act relating to witnesses; limiting the matters provable by the affidavits of certain experts as to the presence of alcohol or a controlled substance; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Getto (by request):

Assembly Bill No. 610—An Act relating to motor vehicles; authorizing the use of certain license plates for older motor vehicles; and providing other matters properly relating thereto.

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

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 217.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 276.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 357.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 381.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 470.

Bill read second time.

The following amendment was proposed by the Committee on Transportation:

Amendment No. 405.

Amend section 1, page 2, line 8, by deleting "past," and inserting: "[past,] *:*

(a) Past,".

Amend section 1, page 2, by deleting line 9 and inserting: "employer of the applicant *; or*

(b) Local joint apprenticeship committee which had jurisdiction over the training or testing, or both, of the applicant,

in".

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. 502.

Bill read second time.

The following amendment was proposed by the Committee on Transportation:

Amendment No. 386.

Amend sec. 14, page 6, by deleting lines 19 through 29 and inserting:

"6,000 to and including 8,499 ..... $20

8,500 to and including 10,000 30

If the declared gross weight is 10,001 pounds or more, the fee is $4 for each 1,000 pounds or fraction thereof. The maximum fee is $320.".

Amend the bill as a whole by adding a new section designated sec. 15, following sec. 14, to read as follows:

"Sec. 15. Section 14 of this act becomes effective at 12:01 a.m. on July 1, 1987.".

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. 505.
Bill read second time.
The following amendment was proposed by the Committee on Transportation:
Amendment No. 387.
Amend section 1, page 1, line 4, by deleting: "*an unladen weight of 10,000*" and inserting: "*a manufacturer's gross vehicle weight rating of 26,000*".
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. 53.
Bill read second time and ordered to third reading.

Senate Bill No. 67.
Bill read second time.
The following amendment was proposed by the Committee on Education:
Amendment No. 395.
Amend section 1, page 1, line 3, after "on account of" by inserting: "*national origin, religion, age, physical handicap,*".
Amend the title of the bill, first line, after "System;" by inserting: "broadening the prohibition against discrimination in the admission of students;".
Amend the summary of the bill to read as follows: "Makes various changes relating to admission of students to state university. (BDR 34-360)".
Assemblyman Craddock moved the adoption of the amendment.
Remarks by Assemblyman Craddock.
Amendment adopted.
Bill ordered reprinted, re-engrossed and to third reading.

GENERAL FILE AND THIRD READING

Senate Bill No. 2.
Bill read third time.
Remarks by Assemblyman DuBois.
Roll call on Senate Bill No. 2:
YEAS—42.
NAYS—None.

Senate Bill No. 2 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Senate Bill No. 68.

Bill read third time.

The following amendment was proposed by Assemblyman Porter:

Amendment No. 408.

Amend sec. 2, page 2, line 10, by deleting "*division*" and inserting "*court*".

Amend sec. 5, page 3, line 17, by deleting "*division*" and inserting "*court*".

Assemblyman Porter moved the adoption of the amendment.

Remarks by Assemblyman Porter.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 197.

The following Senate amendment was read:

Amendment No. 319.

Amend section 1, page 1, by deleting line 6 and inserting: "amount . [which has a deductible clause in an amount not exceeding $500".

Amend section 1, page 1, line 7, by deleting "*$1,000*".

Amend section 1, page 1, line 9, by deleting "[such]" and inserting "such".

Amend section 1, page 1, line 12, by deleting "pesticides." and inserting "pesticides.]".

Amend the title of the bill to read as follows:

"An Act relating to the control of pests; revising the requirements for proof of insurance for an applicant for a pest control license; and providing other matters properly relating thereto."

Amend the summary of the bill by deleting the first line and inserting: "Revises requirements for proof of insurance".

Assemblyman Schofield moved that the Assembly concur in the Senate amendment to Assembly Bill No. 197.

Remarks by Assemblyman Schofield.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 234.

The following Senate amendment was read:

Amendment No. 364.

Amend section 1, page 2, line 15, by deleting "*100,000*" and inserting "*25,000*".

Assemblyman Sader moved that the Assembly do not concur in the Senate amendment to Assembly Bill No. 234.

Remarks by Assemblyman Sader.

Motion carried.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Schofield moved that Assembly Bill No. 161 be placed on the General File.

Remarks by Assemblyman Schofield.

Motion carried.

Assemblyman Craddock moved that the action whereby Assembly Bill No. 606 was referred to the Committee on Education be rescinded.

Remarks by Assemblyman Craddock.

Motion carried.

Assemblyman Craddock moved that Assembly Bill No. 606 be referred to the Committee on Commerce.

Motion carried.

By Assemblyman Schofield:

Assembly Concurrent Resolution No. 43—Directing the Legislative Commission to conduct an interim study concerning the issues relating to the Las Vegas Wash.

Assemblyman Schofield moved that the resolution be referred to the Concurrent Committees on Natural Resources, Agriculture and Mining and Legislative Functions.

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 12:40 p.m.

ASSEMBLY IN SESSION

At 12:47 p.m.

Mr. Speaker presiding.

Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Assembly Bill No. 289 be placed at the top of the General File.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 289.

Bill read third time.

Remarks by Assemblymen Arberry, Sedway, Nevin, Porter, Lambert, Nicholas, Banner, May, Wisdom, Humke, Haller, Brookman, Marvel, Price, Garner, Bergevin, Gaston, Adler, Getto, Thomas, Sader and Spinello.

Assemblyman Brookman requested that the following remarks be entered in the Journal.

ASSEMBLYMAN ARBERRY:

Thank you, Mr. Speaker. The purpose of Assembly Bill No. 289 is stated quite clearly in the bill itself in Section 19. First and foremost, it is intended to promote equal access to

quality medical care in Nevada at an affordable cost. This is the basic goal all of the programs established in the bill are trying to achieve. The bill proposes to reach this goal by controlling excessive revenues and profits at some hospitals in the state and by implementing the programs necessary to ensure that the competition will finally have a chance to work in the hospital industry.

The first major component of Assembly Bill No. 289 is the maximum bill charge program. In simple terms, this program will place a limit on the amount that hospitals can charge to those patients who are not covered by some form of a negotiable discount or contractual allowance. The hospital industry argued against this provision by saying over and over again that between 80 to 85 percent of all hospital patients don't pay full bill charges, which, they are admitting, are very high. In other words, Assembly Bill No. 289 will provide cost containment relief to the 15 to 20 percent of Nevada hospital patients who, according to the industry, are currently paying full bill charges. It will provide that relief by placing a cap on the bill charges for those patients who need it the most.

The second major component of this bill is a revenue reduction program. This program is based on an assumption that the hospital profits which exceed 30 percent of operating expenses are intolerable when Nevadans are paying the highest hospital costs in the nation. Under this program, those hospitals who are making such outrageous profits will be required to reduce the monies that they are collecting from each patient by five percent in the first year. If, and only if, these hospitals fail to reduce their revenues by this amount, they will be required to pay a penalty. This is the only program on the table which will result in actual reduction in the amount paid in some hospitals by patients and payers.

The third major component of Assembly Bill No. 289 deals with the indigent care issues and requires each large hospital in our urban areas to provide some indigent care free of charge. It establishes a uniform definition of medical indigency and a uniform payment schedule for indigent care which will assure equal access to the needy medical care for all Nevadans without regard to their financial status.

Assembly Bill No. 289 also prohibits such anti-competitive practices as the provision of a kick-back for patient referrals and the use of intercooperative relationships to high profits and expenses. The bill gives corporate state agencies authority to collect the information needed to monitor all aspects of the bill and to examine the records of the hospitals to ensure compliance.

This bill accomplishes all of this without adding a new layer of state bureaucracy. It uses existing county level administration programs as a key component of the indigent care program. It uses the existing Public Service Commission with its high degree of expertise in addressing economic issues to establish the financial rates required by the bill. It is, in fact, extremely well thought out, a well designed innovative approach to health care cost containment. Thank you, Mr. Speaker.

ASSEMBLYMAN SEDWAY:

Thank you, Mr. Speaker. Assembly Bill No. 289 is an abomination. It should not be presented to this body. Its drafting is mediocre. The author of this bill is certainly unskilled in knowledge of what is necessary to provide adequate health care at a reasonable cost to the people of the State of Nevada.

During the last campaign and a few years previous, we have all had conversations with citizens and constituents who have complained about the health care costs in the State of Nevada. We are number one. We are not proud of that, but this bill presented before you does not adequately address the issue.

I was originally going to go through this bill one line at a time to point out to you the deficiencies and inadequacies in Assembly Bill No. 289. I'm not going to do that for the simple reason that there is no sense wasting your time on it when we know the outcome. But, I must take the time to point out some deficiencies as I see them and give you a perspective going back over two years.

At the end of the 1985 session, I was appointed to a committee chaired by my colleague from Clark County, Senator Ray Rawson, and composed of members of this body as well as State Senators. My good friend of Incline Village, my friend from Washoe County and others served on the committee. We spent 18 months addressing the issue of high health care costs in the State of Nevada. We went into it in great depth. We held 18 meetings and

took testimony all over the state—in the urban and in the rural areas as well. Out of that committee came a report and 51 recommendations incorporated into 32 bill drafts, some of which have been presented in this house and some in the State Senate. Very little attention has been paid to these recommendations. We know that we must do something to reduce health care costs which are exorbitant and hit that portion of the population which can least afford it. But, Assembly Bill No. 289 does not do that. It is a piece of vindictive legislation which is addressed more towards hurting those same people than helping them.

My good friend, the Chairman of the Health and Welfare Committee, made comments about that 15 to 20 percent of the people who are uninsured and uncovered at this time. This bill is not going to help them—it is not going to help them one bit. It will, in some form, hurt those 80 to 85 percent of the people who are now covered by negotiated rates. Look out, look out for what this bill will do to those people who have coverage under a negotiated plan because it will damage those severely. Those 80 to 85 percent of the people who are now covered will be hurt drastically. If you listen to the comments of those people who are involved in health plans under negotiated rates, they express real considerable doubt about what is going to happen to them.

This plan does not address the indigent. It does not do what we did. The institutions which are now under attack will actually have to go out and advertise—advertise—to get the indigent to come to their institution. Extend that—what is an owner of an institution which has a negotiated rate going to say when he sees "Hospital X" advertising to bring the indigent into his institution when he is paying the health care costs of his employees? "Please come into my institution so that I can meet the quota that has been assigned to me at no cost." And you are sitting in your office and you have a thousand people working for you and you say, "I'm paying them 'X' number of dollars and they are trying to bring people in at no cost." Think about that one.

Until the amendment offered by my colleague from Washoe County, the Speaker and my majority leader, nothing in that plan addressed the need of the senior citizen—nothing. The package of bills that came out of our interim committee addressed the issue of the senior citizen. This one at this last moment barely addresses it.

If any of you had the opportunity to read Sunday's *Gazette-Journal*, you would have read the story of a family doctor in Blackfoot, Idaho, who told about the changes in medicine that have gone on in the last 54 years from the time his father practiced medicine and he practiced medicine. He told about the miracles that have occurred—of people who went blind from cataracts because there was no technique or technology or instrumentation which could deal with it at that time. There were no CAT scans. There were no MRIs. There was no sophisticated laser techniques. These things come from capital investment. These things bring modern medicine and health care to our community—and they are not cheap! The average cost of new technology runs between two and five million dollars per technique or instrument. Where is this going to come from? It is not going to be there because you have to take the chance to put that money in. Is it better to spend $5,000 for a cataract operation that takes 45 minutes and allows you to go home and resume your normal daily activities without any interruption, any hospitalization or any inconvenience as opposed to what happened 25 years ago where you may have paid $400 and laid in a bed with your head between two sand bags for two weeks and then spent the rest of your life wearing corrective lenses which look like the proverbial Coke bottle which limited your ability to operate in our society? The money is insignificant when you think of the life that you lead.

The things that are in Assembly Bill No. 289 will not—will not—take care of our rising health care costs and its attendant problems. I resent the fact that we are going to send the State Senate a piece of legislation which is terrible, which is flawed, and hope that they will clean it up! I'm not going to vote for this bill. Nobody wants health care costs to come down more than I do. There is nobody in this room—nobody—who would say that the hospitals in this state have not made exorbitant profits and that their profits must come down. There is nobody in this state who would not act in some way to do that. But, this is not the piece of legislation which will do it! The author of this bill should be ashamed of the way he did this. They tell you it has no fiscal impact and I tell you that it is an out-and-out bald-faced lie! In the budget of the health care cost containment department they have

taken a fee which is $45,000 in each of the last two years and increased it ten-fold to $450,000 for each year of the biennium or almost one million dollars—the cost of which is borne by the premium payers of health insurance. Now, they are going to say that is in the budget. I don't care if it is in the budget, it's still one million dollars that the people in the State of Nevada are paying for health care insurance that they are paying for to take care of the cost of this bill! Maybe one million dollars isn't much to some people, but we are paying for it out of our budget.

The Public Service Commission is not adequately staffed nor are they able to make considerate decisions in the area of health care without the expenditure of more money. You put a price tag of $22,000 for that process and that is ridiculous! My friend, the Chairman of the Public Service Commission is a very bright, intelligent, learned person, but he has no knowledge of how health care is provided. The portion of this bill which deals with setting of the rates using the diagnostic related groups applies to the elderly. It is set up by the Federal government to set their Medicare rates. There are 472 different diagnostic-related groups. Each institution in this state must be judged on the basis of a set of criteria applied to each of those 472 BRGs, and that is going to cost nothing? It's going to cost something. It's going to cost $10, $500 or $5,000 per institution.

There are other portions of this bill which I find offensive. I could go through them one line at a time, but it is not going to do one bit of good. All I can tell you is that I know that this bill is going to pass this house and we should be ashamed to pass it out of here to try to put the burden to clean this up on someone else. Thank you, Mr. Speaker.

ASSEMBLYMAN NEVIN:

Thank you, Mr. Speaker. To you and through you to the Chairman of Health and Welfare, I have a question. On HMOs, these were originally designed to keep the costs of health care down by negotiating with hospitals before they have the people ending up in the hospital without insurance or improper insurance. Was any HMO taken into consideration as a rate base to encourage HMOs to give possible rewards to those people who do that?

ASSEMBLYMAN PORTER:

Thank you, Mr. Speaker. The bill specifically on page five, lines 11 through 13 addresses this issue. That was the amendment that allowed HMOs and people to negotiate a different rate, if I understand Mr. Nevin's question.

ASSEMBLYMAN LAMBERT:

Thank you, Mr. Speaker. I have a question to the Chairman of Health and Welfare or someone on the committee.

On page four, line 15 of section 22, sub three—what types of services are specifically exempted from Medicare and how will patients be billed for those services under this bill?

ASSEMBLYMAN ARBERRY:

To you, Mr. Speaker, and through you to Mrs. Lambert. That is a very good question.

ASSEMBLYMAN PORTER:

I think she is referring to psychiatric and rehabilitation services—those are the two that aren't covered.

ASSEMBLYMAN LAMBERT:

How will the patients be billed for those services under this system?

ASSEMBLYMAN PORTER:

It is my understanding that the Public Service Commission would themselves determine that kind of a rate. Those are the two areas that were not covered under the Medicare BRG system. So that is the area they are going to have to look at and establish. To be truthful with you I don't know if it will be based on what other states are charging or if they will just look at what is happening within the state. Those are the two areas that you can't take a Medicare BRG rate and base it upon. That is why those two were taken out and that was said to be addressed in the amendments.

ASSEMBLYMAN NICHOLAS:

Thank you very much, Mr. Speaker. My prime industry, the Nevada Health Care Association, nursing homes here in the state, is only mildly affected by this particular bill so I'll not spend any time talking about that particular subject matter. I will suggest, however, that over the years I have been involved in a business that does have something to do with other providers of health care and, very frankly, the passage of this particular bill through both houses and signature on the part of the Executive Branch would probably double my business. It would allow me to be involved in various areas that don't exist today. And, as a specialist in regulatory directions in health care, I can very easily see that I am going to have to hire some new personnel if this passes. The economic impact may, perhaps, not be seen directly on the governmental end, but I guarantee it will be seen in the delivery of health care.

Let me suggest to you that there are some good parts in this particular bill. I am very supportive of most of the portions having to do with 439A. There are, however, certain provisions in this bill that are the most restrictive that I have ever seen in the State of Nevada. Having been a specialist in this area for many years, having been sent by this state back in the seventies to survey the regulatory equipment in such states as Massachusetts, Connecticut, New Jersey and Maryland, I have some knowledge in this particular field and I believe that we eclipsed them all. What I plan to do on this particular bill is to vote on it. I do not wish to send the message that this bill, alone, will do the job. A job needs to be done, but this bill won't do it and therefore I do not suggest that you vote for it. Thank you.

ASSEMBLYMAN BANNER:

Mr. Speaker, I am not a member of the Health and Welfare Committee, so I really didn't hear all of the testimony, yet I did serve on an Interim Study Committee that had to do with the Certificate of Need. During that time we did meet with a legislative committee that was assigned two years ago to study the cost of hospitalization. When this committee, during that time, sent me a considerable amount of materials I was really impressed on the amount of work that they did. Remember this is one of our legislative committees that did a study on this particular issue and spent about a year to a year and a half and did a considerable amount of work. Being a believer in the three branches of government, I am really attached to those people who get out there and dedicated people who do all that work. I'm one of these senior citizens—I happen to be one of these guys on Medicare—so I have a concern about me and my health and my family—my wife's on Medicare—and the people that I represent as I have a lot of people who are on Medicare. These people are really concerned about these diagnostic related groups—these DGRs that they keep bringing to us. There are many problems with these things. I'm not really happy about trying to impose these provisions on the entire population.

What I am really concerned with is what everyone is talking about—prices. I have had some medical problems and I'm at that age where in a few years I won't be around—I'm fading off into the sunset. I'm concerned about the quality of care. If I was right now faced with open-heart surgery, I would go to one of these hospitals that you are trying to cut up. That is where I would go to get the best treatment, because I would want the best possible technology and the best possible care. That is what I care about. So, this particular bill doesn't do anything for me or doesn't do anything for many of the people I represent. That is, if I want to live another 20 years.

ASSEMBLYMAN MAY:

Thank you, Mr. Speaker. I rise in support of the measure. I intend to vote for it in its present form. I have only one question I would like to direct to the chairman or a member of the committee which reviewed the bill.

The bill is very careful, for instance on page three, section 21, line 32, to refer to counties with a population of over 100,000. Page 17, section 41, line 26 and those with less than 100,000. That also refers to counties with hospitals subject to provisions of sections 26 through 30 of the measure. All of which I can certainly agree with; however, on page 22, the last two lines of the bill use the language on 39 and 40, "in Washoe County and Clark County."

I recall once, not too many years ago, we lost a very important bill by judicial review because of those very two words—or one of them at least—which was contained in that measure. There is a constitutional prohibition, I'm sure you are aware, in Article Four of the State Constitution about passing special legislation and I would only ask if the committee had given any thought to the use of those two counties by specific names as opposed to a population reference?

ASSEMBLYMAN ARBERRY:

Thank you, Mr. Speaker, through you to my colleague from North Las Vegas. Yes, there was some consideration during the testimony at the hearing on this bill and the reason why is because of the population dealing with Washoe County and Clark County and we didn't want to single out the small counties so that they wouldn't get caught up in the bed rating for Washoe and Clark County. That is why we distinctively set them aside.

ASSEMBLYMAN WISDOM:

Thank you, Mr. Speaker. To you and through you to my colleagues, I rise in support of Assembly Bill No. 289. I listened through many hours of testimony along with the rest of the committee. Even though the hospitals had a very good arguing point, I felt that they did not satisfy my question as to why we were paying more than any other state in the nation. They said it was quality. When I asked if they could guarantee that we had better quality than anyone else for the rate they said, "No, but we have good quality." Well, many other states have good quality and they aren't paying near the rates that we are and I ask your support in passing this.

ASSEMBLYMAN HUMKE:

Thank you, Mr. Speaker. There are a number of things wrong with this bill. I will only highlight one of them and that is the DRG system of controlling rates.

DRGs are a known major cost-shifting mechanism which was designed by the Federal government to control their costs. Many former Federal workers are now amused by the fact that they helped to design the DRG system because it shifted the costs to the states and to other non-Medicare patients. It is a flawed system. It happens to be, however, very well-known and theoretically is easily adaptable to a bill such as this.

There are numerous things, as I said, wrong with this bill as outlined by two previous speakers who served on the Interim Hospital Health Care Cost Containment Committee. That committee and the Health and Welfare Committee. There was a tendency this session with regard to this bill to say, "Let's let the Senate take care of the things that are wrong with this bill. Let's let them fix it."

This bill, it seems to me, is part of a major negotiation program. Right now those negotiations have broken down. I know that they will be taken up again and that this problem will be solved. But it is not right for me to vote for this bill in its present form. I will vote today on the basis that this bill will come back to us in a form that will be more positive and more effective. I will vote for such a bill and some of the other 32 measures mentioned by my Las Vegas colleague.

Finally to my colleagues I say, if you vote for this bill, fine, just so you understand it. If you do not understand this most complicated bill, and you vote for it, I feel very sorry for you. Thank you.

ASSEMBLYMAN HALLER:

Mr. Speaker, after hearing hour after hour of expert testimony on Assembly Bill No. 289, I came to a kind of conclusion that there is an awful lot of opinion and not an awful lot of facts. This session I have heard a lot more opinion and not too many facts. In fact one of my colleagues said that the author was unskilled. I feel this is one of the most skilled pieces of work I've seen for a long while. I do understand it and have read it, but I think some of the people who spoke didn't read it, nor do they understand it. It is not vindictive legislation—it is legislation that is trying to keep people from going to the poor house after they go to the hospital. It would certainly help the 15 percent who are uninsured and I'm not so sure it will particularly hurt those who have negotiated a rate. I'm part of a negotiated rate agreement and I don't want to go where they negotiated me. I think that some statement was made that it doesn't address the indigents. Right after the

statement was made, it was said, "And it says here about the indigents." So, I'm kind of wondering how much thought went into that. Its fiscal impact supposedly carries a lot of hidden costs in the budget. I'm not so sure there aren't a lot of things hidden in the budget including billions of dollars in fees that I just became aware of for the Highway Department. The Public Service Commission is not adequately staffed—I don't know, I think they are about as good a group as I can think of to run this and to say that the PSC chair has no knowledge, that one is really a statement of fact that has some question to it. I would remind you, too, that DRGs are the basic beginning, not the rate set. That is perhaps one-tenth of the rate in some cases and maybe it will be 90 percent in others. I question one of my colleagues who said he is going to make a lot of money if this thing passes—I kind of hope he doesn't vote because there is some problem with that. There have been some comments about how great the committees are and all the great work that they have done. I sure wish they would have shown up with their amendments when we were considering this thing. There were a lot of amendments that I think people were presented here, but I haven't really heard much that wasn't just opinion. Again, we didn't set out to cut up the hospitals, I certainly didn't. I think the Washoe and Clark reference in the bill is, perhaps a problem, but I would submit to you that it seems to me to be somewhat transparent when we use that 100,000, 250,000 business anyway. I'm not so sure that we are here to decide what is constitutional and what isn't. I don't believe the Senate is going to fix this thing; they may try to fix it, but I hope they don't because I know many, many voters who have sent me letters who are for this thing as it stands. I urge you to support the bill.

ASSEMBLYMAN BROOKMAN:

Mr. Speaker, members of the Assembly. I rise in support of the bill. I am on the bill. I campaigned for this kind of legislation. I am a senior citizen and I am on Medicare and I have no qualms about voting on this. One of the main things I want to bring out to the members of this body that did not sit on our committee. As Mrs. Wisdom and many of the others said we sat on this committee week after week and day after day and hour after hour, but in the twelfth hour the hospital people came in with some amendments. We asked during all of the committee hearings for them to come forward earlier if they had a problem with the bill.

I might add that these amendments that are on this bill were worked out with the hospital people and our Division of Health and Welfare, anyone who campaigned to help seniors. I might add that on this one bill, besides the mining, this cost containment bill, I got hundreds and hundreds of letters—I don't know about you, but I certainly did—and they all urged a "Do Pass." I think it is incumbent on us to help them in their plight. Why should we be 36 percent higher than any other hospital in the United States? Are we getting better care? Everybody else has 12 percent and I think that is a good earning. Are they rushing here because we are 36 percent higher for better care? No. Our people are going out of state because other states are 12 percent. When you go into a hospital here, you know that you are paying higher than any place in the United States. This may not be the best vehicle, but it is the vehicle that is before us, and I urge a "Do Pass."

ASSEMBLYMAN MARVEL:

Thank you, Mr. Speaker. I'm not against health cost containment, but, I think being the senior member on Ways and Means I am always a little bit suspect when you see a new program brought before you. I do feel there is, perhaps, a very significant fiscal impact in this bill and it hasn't been proven to me satisfactorily yet what the full impact will be.

I would like to address this to the chairman: Section 21 calls for the appointment or contract for a public hearings officer. I would like to know, in your estimation, what this is going to cost?

ASSEMBLYMAN ARBERRY:

Thank you, Mr. Speaker. To you and through you to my colleague from the cow counties, I don't have a direct figure for what you are asking—for that, but that will be presented with the audit and everything will be taken care of through the hospitals.

ASSEMBLYMAN MARVEL:

Mr. Chairman, I would like to know what the cost would be now, before I vote on the bill.

ASSEMBLYMAN ARBERRY:

To you, Mr. Speaker, and through you to my colleague. At this point in time, there isn't any cost.

ASSEMBLYMAN PRICE:

Thank you, Mr. Speaker. I will be rising in support of the bill; however, I am not sure that Mr. May's question was adequately answered; I was quickly trying to find it in our Nevada Constitution. If I can restate it, in the past there have been a number of times and I can think of one specific time when we attempted consolidation of a city and county where when the county was mentioned specifically or in that case even where population figures had been used and later amended, the amendment process indicated that the bill treated different counties differently for the same purpose and that concerns me a little bit. I'm not sure that Mr. May's question was answered properly. Was there, for example, an opinion by our Legislative Counsel on that particular point? Other than that, my only fear is having the Senate fix anything of ours because I haven't had much luck with those guys even with good bills this year.

ASSEMBLYMAN GARNER:

Thank you, Mr. Speaker. I want to rise in support of Assembly Bill No. 289. I hold in my hand a piece of correspondence that members of the committee have received. I am not going to say what company it is from, but I just want to read to you what it says and I want to say something about the DRGs; I have some information in front of me. This company has stated through the years that they have been paying their own medical benefits for injured employees and they have seen health care costs escalate far too rapidly. Therefore, as one of the largest employers in the state, they wish to support legislation which has the potential for containing health care costs. They then specifically say Assembly Bill No. 289 is an example of such legislation. Authors of this bill, and this is not Val Garner speaking, it is from this letter, "Authors of this bill are to be congratulated in putting together a legislative bill directed at containing hospital costs. The health care expense which consumes the most of our health care dollars."

We have heard a lot about DRGs—diagnostic related groups—and we heard during testimony that it would be difficult for hospitals to make a profit and yet I have in front of me an article that gives this kind of information: In a recent study of 236 hospitals the man who did the study found that a 1,008 bed facility in Ohio made $30.3 million on a $98.7 million dollar Medicare revenue. To make a long story short, their profits were 43 percent. Now the very system that was put in place by the Federal government to help control high health care costs isn't working and there is a great debate on the national level as to what to do about that. That same system is in place today.

I want to say a word or two about the 80 to 85 percent of the people who are covered under Medicare—which leaves 15 percent that are not. I want to submit to you that those 15 percent are only those who show up at the hospital for help. And when I asked the question, "Do we know how many people are out there that don't show up at the hospital who are not covered by any kind of Medicare or negotiated break?" And, of course, we didn't get an answer to that. We have no idea how many people are out there who are not covered by a negotiated rate or are covered under Medicare. I want to submit to you that I know a lot of people leave this state to get hospital care elsewhere because they cannot afford it in this state. I urge passage of Assembly Bill No. 289.

ASSEMBLYMAN BERGEVIN:

Thank you, Mr. Speaker. I, too, am committed to supporting a health care cost containment bill. This bill is not the one that I can support. I have made a commitment to my people that when a good bill came before this legislative body to adequately help with the hospital bills of the elderly people who need it the very worst that I would support it. Under testimony that was given in the committee which I have been reading about and have been privy to, it is obvious that some of the very people that we intend to help are not

going to be helped. I, too, have received those hundreds of letters from old people. This body was accused by one of the former speakers that we hadn't even read the bill and didn't understand it. I wonder how many of those people writing those letters to us understood what this bill says. I seriously doubt if any of them have ever read this bill. I intend when we get a bill before this body that is an honorable bill and one that actually does help contain the cost to the people of the State of Nevada that I will suppport that.

I have a couple of questions that I would like to ask anybody on the committee.

Under this bill, we cap hospital profits at ten percent before taxes. The only other industry in the State of Nevada we restrict profits are those regulated by the Public Service Commission where we guarantee a rate of return of 15 percent. My question is two-fold: Why are utilities allowed 15 percent for their investors while hospitals are only allowed ten? And, secondly, by imposing the ceiling, aren't we actually imposing a floor?

ASSEMBLYMAN ARBERRY:

Thank you, Mr. Speaker. To you and through you to Mr. Bergevin. That ten percent is not a cap. That ten percent is just a starting point for the hospitals to work with, but there isn't a cap at ten percent—that is the misnomenclature of the bill. It appears that everyone feels we are putting a cap on the hospitals and the bill doesn't say we are capping the hospitals at ten percent.

ASSEMBLYMAN BERGEVIN:

What does the bill say, Mr. Arberry?

ASSEMBLYMAN ARBERRY:

The bill states that the ten percent is exactly a level that will be reached and then from that point on the hospital will have a level to be able to work with the PSC and also the hospital will have a level to work with that ten percent—it is not a cap.

ASSEMBLYMAN BERGEVIN:

Fine. I have one more question and then another comment. To avoid making more than the allowable profit, what is to prevent a hospital to simply overstate their expenses. I think there is a real incentive for inefficency in the hospital industry here.

ASSEMBLYMAN ARBERRY:

Mr. Speaker, to you and through you to Mr. Bergevin. You say, overstating their profits?

ASSEMBLYMAN BERGEVIN:

Their expenses.

ASSEMBLYMAN ARBERRY:

Their expenses? Well I have to give it to you straight, Mr. Bergevin. In the audit it should show all the expenses that the hospital has disbursed.

ASSEMBLYMAN BERGEVIN:

What do you propose to carry the audits on with; what people will carry the audits and will they not cost a considerable amount of money?

ASSEMBLYMAN ARBERRY:

Through you, Mr. Speaker, to Mr. Bergevin. The audits are already being done and implemented through the Human Resources Division. The audits have to be provided to the Human Resources Division as it stands right now. This is something that they will continue to do once this bill is passed.

ASSEMBLYMAN BERGEVIN:

One more comment, Mr. Speaker. This bill is a tremendously good bill for the indigents, but it is not a very good bill for the elderly people of this state.

ASSEMBLYMAN GASTON:

Thank you, Mr. Speaker. I rise in support of this bill. Referring to some comments made by my good friend and colleague of the Ways and Means Committee who used such terms as "vindictive," "abomination," "terribly flawed," "offensive," the author should be ashamed. I would submit to this body that what is an abomination and what is offensive

and where the shame should lie is in the unscrupulous and unconscionable charges and profits made by our hospitals. The time for change, the time for an action is now. Two years ago, the hospital industry told us that competition would contain costs. It is strange, but that is the same argument we are getting today. And, our hospital costs and rates are still outrageous.

Under this bill, true competition in which hospitals will compete for a market share of patients on the basis of price and quality will finally be given a chance to work in this state.

The hospital industry says that we don't need A.B. 289. The industry says there are other ways to control hospital costs, although the only alternative it proposed was to use state money to establish a statewide insurance pool for people not currently covered by a negotiated rate. This is the same industry that said two years ago, "Give us a chance, let us prove ourselves, competition will contain the costs." Well, I would respectfully submit to this body that it's obvious that the hospital people don't want this legislature to do anything to prohibit fee raking of unconscionable profits from our sick, elderly and disabled.

If competition really works in lowering hospital costs, why do hospital costs and profits keep going up when they are losing customers.

Nevada hospital costs have gotten so far out of proportion to other states that employers are sending their employees out-of-state for non-emergency surgery. The costs are lower, the trip is cheaper than our hospitals.

If competition works, how come Washoe County hospital costs went up when a new hospital was built (Sparks) and took business away from Washoe Medical Center and Saint Mary's.

In 1984, Nevada's three major for-profit hospitals made $41,000,000 in profit. They said, "Let competition work and these profits will come down." In 1985, these profits increased to $54,000,000. In 1986, the profits jumped to $64,500,000. And now we have an independent audit report which shows one of these for-profit hospitals hid another $15,000,000 in profits by transferring revenues to a sister corporation.

A.B. 289 is overwhelmingly supported by the citizens of this state. Those of you that went door to door and talked to your constituents know that. A University of Nevada statewide survey shows 89 percent of Nevadans not only want but demand regulatory controls on Nevada's hospital costs.

We must listen to our citizens—we must protect them against the unconscionable costs of hospital care. We must pass A.B. 289 today. Thank you.

ASSEMBLYMAN ADLER:

I would just like to say that being a co-sponsor of this bill I didn't do it with a vindictive motive, I did it to help reduce hospital costs. When I was going door-to-door through this community I received the same response that everyone else did. I ran into old people who were afraid they were going to lose their house if they were hospitalized. I ran into many people that were just terrified over the possibility of a sickness and what it could do to their family life. Those situations need to be addressed by this legislature. I believe A.B. 289 does that.

One of my colleagues from the Las Vegas area commented that he is afraid of a reduction of quality care. I had that same question and I asked it of the Department of Health and Human Resources and I compared the hospital with the lowest price per day in Nevada which is Carson-Tahoe with one of the private hospitals that has the highest costs per day—almost double that of Carson-Tahoe—and guess which hospital had the most nurses on duty at any given time? Carson-Tahoe, not the private hospital. So, I don't believe quality of care will go down if hospitals are allowed a fair profit and not an exorbitant profit. Thank you.

ASSEMBLYMAN GETTO:

Thank you, Mr. Speaker. I have one question with regard to the fact that the commission must set up guidelines and rates and so forth for a county of 100,000 or more. It states that it only applies to hospitals of over 200 beds. There is one private hospital in the state that has another hospital in a smaller county with less than 200 beds. This bill, as I

understand it, would not regulate the prices of that smaller branch hospital. In other words, the rates could be pushed up to help make more profits for the main hospital. Is that a possibility?

ASSEMBLYMAN ARBERRY:

Thank you, Mr. Speaker, to you and through you to Mr. Getto. That is true. Only a 200 bed facility—there will be no penalties to any hospital that is less than 200 beds.

ASSEMBLYMAN GETTO:

Thank you. So that could be a very real possibility for the county that I live in because it is owned by a private hospital in a larger county and is the only hospital in the other county which does not have any competition.

I am going to vote against this bill, not because I don't support reducing costs of medical care, but mainly because of the same reasons that my colleague from Las Vegas, the Chairman of Ways and Means does. It is the fact that there were other options that were offered to this committee which have not been offered to the members of this Assembly. I'm not sure that this is the best piece of legislation that could be offered to the public. The other point is that we did hear from many people, not only senior citizens, but middle class and working people about the high costs of medical care. That is true. Many of them wrote that they supported A.B. 289. I would like to reiterate that these people, I wonder if they have really read the bill and have compared the two bills and did they know whether A.B. 289 was really the best bill or whether the other option a better bill or if they had a choice which one would they support. These are the questions that I have. I certainly would like to vote intelligently on this measure. I can't because we have not been afforded the privilege of the other bills. So we will have to rely on the other house to make this decision. I would rather send a good bill out of this house.

ASSEMBLYMAN THOMAS:

Thank you, Mr. Speaker. I rise in opposition to A.B. 289 somewhat reluctantly. I would like to vote for something that would really do something to lower medical costs. We have been admonished to listen to our constituents, that 89 percent of our constituents are in favor of A.B. 289. But when I am asked by my constituents how do I feel about representing them and do I really, in truth, do what they want me to do? I always answer them by saying that I will always do in this body what I think you would do if you had the information that I have. I don't think my constituents have the information that I have. I don't think they have this bill, I don't think they have read this bill. So I do not feel compelled to follow what my constituents think they want when I don't think they know what the bill says.

The problem with A.B. 289 is that it doesn't go far enough. It is more window dressing; it's another Band-Aid and sometimes I think we as a body make more Band-Aids than Johnson and Johnson.

The bill doesn't go far enough because the bill doesn't address the major cause which causes competition to fail in the medical industry because there is no competition in the medical industry. The medical associations in this country control the supply of doctors, they control the price of doctors. When you control the supply and the demand, there is no competition. We have never had any competition from the medical society in this country.

If, in truth, we want to control medical costs in the United States and Nevada, we are going to have to break that monopoly, that anti-trust monopoly, which is just as serious as any monopoly as we have seen in this country. Just as serious as the insurance companies and perhaps even more so. We are going to have to go into competition with the private sector. We are going to have to be willing to establish a public medical sector which will compete with the private sector and give it the first competition it has ever had. If we are willing to do that, then and only then, are we going to have a chance to get these costs under control and offer good medical service with the lowest possible costs.

ASSEMBLYMAN NICHOLAS:

Thank you, very much, Mr. Speaker. Just very briefly, to make it abundantly clear to my colleagues, it is not my intent to follow my economic direction of voting for this bill. There is no gain for me to vote against it or abstaining. I will take one of those two and probably vote against it depending on the rest of this debate. Thank you.

ASSEMBLYMAN SADER:

Thank you, Mr. Speaker. I will rise first to answer a technical question. There was a question relating to the last page of the bill in differentiating Washoe County and Clark County. Mr. Speaker, that is really a legal issue and in the past there have been questions about the equal protection under laws when you differentiate one county from another. In this particular case, it is precisely that concern that is leading to the differentiation because what you see on page 22 is a reflection of the percentage of indigents in Washoe County and the percentage of indigents in Clark County and therefore there is an expression of what the hospitals in those respective counties will have to pick up in the actual revenue that they have and what they are going to have to expend for indigent care. If you didn't do that you would have an equal protection argument. So that is an aspect of the bill that enhances its legal standing in standing unchallenged and does not take away from it.

We have heard a lot of talk about what this bill does and what this bill doesn't do. The thing that has distressed me in the whole discussion of health care cost containment in this legislature and in the interim study is the fact that the solutions are very difficult and complex to get at and they are not easy and that the interim study committee although they came up with many good suggestions, which I am sure we are going to adopt to a large extent when we finally get to it, that committee really did not deal with the basic issue which is controlling hospital costs. It provided absolutely no real solution to that and nothing that really addresses that issue in a substantive way. I think that is what has led to this bill more than anything else. This bill has a substantive serious solution to address the problem which is a cap on rates and a way to control hospital costs. This bill has provisions for excess profits which is clearly a problem in this state. This bill has provisions for indigent care; this bill has provisions specifically for senior citizens as amended. This is a good bill. This is the kind of strong measure that this state needs and we ought to pass it right now.

ASSEMBLYMAN SEDWAY:

Mr. Speaker, I must take issue with my colleague from Washoe County. The interim study did deal with the issue of controlling costs and capping costs and that was under what we had characterized as the Nevada plan in which we capped the daily rates that anybody could be charged on the basis of an average of all negotiated rates offered in the State of Nevada in the communities in which they are offered and I can assure you that if you took that in comparison with what we now know as bill charges, you will see that there would be a drastic and dramatic difference and I can use myself as an example. When I had my heart attack two years ago, if I had been covered by a plan that we characterize as a Nevada plan, instead of paying $15,000 for five days of care, my bill would have been $6,000 maximum and that is included in there, so please don't say that we did not address that issue because we did it in a very positive manner.

ASSEMBLYMAN SPINELLO:

Thank you, Mr. Speaker. Early on in the campaign it was my feeling then as one who has been in business for some time that regulation was not the way to go. However, in talking to a number of people and looking at the results of this industry, in seeing that patient counts go down and profits go up; in seeing that there are some goods and services—police and fire, schools, utilities—for which the market does not supply adequate service at a fair price, I came very slowly, but very surely and now very solidly to the conclusion that regulation is not only necessary, but appropriate. And so, I support this bill very fully. Is it perfect? Perfect ain't been invented yet. It is a start and it is a step and I believe it is a step, in lieu of the comments of my friend Mr. Thomas, we must take on that long journey to finally controlling and finally asserting the fact that health care for all individuals regardless of circumstance is a right and not a privilege based on means.

Assemblymen Nevin, Gaston and Myrna Williams moved the previous question.

Motion carried.

The question being on the passage of Assembly Bill No. 289.

Roll call on Assembly Bill No. 289:

YEAS—31.

NAYS—Banner, Bergevin, Getto, Humke, Kerns, Marvel, Nicholas, Sedway, Spriggs, Tebbs, Thomas—11.

Assembly Bill No. 289 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Assemblyman Jeffrey moved that all rules be suspended and that Assembly Bill No. 289 be immediately transmitted to the Senate.

Motion carried unanimously.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Assembly Bill No. 161 be taken from the General File and placed on the General File for the next legislative day.

Motion carried.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Banner, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Teresa Miller.

On request of Assemblyman Brookman, the privilege of the floor of the Assembly Chamber for this day was extended to Mss. Laurie Greco, Carrie Greco, Linda Greco and Mr. Johnny Greco.

On request of Assemblyman Getto, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Brett Berg, Darrell Baker, Davy Dunkan and Paul Hinz.

On request of Assemblyman Humke, the privilege of the floor of the Assembly Chamber for this day was extended to Mss. Lani Linebaugh and Lezli Winchell.

On request of Assemblyman McGaughey, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Amy Greco.

On request of Assemblyman Marvel, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Marian Howard.

On request of Assemblymen Nicholas and Thomas, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Al Warthan, Ms. Carol Piekarz and the students of Pleasant Valley School: Kristen Bemies, Brian Bogison, Sandra Bradley, Kevin Call, Melanie Campbell, Jorge Glaesman, Bo Harmon, Lisa Harrison, Jack Healy, Dane Horvath, Chad Koffler, Thomas Krupp, Bryan McKillip, Bryan Meehan, James Mosey, Stephanie Peralta, Lorna Porter, Rene Richardson, Lee Saldivar, Cory Sober, Mandee Stevenson, Julie Todd, Dawn Walls, Gary Watson, Jeffrey Zimmerman, Jess Bailor, Lesley Barnett, Amy Bray, Summer Dance, Theresa Farris, Jenny Groerhalgh, Nathan Hackman, Nicholas Kamplin, Aaron Madole, Kenneth Manz, Carla Melton, Cory Neill, Mark Cakden, Kelly Patterson, Eric Pender, Corey Stewart, Tori Sullivan, Shaemus Thompson, Amy Wheeler, Wendee Wilcox, Kris Verness, Mary Carle Cordero, Tami Rose, Wendy Darling and Amber Chadwick.

Assemblyman Jeffrey moved that the Assembly adjourn until Tuesday, April 21, 1987 at 11 a.m.

Motion carried.

Assembly adjourned at 1:56 p.m.

Approved: JOSEPH E. DINI, JR.
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE NINETY-THIRD DAY

CARSON CITY (Tuesday), April 21, 1987

Assembly called to order at 11:02 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, The Reverend Doctor Terry Arnold.

The Bible says, "Even in laughter the heart may be in pain (Proverbs 14:13a)." Let us pray. Our Heavenly Father, grant us sobriety to deal with the ordinary problems of life, and grant us a sense of humor to deal with the truly painful ones. In the name of our Lord and Saviour, I pray. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Jeffrey moved that further reading of the Journal be dispensed with, and the Speaker and Chief Clerk be authorized to make the necessary corrections and additions.

Motion carried.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, April 20, 1987

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bill No. 216.

Also, I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bill No. 155, and respectfully requests your honorable body to concur in said amendment.

Also, I have the honor to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolutions Nos. 38, 41.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Bills Nos. 284, 344.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bill No. 316.

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. 98, 99.

Also, I have the honor to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 23.

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 a presentation by former Governor Grant Sawyer to Mrs. Jon Collins.

Assembly in recess at 11:08 a.m.

ASSEMBLY IN SESSION

At 11:13 a.m.
Mr. Speaker presiding.
Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

Senate Concurrent Resolution No. 23.
Assemblyman Jeffrey moved the adoption of the resolution.
Remarks by Assemblyman Bergevin.
Resolution adopted unanimously.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Triggs, Haller, Craddock, McGaughey, Thomas, Humke, Lambert, Kissam, Thompson, Sedway, May, Price, Fay, Tebbs, Brookman, Callister, Myrna Williams and Freeman:

Assembly Bill No. 611—An Act relating to public schools; requiring a board of trustees of a county school district to notify the parents of pupils enrolled in a school of any proposal to establish a 12-month school program or to schedule double sessions in the school; and providing other matters properly relating thereto.

Assemblyman Triggs moved that the bill be referred to the Committee on Education.

Motion carried.

By the Committee on Commerce:

Assembly Bill No. 612—An Act relating to the real estate commission; authorizing the appointment of certain broker-salesmen to the commission; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

By the Committee on Ways and Means:

Assembly Bill No. 613—An Act relating to the University of Nevada; authorizing the improvement of the building that houses Western Nevada Community College; authorizing the acquisition and construction of a building to house facilities for research at the campus of the University of Nevada, Reno; authorizing the construction of an Alumni House at the University of Nevada, Las Vegas; authorizing the issuance of general obligation bonds of the state to pay the cost of the projects; pledging certain revenues as additional security for such bonds; and providing other matters properly relating thereto.

Assemblyman Sedway moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By the Committee on Ways and Means:

Assembly Bill No. 614—An Act relating to the University of Nevada; authorizing the construction of additional housing for students and facilities

for dining at the University of Nevada, Las Vegas; authorizing the issuance of revenue bonds to pay a portion of the cost of construction; and providing other matters properly relating thereto.

Assemblyman Sedway moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By Assemblyman Freeman:

Assembly Bill No. 615—An Act relating to planning for health care; exempting the purchase of medical equipment from review by the director of the department of human resources if the purchase is made to replace existing equipment; increasing the monetary threshold for determining whether certain projects are subject to such review; and providing other matters properly relating thereto.

Assemblyman Freeman moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

By the Committee on Transportation:

Assembly Bill No. 616—An Act relating to special fuel; lengthening the period for which records must be preserved; expanding the time during which the notice of an additional assessment may be served; increasing the amount of the bond posted by dealers, users and motor carriers; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 617—An Act relating to projects for public works; requiring advertising for bids for contracts on certain projects; limiting the requirement for bids on certain projects; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 618—An Act relating to collective bargaining by local governments; repealing the prospective expiration of certain provisions concerning collective bargaining for police officers; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 619—An Act relating to the protection of children; shifting the burden of proving the good faith of persons whose employment

concerns protection of children in proceedings regarding their immunity from civil and criminal liability; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 620—An Act relating to criminal procedure; removing the prohibition against releasing a person without bail after he failed to appear previously; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 621—An Act relating to cooperative agreements; expanding the authority of local governments and state agencies to enter into agreements to purchase insurance or to establish plans of self-insurance; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 622—An Act relating to outdoor advertising; requiring a county or city to compensate the owner of a sign or billboard that is required by ordinance to be removed; prohibiting the enforcement of an ordinance relating to outdoor advertising that does not allow for the normal maintenance of a sign or billboard; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Fay, Sedway, DuBois, May, Bergevin, Thomas, McGaughey, Nicholas, Wendell Williams, Triggs, Haller, Humke, Garner, Price, Brookman, Myrna Williams, Wisdom, Nevin, Jeffrey, Arberry, Carpenter, Gaston and Kissam:

Assembly Bill No. 623—An Act relating to trade practices; prohibiting the sale of certain items of food unless the price is marked on the item; providing a penalty; and providing other matters properly relating thereto.

Assemblyman Fay moved that the bill be referred to the Committee on Commerce.

Motion carried.

By Assemblymen Getto, Schofield, Nevin, Marvel, Carpenter, Spinello, Wisdom, Porter, Banner, Dini, Jeffrey, May, Swain, Arberry, Evans, Spriggs, Humke, Sader, Bergevin, DuBois, Thomas, McGaughey, Nicholas, Wendell Williams, Haller, Triggs and Craddock:

Assembly Bill No. 624—An Act relating to drivers' licenses; requiring the department of motor vehicles and public safety to give a driver an opportunity to identify his medical condition when issuing or renewing a driver's license; and providing other matters properly relating thereto.

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

Motion carried.

Senate Bill No. 284.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 316.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Taxation.

Motion carried.

Senate Bill No. 344.

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

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 90.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 123.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 257.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 320.

Bill read second time.

The following amendment was proposed by the Committee on Labor and Management:

Amendment No. 404.

Amend sec. 4, page 3, line 4, after "days" by inserting: ", *or 5 cumulative days within a 30-day period,*".

Amend sec. 4, page 3, line 6, after "days," by inserting: "*or 5 cumulative days within a 30-day period,*".

Amend the bill as a whole by adding a new section designated sec. 7, following sec. 6, to read as follows:

"Sec. 7. NRS 617.420 is hereby amended to read as follows:

617.420 No compensation [shall] *may* be paid under this chapter for disability which does not incapacitate the employee for [a period of] at least 5 *cumulative* days *within a 30-day period* from earning full wages, but if the incapacity extends for [a period of] 5 or more days [, such compensation shall] *within a 30-day period, the compensation must* then be computed from

the date of disability . [; except that the] *The* limitations in this section [shall] *do* not apply to medical benefits , which [shall] *must* be paid from the date of application for payment of medical benefits.".

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. 399.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 510.

Bill read second time.

Assemblyman Sedway moved that Assembly Bill No. 510 be re-referred to the Committee on Transportation.

Motion carried.

Bill ordered engrossed and to the Committee on Transportation.

Assembly Bill No. 511.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 534.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 430.

Amend section 1, page 2, line 11, by deleting the period and inserting: "*and who has been trained to handle hazardous materials.*".

Amend section 1, page 2, line 13, by deleting the period and inserting: "*and who is certified as an advanced emergency medical technician-ambulance pursuant to NRS 450B.195.*".

Assemblyman Thompson moved the adoption of the amendment.

Remarks by Assemblymen Thompson and Nicholas.

Assemblyman Thompson moved that Assembly Bill No. 534 be taken from the Second Reading File and placed on the Chief Clerk's desk.

Motion carried.

Assembly Bill No. 557.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 422.

Amend section 1, page 2, line 19, by deleting "*1*" and inserting ".*25*".

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. 110.

Bill read second time and ordered to third reading.

Senate Bill No. 160.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 385.

Amend section 1, page 1, line 7, after the period, by inserting: "*Any such policy or procedure does not diminish the eligibility of those persons for coverage as employees under the provisions of chapter 616 of NRS.*".

Amend sec. 3, page 2, line 24, by deleting "*in*" and inserting: "*by the board of regents pursuant to*".

Assemblyman Garner moved the adoption of the amendment.

Remarks by Assemblyman Garner.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Nevin moved that Assembly Bill No. 313 be taken from the General File and re-referred to the Committee on Transportation.

Remarks by Assemblyman Nevin.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Labor and Management:

Assembly Bill No. 625—An Act relating to mining; limiting the number of hours which may be worked in certain mining operations; providing a penalty; and providing other matters properly relating thereto.

Assemblyman Banner moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

By the Committee on Health and Welfare:

Assembly Bill No. 626—An Act relating to marriage; requiring the consolidation of forms for marriage; providing for the expiration of a marriage license; revising the procedure for the issuance of a certificate of marriage; clarifying that a marriage license must be obtained at the county seat; and providing other matters properly relating thereto.

Assemblyman Arberry moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 199.

The following Senate amendment was read:

Amendment No. 287.

Amend section 1, page 1, line 2, by deleting: "to 5, inclusive," and inserting "and 3".

Amend the bill as a whole by deleting sections 4 and 5 and renumbering sec. 6 as sec. 4.

Amend sec. 6, page 3, line 38, by deleting "1.".

Amend sec. 6, page 4, by deleting lines 1, 2 and 3.

Amend the title of the bill by deleting the second and third lines and inserting: "Jurisdiction on the Colorado River; and providing other matters properly relating".

Amend the summary of the bill to read as follows: "Enacts Interstate Compact for Jurisdiction on Colorado River. (BDR 14-481)".

Assemblyman Schofield moved that the Assembly do not concur in the Senate amendment to Assembly Bill No. 199.

Remarks by Assemblyman Schofield.

Motion carried.

Bill ordered transmitted to the Senate.

GENERAL FILE AND THIRD READING

Assembly Bill No. 161.

Bill read third time.

Remarks by Assemblymen Schofield, Getto, Carpenter, Tebbs, Spriggs, Nicholas, Marvel, Humke and Bergevin.

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

Assembly in recess at 12:12 p.m.

ASSEMBLY IN SESSION

At 12:13 p.m.

Mr. Speaker pro Tempore presiding.

Quorum present.

Remarks by Assemblymen Callister, Spinello and Dini.

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 12:22 p.m.

ASSEMBLY IN SESSION

At 12:23 p.m.

Mr. Speaker presiding.

Quorum present.

Remarks by Assemblymen Getto, Schofield, Sedway, Nevin, Spinello, Adler, Carpenter, Craddock, Myrna Williams, May and Price.

Assemblyman May requested that the following remarks be entered in the Journal.

ASSEMBLYMAN SCHOFIELD:

Thank you Mr. Speaker. Assembly Bill 161 has been a somewhat controversial measure in this House, in the committee meetings, throughout the halls and various other places. Assembly Bill 161 as amended imposes a fee of $11 per troy ounce on all gold mined in Nevada. Ten dollars of this fee are to be deposited in the General Fund, the remaining one dollar is to be deposited in a special fund used for the reclamation of land damaged by mining. This fee may not be deducted from the gross receipts to compute taxable net

proceeds. The fee imposed by Assembly Bill 161 will expire when and if the constitutional amendment is adopted allowing net proceeds of mines to be taxed at a different rate than other property. Regarding some of the history, this bill has been known as the "Jim Dandy" tax fee, the gold fee bill, Sedway's bill, the fee bill, his bill, that guy's bill, and every other name that I'm sure has been tacked on that I can't repeat. But I'm here to tell you that when this bill was introduced on February 6, 1987, the concept of this was in truth I believe directed for the purposes of generating revenue in this state. In tracking the bill after the introduction, in the first go-around it was considered that this might perhaps be a tax and should be referred to Taxation. It was not by a vote of this House. It was referred to Natural Resources, Agriculture and Mining because of the concern of a number of people. However, that it should go to Natural Resources and Mining because what is being extracted from the State of Nevada is a natural resource of this state.

Back in 1864 when the constitutional convention and the state became a state there was a considerable amount of mining, and the mining people certainly had their say because it was in fact the industry of the State of Nevada. It still is number two. It's often been said that because of the constitution and the way the net proceeds was jockeyed around concerning the constitution that there was a question regarding whether the legislature should in fact take it upon itself to make the determination as to how these proceeds should be taxed or how monies should be derived revenues from the extraction of natural resources.

We had many meetings and hearings on this bill. We had a committee tour where all but two of the members of the committee went on a tour of two of the mining areas and certainly the industry should be commended for what they are doing and how they are doing it.

On the 16th of March we held a hearing on this bill starting at 1:30 in the afternoon. Enough of the committee members stayed until approximately 5:45; then we came back in at 7:00 p.m. and went until 10:30 p.m. We thought we were maybe in a mini tort reform hearing considering the hours that they spent. The 23rd of March we also held another hearing. On April 8th we held a special type of hearing where there were three proponents and three opponents of this measure who gave testimony to the committee. At no time during those three hearings did any of the opponents of this measure or anyone for that matter offer any amendment, any alternative, any approach that we might possibly address, on this important measure, on this controversial measure. Then on April 13th the committee decided to take action. Up until that time there was no alternative approach offered by any committee member or anyone to these bills with the exception of the four alternatives that we talked about then, two of them very highly controversial, meritorious however, because that would have been the fair way. But in using a value tax or a value judgment could not even be considered that because of the constitution.

There have been questions concerning this particular bill regarding the constitutionality. There were opinions handed down by a legal representative of the mining association to the committee members. There was also legal opinion by our own legal counsel and of course that's what we must follow. We must at least abide by it or feel that we should go ahead on a proposition that some of us felt at that time very constitutional. There were other questions that came into the committee along with hundreds and hundreds of letters. All the committee members, I'm sure many of you who did not serve on the committee have received constant correspondence mostly from the rural county areas where the mines are located, understandably so, because the monies derived in those counties out of the mining industry are fantastic. This bill is not designed to nor will it hinder that collection in any manner whatsoever.

If I may, Mr. Speaker, just stray just a little bit regarding the resolutions because the bill is actually tied to those two resolutions. There was a resolution put in this House on the morning of the hearing when the committee took action. Assembly Joint Resolution 39 which would be a constitutional amendment. At the same time that day a recommended resolution was offered the committee. An Assembly Joint Resolution, another constitutional amendment which proposed, if passed in this session of the legislature, passed in the 1989 session of the legislature, passed by a vote of the people whether in a special election or a regular general election, then this gold fee proposition before us today as

Assembly Bill 161 would sunset upon the approval and certification of the Supreme Court justices. Trying to put in effect a way that this particular measure could be addressed in this House and that's what we have before us today. There was a question concerning a clause in the amendment which dealt with "land damaged by mining." This clause was left intact and the bill passed, as amended, with a vote of six ayes, one abstention and four nays. I submit to you that this is a gold fee, it is a fee, it's not a tax. Both resolutions would actually be triggered by the stopping of the sunsetting of this bill if in fact it were voted on by the people, would be and is at this present time in Taxation.

I also submit to you that you should consider this type of a fee. There are other fees that have been levied concerning the low-level Beatty dump site the fee for bringing in various hazardous materials. There's also a fee under the new Compact on and I'm referring to the bill because it is a fee. It's classified as a fee in the title of the bill, it's classified as a fee in the summary of the bill. It is not a tax. It is a fee. You know legislation is nothing but a means of an idea, you have proponents and opponents of those ideas and it's the art of compromise and coming to an agreement, reaching agreement that everybody can live with. This is the only agreement that we have had thus far on A.B. 161 and I certainly as the committee chairman and as a member of this assembly body urge you to cast an aye vote in the direction of applying this fee. Thank you.

ASSEMBLYMAN GETTO:

Thank you Mr. Speaker. Members of the Assembly. As a member of the Natural Resources Committee, I too sat and listened for many, many hours about this gold fee. I think I've said everything on the floor and in committee concerning my objections to this measure. First of all, I have stated that I truly believe it is unconstitutional and we have had expert opinions on the constitutionality of this bill.

Secondly, I think it's irresponsible then for this legislative body to budget and this is a revenue measure regardless if it's a fee. It's going to end up in the general fund, and of course the intent of this is to be in the general fund so it can be budgeted for other uses in the state. Now it's irresponsible for us to budget an amount of money that could be up to $20 million and to face the great possiblity and almost the reality of the fact that we will be challenged in court and could be tied up for a year or two. If that should happen we could possibly come back to a special session to fund that void and I think that's a very real possibility and I want to remind you of that real possibility.

I think it's a measure that singles out an industry. That is destructive and it certainly will have an impact on the rural counties. I truly believe that the responsible way to address this is the way that the Taxation committee or the Natural Resources, both, have offered a resolution that will go to the vote of the people. I'm sure that this time with the amount of publicity this has had the people will vote for those resolutions positively and then it can be in a proper manner and revenues can be used in our budgets in the future. I still have a real problem with a word in the bill. I have a problem with the whole bill but especially one word and that is it states gold that is extracted and that's on page 1, in the previous month. Now we've had testimony that the mining industry will be paying taxes on gold that they will not be selling. In other words there is not a procedure that they can recoup 100 percent on that gold that's in the ore. That's almost an impossibility. So they will be paying tax on a product that will return back to the earth and will not be a benefit to the industry. Another comment that we've heard many, many times about this particular revenue and about the industry itself is the fact that the industry has not come forth, they have not been willing to pay their fair share of taxes. They've been raping the state and all the other comments that we've heard in the past. I would like to again remind you of the fact that the mining industry did come forth in 1983, I think it was, and they supported, now remember, they supported an issue that went to the people. It was not their fault that the people didn't pass that resolution. I don't think they knew or had any idea any more than we did when we left this body that the people would turn that resolution down and I think that if we had had an idea and the mining industry had had an idea then we could have gone out and pushed it like we did Question 5 and I'm sure it would have passed.

For all these reasons, I will be voting against this resolution, I will support the one or two resolutions being offered and again I would like to reiterate the fact that I know and I understand the rule of 22 and that many times works in this House but it doesn't mean that

it's right. The right place for this bill should have been concurrently referred to Natural Resources with the proper hearings we had and then referred to Taxation so it could be considered with all the other revenue issues.

ASSEMBLYMAN CARPENTER:

Thank you Mr. Speaker. I would like to compare this debate today with the one that went on here yesterday in regard to the nuclear waste repository. My constituents in the rural area affected by the gold fee view this problem with the same magnitude that our constituents view the situation of a nuclear dump. It's really a question of "What if." What if we have a disaster at a nuclear dump? It's going to be a holocaust. On the other hand, what if the price of gold goes down and our areas are put back economically? We have unemployment; we are not allowed to advance the way we have in the last year or two. We in the rural areas detest unemployment and having to be dependent upon someone else. Many areas are just getting back on their feet and are fearful of returning to economic stagnation.

There has been talk of one area or another of our state supporting the rest of the state. I submit to you that this is a problem of the tax shift and the various formulas that we're required to operate under. We in the rural areas want to stand on our own and we will stand on our own. If some of our neighbors through various circumstances need help, we will be very glad to help them. Elko County is an exporter of wealth and we feel if we were helping our people in White Pine or some other area, that was our responsibility as Nevadans. And I want to emphasize to you that the rural areas want to stand on their own. They want to have the right to be in the mainstream also. They don't want to be out there having to ask for handouts. And if the mining can continue like it has been, we can be right up there with the best of them. Mining being a volatile industry needs the protection that is presently afforded under our constitution.

I ask you not to take our mining taxation out of the constitution and make it the whim of the legislature. I believe that A.J.R. 40 does that. It makes it a tax on gross proceeds, it takes it out of the constitution so that anyone can change it.

I would ask that you oppose A.B. 161, work to pass A.J.R. 39 which will change the constitution in a manner we can all live with—our mines can prosper and we can all be a part of the great Nevada we want to be. Our mines have really from the beginning made it such that we are the great state we are. Thank you.

ASSEMBLYMAN TEBBS:

Thank you, Mr. Speaker. I think one would find very few members of this body who do not feel that the budget presented to this legislature is deficient in vital areas. I also feel most members of this body are looking for additional revenue to meet the shortages in the executive budget in the areas of education, child behavorial services and unfortunately our prison system.

A.B. 161 is no doubt an effort to raise a portion of those needed dollars. A.B. 161 is also an attempt to make a certain portion of an industry pay, what many feel, would be their "fair share." These two issues, additional revenue and fair share are concerns I feel are legitimate and must be addressed this session. However, to try and meet the fiscal needs of Nevada and to try and make others pay their fair share by the method prescribed in A.B. 161 would be inappropriate and unsuccessful.

Inappropriate because this bill will single out only a portion of the mining industry. Inappropriate because A.B. 161 will no doubt be challenged in court over the issue of constitutionality, costing the state time and money in its defense.

A.B. 161 will prove unsuccessful in solving any fiscal problems in Nevada for the next biennium as this bill, if passed, will be tied up in court thus tying up any collected dollars for an unspecified amount of time. The revenue A.B. 161 would raise could not be budgeted appropriately.

As I mentioned earlier, A.B. 161 is an attempt to raise revenue and make others pay their share. I applaud the effort, but not the method.

I will vote "no" on this bill and look to other legislation to raise revenue we can budget appropriately. I will look to other legislation which will change the Nevada Constitution which will mandate that all pay their fair share without causing a lengthy and costly court battle.

ASSEMBLYMAN SPRIGGS:

Thank you Mr. Speaker. To you and through you to the members. It has been stated that no amendment or no option was offered and I submit to you that the mining company very responsibly submitted their proposal to the Taxation Committee where it belongs. I would like to say that we sat through so many hours of hearings and everyone that spoke about the bill was against it except the author and two other people and I submit to you that we have never in this body passed a bill where everyone that came in to testify was against it. We had testimony from other states that those that had tried a severance tax lost their industries or severely curtailed them. Our economic life in rural Nevada is dependent on mining and I'm pleading with you from the heart on this one, don't destroy our economy. Thank you.

ASSEMBLYMAN NICHOLAS:

Thanks Mr. Speaker. To you and through you, I was very willing to be a sponsor of this particular bill and I'm listening to an awful lot of hours of dialogue on it. I abstained in discussion on the voting situation, abstained in the vote in terms of the last meeting. I would like to suggest to you, that I think the industry as a whole, the gold industry, has an abnormally low tax base. I think too that it is just as unfair as the situation involving a gross fee and I think we need a net tax. Let me talk for just a second about conflict of interest. I abstained because I have some shares in a small Canadian company that is indeed prospecting for gold. I went to some trouble to contact that company after this particular vote was taken a week or so ago, and I found out that they've got holdings in three provinces in Canada, that they are attempting to prospect in Ecuador, and that they are going into software for the handicapped. They do not do any, repeat any, business in the State of Nevada, and therefore, because that is the case, and because I have heard also that it is up to me to make a decision on what to do, I choose to vote on this issue and I am going to vote against it. Thank you.

ASSEMBLYMAN MARVEL:

Thank you Mr. Speaker. I'm one of those country bumpkins that's opposed to A.B. 161. I won't say the bill is flawed. I won't say it's mediocre. I won't say the author should be ashamed of himself. But I will say we have experienced what has happened to the demise of the copper industry and to the barite industry and the effects are horrendous. So let's not hasten the demise of the gold mining industry. I will also second what some of my colleagues have said previously, I feel A.B. 161 is unconstitutional. Thank you.

ASSEMBLYMAN HUMKE:

Thank you, Mr. Speaker. To you and through you, a number of previous speakers have talked about the possible unconstitutionality of this bill under the Nevada Constitution. There has also been a great deal of talk about the unfairness to the mining industry, our second largest industry, under this bill.

Regardless of whether this is a fee or a tax, it is a revenue bill. We have needs that have been discussed earlier regarding the current executive budget and other needs that other members of this body see for spending that may not be present in that budget. Specifically, for economic development and quality, we need to pay university faculty more. There is a need for quality to pay public school teachers more. And, there is a need for equity to pay state employees more.

The main point is that this is a revenue bill. I do not feel that it is a fair bill. If we need additional revenue for the purposes stated, I will vote for those additional revenues, but I cannot vote for this bill. Thank you.

ASSEMBLYMAN BERGEVIN:

Thank you Mr. Speaker. I would like to also say that I own some gold mining stocks. I have been advised by the legal counsel of this legislature that it does not constitute a holding large enough to not vote on this bill so I will be voting. The original speaker for this bill said that the mining industry is presently the number two industry in the State of Nevada. I would submit to this body that it has probably been the idea for the last year that it's been number two. During a good number of years the mining industry has been severely depressed in the State of Nevada and was really not putting forth any revenue

whatsoever. I think it's ironic that we compare this fee to the fees of the low-level nuclear waste facility and what-not. Fees are historically used to take care of an expense that something creates, low-level waste. This fee is being used as a general major revenue source of the State of Nevada. I would call your attention to Article 9 of the Constitution of the State of Nevada which provides for the monies for the operation of the State of Nevada. It states that a tax shall be levied for the operation of the State of Nevada and if that tax is not sufficient an additional tax shall be levied for the operation of the State of Nevada. It is absolutely not a fee for the general obligations of the State of Nevada. Inasmuch as it was a major revenue measure it should have gone to Taxation and I think the bill started wrong and hopefully somewhere in the legislative process it will end wrong. It was also stated that this particular bill will not hinder the revenues of the present counties. I submit to you that if this bill prevails and puts a good number of mining companies out of business it certainly will have a tremendous impact on the rural counties in the State of Nevada. This bill is what it originally started out to be and I agree with the author of this bill, it is a Jim Dandy tax and it ought to find its demise in this house of the legislature. Thank you.

ASSEMBLYMAN CALLISTER:

Thank you Mr. Speaker pro Tem. I rise in support of A.B. 161. I've appreciated hearing the comments here today. I think all of them were salient points, however, I disagree substantially. I recognize that all of us in the end represent our districts first and then the state. That's an unfortunate political reality. I think that the voters that elected me, indeed elected the vast majority of my colleagues, require that we support this bill for a number of reasons. The first reason is because it has had a full and fair hearing and I've been there each and every step of that hearing and I can verify that. Secondly, I would suggest that the bill in its form before us today constitutes the compromise that was necessary, constitutes a fair and just evaluation of where we should be in terms of how we tax or place a fee on gold, whatever terminology you choose to use. The original bill called for $16.50 after examination of what other states were doing in principle, the other major gold production states. After consideration of what the norm was throughout the world we developed an amendment that would reduce the fee to $11.50. I think that's an appropriate reduction. I think the bill in its present form represents a more than adequate compromise. Finally, I just want to speak for a moment in regards to the comments some of my colleagues have made here today in regards to the budgetary problems and constraints that the state faces. I think I too recognize, as do most of us here, that there isn't quite enough money to go around or so it would appear at this point. And I think that all of us here have what I would refer to in the law unfortunately as a fiduciary obligation. An obligation to our constituents to do the proper thing in a financial context. We have the obligation to fund the state. We may have before us yet this session the obligation to raise the taxes of your constituents. Not corporate constituents, individual constituents. I hope that isn't the case but it may be the case and I for one cannot return to my district and ask that the individual constituents of my district concur or accept a property tax increase or a sales tax increase unless I can in good faith and in compliance with my fiduciary obligation let them know that I have done all that is within my power as their representative to search out and to find those instances in which there is an inadequate and yes an unfair share under present law being paid by any industry, whether it's gaming or gold mining or copper mining or you name it. I think that's our obligation, I think this bill satisfies that obligation and I will be voting in favor of it. Incidentally, I would note that today's *Las Vegas Review Journal* indicates that gold went up $9.25 yesterday.

ASSEMBLYMAN SPINELLO:

Thank you Mr. Speaker pro Tem. The three issues are fairness, protection, and privilege. Those of us who have studied the history of the state know that the only reason we even talk about the constitutionality of this measure is because of the way that constitution was originated and changed in order to protect, actually insulate, an industry. There is a boom and bust cycle to most businesses. Some are longer than others. But it is rare in the business world that one has an absolute lifetime. The mine does. There is only so much ore, it can only be mined so long and then it's gone and that is the privilege. A

nonrenewable resource taken from the state, the very wealth of the state and all of the infrastructure and everything that is necessary to support taking that resource, everything that has to be built up and then left behind. This state is fairly riddled with ghost towns. You can drive to Virginia City and you can see the deserted leftovers of what was there and is no more. They've had the protection and they've had the privilege, it's now time to call to task the fairness. We've heard that we are singling out an industry. What bill in this state would we pay today if we didn't single out an industry. And we all know what that industry is. And we all know how dangerous it is to base the state's revenue on a single industry to the extent that we do. We are attempting to diversify our revenue base here and we're doing it with a fee based on the privilege of removing that nonrenewable resource from this state forever. I submit to you that is essential fairness, not just north and south, not just rural and urban that is the essential fairness, the price of doing business in that way.

ASSEMBLYMAN DINI:

Thank you Mr. Speaker pro Tem, Members of the Assembly. I rise in opposition of Assembly Bill 161. You know I come from an area, legislative district, which uses the Comstock as the reason we are a state in this nation. President Lincoln brought us into the Union because of the gold and silver we produced and we helped win the Civil War. You will remember that in the history of our state. Needless to say that Mark Twain and Dan DeQuille would probably turn over in their graves if they saw this bill before this assembly at this time. But you know there's two things that I want to emphasize. One is that the mining industry when it makes money it makes money but it also puts money back into development of future mines. You know Anaconda went down in Yerington many years ago but I'll bet you we had $20 million spent in that area after they went down to try to develop additional mines out there, to discover any kind of minerals. Unfortunately, that area is copper and iron. There is no gold. But the technology that the mining companies have developed allowed them to go back to these mines that were down a few years ago and produce gold on them again. Because they have the modern technology, they spent millions and millons of dollars to develop that technology. A gross tax such as this does not allow them the privilege of doing the spending that they did in the past. You know our communities survive with a hundred drillers operating in a town like Yerington. Years ago, we had a hundred drillers drilling at one time in every corner of the valley for copper when copper was hot. No drillers drill there anymore because there's nothing to drill for, they know the copper's there, they know the iron's there, the biggest iron deposit in the world is there, no use fooling with it, you can't make any money at it. I think we see in this legislature that we're interested in economic development and the future of our state. I think that one of the worst things we can do is to penalize the mining industry. Here we have an industry that is making a revival because the price of gold is high. If it wasn't for that they'd all be closed down again. What can happen is we're going to hurt some marginal producers that are not going to go ahead in the production of gold and our production will go down. Unless you're a big company with a big resource going for you, you're not going to make it in this industry. I would urge you to really seriously consider the consequences of imposing this gross tax on the mining industry through this bill. Thank you.

ASSEMBLYMAN GETTO:

Thank you, Mr. Speaker. I would like to make just a few points and one of them is a point that Assemblyman Dini hit on the fact that mining is a peculiar industry—it is the nature of the beast—and that is why it was placed in the constitution that the tax on mining shall be a net tax. The mining industry spends millions and millions of dollars before they ever turn a cent of profit. I would like to make that point. It is not like the gaming industry and it is not like any other industry and that is why it has a special place in our constitution.

While they are exploring and not making a single cent, they are spending millions building our economy. If you go out to the rural areas, you will note that there is all kinds of activity in the mining industry and yet they are not making a single cent of profit. It is when they make a profit that we tax them.

Again, I would like to point out that it is not their fault that the net tax rate that they pay is not higher than it presently is. And, when we talk about our fiduciary obligation, I would say that it is our fiduciary obligation, yes, to meet the demands of this state; but if we are courageous, we will put an across-the-board tax that everybody will help pay and it will hit the mining industry twice, not once, but twice.

I would like to point out, too, that we are sending another message. Here we have an industry that is the leading one in the United States right now and we are spending millions of dollars in economic development in telling industry, "Come to Nevada. We love you. Come over here, we'll treat you real fair. Come to Nevada and bring your money and employ the people here." Here we have an industry that is producing—the top one in the United States—and what are we telling them? "You know, now that you are making some money, now that you are in a period that you're probably flush, we're going to zap you." What kind of a message is that going to send to the other industries that we are trying to induce into our great State of Nevada.

ASSEMBLYMAN SCHOFIELD:

Thank you, for a second time, Mr. Speaker. I just wanted to make a few comments concerning the speaking of assumptions. You know, in this legislative action we have to do a lot of assuming—assuming this may occur, assuming that may occur. We have to assume that if we don't put some revenue together concerning an assumption, that we might have a particular situation. Assumptions, assumptions, assumptions that a suit will be filed under the unconstitutionality of the bill. Assumptions that the rural areas will go down if this bill were to be passed. All these are assumptions. We deal in assumptions every day. We deal in the pressure of those assumptions. This is not a popular thing that we are approaching to do. It is certainly not. But, I am going to reiterate one thing I did say. There were some alternatives that were brought up in the committee that could have been approached by the opponents of this bill to even be discussed. Thinking about unconstitutionalities, and that becoming a reality, is, again, an assumption. And, I think that we had better take a long, hard look at the methodology of the way that we are doing this because I think it is fair and I certainly echo the remarks of my two colleagues from the Clark County area who spoke just previously. I believe that this bill handles fairness, protection, and it also approaches the privilege.

Everybody talks about gaming being a privilege. Everybody talks about other areas being a privilege and I think it is a privilege for anyone. I realize that there is an awful lot of money pumped into exploration. But, I'm here to tell you they wouldn't be here if they were not pulling it out. And, I think that is the important thing that we have to evaluate here—the extraction of that resource that will never be again.

ASSEMBLYMAN SEDWAY:

Thank you, Mr. Speaker. I would like to respond to some of the comments—specifically from my colleague from Mineral County and my colleague and friend from Fallon, Battle Mountain, Elko and Gardnerville.

My colleague from Mineral County made note of the fact that during testimony there were only three people who spoke in support of the bill, myself and two others. What she doesn't understand is that I represent an army of 600,000 people from my county—600,000 people whose very lives would be impacted by the effects of A.B. 161. I don't need people from industry who have a vested interest behind them to speak behind me. I represent 600,000 people who will be served by the passage of A.B. 161, as well as the other 400,000 or 500,000 people in the State of Nevada whose lives would be affected by A.B. 161.

In spite of the remarks, I can assure you that in testimony before that same committee, these opponents of my bill said that they would not leave, that they would take the gold, they would stay until the gold is gone. Maybe they would leave in ten years instead of eleven. The impending disaster and doom that they forecast for us is inevitable in these areas as soon as the resource is gone, as my distinguished colleague from Clark County made mention of.

All I can tell you is that we have been here for three months and it is about time that I won one. Thank you very much.

ASSEMBLYMAN NEVIN:

Thank you, Mr. Speaker. To you and through you, I originally signed on A.B. 161 thinking it would be a good source of revenue, but the thing that keyed me on the original, if you look on page two of the original, we were giving money back—$1.50 would go back to the County Treasurer to go into the county fund. But, if you look at the first reprint, that is gone. We have taken a tax from the county and we are not giving anything back for their fund. The original plan really appealed to me because I thought, "Well, if we are going to tax them, we can give them something back." This has been removed and I don't think that was the proper approach and I will be voting in opposition to A.B. 161.

ASSEMBLYMAN SPINELLO:

Thank you, Mr. Speaker. I would just like to remark on a couple of comments made.

First of all, this doesn't affect the net proceeds as the counties are able to tax the mines presently. To get into more about whether or not the industry is going to pick up and leave. In the examples that we were given of states that had imposed various taxes and now were having problems related to copper, related to coal, I would submit to you there are no places in this world where copper and coal are popular to mine right now because the price is so severely depressed. The same market function that can bring a price down can also bring it up even higher as it has done recently. There is considerable room in the numbers that we were given. The price would have to go substantially below where it is now. It would have to go down so far I would hazard a guess, that the whole economy would be in bad shape if the price of gold were to fall to that floor. So I would submit that the scare tactics used—and that is what they were—and I can understand that the people are frightened, I can't imagine anyone facing any kind of fee or tax being happy about it or thinking that the world wouldn't end, but it won't. And so, Mr. Nevin, to satisfy your concern on the bill, it still doesn't affect what the counties are able to raise in the way of revenue.

ASSEMBLYMAN ADLER:

Thank you, Mr. Speaker. To you and through you, I sat on this committee and in many ways I have to concur with much of what has been said by both sides. I don't think that my colleague from Fallon's remarks were all out of line. There are some serious problems with this bill being a gross tax. However, my colleague from Las Vegas is correct and, I believe the mining industry concurred in some of what he said in that this industry is, at this point, not paying what they could possibly pay. I have some reservations about this bill the way it is structured. In many ways it, at best, serves as perhaps a vehicle for further compromise and I think that it is unfortunate, indeed, that our committee was not able to reach a compromise with the people who are paying this fee and the persons who need the additional revenues. I think that if there isn't some consensus I don't think that in essence we will be able to use this revenue for another two years. I would, in essence, support further compromise on these types of measures. Thank you.

ASSEMBLYMAN CARPENTER:

Thank you, Mr. Speaker, for a second time. I think that I would like to propose this to my colleagues here. I think we have here the situation that a lot of us do not understand what is happening in the various corners of our state. Let's take the scenario that if gambling was only in one area and it didn't affect all of our areas. I think that all of us understand the gaming situation. I think all of us do not understand the mining situation.

If you understood the mining situation like you understand the gaming situation, I don't think that we would have this problem. In our rural areas, our people look on this as their savings. This is one thing that is going to save them from the economic situation that they have had to face. I would hope that you would put yourself in the place of someone you thought was trying to not only tax gaming out but to make the environment hostile toward gaming. Put yourself in that situation. This is where I think we are in the rural areas with our mining. I ask you to consider this matter with the utmost conscience and please do not let our rural areas fall back into the situation that many of them have just gotten out of.

ASSEMBLYMAN SCHOFIELD:

Thank you, Mr. Speaker, for a third time. I realize the debate on this particular issue has gone on.

I need to rise again to speak on the comments of my colleague from Elko regarding the possibility of not realizing or not knowing anything about mining.

In 1937, my grandfather and my father started in Lincoln County and pumped money after money after money in a mountain up there that really was detrimental to the family and all the relations until finally, at such a time when tungsten was at a nice rate, we happened to work out a situation that worked out to our benefit. A particular firm pumped $40 million into that area into a computerized mill until the Federal government decided to import tungsten and then the bottom fell right out of tungsten. It created quite a problem and I have been involved in that, having nothing to do with gold. I do know mining—I know a lot about mining and I know a lot about the rural areas of the State of Nevada.

Back to the fairness, I also know that back in 1966, when we had one senator representing southern Nevada and four assemblyman, that it took a suit by a young lady in this house by the name Duncan that filed against Governor Sawyer—Duncan v. Sawyer—that actually reapportioned us to where the representation that we have here in the people from southern Nevada and the people from northern Nevada from the larger counties, etc., believe me, consider everything that my colleague from Elko said on many issues. I did like what he said about the rural areas standing on their own. Hopefully, this is going to help them also stand on their own—directly and indirectly. I move for support of this bill.

ASSEMBLYMAN CRADDOCK:

Mr. Speaker, the point in this bill which appeals to me the most is the sunset provision which allows that it will discontinue should a constitutional amendment be passed which would allow the legislature to tax net proceeds at a different rate to ad valorem. We heard earlier that the public rejected this idea and I would submit to you that if the constitutional amendment which was proposed had received about half the publicity and concern that this bill has, chances are that we wouldn't be arguing the point today.

There is another point in the whole process of taxing or fees or whatever you would like to call them that I think that we best recognize and deal with somewhere along the way and this is the fact that our net proceeds of mines are affected by the tax package that we put together in the State of Nevada a number of years ago. And, if we hadn't made special provisions, there is at least one county in the State of Nevada that would have been down to about 17 cents ad valorem this time around. As a matter of fact, last time around I think they paid about 29, if memory serves me correct. And, the sad part of the whole thing is the purpose which is supposed to be performed by the gold taxes, in fact not being performed in the manner that it was forethought out by our predecessors and that is that the proceeds from mining was to provide police protection for the rowdy miners, if you will, and education for their youngsters. That is not the situation in the State of Nevada today. It's not happening that way. As a matter of fact, we have one county in the state which is paying the highest per capita debt service to schools of any county in the state, and we have an adjacent county which is taking probably $700 per year in net proceeds from mines into their coffers while the other county is providing the services. We have a disproportionate thing that is happening here. And it is not actually happening as much between northern and southern Nevada as some of us may be led to believe. If we'll take a look at what is happening we will really find that our entire tax structure is part of the problem that is bringing about the difficulties we see today and that is the disproportionately small amount of revenue that is being generated by the mining industry. That is a big part, because of the tax package that we set up in 1981. I'm going to make a further manifestation on some of these things in a relatively short period of time. I frankly don't know whether it would be a good idea to support A.B. 161 or not. If I felt that the people who are interested in keeping it from becoming law would support a constitutional amendment next time around, I would probably vote against A.B. 161.

ASSEMBLYMAN MYRNA WILLIAMS:

Thank you, Mr. Speaker. I rise in support of A.B. 161. I had not intended to speak but after listening to the comments of my colleague from Elko, I felt that I needed to respond because those of us who live in the urban areas are well aware of what kind of devastation

unemployment can create within a community. I would submit to you that we have another industry that is highly taxed and if we continue to tax that industry, the closure of one hotel—one, a major hotel—could create as much unemployment as the entire closure of mining. So, we are mindful of that. We don't believe that will happen; I don't believe that will happen. You cannot pick up a mine and move it to another state. You can move a hotel to another state, you can move to Atlantic City, you can't move a gold mine. I will be supporting A.B. 161.

ASSEMBLYMAN MAY:

Mr. Speaker, thank you. With the permission of the Chair I would like to address only the rebuttal, perhaps, only the discussion so far concerning the use of the word "fee." In Chapter 463, Licensing and Control of Gaming, 463.370 the famous "Quarter-quarter" you heard, the title of that reads, "Monthly fee for state license based upon gross revenue." In 463.373, "Quarterly fee for state license for restricted operation." In 463.375, "Quarterly fee for state license for nonrestricted operation." In 380, "Annual fee . . ", etc. In 383, "Quarterly fee . . ." The word "fee" runs throughout the chapter as the revenue source gaming provides us with. I do not think it is unusual that the word "fee" be used. I do not think the measure should have gone to the Assembly Taxation Committee. I think it was handled exceptionally well and presented quite well by the chairman of the committee to which it was referred. Thank you, Mr. Speaker.

ASSEMBLYMAN GETTO:

Thank you, Mr. Speaker. I just have a couple of questions. Number one, my question has not yet been answered. I guess maybe I did not state it as a question. What are we going to do as a body if this issue was taken to court and we leave a $20 million unfunded deficit in our budget? What is the solution? That's number one.

The second question is, the committee did address the problem of taxing, or to use their terminology, "extracting," and in fairness does this body feel that it is fair to tax a commodity that the entity does not receive? In other words, a hundred percent of the gold that is extracted out of the ore is not received by the industry. That is the second question, Mr. Chairman.

MR. SPEAKER:

This is not in the budget, Mr. Getto. I'll answer that, it's not in the budget.

ASSEMBLYMAN SCHOFIELD:

I might just draw your attention, my colleague from Fallon, to line six that talks about the troy ounce or portion thereof of gold and I think the trigger word in here, as we discussed it in committee, is "recovered."

ASSEMBLYMAN PRICE:

Thank you, Mr. Speaker. This was one bill I had not intended to speak on; however, listening to the comments of my colleagues from around our fair state, I would suggest to you that those of us who do live in fact in the urban areas do care about and love and have concern for our state as a whole. Now, I can remember early on when I first came to this body when times were good when we, through the act of changing the depreciation schedules specifically for mining, were able to infuse money into that industry by making them pay less taxes or allowing them to pay less taxes. I would submit to you today, serving on the money committee as well as the taxation committee, that we are faced with the real problem of how to raise the funds and to continue to have funds coming into our state to meet our necessary needs. When times were good, we gave a break. Today times are tough and we are going to have to ask everybody to carry their load. Now we depend a great deal on the committee system of operation of our legislature. We cannot all sit in and listen to all the hearings on every bill, so I assume, and I hope properly, that it has generally borne out that when we have committee hearings, particularly on a subject as volatile, of the high profile as this, that the majority of that committee has made a decision on the constitutionality of the matter; that they have made a committee majority decision that the compromise fee will not destroy the industry and as has been talked about here today, there may be more room for compromise, I do not know. I do know that the time

has come that everyone must carry their load. And, I would say that, like with gaming, we are not out to try and kill the golden goose, we just want to pluck a few more feathers to keep it going.

ASSEMBLYMAN SEDWAY:

My distinguished colleague and good friend, the Speaker, told me when he first came to this house twenty-some years ago that he had a colleague who sat next to him who had been there for some time and used to remark when it came to speak and vote, he would say, "This is a good-a bill." This is a good-a bill. Thank you, Mr. Speaker.

Roll call on Assembly Bill No. 161:

YEAS—27.

NAYS—Bergevin, Carpenter, Garner, Getto, Humke, Kerns, Lambert, Marvel, Nevin, Nicholas, Sader, Spriggs, Tebbs, Thomas, Mr. Speaker—15.

Assembly Bill No. 161 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Thompson moved that Assembly Bill No. 534 be taken from the Chief Clerk's desk and placed on the Second Reading File.

Remarks by Assemblyman Thompson.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 217.

Bill read third time.

Remarks by Assemblyman Jeffrey.

Roll call on Assembly Bill No. 217:

YEAS—41.

NAYS—None.

Not voting—McGaughey.

Assembly Bill No. 217 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assemblyman Nevin moved that the Assembly recess subject to the call of the Chair.

Motion carried.

Assembly in recess at 12:50 p.m.

ASSEMBLY IN SESSION

At 12:57 p.m.

Mr. Speaker presiding.

Quorum present.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Freeman, Arberry, Garner, Wendell Williams, Wisdom, Jeffrey, Fay, Adler, Sedway, Nevin, Banner, Thompson, Humke, Haller, Kissam, Gaston, Myrna Williams, Carpenter, McGaughey, Craddock, Evans and Triggs:

Assembly Bill No. 627—An Act relating to retail installment transactions; establishing a flexible limit on the permissible rate of interest charged in retail charge agreements; and providing other matters properly relating thereto.

Assemblyman Freeman moved that the bill be referred to the Committee on Commerce.

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Schofield moved that all rules be suspended and that Assembly Bill No. 161 be immediately transmitted to the Senate.

Motion carried unanimously.

GENERAL FILE AND THIRD READING

Assembly Bill No. 276.

Bill read third time.

Remarks by Assemblyman Swain.

Roll call on Assembly Bill No. 276:

YEAS—42.

NAYS—None.

Assembly Bill No. 276 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 357.

Bill read third time.

Remarks by Assemblyman Wisdom.

Roll call on Assembly Bill No. 357:

YEAS—37.

NAYS—Fay, Garner, Schofield, Thompson, Myrna Williams—5.

Assembly Bill No. 357 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 376.

Bill read third time.

Remarks by Assemblymen Adler, DuBois, Thomas, Fay and Nevin.

Roll call on Assembly Bill No. 376:

YEAS—42.

NAYS—None.

Assembly Bill No. 376 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 381.

Bill read third time.

Remarks by Assemblymen Myrna Williams, Arberry and Jeffrey.

Roll call on Assembly Bill No. 381:

YEAS—42.

NAYS—None.

Assembly Bill No. 381 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Senate Bills Nos. 53 and 77 be taken from the General File and placed on the General File for the next legislative day.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 534.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 430.

Amend section 1, page 2, line 11, by deleting the period and inserting: "*and who has been trained to handle hazardous materials.*".

Amend section 1, page 2, line 13, by deleting the period and inserting: "*and who is certified as an advanced emergency medical technician-ambulance pursuant to NRS 450B.195.*".

Assemblyman Thompson moved the adoption of the amendment.

Remarks by Assemblyman Thompson.

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. 50, 65, 71, 197, 299; Senate Bill No. 98; Assembly Concurrent Resolution No. 37; Senate Concurrent Resolutions Nos. 20, 21.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Adler, the privilege of the floor of the Assembly Chamber for this day was extended to Mss. Cindy Cardinal, Sally Brown, Debbie Maris Kanish, Ardis Bibb, Jackie Maye, Kathryn Prestella, Maureen Leck, Messrs. Al Ansell, Darrell Prestella and the students of Fremont Elementary School: Ken Angst, Larry Brown, John Buffington, Brian Davis, Gregory Dawson, Davy Eatmon, Robert Erickson, Andrew Hicks, Ben Horgan, Mike Neville, David Oakes, Danny Pelligrino, Michael Ralston, Ben Salisbury, Jacob Vendelin, Ray Wilson, Mandy Barnes, Brenda Barte, Courtney Fisk, Julie Francone, Heather Hibbs, Rebecca Kleinendorst, Tiffany Mayes, Melissa Neighbors, Jamie Powell, Jessica Sandberg, Miranda Vance, Alison Pullin, Andy Bibb, Bentley Brooks,

Jevan Burchfield, Rikki Castro, Jimmy Colvin, Ricky Crawford, Reed Dopf, Sean Franzen, Chris Mansker, Kenny Prestella, Jonathan Reynolds, Evan Shane, James Stanley, Josh Watson, Scott Steele, Edward Covert, Jason Maye, Marie Cullen, Heather Dinn, Alyssa Leck, Mistee Miller, Corrie Philippi, Malea Revak, Adrienne Sarnowski, Mary Anna Shade, Leah Spann, Susan Walker, Kari Wastun, Melissa Leeder and Dawn Barbee.

On request of Assemblyman Getto, the privilege of the floor of the Assembly Chamber for this day was extended to Mss. Hilde Hess, Ingrid Bruch, Barbara Neissel, Cindy Lynk, Georgia Tachoires, Messrs. Noel Parkhurst, Fred Horlacher and the German exchange students and American host students of Reed High School: Ellengard Boehmer, Katja Martin, Lucia Mancuso, Nazim Deywan, Oliver Klein, Frank Sigge, Marco Kramer, Peter Dietrich, Andreas Klein, Denise Henkel, Sandra Mais, Gordana Stojic, Karim Bohn, Oliver Stoy, Mete Aquina, Maike Neissel, Wendy Huber, Heidi Tuohy, Eric Anderson, Steve Jacobson, Heather Van Landingham, Fred Bates, Mike Jennings, Brandi Broski, Jim Youngblood, Chris Furner, Wayne Rigby, Shawn Dooley and Jenny Youngblood.

On request of Assemblyman Nicholas, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Steven Nicholas.

On request of Assemblyman Price, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Norma Kinkade and Mr. William Ruff.

Assemblyman Jeffrey moved that the Assembly adjourn until Wednesday, April 22, 1987 at 11 a.m.

Motion carried.

Assembly adjourned at 1:18 p.m.

Approved: JOSEPH E. DINI, JR.
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE NINETY-FOURTH DAY

CARSON CITY (Wednesday), April 22, 1987

Assembly called to order at 11:02 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, The Reverend Dave Charlton.

Father in Heaven, we thank You for the many blessings You have given each and every one of us. Today as we start the business at hand, we ask for Your wisdom to make the proper decisions and strength to continue when our bodies get weary. For this we pray in the name of Jesus Christ that the Father may be glorified. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Jeffrey moved that further reading of the Journal be dispensed with, and the Speaker and Chief Clerk be authorized to make the necessary corrections and additions.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Taxation, to which was referred Assembly Bill No. 322, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

PAUL W. MAY, *Chairman*

Mr. Speaker:

Your Committee on Labor and Management, to which was referred Assembly Bill No. 318, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JAMES J. BANNER, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which were referred Assembly Bills Nos. 517, 526, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

DANNY L. THOMPSON, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, April 21, 1987

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 12, 188, 361.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Bill No. 156.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 127, 178, 214, 283, 296, 329.

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MARY JO MONGELLI
Assistant Secretary of the Senate

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Taxation:

Assembly Bill No. 628—An Act relating to taxation; allowing a deduction or refund from certain taxes for uncollectible debts on the sales of motor vehicle fuels; and providing other matters properly relating thereto.

Assemblyman May moved that the bill be referred to the Committee on Taxation.

Motion carried.

By the Committee on Taxation:

Assembly Bill No. 629—An Act relating to taxation; increasing the rate of excise tax on fuel for jet or turbine-powered aircraft; and providing other matters properly relating thereto.

Assemblyman May moved that the bill be referred to the Committee on Taxation.

Motion carried.

By the Committee on Taxation:

Assembly Bill No. 630—An Act relating to taxation; increasing the tax on transient lodging to provide increases in the salaries of teachers; and providing other matters properly relating thereto.

Assemblyman May moved that the bill be referred to the Committee on Taxation.

Motion carried.

By Assemblymen Thompson, Jeffrey and Callister:

Assembly Bill No. 631—An Act relating to the Moapa Valley Water District; providing for the election of a member of the governing board as a representative of an election area; requiring his election by a plurality of the registered voters of the area; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman DuBois (by request):

Assembly Bill No. 632—An Act relating to autopsies; requiring the person performing an autopsy on a minor to notify the parents or guardian of the minor by telephone or by mail; requires the person performing the autopsy to cause the internal organs to remain with the body after the autopsy; and providing other matters properly relating thereto.

Assemblyman DuBois moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 633—An Act relating to justices' courts; increasing the monetary maximum for jurisdiction of justices' courts for small claims; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 634—An Act relating to assistance to victims of sexual assault; expanding the definition of victim of sexual assault to include a person upon whom an attempt has been made; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 635—An Act relating to service of process; requiring personal service of a notice of eviction to be made by a sheriff or constable; requiring a summons in a small claims action to be served by a sheriff or constable; increasing certain fees charged by a constable; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 636—An Act relating to sexual assault; revising the provisions concerning sexual assault upon one's own spouse; and providing other matters properly relating thereto.

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

Motion carried.

Senate Bill No. 127.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 156.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 178.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 214.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

Senate Bill No. 283.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 296.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

Senate Bill No. 329.

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

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Transportation, to which was re-referred Assembly Bill No. 313, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass, as amended.

LEONARD V. NEVIN, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Nevin moved that Assembly Bill No. 313 be placed on the General File.

Remarks by Assemblyman Nevin.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 90.

Bill read third time.

Remarks by Assemblymen Spinello, Fay, Price and Nevin.

Roll call on Assembly Bill No. 90:

YEAS—42.

NAYS—None.

Assembly Bill No. 90 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 123.

Bill read third time.

Remarks by Assemblymen Marvel, Carpenter, Nicholas, Sedway, Myrna Williams, Gaston, Fay and DuBois.

Assemblymen Nevin, Jeffrey and Thompson moved the previous question.

Motion carried.

The question being on the passage of Assembly Bill No. 123.

Roll call on Assembly Bill No. 123:

YEAS—39.

NAYS—Banner, Carpenter, Getto—3.

Assembly Bill No. 123 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 Assemblyman Schofield.

Roll call on Assembly Bill No. 257:

YEAS—42.

NAYS—None.

Assembly Bill No. 257 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 399.

Bill read third time.

Remarks by Assemblymen Sedway, Evans, Adler and Freeman.

Roll call on Assembly Bill No. 399:

YEAS—42.

NAYS—None.

Assembly Bill No. 399 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 470.

Bill read third time.

Remarks by Assemblyman Nevin.

Roll call on Assembly Bill No. 470:

YEAS—42.

NAYS—None.

Assembly Bill No. 470 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 Assemblyman Fay.

Roll call on Assembly Bill No. 502:

YEAS—42.

NAYS—None.

Assembly Bill No. 502 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 Assemblyman DuBois.

Roll call on Assembly Bill No. 505:
YEAS—42.
NAYS—None.

Assembly Bill No. 505 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 511.
Bill read third time.
Remarks by Assemblymen Arberry, Nevin, Sedway and DuBois.
Roll call on Assembly Bill No. 511:
YEAS—42.
NAYS—None.

Assembly Bill No. 511 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Joint Resolution No. 21.
Resolution read third time.
Remarks by Assemblymen Schofield, Swain, Gaston, Humke, Freeman, Price, Thomas and DuBois.
Assemblymen Thompson, Sedway and Adler moved the previous question.
Motion carried.
The question being on the passage of Assembly Joint Resolution No. 21.
Roll call on Assembly Joint Resolution No. 21:
YEAS—39.
NAYS—Evans, Freeman, Swain—3.

Assembly Joint Resolution No. 21 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Resolution ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Senate Bills Nos. 53, 67, 68, 77 and 110 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. 313.
Bill read third time.
Remarks by Assemblyman Gaston.
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.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Humke, Dini, Tebbs, Kerns, Lambert, Freeman, Sedway, Evans, Spinello, Swain, Arberry, Sader, Callister, Marvel, Gaston, Myrna Williams and Spriggs:

Assembly Bill No. 637—An Act relating to juveniles; creating the advisory committee to study the laws relating to juveniles; making an appropriation; and providing other matters properly relating thereto.

Assemblyman Humke moved that the bill be referred to the Concurrent Committees on Judiciary and Ways and Means.

Motion carried.

By the Committee on Ways and Means:

Assembly Bill No. 638—An Act relating to handicapped persons; establishing a program for community training of certain handicapped persons; making an appropriation; and providing other matters properly relating thereto.

Assemblyman Sedway moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By the Committee on Commerce:

Assembly Bill No. 639—An Act relating to actions concerning property; revising the provisions governing the methods for serving a notice to quit; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

By the Committee on Commerce:

Assembly Bill No. 640—An Act relating to the subdivision of land; authorizing a real estate broker or salesman to represent more than one developer at the same time; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Nevin moved that Assembly Bill No. 368 be taken from the Chief Clerk's desk and placed on the General File.

Remarks by Assemblyman Nevin.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 368.

Bill read third time.

The following amendment was proposed by Assemblyman McGaughey:

Amendment No. 454.
Amend section 1, page 1, line 11, by deleting "*Nevada*".
Assemblyman Nevin moved the adoption of the amendment.
Remarks by Assemblyman Nevin.
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. 216; Assembly Concurrent Resolutions Nos. 38, 41.

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 Mss. Pat Kulick, Thelma Smid, Marge Glisczinski, Messrs. Rod Kinghorn, Benson Lee, Don Juncker, Jack Maddox and Harry Seymour.

On request of Assemblyman Carpenter, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Nancy Martin, Messrs. Steve English, Ken Harriman and the students of Carlin High School: Tim Umali, Kim Umali, Torrey Leach, Glen Hines, Brenda Ankrum, Dawn Jackson, Jeanie Mathis, Ken Adams, Dan Bailey, Mick Badertscher, Joanne Elliott, Patty Knight, Valerie Martin, Deanna Guthrie, Jennifer Meierhoff, Danny Harris, Liza Micheli, Steven Brown, Jeremy Schwandt and Tricia Armstrong.

On request of Mr. Speaker, the privilege of the floor of the Assembly Chamber for this day was extended to Mss. Lynetta McGowan, Robin Stebbins and Muriel Skelly.

On request of Assemblyman Humke, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Margaret Crowley and Mr. Keith Lockard.

On request of Assemblyman McGaughey, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Harry Pappas.

On request of Assemblymen Price and May, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Richard Gillespie.

On request of Assemblyman Spriggs, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Karen Booth, Mr. John Hyatt, Jr., and the students of Schurz Elementary School: Pretty Eagle BearCloud, Sampson Dewey, Leslie Eagle, Staci Emm, Troy Jim, Leon Kinerson, Janine Kness, Victor Williams, Jennifer Barry, Singing Elk BearCloud, Fawn Bolton, Stephanie Brown, Dorieanna Dewey, Thomas Foster, Christie Hicks, Delgadina Trejo, Amie Steel, Tiffany Washington, Keena Jackson, Jamie Williams, Mollie Smith and Billie Jo Guglielmo.

Assemblyman Jeffrey moved that the Assembly adjourn until Thursday, April 23, 1987 at 11 a.m.

Motion carried.

Assembly adjourned at 12:17 p.m.

Approved: JOSEPH E. DINI, JR.
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE NINETY-FIFTH DAY

CARSON CITY (Thursday), April 23, 1987

Assembly called to order at 11:02 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, The Reverend Dave Charlton.

Father in Heaven, our hearts are thankful for Your many blessings. As we look at the business at hand, we ask that You fill us with Your wisdom and strengthen us for the many long hours ahead. For this day we give You the glory in the name of the Son that the Father may be glorified. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Jeffrey moved that further reading of the Journal be dispensed with, and the Speaker and Chief Clerk be authorized to make the necessary corrections and additions.

Motion carried.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, April 22, 1987

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. 329 and requests a conference, and appointed Senators Joerg, O'Donnell and Gibson 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. 231.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 62, 169, 308.

MARY JO MONGELLI
Assistant Secretary of the Senate

UNFINISHED BUSINESS

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker appointed Assemblymen Adler, Bergevin and Garner as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Assembly Bill No. 329.

INTRODUCTION, FIRST READING AND REFERENCE

Senate Bill No. 62.

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

Motion carried.

Senate Bill No. 169.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Education.

Motion carried.

Senate Bill No. 231.

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

Motion carried.

Senate Bill No. 308.

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

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Assembly Bill No. 536, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

DANNY L. THOMPSON, *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which was referred Assembly Bill No. 278, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN E. JEFFREY, *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which was referred Assembly Resolution No. 7, 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.

JOHN E. JEFFREY, *Chairman*

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblyman Tebbs:

Assembly Bill No. 641—An Act making an appropriation to the Department of Transportation for construction of a sound abatement wall in Las Vegas; and providing other matters properly relating thereto.

Assemblyman Tebbs moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 318.

Bill read second time.

The following amendment was proposed by the Committee on Labor and Management:

Amendment No. 461.

Amend the bill as a whole by adding a new section designated sec. 2, following section 1, to read as follows:

"Sec. 2. The department of industrial relations shall provide the state industrial insurance system with all information necessary to determine the

assessments required by paragraph (b) of subsection 1 of section 6 of chapter 474, Statutes of Nevada 1985, as amended by this act. All information so provided remains confidential and must not be used by the department for any purpose other than making the assessments.".

Amend the title of the bill, third line, after "disease;" by inserting: "requiring the department of industrial relations to cooperate in the assessments;".

Assemblyman Banner moved the adoption of the amendment.

Remarks by Assemblyman Banner.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman May moved that Assembly Bill No. 322 be taken from the Second Reading File and placed on the Chief Clerk's desk.

Remarks by Assemblyman May.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 517.

Bill read second time, ordered engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Thompson moved that Assembly Bill No. 526 be taken from the Second Reading File and re-referred to the Committee on Government Affairs.

Remarks by Assemblyman Thompson.

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 11:13 a.m.

ASSEMBLY IN SESSION

At 11:22 a.m.

Mr. Speaker presiding.

Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen Thompson, Jeffrey, Nevin, Porter, Kerns, Wisdom, Spinello, Myrna Williams, Freeman, Gaston, Carpenter, Banner, Getto, Schofield, Swain, Arberry, Evans, Spriggs, Garner, Humke, Wendell Williams, Nicholas, McGaughey, Thomas, DuBois, Bergevin, Adler, Kissam, Lambert, Craddock, Haller, Triggs, Sedway, May, Price, Fay, Tebbs, Brookman, Callister and Marvel:

Assembly Concurrent Resolution No. 44—Commending Richard F. "Chick" Perkins for his work with the Lost City Museum.

WHEREAS, Since 1933 Richard F. "Chick" Perkins has spent his time and energy helping to preserve the artifacts and cultural heritage of the Pueblo Grande Nevada Indians; and

WHEREAS, Because of the untiring efforts of "Chick" Perkins and his father, Fay Perkins, the Lost City Museum located in Overton, Nevada, has gained international recognition for its unique and extensive historical exhibits; and

WHEREAS, Richard "Chick" Perkins has spent 47 years making his dream of preserving a part of Nevada's heritage a reality; now, therefore, be it

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, THE SENATE CONCURRING, That members of the 64th session of the Nevada Legislature hereby commend Richard F. "Chick" Perkins for his many years of devoted service, enthusiasm and hard work which has helped make the Lost City Museum one of Nevada's most fascinating as well as educational attractions; and be it further

RESOLVED, That a copy of this resolution be prepared and transmitted forthwith by the Chief Clerk of the Assembly to Mr. Richard "Chick" Perkins.

Assemblyman Thompson moved the adoption of the resolution.

Remarks by Assemblymen Thompson and Jeffrey.

Assemblyman Thompson requested that the following remarks be entered in the Journal.

ASSEMBLYMAN THOMPSON:

Thank you, Mr. Speaker. For those of you who aren't from southern Nevada, or who are from southern Nevada but never have had the opportunity to visit the Lost City Museum in Overton, Nevada, basically it has artifacts of the Indian tribes in and around the city of St. Thomas that was covered by Lake Mead. When Hoover Dam was built, the lake was formed and over the years that the lake was formed, Chick Perkins and his father went out in these areas and they dug up all these artifacts and that is currently what the Lost City Museum is, in my district.

If you haven't had the opportunity to visit it and see all the things that they have, it is really a nice museum. It's a nice drive from Las Vegas; it is a pretty little valley in the south that you wouldn't really expect to find out in the desert.

Mr. Perkins has dedicated his entire life to finding these things and working on this museum. He and his father have made the museum what it is today. It is really very impressive and is a nice place to go right out in the middle of nowhere. If you are driving down the interstate, there is just desert.

It is very nice and if it weren't for his and his father's hard work and dedication, there wouldn't be a museum. I feel it is appropriate that we honor him for all his work.

ASSEMBLYMAN JEFFREY:

Mr. Speaker, I have had the privilege of knowing the Perkins family for many years. I knew them a long time before I represented the area that is now in Mr. Thompson's district.

Chick Perkins is the one who is probably solely responsible for the founding of the Lost City Museum. They have been a big part of that valley for over 100 years, and this resolution is certainly fitting.

Resolution adopted unanimously.

Assembly Resolution No. 7.

Resolution read.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 475.

Amend the resolution, page 1, line 2, by deleting "Commerce" and inserting "Government Affairs".

Amend the title of the resolution, first line, by deleting "Commerce" and inserting "Government Affairs".

Amend the summary of the resolution, first line, by deleting "Commerce" and inserting "Government Affairs".

Assemblyman Jeffrey moved the adoption of the amendment.

Remarks by Assemblyman Jeffrey.

Amendment adopted.

Assemblyman Jeffrey moved that Assembly Resolution No. 7 be rereferred to the Committee on Government Affairs.

Motion carried.

Resolution ordered reprinted, engrossed and to the Committee on Government Affairs.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Brookman, Getto, Wisdom, Marvel, Arberry, Kerns, Humke, Carpenter, Wendell Williams, Myrna Williams, Dini, Garner, Nevin, Freeman and Thompson:

Assembly Bill No. 642—An Act relating to days of observance; authorizing and requesting the governor to proclaim the 4th Friday of September as Nevada Indian Day; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Transportation:

Assembly Bill No. 643—An Act relating to traffic laws; permitting certain privately owned vehicles equipped for response to emergencies to be designated as emergency vehicles; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Taxation:

Assembly Bill No. 644—An Act relating to taxation; repealing unconstitutional provisions regarding taxation of the right to receive electric power from exempt real estate; and providing other matters properly relating thereto.

Assemblyman May moved that the bill be referred to the Committee on Taxation.

Motion carried.

By the Committee on Taxation:

Assembly Bill No. 645—An Act relating to local financial administration; increasing the maximum allowable annual increase in revenue for a local government from taxes ad valorem; increasing the maximum allowable combined revenue of a local government for the fiscal year 1987-1988; and providing other matters properly relating thereto.

Assemblyman May moved that the bill be referred to the Committee on Taxation.

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 646—An Act relating to local governments; prohibiting cities and counties from issuing a new liquor license for premises where fuel for motor vehicles is sold; and providing other matters properly relating thereto.

Assemblyman Thompson moved that the bill be referred to the Committee on Commerce.

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 647—An Act relating to elections; increasing the time before which candidates for public office are prohibited from changing their affiliation with a political party; prohibiting a public officer from changing his affiliation with a political party during his term of office; and providing other matters properly relating thereto.

Assemblyman Thompson moved that the bill be referred to the Committee on Elections.

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 648—An Act relating to the state legislature; requiring the legislative counsel and the legal division of the legislative counsel bureau to prepare a synopsis on certain legislative measures; and providing other matters properly relating thereto.

Assemblyman Thompson moved that the bill be referred to the Committee on Legislative Functions.

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 649—An Act relating to minors; requiring the suspension of the driver's license of a minor who buys or attempts to buy liquor; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 650—An Act relating to civil actions; imposing an additional fee for filing a document; requiring the proceeds to be used for salaries for judges; and providing other matters properly relating thereto.

Assemblyman Thompson moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 651—An Act relating to trade practices; requiring certain businesses which sell fuel for motor vehicles at retail to provide restrooms for the use of the patrons of the business; and providing other matters properly relating thereto.

Assemblyman Thompson moved that the bill be referred to the Committee on Commerce.

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 652—An Act relating to campaign practices; requiring a candidate for a partisan office to include his political party affiliation on his campaign material and solicitations for campaign contributions; providing a penalty; and providing other matters properly relating thereto.

Assemblyman Thompson moved that the bill be referred to the Committee on Elections.

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 653—An Act relating to radiation; requiring the health division of the department of human resources to publish the results of certain tests it conducts; requiring the prior approval of the health division to conduct a field tracer study; providing a penalty; and providing other matters properly relating thereto.

Assemblyman Thompson moved that the bill be referred to the Committee on Natural Resources, Agriculture and Mining.

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 654—An Act relating to insurance; requiring coverage under a policy of health insurance for the direct payment of a provider of medical transportation; and providing other matters properly relating thereto.

Assemblyman Thompson moved that the bill be referred to the Committee on Commerce.

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 655—An Act relating to county officers; revising the provisions governing payments to district attorneys for longevity; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 656—An Act relating to probation; clarifying and limiting the consequences of an honorable discharge from probation; and providing other matters properly relating thereto.

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

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Health and Welfare, to which was referred Senate Bill No. 69, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

MORSE ARBERRY, JR., *Chairman*

GENERAL FILE AND THIRD READING

Assembly Bill No. 320.
Bill read third time.
Remarks by Assemblyman Carpenter.
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. 534.
Bill read third time.
Remarks by Assemblymen Thompson and Brookman.
Roll call on Assembly Bill No. 534:
YEAS—42.
NAYS—None.

Assembly Bill No. 534 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 557.
Bill read third time.
Remarks by Assemblyman Myrna Williams.
Roll call on Assembly Bill No. 557:
YEAS—42.
NAYS—None.

Assembly Bill No. 557 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Senate Bill No. 53.
Bill read third time.
Remarks by Assemblyman Jeffrey.
Roll call on Senate Bill No. 53:
YEAS—42.
NAYS—None.

Senate Bill No. 53 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 67.

Bill read third time.
Remarks by Assemblymen Craddock and Thomas.
Roll call on Senate Bill No. 67:
YEAS—41.
NAYS—Thomas.

Senate Bill No. 67 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Senate Bill No. 68.
Bill read third time.
Remarks by Assemblymen Kissam, Adler, Price, Gaston, Craddock, Swain and Myrna Williams.
Roll call on Senate Bill No. 68:
YEAS—42.
NAYS—None.

Senate Bill No. 68 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Senate Bill No. 77.
Bill read third time.
Remarks by Assemblymen Callister and Thomas.
Assemblyman Thomas moved that Senate Bill No. 77 be taken from the General File and placed on the Chief Clerk's desk.
Remarks by Assemblymen Jeffrey and Thomas.
Assemblyman Thomas withdrew his motion.
Roll call on Senate Bill No. 77:
YEAS—41.
NAYS—Thomas.

Senate Bill No. 77 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Senate Bill No. 110.
Bill read third time.
Remarks by Assemblyman Humke.
Roll call on Senate Bill No. 110:
YEAS—42.
NAYS—None.

Senate Bill No. 110 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 160.
Bill read third time.
Remarks by Assemblyman Garner.

Roll call on Senate Bill No. 160:
YEAS—42.
NAYS—None.

Senate Bill No. 160 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. 12, 188, 361; Senate Concurrent Resolution No. 23.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Speaker, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. John Sanderson.

On request of Assemblyman Carpenter, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Bert Gurr.

On request of Assemblyman Freeman, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Lauri Northway.

On request of Assemblyman Gaston, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Carolyn Wood.

On request of Assemblyman Getto, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Gary Canepa.

On request of Assemblyman Haller, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. B. J. West and Mr. John Gilbertson.

On request of Assemblyman Humke, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Tony Miglionico.

On request of Assemblyman Jeffrey, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Dale Emanuel.

On request of Assemblyman Kerns, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Larry Ponton.

On request of Assemblyman Kissam, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Ronn Reiss.

On request of Assemblyman Lambert, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Cathy Colvin and Mr. Curry Jameson.

On request of Assemblyman Nicholas, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Terri Kellerer and Mr. Peter Krueger.

On request of Assemblyman Price, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Sandy Mickle and Mr. Marvin Rubin.

On request of Assemblyman Sader, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Marne Maxfield.

On request of Assemblyman Schofield, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Evelyn Moore.

On request of Assemblyman Triggs, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Joe Quercia.

Assemblyman Jeffrey moved that the Assembly adjourn until Friday, April 24, 1987 at 11 a.m.

Motion carried.

Assembly adjourned at 12:15 p.m.

Approved: JOSEPH E. DINI, JR.
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE NINETY-SIXTH DAY

CARSON CITY (Friday), April 24, 1987

Assembly called to order at 11:10 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, The Reverend Dave Charlton.

Father in Heaven, we thank You for this beautiful day You have given us. We thank You for this time we have gathered together to conduct the business at hand. We ask Your blessings upon us—bless each and every member as they go through the many long hours of work it takes to get these things accomplished. Now we ask these things in the name of the Son that the Father may be glorified. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Jeffrey moved that further reading of the Journal be dispensed with, and the Speaker and Chief Clerk be authorized to make the necessary corrections and additions.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Health and Welfare, to which was referred Assembly Bill No. 151, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and re-refer to the Committee on Government Affairs.

MORSE ARBERRY, JR., *Chairman*

Mr. Speaker:

Your Committee on Health and Welfare, 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.

MORSE ARBERRY, JR., *Chairman*

Mr. Speaker:

Your Committee on Taxation, to which was referred Senate Bill No. 225, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

PAUL W. MAY, *Chairman*

Mr. Speaker:

Your Committee on Taxation, to which were referred Assembly Bills Nos. 208, 292, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

PAUL W. MAY, *Chairman*

Mr. Speaker:

Your Committee on Taxation, to which was re-referred Assembly Bill No. 290, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

PAUL W. MAY, *Chairman*

Mr. Speaker:

Your Committee on Labor and Management, to which were referred Assembly Bills Nos. 406, 448, 488, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JAMES J. BANNER, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which were referred Assembly Bills Nos. 390, 447, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

DANNY L. THOMPSON, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, April 23, 1987

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bill No. 98.

Also, I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bill No. 63, and respectfully requests your honorable body to concur in said amendment.

Also, I have the honor to inform your honorable body that the Senate on this day respectfully refused to recede from its action on Assembly Bill No. 234 and requests a conference, and appointed Senators Joerg, Beyer 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 passed Senate Bill No. 422.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bill No. 166.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bill No. 99, which was returned from enrollment for the purpose of effecting a technical amendment.

MARY JO MONGELLI
Assistant Secretary of the Senate

UNFINISHED BUSINESS

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker appointed Assemblymen Carpenter, Callister 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. 234.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Transportation:

Assembly Bill No. 657—An Act relating to franchises for the sale of motor vehicles; requiring a manufacturer or distributor who terminates or refuses to continue a franchise for the sale of motor vehicles to compensate the dealer for certain inventory and equipment and for the loss of use of his business premises; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Taxation:

Assembly Bill No. 658—An Act relating to the proceeds of mines; calculating the net proceeds of a mine by limiting the costs incurred to the actual cost of extraction and the actual cost of transporting the product; and providing other matters properly relating thereto.

Assemblyman May moved that the bill be referred to the Committee on Taxation.

Motion carried.

By the Committee on Education:

Assembly Bill No. 659—An Act relating to pupils; requiring compliance with certain federal provisions related to the receipt of federal financial aid; requiring the adoption of certain related regulations; and providing other matters properly relating thereto.

Assemblyman Craddock moved that the bill be referred to the Committee on Education.

Motion carried.

By the Committee on Taxation:

Assembly Bill No. 660—An Act relating to the financial support of schools; increasing the time schools may accumulate money in the fund for capital projects and the maximum amount of ad valorem tax which may be levied for credit to that fund; providing a procedure for presentation to the voters of a list of projects for approval; authorizing the board of trustees of a school district to change the project or dispose of the unexpended balance of the proceeds after a project is completed if approved by the voters; and providing other matters properly relating thereto.

Assemblyman May moved that the bill be referred to the Committee on Taxation.

Motion carried.

By the Committee on Labor and Management:

Assembly Bill No. 661—An Act relating to pressure vessels; requiring the licensing of operators of boilers and other pressure vessels by the division of occupational safety and health of the department of industrial relations; authorizing the division to collect fees to cover the cost of such licensing; and providing other matters properly relating thereto.

Assemblyman Banner moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

By Assemblymen Evans, Wisdom, Spinello, Freeman, Adler, Thompson, McGaughey, Craddock, Lambert, Brookman, DuBois, Getto, Schofield, Price, Jeffrey, Sedway, Humke, Marvel, Kissam, Haller, Arberry, Wendell Williams, Garner, Kerns, Dini, Nevin, Swain, Myrna Williams and Triggs:

Assembly Bill No. 662—An Act relating to state departments; creating the division of voluntary activities; providing for its organization and programs; creating the governor's council on voluntary activities; providing for its organization, powers and duties; creating a fund; making an appropriation; and providing other matters properly relating thereto.

Assemblyman Evans moved that the bill be referred to the Concurrent Committees on Government Affairs and Ways and Means.

Motion carried.

By the Committee on Labor and Management:

Assembly Bill No. 663—An Act relating to industrial insurance; revising provisions governing the regulation of fees and charges for certain benefits provided through the state industrial insurance system and self-insured employers; and providing other matters properly relating thereto.

Assemblyman Banner moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 664—An Act relating to municipal obligations; making a technical correction to a provision relating thereto; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 665—An Act relating to collective bargaining by local governments; resolving conflicts in the time for mediation of disputes and factfinding; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Adler, Thomas, Spinello, Freeman, Evans, Sedway, Nevin, Jeffrey, Swain, Myrna Williams, Arberry, Thompson, Haller, Dini, Wisdom and Price:

Assembly Bill No. 666—An Act relating to state employees; increasing the salaries of certain state employees; and providing other matters properly relating thereto.

Assemblyman Adler moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Rule No. 14 of the Joint Rules of the Senate and Assembly be suspended and that a bill (BDR 58-1915), requested by the Committee on Judiciary, be introduced by individual assemblymen.

Remarks by Assemblyman Jeffrey.

Motion carried unanimously.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Bergevin, Sader, Dini, Marvel, Getto, McGaughey, Carpenter, Kerns, Thomas and Fay:

Assembly Bill No. 667—An Act relating to motor carriers; exempting

certain owners and operators of motor vehicles from the requirements for a certificate of public convenience and necessity or permit as a contract carrier; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Natural Resources, Agriculture and Mining:

Assembly Bill No. 668—An Act relating to state emblems; designating the bristlecone pine as the other state tree; and providing other matters properly relating thereto.

Assemblyman Schofield moved that the bill be referred to the Committee on Natural Resources, Agriculture and Mining.

Motion carried.

Senate Bill No. 166.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

Senate Bill No. 422.

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

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 278.

Bill read second time.

The following amendment was proposed by Assemblyman Porter:

Amendment No. 314.

Amend section 1, page 1, by deleting lines 7 through 9 and inserting: "*imposed on the members. The commissioner shall approve or disapprove the proposal within 30 days after it is submitted to him. If the commissioner disapproves a*".

Assemblyman Porter moved the adoption of the amendment.

Remarks by Assemblyman Porter.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 536.

Bill read second time, ordered engrossed and to third reading.

Senate Bill No. 69.

Bill read second time and ordered to third reading.

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: Amend, and do pass as amended.

JAMES W. SCHOFIELD, *Chairman*

Mr. Speaker:

Your Committee on Natural Resources, Agriculture and Mining, to which was referred Assembly Bill No. 528, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JAMES W. SCHOFIELD, *Chairman*

GENERAL FILE AND THIRD READING

Assembly Bill No. 368.

Bill read third time.

Remarks by Assemblymen Triggs, Arberry, Carpenter, Wisdom and Nevin.

Roll call on Assembly Bill No. 368:

YEAS—42.

NAYS—None.

Assembly Bill No. 368 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 517.

Bill read third time.

Remarks by Assemblyman Thompson.

Roll call on Assembly Bill No. 517:

YEAS—42.

NAYS—None.

Assembly Bill No. 517 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Sader moved that the vote whereby Senate Bill No. 99 was passed be rescinded.

Motion carried.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 63.

The following Senate amendment was read:

Amendment No. 444.

Amend the bill as a whole by adding a new section designated sec. 2, following section 1, to read as follows:

"Sec. 2. This act becomes effective upon passage and approval.".

Assemblyman Jeffrey moved that the Assembly concur in the Senate amendment to Assembly Bill No. 63.

Remarks by Assemblyman Jeffrey.

Motion carried.

Bill ordered enrolled.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Schofield moved that Assembly Bill No. 251 be placed on the Second Reading File.

Remarks by Assemblyman Schofield.

Motion carried.

Assemblyman Schofield moved that Assembly Bill No. 528 be placed on the Second Reading File.

Remarks by Assemblyman Schofield.

Motion carried.

Assemblyman May moved that Assembly Bill No. 322 be taken from the Chief Clerk's desk and re-referred to the Committee on Taxation.

Remarks by Assemblyman May.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Wendell Williams, Arberry, May and Jeffrey:

Assembly Bill No. 669—An Act relating to economic development; creating the board for investment in businesses; providing its powers and duties; creating a fund for investment in businesses; authorizing a credit against the license fee for gaming licensees who invest in the fund; and providing other matters properly relating thereto.

Assemblyman Wendell Williams moved that the bill be referred to the Committee on Economic Development, Small Business and Tourism.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 251.

Bill read second time.

The following amendment was proposed by the Committee on Natural Resources, Agriculture and Mining:

Amendment No. 431.

Amend section 1, page 1, line 2, by deleting "12," and inserting "28,".

Amend the bill as a whole by deleting sections 2 through 15 and inserting:

"Sec. 2. *As used in sections 2 to 28, inclusive, of this act, unless the context otherwise requires, the words and terms defined in sections 3 to 12, inclusive, of this act, have the meanings ascribed to them in those sections.*

Sec. 3. *"Board" means the board for financing water projects.*

Sec. 4. *"Cost of a water project" means all or a designated part of the cost of any project, including any incidental cost pertaining to the project. The cost of a project may include, among other costs, the costs of:*

1. Surveys, audits, preliminary plans, other plans, specifications, estimates and other costs of preparations;

2. Appraising, printing, estimating, advice, services of engineers, architects, financial consultants, attorneys, clerical personnel and other agents and employees;

3. Publishing, posting, mailing and otherwise giving notice, filing or recording instruments, taking options and fees to banks;

4. Establishment of a reserve for contingencies;

5. Interest on bonds for any time which does not exceed 1 year, discounts on bonds, reserves for the payment of the principal of and interest on bonds, replacement expenses and other costs of issuing bonds;

6. Amending any resolution or other instrument authorizing the issuance of, or otherwise relating to, bonds for the project; and

7. Short-term financing,

and the expense of operation and maintenance of the project.

Sec. 5. *"Director" means the director of the department of commerce or any person within the department of commerce designated by him to perform duties in connection with a water project or the issuance of bonds.*

Sec. 6. *"Expense of operation and maintenance" means any reasonable and necessary current expense of the state for the operation, maintenance or administration of a project or of the collection and administration of revenues from a project. The term includes, among other expenses:*

1. Expenses for engineering, auditing, reporting, legal services and other expenses of the director which are directly related to the administration of projects.

2. Premiums for fidelity bonds and policies of property and liability insurance pertaining to projects, and shares of the premiums of blanket bonds and policies which may be reasonably allocated to the state.

3. Payments to pension, retirement, health insurance and other insurance funds.

4. Reasonable charges made by any paying agent, commercial bank, trust company or other depository bank pertaining to any bonds.

5. Services rendered under the terms of contracts, services of professionally qualified persons, salaries, administrative expenses and the cost of materials, supplies and labor pertaining to the issuance of any bonds, including the expenses of any trustee, receiver or other fiduciary.

6. Costs incurred in the collection and any refund of revenues from the project, including the amount of the refund.

Sec. 7. *"Mortgage" includes a deed of trust and any other security agreement covering real or personal property, or both.*

Sec. 8. *"Obligor" means the natural person, partnership, firm, company, public utility, corporation, association, trust, estate, political subdivision, state agency or any other legal entity, or its legal representative, who agrees to make the payments sufficient to pay the principal of, premium, if any, and interest on the state securities issued pursuant to sections 2 to 28, inclusive, of this act.*

Sec. 9. *"Revenue bonds" means bonds, notes or other securities evidencing a special limited obligation of the state, the principal and interest of which are payable solely out of revenues derived from the financing, leasing or sale of the project to be financed.*

Sec. 10. *"State securities" means notes, warrants, interim debentures, bonds and temporary bonds issued as general obligations by the director for*

any water project or for a refunding which are payable from taxes, whether or not additionally secured by a pledge of all or any designated revenues of one or more water projects.

Sec. 11. *"Tax" means a general tax upon property.*

Sec. 12. *"Water project" means a project for the management, control, delivery, use or distribution of water.*

Sec. 13. *The director has all the powers necessary to accomplish the purposes set forth in sections 2 to 28, inclusive, of this act. These powers must be exercised for the health, safety, convenience, prosperity and welfare of the inhabitants of this state. He may adopt such regulations as are necessary to carry out the provisions of sections 2 to 28, inclusive, of this act.*

Sec. 14. *Sections 2 to 28, inclusive, of this act, must be liberally construed to effectuate the purposes of those sections.*

Sec. 15. *The director shall not finance a water project unless, before financing:*

1. The project has been finally approved by the board after a public hearing on the matter.

2. The director finds and the state board of examiners approves the findings of the director that:

(a) The contemplated lessee, purchaser or other obligor has sufficient financial resources to place the water project in operation and to continue its operation, meeting the obligations of the lease, purchase contract or financing agreement;

(b) There are sufficient safeguards to assure that all money provided by the director will be expended solely for the purposes of the water project; and

(c) The total amount of money necessary to be provided by the director for financing the water project has been determined in writing by the board on a form acceptable to the director.

3. For the issuance of state securities, the director and the state board of examiners have received and approved the authorizing documents showing the legal authority for the obligor to borrow and repay the proceeds of the state securities.

4. For the issuance of revenue bonds, the director and the state board of examiners have received and approved:

(a) The financial plan showing that the revenues to be derived from the financing, leasing or sales of the project are adequate to pay the principal and interest on such bonds;

(b) A 5-year operating history from the contemplated lessee, purchaser or other obligor or from a parent or other guarantor, who guarantees the payments of principal and interest on any bonds issued; and

(c) An official statement from the obligor acknowledging that the state, and any political subdivision or municipality thereof incurs not pecuniary liability in connection with the issuance of the bonds.

Sec. 16. *1. The bonds must be authorized by an order of the director, and must:*

(a) Be in the denominations;

(b) Bear the date or dates;

(c) Mature at the time or times, not exceeding 30 years after their respective dates;

(d) Bear interest at a rate or rates specified in the order;

(e) Be in the form;

(f) Carry the registration privileges;

(g) Be executed in the manner;

(h) Be payable at the place or places within or without the state; and

(i) Be subject to the terms of redemption,

which the order authorizing their issue provides.

2. The bonds may be sold in one or more series at par, or below or above par, in the manner and for the price or prices which the director determines in his discretion. As an incidental expense to any water project to be financed by the bonds, the director may employ:

(a) Financial and legal consultants in regard to the financing of the water project; and

(b) A person whose business is in Nevada or elsewhere to act as a trustee for the project.

3. The bonds are fully negotiable under the terms of the Uniform Commercial Code—Investment Securities.

Sec. 17. *1. The director may, to pay the cost of any water project, borrow money or otherwise become obligated, and may provide evidence of those obligations by issuing, except as otherwise provided in this subsection, state securities or revenue bonds. If the obligor is not a governmental entity, the director shall issue only revenue bonds to fulfill the obligation.*

2. State obligations may be outstanding pursuant to this section in an aggregate principal amount of not more than $200,000,000.

3. State securities must be payable from taxes and may be additionally secured by all or any designated revenues from one or more water projects. Any governmental entity statutorily authorized to levy taxes for the payment of bonded indebtedness may use the proceeds of those taxes to pay the principal of, interest on and redemption premiums due in connection with state securities and revenue bonds issued pursuant to this section. Any such state securities may be issued without an election or other preliminaries. No state securities may be issued to refund any municipal securities issued to finance a water project before July 1, 1987.

4. Provisions of NRS 349.150 to 349.364, inclusive, which are not inconsistent with the provisions of sections 2 to 28, inclusive, of this act, apply to the issuance of state securities under this section. Provisions of NRS 349.400 to 349.670, inclusive, which are not inconsistent with the provisions of sections 2 to 28, inclusive, of this act, apply to the issuance of revenue bonds under this section.

5. The legislature finds and declares that the issuance of bonds pursuant to sections 2 to 28, inclusive, of this act, is necessary for the protection and preservation of the natural resources of this state and for the purpose of

obtaining the benefits thereof, and constitutes an exercise of the authority conferred by the second paragraph of section 3 of article 9 of the constitution of the State of Nevada.

Sec. 18. *1. The director may charge the obligor a fee not to exceed 2 percent of the principal amount of the financing, payable either in advance or at the time the bonds are issued.*

2. Whether or not bonds are issued, the director shall use any fee so collected to reimburse his office for the expenses and costs incurred in financing the project. Any portion of the fee which exceeds the director's expenses and costs must be refunded to the obligor.

Sec. 19. *1. Except as otherwise provided in subsection 3, all revenues from water projects must be deposited in the fund for the financing of water projects in the state treasury, which is hereby created.*

2. Any revenue from water projects financed with state securities which is in the fund must be applied in the following order of priority:

(a) Deposited into the consolidated bond interest and redemption fund in amounts necessary to pay the principal of, interest on and redemption premiums due in connection with state securities issued for water projects.

(b) Deposited into any reserve account created for the payment of the principal of, interest on and redemption premiums due in connection with state securities issued for water projects, in amounts and at times determined to be necessary.

(c) Paid out for expenses of operation and maintenance.

(d) Used to reimburse a municipality pursuant to the provisions of section 28 of this act.

3. Any revenue from water projects financed with revenue bonds may:

(a) Be deposited in the fund for the financing of water projects and subject to the provisions of subsection 2; or

(b) Subject to any agreement with the holders of the bonds, be invested, deposited or held by the director in such funds or accounts as he deems necessary or desirable. If the director is acting pursuant to this subsection, he need not deposit the money in the state treasury and the provisions of chapters 355 and 356 of NRS do not apply to any investments or deposits made pursuant to this subsection.

Sec. 20. *1. Any bonds issued under the provisions of sections 2 to 28, inclusive, of this act, may be refunded by the director by the issuance of refunding bonds in an amount which he deems necessary to refund the principal of the bonds to be so refunded, any unpaid interest thereon and any premiums and incidental expenses necessary to be paid in connection with refunding.*

2. Refunding may be carried out whether the bonds to be refunded have matured or thereafter mature, either by sale of the refunding bonds and the application of the proceeds to the payment of the bonds to be refunded, or by exchange of the refunding bonds for the bonds to be refunded. The holders of the bonds to be refunded must not be compelled, without their consent, to surrender their bonds for payment or exchange before the date on which they

are payable by maturity, option to redeem or otherwise, or if they are called for redemption before the date on which they are by their terms subject to redemption by option or otherwise.

3. All refunding bonds issued pursuant to this section must be payable solely from revenues and other money out of which the bonds to be refunded thereby are payable or from revenues out of which bonds of the same character may be made payable under this or any other law then in effect at the time of the refunding.

Sec. 21. *No action may be brought questioning the legality of any contract, lease, agreement, indenture, mortgage, order or bonds executed, adopted or taken in connection with any project or improvements authorized by sections 2 to 28, inclusive, of this act, after 30 days after the effective date of the order of the director authorizing the issuance of those bonds.*

Sec. 22. *The faith of the state is hereby pledged that sections 2 to 28, inclusive, of this act, will not be repealed, amended or modified to impair any outstanding bonds or any revenues pledged to their payment, or to impair, limit or alter the rights or powers vested in a city or county to acquire, finance, improve and equip a project in any way that would jeopardize the interest of any lessee, purchaser or other obligor, or to limit or alter the rights or powers vested in the director to perform any agreement made with any lessee, purchaser or other obligor, until all bonds have been discharged in full or provisions for their payment and redemption have been fully made.*

Sec. 23. *A project is not subject to any requirements relating to public buildings, structures, ground works or improvements imposed by the statutes of this state or any other similar requirements which may be lawfully waived by this section, and any requirement of competitive bidding or other restriction imposed on the procedure for award of contracts for such purpose or the lease, sale or other disposition of property is not applicable to any action taken pursuant to sections 2 to 28, inclusive, of this act.*

Sec. 24. *1. The board for financing water projects is hereby created. The board consists of five members appointed by the governor.*

2. The governor shall appoint:

(a) Four persons who are:

(1) Residents of this state; and

(2) Knowledgeable and experienced in the fields of planning and the development and reclamation of water resources.

(b) One person who is a resident of this state and knowledgeable in the field of municipal finance.

3. Not more than three members of the board may be members of the same political party and not more than two may be residents of the same county.

Sec. 25. *Each member of the board is entitled to receive a salary of $60 per day.*

Sec. 26. *The board shall:*

1. At its first meeting and annually thereafter elect a chairman from among its members.

2. Meet regularly at least once in each calendar quarter and at other times upon the call of the chairman.

Sec. 27. *1. 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.*

2. Upon the board's request and within the limits of available resources and staff, the state engineer and the director may on a case by case basis assist persons in the preparation of a preliminary plan for a water project.

Sec. 28. *1. When any municipality or other obligor desires to undertake a water project it may present its preliminary plan to the board for approval. The board shall analyze the potential yield of the water 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, after a public hearing on the issue, tentatively approves the water 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 water 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 water project, the director may, within the limits of money available for this purpose in the fund for the financing of water projects, reimburse a municipality for the costs incurred after the tentative approval.

Sec. 29. 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 issued to pay the cost of a water project pursuant to section 17 of this act,* 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.".

Amend the bill as a whole by renumbering sec. 16 as sec. 30.

Assemblyman Adler moved the adoption of the amendment.

Remarks by Assemblyman Adler.

Amendment adopted.

Bill ordered reprinted, engrossed and to the Concurrent Committee on Ways and Means.

Assembly Bill No. 528.

Bill read second time.

The following amendment was proposed by the Committee on Natural Resources, Agriculture and Mining:

Amendment No. 452.

Amend sec. 2, page 2, by inserting after line 14:

"*6. This section does not apply to an occasional sale of wood by a person who is not in the business of selling wood and sells no more than two cords in any year.*".

Amend the title of the bill, second line, after "advertising;" by inserting: "providing certain exceptions;".

Assemblyman Spriggs moved the adoption of the amendment.

Remarks by Assemblyman Spriggs.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

GENERAL FILE AND THIRD READING

Senate Bill No. 99.

Bill read third time.

Remarks by Assemblyman Sader.

Roll call on Senate Bill No. 99:

YEAS—42.

NAYS—None.

Senate Bill No. 99 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Speaker, the privilege of the floor of the Assembly Chamber for this day was extended to Mss. Pat Hatch and Betty Day.

On request of Assemblyman Brookman, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Florence Murray and Mr. Marcelo Fernan.

On request of Assemblyman Myrna Williams, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Francis Hill.

On request of Assemblyman Price, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Sandra Gagnier.

On request of Assemblyman May, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Marjorie Robertson.

On request of Assemblyman Sedway, the privilege of the floor of the Assembly Chamber for this day was extended to Mss. Carole Miller, Carol Troop, Yhvona Martin and Cheryl Thurston.

On request of Assemblyman Sader, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Iris Bellinger.

On request of Assemblyman Thompson, the privilege of the floor of the Assembly Chamber for this day was extended to Mss. Cheri Kinsley, Rebecca Boatwright, Carol Martini and Mr. Mark Lindsey.

On request of Assemblyman Craddock, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Gloria Lohner.

On request of Assemblyman Humke, the privilege of the floor of the Assembly Chamber for this day was extended to Dr. Bob Dickens.

On request of Assemblyman Nicholas, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Chris Shaw.

On request of Assemblyman Thomas, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Phyllis Berkson.

On request of Assemblyman DuBois, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Joan Eisner.

On request of Assemblyman Bergevin, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Donna Wadey.

On request of Assemblyman Jeffrey, the privilege of the floor of the Assembly Chamber for this day was extended to Mss. Ginger Eaton and Kathryn Pereos.

On request of Assemblyman Nevin, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Silvia Mays.

On request of Assemblyman Wisdom, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Jeanie Davis.

On request of Assemblyman Freeman, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Carol Dickerson.

On request of Assemblyman Banner, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Martha Barnes.

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 Schofield, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Sharon Hall.

On request of Assemblyman Swain, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Dawnetta Brown.

On request of Assemblyman Arberry, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Martha Herndon.

On request of Assemblyman Evans, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Jane Manning.

On request of Assemblyman Tebbs, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Tony Baucom.

Assemblyman Jeffrey moved that the Assembly adjourn until Monday, April 27, 1987 at 11 a.m., and that it do so in honor of all our secretaries. Motion carried.

Assembly adjourned at 12:09 p.m.

Approved: JOSEPH E. DINI, JR.
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE NINETY-NINTH DAY

CARSON CITY (Monday), April 27, 1987

Assembly called to order at 11:20 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, Rabbi Myra Soiffer.

This day begins a week of remembrance across our nation and the world of the horrors of the Nazi Holocaust. We join, O God, with all those who mourn today the slaughter of millions. The tortured cries of their deaths echo loudly in our hearts and our minds as we recall a world that witnessed in silence. How many stood aside, mute and unconcerned, forgetting Your divine command, "You shall not stand idle while your neighbor bleeds." For the sin of silence, for the sin of indifference, for the secret complicity of the neutral, for the closing of borders, for the washing of hands, for the crime of indifference, for the sin of silence. Let there never again, O God, be such forgetfulness. May the memory of these millions startle us on sunny afternoons, when we laugh with friends, when we lie down and when we rise up. Never again, O Lord, shall we be silent. To the memory of those millions we pledge: "Never again!" And to that pledge let us together say,

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Jeffrey moved that further reading of the Journal be dispensed with, and the Speaker and Chief Clerk be authorized to make the necessary corrections and additions.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Judiciary, to which was re-referred Assembly Joint Resolution No. 1, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass, as amended.

ROBERT M. SADER, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which were referred Assembly Bills Nos. 321, 370; Senate Bills Nos. 271, 323; Senate Joint Resolution No. 17 of the 63rd Session, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

ROBERT M. SADER, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which was referred Assembly Bill No. 269, 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.

ROBERT M. SADER, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, 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: Amend, and do pass as amended.

DANNY L. THOMPSON, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was re-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.

DANNY L. THOMPSON, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which were referred Assembly Bill No. 91; Senate Bills Nos. 197, 219, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

DANNY L. THOMPSON, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, April 24, 1987

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. 116, 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. 44.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Bills Nos. 354, 355, 381.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 247, 262, 294, 320.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Sader moved that Assembly Bill No. 269 be re-referred to the Committee on Ways and Means.

Motion carried.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 116.

The following Senate amendment was read:

Amendment No. 455.

Amend section 1, page 2, by inserting between lines 3 and 4: "*Friday following the fourth Thursday in November (Family Day)*".

Amend section 1, page 2, lines 5 and 6, by deleting: "or by the governor" and inserting: "[or by the governor]".

Amend the bill as a whole by deleting sec. 2 and renumbering sec. 3 as sec. 2.

Amend sec. 3, page 2, line 33, by deleting "236.060 is" and inserting 223.130 and 236.060 are".

Amend the text of repealed sections to read as follows:

"TEXT OF REPEALED SECTIONS

223.130 Governor may proclaim holidays: Number limited; observance required.

1. The governor shall have the power to 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 in any 1 calendar year.

2. All days declared by the governor to be legal holidays shall be observed by the closing of all offices of the state and subdivisions thereof, the courts, the University of Nevada System, 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.

236.060 Birthday of Martin Luther King, Jr. January 15 of each year is established as the day on which to memorialize the birthday of Martin Luther King, Jr. The public schools of this state shall observe the day with appropriate exercises. The governor shall annually issue a proclamation which calls upon state officers to display the United States flag on state buildings on that day and calls upon the people of the state to display the flag at their homes, lodges, churches and places of business as a public expression of respect for the man and his belief that equality for all people could be achieved without violence.''.

Amend the title of the bill to read as follows:

''An Act relating to holidays; declaring Martin Luther King, Jr.'s birthday and the day after Thanksgiving to be legal holidays; making the statutory list of legal holidays apply to city governmental offices; repealing the governor's authority to declare additional holidays; and providing other matters properly relating thereto.''.

Amend the summary, first line, by deleting ''legal holiday.'' and inserting: ''and day after Thanksgiving to be legal holidays.''.

Assemblyman Thompson moved that the Assembly concur in the Senate amendment to Assembly Bill No. 116.

Remarks by Assemblyman Thompson.

Motion carried.

Bill ordered enrolled.

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen Dini, Getto, Lambert, Bergevin, Freeman, Adler, Price, Evans, Nevin, Thompson, Kissam, Callister, Gaston, Garner, Kerns, Brookman, Fay, Wisdom, Banner, Nicholas, DuBois, Myrna Williams, Spriggs, Porter, McGaughey, Haller, Wendell Williams, Triggs, Jeffrey, May, Swain, Carpenter, Spinello, Marvel, Sedway, Tebbs, Arberry, Craddock, Sader, Schofield, Humke and Thomas:

Assembly Concurrent Resolution No. 45—Commending volunteers in Nevada.

WHEREAS, Volunteering is an American tradition; and

WHEREAS, Large numbers of Nevadans are actively engaged in voluntary activities that benefit their fellow residents, their communities and their state; and

WHEREAS, Many public and private agencies depend upon the efforts of volunteers for the accomplishment of their missions and actively seek to increase these efforts; and

WHEREAS, Governor Richard Bryan has proclaimed April 26 to May 2, 1987, as Volunteer Week in Nevada, joining with other states in the recognition of National Volunteer Week; now, therefore, be it

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, THE SENATE CONCURRING, That the Nevada Legislature declares its appreciation for the dedicated efforts of volunteers throughout Nevada to enhance the quality of life for all; and be it further

RESOLVED, That this body hereby commends the Governor's goal "to channel Nevada's tradition of caring into constructive action"; and be it further

RESOLVED, That copies of this resolution be prepared and transmitted by the Chief Clerk of the Assembly to Governor Richard Bryan for general distribution to volunteer service organizations throughout Nevada.

Assemblyman Evans moved the adoption of the resolution.

Remarks by Assemblymen Evans, Wisdom, Kerns, Getto and Jeffrey.

Assemblyman Nevin requested that the following remarks be entered in the Journal.

ASSEMBLYMAN EVANS:

Thank you, Mr. Speaker. Assembly Concurrent Resolution No. 45 is altogether fitting and proper given the large number of men and women in our state who give untold hours freely and generously of themselves in volunteer activities. This being the commemoration year of our Constitution, we have talked about many things that are uniquely American and I would tell you that volunteers' activities and the spirit of volunteerism is unique to the United States of America.

It has been calculated that if we, through our public funds, had to pay for the many things that the men and women of our state and nation give freely of themselves in a volunteer way, it would cost in the many billions of dollars. I do urge your passage of ACR 45.

ASSEMBLYMAN WISDOM:

Thank you, Mr. Speaker. Through you and to you, I rise in support of ACR 45 on volunteerism. May I offer as an example the value of volunteers that not one of us would be here today without the forces and help of the many volunteers we had working in our campaigns; and, all the help we receive from the interns while we are here in session. As an added note, I would like to remind all of my colleagues that as of March 23rd all of us legislators became volunteers to the State of Nevada. I urge your support of this resolution.

ASSEMBLYMAN KERNS:

Thank you, Mr. Speaker. I also rise in support of ACR 45 on behalf of all the volunteer firefighters in Nevada and the rest of the United States.

I served for many years as a paid firefighter and a tremendous amount of times I was helped tremendously by these volunteers. These volunteers give up many, many hours every week to their training. Many of their weekends, after working a full week, are spent at the firehouse training; there have been few lives lost but there have been many of them seriously injured.

As was said before, it saves the taxpayer many thousands of dollars and these volunteers are really dedicated to their job. I just had to get a little word in for them. Thank you, Mr. Speaker.

ASSEMBLYMAN GETTO:

Thank you, Mr. Speaker. I, too, am a very strong supporter and strongly realize the importance of volunteerism. I have been involved in helping the volunteer firemen and volunteer ambulance drivers who personally attended to me twice when I was injured very seriously.

I would like to talk a little bit about another volunteer today. There is a close friend and young man whom I watched over the years; this young man is seated before me. I have been personally involved with the struggles this young man has had through life. I would like to first state that this young man, Ralph Baker, has received a Presidential Citation for his volunteerism.

Let me tell you a little bit about Ralph. He was a young man working with his hands. He was a mechanic and he was good at it. When he was a little over 20 years old and started in a vocation of working with his hands, he was in a wreck that was not his fault. He was a passenger in a car. From this accident he found himself paralyzed from the neck down—he couldn't even hold a pencil. This young man went through tremendous emotional problems. But, he had that spirit, and especially that spirit of volunteerism, and instead of giving up on life and becoming a basket case, Ralph went on to the University of Nevada. He earned his Bachelors Degree, he earned his Masters and within a year he will have his Doctorate.

Can you imagine the change in this person's life who had started to be a mechanic and found himself unable to follow that vocation and had to do something with his life. I really want to commend Ralph on the tremendous deeds that he has done for others. Not only did he do for himself and go on to the University, but can you imagine the handicap this person has overcome? He has learned to drive a car—he has a van that can accommodate his wheelchair—and he has made himself self-sufficient and travels.

But, on top of that, Ralph has worked in organizing the Nevada Center for Independent Living. I'm sure that those of you who were here last session remember the work that Ralph did here to get $500,000 appropriated for the handicapped people for living accommodations. It is a tremendous program and Ralph had a big hand in that.

Ralph is always working—volunteering his time and his services for the betterment of other people. I certainly want to commend Ralph.

ASSEMBLYMAN JEFFREY:

Mr. Speaker, I rise in support of ACR 45. One of the programs that was nominated for a Presidential Award this year was the Desert Bighorn Sheep Relocation Program. Maxine Shane is with us today. Maxine is the Public Relations Director for BLM. She is the one that nominated the Fraternity for Bighorn Sheep for a Presidential Volunteer Action Award for their relocation program. The Award will be received at the White House on June 30. Maxine will you stand, please.

Resolution adopted unanimously.

Assemblyman Jeffrey moved that all rules be suspended and that Assembly Concurrent Resolution No. 45 be immediately transmitted to the Senate.

Motion carried unanimously.

By the Committee on Legislative Functions:

Assembly Resolution No. 9—Providing for the appointment of an additional attaché.

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, That Kimberly L. Fry is elected as an additional attaché of the Assembly for the 64th session of the Legislature of the State of Nevada.

Assemblyman Myrna Williams moved the adoption of the resolution.

Remarks by Assemblyman Myrna Williams.

Resolution adopted.

Assemblyman Thompson moved that Assembly Bill No. 447 be taken from the Second Reading File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Thompson.

Motion carried.

Assemblyman Arberry moved that Assembly Bill No. 151 be taken from the Second Reading File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Arberry.

Motion carried.

Assemblyman May moved that Assembly Bill No. 208 be taken from its position on the Second Reading File and placed at the bottom of the Second Reading File.

Remarks by Assemblyman May.

Motion carried.

Assemblyman Schofield moved that Assembly Bill No. 528 be placed on the Chief Clerk's desk.

Remarks by Assemblyman Schofield.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Government Affairs:

Assembly Bill No. 670—An Act relating to cities; limiting the power of cities in certain counties to detach territory from their limits; fixing the apportionment of tax receipts to certain cities after the annexation of territory by a city or the incorporation of an area as a city; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 671—An Act relating to local financial administration; extending the permitted length of maturity of short-term negotiable notes and bonds issued by a local government to finance a project for the benefit of elderly persons; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 672—An Act relating to Carson City; creating a charter committee; requiring candidates for the office of supervisor to be elected by ward in the primary election; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 673—An Act relating to employees of local governments; permitting a city to designate in its charter the proper officer to

negotiate collective bargaining agreements; amending the charter of the City of North Las Vegas to designate the city manager as that officer; and providing other matters properly relating thereto.

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

Motion carried.

Senate Bill No. 247.

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

Motion carried.

Senate Bill No. 262.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 294.

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

Motion carried.

Senate Bill No. 320.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 354.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

Senate Bill No. 355.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

Senate Bill No. 381.

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

Motion carried.

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

Assembly in recess at 11:46 a.m.

ASSEMBLY IN SESSION

At 11:56 a.m.

Mr. Speaker presiding.

Quorum present.

SECOND READING AND AMENDMENT

Assembly Bill No. 292.

Bill read second time.

The following amendment was proposed by the Committee on Taxation:

Amendment No. 459.

Amend section 1, page 1, line 2, by deleting: "2 and 3" and inserting: "2, 3 and 4".

Amend sec. 2, page 1, by deleting lines 8 and 9 and inserting: "*may assess the property based upon its taxable value in the year in which it was underassessed. He may then send an additional tax bill for an amount which represents the difference between the reported value and the taxable value for each year.*".

Amend sec. 2, page 2, by deleting line 2 and inserting: "*submitted an incorrect written statement or failed to submit a written statement required pursuant to subsection 1 of NRS 361.265, there*".

Amend sec. 3, page 2, line 16, by deleting "*years*" and inserting "*year*".

Amend the bill as a whole by renumbering sections 4 and 5 as sections 5 and 6 and adding a new section, designated sec. 4, following sec. 3, to read as follows:

"Sec. 4. *1. The county assessor of any county in which real property is located which is not on the secured roll shall assess the property and petition the appropriate board of equalization to place the property on the secured roll for the next tax year. The taxes for the current year and any prior year must be calculated and collected in the same manner as if the property had been assessed in those years and placed on the secured roll.*

2. The assessment may be made at any time within 3 years after the end of the fiscal year in which the taxes would have been due.

3. The petition must be made to the:

(a) County board of equalization if the assessment is made on or after July 1 but before January 15; or

(b) State board of equalization if the assessment is made on or after January 15 but before July 1.

4. The county assessor shall give notice of the assessment by certified letter to the owner of the property on or before the date on which the petition is filed pursuant to subsection 1. The notice must include:

(a) A description of the property;

(b) The years for which the taxes were not paid;

(c) The assessed valuation of the property for each of the years stated in paragraph (b); and

(d) A statement informing the property owner of his right to appeal the assessed valuation at a hearing of the appropriate board of equalization.".

Amend sec. 4, page 2, by deleting lines 35 through 38 and inserting: "assessor shall make an estimate of the value of the property and assess it accordingly. If the name of the absent owner is known to the county assessor, the property must be assessed in his name. If the name of the owner is unknown to the county assessor, the".

Amend sec. 5, page 3, line 13, by deleting: "real property is overlooked or" and inserting: "*newly constructed* real property is [overlooked or]".

Amend sec. 5, page 3, line 14, by deleting "any" and inserting: "[any] *the current tax*".

Amend sec. 5, page 3, by deleting lines 20 through 22 and inserting:

"2. An assessment may be made at any time [within 1 year after the time when the property would normally have been assessed on the real property roll, and the] *between July 1 and December 15.*".

Amend sec. 5, page 3, line 25, after "3." by inserting: "*Any taxes for property assessed pursuant to this section which become delinquent must be treated in the same manner as if the property had been placed on the secured roll.*

4.".

Amend the title of the bill, fifth line, after "report;" by inserting: "revising the provisions governing the assessment and taxation of real property;".

Amend the summary of the bill by deleting "personal".

Assemblyman Adler moved the adoption of the amendment.

Remarks by Assemblyman Adler.

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 Government Affairs:

Amendment No. 457.

Amend section 1, page 2, line 16, by deleting: "*the person nominated*" and inserting: "*selected from a list of two or more names submitted*".

Amend section 1, page 2, line 18, by deleting: "*the person nominated*" and inserting: "*selected from a list of two or more names submitted*".

Amend section 1, page 2, line 20, by deleting: "*the person nominated*" and inserting: "*selected from a list of two or more names submitted*".

Amend section 1, page 2, line 22, after "*list of*" by inserting: "*two or more*".

Amend section 1, page 2, line 25, after "*list of*" by inserting: "*two or more*".

Amend section 1, page 2, line 32, after "*list of*" by inserting: "*two or more*".

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. 406.

Bill read second time.

The following amendment was proposed by the Committee on Labor and Management:

Amendment No. 468.

Amend the bill as a whole by deleting sections 1 through 7 and inserting:

"Section 1. Chapter 616 of NRS is hereby amended by adding thereto the provisions set forth as sections 2, 3 and 4 of this act.

Sec. 2. *An owner of property who is not acting as a principal contractor may not be held liable for any payment, in excess of any remaining money retained by him to assure payments under this chapter, of costs relating to industrial insurance required to be paid by his principal contractor or any subcontractor, should the principal contractor or subcontractor default or otherwise be unable to pay for the required insurance.*

Sec. 3. *1. To determine his obligation to pay premiums for industrial insurance on behalf of his subcontractors and independent contractors and their employees, a principal contractor or owner of property acting as a principal contractor may request the system to:*

(a) Provide him with a statement certifying whether:

(1) Each of the subcontractors and independent contractors working in his project is insured by the system; and

(2) Each sole proprietor who is a subcontractor or independent contractor has elected coverage for himself under chapters 616 and 617 of NRS.

(b) During the course of the project, notify him whenever any of the subcontractors or independent contractors fail to pay premiums to the system or otherwise maintain industrial insurance.

2. Upon completion of the project, the principal contractor or owner may request the system to certify that each subcontractor or independent contractor who was previously reported by the system as having coverage for industrial insurance has maintained it by paying all premiums due throughout the entire course of the project. The system shall, within 60 days after receiving such a request, issue:

(a) A final certificate which states that each such subcontractor and independent contractor has paid in full all premiums due for the project and that the principal contractor or owner is relieved of all liability for payment of any additional premiums related to the particular project; or

(b) A letter denying the issuance of a final certificate related to the project. Such a letter may be issued if a subcontractor or independent contractor:

(1) Is delinquent in the payment of premiums due to the system on the project;

(2) Has left the state;

(3) Is uncooperative in the system's audit of his records;

(4) Is principally located out of state and an audit is required;

(5) Is delinquent in his submission to the system of his records relating to his payroll;

(6) Has closed his account with the system and premiums are due;

(7) Has failed to submit required information to the system;

(8) Is protesting the results of the system's audit;

(9) Elected not to insure himself with the system; or

(10) Has committed any other action which, in the opinion of the system, may result in his failure to pay all premiums due.

3. If the system does not issue a final certificate or letter denying the issuance of the certificate within 60 days after receiving a request therefor, a final certificate shall be deemed to have been issued.

Sec. 4. *Any person licensed pursuant to the provisions of chapter 645 of NRS who engages an independent contractor to maintain or repair property on behalf of an individual property owner or an association of property owners is not a statutory employer for the purposes of this chapter.*

Sec. 5. NRS 616.392 is hereby amended to read as follows:

616.392 1. Any party aggrieved by a *letter issued pursuant to section 3 of this act or a* written decision of an employee of the system relating to employers' accounts, including but not limited to matters concerning audits and the classification of risks, may appeal from the *letter or* decision by filing a notice of appeal with the manager within 30 days after the date of the *letter or* decision.

2. The decision of the manager is the final and binding administrative determination of an appeal relating to *the issuance of final certificates or* employers' accounts under this chapter, and the whole record consists of all evidence taken at the hearing before the manager and any findings of fact and conclusions of law based thereon.".

Amend the bill by deleting the text of the repealed sections.

Amend the title of the bill to read as follows:

"An Act relating to labor; limiting the liability of certain persons for indebtedness relating to industrial insurance; providing for the issuance of a final certificate relieving an owner or principal contractor of liability for certain premiums for industrial insurance; and providing other matters properly relating thereto.".

Assemblyman Gaston moved the adoption of the amendment.

Remarks by Assemblymen Gaston and Banner.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 448.

Bill read second time.

The following amendment was proposed by the Committee on Labor and Management:

Amendment No. 484.

Amend sec. 4, page 3, line 35, by deleting "*may:*" and inserting "*shall:*".

Amend sec. 6, page 4, line 19, by deleting "young" and inserting "[young]".

Amend sec. 6, page 4, line 28, by deleting: "[opportunities] for young" and inserting: "[opportunities for young] *for*".

Amend the title of the bill, second line, by deleting "authorizing" and inserting "requiring".

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. 488.

Bill read second time.

The following amendment was proposed by the Committee on Labor and Management:

Amendment No. 403.

Amend the bill as a whole by renumbering section 1 as sec. 3 and adding new sections designated sections 1 and 2, following the enacting clause, 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 insurer who pays compensation due to an employee who has a permanent physical impairment from any cause or origin and incurs a subsequent disability by injury arising out of and in the course of his employment which entitles him to compensation for disability that is substantially greater by reason of the combined effects of the preexisting impairment and the subsequent injury than that which would have resulted from the subsequent injury alone is entitled to be reimbursed from the subsequent injury fund if:

(a) The employee knowingly or willfully made a false representation as to his physical condition at the time he was hired by the employer;

(b) The employer relied upon the false representation and this reliance formed a substantial basis of the employment; and

(c) A causal connection existed between the false representation and the subsequent disability.

If the subsequent injury of the employee results in his death and it is determined that the death would not have occurred except for the preexisting permanent physical impairment, any compensation paid is entitled to be reimbursed from the subsequent injury fund.

2. An insurer shall notify the administrator of any possible claim against the subsequent injury fund pursuant to this section no later than 60 days after the date of the subsequent injury or the date the insurer learns of the employee's false representation, whichever is later.

Sec. 2. NRS 616.4261 is hereby amended to read as follows:

616.4261 1. There is hereby established in the state treasury the subsequent injury fund which may be used only [for the purpose of making] *to make* payments in accordance with the provisions of NRS 616.427 [.] *and section 1 of this act.* The administrator of the division of industrial insurance regulation shall administer the fund.

2. All assessments, penalties, bonds, securities and all other properties received, collected or acquired by the administrator for the subsequent injury fund must be delivered to the custody of the state treasurer.

3. All money and securities in the fund must be held in trust by the state treasurer as custodian thereof to be used solely for workers' compensation.

4. The state treasurer may disburse money from the fund only upon written order of the state controller.

5. The state treasurer shall invest money of the fund in the same manner and in the same securities in which he is authorized to invest state general funds which are in his custody. Income realized from the investment of the assets of the fund must be credited to the fund.

6. The director must adopt regulations for the establishment and administration of assessment rates, payments and penalties. Assessment rates must reflect the relative hazard of the employments covered by the insurers, and must be based upon expected annual expenditures for claims.

7. The commissioner of insurance shall assign an actuary to review the establishment of assessment rates. The rates must be filed with the commissioner of insurance 30 days before their effective date. Any insurer who wishes to appeal the rate so filed must do so pursuant to NRS 679B.310.".

Amend section 1, page 1, by deleting line 2, and inserting:

"616.427 *Except as otherwise provided in section 1 of this act:*

1. If an employee who has a permanent physical impairment".

Amend section 1, pages 1 and 2, by deleting lines 7 through 16 on page 1 and lines 1 and 2 on page 2 and inserting: "would have resulted from the subsequent injury alone, the compensation due must be fairly allocated between the insurer and the subsequent injury fund in accordance with regulations adopted by the administrator.

2. If the subsequent injury of such an employee results in his death and it is determined that the death would not have occurred except for the preexisting permanent physical impairment, the compensation due must be fairly allocated between the insurer and the subsequent injury fund in accordance with regulations adopted by the administrator.".

Amend section 1, page 2, by deleting lines 16 through 19 and inserting: "time that the employee was hired [, at the time] *or that* the employee was retained in employment after the employer acquired such knowledge . [or that the employee failed to report or denied the impairment on any written application which formed the basis of the employment.]".

Amend the title of the bill, first line, by deleting: "establishing the percentage of a claim" and inserting: "revising the provisions authorizing claims".

Amend the summary of the bill by deleting: "Establishes percentage of claim" and inserting: "Revises provisions relating to claims".

Assemblyman Banner moved the adoption of the amendment.

Remarks by Assemblyman Banner.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 220.

Bill read second time and ordered to third reading.

Senate Bill No. 225.

Bill read second time and ordered to third reading.

Assembly Bill No. 208.

Bill read second time.

The following amendment was proposed by the Committee on Taxation:

Amendment No. 418.

Amend sec. 4, page 5, by deleting lines 22 through 33 and inserting:

"*2. Any tax exemption granted pursuant to this chapter for real property which is transferred to a new owner before June 15, or any other date designated for this purpose by the board of county commissioners, must be reviewed and, if appropriate, adjusted or removed from the tax roll for the next succeeding fiscal year.*".

Amend sec. 5, page 5, line 35, after "361.229" by inserting "*1.*".

Amend sec. 5, page 5, by deleting line 37 and inserting: "addition is made or".

Amend sec. 5, page 6, line 2, by deleting "The" and inserting: "[The] *2. Except as otherwise provided in subsection 3, the*".

Amend sec. 5, page 6, by inserting after line 5:

"*3. The amount of the reduction for additions which increase the floor area of the improvement may be calculated by multiplying the prior actual age of the improvement by the ratio of the number of square feet of additional floor area to the total number of square feet of the improvement including the addition.*".

Amend the bill as a whole by renumbering sections 6 through 8 as sections 7 through 9 and adding a new section designated sec. 6, following sec. 5, to read as follows:

"Sec. 6. NRS 361.244 is hereby amended to read as follows:

361.244 1. A mobile home, as defined in NRS 361.561, is eligible to become real property if the running gear is removed and:

(a) It becomes, on or after July 1, 1979, permanently affixed to land which is owned by the owner of the mobile home; or

(b) It became so affixed before July 1, 1979, and the owner files with the county assessor by May 1, 1980, a statement declaring his desire to have the mobile home classified as real property.

2. A mobile home becomes real property when the assessor of the county in which the mobile home is located has placed it on the tax roll as real property. That assessor shall not place a mobile home on the tax roll until:

(a) He has received verification from the manufactured housing division of the department of commerce that there is no security interest in the mobile home or the holders of security interests have agreed in writing to the conversion of the mobile home to real property;

(b) An affidavit of conversion of the mobile home from personal to real property has been recorded in the county recorder's office of the county in which the mobile home is located; and

(c) The dealer or owner has delivered to the division a copy of the recorded affidavit of conversion and all documents relating to the mobile home in its former condition as personal property.

3. Factory-built housing, as defined in NRS 461.080, constitutes real property if:

(a) It becomes, on or after July 1, 1979, permanently affixed to land which is owned by the owner of the factory-built housing; or

(b) It became so affixed before July 1, 1979, and the owner files with the county assessor by May 1, 1980, a statement declaring his desire to have the factory-built housing classified as real property.

4. For the purposes of this section, "land which is owned" includes land for which the owner has a possessory interest resulting from a life estate, lease or contract for sale.".

Amend sec. 6, page 6, by deleting lines 21 through 25 and inserting:

"2. In arriving at the taxable value of all public utilities of an intra-county".

Amend sec. 6, page 6, line 28, by deleting "[3.] *4.*" and inserting "3.".

Amend sec. 6, page 6, line 41, by deleting "[4.] *5.*" and inserting "4.".

Amend sec. 7, page 7, by deleting line 17 and inserting: "*approved by the board of county commissioners.*".

Amend sec. 8, page 7, line 24, by deleting "[assessed or]" and inserting: "[assessed] *deferred* or".

Amend the title of the bill by deleting the third and fourth lines and inserting: "to an owner who is not exempt; revising the provisions relating to the classification of mobile homes and factory-built housing as real property; providing for the processing of".

Assemblyman Spriggs moved the adoption of the amendment.

Remarks by Assemblyman Spriggs.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Government Affairs:

Assembly Bill No. 674—An Act relating to cities; authorizing the reading of ordinances proposed by certain cities by title only in lieu of reading in full before final passage; and providing other matters properly relating thereto.

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

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 290.

Bill read third time.

The following amendment was proposed by the Committee on Taxation:

Amendment No. 458.

Amend sec. 7, pages 2 and 3, by deleting lines 38 through 41 on page 2 and line 1 on page 3 and inserting:

"(b) The improvements on such land which support accepted agricultural practices except any [structures] *structure* or any portion of a structure used primarily as a human dwelling.

2. The term does not [apply to any] *include:*

(a) Any land actually covered by a structure used primarily as a human dwelling or necessary to support any such residential use.

(b) Any land with respect to which the owner has''.

Amend sec. 7, page 3, line 7, by deleting ''2.'' and inserting ''[2.] *3.*''.

Amend sec. 8, page 3, by deleting lines 13 through 22 and inserting:

''(a) Land devoted exclusively for at least 3 consecutive years immediately preceding the assessment date to:

(1) Agricultural use; or

(2) Activities which prepare the land for agricultural use.

(b) *Land leased by the owner to another person for agricultural use and composed of any lot or parcel which is:*

(1) Larger than 7 acres; or

(2) Contiguous to other agricultural real property owned by the lessee.

(c) The improvements on such land which support accepted agricultural practices except any structure or any portion of a structure used primarily as a human dwelling.

2. The term does not include:

(a) Any land actually covered by a structure used primarily as a human dwelling or necessary to support any such residential use.

(b) Any land with respect to which the owner has granted and''.

Amend sec. 8, page 3, line 28, 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.

Assembly Bill No. 318.

Bill read third time.

Remarks by Assemblyman Tebbs.

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, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 536.

Bill read third time.

Remarks by Assemblyman Thompson.

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. 69.

Bill read third time.

Remarks by Assemblyman Humke.

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.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Arberry moved that Assembly Bill No. 151 be taken from the Chief Clerk's desk and placed on the Second Reading File.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 151.

Bill read second time.

The following amendment was proposed by the Committee on Health and Welfare:

Amendment No. 453.

Amend the bill as a whole by renumbering section 1 as sec. 3 and adding new sections designated sections 1 and 2, following the enacting clause, to read as follows:

"Section 1. NRS 244.018 is hereby amended to read as follows:

244.018 *1.* If new or changed county commissioner election districts must be established because of changes in population or applicable law, the board of county commissioners shall establish those districts by ordinance and provide for the election from specified districts of the proper numbers of county commissioners for 4-year and 2-year terms respectively so that the numbers of county commissioners to be elected at each general election thereafter will be as nearly equal as possible. If at the time a general election is to be conducted for the election of county commissioners from new districts there is incumbent any county commissioner, elected at large or from a validly established election district, whose term extends beyond the 1st Monday of January of the following year, he is entitled to serve out his term and shall be deemed to represent the new district in which he resides.

2. The board of county commissioners may change the boundaries of the election districts if, based on reliable information, the board determines that the population in any district exceeds by more than 5 percent the population in any other district.

Sec. 2. NRS 244.284 is hereby amended to read as follows:

244.284 1. In addition to the powers conferred by NRS 450.500, the board of county commissioners may *grant or* lease any of the real property of the county , [for a term not exceeding 30 years,] if such real property is not needed for the public purposes of the county and is *granted or* let to or for any nonprofit charitable or civic organization, and the property is actually used for charitable or civic purposes.

2. A *grant or* lease pursuant to this section may be made on such terms and conditions as seem proper to the board of county commissioners [.] , *except that the term of any such lease may not exceed 30 years.*".

Amend section 1, page 1, by deleting lines 4 and 5 and inserting: "may [enact an ordinance requiring all dog] *by ordinance require all* owners *of animals* to procure inoculation of their [dogs] *animals* against rabies.".

Amend section 1, page 1, by deleting line 9 and inserting:

"(a) Every [dog] owner shall, after his [dog] *animal* attains the age of [4] *3* months".

Amend section 1, page 1, line 11, by deleting "dog" and inserting "[dog] *animal*".

Amend section 1, page 1, line 12, by deleting "a canine" and inserting: "[a canine] *an*".

Amend section 1, page 1, line 14, by deleting: "dogs under [4]" and inserting: "[dogs under 4] *animals under*".

Amend section 1, page 1, line 16, by deleting "dog;" and inserting "[dog;] *animal;*".

Amend section 1, page 2, line 3, by deleting "dog" and inserting "[dog] *animal*".

Amend the bill as a whole by adding a new section designated sec. 4, following section 1, to read as follows:

"Sec. 4. NRS 244.359 is hereby amended to read as follows:

244.359 1. Each board of county commissioners may [enact and enforce an ordinance or ordinances:

(a) Fixing, imposing and collecting] *by ordinance:*

(a) Fix, impose and collect an annual license fee on [dogs and providing] *animals and provide* for the capture and disposal of all [dogs] *animals* on which the license fee is not paid.

(b) [Regulating or prohibiting] *Regulate or prohibit* the running at large and disposal of all kinds of animals.

(c) [Establishing a pound, appointing a poundkeeper and prescribing his duties.

(d) Prohibiting] *Establish, operate and maintain an animal shelter.*

(d) Prohibit cruelty to animals.

(e) Provide programs for the prevention of diseases of animals.

2. Any ordinance [or ordinances] enacted pursuant to [the provisions of paragraphs (a) and (b)] *paragraph (a), (b) or (e)* of subsection 1 may apply throughout an entire county or govern only a limited area within the county . [which shall] *Any such limitation must* be specified in the ordinance . [or ordinances.]".

Amend the title of the bill to read as follows:

"An Act relating to counties; authorizing the revision of boundaries of county commissioner election districts under certain circumstances; authorizing the granting of county property under certain circumstances; expanding the provisions requiring the inoculation of animals against rabies; authorizing the operation of animal shelters and certain programs; and providing other matters properly relating thereto.".

Amend the summary of the bill to read as follows: "Makes various changes regarding counties. (BDR 20-543)".

Assemblyman Arberry moved the adoption of the amendment.

Remarks by Assemblymen Arberry, DuBois, Bergevin, Swain and Myrna Williams.

Assemblyman Bergevin moved that Assembly Bill No. 151 be taken from the Second Reading File and placed on the Chief Clerk's desk.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Judiciary, to which were referred Assembly Bills Nos. 413, 556, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ROBERT M. SADER, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which was re-referred Assembly Bill No. 560, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ROBERT M. SADER, *Chairman*

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Judiciary:

Assembly Bill No. 675—An Act relating to juvenile courts; allowing the district attorney to disclose to the victim of an act committed by a child the disposition of the case; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 676—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.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 677—An Act relating to mentally ill persons; authorizing the district court to order the sealing of records relating to a person admitted to a public or private mental health facility or hospital; establishing the procedure to be followed in such cases; and providing other matters properly relating thereto.

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

Motion carried.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bills Nos. 63, 98; Senate Bills Nos. 53, 110.

REMARKS FROM THE FLOOR

Assemblyman Nevin requested that Assemblyman Porter's remarks be entered in the Journal.

Thank you, Mr. Speaker. It is my pleasure to introduce to you and to this body today a woman who has had basically two careers in her life. The first began as that of a mother and homemaker—which seems to be a real dying art these days—and she was saddled with the task of raising three very fiercely independent and sometimes problem children. At the age of 43, like a lot of other women in today's time, she found herself facing a bitter separation. Faced with nothing but a high school diploma she tried to enter the marketplace to find adequate employment for herself. Finding none at that age she went back to school and put herself through nursing school where she now serves in the capacity of being in charge of the neonatal intensive care unit at Erlanger Hospital in Chattanooga, Tennessee.

I thought there was some point in time when she deserved some sort of award, so, with the help of my distinguished colleague from Reno, Mr. Nevin, I was able to make a little plaque which has a license plate in it and a little inscription at the bottom that says, "To my mother, with love and appreciation for thirty long years. Gene Porter, Nevada State Assembly, April 1987."

Mr. Speaker, my mother Connie Porter.

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 Mss. Bea Fabri, Evelyn Pederson, Marie Johnson, Florence Bucknam, Jayne Sceirine and Jeanne Dini.

On request of Assemblyman Banner, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Sue Worts and Mr. Robert Worts.

On request of Assemblyman Getto, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Ralph Baker, Ron Kwiek, Darrell Craig and Ms. Sandy NaPombejta.

On request of Assemblyman Marvel, the privilege of the floor of the Assembly Chamber for this day was extended to Sheriff Jim Bagwell.

On request of Assemblyman Porter, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Connie Porter.

On request of Assemblyman Schofield, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Billie Lee Schofield.

On request of Assemblyman Swain, the privilege of the floor of the Assembly Chamber for this day was extended to Mss. Peggy Gann, Jan Polk and the students of Cambridge School: Kelly Peters, Christy Cupit, Shannon Polk, Russell Fisher, Jason Sturgis, Tammy Cho, Theresa Cho, Dora Bryant, Josh Gerber, Erin Hogan, Jerry Williams, Leah Sturgis and Bill Lentz.

Assemblyman Jeffrey moved that the Assembly adjourn until Tuesday, April 28, 1987 at 11 a.m.

Motion carried.

Assembly adjourned at 12:27 p.m.

Approved: JOSEPH E. DINI, JR.
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE ONE HUNDREDTH DAY

CARSON CITY (Tuesday), April 28, 1987

Assembly called to order at 11:07 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, The Reverend Doctor Terry W. Arnold.

The Bible says, "The law of the Lord is perfect, restoring the soul (Psalm 19:7)." Let us pray. Our Heavenly Father, help us pattern our state's laws after Your perfect ones. I pray in the name of our Lord and Saviour. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Jeffrey moved that further reading of the Journal be dispensed with, and the Speaker and Chief Clerk be authorized to make the necessary corrections and additions.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Transportation, to which were referred Assembly Bills Nos. 118, 450, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

LEONARD V. NEVIN, *Chairman*

Mr. Speaker:

Your Committee on Legislative Functions, to which was referred Assembly Concurrent Resolution No. 21, has had the same under consideration, and begs leave to report the same back with the recommendation: Be adopted.

MYRNA WILLIAMS, *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.

MYRNA WILLIAMS, *Chairman*

Mr. Speaker:

Your Committee on Taxation, to which was re-referred Assembly Bill No. 311, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

PAUL W. MAY, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which were referred Assembly Bills Nos. 270, 558; Senate Bill No. 190, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ROBERT M. SADER, *Chairman*

Mr. Speaker:

Your Committee on 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: Do pass.

ROBERT M. SADER, *Chairman*

Mr. Speaker:

Your Committee on Taxation, to which was referred Assembly 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.

PAUL W. MAY, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, April 27, 1987

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 243, 355, 363, 462, 463.

Also, I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bills Nos. 137, 303, 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. 45.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Bills Nos. 8, 10, 12, 365.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 9, 15, 194.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen Sedway, Dini, Spinello and Arberry:

Assembly Concurrent Resolution No. 46—Directing the Department of Conservation and Natural Resources to transfer money to continue the project for the construction of a dam on the South Fork of the Humboldt River.

Assemblyman Sedway moved that the resolution be referred to the Committee on Ways and Means.

Motion carried.

By Assemblymen Thompson, Bergevin, Garner, McGaughey, Freeman, Brookman, Kerns, Lambert, May, Adler, Banner, Craddock and Nevin:

Assembly Concurrent Resolution No. 47—Directing the Legislative Commission to conduct an interim study of the fiscal effects upon counties of the incorporation of cities under general law.

Assemblyman Thompson moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

Assembly Concurrent Resolution No. 21.

Assemblyman DuBois moved the adoption of the resolution.

Remarks by Assemblymen DuBois and Price.

Resolution adopted.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen McGaughey, Schofield, Bergevin, Dini, Jeffrey, Price, DuBois, Getto, Spinello, Wendell Williams, Porter, Triggs, May, Banner, Marvel, Thompson, Kerns, Humke, Freeman, Adler, Spriggs, Lambert, Garner, Kissam, Brookman, Myrna Williams, Nevin, Callister, Nicholas, Gaston, Haller, Swain, Carpenter, Tebbs, Wisdom, Sader, Sedway, Arberry, Fay, Evans and Craddock:

Assembly Bill No. 678—An Act relating to governmental affairs; creating a governor's blue ribbon commission on the legislative process; providing for its organization and duties; and providing other matters properly relating thereto.

Assemblyman McGaughey moved that the bill be referred to the Concurrent Committees on Legislative Functions and Ways and Means.

Motion carried.

By Assemblymen Sedway and Dini:

Assembly Bill No. 679—An Act relating to public works; requiring the state public works board to let a single contract on certain projects for the department of prisons; exempting that contract from certain competitive bidding requirements; and providing other matters properly relating thereto.

Assemblyman Sedway moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 680—An Act relating to gaming; revising the procedure for the resolution of a dispute concerning a gaming debt incurred as a result of a malfunction of a gaming device or associated equipment; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 681—An Act relating to aid to certain victims of crime; authorizing compensation of any person who pays the funeral expenses of a victim of crime; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Spriggs, Thomas, Carpenter, Nicholas, Callister, Porter, Tebbs, Getto, Nevin, Bergevin, Dini, Lambert, Kerns, Marvel, Humke, Sedway, Arberry and Garner:

Assembly Bill No. 682—An Act relating to hazardous materials; requiring part of the proceeds from the state surcharge on low-level radioactive waste disposed of at the state-owned area for disposal to be distributed to the county in which the area is located; and providing other matters properly relating thereto.

Assemblyman Spriggs moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By Assemblymen Sedway, Myrna Williams, Sader, Banner, Garner, Carpenter, Bergevin, Spinello, Arberry, Swain, Callister, DuBois, Humke, Spriggs, Dini, Price, Evans, Thompson, Adler, Craddock, Haller, Triggs, Schofield, Fay, Tebbs and Marvel:

Assembly Bill No. 683—An Act relating to public schools; requiring administrators of schools to teach one class per year; and providing other matters properly relating thereto.

Assemblyman Sedway moved that the bill be referred to the Committee on Education.

Motion carried.

Senate Bill No. 8.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

Senate Bill No. 9.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

Senate Bill No. 10.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

Senate Bill No. 12.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

Senate Bill No. 15.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

Senate Bill No. 194.

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

Motion carried.

Senate Bill No. 365.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 91.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 298.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 442.

Amend section 1, pages 1 and 2, by deleting lines 3 through 14 on page 1 and lines 1 through 27 on page 2 and inserting:

"*Each owner of a mobile home park shall submit an annual report to the commission. The report must contain detailed information on the collections and expenditures of the owner's account for service charges for utilities, information necessary to determine compliance with NRS 704.940, details of any changes in ownership during the period covered by the report and such other information as the commission deems necessary to determine whether the owner has complied with the provisions of this chapter which apply to mobile home parks. The commission shall by regulation provide for the annual filing of the reports.*".

Amend sec. 2, page 2, line 31, after "public" by inserting "*and municipal*".

Amend sec. 3, page 3, by deleting lines 31 and 32 and inserting:

"*6. The commission may at any time examine all books and records which relate to the landlord's purchase of or billing for a service provided by a utility if he is charging the tenants of the mobile home park for that service.*".

Amend sec. 4, page 4, line 9, after the period, by inserting: "*For the purposes of compelling compliance by the landlord, the commission may use such methods as are available for the commission to compel the compliance of a public utility.*".

Amend the bill as a whole by deleting sections 5 and 6.

Amend the title of the bill by deleting the second through fourth lines and inserting: "check and compel compliance with statutes relating to the provision of utilities; requiring the submission of certain reports by landlords;".

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. 321.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 370.

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 Judiciary:

Amendment No. 326.

Amend section 1, page 1, line 6, after "person" by inserting: "*punishable as a felony or gross misdemeanor*".

Amend section 1, page 1, by deleting lines 8 through 10 and inserting:

"2. The crime is that of selling a controlled substance [as defined in] , *trafficking of a controlled substance, possessing a controlled substance for the purpose of sale, or conspiracy to sell, traffic or possess for the purpose of sale a controlled substance in violation of* chapter 453 of NRS;".

Amend section 1, page 2, by deleting lines 4 and 5 and inserting: "of a crime [of violence or of selling a controlled substance as defined in chapter 453 of NRS,] *described in subsection 1 or 2, a similar crime in violation of the laws of another state,* or of two or".

Amend section 1, page 2, by deleting line 11 and inserting "or".

Amend section 1, page 2, by deleting line 15 and inserting "*years.*".

Amend section 1, page 2, by deleting lines 16 through 18.

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. 556.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 409.

Amend section 1, page 1, by deleting lines 2 through 6 and inserting: "4.010 [No]

1. A person who is not a qualified elector [shall be] *is not* eligible to the office of justice of the peace.

2. A justice of the peace in a township whose population is 250,000 or more must be an attorney who is licensed and admitted to practice law in the courts of this state. A justice of the peace in a township whose population is less than 250,000 must have a high school diploma.

3. Subsection 2 does not apply to any person who held the office of justice of the peace on June 30, 1987.".

Amend sec. 3, page 2, by deleting lines 10 through 12 and inserting:

"Sec. 3. 1. Section 1 of this act becomes effective on:

(a) July 1, 1987, for the purposes of the appointment of any justice of the peace to fill a vacancy.

(b) January 1, 1988, for the purposes of nominating and electing justices of the peace to terms which begin on January 2, 1989.

(c) January 2, 1989, for all other purposes.

2. This section and section 2 of this act become effective on July 1, 1987.".

Amend the title of the bill, first and second lines, by deleting "a justice of the peace to have a high school diploma or its equivalent;" and inserting: "justices in larger counties to be attorneys at law; requiring justices in smaller counties to have a high school diploma;".

Assemblyman Gaston moved the adoption of the amendment.

Remarks by Assemblymen Gaston, Nicholas, Swain, Banner, Schofield, Callister, Price, Getto, Fay and Freeman.

Assemblyman Swain moved that Assembly Bill No. 556 be taken from the Second Reading File and placed on the Chief Clerk's desk.

Remarks by Assemblymen Myrna Williams and Thomas.

Assemblyman Swain withdrew her motion.

Remarks by Assemblymen Swain, Carpenter and Myrna Williams.

Assemblymen Thompson, Haller and Nicholas moved the previous question.

Motion carried.

The question being on the motion to adopt Amendment No. 409 to Assembly Bill No. 556.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 560.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 460.

Amend section 1, page 1, line 9, by deleting "*10 years*" and inserting: "*10 consecutive years on parole*".

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. 55.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 293.

Amend the bill as a whole by adding a new section designated sec. 2, following section 1, to read as follows:

"Sec. 2. The amendatory provisions of this act do not apply until July 1, 1991, to a county which on and before January 1, 1987, was using the interest earned on the proceeds of the tax for purposes other than for the support of the public schools within the county school district.".

Assemblyman Kerns moved the adoption of the amendment.

Remarks by Assemblyman Kerns.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 197.
Bill read second time and ordered to third reading.

Senate Bill No. 219.
Bill read second time and ordered to third reading.

Senate Bill No. 271.
Bill read second time and ordered to third reading.

Senate Bill No. 323.
Bill read second time and ordered to third reading.

Senate Joint Resolution No. 17 of the 63rd Session.
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. 29, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ROBERT M. SADER, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Education, to which was referred Assembly Bill No. 164, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and return to the Concurrent Committee on Education.

ROBERT G. CRADDOCK, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen Jeffrey, Schofield, Tebbs, Triggs, Porter, Gaston, Arberry, Garner, Callister, Wendell Williams, Thompson, Brookman, Fay, Myrna Williams, McGaughey, Nicholas, Lambert, Getto, Craddock, Bergevin, Adler, Marvel, Kerns, DuBois, Nevin, Thomas, Wisdom, Dini, Freeman, Spriggs, Banner, Carpenter, Spinello, Sedway, Sader, Kissam, Haller, Humke, Evans and Price:

Assembly Concurrent Resolution No. 48—Directing all state agencies to cooperate with efforts to develop the Lagoon at Laughlin.

Assemblyman Jeffrey moved that the resolution be referred to the Committee on Natural Resources, Agriculture and Mining.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Callister, Tebbs, Brookman, Price, May, Sedway, Thompson, Kissam, Myrna Williams, Spinello, Wisdom, Porter, Nevin, Jeffrey, Bergevin, Fay, Arberry, Haller, Nicholas, Sader, Humke, Evans, DuBois, Spriggs, Adler, Swain, Freeman, Schofield, Getto, Lambert, Triggs, Wendell Williams and Garner:

Assembly Bill No. 684—An Act relating to education; requiring that half of the proceeds of the estate tax be distributed to the county school districts and used to reduce the size of classes in lower grades; and providing other matters properly relating thereto.

Assemblyman Callister moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By Assemblymen Jeffrey, Banner, Thompson, Sedway, Kerns, Porter, Wisdom and Fay:

Assembly Bill No. 685—An Act relating to occupational diseases; designating diseases related to asbestos as occupational diseases; providing for the determination and payment of benefits for those diseases; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 278.

Bill read third time.

Remarks by Assemblyman Porter.

Roll call on Assembly Bill No. 278:

YEAS—42.

NAYS—None.

Assembly Bill No. 278 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Joint Resolution No. 1.

Resolution read third time.

Remarks by Assemblymen Haller, Sedway, Carpenter, Arberry, Sader, Thomas, Jeffrey, Price, Getto, Fay, Craddock, Brookman and DuBois.

Assemblymen Nevin, Bergevin and Thompson moved the previous question.

Motion carried.

The question being on the passage of Assembly Joint Resolution No. 1.

Roll call on Assembly Joint Resolution No. 1:

YEAS—30.

NAYS—Arberry, Banner, Carpenter, DuBois, Fay, Garner, Jeffrey, Kissam, May, Sedway, Tebbs, Wisdom—12.

Assembly Joint Resolution No. 1 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Resolution ordered transmitted to the Senate.

Senate Bill No. 220.

Bill read third time.

Remarks by Assemblyman Freeman.

Roll call on Senate Bill No. 220:

YEAS—42.

NAYS—None.

Senate Bill No. 220 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 225.

Bill read third time.

Remarks by Assemblyman May.

Roll call on Senate Bill No. 225:

YEAS—42.

NAYS—None.

Senate Bill No. 225 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. 116; Senate Bill No. 99; Assembly Concurrent Resolution No. 44.

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 Mss. Lynda Chism, Letty Lawson, Messrs. Russ Colletta, Lou Micheo and the students of Smith Valley School: Matt Bryant, Rubea Contreras, Dawn Gionocchinni, Hansel Klausner, Tom Manford, Tara McAllister, Mike McGuire, Letty Pineda, Lena Schwake, Ed Shramek, Chas Weatherford, Jamie Golden, Juvenal Pineda, Frank Ruiz, Savino Palomarez, Konrad Schroder, Mary Jo Botelho, Blanca Londono, Maricela Pineda, Tracy Cook, Roxane Katelnikoff and Ginger Weatherford.

On request of Assemblyman Nevin, the privilege of the floor of the Assembly Chamber for this day was extended to Judge Fidel Salcedo.

On request of Assemblyman Nicholas, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Armen Anooshian, Gil Potter, Neil Brooks, Bob Gilbert, Randy Fruzza, Bill McGee, Andrew Jezycki, Carlton Konarske, David Strongin, Dan Sparks, Jim Nadeau, Jim King, Pete Worden, Bob Hanley, D. G. Menchetti, Jerry Stewart, Jerry Gotzmer, Allen Childers, Ben Solomon, Dale Baker and Dr. Sutton.

On request of Assemblyman Porter, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Connie Porter.

Assemblyman Jeffrey moved that the Assembly adjourn until Wednesday, April 29, 1987 at 11 a.m.

Motion carried.

Assembly adjourned at 12:27 p.m.

Approved: JOSEPH E. DINI, JR.
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE ONE HUNDRED AND FIRST DAY

CARSON CITY (Wednesday), April 29, 1987

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

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, The Reverend Doctor Terry Arnold.

The Psalmist once said, "The nearness of God is my good (Psalm 73:28)." Let us pray. Our Heavenly Father, let us experience and enjoy Your presence today. In the name of our Lord and Saviour we pray. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Jeffrey moved that further reading of the Journal be dispensed with, and the Speaker and Chief Clerk be authorized to make the necessary corrections and additions.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Taxation, to which was referred Senate Bill No. 144, 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.

PAUL W. MAY, *Chairman*

Mr. Speaker:

Your Committee on Elections, to which was referred Assembly Bill No. 266, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

COURTENAY C. SWAIN, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which were referred Senate Bills Nos. 150, 249, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

MARVIN M. SEDWAY, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Assembly Bill No. 577, 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.

DANNY L. THOMPSON, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which were referred Assembly Bill No. 139; Senate 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.

DANNY L. THOMPSON, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman May moved that Senate Bill No. 144 be re-referred to the Committee on Judiciary.

Motion carried.

Assemblyman Thompson moved that Assembly Bill No. 577 be re-referred to the Committee on Health and Welfare.

Motion carried.

Assemblyman Thompson moved that Senate Bill No. 422 be placed at the top of the Second Reading File.

Remarks by Assemblyman Thompson.

Motion carried.

Assemblyman Jeffrey moved that Assembly Bill No. 91 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Jeffrey.

Motion carried.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, April 28, 1987

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. 199 and requests a conference, and appointed Senators Wagner, Gibson and Joerg 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. 2, 77.

MARY JO MONGELLI
Assistant Secretary of the Senate

Assemblyman Jeffrey moved that the Assembly recess until 11:19 a.m.

Motion carried.

Assembly in recess at 11:14 a.m.

ASSEMBLY IN SESSION

At 11:30 a.m.

Mr. Speaker presiding.

Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Senate Joint Resolution No. 17 of the 63rd Session be taken from the General File and placed on the Chief Clerk's desk.

Motion carried.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 137.

The following Senate amendment was read:

Amendment No. 432.

Amend section 1, page 1, line 3, by deleting "$16,973,766" and inserting "$15,873,766".

Assemblyman Sedway moved that the Assembly concur in the Senate amendment to Assembly Bill No. 137.

Remarks by Assemblyman Sedway.

Motion carried.

Bill ordered enrolled.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, April 29, 1987

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. 24.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Senate Concurrent Resolution No. 24.

Assemblyman Schofield moved the adoption of the resolution.

Remarks by Assemblymen Schofield and Bergevin.

Assemblyman Jeffrey requested that the following remarks be entered in the Journal.

ASSEMBLYMAN SCHOFIELD:

Thank you, Mr. Speaker. I've known Governor Russell for some years, but I wasn't serving in this body at the time he was Governor.

It isn't often we have an opportunity to be able to honor a person such as Governor Russell, who has left his mark on the historical part of the State of Nevada. He has dedicated his life to Nevada and the citizens of Nevada, and it is certainly an honor and a privilege to have Governor Russell and his lovely wife, Marjorie, at my desk. I feel very honored, Governor.

ASSEMBLYMAN BERGEVIN:

Thank you, Mr. Speaker. I have known Governor Russell and his wife, Marjorie, for a good number of years and have been closely associated with them inasmuch as my daughter is married to Charles' youngest son.

I think the resolution said all there is to say about Governor Russell.

I would like to introduce the members of his family who are here today: his oldest son, Clark, and his wife, Jean; a twin brother, David; and Todd Russell, his youngest son, and his wife, Jeanne.

Resolution adopted unanimously.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Health and Welfare:

Assembly Bill No. 686—An Act making an appropriation to Lander County for the establishment of a pilot program to use Lumatelecom Units for communication between medical personnel and patients in rural Lander County; and providing other matters properly relating thereto.

Assemblyman Arberry moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

By the Committee on Transportation:

Assembly Bill No. 687—An Act relating to motor carriers; increasing the fee for an identifying device; and providing other matters properly relating thereto.

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

Motion carried.

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

Assembly in recess at 11:40 a.m.

ASSEMBLY IN SESSION

At 11:41 a.m.

Mr. Speaker pro Tempore presiding.

Quorum present.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Transportation:

Assembly Bill No. 688—An Act relating to vehicles; requiring the registration and regulation of certain vehicles intended for operation off of a highway; providing a penalty; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 689—An Act relating to sheriffs; restricting the power of sheriffs to remove certain deputies; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 690—An Act relating to counties; authorizing a county to issue taxable bonds to finance projects for the generation and transmission of electricity; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 691—An Act relating to municipal courts; authorizing the city council to increase or decrease the salary of a municipal judge if the charter of the city so provides; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Commerce:

Assembly Bill No. 692—An Act relating to television; restricting the unauthorized reception of television signals transmitted by satellite; providing penalties; authorizing a civil action against a violator; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Concurrent Committees on Commerce and Judiciary.

Motion carried.

By the Committee on Commerce:

Assembly Bill No. 693—An Act relating to surplus lines insurance; specifying the amount of the commission a surplus lines broker may receive for the placement of coverage; revising the provision relating to the affidavit required of a broker; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

By the Committee on Commerce:

Assembly Bill No. 694—An Act relating to pharmacists and pharmacy; providing for the regulation of pharmacies operated in conjunction with certain facilities which provide health care; changing the statutory name of pharmacies which are operated in correctional institutions; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

By the Committee on Commerce:

Assembly Bill No. 695—An Act relating to pharmacists; making various changes relating to pharmacists and drugs; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

By the Committee on Commerce:

Assembly Bill No. 696—An Act relating to assistance to finance housing; establishing a trust fund for rents for families of low income; authorizing the housing division of the department of commerce to establish a program to provide assistance for paying the rents of certain families of low income; requiring the interest earned on certain escrow accounts to be deposited in the trust fund for rents for families of low income; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

By the Committee on Taxation:

Assembly Bill No. 697—An Act relating to taxation; revising the distribution of certain taxes paid in connection with the construction of facilities for the generation of electricity; and providing other matters properly relating thereto.

Assemblyman May moved that the bill be referred to the Committee on Taxation.

Motion carried.

By the Committee on Taxation:

Assembly Bill No. 698—An Act relating to local financial administration; exempting fire protection districts from the limitations on revenue from taxes ad valorem; excluding such districts from the distribution of supplemental city-county relief tax; and providing other matters properly relating thereto.

Assemblyman May moved that the bill be referred to the Committee on Taxation.

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 699—An Act relating to public employment; authorizing collective bargaining for employees of the Nevada highway patrol; providing penalties; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Arberry, Wendell Williams, Banner and Garner:

Assembly Bill No. 700—An Act relating to unemployment; requiring the employment security department to establish a program for occupational training of certain unemployed persons; making an appropriation; and providing other matters properly relating thereto.

Assemblyman Arberry moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Concurrent Committee on Education, to which was referred Assembly Bill No. 586, 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 Education.

ROBERT G. CRADDOCK, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen Arberry and Wendell Williams:

Assembly Concurrent Resolution No. 49—Directing the Clark County School District to hire an independent firm to conduct a study of the 6th grade centers.

Assemblyman Arberry moved that the resolution be referred to the Committee on Education.

Motion carried.

UNFINISHED BUSINESS

REPORTS OF CONFERENCE COMMITTEES

Mr. Speaker:

The first Committee on Conference concerning Assembly Bill No. 234, 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 C. CARPENTER	CHARLES W. JOERG
MATTHEW Q. CALLISTER	ERIK BEYER
BOB THOMAS	THOMAS J. HICKEY
Assembly Committee on Conference	*Senate Committee on Conference*

Assemblyman Carpenter moved that the Assembly adopt the report of the first Committee on Conference concerning Assembly Bill No. 234.

Remarks by Assemblyman Carpenter.

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 11:47 a.m.

ASSEMBLY IN SESSION

At 11:48 a.m.

Mr. Speaker presiding.

Quorum present.

SECOND READING AND AMENDMENT

Senate Bill No. 422.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 535.

Amend section 1, page 1, line 2, by deleting "convey," and inserting: "convey to the City of Henderson,".

Assemblyman Thompson moved the adoption of the amendment.

Remarks by Assemblyman Thompson.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 29.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 498.

Amend section 1, page 1, by deleting lines 5 through 8 and inserting: "simulate, sexual conduct:

1. For the first offense, is guilty of a [misdemeanor.

2. For the second offense, is guilty of a] gross misdemeanor.

[3.] 2. For any subsequent offense, shall be punished by imprisonment in the".

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. 118.

Bill read second time.

The following amendment was proposed by Assemblyman Thomas:

Amendment No. 437.

Amend sec. 8, page 6, line 7, by deleting "*4,*" and inserting "*5,*".

Amend sec. 8, page 6, lines 21 and 22, by deleting "*such policy*" and inserting: "*operator's policy of liability insurance*".

Amend sec. 8, page 6, line 28, after "*does not have*" by inserting "*liability*".

Amend sec. 8, page 6, line 30, after "*4.*" by inserting: "*An operator's policy of liability insurance must not provide coverage for damages incurred while a person other than the named insurer is operating a motor vehicle.*

5.".

Amend sec. 9, page 6, line 37, by deleting "*covering*" and inserting: "*for payment of liabilities arising from maintenance or use of*".

Amend sec. 9, page 6, line 40, after "*insurance*" by inserting: "*of the operator or the vehicle*".

Amend sec. 11, page 7, line 24, after "*vehicle*" by inserting "*liability*".

Amend sec. 20, page 13, line 5, by deleting: "*and in section 8 of this act.*" and inserting an italicized period.

Amend the bill as a whole by renumbering sections 26 through 28 as sections 27 through 29 and adding a new section designated as sec. 26, following sec. 25, to read as follows:

"Sec. 26. Chapter 690B of NRS is hereby amended by adding thereto a new section to read as follows:

An insurer may issue to a holder of an operator's policy of liability insurance a policy covering damage to one or more of the operator's vehicles. The policy is not required to provide liability insurance or uninsured vehicle coverage.".

Amend sec. 26, page 16, line 17, by deleting the comma and inserting: "*and section 26 of this act,*".

Amend the bill as a whole by inserting on page 18 the text of the repealed section of NRS.

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. 164.

Bill read second time.

The following amendment was proposed by the Committee on Education:

Amendment No. 464.

Amend section 1, page 1, by deleting lines 2 through 14 and inserting:

"388.490 1. Except as *otherwise* provided in [subsections 2 to 5, inclusive,] *subsection 2 and in NRS 388.460, eligible* handicapped minors [may] *must* be admitted at the age of [5] *3* years to special programs established for such minors, and their enrollment or attendance may be counted for *the purpose of* apportionment . [purposes.

2. Aurally handicapped minors may be admitted at any age under 5 to special programs established for such minors, and their enrollment or attendance may be counted for apportionment purposes.

3. Visually handicapped minors may be admitted at any age under 5 to special programs established for such minors, and their enrollment or attendance may be counted for apportionment purposes.

4.] 2. Academically talented minors may be admitted at the age of 4 years to".

Amend section 1, page 2, line 1, before "5." by inserting an open bracket.

Amend sec. 2, page 2, by deleting lines 6 through 14 and inserting: "apportionment among the county school districts the sum of $977,700 for the fiscal year 1988-89, for allocation as follows in accordance with NRS 387.1221, for the additional programs of special education necessitated by the provisions of this act:

To Clark County School District	$488,850
To Washoe County School District	162,950
For all other school districts	162,950
For distribution at the discretion of the state board of education	162,950

2. Any balance of the sums appropriated by subsection 1 must not be committed for expenditure".

Amend the summary of the bill, first line, by deleting "and exceptional".

Assemblyman Craddock moved the adoption of the amendment.

Remarks by Assemblyman Craddock.

Amendment adopted.

Assemblyman Craddock moved that Assembly Bill No. 164 be returned to the Concurrent Committee on Education.

Motion carried.

Bill ordered reprinted, engrossed and to the Concurrent Committee on Education.

Assembly Bill No. 270.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 495.

Amend section 1, page 1, lines 3 and 4, by deleting: "*chapter 453 or 454 of NRS*" and inserting "*this chapter*".

Amend section 1, page 1, by deleting line 14 and inserting: "*3. The money collected pursuant to subsection 1 in*".

Amend section 1, page 2, by deleting line 1 and inserting: "*4. The money collected pursuant to subsection 1 in*".

Amend the bill as a whole by adding new sections designated sections 2 and 3, following section 1, to read as follows:

"Sec. 2. Chapter 454 of NRS is hereby amended by adding thereto a new section to read as follows:

1. When a defendant pleads or is found guilty of any violation of this chapter and an analysis of a dangerous drug was performed in relation to his case, the justice or judge shall include in the sentence the sum of $50 as a fee for the analysis of the dangerous drug.

2. The money collected for such an analysis 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 such an analysis 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 pursuant to subsection 1 in municipal court 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.

4. The money collected pursuant to subsection 1 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.

5. The board of county commissioners of each county shall by ordinance, before September 1, 1987, create in the county treasury a fund to be designated as the fund for forensic services. Upon receipt, the county treasurer shall deposit any fee for the analyses of dangerous drugs in the fund.

6. In counties which receive forensic services under a contract with the state, any money in the fund for forensic services must be paid monthly by the county treasurer to the state treasurer for deposit in the state general fund, after retaining 2 percent of the money to cover his administrative expenses.

7. In counties which do not receive forensic services under a contract with the state, money in the fund for forensic services must be expended, except as otherwise provided in this subsection:

(a) To pay for the analyses of dangerous drugs performed in connection with criminal investigations within the county;

(b) To purchase and maintain equipment to conduct these analyses; and

(c) For the training and continuing education of the employees who conduct these analyses.

Money from the fund must not be expended to cover the costs of analyses conducted by, equipment used by or training for employees of an analytical laboratory not registered with the Drug Enforcement Administration of the United States Department of Justice.

Sec. 3. NRS 454.181 is hereby amended to read as follows:

454.181 Definitions of words and terms in NRS 454.00922, 454.191, 454.201 and 454.211 apply only to NRS 454.181 to 454.371, inclusive [.] , *and section 2 of this act.*''.

Amend the title of the bill by deleting the first and second lines and inserting:

''An Act relating to public health; providing a fee for the analysis of a controlled substance or dangerous drug for certain defendants; providing for the distribution and expenditure of''.

Amend the summary of the bill after ''controlled substance'' by inserting: ''or dangerous drug''.

Assemblyman Gaston moved the adoption of the amendment.

Remarks by Assemblyman Gaston.

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. 480.

Amend section 1, page 1, line 2, by deleting ''amount [at'' and inserting ''[amount at''.

Amend section 1, page 1, by deleting lines 4 through 7 and inserting: ''debtor.] *most probable price which property would bring in a competitive and open market under all conditions requisite to a fair sale including:*

1. The buyer and seller each acting prudently and knowledgeably;

2. A price which is not affected by undue stimulus;

3. Consummation of the sale as of a specified date; and

4. The passing of title from seller to buyer under conditions whereby:

(a) The buyer and seller are typically motivated;

(b) Both parties are well informed or well advised and each acting in what he considers his own best interest;

(c) A reasonable time is allowed for exposure of the property for sale in an open market;

(d) Payment is made in cash or on comparable terms; and

(e) The price represents the normal consideration for the property sold, unaffected by special or creative financing or concessions granted by anyone associated with the sale.''.

Amend sec. 2, page 2, by deleting lines 4 through 6 and inserting:

''2. *The unit of appraisal must be a single parcel unless:*

(a) The location of the improvements causes two or more parcels to function as a single parcel; or

(b) The parcel is one of a group of contiguous parcels which qualifies for valuation as a subdivision pursuant to the regulations of the Nevada tax commission.".

Amend sec. 2, page 2, by inserting between lines 35 and 36:

"*(c) Criteria for the valuation of two or more parcels as a subdivision.*".

Amend sec. 2, page 2, by inserting after line 38:

"*8. The provisions of this section do not apply to property which is assessed pursuant to NRS 361.320.*".

Amend the bill as a whole by adding a new section, designated sec. 3, following sec. 2, to read as follows:

"Sec. 3. Section 2 of this act becomes effective on January 1, 1988, and first applies to assessments made for inclusion on the 1989 tax roll.".

Amend the title of the bill by deleting the first and second lines and inserting:

"An Act relating to property tax; revising the definition of "full cash value"; requiring the appraisal of single parcels to determine the taxable value of certain property;".

Assemblyman Adler moved the adoption of the amendment.

Remarks by Assemblyman Adler.

Conflict of interest declared by Assemblyman May.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 450.

Bill read second time.

The following amendment was proposed by the Committee on Transportation:

Amendment No. 355.

Amend section 1, page 1, lines 4 and 5, by deleting: "*any motor vehicle or other merchandise*" and inserting: "*or lease any vehicle*".

Amend section 1, page 1, by deleting lines 7 and 8, and inserting:

"*2. A registered owner may display for the purpose of sale or lease his vehicle upon a vacant lot if:*".

Amend section 1, page 1, line 9, by deleting "*or*" and inserting "*and*".

Amend section 1, page 1, by deleting lines 12 and 13 and inserting:

"*(1) Is posted on the vehicle in a manner easily seen and read. If the vehicle has a windshield, the consent must be posted inside the*".

Amend section 1, page 2, line 2, by deleting "*displayed items.*" and inserting "*vehicle.*".

Amend section 1, page 2, by inserting after line 5:

"*4. This section does not prohibit any dealer of motor vehicles licensed pursuant to chapter 482 of NRS from displaying for sale or lease vehicles in the ordinary course of his business.*

5. For the purposes of this section, "vehicle" means any motorized vehicle.".

Amend the title of the bill, first line, by deleting: "items for sale" and inserting: "vehicles for sale or lease".

Amend the summary of the bill, first line, by deleting: "items for sale" and inserting: "vehicles for sale or lease".

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. 558.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 423.

Amend the bill as a whole by renumbering sec. 2 as sec. 3 and adding a new section designated sec. 2, following section 1, to read as follows:

"Sec. 2. Chapter 475 of NRS is hereby amended by adding thereto a new section to read as follows:

If a false alarm of fire is caused by the improper maintenance of a device intended for use in giving warning of a fire:

1. The owner of the device, if he is in physical control of the property on which the device is located or specifically retained the duty to maintain the device; or

2. The lessee, unless the owner specifically retained the duty to maintain the device,

is guilty of a misdemeanor if he knew or should have known that the device was not properly maintained.".

Amend the title of the bill, third line, after "fire;" by inserting: "providing a penalty for the improper maintenance of a device that causes a false alarm of fire;".

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. 620.

Bill read second time, ordered engrossed and to third reading.

Senate Bill No. 190.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 501.

Amend section 1, page 2, line 5, by deleting "*The*" and inserting: "*If the hospital is publicly owned or not for profit, the*".

Amend the title of the bill, first line, after "requiring" by inserting: "under certain circumstances".

Assemblyman Nicholas moved the adoption of the amendment.

Remarks by Assemblyman Nicholas.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Joint Resolution No. 6.

Resolution read second time and ordered to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Senate Joint Resolution No. 17 of the 63rd Session be taken from the Chief Clerk's desk and placed at the top of the General File.

Motion carried.

GENERAL FILE AND THIRD READING

Senate Joint Resolution No. 17 of the 63rd Session.

Resolution read third time.

Remarks by Assemblymen Sader, Getto, Myrna Williams, Fay, Jeffrey, Nicholas, Brookman, Carpenter, Sedway, Price, Gaston, Thomas, Callister, Spinello, Humke, Swain, Thompson and Schofield.

Assemblymen Nevin, Bergevin and Thompson moved the previous question.

Motion carried.

The question being on the passage of Senate Joint Resolution No. 17 of the 63rd Session.

Roll call on Senate Joint Resolution No. 17 of the 63rd Session:

YEAS—18.

NAYS—Adler, Banner, Bergevin, Brookman, Carpenter, Craddock, Fay, Freeman, Getto, Haller, Jeffrey, Kerns, Kissam, McGaughey, Marvel, May, Nevin, Nicholas, Price, Sader, Schofield, Thomas, Thompson, Mr. Speaker—24.

Senate Joint Resolution No. 17 of the 63rd Session having failed to receive a constitutional majority, Mr. Speaker declared it lost.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Sader gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Joint Resolution No. 17 of the 63rd Session was this day refused passage.

GENERAL FILE AND THIRD READING

Assembly Bill No. 208.

Bill read third time.

Remarks by Assemblyman Spriggs.

Roll call on Assembly Bill No. 208:

YEAS—42.

NAYS—None.

Assembly Bill No. 208 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 290.

Bill read third time.

Remarks by Assemblyman Bergevin.

Roll call on Assembly Bill No. 290:

YEAS—42.

NAYS—None.

Assembly Bill No. 290 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 292.

Bill read third time.

Remarks by Assemblyman Bergevin.

Roll call on Assembly Bill No. 292:

YEAS—42.

NAYS—None.

Assembly Bill No. 292 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 311.

Bill read third time.

The following amendment was proposed by the Committee on Taxation:

Amendment No. 485.

Amend section 1, page 1, by deleting line 10 and inserting:

"*(f) All boats.*".

Amend sec. 2, page 2, by deleting lines 27 and 28 and inserting: "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] *and a fee according to the following schedule as determined by the straight line length which is measured from the tip of the bow to the back of the transom of the motorboat:*

Less than 13 feet	*$10*
13 feet or more but less than 18 feet	*15*
18 feet or more but less than 22 feet	*30*
22 feet or more but less than 26 feet	*45*
26 feet or more but less than 31 feet	*60*
31 feet or more	*75*

Except as otherwise provided in this subsection, all fees received by the".

Amend sec. 2, page 2, line 31, after the period, by inserting: "*On or before December 31 of each year, the department shall deposit with the respective county treasurers 50 percent of each fee collected according to the motorboat's length for every motorboat registered from their respective counties. The county treasurers shall credit the money so deposited for the use of their respective county's school district.*".

Amend sec. 2, page 3, line 3, by deleting: "department of wildlife" and inserting: "[department of wildlife] *commission*".

Amend sec. 2, page 3, line 8, by deleting: "department of wildlife" and inserting: "[department of wildlife] *commission*".

Amend the title of the bill by deleting the first through third lines and inserting:

"An Act relating to boats; exempting boats from the tax on personal property; removing the requirements for reporting by the department of wildlife to county assessors of information concerning registration of boats; increasing the fees for registration and providing for the distribution of those fees; and providing other".

Amend the summary of the bill to read as follows: "Exempts boats from tax on personal property and increases fees for registration. (BDR 32-576)".

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. 321.

Bill read third time.

Remarks by Assemblyman Myrna Williams.

Roll call on Assembly Bill No. 321:

YEAS—42.

NAYS—None.

Assembly Bill No. 321 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 370.

Bill read third time.

Remarks by Assemblymen Haller, Swain and Thomas.

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. 390.

Bill read third time.

Remarks by Assemblymen Adler, Bergevin, Haller, Jeffrey, Kerns and Getto.

Roll call on Assembly Bill No. 390:

YEAS—34.

NAYS—Bergevin, Carpenter, Getto, Kerns, Lambert, Marvel, Spriggs, Tebbs—8.

Assembly Bill No. 390 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 406.

Bill read third time.

Remarks by Assemblymen Gaston and Fay.

Conflict of interest declared by Assemblyman Price.
Roll call on Assembly Bill No. 406:
YEAS—40.
NAYS—None.
Not voting—McGaughey, May—2.

Assembly Bill No. 406 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 448.
Bill read third time.
Remarks by Assemblyman Carpenter.
Roll call on Assembly Bill No. 448:
YEAS—42.
NAYS—None.

Assembly Bill No. 448 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 488.
Bill read third time.
Remarks by Assemblyman Banner.
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, as amended.
Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Senate Bills Nos. 197, 219, 271 and 323 be taken from the General File and placed on the General File for the next legislative day.
Motion carried.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bills No. 243, 355, 363, 462, 463; Senate Bills Nos. 2, 69, 77; Assembly Concurrent Resolution No. 45; Assembly Resolution No. 9.

REMARKS FROM THE FLOOR

Assemblyman Myrna Williams requested that her remarks be entered in the Journal.

Thank you, Mr. Speaker. On Monday we had the pleasure of having Rabbi Myra Soiffel here doing our invocation in recognition of the International Days of Remembrance. In this regard for victims of the Nazi Holocaust, the Governor has given us a proclamation. If I might beg your indulgence, I would like to read it at this point and ask that it be placed in the Journal for this legislative day.

WHEREAS, from 1933 to 1945, six million Jews were murdered in the Nazi Holocaust as part of a systematic program of genocide, and millions of other people perished as victims of Nazism; and

WHEREAS, the people of the State of Nevada should always remember the atrocities committed by the Nazis so that such horrors never be repeated; and

WHEREAS, the people of the State of Nevada should continually rededicate themselves to the principle of equal justice for all people; and

WHEREAS, the people of the State of Nevada should remain eternally vigilant against all tyranny, and recognize that bigotry provides a breeding ground for tyranny to flourish; and

WHEREAS, April 26 has been designated pursuant to an Act of Congress and internationally as a Day of Remembrance of Victims of the Nazi Holocaust known as Yom Hashoah; and

WHEREAS, it is appropriate for the people of the State of Nevada to join in the international commemoration;

NOW, THEREFORE, I, RICHARD H. BRYAN, GOVERNOR OF THE STATE OF NEVADA, do hereby proclaim April 26-May 3, 1987, in Nevada as

DAYS OF REMEMBRANCE OF THE VICTIMS OF THE HOLOCAUST

in memory of the victims of the Holocaust, and in the hope that we will strive always to overcome prejudice and inhumanity through education, vigilance and resistance.

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 Former Governor of Nevada Charles H. Russell and Mrs. Marjorie Russell.

On request of Mr. Speaker, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Linda Cummings and Mr. Don Cummings.

On request of Assemblyman Bergevin, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Jerry Falkenstein, Ms. Julia Jones and the students of Carson Valley Middle School: Doug Alder, Mike Beck, Roni Brown, Brian Buscay, Sean Cardinal, Tina Cooper, Joy Dangberg, Matt Duke, Becky Garside, Brian Hickey, Lora Morris, Katie Park, Melinda Roberts, Antonette Soto, Lynnsey Von Stetina, Sonja Winckler, Audrey Yurtinus, Damon Stemen, Nick Boyter, Tiffany Barron, Kim Capra, Ginger Carlson, Camella Coleman, Amanda Cullers, Kathleen Fillebrown, Gretta Gilbert, Kristine Hansen, Zack Moran, Daron Overturf, Ken Schevermann, Natalie Stering, Lisa Ward, Claire Hawkins and Corey Jones.

On request of Assemblyman Marvel, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Squibb and the Seniors of Battle Mountain High School: Steve Burkhart, Debbie Bakker, Natalie Mariluch, Jamie McKinley, Roberta Burton, Diana Duncan, Chuck Lockridge, Rachelle McKinsey, Noriene Minchew, Stephanie Rogers, Lettie Mendoza, Leonard Yepez, Kim Hendreckson, Aci Carr, Andy Thurston, Becky Montgomery, Darin Farr, Mary Jane Douglas, Shannon Morgan, Jeff Gray, Wendy Paice, Velma Burton, Scott Torgreson, Jim Talbot, Teresa Jones, Dayna Penola, Delwin Potter, Stacey Hudson, Katrina Chambliss, Jenni Stallard, Steve Hemp, Terry Brown, Carrie Miller, Brian Whipple, Jayone Narvazia, Andrew Leshikar, Tracy Dodson and Jim Fillippini.

On request of Assemblyman Sedway, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. and Mrs. Ken Brown.

Assemblyman Jeffrey moved that the Assembly adjourn until Thursday, April 30, 1987 at 11 a.m.

Motion carried.

Assembly adjourned at 1:13 p.m.

Approved: JOSEPH E. DINI, JR.
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE ONE HUNDRED AND SECOND DAY

CARSON CITY (Thursday), April 30, 1987

Assembly called to order at 11:10 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, The Reverend Doctor Terry Arnold.

The Bible says, "The mind of man plans his way, but the Lord directs his steps (Proverbs 16:9)." Let us pray. Our Heavenly Father, please guide our every activity so we may accomplish the plans You have inspired in us. In the name of our Lord and Saviour, I pray. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Jeffrey moved that further reading of the Journal be dispensed with, and the Speaker and Chief Clerk be authorized to make the necessary corrections and additions.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Judiciary, to which was referred Senate Bill No. 295, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

ROBERT M. SADER, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which was referred Assembly Bill No. 297, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ROBERT M. SADER, *Chairman*

Mr. Speaker:

Your Committee on Transportation, to which was referred Senate Bill No. 180, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

LEONARD V. NEVIN, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which was referred Assembly Bill No. 354, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

MARVIN M. SEDWAY, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, April 29, 1987

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 57, 254.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Bills Nos. 14, 240, 385, 394, 395, 424.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bill No. 360.

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. 67, 68, 160.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblyman Haller:

Assembly Joint Resolution No. 41—Proposing to amend article 4 of the Nevada constitution to limit the terms of legislators.

RESOLVED BY THE ASSEMBLY AND SENATE OF THE STATE OF NEVADA, JOINTLY, That sections 3 and 4 of article 4 of the constitution of the State of Nevada be amended to read as follows:

[Sec:] *Sec.* 3. *1.* The members of the Assembly shall be chosen biennialy [biennially] by the qualified electors of their respective districts, on the Tuesday next after the first Monday in November and their term of office shall be two years from the day next after their election.

2. A person shall not be elected to the office of Assemblyman more than six times.

[Sec:] *Sec.* 4. *1.* Senators shall be chosen at the same time and places as members of the Assembly by the qualified electors of their respective districts, and their term of Office shall be four Years from the day next after their election.

2. A person shall not be elected to the office of Senator more than three times.

Assemblyman Haller moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

Assemblyman Thompson moved that Assembly Bill No. 298 be taken from the General File and re-referred to the Committee on Ways and Means.

Remarks by Assemblyman Thompson.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Freeman, Swain and Evans:

Assembly Bill No. 701—An Act relating to air pollution; requiring certain counties either to require the use of catalytic combusters on all wood-burning stoves or to prohibit the burning of wood when a pollutant standard index of 150 or greater exists; and providing other matters properly relating thereto.

Assemblyman Freeman moved that the bill be referred to the Committee on Natural Resources, Agriculture and Mining.

Motion carried.

By the Committee on Commerce:

Assembly Bill No. 702—An Act relating to horse racing; providing the definition of "horse," which includes a mule, in the provisions governing horse racing; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 703—An Act relating to local governments; requiring counties to adopt ordinances for the licensing of theme parks and permanent exhibitions; requiring cities to adopt ordinances for the licensing of tent shows, circuses, theme parks and permanent exhibitions; and providing other matters properly relating thereto.

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

Motion carried.

Senate Bill No. 14.

Assemblyman Nevin moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

Senate Bill No. 240.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

Senate Bill No. 360.

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

Motion carried.

Senate Bill No. 385.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

Senate Bill No. 394.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

Senate Bill No. 395.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

Senate Bill No. 424.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Thompson moved that Assembly Bill No. 139 be taken from the Second Reading File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Thompson.

Motion carried.

Assemblyman Swain moved that Assembly Bill No. 266 be taken from the Second Reading File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Swain.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 586.

Bill read second time.

The following amendment was proposed by the Committee on Education:

Amendment No. 465.

Amend the bill as a whole by deleting section 1 and inserting:

"Section 1. Chapter 387 of NRS is hereby amended by adding thereto a new section to read as follows:

1. It is the declared intent of the legislature that the amount provided by the state to local school districts for each special education program unit must be the estimated cost of the average salary and benefits payable to or on behalf of special education teachers, adjusted for any prospective changes in schedules for salaries which may be anticipated by the legislature. The average salary and benefits of special education teachers must be calculated by the department and supplied to each legislature for use in its deliberations upon the financial support for special education program units.

2. It is the declared intent of the legislature that the minimum number of special education program units provided to local school districts by each session of the legislature must be the number provided by the previous session of the legislature plus any units which have, since the previous session, been added by districts with local money from a source other than federal money.

Sec. 2. 1. Except as otherwise provided in subsection 2, the basic support guarantee for each special education program unit which is maintained and operated for at least 9 months of a school year is $31,795 for the fiscal year 1987-88 and $32,590 for the fiscal year 1988-89.

2. The maximum number of units and amount of basic support for special education program units within each of the school districts, before any reallocation pursuant to NRS 387.1221, for the fiscal years 1987-88 and 1988-89 are:

Location of School	1987-1988		1988-1989	
District	Units	Amount	Units	Amount
Carson City	36	$1,144,620	38	$1,238,420
Churchill	20	635,900	20	651,800
Clark	618	19,649,310	641	20,890,190
Douglas	29	922,055	30	977,700
Elko	31	985,645	32	1,042,880
Esmeralda	2	63,590	2	65,180
Eureka	2	63,590	2	65,180
Humboldt	14	445,130	15	488,850
Lander	7	222,565	7	228,130
Lincoln	7	222,565	7	228,130

Location of School District	1987-1988 Units	1987-1988 Amount	1988-1989 Units	1988-1989 Amount
Lyon	22	699,490	23	749,570
Mineral	9	286,155	9	293,310
Nye	17	540,515	18	586,620
Pershing	5	158,975	5	162,950
Storey	2	63,590	2	65,180
Washoe	219	6,963,105	227	7,397,930
White Pine	10	317,950	10	325,900
Subtotal	1,050	$33,384,750	1,088	$35,457,920
Reserved by State Board of Education	25	794,875	25	814,750
Total	1,075	$34,179,625	1,113	$36,272,670

3. The state board of education shall reserve 25 special education program units for each of the fiscal years 1987-88 and 1988-89, to be allocated to school districts by the state board of education to meet additional needs that cannot be met by the allocations provided for in subsection 2 for that fiscal year. The department of education shall evaluate the additional needs.".

Amend the title of the bill to read as follows:

"An Act relating to special education; declaring the intent of the legislature regarding the support of special education programs; establishing levels of support for special education program units; establishing the number of units which must be supported; and providing other matters properly relating thereto.".

Assemblyman Craddock moved the adoption of the amendment.

Remarks by Assemblyman Craddock.

Amendment adopted.

Assemblyman Craddock moved that Assembly Bill No. 586 be returned to the Concurrent Committee on Education.

Motion carried.

Bill ordered reprinted, engrossed and to the Concurrent Committee on Education.

Senate Bill No. 150.

Bill read second time and ordered to third reading.

Senate Bill No. 249.

Bill read second time and ordered to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

In compliance with a notice given on a previous day, Assemblyman Sader moved that the vote whereby Senate Joint Resolution No. 17 of the 63rd Session was refused passage be reconsidered.

Remarks by Assemblymen Sader, Craddock and Price.

Assemblymen May, Sader and Swain requested a roll call on Assemblyman Sader's motion.

Roll call on Assemblyman Sader's motion:

YEAS—30.

NAYS—Bergevin, Brookman, Fay, Haller, Jeffrey, Kerns, McGaughey, May, Nevin, Price, Schofield, Thompson—12.

The motion having received a majority, Mr. Speaker declared it carried.

Assemblyman Sader moved that Senate Joint Resolution No. 17 of the 63rd Session be taken from its position on the General File and placed at the top of the General File.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Wendell Williams, Arberry, Swain, Garner, Spinello, Jeffrey, Porter, Nevin, Sedway, Triggs, Craddock, Haller, Schofield, Banner, Wisdom, Humke and Nicholas:

Assembly Bill No. 704—An Act making an appropriation to the Doolittle Community Center for the operation and establishment of certain programs; and providing other matters properly relating thereto.

Assemblyman Wendell Williams moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

GENERAL FILE AND THIRD READING

Senate Joint Resolution No. 17 of the 63rd Session.

Resolution read third time.

Remarks by Assemblymen Porter, Schofield, Humke and Brookman.

Assemblymen Nevin, Sedway and Sader moved the previous question.

Motion carried.

The question being on the passage of Senate Joint Resolution No. 17 of the 63rd Session.

Roll call on Senate Joint Resolution No. 17 of the 63rd Session:

YEAS—29.

NAYS—Bergevin, Brookman, Craddock, Fay, Getto, Haller, Jeffrey, Kerns, May, Nevin, Price, Schofield, Thompson—13.

Senate Joint Resolution No. 17 of the 63rd Session having received a constitutional majority, Mr. Speaker declared it passed.

Resolution ordered transmitted to the Senate.

Assembly Bill No. 413.

Bill read third time.

Remarks by Assemblyman Triggs.

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.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, April 30, 1987

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. 423.

MARY JO MONGELLI
Assistant Secretary of the Senate

INTRODUCTION, FIRST READING AND REFERENCE

Senate Bill No. 423.

Assemblyman Jeffrey moved that all rules be suspended, reading so far had considered first reading, rules further suspended, bill declared an emergency measure under the Constitution and placed on third reading and final passage.

Motion carried unanimously.

GENERAL FILE AND THIRD READING

Assembly Bill No. 556.

Bill read third time.

Remarks by Assemblymen Gaston, Triggs, Nevin, Adler and Price.

Assemblymen Jeffrey, Thompson and Thomas moved the previous question.

Motion carried.

The question being on the passage of Assembly Bill No. 556.

Roll call on Assembly Bill No. 556:

YEAS—33.

NAYS—Banner, Getto, Humke, Jeffrey, McGaughey, Nevin, Nicholas, Price, Spriggs—9.

Assembly Bill No. 556 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 560.

Bill read third time.

Remarks by Assemblyman Spriggs.

Roll call on Assembly Bill No. 560:

YEAS—42.

NAYS—None.

Assembly Bill No. 560 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 Assemblymen Nicholas and Fay.

Roll call on Assembly Bill No. 620:

YEAS—40.

NAYS—May, Price—2.

Assembly Bill No. 620 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 Assemblyman Kerns.

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, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 197.

Bill read third time.

Remarks by Assemblyman Garner.

Roll call on Senate Bill No. 197:

YEAS—41.

NAYS—None.

Not voting—May.

Senate Bill No. 197 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 219.

Bill read third time.

Remarks by Assemblyman Thompson.

Roll call on Senate Bill No. 219:

YEAS—42.

NAYS—None.

Senate Bill No. 219 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

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

Assembly in recess at 12:10 p.m.

ASSEMBLY IN SESSION

At 12:20 p.m.

Mr. Speaker pro Tempore presiding.

Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Government Affairs, 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.

DANNY L. THOMPSON, *Chairman*

GENERAL FILE AND THIRD READING

Senate Bill No. 271.
Bill read third time.
Remarks by Assemblyman Myrna Williams.
Roll call on Senate Bill No. 271:
YEAS—42.
NAYS—None.

Senate Bill No. 271 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 323.
Bill read third time.
Remarks by Assemblymen Spriggs, Thompson, Sader, Adler, Sedway, Nicholas, Price and Fay.
Assemblymen Thomas, Thompson and Sader moved the previous question.
Motion carried.
The question being on the passage of Senate Bill No. 323.
Roll call on Senate Bill No. 323:
YEAS—32.
NAYS—Banner, Brookman, Fay, McGaughey, Nevin, Nicholas, Porter, Price, Sedway, Thompson—10.

Senate Bill No. 323 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.
Bill ordered transmitted to the Senate.

Senate Joint Resolution No. 6.
Resolution read third time.
Remarks by Assemblyman Nicholas.
Roll call on Senate Joint Resolution No. 6:
YEAS—41.
NAYS—Thomas.

Senate Joint Resolution No. 6 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.
Resolution ordered transmitted to the Senate.

Senate Bill No. 423.
Bill read third time.
Remarks by Assemblyman Sedway.
Roll call on Senate Bill No. 423:
YEAS—42.
NAYS—None.

Senate Bill No. 423 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.
Assemblyman Jeffrey moved that all rules be suspended and that Senate Bill No. 423 be immediately transmitted to the Senate.
Motion carried unanimously.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bill No. 137; Senate Bills Nos. 67, 68, 160, 220, 225.

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. Enrico Sacchini and Frank McGowan; Mr. Mike Casey, Mrs. Ruby Lowery and the students of Yerington Elementary School: Carrie Baker, Jason Beck, Bryan Booth, Brandon Borsini, Regina Celli, Jesse Christensen, Alma DeWitt, Chris Emens, Dustin Frost, Darwin Hicks, Steve Kuhl, Lesley Labrum, Jason Ladue, Shawn Lawrence, Scott Nyce, Josh Park, Aaron Pellegrini, Richard Pittman, Antonio Ramirez, Jeb Reading, Sheila Roberts, Tamar Robles, Oralia Sandoval, Shelly Smith, John Peck, Matthew Bradshaw, Megan Bishop, Cheryl DelPorto, Nicky Ammons, Darrell Banta, April Belt, Paul Bennett, Ruben Berumen, Jesse Brinkley, Terri Castro, Julie DelPorto, Mary Edge, Travis Feutz, Feather Fielding, Les Hanes, Jenifer Knight, Lorena Montes, Sarah Morehead, Victor Munoz, Bryan Page, Paul Pierce, Joshua Piper, Victoria Pursel, Wesley Reed, Jimmy Rundle, J'Kai Stratton, Troy Wegleitner, Emily Williams, Amos Roeder, William Bruce and Debbie Pelligrini.

On request of Assemblyman Humke, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Gail Milne.

On request of Assemblyman Lambert, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Joe Carp, Carl Ranemann and the members of Sierra Nevada Job Corps: Bill Medina, Anthony Ortega, Jacob Gomez, Sahrdor Lopez, John Dugger, Eua Sonephady, Ricardo Morales, Francisco Mendez, Anthony Fierro, David Huddleston and Eric Ames.

Assemblyman Jeffrey moved that the Assembly adjourn until Friday, May 1, 1987 at 10:30 a.m.

Motion carried.

Assembly adjourned at 12:47 p.m.

Approved: JOSEPH E. DINI, JR.
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE ONE HUNDRED AND THIRD DAY

CARSON CITY (Friday), May 1, 1987

Assembly called to order at 10:55 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, The Reverend Robert H. Schwartz.

The first of May; May Day, Lord! For some, May Day means a signal of distress and we all know what that means. For some distress stems from too many irons in too many fires, spread too thin with too much to do. Lord, we pray for a sense of serenity deeper than any stress that may come. The first of May for others means social unrest and struggle, a clash of values and even classes of people. This body knows well what struggle means and how difficult it is to please everyone. Lord, bless this body with wisdom and the people with patience. The first of May also means the fullness of the coming of spring, a celebration of joy and flowers. May it be that we are never too overwhelmed with stress, too distracted by struggle that we miss the simple joys so bountifully provided by Your creation. Let us delight in this day and always. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Jeffrey moved that further reading of the Journal be dispensed with, and the Speaker and Chief Clerk be authorized to make the necessary corrections and additions.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Transportation, to which was re-referred Assembly Bill No. 273, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

LEONARD V. NEVIN, *Chairman*

Mr. Speaker:

Your Committee on Natural Resources, Agriculture and Mining, to which were referred Assembly Bill No. 542; Senate Bill No. 244, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JAMES W. SCHOFIELD, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which was referred Assembly Bill No. 600, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

MARVIN M. SEDWAY, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which was referred Assembly 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.

ROBERT M. SADER, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which were referred Assembly Bills Nos. 595, 618, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

DANNY L. THOMPSON, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, April 29, 1987

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. 167.

MARY JO MONGELLI
Assistant Secretary of the Senate

SENATE CHAMBER, Carson City, April 30, 1987

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. 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 adopted the report of the first Committee on Conference concerning Assembly Bill No. 234.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Bills Nos. 325, 326.

MARY JO MONGELLI
Assistant Secretary of the Senate

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Nicholas, May, Brookman, Tebbs, Myrna Williams, Nevin, Jeffrey, Callister, Garner, Freeman, Gaston, Bergevin, Humke, Lambert, Price, McGaughey, Spinello, Wisdom, Kerns, Marvel, Thomas, Kissam, Spriggs, Evans, Wendell Williams, DuBois, Arberry, Adler, Getto, Carpenter, Thompson, Fay, Triggs, Porter, Swain, Banner, Haller, Sader, Dini, Craddock, Schofield and Sedway:

Assembly Bill No. 705—An Act relating to Alzheimer's disease; providing for programs in the aging services division of the department of human resources for research, diagnosis and treatment of Alzheimer's disease; providing for grants to certain institutions for those programs; creating the advisory committee on Alzheimer's disease; prescribing its powers and duties; making an appropriation; and providing other matters properly relating thereto.

Assemblyman Nicholas moved that the bill be referred to the Concurrent Committees on Health and Welfare and Ways and Means.

Motion carried.

By the Committee on Ways and Means:

Assembly Bill No. 706—An Act relating to education; revising the provisions governing the distribution of money from the state distributive school fund; and providing other matters properly relating thereto.

Assemblyman Sedway moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By Assemblymen Haller, Kissam, Freeman and Nevin:

Assembly Bill No. 707—An Act relating to meetings of public bodies; removing the exceptions to the provisions governing open meetings; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Humke and Gaston:

Assembly Bill No. 708—An Act relating to children; providing a right of visitation to grandparents if the parents of a child are divorced or separated; authorizing the award of temporary custody or a right of visitation to a grandparent of a child placed in protective custody; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 709—An Act relating to summary proceedings for obtaining possession; revising the provision governing the service of notice to quit; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 710—An Act relating to geothermal resources; extending the time for approval or rejection of an application to drill or operate a geothermal well; extending the time to provide notice of a conflict or a hearing on an application; and providing other matters properly relating thereto.

Assemblyman Sader moved that the bill be referred to the Committee on Natural Resources, Agriculture and Mining.

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 711—An Act relating to motor vehicles; exempting motor vehicles owned by the governing body of an Indian reservation or colony from fees for registration; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Wendell Williams and Arberry:

Assembly Bill No. 712—An Act making an appropriation to the Westside Counseling Center in Las Vegas, Nevada, for the employment of certain personnel; and providing other matters properly relating thereto.

Assemblyman Wendell Williams moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By Assemblyman DuBois (by request):

Assembly Bill No. 713—An Act relating to records of criminal history; requiring that certain matters be clearly indicated in such records; increasing the penalty for unlawful acts concerning such records; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman DuBois:

Assembly Bill No. 714—An Act relating to the procedure in juvenile cases; authorizing the unsealing of records upon an adjudication of delinquency or conviction of a felony; authorizing the release of records to certain persons and agencies; and providing other matters properly relating thereto.

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

Motion carried.

Senate Bill No. 167.

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

Motion carried.

Senate Bill No. 325.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Natural Resources, Agriculture and Mining.

Motion carried.

Senate Bill No. 326.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Natural Resources, Agriculture and Mining.

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

By the Committee on Judiciary:

Assembly Concurrent Resolution No. 50—Commending the Nevada Foundation of Women's Clubs and supporting the establishment of a Bill of Rights for children.

WHEREAS, The Nevada Federation of Women's Clubs, working with public and private agencies and volunteer groups throughout Nevada, has dedicated itself to the protection of children and the preservation of their rights; and

WHEREAS, The Nevada Federation of Women's Clubs has established "A Child's Bill of Rights," which is as follows:

A child has a right to be loved and is someone special and different from anyone else; and

A child has a right to a permanent and stable home which will preserve a sense of identity and belonging; and

A child has the right for all his needs to be met, physically, nutritionally, mentally, morally and spirtually; and

A child has a right to quality education which will allow his meeting his individual needs to achieve his full potential as an adult; and

A child has a right to be protected from abuse, neglect and exploitation; and

A child has a right to diagnosis and treatment of physical, social and emotional conditions; and

A child has the right to guidance and fair treatment from all in authority which will preserve his sense of personal dignity and integrity; and

A child has the right and is entitled to receive these services from the proper authorities as mandated by law; now, therefore, be it

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, THE SENATE CONCURRING, That the members of the Nevada Legislature commend the Nevada Federation of Women's Clubs and support the establishment of "A Child's Bill of Rights"; and be it further

RESOLVED, That a copy of this resolution be prepared and transmitted by the Chief Clerk of the Assembly to the Department of Human Resources for circulation to all agencies serving children's needs throughout the State of Nevada.

Assemblyman Myrna Williams moved that the resolution be referred to the Committee on Judiciary.

Motion carried.

UNFINISHED BUSINESS

REPORTS OF CONFERENCE COMMITTEES

Mr. Speaker:

The first Committee on Conference concerning Assembly Bill No. 126, consisting of the undersigned members, has met, and reports that:

It has agreed to recommend that the amendment of the Senate be receded from.

VAL Z. GARNER	CHARLES W. JOERG
BOB L. KERNS	MIKE MALONE
ERNEST E. ADLER	JOE NEAL
Assembly Committee on Conference	*Senate Committee on Conference*

Assemblyman Garner moved that the Assembly adopt the report of the first Committee on Conference concerning Assembly Bill No. 126.

Remarks by Assemblyman Garner.

Motion carried.

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker appointed Assemblymen Schofield, Sader and Nicholas as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Assembly Bill No. 199.

SECOND READING AND AMENDMENT

Assembly Bill No. 297.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 497.

Amend the bill as a whole by deleting sections 1 through 12 and inserting:

"Section 1. NRS 200.750 is hereby amended to read as follows:

200.750 Each person punishable pursuant to NRS 200.710 or 200.720 shall be punished:

1. By imprisonment in the state prison for:

(a) Life, with the possibility of parole beginning when at least [5] *10* years have been served; or

(b) Any definite term of at least [5] *10* years, with eligibility for parole beginning when at least [5] *10* years have been served; and

2. By a fine of not *less than $10,000 nor* more than $100,000.".

Amend the title of the bill, first and second lines, by deleting: "making various changes to criminal offenses and" and inserting "increasing certain".

Amend the summary of the bill, first line, to read as follows: "Increases certain penalties concerning".

Assemblyman Gaston moved the adoption of the amendment.

Remarks by Assemblyman Gaston.

Amendment adopted.

Assemblyman Gaston moved that Assembly Bill No. 297 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 Bill No. 354.

Bill read second time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 542.

Amend sec. 2, page 1, line 5, by deleting "1989," and inserting "1991,".

Amend the bill as a whole by adding a new section designated sec. 3, following sec. 2, to read as follows:

"Sec. 3. This act becomes effective upon passage and approval.".

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. 540.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 555.

Amend the bill as a whole by adding a new section designated sec. 8, following sec. 7, to read as follows:

"Sec. 8. The legislature intends the provisions of this act to be implemented with existing resources and appropriations."

Assemblyman Thompson moved the adoption of the amendment.

Remarks by Assemblyman Thompson.

Amendment adopted.
Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 180.
Bill read second time and ordered to third reading.

Senate Bill No. 295.
Bill read second time and ordered to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Assembly Bill No. 91 be taken from the Chief Clerk's desk and re-referred to the Committee on Ways and Means.
Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 29.
Bill read third time.
Remarks by Assemblyman Humke.
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, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 118.
Bill read third time.
Remarks by Assemblymen Thomas, Triggs, Craddock, Freeman and Lambert.
Roll call on Assembly Bill No. 118:
YEAS—38.
NAYS—Banner, Bergevin, Carpenter, Lambert—4.

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. 270.
Bill read third time.
Remarks by Assemblymen Gaston, Banner, Brookman and Sader.
Roll call on Assembly Bill No. 270:
YEAS—41.
NAYS—Banner.

Assembly Bill No. 270 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 291.
Bill read third time.
Remarks by Assemblymen Adler and May.

Conflict of interest declared by Assemblyman May.

Roll call on Assembly Bill No. 291:

YEAS—41.

NAYS—None.

Not voting—May.

Assembly Bill No. 291 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Commerce:

Assembly Bill No. 715—An Act relating to title insurance; prohibiting title agents from guaranteeing the obligations of other persons; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

By the Committee on Commerce:

Assembly Bill No. 716—An Act relating to beer; requiring each keg of beer sold in this state to have a number for identification affixed to it; providing a penalty; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

By the Committee on Economic Development, Small Business and Tourism:

Assembly Bill No. 717—An Act relating to economic development; creating the Nevada corporation for innovational and developmental financing; authorizing the corporation to provide financing and other assistance to certain innovative industrial and commercial enterprises in this state; creating the capital account for innovational and developmental financing; creating the state fund for innovational and developmental financing; providing for the deposit in the fund of surcharges received for the use of the state-owned area for disposal of low-level radioactive waste; creating the division of innovation and development within the commission on economic development; prescribing its powers and duties; and providing other matters properly relating thereto.

Assemblyman Price moved that the bill be referred to the Concurrent Committees on Economic Development, Small Business and Tourism and Ways and Means.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 311.

Bill read third time.

Remarks by Assemblyman Spriggs.

Roll call on Assembly Bill No. 311:

YEAS—42.

NAYS—None.

Assembly Bill No. 311 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 450.

Bill read third time.

Remarks by Assemblymen Fay, Price and Nevin.

Roll call on Assembly Bill No. 450:

YEAS—39.

NAYS—Bergevin, Thompson, Mr. Speaker—3.

Assembly Bill No. 450 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 558.

Bill read third time.

Remarks by Assemblyman Sader.

Roll call on Assembly Bill No. 558:

YEAS—42.

NAYS—None.

Assembly Bill No. 558 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 150.

Bill read third time.

Remarks by Assemblyman Schofield.

Roll call on Senate Bill No. 150:

YEAS—42.

NAYS—None.

Senate Bill No. 150 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 190.

Bill read third time.

Remarks by Assemblymen Nicholas, Sedway, Myrna Williams, Callister, Fay, Porter, Gaston and Adler.

Assemblyman Sedway moved that Senate Bill No. 190 be taken from the General File and placed on the Chief Clerk's desk.

Motion carried.

Senate Bill No. 249.

Bill read third time.

Remarks by Assemblyman Evans.

Roll call on Senate Bill No. 249:

YEAS—42.

NAYS—None.

Senate Bill No. 249 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 422.

Bill read third time.

Remarks by Assemblyman Thompson.

Roll call on Senate Bill No. 422:

YEAS—42.

NAYS—None.

Senate Bill No. 422 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. 21, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

MORSE ARBERRY, JR., *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

By the Committee on Natural Resources, Agriculture and Mining:

Assembly Concurrent Resolution No. 51—Directing the Legislative Commission to conduct an interim study concerning the certification of operators of boats.

Assemblyman Schofield moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Natural Resources, Agriculture and Mining:

Assembly Bill No. 718—An Act relating to conveyancing of real property; requiring a deed for the conveyance of real property to be accompanied by affidavit specifying appurtenant water rights; requiring the county recorder to send copy of affidavit to the state engineer; and providing other matters properly relating thereto.

Assemblyman Schofield moved that the bill be referred to the Committee on Natural Resources, Agriculture and Mining.

Motion carried.

By Assemblymen Schofield and Dini:

Assembly Bill No. 719—An Act making an appropriation to the State Fire Marshal to establish a training center for handling emergencies relating to hazardous materials at the state-owned facility at Stewart, Nevada; and providing other matters properly relating thereto.

Assemblyman Schofield moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By Assemblyman Humke (by request):

Assembly Bill No. 720—An Act relating to peace officers; limiting the length of an assignment for a peace officer in certain areas; and providing other matters properly relating thereto.

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

Motion carried.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 128.

The following Senate amendment was read:

Amendment No. 350.

Amend section 1, page 1, line 11, by deleting: "*the services of others*" and inserting "*travel services*".

Amend the title of the bill, second line, by deleting: "the services of others" and inserting "travel services".

Amend the summary of the bill, first and second lines, by deleting: "services of others." and inserting "travel services.".

Assemblyman Price moved that the Assembly do not concur in the Senate amendment to Assembly Bill No. 128.

Remarks by Assemblymen Price and Tebbs.

Motion carried.

Bill ordered transmitted to the Senate.

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bills Nos. 57, 254; Senate Concurrent Resolution No. 24.

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. Neoma Drum and Messrs. Barney Drum, Michael Fox and Carlos Herrera.

On request of Assemblyman Bergevin, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Larry Richard Williams, Jr., Mesdames Moore, Lobato, Ehlers, Darby, Garcia, Nelson and the students of Zephyr Cove Elementary School: Jeremy Barnett, Maria Bruno, Amy Burkett, Jonathan Casteleyn, Gary Costa, Jill Darby, Danny Delara, Brian Ehlers, Dexter Gatronton, Petra Kalous, Jennifer Kerver, Cory Lobato, Tara Love, Steve Lurtz, Brian Moore, Anthony Parsons, Daniel Robertson, Brandi Schlagel, Jocelyn Sherman, Jason Slingerland, Leah Stokes, Angela Thompson, Toni Ticknor, Ryan Wells, Erika Williams, Beau Baiocchi, Robert Scott Brannon, Robert Cook, Anthony Elges,

Anthony Garcia, Santiago Gonzales, Ann Graves, Jennifer Harrison, Amy Houston, Martin Judnich, Dana Lincoln, Jennifer Lines, Ashley McDade, Carrie McGowen, Amber Montgomery, Fernando Munoz, Osiris Nava, Diane Nelsen, Erik Norman, Tiffany Parker, Fermin Perez, Jr., Elizabeth Rodriguez, Edith Sanchez, Dawn Schlagel, Jeffrey Seibel, Jessica Thornton, Christopher Witte and Lane Woolf.

On request of Assemblyman Evans, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. David Henderson.

On request of Assemblyman Garner, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Cheka Jackson.

On request of Assemblyman Gaston, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Millie Adamson.

On request of Assemblyman Getto, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Ray Evans.

On request of Assemblyman Haller, the privilege of the floor of the Assembly Chamber for this day was extended to Mss. Erika Karcsai, Judith Strassier, Mr. Dan Garfinkle and the students of Pine Middle School: Paula Arzoian, Randy Beane, Nathan Brown, Sherry Cavanagh, Zach Collier, Sean Crowley, Becky Debar, David Diamond, Kevin Drees, Jason Guinasso, Jill Hawkins, Isaac Holmes, Brett Kingsbury, Natalie Krysztof, Jeremy Madole, Richard McElreath, Randy Naylor, Todd Peterson, Derek Reynolds, Juan Salcedo, Ryan Simpson, Andrea Squatrito, Justin States, Nikki Szupello, Janette Trautman, Brandan Trehal, Heather Whittemore, Carrie Wick, Marc Bebout, Stephan Cartlidge, Leah Cashin, Rachelle Cornelius, Leah Crawford, Jason Deadmond, Arthur Farley, Joe Fontaine, Meredith Hamilton, John Howell, Hollie Hunter, Paul Johnson, Kasey Kitchen, Jennifer McNeely, Regina Morris, Amanda Nickles, Holly Olson, Laura Plato, Tami Roberts, Reed Smercina, Shawn Stock, Bonnie Teague, Amy Tibbals, Arlene Walker, Liane Warfield, Jennifer Wilkinson and Ryan Willhoite.

On request of Assemblyman Humke, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Rebeca Joyce Maynard.

On request of Assemblyman Jeffrey, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Tina Dowdy.

On request of Assemblyman Kissam, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Sarah Schrader and Dr. Bill Schrader.

On request of Assemblyman Spriggs, the privilege of the floor of the Assembly Chamber for this day was extended to Miss Heather Morrison.

On request of Assemblyman Triggs, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Dean Jeter.

On request of Assemblyman Wendell Williams, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Shawna Shelton.

Assemblyman Jeffrey moved that the Assembly adjourn until Monday, May 4, 1987 at 11 a.m.

Motion carried.

Assembly adjourned at 12:25 p.m.

Approved: JOSEPH E. DINI, JR.
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE ONE HUNDRED AND SIXTH DAY

CARSON CITY (Monday), May 4, 1987

Assembly called to order at 11:01 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, Father Jerry Hanley.

Yahweh, God of Abraham, Isaac and Jacob and our God. All we have comes from You. We ask Your blessings on those chosen to be in this Assembly, that they may well perform their tasks for our good and our welfare. Let us know Your will and then have the courage to fulfill it. Bless this day their labors. Nourish and protect them and their families.

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Jeffrey moved that further reading of the Journal be dispensed with, and the Speaker and Chief Clerk be authorized to make the necessary corrections and additions.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Government Affairs, to which were referred Assembly Bills Nos. 335, 472, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

DANNY L. THOMPSON, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Assembly Bill No. 631, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

DANNY L. THOMPSON, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which were referred Assembly Bills Nos. 245, 613, 614, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

MARVIN M. SEDWAY, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 1, 1987

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 77, 145, 147, 232, 235, 259, 276, 314, 381, 511.

Also, I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bill No. 40, 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. 319.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 103, 179, 289.

MARY JO MONGELLI
Assistant Secretary of the Senate

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Government Affairs:

Assembly Bill No. 721—An Act relating to public utilities; requiring cooperative associations and other utilities to charge lower rates for electricity for irrigation pumps; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 722—An Act relating to insurance for state officers and employees; subrogating the committee on group insurance to the rights of certain insureds against third parties; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 723—An Act relating to state employees; revising the provisions governing probationary periods for employees in the classified service; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Ways and Means:

Assembly Bill No. 724—An Act relating to the public employees' retirement board; revising the provisions governing the salaries of the members of the board; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

Senate Bill No. 103.

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

Motion carried.

Senate Bill No. 179.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Natural Resources, Agriculture and Mining.

Motion carried.

Senate Bill No. 289.

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

Motion carried.

Senate Bill No. 319.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Judiciary, 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.

ROBERT M. SADER, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which was referred Assembly Bill No. 42, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

MARVIN M. SEDWAY, *Chairman*

Mr. Speaker:

Your Committee on Legislative Functions, 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: Amend, and do pass as amended.

MYRNA WILLIAMS, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Thompson moved that Assembly Bill No. 447 be taken from the Chief Clerk's desk and placed at the top of the Second Reading File.

Remarks by Assemblyman Thompson.

Motion carried.

Assemblyman Thompson moved that Assembly Bill No. 139 be taken from the Chief Clerk's desk and placed on the Second Reading File.

Remarks by Assemblyman Thompson.

Motion carried.

Assemblyman Nevin moved that Senate Bill No. 180 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Nevin.

Motion carried.

By Assemblymen Price, Dini, Fay, May, Tebbs, Brookman, Marvel, Myrna Williams, Spinello, Wisdom, Kerns, Adler, Arberry, Banner, Bergevin, Craddock, DuBois, Evans, Garner, Haller, Kissam, Lambert, McGaughey, Sader, Spriggs, Swain, Thompson, Triggs, Carpenter, Freeman, Getto, Humke, Nevin, Nicholas, Sedway, Wendell Williams, Gaston, Callister and Thomas:

Assembly Joint Resolution No. 42—Ceremonially ratifying the 26th amendment to the United States Constitution.

Assemblyman Price moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

By Assemblymen Jeffrey, Price, Thompson, May, Sedway, Sader, Adler, Kissam, Lambert, Craddock, Haller, Triggs, Humke, Wendell Williams, Nicholas, McGaughey, Thomas, DuBois, Bergevin, Schofield, Swain, Arberry, Evans, Spriggs and Garner:

Assembly Concurrent Resolution No. 52—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 donated 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 Nevada 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; and be it further

RESOLVED, That the Chief Clerk of the Assembly prepare and transmit a copy of this resolution to the President of the Union Pacific Railroad.

Assemblyman Jeffrey moved the adoption of the resolution.

Remarks by Assemblymen Jeffrey and Thompson.

Resolution adopted unanimously.

Assemblyman Sedway moved that Assembly Bill No. 397 be placed on the top of the Second Reading File.

Remarks by Assemblyman Sedway.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Triggs, McGaughey, Haller, Humke, Wendell Williams, Thomas, Sader, Thompson, Adler, Kissam, Lambert, Craddock, Evans, May, Gaston, Arberry, Wisdom, Porter and Price:

Assembly Bill No. 725—An Act relating to governmental planning; requiring the preparation of plans for the next 8 years in state government and public education; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Ways and Means:

Assembly Bill No. 726—An Act making an appropriation to the Tahoe Regional Planning Agency for certain expenses; and providing other matters properly relating thereto.

Assemblyman Sedway moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By the Committee on Ways and Means:

Assembly Bill No. 727—An Act relating to children; changing the composition of the committee for protection of children; and providing other matters properly relating thereto.

Assemblyman Sedway moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By the Committee on Commerce:

Assembly Bill No. 728—An Act relating to public works; authorizing the withdrawal by the contractor of the amount of the payment retained by the public body upon deposit by the contractor of certain securities; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

By the Committee on Commerce:

Assembly Bill No. 729—An Act relating to physical therapists; clarifying the provision prohibiting the collection of an unearned fee by a physical therapist; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

By the Committee on Commerce:

Assembly Bill No. 730—An Act relating to chiropractors; providing for the placement of a license to practice chiropractic on inactive status; changing the requirements for the issuance of a license to an applicant licensed in another state; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

By the Committee on Transportation:

Assembly Bill No. 731—An Act relating to transportation; limiting the regulation of motor carriers and brokers to matters directly related to transportation; providing for the separate regulation of brokers; excluding brokers for the transportation of passengers from regulation; revising the standards for the issuance of a certificate of public convenience and necessity by the taxicab authority in certain counties; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Transportation:

Assembly Bill No. 732—An Act relating to drivers' licenses; broadening the provision authorizing the issuance of a driver's license in a fictitious name for use by peace officer in undercover investigations; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Wendell Williams, Humke, Spriggs, Porter, Arberry and Garner:

Assembly Bill No. 733—An Act relating to schools; requiring proof of custody for the enrollment of a pupil in school under certain circumstances; providing a penalty; and providing other matters properly relating thereto.

Assemblyman Wendell Williams moved that the bill be referred to the Committee on Education.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Natural Resources, Agriculture and Mining, to which was referred Senate 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 W. SCHOFIELD, *Chairman*

SECOND READING AND AMENDMENT

Assembly Bill No. 397.

Bill read second time.

The following amendment was proposed by the Committee on Legislative Functions:

Amendment No. 545.

Amend section 1, page 1, lines 1 and 2, by deleting:

"1. The legislative commission shall:

(a) Contract" and inserting: "The legislative commission shall contract".

Amend section 1, page 1, by deleting lines 4 through 9.

Amend sec. 2, page 1, lines 11 and 12, by deleting "of revenue." and inserting a period.

Amend sec. 2, page 2, line 1, by deleting "oversight committee" and inserting "legislative commission".

Amend sec. 2, page 2, by deleting lines 6 through 9 and inserting: "that the consultants are adhering to the scope of the study as established by the legislative commission.

3. The study must be completed and submitted to the governor and legislative commission on or before September 1, 1988.".

Amend the bill as a whole by renumbering sections 3 through 5 as sections 4 through 6 and adding a new section designated sec. 3, following sec. 2, to read as follows:

"Sec. 3. The governor shall appoint a broad-based committee of no more than 15 persons composed of representatives of business, industry, gaming, mining, education, labor, local governments and the general public. The committee shall review the report submitted by the consultants and, before November 30, 1988, submit findings and recommendations to the legislative commission.".

Amend sec. 3, page 2, line 10, after "submit a report" by inserting: ", including the findings and recommendations of the governor's review committee,".

Assemblyman Sedway moved the adoption of the amendment.

Remarks by Assemblyman Sedway.

Amendment adopted.

Assemblyman Sedway moved that Assembly Bill No. 397 be re-referred to the Committee on Ways and Means.

Motion carried.

Bill ordered reprinted, engrossed and to the Committee on Ways and Means.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 127.

The following Senate amendment was read:

Amendment No. 248.

Amend section 1, page 2, line 1, by deleting "*wages,*" and inserting: "*wages or as an independent contractor,*".

Assemblyman Myrna Williams moved that the Assembly do not concur in the Senate amendment to Assembly Bill No. 127.

Remarks by Assemblyman Myrna Williams.

Motion carried.

Bill ordered transmitted to the Senate.

Assembly Bill No. 177.

The following Senate amendment was read:

Amendment No. 512.

Amend sec. 2, page 2, by deleting lines 1 through 8 and inserting:

"*5. Charge and collect from an insurer, health maintenance organization, organization for dental care or nonprofit medical service corporation, a fee for the actual expenses incurred by the committee, the state or a participating public employer in administering a plan of insurance offered by that insurer, organization or corporation.*".

Assemblyman Thompson moved that the Assembly concur in the Senate amendment to Assembly Bill No. 177.

Remarks by Assemblyman Thompson.

Motion carried.

Bill ordered enrolled.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Judiciary, to which was referred Senate Bill No. 103, 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.

ROBERT M. SADER, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Assembly Concurrent Resolution No. 29, has had the same under consideration, and begs leave to report the same back with the recommendation: Be adopted.

DANNY L. THOMPSON, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Sader moved that Senate Bill No. 103 be re-referred to the Committee on Health and Welfare.

Motion carried.

Assembly Concurrent Resolution No. 29.

Assemblyman Thompson moved the adoption of the resolution.

Remarks by Assemblymen Thompson and Adler.

Resolution adopted.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Elections:

Assembly Bill No. 734—An Act relating to campaign practices; changing the time within which certain reports must be filed; and providing other matters properly relating thereto.

Assemblyman Swain moved that the bill be referred to the Committee on Elections.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 447.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 382.

Amend the bill as a whole by deleting section 1 and renumbering sec. 2 as section 1.

Amend sec. 2, page 2, by deleting lines 15 through 37 and inserting: "*The commission shall determine whether a hearing must be held when the proposed change by a public utility furnishing telephone service in any schedule stating a new or revised individual or joint rate, fare or charge, or any new or revised individual or joint regulation or practice affecting any rate, fare or charge, will result in an increase in annual gross revenue as certified by the applicant of $50,000 or 10 percent of the applicant's gross revenue, whichever is less.*".

Amend the bill as a whole by renumbering sec. 3 as sec. 2.

Amend sec. 3, page 2, line 41, by deleting "2" and inserting "*1*".

Amend the bill as a whole by deleting sec. 4.

Amend the title of the bill to read as follows:

"An Act relating to public utilities; revising the provisions requiring a hearing for proposed changes of rates by certain public utilities; and providing other matters properly relating thereto.".

Amend the summary of the bill by deleting the first line and inserting: "Revises provisions requiring hearing by public service commission of Nevada".

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. 513.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 509.

Amend sec. 2, page 2, by deleting lines 5 through 8 and inserting:

"2. *Any person under 21 years of age who, for any reason, possesses any alcoholic beverage in public is guilty of a misdemeanor.*

3. This section does not preclude a local governmental entity from enacting by ordinance an additional or broader restriction.

4. For the purposes of this section, possession "in public" includes possession:

(a) On any street or highway;

(b) In any place open to the public; and

(c) In any private business establishment which is in effect open to the public.

5. The term does not include:

(a) Possession for an established religious purpose;

(b) Possession in the presence of the person's parent, spouse or legal guardian who is 21 years of age or older;

(c) Possession in accordance with a prescription issued by a person statutorily authorized to issue prescriptions;

(d) Possession in private clubs or private establishments; or

(e) The selling, handling, serving or transporting of alcoholic beverages by a person in the course of his lawful employment by a licensed manufacturer, wholesaler or retailer of alcoholic beverages.".

Assemblyman Sader moved the adoption of the amendment.

Remarks by Assemblymen Sader and Swain.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 542.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 595.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 600.

Bill read second time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 558.

Amend section 1, page 1, by deleting lines 2 through 9 and inserting: "the Southern Nevada Adult Mental Health Services the sum of $11,639 for the costs of employing, training and orienting additional staff at the Horizon Recovery Center Facility. This appropriation is supplemental to that made by section 31 of chapter".

Assemblyman Spinello moved the adoption of the amendment.

Remarks by Assemblyman Spinello.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 618.

Bill read second time, ordered engrossed and to third reading.

Senate Bill No. 21.

Bill read second time and ordered to third reading.

Senate Bill No. 244.

Bill read second time and ordered to third reading.

Assembly Bill No. 139.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 511.

Amend the bill as a whole by deleting sections 1 through 3 and inserting:

"Section 1. Chapter 278 of NRS is hereby amended by adding thereto a new section to read as follows:

The governing body may, by ordinance, authorize the planning commission to act finally on a tentative map and a final map. Any person aggrieved by the commission's action may, within 7 days after the issuance of the decision, appeal the commission's decision to the governing body.

Sec. 2. NRS 278.320 is hereby amended to read as follows:

278.320 1. "Subdivision" means any land, vacant or improved, which is divided or proposed to be divided into five or more lots, parcels, sites, units or plots, for the purpose of any transfer, development or any proposed transfer or development unless exempted by one of the following provisions:

(a) [The term "subdivision" does not apply to any division of land which is subject to the provisions of NRS 278.471 to 278.4725, inclusive.

(b)] Any joint tenancy or tenancy in common shall be deemed a single interest in land.

[(c)] *(b)* Unless a method of disposition is adopted [for the purpose of evading] *to evade* this chapter or would have the effect of evading this chapter, the term "subdivision" does not apply to:

(1) Any division of land which is ordered by any court in this state or created by operation of law;

(2) A lien, mortgage, deed of trust or any other security instrument;

(3) A security or unit of interest in any investment trust regulated under the laws of this state or any other interest in an investment entity;

(4) Cemetery lots; or

(5) An interest in oil, gas, minerals or building materials, which are now or hereafter severed from the surface ownership of real property.

2. The board of county commissioners of any county may exempt any parcel or parcels of land from the provisions of NRS 278.010 to 278.630, inclusive, if:

(a) Such land is owned by a railroad company or by a nonprofit corporation organized and existing pursuant to the provisions of chapter 81 of NRS which is an immediate successor in title to a railroad company, and such land was in the past used in connection with any railroad operation; and

(b) Other persons now permanently reside on such land.

3. This chapter does not apply to the division of land for agricultural purposes into parcels of more than 10 acres, if a street, road, or highway opening or widening or easement of any kind is not involved.

Sec. 3. NRS 278.330 is hereby amended to read as follows:

278.330 1. The initial action in connection with the making of any subdivision is the preparation of a tentative map.

2. The subdivider shall file copies of such map with the planning commission, or with the clerk of the governing body if there is no planning commission together with a filing fee in an amount determined by the governing body.

3. The commission, the clerk of the governing body or, when permitted by the governing body, the subdivider or any other appropriate agency shall distribute copies of the map and any accompanying data to all state and local agencies charged with reviewing the proposed subdivision.

4. If there is no planning commission, the clerk of the governing body shall submit the tentative map to the governing body at its next regular meeting.

5. [If] *Except as otherwise provided by subsection 6, if* there is a planning commission it shall, within 45 days after receiving a tentative map, recommend approval, conditional approval or disapproval of the map in a written report filed with the governing body.

6. If the governing body has authorized the planning commission to act finally on a tentative map, the planning commission shall, within 45 days after receiving a tentative map, approve, conditionally approve or disapprove the tentative map in the manner provided for in NRS 278.349. It shall file its written decision with the governing body.

Sec. 4. NRS 278.349 is hereby amended to read as follows:

278.349 1. Except as *otherwise* provided in subsection 2, the governing body *, if it has not authorized the planning commission to act finally,* shall, by a majority vote of the members present, approve, conditionally

approve, or disapprove a tentative map filed with it pursuant to NRS 278.330 within 30 days after receipt of the planning commission's recommendations.

2. If there is no planning commission, the governing body shall approve, conditionally approve or disapprove a tentative map within 45 days after the map is filed with the governing body.

3. The governing body *, or planning commission if it is authorized to act finally on a tentative map,* shall consider:

(a) Environmental and health laws and regulations concerning water and air pollution, solid waste disposal, water supply facilities, community or public sewage disposal and, where applicable, individual systems for sewage disposal;

(b) Availability of water which meets applicable health standards and is sufficient for the reasonably foreseeable needs of the subdivision;

(c) Availability and accessibility of utilities;

(d) Availability and accessibility of public services such as schools, police and fire protection, transportation, recreation and parks;

(e) General conformity with the zoning ordinances and master plan, except that if any existing zoning ordinance is inconsistent with the master plan, the zoning ordinance takes precedence;

(f) General conformity with the governing body's master plan of streets and highways;

(g) Effect of the proposed subdivision on existing public streets and the need for new streets or highways to serve the subdivision;

(h) Physical land characteristics such as flood plain, slope, soil; and

(i) Recommendations and comments of those entities reviewing the tentative map pursuant to NRS 278.330 and 278.335.

4. When the board of trustees of a school district develops a plan for the future construction of one or more schools, it shall notify each city, county or regional planning commission any part of whose territory will be served by a proposed school. The notice must include the grades to be taught, the number of pupils to be accommodated, and the area to be served. The board shall notify each commission of any change in or abandonment of its plan.

5. The governing body *or planning commission* shall not approve a tentative map if the taxes are delinquent on any of the land to be subdivided. The subdivider shall prove that no tax is delinquent by submitting to the governing body *or planning commission* a certificate of the county treasurer to this effect.

6. The governing body *or planning commission* shall, by a majority vote of the members present, make a final disposition of the tentative map. Any disapproval or conditional approval must include a statement of the reason for that action.

Sec. 5. NRS 278.350 is hereby amended to read as follows:

278.350 Unless a longer time is provided pursuant to NRS 278.0201:

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 , *or the planning commission if it has been authorized to act finally,* shall certify the map as approved.

Sec. 6. NRS 278.360 is hereby amended to read as follows:

278.360 Unless a longer time is provided pursuant to NRS 278.0201:

1. Unless the time is extended, the subdivider shall present to the governing body , *or planning commission if it has been authorized to act finally,* 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 *or planning commission* 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. 7. NRS 278.371 is hereby amended to read as follows:

278.371 1. The survey, setting of monuments and final map must be made by a land surveyor registered in the State of Nevada.

2. The final monuments must be set before the recordation of the final map unless the subdivider furnishes a performance bond or other suitable assurance to the governing body *or planning commission* guaranteeing that the subdivider will provide a registered land surveyor to set the monuments on or before a day certain. The governing body *or planning commission* shall determine the amount of the performance bond, if any is required. If a surveyor other than the one signing the final plat accepts responsibility for the setting of monuments, a certificate of amendment must be filed and recorded.

3. The final monument must, except as *otherwise* provided in subsections 6 and 7, consist of a nonferrous tablet, disc or cap securely attached to the top of a metallic shaft solidly embedded in the ground, with a minimum diameter of 5/8 of an inch and a length sufficient to resist removal, and a mark for the exact point and stamped "RLS" followed by the surveyor's registration number.

4. Final monuments must be set at:

(a) Each corner of the boundary of the subdivision and at any point necessary to ensure that each monument on a given boundary can be seen from the next monument on that boundary.

(b) Intersections of centerlines of streets.

(c) Sufficient locations along the centerlines of streets so that the centerlines may be retraced. These locations may be at, or on an offset to, an

angle to the centerline of a street, the center of a cul-de-sac, a point which defines a curve (the beginning or end of a curve or a point of intersection of a tangent) or an intersection with a boundary of the subdivision.

(d) A position for a corner of the system of rectangular surveys directly relevant to property lines and corners of the subdivision.

The governing body shall, by ordinance, adopt any additional standards for the setting of final monuments which are reasonably necessary.

5. A final monument required in subsection 4 which falls in a paved area must:

(a) Consist of a well with lid placed so that the top of the tablet, disc or cap of the monument is not less than 4 inches below the surface of the pavement; or

(b) Be of comparable construction as required by the governing body.

The monument must be set flush with the top of the pavement with such references as are required by the governing body.

6. If a point designated in subsection 4 falls on solid bedrock or on a concrete or stone roadway, curb, gutter or walk, a durable nonferrous metal tablet, disc or cap must be securely anchored in the rock or concrete and marked as required in subsection 3.

7. If a monument required by subsection 3 cannot be set because of steep terrain, water, marsh or existing structures, or if it would be obliterated as a result of proposed construction, one or more reference monuments must be set. In addition to the physical requirements for a monument set forth in subsections 3 to 6, inclusive, the letters "RM" and "WC" must be stamped in the tablet, disc or cap. If only one reference monument is used, it must be set on the actual line or a prolongation thereof. Otherwise, at least two reference monuments must be set. These monuments shall be deemed final monuments.

8. A corner of a lot must be set by the land surveyor in the manner approved by the governing body.

Sec. 8. NRS 278.378 is hereby amended to read as follows:

278.378 1. A final map presented to the county recorder for filing must include a certificate by the clerk of the governing body *or planning commission* stating that [the body] *it* approved the map and accepted or rejected on behalf of the public any parcel of land offered for dedication for public use in conformity with the terms of the offer of dedication.

2. The director of planning or, if there is no director of planning, the clerk of the governing body shall certify on the final map that it substantially complies with the tentative map and all conditions have been met.

3. The clerk of the governing body *or planning commission* shall cause the approved final map to be presented to the county recorder for filing.

Sec. 9. NRS 278.380 is hereby amended to read as follows:

278.380 1. Upon receipt of the final map, the governing body *or planning commission* shall, at its next meeting, or within a period of not more than 10 days after the map is filed with the governing body [,] *or*

planning commission, approve the map if it conforms to all the requirements of NRS 278.010 to 278.630, inclusive, and of any local ordinance applicable at the time of approval of the final map, or any rulings made thereunder.

2. The governing body *or planning commission* shall at that time also accept or reject any or all offers of dedication and may, as a condition precedent to the acceptance of any streets or easements, require that the subdivider improve or agree to improve the streets or easements.

3. If an agreement for a required improvement is entered into, the governing body *or planning commission* may require that the agreement be secured by a good and sufficient bond or other security in the amount determined by the governing body [.] *or planning commission.*

Sec. 10. NRS 278.385 is hereby amended to read as follows:

278.385 The governing body *or planning commission* shall not approve any final map for a subdivision served by a public water system which it receives after May 15, 1977, unless the subdivider has submitted plans which provide for the installation of water meters or other devices which will measure water delivered to each water user in the subdivision.

Sec. 11. 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 *or planning commission* 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] *Such an acceptance must* be recorded in the office of the county recorder and be so noted by the recorder on the subdivision plot.

Sec. 12. NRS 278.461 is hereby amended to read as follows:

278.461 1. A person who proposes to divide any land for transfer or development into four or fewer lots shall file a parcel map in the office of the county recorder, unless this requirement is waived . [or the provisions of NRS 278.471 to 278.4725, inclusive, apply.]

2. A parcel map is not required when the division is for the express purpose of:

(a) Creation or realignment of a public right of way by a public agency.

(b) Creation or realignment of an easement.

(c) Adjustment of the boundary line or the transfer of land between two adjacent property owners which does not result in the creation of any additional parcels.

(d) Purchase, transfer or development of space within an apartment building or an industrial or commercial building.

(e) Carrying out an order of any court or dividing land as a result of an operation of law.

3. A parcel map is not required for any of the following transactions involving land:

(a) Creation of a lien, mortgage, deed of trust or any other security instrument.

(b) Creation of a security or unit of interest in any investment trust regulated under the laws of this state or any other interest in an investment entity.

(c) Conveying an interest in oil, gas, minerals or building materials, which are severed from the surface ownership of real property.

(d) Conveying an interest in land acquired by the department of transportation under chapter 408 of NRS.

(e) Filing a certificate of amendment under NRS 278.473.

4. When two or more separate lots, parcels, sites, units or plots of land are purchased, they remain separate for the purposes of this section and NRS 278.468, 278.590 and 278.630. When the lots, parcels, sites, units or plots are resold or conveyed they are exempt from the provisions of NRS 278.010 to 278.630, inclusive, until further divided.

5. Unless a method of land division is adopted for the purpose or would have the effect of evading this chapter, the provisions for division of land by a parcel map do not apply to a transaction exempted by paragraph [(c)] *(b)* of subsection 1 of NRS 278.320.

Sec. 13. NRS 278.473 is hereby amended to read as follows:

278.473 1. If an error or omission is found in any subdivision plat, record of survey, parcel map [, map of division into large parcels,] or reversionary map and the correction does not change or purport to change the physical location of any survey monument, property line or boundary line, the county surveyor or governing body may cause a certificate of amendment to be filed and recorded. The surveyor who made the survey shall prepare and record the certificate within 90 days after notification by the county surveyor or governing body. If the surveyor is no longer professionally active in the county the county surveyor or a registered land surveyor appointed by the board of county commissioners shall prepare the certificate.

2. The certificate of amendment [shall:] *must:*

(a) Be in the form of a letter addressed to the county surveyor or the governing body;

(b) Specify the title and recording date of the document being amended;

(c) Concisely state the data being amended and the correction or omission;

(d) Be dated, signed and sealed by the surveyor preparing the certificate; and

(e) Contain the following statement, dated and signed by the county surveyor or a registered land surveyor appointed by the county governing body:

I hereby certify that I have examined the certificate of amendment and that the changes to the original document specified therein are provided for in applicable sections of NRS 278.010 to 278.630, inclusive, NRS 625.340 to 625.380, inclusive, and local ordinances adopted pursuant thereto, and I am satisfied that this certificate of amendment so amends the document as to make it technically correct.

3. Upon the recording of a certificate of amendment, the county recorder shall cause a proper notation to be entered upon all recorded sheets of the original document being amended.

Sec. 14. NRS 278.475 is hereby amended to read as follows:

278.475 If an error or omission is found in any recorded subdivision plat, record of survey, parcel map [, map of division into large parcels,] or reversionary map, and the correction changes or purports to change the physical location of any survey monument, property line or boundary line, the county surveyor or governing body may cause an amended plat, survey or map to be filed and recorded.

Sec. 15. NRS 278.477 is hereby amended to read as follows:

278.477 1. Any amendment of a recorded subdivision plat, parcel map [, map of division into large parcels,] or record of survey which changes or purports to change the physical location of any survey monument, property line or boundary line is subject to the following requirements:

(a) If the proposed amendment is to a parcel map [, map of division into large parcels,] or record of survey the same procedures and requirements apply as in the original filing.

(b) If the proposed amendment is to a subdivision plat only those procedures for the approval and filing of a final map and the requirements of subsection 2 apply.

2. Any amended plat, map or survey [shall:] *must:*

(a) Be identical in size and scale to the document being amended, drawn in the manner and on the material provided by law;

(b) Have the words "Amended Plat of" prominently displayed on each sheet above the title of the document amended;

(c) Have a blank margin for the county recorder's index information;

(d) Have a 3-inch square adjacent to and on the left side of the existing square for the county recorder's information and stamp;

(e) Contain the certificate required by NRS 278.374 or an order of the district court of the county in which the land is located that the amendment may be approved without all the necessary signatures [when such] *if the* order is based upon a finding that a bona fide effort was made to communicate with the necessary persons, that all persons who responded have consented thereto and that the amendment does not adversely affect the persons who did not respond;

(f) Contain a certificate of the registered land surveyor who prepared the amendment stating that it complies with all pertinent sections of NRS 278.010 to 278.630, inclusive, and NRS 625.340 to 625.380, inclusive, and with any applicable local ordinance; and

(g) Contain a certificate executed by the appropriate county surveyor, county engineer or city engineer if he is a registered land surveyor or a registered civil engineer stating that he has examined the document and that it is technically correct.

3. Upon recording the amended document, the county recorder shall cause a proper notation to be entered upon all recorded sheets of the document being amended.".

Amend the bill as a whole by renumbering sec. 4 as sec. 16 and adding new sections designated 17 through 24, following sec. 4, to read as follows:

"Sec. 17. NRS 278.490 is hereby amended to read as follows:

278.490 1. Any owner or governing body desiring to revert or abandon any subdivision map, parcel map [, map of division into large parcels,] or part thereof to acreage or to abandon the map or portion thereof shall submit a written application accompanied by a map of the proposed abandonment or reversion to the governing body for approval. The application [shall] *must* describe the requested changes.

2. The map need only contain the appropriate certificates required by NRS 278.374 to 278.378, inclusive, for the original division of the land, and must be presented to the governing body for approval. If the map includes the abandonment of any public street or easement, the provisions of NRS 278.480 must be followed before the approval of the map.

3. The final map must be clearly and legibly drawn in black waterproof india ink upon good tracing cloth or produced by the use of other materials of a permanent nature generally used for such *a* purpose in the engineering profession, but affidavits, certificates and acknowledgments must be legibly stamped or printed upon the map with opaque ink.

4. The size of each sheet of the map must be 24 by 32 inches. A marginal line must be drawn completely around each sheet, leaving an entirely blank margin of 1 inch at the top, bottom and right edges, and of 2 inches at the left edge along the 24-inch dimension.

5. The scale of the map must be large enough to show all details clearly and enough sheets must be used to accomplish this end.

6. The particular number of the sheet and the total number of sheets comprising the map must be stated on each of the sheets and its relation to each adjoining sheet must be clearly shown.

7. Except for the provisions of this section and any provision or ordinance relating to the payment of fees in conjunction with filing or recordation or checking of a map of the kind offered, no other provision of NRS 278.010 to 278.630, inclusive, applies to a map made solely for the purpose of abandonment of a former map or for reversion of any land division to acreage.

8. Upon approval of the map of reversion or abandonment, it must be recorded by the governing body in the office of the county recorder and the county recorder shall make a written notation of the fact on each sheet of the previously recorded map affected by the later recording.

Sec. 18. NRS 278.590 is hereby amended to read as follows:

278.590 1. It is unlawful for any person to contract to sell, to sell or to transfer any subdivision or any part thereof, or land divided pursuant to a parcel map , [or map of division into large parcels,] until the required map thereof, in full compliance with the appropriate provisions of NRS 278.010 to 278.630, inclusive, and any local ordinance, has been recorded in the office of the recorder of the county in which any portion of the subdivision or land divided is located.

2. A person who violates the provisions of subsection 1 is guilty of a misdemeanor and is liable for a civil penalty of not more than $300 for each lot or parcel sold or transferred.

3. This section does not bar any legal, equitable or summary remedy to which any aggrieved municipality or other political subdivision, or any person, may otherwise be entitled, and any such municipality or other political subdivision or person may file suit in the district court of the county in which any property attempted to be divided or sold in violation of NRS 278.010 to 278.630, inclusive, is located to restrain or enjoin any attempted or proposed division or transfer in violation of those sections.

Sec. 19. NRS 278.630 is hereby amended to read as follows:

278.630 1. When there is no final map [,] *or* parcel map [or map of division into large parcels] as required by the provisions of NRS 278.010 to 278.630, inclusive, then the county assessor shall determine, as lands are placed upon the tax roll and maps of the county assessor's office, any apparent discrepancies with respect to the provisions of NRS 278.010 to 278.630, inclusive, and shall report his findings in writing to the governing body of the county or city in which such apparent violation occurs.

2. Upon receipt of the report the governing body shall cause an investigation to be made by the district attorney's office, when [such] *the* lands are within an unincorporated area, or by the city attorney when within a city, the county recorder and any planning commission having jurisdiction over the lands in question.

3. If the report shows evidence of violation of the provisions of NRS 278.010 to 278.630, inclusive, with respect to the division of lands or upon the filing of a verified complaint by any municipality or other political subdivision or person, firm or corporation with respect to violation of the provisions of those sections, the district attorney of each county in this state shall prosecute all such violations in respective counties in which the violations occur.

Sec. 20. NRS 278A.450 is hereby amended to read as follows:

278A.450 1. The ordinance enacted pursuant to this chapter must designate the form of the application for tentative approval, the fee for filing the application and the official of the city or county with whom the application is to be filed.

2. The application for tentative approval [must] *may* include a tentative map. [Tentative] *If a tentative map is included, tentative* approval may not be granted pursuant to NRS 278A.490 until the tentative map has been submitted for review and comment by the agencies specified in NRS 278.335.

Sec. 21. NRS 119.121 is hereby amended to read as follows:

119.121 Unless the method of disposition is adopted to evade the provisions of this chapter or of the provisions of the Interstate Land Sales Full Disclosure Act, 15 U.S.C. §§ 1701 to 1720, inclusive, if each lot, parcel, interest or unit being offered or disposed of in any subdivision is at least one-sixteenth of a section as described by a survey of the government land office, but not less than 35 acres, or 40 acres in area, including roadways and easements, but not more than 80 acres in size, and the developer:

1. Completes an application in such form and containing such reasonable information as the division may require;

2. Pays the fees prescribed in this chapter for a permit for partial registration;

3. Requires the purchaser or his agent to inspect the land before purchasing it; and

4. Signs an affirmation which states that the purchaser or his agent has inspected the land before purchasing it and makes that affirmation a matter of record pursuant to the regulations of the division,

the developer need only comply with the provisions of NRS [119.183,] 119.184 and 119.230.

Sec. 22. NRS 543.595 is hereby amended to read as follows:

543.595 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 [,] *and* 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.

Sec. 23. NRS 119.183, 278.471, 278.4713, 278.4715, 278.472 and 278.4725 are hereby repealed.

Sec. 24. This act becomes effective upon passage and approval.".

Amend the bill by inserting the text of the repealed sections.

Amend the title of the bill to read as follows:

"An Act relating to planning the use of land; revising the provisions relating to the approval of tentative and final maps; altering the procedure for abandoning public streets and easements; repealing the special provisions regarding the division of land into large parcels; and providing other matters properly relating thereto."

TEXT OF REPEALED SECTIONS

119.183 Sales: Disclosure to purchaser concerning public services and utilities. Each seller of more than one lot created by a map of division into large parcels must, before the intending purchaser signs any binding agreement, disclose to him in writing by a separate document signed by the intending purchaser that the city, county, school district and special districts are not obligated to furnish any service, specifically mentioning fire protection and roads, to the land so divided, and that any public utility may be similarly free of obligation.

278.471 Divisions of land subject to NRS 278.471 to 278.4725, inclusive; exemption.

1. Except as provided in subsections 2 and 3, a proposed division of land is subject to the provisions of NRS 278.471 to 278.4725, inclusive, if each proposed lot is at least:

(a) One-sixteenth of a section as described by a government land office survey; or

(b) Forty acres in area, including roads and easements.

2. The governing body of a city, the board of county commissioners with respect to the unincorporated area, may by ordinance elect to make NRS 278.471 to 278.4725, inclusive, apply to each proposed division of land where each proposed lot is at least:

(a) One-sixty-fourth of a section as described by a government land office survey; or

(b) Ten acres in area, including roads and easements.

3. A proposed division of land into lots or parcels, each of which contains not less than one section or 640 acres, is not subject to NRS 278.471 to 278.4725, inclusive.

278.4713 Preparation, contents and filing of tentative map; accessibility of lot.

1. Unless the filing of a tentative map is waived, any person who proposes to make such a division of land shall first file a tentative map with the planning commission for the area in which the land is located, or with the clerk of the governing body if there is no planning commission, and a filing fee of no more than $250 set by the governing body.

2. This map must be:

(a) Entitled "Tentative Map of Division into Large Parcels"; and

(b) Prepared and certified by a registered land surveyor.

3. This map must show:

(a) The approximate, calculated or actual acreage of each lot and the total acreage of the land to be divided.

(b) All roads or easements of access which exist, are proposed in the applicable master plan or are proposed by the person who intends to divide the land.

(c) Any easements for public utilities which exist or which are proposed.

(d) Any existing easements for irrigation or drainage, and any normally continuously flowing watercourses.

(e) An indication of any existing road or easement which the owner does not intend to dedicate.

(f) The name and address of the owner of the land.

4. Each lot must be accessible by road or easement traversable by vehicles suited to the area, unless this requirement is waived by the governing body.

278.4715 Waiver of requirement to file tentative map; designation of easements.

1. The planning commission or, if there is no planning commission, the governing body may waive the requirement of filing the tentative map.

2. If the tentative map is filed with the planning commission or governing body, the planning commission or governing body may within 60 days designate the location and width of any easements for roads and public utilities as shown on the master plan if there is one applicable to the area to be divided, or designate the location and width of any easements for roads and public utilities which may be reasonably necessary to serve the area to be divided if there is no master plan.

3. The planning commission or governing body has no right to designate any easements after the expiration of 60 days from the filing of the tentative map.

278.472 Final map: Requirements and contents; filing.

1. After the planning commission or governing body has approved the tentative map or waived the requirement of its filing, or after the expiration of 60 days from the date of its filing, whichever is sooner, the person who proposes to divide the land may file a final map of the division with the governing body.

2. This map must be:

(a) Entitled "Map of Division into Large Parcels".

(b) Filed with the governing body within 1 year from the date that the tentative map was first filed with the planning commission or governing body or that the requirement of its filing was waived.

(c) Prepared by a registered land surveyor.

(d) Based upon an actual survey by the preparer and show the date of such survey or based upon the most recent government survey and show the date of approval of such government survey and contain a certificate by the preparer that the parcels contain the number of acres shown for each parcel.

(e) Clearly and legibly drawn in black waterproof india ink upon good tracing cloth or produced by the use of other materials of a permanent nature generally used for such purpose in the engineering profession, but affidavits, certificates and acknowledgments must be legibly stamped or printed upon the map with opaque ink.

(f) Twenty-four by 32 inches in size with a marginal line drawn completely around each sheet, leaving an entirely blank margin of 1 inch at the top, bottom, and right edges, and of 2 inches at the left edge along the 24-inch dimension.

(g) Of scale large enough to show clearly all details.

3. The particular number of the sheet and the total number of sheets comprising the map must be stated on each of the sheets, and its relation to each adjoining sheet must be clearly shown.

4. This map must show and define:

(a) All subdivision lots by number and actual acreage of each lot.

(b) All roads or easements of access which exist and which the owner intends to offer for dedication, all roads or easements of access which are shown on the applicable master plan and all roads or easements of access which are specially required by the planning commission or governing body.

(c) Any easements for public utilities which exist or are proposed.

(d) Any existing easements for irrigation or drainage, and any normally continuously flowing watercourses.

278.4725 Action on final map by governing body; recordation of map; certificates; fee for recording.

1. The governing body must approve, conditionally approve or disapprove the map filed, basing its action upon the requirements of NRS 278.472, within 45 days after its filing. If the map is disapproved, the governing body shall return the map to the person who proposes to divide the land, with the reason for its action and a statement of what changes would be necessary to render the map acceptable. If the governing body neither approves nor disapproves the map within 45 days, the map shall be deemed approved unconditionally.

2. Upon approval, the map must be filed with the county recorder. Filing with the county recorder operates as a continuing:

(a) Offer to dedicate for public roads the areas shown as proposed roads or easements of access, which the governing body may accept in whole or in part at any time or from time to time.

(b) Offer to grant the easements shown for public utilities, which any public utility may similarly accept without excluding any other public utility whose presence is physically compatible.

3. The map filed with the county recorder must include:

(a) A certificate signed and acknowledged by the owner of land consenting to the dedication of the roads and granting of the easements.

(b) A certificate signed by the clerk of the governing body that the map was approved, or the affidavit of the person presenting the map for filing that the time limited by subsection 1 for action by the governing body has expired.

4. After a map has been filed with the county recorder, any lot shown thereon may be conveyed by reference to the map, without further description.

5. The county recorder shall charge and collect for recording the map a fee of no more than $25 per page set by the board of county commissioners.".

Assemblyman Thompson moved the adoption of the amendment.

Remarks by Assemblyman Thompson.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

GENERAL FILE AND THIRD READING

Assembly Bill No. 273.

Bill read third time.

The following amendment was proposed by the Committee on Transportation:

Amendment No. 474.

Amend sec. 3, pages 1 and 2, by deleting lines 11 through 16 on page 1 and lines 1 through 5 on page 2 and inserting:

"Sec. 3. *A special fuel dealer shall not collect the special fuel tax from a*".

Amend sec. 6, page 3, lines 28 and 29, by deleting "the department;" and inserting: "[the department;] *this chapter;*".

Amend sec. 7, page 3, line 32, before "or special" by inserting an open bracket.

Amend sec. 7, page 3, line 33, after "license" by inserting a closed bracket.

Amend sec. 7, page 3, by deleting line 34 and inserting:

"2. Each [device for identification] *special fuel user's license* is valid for the calendar year unless".

Amend sec. 7, page 3, line 36, by deleting the bracket.

Amend sec. 10, pages 4 and 5, by deleting lines 35 through 41 on page 4 and lines 1 through 3 on page 5 and inserting: "department . [, together with supporting schedules.]

2. The return [shall] *must* show such information as the department may reasonably require for the proper administration and enforcement of this chapter.

[3. The quarterly tax return shall be accompanied by a remittance, payable to the department, for the amount of excise tax due or $6, whichever is greater.]".

Amend sec. 11, page 5, by deleting line 17 and inserting: "chapter . [or by rules or regulations of the department.]".

Amend sec. 13, page 6, line 2, by deleting "dealer or" and inserting: "dealer . [or".

Amend sec. 13, page 6, line 3, after "due." by inserting a closed bracket.

Amend sec. 13, page 6, by deleting lines 10 through 14 and inserting: "exceed their use over the highways of this state for a certain [month may apply for a special fuel tax refund or apply credit in lieu of refund to succeeding reports.

6. Temporary special fuel licenses are eligible for special fuel tax refunds in the manner provided by the regulations of the department.] *quarter must apply credit to any excise taxes, penalties or interest required by this chapter or fees, taxes, penalties or interest applicable pursuant to chapter 706 of NRS and any balance may be refunded or credited to succeeding reports.*".

Amend sec. 14, page 6, line 31, before "The" by inserting an open bracket.

Amend sec. 14, page 6, line 32, after "license." by inserting a closed bracket.

Amend sec. 14, page 6, by deleting lines 35 through 37 and inserting: "bond *in an amount not less than $25,000* to the state . [in such sum as may be fixed by the director. The premium on the bond may be paid by the department.] The director may appoint inspectors of the public service commission of Nevada and [troopers] *personnel*".

Assemblyman Nevin moved the adoption of the amendment.

Remarks by Assemblyman Nevin.

Amendment adopted.
Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 295.
Bill read third time.
Remarks by Assemblyman Haller.
Conflict of interest declared by Assemblyman Brookman.
Roll call on Senate Bill No. 295:
YEAS—41.
NAYS—None.
Not voting—Brookman.

Senate Bill No. 295 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 for the purpose of a presentation by the "Help Them Walk Again" program.

Assembly in recess at 12:03 p.m.

ASSEMBLY IN SESSION

At 12:09 p.m.
Mr. Speaker presiding.
Quorum present.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Price, Arberry, Swain, Myrna Williams, Banner, Wendell Williams, Schofield and Sedway:

Assembly Bill No. 735—An Act relating to state assistance to the medically indigent; excluding amounts paid for drugs which are necessary to sustain a person's life from his income for the purpose of determining his eligibility for assistance; and providing other matters properly relating thereto.

Assemblyman Price moved that the bill be referred to the Committee on Ways and Means.
Motion carried.

By Assemblymen Jeffrey, Sedway, May, Price, Fay, Myrna Williams, Spinello, Wisdom, Porter, Nevin, Sader, Thompson, Adler, Kissam, Lambert, Craddock and Haller:

Assembly Bill No. 736—An Act relating to community antenna television systems; prohibiting a landlord from denying a tenant access to this service; prohibiting a landlord from charging for this access except under certain circumstances; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.
Motion carried.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bill No. 234; Senate Bills Nos. 197, 219, 271, 323, 423; Senate Joint Resolutions Nos. 6, 17 of the 63rd Session.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Speaker and Assemblyman Getto, the privilege of the floor of the Assembly Chamber for this day was extended to Mesdames Gloria Kent, Motomi Shindo, Messrs. Kenneth Kent, Shunya Shindo and Dr. Craig Kent.

On request of Assemblyman Carpenter, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Marlu Gurr.

On request of Assemblyman Humke, the privilege of the floor of the Assembly Chamber for this day was extended to Mesdames Barbara Winchell, Gay Lewis, Genevieve John, Cathy Cook, Susan Cooper, Jovanka Dardic, Terri Cribbs, Mr. Bill Morrissey and the third grade students of Roger Corbett School: Jeremy Carter, Jason Troop, Jeremy Marshall, Danny Busch, Scott Cigno, Cameron Bullock, Tiffany Capdeville, Tony Isaii, Deonn Leyva, Chris Ranckin, Teddy Fritz, Tony Marino, Connie Nesvold, Alicia John, Douglas Calderon, Kylie Bolling, Jeff Cooper, Mark Lediard, Brenda Chiquichon, Mindi Neugebauer, Freddy Sicking, Joe Cribbs, Milena Dardic and Martin Hokensen.

On request of Assemblyman Kerns, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Laurie Crawford.

On request of Assemblyman Schofield, the privilege of the floor of the Assembly Chamber for this day was extended to Mss. JoAnne Toadvine, Madonna Crosthwaite, Messrs. Ramon A. Flores, Joe Kelly, Bill Dukes, Patrick Meyer and Jack Schofield.

On request of Assemblyman Wisdom, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. James V. Threet.

Assemblyman Jeffrey moved that the Assembly adjourn until Tuesday, May 5, 1987 at 10:30 a.m.

Motion carried.

Assembly adjourned at 12:12 p.m.

Approved:

JOSEPH E. DINI, JR.
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE ONE HUNDRED AND SEVENTH DAY

CARSON CITY (Tuesday), May 5, 1987

Assembly called to order at 10:40 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, Assemblyman Matthew Q. Callister.

Our Father in Heaven, we humbly come before Thee this morning with gratitude in our hearts for all of our many, many blessings—for our lives, our health, our strength and for the opportunity of serving here in the legislature together. We are especially appreciative today to have with us so many who have gone before—our senior legislators. We are thankful for the example they have established for us. We ask that Thy spirit would be with us today, Father, that we will exercise discretion and wisdom and always carry first and foremost in our hearts the thought of the right things for our constituents and for the people of Nevada. We ask for these many blessings humbly and in the name of Jesus Christ. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Jeffrey moved that further reading of the Journal be dispensed with, and the Speaker and Chief Clerk be authorized to make the necessary corrections and additions.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Health and Welfare, 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.

MORSE ARBERRY, JR., *Chairman*

Mr. Speaker:

Your Committee on Health and Welfare, to which was referred Assembly Bill No. 339, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

MORSE ARBERRY, JR., *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which were referred Assembly Bills Nos. 106, 567, 588; Senate Bills Nos. 198, 294, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ROBERT M. SADER, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which was re-referred Assembly Bill No. 205, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass, as amended.

ROBERT M. SADER, *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which were referred Assembly Bill No. 452; Senate Bills Nos. 18, 49, 50, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN E. JEFFREY, *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which was referred Assembly Bill No. 260, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN E. JEFFREY, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which were referred Assembly Bills Nos. 525, 664, 665, 703, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

DANNY L. THOMPSON, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which were referred Assembly Bills Nos. 522, 561, 621, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

DANNY L. THOMPSON, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 1, 1987

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bill No. 148.

MARY JO MONGELLI
Assistant Secretary of the Senate

SENATE CHAMBER, Carson City, May 4, 1987

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bill No. 285.

Also, I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bills Nos. 72, 362, 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. 126.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 161, 275, 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. 55.

MARY JO MONGELLI
Assistant Secretary of the Senate

UNFINISHED BUSINESS

RECEDE FROM ASSEMBLY AMENDMENTS

Assemblyman Thompson moved that the Assembly do not recede from its action on Senate Bill No. 55, 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 Adler, McGaughey and Freeman as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Senate Bill No. 55.

INTRODUCTION, FIRST READING AND REFERENCE

Senate Bill No. 161.

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

Motion carried.

Senate Bill No. 275.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 332.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Natural Resources, Agriculture and Mining, to which was referred Assembly Concurrent Resolution No. 48, has had the same under consideration, and begs leave to report the same back with the recommendation: Be adopted.

JAMES W. SCHOFIELD, *Chairman*

Mr. Speaker:

Your Committee on Natural Resources, Agriculture and Mining, to which was referred Assembly Bill No. 547, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JAMES W. SCHOFIELD, *Chairman*

Mr. Speaker:

Your Committee on Natural Resources, Agriculture and Mining, to which was referred Assembly Bill No. 668, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JAMES W. SCHOFIELD, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen Schofield, Dini, Jeffrey, Nevin, Bergevin, Sader, DuBois, Marvel, Spinello, Banner, Wisdom, Brookman, Tebbs, May, Lambert, Humke, McGaughey, Kissam, Garner, Myrna Williams, Getto, Kerns, Thompson, Swain, Arberry, Craddock, Price, Callister, Gaston, Porter, Adler, Nicholas, Fay, Carpenter, Wendell Williams, Haller, Freeman, Triggs, Spriggs, Thomas, Sedway and Evans:

Assembly Concurrent Resolution No. 53—Honoring the Mexican holiday, Cinco de Mayo.

WHEREAS, Cinco de Mayo is one of the great days of Mexican history, commemorating the successful Mexican resistance of an invasion by the French in 1862; and

WHEREAS, The fifth of May is celebrated both by Mexicans at home and citizens of Mexican origin who live in foreign countries; and

WHEREAS, Residents of the Southwest and Nevada particularly enjoy the day through singing and dancing and many other festive activities; and

WHEREAS, It is appropriate to honor the magnificent traditions and contributions of all Nevadans of Latin American heritage; now, therefore, be it

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, THE SENATE CONCURRING, That the members of the 64th session of the Legislature of the State of Nevada hereby commemorate Cinco de Mayo on May 5, 1987; and be it further

RESOLVED, That the Legislature honors the celebration of Cinco de Mayo and pays tribute on that day to the culture and heritage of Nevadans of Mexican origin.

Assemblyman Schofield moved the adoption of the resolution.

Remarks by Assemblymen Schofield and Swain.

Resolution adopted unanimously.

Assembly Concurrent Resolution No. 48.

Assemblyman Jeffrey moved the adoption of the resolution.

Remarks by Assemblyman Jeffrey.

Resolution adopted.

UNFINISHED BUSINESS

REPORTS OF CONFERENCE COMMITTEES

Mr. Speaker:

The first Committee on Conference concerning Assembly Bill No. 124, 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. C2, which is attached to and hereby made a part of this report.

Amendment No. C2.

Amend section 1, page 2, by deleting lines 13 through 15 and inserting:

"*(a) The sale is approved by a vote: or*

(b) The prior consent of the partners for a sale of all or substantially all of the property has been given in an agreement among the partners,

and written notice of the sale is sent by registered or certified mail to all".

ROBERT M. SADER	SUE WAGNER
MATTHEW Q. CALLISTER	CHARLES W. JOERG
JOHN C. CARPENTER	HERBERT M. JONES
Assembly Committee on Conference	*Senate Committee on Conference*

Assemblyman Sader moved that the Assembly adopt the report of the first Committee on Conference concerning Assembly Bill No. 124.

Remarks by Assemblyman Sader.

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Swain moved that Assembly Bill No. 266 be taken from the Chief Clerk's desk and placed on the Second Reading File.

Remarks by Assemblyman Swain.

Motion carried.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 72.

The following Senate amendment was read:

Amendment No. 491.

Amend section 1, page 2, line 13, by deleting "February" and inserting "March".

Amend section 1, page 2, line 14, by deleting "March" and inserting "April".

Assemblyman May moved that the Assembly do not concur in the Senate amendment to Assembly Bill No. 72.

Remarks by Assemblyman May.

Motion carried.

Bill ordered transmitted to the Senate.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Ways and Means:

Assembly Bill No. 737—An Act relating to state financial administration; delaying the reversion of money appropriated to the bureau of vocational rehabilitation of the rehabilitation division of the department of human resources for the acquisition of a system of data processing; requiring repayment of an appropriation for constructing and equipping vending stands for blind persons; and providing other matters properly relating thereto.

Assemblyman Sedway moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By the Committee on Ways and Means:

Assembly Bill No. 738—An Act relating to children; authorizing programs during the day for the supervision of youthful offenders who are paroled; expanding the provisions governing rehabilitation of youthful offenders to include certain other children; and providing other matters properly relating thereto.

Assemblyman Sedway moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 42.

Bill read second time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 599.

Amend sec. 2, page 1, line 3, before "*The*" by inserting "*1.*".

Amend sec. 2, page 1, by inserting between lines 6 and 7:

"*2. Any person desiring to provide voluntary services to further the establishment, maintenance or operation of either of the cemeteries shall submit a written offer to the commissioner which describes the nature of the services. The commissioner shall consider all such offers and approve those he deems appropriate. He shall coordinate the provision of all services so approved.*".

Amend sec. 5, page 2, line 33, by deleting "$40,000" and inserting "$149,500".

Amend sec. 5, page 2, line 37, by deleting "$40,000" and inserting "$137,000".

Assemblyman Spinello moved the adoption of the amendment.

Remarks by Assemblyman Spinello.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 245.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 335.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 486.

Amend the bill as a whole by deleting sections 1 through 21 and inserting:

"Section 1. Chapter 590 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 6, inclusive, of this act.

Sec. 2. *1. The board may:*

(a) Prescribe the method and form of application for a license to sell, deliver, transport, transfer or dispense or engage in any other activity relating to liquefied petroleum gas;

(b) Investigate the experience, reputation and background of applicants;

(c) Issue, suspend, revoke or deny licenses; and

(d) Conduct hearings in connection with applications for, or revocation of, licenses.

In conducting hearings on the issuance or revocation of any license, the board may compel the attendance of witnesses by use of subpena and apply to the district court of the county where the hearing is held for an order citing any applicant or witness for contempt, for failure to attend or testify.

2. The board may conduct examinations of any applicant to determine the responsibility, ability, knowledge, experience or other qualification of the applicant for a license under NRS 590.465 to 590.645, inclusive, and sections 2 to 6, inclusive, of this act, and may require a reasonable amount of insurance against liability for injury to persons and damage to property.

3. The board shall adopt regulations setting fees for applications, licenses and inspections adequate to cover the cost of the operations of the board.

4. The board may suspend or revoke licenses and refuse renewals of licenses if the applicant or licensee has been guilty of acts or conduct harmful to either the safety or protection of the public.

Sec. 3. *The board may adopt regulations setting forth minimum general standards covering the design, construction, location, installation and operation of equipment for storing, handling, transporting by tank truck or tank trailer, and using liquefied petroleum gases and specifying the odorization of the gases and the degree thereof.*

Sec. 4. *The board may grant variances from its regulations when it deems it in the best interest of the safety of the public or the persons using materials or services relating to liquefied petroleum gas.*

Sec. 5. *1. The board shall adopt regulations regarding safety for all:*

(a) Systems for the distribution of liquefied petroleum gas to 10 users of liquefied petroleum gas or less;

(b) Tanks for liquefied petroleum gas; and

(c) Suppliers and distributors of liquefied petroleum gas to any person or any system for the distribution of liquefied petroleum gas.

2. The board shall:

(a) Provide for the regular inspection of all systems, containers, apparatus, appliances and equipment for the storage, distribution, transportation, dispensing or use of liquefied petroleum gas.

(b) Employ such qualified inspectors as are necessary to carry out the provisions of paragraph (a).

(c) Conduct programs on safety relating to liquefied petroleum gas for volunteer firemen and groups of persons who use liquefied petroleum gas.

Sec. 6. *1. The board shall maintain in such locations as it deems necessary an office open to the public during business hours on weekdays, with a telephone number available 24 hours a day for persons who use liquefied petroleum gas to obtain assistance in an emergency.*

2. The office must be supervised by an employee of the board qualified to deal with the complaints of persons who use liquefied petroleum gas and with other matters relating to the business of the board.

3. Persons licensed by the board or their qualified employees must be made available 24 hours a day to the board for responding to emergencies involving liquefied petroleum gas.

Sec. 7. NRS 590.465 is hereby amended to read as follows:

590.465 NRS 590.465 to 590.645, inclusive, [shall be known and] *and sections 2 to 6, inclusive, of this act,* may be cited as the Nevada Liquefied Petroleum Gas Act.

Sec. 8. NRS 590.485 is hereby amended to read as follows:

590.485 1. The board for the regulation of liquefied petroleum gas, consisting of [six] *five* members appointed by the governor, is hereby created.

2. The governor shall appoint:

(a) [Four persons with knowledge of the handling of liquefied petroleum gas;

(b) A representative of the general public; and

(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.

3.] *One member who is a volunteer fireman in a rural area of this state.*

(b) One member who is a fireman employed by the fire department of a city in this state.

(c) One member who is engaged in the sale or distribution of liquefied petroleum gas in this state.

(d) Two members who are representatives of the general public.

3. After the initial terms, the members of the board must be appointed to terms of 4 years.

4. Any appointed member may, for cause, inefficiency or neglect of duties, be removed from office by the governor.

[4.] *5.* The members of the board are not entitled to compensation.

[5.] *6.* The subsistence allowances and travel expenses of the members of the board must be paid out of the money of the board, after approval by a majority of the board.

[6.] *7.* No more than three members of the board may belong to the same political party.

Sec. 9. NRS 590.495 is hereby amended to read as follows:

590.495 1. The board [may] *shall* hold three regular meetings per year in the months of March, July and November at such times and at such places as may be specified by a call of the chairman.

2. Special meetings may be held at such times and places as may be specified by a call of the chairman or a majority of the board.

3. At the regular meeting in March of each year, the board shall elect, by majority vote, a chairman, vice chairman and secretary-treasurer, who shall hold their respective offices for a period of 1 year and are thereafter ineligible to be reelected to the same office for the next ensuing year.

4. Three members of the board constitute a quorum, and may exercise all the power and authority conferred on the board.

5. All notices or calls for regular or special meetings of the board must be given in writing at least 2 days before the meeting specified.

Sec. 10. NRS 590.505 is hereby amended to read as follows:

590.505 1. The board may adopt a seal for its own use which must have imprinted thereon the words "Board for the Regulation of Liquefied Petroleum Gas." The care and custody of the seal is the responsibility of the secretary-treasurer of the board.

2. The board may appoint an executive secretary and *shall employ* such other technical, clerical or investigative personnel as it deems necessary . [and] *The board shall* fix the compensation of [those appointees. The] *the* executive secretary and all [appointees must] *other employees, to* be paid out of the money of the board. The board may require the executive secretary and any other [appointees] *employees* to give a bond to the board for the faithful performance of their duties, the premiums on the bond being paid out of the money of the board.

3. [The board may adopt regulations setting forth minimum general standards covering the design, construction, location, installation and operation of equipment for storing, handling, transporting by tank truck, tank trailer, and utilizing liquefied petroleum gases and specifying the odorization of the gases and the degree thereof.

4. The board may prescribe the method and form of application for a liquefied petroleum gas license, investigate the experience, reputation and background of applicants, issue, suspend, revoke or deny licenses and conduct hearings in connection with the applications for, or revocation of,

licenses. In conducting hearings on the issuance or revocation of any license, the board may compel the attendance of witnesses by use of subpena and apply to the district court of the county where the hearing is held for an order citing any applicant or witness for contempt, for failure to attend or testify.

5. The board may suspend or revoke licenses and refuse renewals of licenses when the applicant or licensee has been guilty of acts of conduct, harmful to either the safety or protection of the public.

6.] In carrying out the provisions of NRS 590.465 to 590.645, inclusive, *and sections 2 to 6, inclusive, of this act,* and holding its regular or special meetings, the board [may adopt bylaws] *shall adopt:*

(a) Written policies setting forth procedures and methods of operation [.

7.] *for the board.*

(b) Regulations describing the responsibilities of each employee of the board.

4. The board shall submit to the governor a biennial report before September 1 of each even-numbered year, covering the biennium ending June 30 of that year, of its transactions during the preceding biennium, including a complete statement of the receipts and expenditures of the board during the period.

[8.] *5.* The board shall keep accurate records and minutes of all meetings and the records and minutes so kept must be open to public inspection at all reasonable times. The board shall also keep a record of all applications for licenses, and licenses issued by it, which is a public record.

[9. The board may adopt regulations setting reasonable fees for applications, licenses and inspections. The board may retain all such fees collected under the provisions of NRS 590.465 to 590.645, inclusive, for the maintenance of an office, the payment of salaries and expenses and the carrying out of the provisions of NRS 590.465 to 590.645, inclusive.

10. The board may conduct examinations of any applicant to determine the responsibility, ability, knowledge, experience or other qualification of the applicant for a license under NRS 590.465 to 590.645, inclusive, and may require a reasonable amount of personal injury and property damage insurance coverage.

11. The board may grant variances from its regulations when it deems it to the best interest of the safety of the public or the persons using LPG materials or services.]

Sec. 11. NRS 590.515 is hereby amended to read as follows:

590.515 [The] *1. In addition to any other regulations it is authorized or required to adopt, the* board shall adopt such *other* regulations as are reasonably necessary for the protection of the health, welfare and safety of the public and persons using liquefied petroleum gases . [and they]

2. All regulations adopted by the board relating to safety must be in substantial conformity with the generally accepted standards of safety concerning the same subject matter. The board shall adhere to the following conditions in this regard:

[1.] *(a)* The regulations relating to safety in the storage, distribution, dispensing, transporting and utilization of LPG in this state and in the manufacture, fabrication, assembly, sale, installation and use of LPG systems, containers, apparatus or appliances must be just and reasonable and must conform, as nearly as possible, to the standards of the National Board of Fire Underwriters or the National Fire Protection Association, or both, relating to the design, construction, installation and use of systems, containers, apparatus, appliances and pertinent equipment for the storage, transportation, dispensation and utilization of LPG.

[2.] *(b)* Before any regulations are adopted, the secretary of the board shall give at least 10 days' notice to all applicants and licensees under NRS 590.465 to 590.645, inclusive, *and sections 2 to 6, inclusive, of this act,* by mailing an accurate copy of the new, revised or amended regulations which the board proposes to adopt together with a written notice signed by the secretary. Any person affected is entitled to appear at the public hearing on the regulation in person and by counsel. A certificate reciting the adoption and the effective date must be signed by the members comprising a majority of the board. Within 10 days after the adoption of the regulation the secretary shall cause to be mailed to each applicant or licensee under NRS 590.465 to 590.645, inclusive, *and sections 2 to 6, inclusive, of this act,* a true and correct copy of the regulation. A facsimile of any member's signature may be used under this [section] *paragraph* if authorized by the member.

Sec. 12. NRS 590.525 is hereby amended to read as follows:

590.525 All equipment [shall] *must* be installed and maintained in a safe operating condition and in conformity with the [rules,] regulations and specifications adopted [, promulgated and published] by the board [under NRS 590.515.] *pursuant to NRS 590.515 and section 5 of this act.*

Sec. 13. NRS 590.545 is hereby amended to read as follows:

590.545 1. Except as *otherwise* provided in subsection 2, no political subdivision may adopt or enforce any ordinance or regulation in conflict with the provisions of NRS 590.465 to 590.645, inclusive, or with the regulations adopted pursuant to NRS 590.515 [.] *and section 5 of this act.*

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.

Sec. 14. NRS 704.020 is hereby amended to read as follows:

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.

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.

(c) Any system for the distribution of liquefied petroleum gas to 11 or more users.

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.

Sec. 15. NRS 704.030 is hereby amended to read as follows:

704.030 "Public utility," does not include:

1. Persons insofar as they own, control, operate or manage motor vehicles operated as hearses, ambulances or hotel buses engaged in the transportation of persons for hire exclusively within the limits of a city of this state.

2. Persons engaged in the production and sale of natural gas, other than sales to the public, or engaged in the transmission of natural gas other than as a common carrier transmission or distribution line or system.

3. Persons engaged in the business of furnishing, for compensation, water or sewer services, or water and sewer services, to persons within this state if:

(a) They serve 25 persons or less; or

(b) Their gross sales for water or sewer services, or water and sewer services, amounted to $5,000 or less during the immediately preceding 12 months,

and in either case they do not own or control any other business furnishing water or sewer service or water and sewer service within this state.

4. Any common motor carrier, contract motor carrier of passengers or property, or private motor carrier subject to the provisions of chapter 706 of NRS.

5. Persons not normally engaged in the production and sale of water but [which] *who* sell or furnish water as an accommodation in an area where water is not available from a public utility, cooperative corporations and associations or political subdivisions engaged in the business of furnishing water, for compensation, to persons within the political subdivision.

6. Persons who are engaged in the production and sale of energy, including electricity, to public utilities, cities, counties or other entities which are reselling the energy to the public.

7. Persons who are subject to the provisions of NRS 590.465 to 590.645, inclusive, and sections 2 to 6, inclusive, of this act.

Sec. 16. The term of each person holding office as a member of the board for the regulation of liquefied petroleum gas on June 30, 1987, expires on that date. The governor shall appoint to the board one member pursuant to:

1. Paragraph (a) of subsection 2 of NRS 590.485 to a term which expires on June 30, 1991.

2. Paragraph (b) of subsection 2 of NRS 590.485 to a term which expires on June 30, 1990.

3. Paragraph (c) of subsection 2 of NRS 590.485 to a term which expires on June 30, 1989.

4. Paragraph (d) of subsection 2 of NRS 590.485 to a term which expires on June 30, 1989.

5. Paragraph (d) of subsection 2 of NRS 590.485 to a term which expires on June 30, 1988.".

Amend the title of the bill to read as follows:

"An Act relating to liquefied petroleum gas; changing the composition of the board for the regulation of liquefied petroleum gas; requiring the board to maintain offices that are open to the public during certain hours; requiring the board to inspect tanks for liquefied petroleum gas and systems for

delivery; limiting the authority of the public service commission of Nevada to regulation of certain systems for delivery; and providing other matters properly relating thereto.".

Amend the summary of the bill to read as follows: "Revises provisions governing liquefied petroleum gas. (BDR 58-264)".

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. 472.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 527.

Amend section 1, page 1, line 6, after "*sex,*" by inserting "*age,*".

Amend the bill as a whole by deleting sections 2 through 13.

Amend the title of the bill to read as follows:

"An Act relating to housing; broadening the legislative declaration against discrimination in housing; and providing other matters properly relating thereto.".

Amend the summary of the bill to read as follows: "Broadens legislative declaration against discrimination in housing. (BDR 10-1448)".

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. 613.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 614.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 631.

Bill read second time, ordered engrossed and to third reading.

Senate Bill No. 81.

Bill read second time.

The following amendment was proposed by the Committee on Natural Resources, Agriculture and Mining:

Amendment No. 565.

Amend section 1, page 1, line 9, by deleting "*conditions*" and inserting "*resources*".

Assemblyman Schofield moved the adoption of the amendment.

Remarks by Assemblyman Schofield.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Sader moved that Senate Bill No. 191 be taken from the Second Reading File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Sader.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 266.

Bill read second time, ordered engrossed and to third reading.

GENERAL FILE AND THIRD READING

Assembly Bill No. 354.

Bill read third time.

Remarks by Assemblymen Price and Sedway.

Roll call on Assembly Bill No. 354:

YEAS—42.

NAYS—None.

Assembly Bill No. 354 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 Assemblyman Bergevin.

Roll call on Assembly Bill No. 540:

YEAS—41.

NAYS—Adler.

Assembly Bill No. 540 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 Getto, Adler, Thomas, Jeffrey and Schofield.

Roll call on Assembly Bill No. 542:

YEAS—42.

NAYS—None.

Assembly Bill No. 542 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 595.

Bill read third time.

Remarks by Assemblyman Freeman.

Roll call on Assembly Bill No. 595:

YEAS—42.

NAYS—None.

Assembly Bill No. 595 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 Thompson.

Roll call on Assembly Bill No. 618:

YEAS—42.

NAYS—None.

Assembly Bill No. 618 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 21.

Bill read third time.

Remarks by Assemblyman Garner.

Roll call on Senate Bill No. 21:

YEAS—42.

NAYS—None.

Senate Bill No. 21 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 244.

Bill read third time.

Remarks by Assemblyman Schofield.

Roll call on Senate Bill No. 244:

YEAS—42.

NAYS—None.

Senate Bill No. 244 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 40.

The following Senate amendment was read:

Amendment No. 372.

Amend sec. 4, page 2, lines 14 and 15, by deleting "*or 4*".

Amend sec. 4, page 2, by deleting lines 20 through 28 and inserting:

"*2. The terms of office of city councilmen are 4 years, which terms must be staggered. The councilmen elected to office immediately after incorporation shall decide by lot among themselves which of their offices expire at the next general city election, and thereafter the terms of office must be 4 years.*".

Amend sec. 5, page 2, line 31, by deleting "*either*".

Amend sec. 5, page 2, line 32, by deleting: "*or every 4 years*".

Amend sec. 5, page 2, by deleting lines 34 through 42 and inserting: "*third class. The terms of office of the mayor and the councilmen are 4 years, which terms must be staggered. The mayor and councilmen elected to office immediately after incorporation shall decide by lot among themselves which two of their offices expire at the next general city election, and thereafter the terms of office must be 4 years.*".

Amend sec. 33, page 9, line 10, after "The" by inserting: "fiscal note for and".

Amend sec. 95, page 31, line 32, by inserting after the period: "Any reimbursement must be paid from the reserve for statutory contingency fund upon recommendation by the secretary of state and approval by the state board of examiners.".

Amend the bill as a whole by adding new sections designated sections 129 and 130, following sec. 128, to read as follows:

"Sec. 129. At the first general city election held after July 1, 1987:

1. In a city of the first class whose city councilmen serve terms of 2 years:

(a) Four councilmen must be elected to terms of 2 years.

(b) Five councilmen must be elected to terms of 4 years.

2. In a city of the second class with three city councilmen who serve terms of 2 years:

(a) One councilman must be elected to a term of 2 years.

(b) Two councilmen must be elected to terms of 4 years.

3. In a city of the second class with five city councilmen who serve terms of 2 years:

(a) Two councilmen must be elected to terms of 2 years.

(b) Three councilmen must be elected to terms of 4 years.

4. In a city of the third class whose mayor and city councilmen serve terms of 2 years:

(a) The mayor and one councilman must be elected to terms of 2 years.

(b) Two councilmen must be elected to terms of 4 years.

Thereafter, the terms of all such offices must be 4 years.

Sec. 130. Sections 33 and 95 of this act become effective at 12:01 a.m. on July 1, 1987.".

Amend the title of the bill, first line, after "city elections;" by inserting: "requiring terms of certain city councilmen to be 4 years;".

Assemblyman Swain moved that the Assembly concur in the Senate amendment to Assembly Bill No. 40.

Remarks by Assemblyman Swain.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 362.

The following Senate amendment was read:

Amendment No. 482.

Amend section 1, page 1, line 2, by deleting "All" and inserting "1. All".

Amend section 1, page 1, by inserting between lines 4 and 5:

"2. If the state controller finds that current claims against the informational facility fund or the informational service fund exceed the amount available in the respective fund to pay the claims, he may advance temporarily from the state general fund to the appropriate fund the amount required to pay the claims, but no more than 25 percent of the revenues expected to be received in the current fiscal year from any source authorized for the appropriate fund. No amount may be transferred unless requested by the chief of the budget division of the department of administration.".

Amend the bill as a whole by adding a new section designated sec. 4.5, following sec. 4, to read as follows:

"Sec. 4.5. NRS 353.094 is hereby amended to read as follows:

353.094 [1. The counties' trial assistance fund is hereby created as a trust fund.

2.] Claims may be made against the *counties' trial assistance account in the state general* fund by the board of county commissioners of any county as other claims against the state are made for jury fees, witness fees and necessary subsistence expenses attendant to any criminal trial for a capital offense where:

[(a)] *1.* It is not established that the crime was actually committed in the county where the indictment was found or the information filed;

[(b)] *2.* The victim or victims of the crime were not residents of the county where the indictment was found or the information filed; and

[(c)] *3.* The trial is conducted in a county other than the county in which the indictment was found or the information filed.".

Amend the bill as a whole by renumbering sec. 21 as sec. 23 and adding new sections designated sections 21 and 22, following sec. 20, to read as follows:

"Sec. 21. At the end of the fiscal year 1986-87, the state controller shall transfer the assets and liabilities of any fund abolished by the provisions of this act, to the extent that the assets are not encumbered for the fiscal year 1986-87, to the account or fund designated to replace the abolished fund.

Sec. 22. Section 1 of this act becomes effective at 12:01 a.m. on July 1, 1987.".

Amend sec. 21, page 12, line 31, by deleting the period and inserting: "and the counties' trial assistance fund.".

Amend the title of the bill, second line, after "fund;" by inserting: "replacing the counties' trial assistance fund with the counties' trial assistance account in the state general fund;".

Assemblyman Thompson moved that the Assembly do not concur in the Senate amendment to Assembly Bill No. 362.

Remarks by Assemblyman Thompson.

Motion carried.

Bill ordered transmitted to the Senate.

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bills Nos. 77, 145, 147, 177, 232, 235, 259, 276, 314, 381, 511; Senate Bills Nos. 150, 249.

REMARKS FROM THE FLOOR

Assemblyman Myrna Williams requested that her remarks be entered in the Journal.

WHEREAS, the Nevada Assembly, as the larger of the two houses of the State Legislature has capably served the interests of the people of Nevada since 1864; and

WHEREAS, the traditions of Nevada citizen legislature have been promoted and maintained over the years by the outstanding men and women who have served as members of the Assembly; and

WHEREAS, it is appropriate that there be a day set aside at each legislative session for a reunion of former members of the Assembly during which time its current members may pay fitting tribute to those who served before; now, therefore be it

RESOLVED BY THE MEMBERS OF THE ASSEMBLY OF THE SIXTY-FOURTH SESSION OF THE NEVADA LEGISLATURE that May 5, 1987, is designated as Assembly Alumni Day; that the outstanding accomplishments of all former members of the Assembly are recognized; and that our sincere thanks are extended to all former Assemblymen for their dedicated service to our great State.

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. Herbert Rowntree, John Giomi, Linford Riley, Bruce Barnum and Angelo Petrini.

On request of Assemblyman Adler, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. George Hawes.

On request of Assemblyman Arberry, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Jean Ford.

On request of Assemblyman Banner, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. John Polish.

On request of Assemblyman Bergevin, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Samuel Francovich.

On request of Assemblyman Brookman, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Bart Schouweiler and M. Kent Hafen.

On request of Assemblyman Carpenter, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Norman Glaser.

On request of Assemblyman Craddock, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Keith Ashworth.

On request of Assemblyman DuBois, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Jane Ham.

On request of Assemblyman Evans, the privilege of the floor of the Assembly Chamber for this day was extended to Mss. Peggy Westall and Margie Foote.

On request of Assemblyman Fay, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Bob Barengo.

On request of Assemblyman Freeman, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Albert Pasquale and Gene Evans.

On request of Assemblyman Getto, the privilege of the floor of the Assembly Chamber for this day was extended to Mesdames Connie Walters, Sue Fitz, Messrs. Pete Walters and Harold Fitz.

On request of Assemblyman Haller, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Gerald Monaghan and Barry Thiessen.

On request of Assemblyman Humke, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Coe Swobe and Bruce Bogaert.

On request of Assemblyman Jeffrey, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Doug Webb.

On request of Assemblyman Kerns, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Harry Swanson, Carl Fuetsch, Marvin Humphrey and Judge Robert Schouweiler.

On request of Assemblyman Kissam, the privilege of the floor of the Assembly Chamber for this day was extended to Mesdames Margie Kissam, Betty Moore and Mr. Ken Moore.

On request of Assemblyman Lambert, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Mary Frazzini.

On request of Assemblyman Marvel, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Joyce Swackhamer, Messrs. Bill Swackhamer and Ray Knisley.

On request of Assemblyman May, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Helen Herr.

On request of Assemblyman Nevin, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Warren Johnson and Chester Christensen.

On request of Assemblyman Nicholas, the privilege of the floor of the Assembly Chamber for this day was extended to Judge Roy Torvinen and Mr. James E. Wood.

On request of Assemblyman Porter, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Guild Gray.

On request of Assemblyman Price, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Cliff Jones and Ms. Helen Foley.

On request of Assemblyman Sader, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Fay Valentine, Messrs. Artie Valentine and Jim Stone.

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 Sedway, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. George Rudiak and Dr. Robert Robinson.

On request of Assemblyman Spinello, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Charles Perry.

On request of Assemblyman Spriggs, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Jack McCloskey, Don Moody, Mss. Frances Hawkins and Patty Cafferata.

On request of Assemblyman Swain, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Karen Lee.

On request of Assemblyman Thomas, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Archie Pozzi, Ron Engel, Ms. Diane Boone, and the students of Wooster High School: Kelly Carney, Ross Christensen, Cameron Clarkson, Heather Edlefsen-Miner, Sean Elliot, Christopher Foreman, Julene Freitas, Suzanne Gorak, Dana Ingram, Shannon Jackson, Jory Julius, Thomas Martz, Rosemarie Miller, Sherra Miranda, Lanae Olson, Kellie Peterson, Stephen Phelps, Jeffrey Pieters, Shandell Price, Kenneth Regner, Teresa Soderquist, Barry Thiessen, Carlon Thomasson, Rebecca Vassis, Kimberly Vercelli, Deane Davis, Stephanie Fischer, Jayson Fronk, Dana Furman, Lynn Gevert, Steven Gickling, Gary Grate, Andrea Hood, Beate Hutfless, Jennifer Jaime, Robyn Kerley, Kris McDonald, John Murphy, Tom Navarrete, Robert Nederby, James Pearman, Greg Shannon, Jason Stewart, Jason Nash, Michelle Cargill, Matt Durham, Adam Gutride, Lynne Hartman, Ricardo Makonnen and John Feliciano.

On request of Assemblyman Thompson, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Mary Pintar and Mr. Jim Smalley.

On request of Assemblyman Myrna Williams, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Norman Hilbrecht.

Assemblyman Jeffrey moved that the Assembly adjourn until Wednesday, May 6, 1987 at 11 a.m.

Motion carried.

Assembly adjourned at 12 noon.

Approved: JOSEPH E. DINI, JR.
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE ONE HUNDRED AND EIGHTH DAY

CARSON CITY (Wednesday), May 6, 1987

Assembly called to order at 11:05 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, Assemblyman David D. Nicholas.

Let us pray. Lord, thank You for this very beautiful day. Thank You, too, for the climate that surrounds us now to bring our affairs, hopefully, to a very constructive end. Make our labors benefit the people we serve. We are thankful, too, for all of the young people who are with us today and may they observe this process and take the inspiration from it that can cause those shoes that we fill to eventually be filled by their feet.

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Jeffrey moved that further reading of the Journal be dispensed with, and the Speaker and Chief Clerk be authorized to make the necessary corrections and additions.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Judiciary, to which was referred Senate Bill No. 381, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

ROBERT M. SADER, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which was referred Assembly Bill No. 459, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ROBERT M. SADER, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Natural Resources, Agriculture and Mining, 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: Amend, and be adopted as amended.

JAMES W. SCHOFIELD, *Chairman*

Mr. Speaker:

Your Committee on Labor and Management, 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 J. BANNER, *Chairman*

Mr. Speaker:

Your Committee on Labor and Management, to which were referred Assembly Bills Nos. 481, 493, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JAMES J. BANNER, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Assembly Bill No. 494, 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.

DANNY L. THOMPSON, *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which were referred Assembly Bills Nos. 281, 468; Senate Bill No. 16, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN E. JEFFREY, *Chairman*

Mr. Speaker:

Your Committee on Health and Welfare, to which were referred Assembly Bill No. 342; Senate Bill No. 42, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

MORSE ARBERRY, JR., *Chairman*

Mr. Speaker:

Your Committee on Judiciary, 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: Re-refer to the Committee on Ways and Means.

ROBERT M. SADER, *Chairman*

Mr. Speaker:

Your Committee on Elections, to which was referred Assembly Bill No. 432, 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.

COURTENAY C. SWAIN, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Economic Development, Small Business and Tourism, to which was referred Assembly Bill No. 120, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

BOB PRICE, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Judiciary, to which was referred Assembly Bill No. 120, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

ROBERT M. SADER, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Sader moved that Senate Bill No. 360 be re-referred to the Committee on Ways and Means.

Motion carried.

Assemblyman Nevin moved that Senate Bill No. 180 be taken from the Chief Clerk's desk and placed on the General File.

Remarks by Assemblyman Nevin.

Motion carried.

Assemblyman Thompson moved that Assembly Bill No. 631 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Thompson.

Motion carried.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 5, 1987

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. 124.

Also, I have the honor to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 52.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Bill No. 443.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 35, 57, 239, 272, 374.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Assembly Concurrent Resolution No. 43.

Resolution read.

The following amendment was proposed by the Committee on Natural Resources, Agriculture and Mining:

Amendment No. 564.

Amend the resolution, page 1, by deleting lines 15 through 17 and inserting:

"WHEREAS, The diversion of water from the Colorado River Commission for use in Nevada would be adversely affected by a diminished return flow of that water to the river with an additional severe effect on future plans for the".

Assemblyman Schofield moved the adoption of the amendment.

Remarks by Assemblyman Schofield.

Amendment adopted.

Resolution ordered reprinted, engrossed and to the Concurrent Committee on Legislative Functions.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Judiciary:

Assembly Bill No. 739—An Act relating to children; extending to the grandparents of a minor child the right to visit the child regardless of the marital status of the parents; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 740—An Act relating to civil actions; requiring the preferential setting of a date for the trial of certain civil actions; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 741—An Act relating to cooperative agreements; authorizing cooperative borrowing by local governments; specifying the procedure for borrowing and repayment; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 742—An Act relating to juries; increasing the compensation of jurors; revising the provision governing the termination or threatened termination of the employment of a juror or prospective juror; prohibiting the dissuasion of a person from serving as a juror; providing penalties; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 743—An Act relating to criminal extradition; authorizing the payment of the costs and expenses of returning persons extradited to this state for certain misdemeanors; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 744—An Act relating to jury trials; authorizing the use of any certified shorthand reporter to report a jury trial in a justice's court; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 745—An Act relating to judgments; revising the provisions governing execution on and security for the satisfaction of judgments; requiring notice to judgment debtors and defendants of the attachment or garnishment of their property; specifying the contents of the notice; requiring that the notice include a list of exempt property and an explanation of the procedure for claiming the exemptions; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 746—An Act relating to gaming; revising certain provisions governing the computation of the gross revenue of gaming licensees; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 747—An Act relating to real property; providing for the absolute transferability of real property upon the cancellation or withdrawal of a notice of the pendency of certain actions affecting the property; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 748—An Act relating to corporations; conditions the exercise of voting rights of shares of stock acquired through certain corporate acquisitions upon the approval of stockholders; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 749—An Act relating to insolvent insurers; revising the definition of the claims that the Nevada insurance guaranty association is obligated to pay or defend; and providing other matters properly relating thereto.

Assemblyman Sader moved that the bill be referred to the Committee on Commerce.

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 750—An Act relating to insolvent insurers; expanding the provision governing the stay of proceedings involving an insolvent insurer to include proceedings in which the insurer is obligated to defend another party; and providing other matters properly relating thereto.

Assemblyman Sader moved that the bill be referred to the Committee on Commerce.

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 751—An Act relating to rural electric cooperatives; restricting the power of a cooperative to sell, lease or otherwise dispose of its assets; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 752—An Act relating to execution; making qualified retirement plans and individual retirement accounts generally exempt from execution; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 753—An Act relating to traffic laws; revising the definition of "premises to which the public has access"; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 754—An Act relating to rural electric cooperatives; limiting the liability of a rural electric cooperative in certain actions based upon negligence; providing for the consideration of certain evidence in such an action; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 755—An Act relating to gaming; authorizing temporary games in designated areas of a licensed gaming establishment for holidays and special events; changing the authority to regulate holidays and special events of licensees from the Nevada gaming commission to the state gaming control board; expanding the definitions of a "holding company" and "intermediary company"; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 756—An Act relating to counties; providing in skeleton form for the creation and organization of Bullfrog County; authorizing a higher levy of ad valorem taxes in certain counties; making various other changes relating to counties; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Labor and Management:

Assembly Bill No. 757—An Act relating to industrial insurance; permitting the payment of benefits in a lump sum to certain claimants with permanent partial disabilities; and providing other matters properly relating thereto.

Assemblyman Banner moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

By the Committee on Taxation:

Assembly Bill No. 758—An Act relating to general improvement districts; reducing the amount distributed to general improvement districts from the supplemental city-county relief tax and prospectively eliminating all such distribution; authorizing corresponding increases in the revenue from taxes ad valorem received by such districts; and providing other matters properly relating thereto.

Assemblyman May moved that the bill be referred to the Committee on Taxation.

Motion carried.

By the Committee on Taxation:

Assembly Bill No. 759—An Act relating to taxation; imposing a penalty for the delinquent payment of property tax by a private car line; authorizing the department to waive the penalty; and providing other matters properly relating thereto.

Assemblyman May moved that the bill be referred to the Committee on Taxation.

Motion carried.

By the Committee on Health and Welfare:

Assembly Bill No. 760—An Act relating to public health; requiring the health division of the department of human resources to disclose the results of certain inspections concerning facilities for skilled nursing, facilities for intermediate care and residential facilities for groups; and providing other matters properly relating thereto.

Assemblyman Arberry moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

By the Committee on Transportation:

Assembly Bill No. 761—An Act relating to transportation; making various changes regarding the department of transportation; requiring competitive bidding for construction of certain highways; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Humke, Banner, Getto and Wendell Williams:

Assembly Bill No. 762—An Act relating to industrial insurance; requiring

the fair and equal treatment of claimants by self-insured employers; requiring certain rehabilitative benefits provided by self-insured employers to be equal to similar benefits provided by the state industrial insurance system; requiring the system to provide temporary benefits to an employee of a self-insured employer whose claim is being appealed; and providing other matters properly relating thereto.

Assemblyman Humke moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

By the Committee on Commerce:

Assembly Bill No. 763—An Act relating to leasing of motor vehicles; clarifying that the liability of a lessee for the residual value of a motor vehicle is limited only upon the scheduled expiration of the lease; requiring a lease of a commercial vehicle to describe the reasonable standards for wear and tear only if the lessor has identified such standards; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

By Assemblymen Myrna Williams, Spinello, Wisdom, Gaston, Banner, Brookman, Garner, Jeffrey, Nicholas, Sedway, Nevin, Wendell Williams, Price, Schofield, Callister and Humke:

Assembly Bill No. 764—An Act relating to property tax; increasing the amount of rent deemed to be accrued property tax for the purpose of calculating a senior citizen's allowance against the tax; and providing other matters properly relating thereto.

Assemblyman Myrna Williams moved that the bill be referred to the Committee on Taxation.

Motion carried.

By Assemblymen Myrna Williams, Wisdom, Gaston, Banner, Brookman, Jeffrey, Nicholas, Sedway, McGaughey, Wendell Williams, Price and Humke:

Assembly Bill No. 765—An Act relating to displaced homemakers; requiring the establishment of centers for displaced homemakers to provide counseling and other services related to employment, health, financial and legal matters; requiring an additional fee to be collected when a complaint of divorce is filed; and providing other matters properly relating thereto.

Assemblyman Myrna Williams moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

Senate Bill No. 35.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

Senate Bill No. 57.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Elections.

Motion carried.

Senate Bill No. 239.

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

Motion carried.

Senate Bill No. 272.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

Senate Bill No. 374.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

Senate Bill No. 443.

Assemblyman Jeffrey moved that the bill be referred to the Select Committee on Corrections.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Natural Resources, Agriculture and Mining, to which was referred Assembly Bill No. 531, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JAMES W. SCHOFIELD, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen Getto, Dini, Bergevin, Garner, Spriggs, Evans, Arberry, Schofield, Swain, Banner, Carpenter, Gaston, Myrna Williams, Marvel, Spinello, Brookman, Callister, Wisdom, Tebbs, Porter, Fay, Price, Nevin, May, Jeffrey, Sader, DuBois, Adler, Thomas, Kissam, Thompson, McGaughey, Lambert, Nicholas, Haller, Craddock, Wendell Williams, Triggs, Humke, Sedway, Freeman and Kerns:

Assembly Concurrent Resolution No. 54—Memorializing the late Anna E. Dressler.

WHEREAS, This legislature has learned with deepest sorrow and regret of the death on March 28, 1987, of Anna E. Dressler, lifelong resident of Gardnerville; and

WHEREAS, Mrs. Dressler was born January 14, 1898, to Friedrich and Anna Neddenriep in Alpine County, California; and

WHEREAS, Anna Dressler was a graduate of Douglas County High School and on November 26, 1920, she married Fred H. Dressler; and

WHEREAS, Anna and her husband Fred spent many years working together developing purebred cattle on their ranch in Gardnerville; and

WHEREAS, Mrs. Dressler formed the Douglas County Red Cross Canteen during World War II; and

WHEREAS, She remained active in the community as a member and fifth president of the American National CowBelles, first president of the Minden's Mother's Club and a member of the Lutheran Ladies' Aid, the Republican Women's Club and past president of the Gardnerville Women's Literary Club; and

WHEREAS, Anna Dressler worked hard in the establishment of the Carson Valley Historical Society and the Carson Valley Literary Club; and

WHEREAS, Anna is survived by her loving husband of 66 years, Fred, her son Frederick W. Dressler and daughter Luetta D. Bergevin, and a brother Fritz Neddenriep, all of Gardnerville, a sister, Dorathea Berrum of Minden, six grandchildren, seven great-grandchildren and many nieces and nephews; now, therefore, be it

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, THE SENATE CONCURRING, That the members of the 64th session of the Nevada Legislature extend their sincere condolences to the family and friends of a gracious and affectionate lady, Anna E. Dressler; and be it further

RESOLVED, That a copy of this resolution be prepared and transmitted forthwith by the Chief Clerk of the Assembly to Anna Dressler's husband, Fred.

Assemblyman Getto moved the adoption of the resolution.

Remarks by Assemblymen Getto and Marvel.

Assemblyman Getto requested that the following remarks be entered in the Journal.

ASSEMBLYMAN GETTO:

Thank you, Mr. Speaker. I thought it would be fitting that I read some excerpts out of a story that was written by Mrs. Dressler's daughter, Mrs. Bergevin. This story was written 13 years preceding her death. I just picked out certain excerpts because it is too long to read it all.

I will read it as she wrote it: "As mother sat at the typewriter surrounded by ledgers and certificates of Hereford cattle registry, the tired eyes twinkled in response to my queries concerning her childhood. She related how her father, Friedrich (Fritz) Neddenriep, born in Hanover, Germany, August 31, 1860, had come to America in 1872 with his sister, Dora, and his parents, Clause Friedrich and Anna Muller Neddenriep. They had travelled by train to Carson City. Interestingly enough, they found a ride to the valley with August Frederick Dressler who had made the trip in a wagon from his home at Sheridan to sell hay and a calf and purchase supplies.

As a young lady, Anna did much of the cooking for family members, hay crews and thrashers. Her cooking became unsurpassed, whether it was beef hash, beef stew or roast. Often a neighbor or friend in distress was comforted with the presentation of a cake or a hot dish prepared by her willing hands. Her success and dexterity in the field of food preparation was to bring much enjoyment to her family and friends.

As a young girl, mother assisted with the haying by driving derrick each summer. She also assisted with sewing for the family, made her own clothes, and also made lovely crocheted and tatted items and learned embroidering. Yardage, notions, scissors, shoes and patent medicines were available from the Rogers' horse and buggy during weekly visits to the ranches.

Following her graduation from the eighth grade at Fredericksburg, mother attended the Douglas County High School at Gardnerville. Here she became acquainted with the youth whose grandfather, by mere happenstance, had driven her grandparents, father and aunt to Carson Valley from the train in Carson City 42 years earlier. The acquaintance flourished into a friendship that culminated in marriage the day after Thanksgiving, November 26, 1920, at the Luthern Church.

Working with her husband in the development of the purebred cattle herd that he had started the year before their marriage, mother has done all of the record-keeping up until this day. The original 20 head of heifers were purebred, horned Herefords obtained from W. N. Collier of Fulton, Missouri. The first herd sire was Master Key Eleventh, a beautiful bull of desirable composition and quality. With the addition of a polled sire in

1921, purchased from A. C. Bayers of Mussel Shell, Montana, the herd was increased in the intervening 33 years (and that was in 1974) to 400 cows." That is an awfully large herd of purebred registered Herefords.

Again, "Mother cherished her association with other ranch women. She was elected American National CowBelle President in 1956 at the Convention in New Orleans. The women had chosen to be their leader a person who was genuinely dedicated to the cattle industry and who had organizational ability and the charm of sincerity.

It was after she was elected to the presidency of the National that the women of Nevada realized the need for a group of CowBelles, and the first chapter was organized in Minden.

Anna's husband, Fred H. Dressler, is a past President of the American National Cattlemen and also of the Nevada Cattlemen; her son, Frederick, is presently a Director of the Nevada Cattlemen and attended the University of Nevada; and her daughter, Luetta Bergevin, is a past president of the Nevada CowBelles and is a graduate of the University of Utah and Saint Mark's Hospital School of Nursing.

This daughter, (speaking of Anna) of German immigrants has given unselfishly of herself to her family and to her community and has been a lifetime partner of genuine dedication to a cattleman and his industry."

As a personal remark, I would like to say that Anna was not a woman behind a great man; she was a great woman alongside a great man.

I would like to introduce the family members who are here today, along with a group of close friends: Frederick Dressler, Sr., Frederick, Jr., Luetta Bergevin, and a great-son-in-law, Todd Russell. Would you please stand.

ASSEMBLYMAN MARVEL:

Thank you, Mr. Speaker. I think it is most appropriate that we honor Anna Dressler today. I have known the Dressler family practically all my life and I can sincerely and honestly say not only was Anna a loving mother and wife, but she was a great citizen and certainly a stalwart to the cattle industry. I want you people to know we are all going to miss her. Thank you.

Resolution adopted unanimously.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Triggs, Haller, Adler, Swain, Craddock, Lambert, Humke, Marvel, Sedway, DuBois, Nevin, Carpenter, McGaughey, Getto, Jeffrey, May, Freeman, Nicholas, Wendell Williams and Dini:

Assembly Bill No. 766—An Act relating to controlled substances; providing for the forfeiture of certain property of a person convicted of certain offenses involving a controlled substance; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Triggs, Haller, Adler, Craddock, Lambert, Kissam, Swain, Humke, Marvel, Sedway, Nevin, Carpenter, DuBois, McGaughey, Banner, Jeffrey, Freeman, Nicholas, Wendell Williams and Dini:

Assembly Bill No. 767—An Act relating to the procedure in criminal cases; authorizing a court to order restitution to a victim of a crime when sentencing an offender; and providing other matters properly relating thereto.

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

Motion carried.

UNFINISHED BUSINESS

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.

ERNEST E. ADLER	CHARLES W. JOERG
LOUIS W. BERGEVIN	WILLIAM R. O'DONNELL
VAL Z. GARNER	JAMES I. GIBSON
Assembly Committee on Conference	*Senate Committee on Conference*

Assemblyman Adler moved that the Assembly adopt the report of the first Committee on Conference concerning Assembly Bill No. 329.

Remarks by Assemblyman Adler.

Motion carried.

Mr. Speaker:

The first Committee on Conference concerning Assembly Bill No. 199, consisting of the undersigned members, has met, and reports that:

It has agreed to recommend that the amendment of the Senate be concurred in.

JAMES W. SCHOFIELD	SUE WAGNER
ROBERT M. SADER	JAMES I. GIBSON
DAVID D. NICHOLAS	CHARLES W. JOERG
Assembly Committee on Conference	*Senate Committee on Conference*

Assemblyman Schofield moved that the Assembly adopt the report of the first Committee on Conference concerning Assembly Bill No. 199.

Remarks by Assemblyman Schofield.

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Schofield moved that Assembly Bill No. 528 be taken from the Chief Clerk's desk and re-referred to the Committee on Natural Resources, Agriculture and Mining.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 139.

Bill read third time.

Remarks by Assemblyman Thompson.

Roll call on Assembly Bill No. 139:

YEAS—42.

NAYS—None.

Assembly Bill No. 139 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 Assemblyman Sader.
Roll call on Assembly Bill No. 205:
YEAS—42.
NAYS—None.

Assembly Bill No. 205 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 245.
Bill read third time.
Remarks by Assemblyman Evans.
Roll call on Assembly Bill No. 245:
YEAS—42.
NAYS—None.

Assembly Bill No. 245 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 266.
Bill read third time.
Remarks by Assemblymen Wisdom, DuBois, Wendell Williams, Carpenter, Jeffrey, Haller, Price, Gaston and Swain.
Assemblymen Thompson, Schofield and Adler moved the previous question.
Motion carried.
The question being on the passage of Assembly Bill No. 266.
Roll call on Assembly Bill No. 266:
YEAS—31.
NAYS—Bergevin, Carpenter, DuBois, Getto, Kerns, Lambert, McGaughey, Marvel, Nicholas, Spriggs, Thomas—11.

Assembly Bill No. 266 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 273.
Bill read third time.
Remarks by Assemblyman May.
Roll call on Assembly Bill No. 273:
YEAS—42.
NAYS—None.

Assembly Bill No. 273 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 447.
Bill read third time.
Remarks by Assemblyman Thompson.

Roll call on Assembly Bill No. 447:
YEAS—42.
NAYS—None.

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. 513.
Bill read third time.
Remarks by Assemblymen Spriggs, Evans and Sader.
Roll call on Assembly Bill No. 513:
YEAS—41.
NAYS—Evans.

Assembly Bill No. 513 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 600.
Bill read third time.
Remarks by Assemblyman Spinello.
Roll call on Assembly Bill No. 600:
YEAS—42.
NAYS—None.

Assembly Bill No. 600 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 613.
Bill read third time.
Remarks by Assemblymen Getto and Fay.
Roll call on Assembly Bill No. 613:
YEAS—42.
NAYS—None.

Assembly Bill No. 613 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 614.
Bill read third time.
Remarks by Assemblyman Spinello.
Roll call on Assembly Bill No. 614:
YEAS—42.
NAYS—None.

Assembly Bill No. 614 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 180.
Bill read third time.

Remarks by Assemblyman Garner.

Roll call on Senate Bill No. 180:

YEAS—42.

NAYS—None.

Senate Bill No. 180 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Labor and Management:

Assembly Bill No. 768—An Act relating to industrial insurance; prohibiting retaliation by an employer against an employee who files a claim under industrial insurance; declaring any mental or physical illness of a police officer resulting from stress to be an occupational disease; extending the coverage under a plan of group health insurance to an employee who leaves work as a result of an industrial injury or occupational disease; providing for the inclusion in a report of credit the fact that a period of unemployment was due to an industrial injury or occupational disease; providing penalties; and providing other matters properly relating thereto.

Assemblyman Banner moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 106.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 493.

Amend section 1, page 2, by deleting lines 19 through 22 and inserting:

"6. *To further a current criminal investigation, the chief executive officer of any law enforcement agency of this state may submit a written request to the executive director that he furnish, from the records of the employment security department, the name, address and place of employment of a particular recipient of benefits. Such a request must set forth the social security number of the recipient of benefits and contain a statement signed by the chief executive officer certifying that the request is made to further a criminal investigation currently being conducted by the agency. Upon receipt of such a request, the executive director shall furnish the information requested. He may charge a reasonable fee to cover any related administrative expenses.*".

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. 260.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 415.

Amend section 1, page 2, by inserting after line 16:

"*3. The provisions of subsection 2 do not apply if the contractor's failure to pay is caused by his need to withhold money pursuant to an official notice from a state agency that he is liable to make payments for the subcontractor pursuant to chapter 608, 612 or 616 of NRS.*".

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. 339.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 340.

Bill read second time.

The following amendment was proposed by the Committee on Health and Welfare:

Amendment No. 536.

Amend the bill as a whole by deleting section 1 and renumbering sec. 2 as section 1.

Amend sec. 2, page 1, by deleting lines 10 through 13 and inserting:

"2. Each county recorder shall on [Monday of each week] *or before the 10th day of the following month* forward to the state registrar the [certificates] *information contained on each certificate* of marriage delivered to him during the preceding [week.

3. After entering] *month. The information must be forwarded in a form approved by the health division of the department of human resources.*

3. The state registrar shall enter in his records the".

Amend the bill as a whole by adding a new section designated sec. 2, following sec. 2, to read as follows:

"Sec. 2. This act becomes effective upon passage and approval.".

Amend the title of the bill, first and second lines, by deleting: "requiring the issuance of a certificate after a marriage is solemnized;" and inserting: "requiring the county recorder to forward certain information to the state registrar of vital statistics;".

Amend the summary of the bill, first line, by deleting: "issuance and delivery of".

Assemblyman Arberry moved the adoption of the amendment.

Remarks by Assemblyman Arberry.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 452.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 522.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 544.

Amend section 1, page 1, line 3, after "zoning ordinances" by inserting: "*declarations of restrictions, deed restrictions, restrictive covenants and equitable servitudes.*".

Amend section 1, page 2, by deleting lines 1 and 2 and inserting:

"*(c) Supersede any applicable declaration of restrictions, deed restriction, restrictive covenant or equitable servitude which sets forth an architectural restriction, if that restriction does not prohibit the construction of ramps or other improvements necessary to provide handicapped persons access to the residence.*".

Amend the title of the bill, third line, by deleting: "does not affect" and inserting: "also applies to".

Amend the summary of the bill, second line, by deleting: "does not affect" and inserting: "also applies to".

Assemblyman Adler moved the adoption of the amendment.

Remarks by Assemblyman Adler.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 525.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 547.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 561.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 574.

Amend section 1, page 1, line 3, by deleting "*When*" and inserting: "*In any county whose population is less than 100,000, when*".

Amend the title of the bill, first line, after "requiring" by inserting: "in certain counties".

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. 567.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 575.

Amend section 1, page 2, line 5, by deleting "*conform any*" and inserting: "*place a stamp or other notation upon one*".

Amend the title of the bill by deleting the first line and inserting:

"An Act relating to county recorders; requiring under certain circumstances the conformance of a copy of an".

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. 588.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 523.

Amend section 1, pages 1 and 2, by deleting lines 14 and 15 on page 1 and lines 1 through 6 on page 2 and inserting:

"*4. The court may, before releasing a person arrested for an offense punishable as a felony, require the surrender to the court of any passport the person possesses.*".

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 Sader moved the adoption of the amendment.

Remarks by Assemblyman Sader.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 621.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 601.

Amend sec. 2, page 1, line 4, by deleting: "*divisions, branches or departments of*".

Amend sec. 3, page 2, lines 23 and 24, by deleting: ", *or by a division, branch or department of*" and inserting "*or*".

Amend sec. 4, page 3, line 2, by deleting: "*a division, branch or department of*".

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. 664.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 665.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 668.

Bill read second time.

The following amendment was proposed by the Committee on Natural Resources, Agriculture and Mining:

Amendment No. 521.

Amend the bill, page 1, line 4, by deleting "more widespread;" and inserting: "found in higher mountainous areas throughout much of the state;".

Amend the bill, page 1, line 9, by deleting "always".

Amend section 1, page 2, line 10, by deleting "*arisata*" and inserting "*aristata*".

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. 703.

Bill read second time, ordered engrossed and to third reading.

Senate Bill No. 18.

Bill read second time and ordered to third reading.

Senate Bill No. 49.

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. 198.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 524.

Amend section 1, page 1, line 3, by deleting "*falsely personates*" and inserting "*impersonates*".

Amend section 1, page 1, by deleting lines 6 and 7 and inserting: "*purporting to represent the utility company, is guilty of a misdemeanor.*".

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. 294.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 553.

Amend sec. 2, page 2, line 34, by deleting "*board, releasing*" and inserting: "*board to defend, hold harmless, indemnify and release*".

Assemblyman Sader moved the adoption of the amendment.

Remarks by Assemblyman 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. 40, 148, 285; Senate Bill No. 295.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Adler, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. James Movius, Mark Scheffel, Bill Engel and the students of Carson City Junior High School: Jennifer Albertsen, John Dodge, John Hanna, Tammy Hoover, Matthew Lepire, Jeremy Martin, Samantha Matheny, Heather Phelan, Angela Rose, Mark Scheerle, Melodie Simpson, Kahra Stenberg, Denis Torgersen, Lynnea Vergiels, Wade Wimmer, Shannon Ranthun, Jeanne Vaca and Ann McKnight.

On request of Assemblyman Getto, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Luetta Bergevin, Messrs. Fred Dressler, Frederick Dressler and Todd Russell.

On request of Assemblyman Marvel, the privilege of the floor of the Assembly Chamber for this day was extended to Mss. Dorothea Comer and Maxine Anderson.

On request of Assemblyman Nicholas, the privilege of the floor of the Assembly Chamber for this day was extended to Mesdames Nicholas, Gotcher, Kleven, Floege, Wolf, Sommers, DeWitt, Messrs. Filler, Gotcher, Ferguson, Haaser, Wright and the students of Incline Village School: Janet Beckley, Holly Aten, Frank Stewart, Kerri Harte, Andy Farris, Toni Settles, Charlene Brundle, Jennifer Holcombe, Eric Guenther, Michelle Moniot, Ian Nutting, Mark Stephenson, Jackie Duran, Jeremy Colvin, Christian Arno, Ryan Lynch, Michelle Simmons, Robert Klud, Brent Hurst, Billy Presswood, Greg Scyphers, Sarah Everest, Noelle Saxton, Alexander Petalas, Bill Hane, David Verni, Frank Encinas, Darrin Cohune, John Robert Andrews, Judi Chacon, Lizzy Dilworth, Robert R. Loomis, Amy Kasparian, Mike Psairus, Heidi Middlestild, Aura Kerns, Micheline Nadea, Jason Jacobsen, Charley Gotcher, Kevin Ward, Brian Brown, Greg Williams, Jennifer Armstrong, Jim Adair, Adam Bartlett, Danny Behnken, Celeste Tapper, Jamie Welch, Chris Busick, Joe Charon, Greg Critz, Andy Cerretti, Stacy Ferguson, David George, Aaron Larsen, Teri Pettine, Andy Brennan, Mitch Milner, Danielle Maraldo, Darren Wilson, Christian Kleven, Wes Vilcheck, Casey Witt, Nellie Reeder, Croshie Bonning, Crista Sharp, Chris Lavatai, Sean Ingram, Steven Stotler, Ray Sostak, Shannon Shuff, Dan Damiti, Nate Yobancia, Lindsay High, Keri Perin, Bryn Steinley, Kami Ellis, Shannon DeWitt, Karyn Wolf, Rachel Lecci, Shelby Harman, Christian Swanson, Rod Hardesty, Tami Cleaver, Thomas Howard, Bradon Franklin, Gabe Golden, Kurt Wetestein, Traci Kilf, Will James, Aaron Atkins, Lindsey Rogers and Kelley Pulver.

On request of Assemblyman Sader, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Jack Noonan and the students of Reed High School: Dustin Allen, Neil Cahill, John Clymer, Lisa Duff, Christopher Duran, Greg Febbo, Kristi Kumle, Dennis Lauderbaugh, Louis Lawson, Marikay Mack, Jodine McGovern, Kathryn McKnight, Michael Phillips, Carla Rivas, Diane Sorci, Ray Thomas, Laurie Wall, Jeff Wright, Holly Westley and Chuck White.

On request of Assemblyman Sedway, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Carol Daniel and the students of Gene Ward Elementary School: Danny Henderson, Kelly Spear, Stephanie Leon, Lara Reeve and Richard Kingham.

On request of Assemblyman Wisdom, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Dan Murphy.

Assemblyman Jeffrey moved that the Assembly adjourn until Thursday, May 7, 1987 at 10:30 a.m.

Motion carried.

Assembly adjourned at 1:03 p.m.

Approved: JOSEPH E. DINI, JR.
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE ONE HUNDRED AND NINTH DAY

CARSON CITY (Thursday), May 7, 1987

Assembly called to order at 10:43 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, The Reverend Robert H. Schwartz.

We are living in accelerated times, O Lord. It is hard. At any level of world society, so much is happening so fast that it is hard to digest it before something new breaks. How much harder it is when in our own way we are involved in the making of news and the creating of new times ahead. So many want and expect so much of us that it is hard to reserve time for ourselves and for our families. Thus, we turn to You, O God, and ask that You lead us in the sorting out process, that You guide in the decision process and You protect us in our needs of preservation and re-creation. In Your name and spirit.

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Jeffrey moved that further reading of the Journal be dispensed with, and the Speaker and Chief Clerk be authorized to make the necessary corrections and additions.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Commerce, to which were referred Assembly Bills Nos. 308, 407; Senate Bill No. 66, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN E. JEFFREY, *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which was re-referred Assembly Bill No. 214, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN E. JEFFREY, *Chairman*

Mr. Speaker:

Your Committee on Labor and Management, to which were referred Assembly Bills Nos. 527, 568, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JAMES J. BANNER, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which were referred Assembly Bills Nos. 31, 617, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

DANNY L. THOMPSON, *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which was referred Assembly Bill No. 498, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN E. JEFFREY, *Chairman*

Mr. Speaker:

Your Committee on Taxation, to which was referred Senate Bill No. 226, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

PAUL W. MAY, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Education, to which was referred Assembly Bill No. 552, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and return to the Concurrent Committee on Education.

ROBERT G. CRADDOCK, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which was referred Assembly Concurrent Resolution No. 50, has had the same under consideration, and begs leave to report the same back with the recommendation: Be adopted.

ROBERT M. SADER, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 6, 1987

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bill No. 158.

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. 127 and requests a conference, and appointed Senators O'Connell, Raggio and Gibson 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. 362 and requests a conference, and appointed Senators Joerg, Gibson 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 adopted Assembly Concurrent Resolution No. 53.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Bills Nos. 376, 377, 462.

Also, I have the honor to inform your honorable body that the Senate on this day appointed Senators Beyer, Horn and Jacobsen as a first Committee on Conference concerning Senate Bill No. 55.

Also, I have the honor to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 27.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Assembly Concurrent Resolution No. 50.

Assemblyman Myrna Williams moved the adoption of the resolution.

Remarks by Assemblyman Myrna Williams.

Assemblyman Spinello requested that Assemblyman Myrna Williams' remarks be entered in the Journal.

Thank you, Mr. Speaker. On my desk I happen to have a photograph of my grandson who will be six in July. This resolution, I think, is important to all of us who have children or grandchildren.

About three years ago, an army of women—a literal army of women—the Nevada Federation of Women's Clubs, got together and concluded it was about time that somebody started doing something about what was happening with child abuse and neglect

rather than just talking about it. These women got together and, as a result, we passed the child protection act in the last session. Clearly they are to be commended. I thank them on behalf of my grandson. I know the rest of the members in this chamber will thank them on behalf of the children in their families and for the continuing work that they are doing—the continuing legislation that you will see in this session—that will strengthen families and protect our children. I would urge unanimous adoption of A.C.R. 50.

Resolution adopted unanimously.

Assemblyman Myrna Williams moved that all rules be suspended and that Assembly Concurrent Resolution No. 50 be immediately transmitted to the Senate.

Motion carried unanimously.

Senate Concurrent Resolution No. 27.

Assemblyman Banner moved the adoption of the resolution.

Remarks by Assemblymen Banner and Brookman.

Resolution adopted unanimously.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Judiciary, to which were referred Assembly Bills Nos. 344, 619, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ROBERT M. SADER, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Natural Resources, Agriculture and Mining, to which was referred Assembly Bill No. 304, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JAMES W. SCHOFIELD, *Chairman*

INTRODUCTION, FIRST READING AND REFERENCE

Senate Bill No. 376.

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

Motion carried.

Senate Bill No. 377.

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

Motion carried.

Senate Bill No. 462.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Arberry moved that Assembly Bill No. 339 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Arberry.

Motion carried.

Assemblyman Kerns moved that Assembly Bill No. 452 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Kerns.

Motion carried.

Assemblyman Jeffrey moved that Senate Bill No. 49 be taken from the General File and re-referred to the Committee on Commerce.

Remarks by Assemblyman Jeffrey.

Motion carried.

Assemblyman Craddock moved that Assembly Bill No. 552 be placed on the Second Reading File.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Transportation:

Assembly Bill No. 769—An Act relating to public works; requiring competitive bidding for certain projects; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 770—An Act relating to redevelopment areas; limiting the area which may be included in a redevelopment area; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Ways and Means:

Assembly Bill No. 771—An Act relating to taxicabs; removing the requirement for certain refunds; revising the fees payable by the holder of a certificate for an allocated taxicab; and providing other matters properly relating thereto.

Assemblyman Sedway moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By the Committee on Ways and Means:

Assembly Bill No. 772—An Act relating to continuing judicial education; requiring payment for certain continuing education of district judges from the account for continuing judicial education; and providing other matters properly relating thereto.

Assemblyman Sedway moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

By the Committee on Legislative Functions:

Assembly Concurrent Resolution No. 55—Directing the Legislative Commission to conduct an interim study of alternative ways to reduce the cost of insurance.

Assemblyman Myrna Williams moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 120.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 281.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 617.

Amend sec. 2, page 1, by deleting lines 11 and 12 and inserting: "*ability to meet its obligations. The commissioner shall approve or disapprove the contract within 60 days after the filing.*".

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. 342.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 432.

Bill read second time.

The following amendment was proposed by the Committee on Elections:

Amendment No. 654.

Amend section 1, pages 1 and 2, by deleting lines 3 through 9 on page 1 and lines 1 through 9 on page 2 and inserting:

"*1. The department of motor vehicles and public safety shall inquire of each qualified elector who applies to register a motor vehicle, for the issuance, renewal or correction of any type of driver's license or for an identification card whether he desires to complete an application to register to vote by use of a single form containing the necessary information required by this chapter and subsection 2.*

2. If the elector desires to complete an application for registration, he shall complete and sign an affidavit containing the following statement: "I ....., do solemnly swear (or affirm) under penalty of perjury that I am a citizen of the United States and that on the date of the next ensuing election I will have attained the age of 18 years and will have continuously resided in the State of Nevada, county of ....., at least 30 days and in my precinct at least 10 days before the next preceding election. I further

swear (or affirm) under penalty of perjury that the present address I listed herein is my sole legal place of residence and that I claim no other place as my legal residence."

3. For the purposes of this section, each employee specifically authorized to do so by the director of the department may oversee the completion of the affidavit and application. The authorized employee shall check the application for completeness and verify the information required by the affidavit of registration. The authorized employee shall stamp the application for registration to validate it and shall provide the applicant with a receipt verifying the submission of the application. The department shall, except as otherwise provided in this subsection, forward each such application on a weekly basis to the county clerk or, if applicable, to the registrar of voters of the county in which the applicant resides. During the 2 weeks immediately preceding the close of registration for an election the applications must be forwarded daily.

4. Upon receipt of such an application, the county clerk or registrar of voters shall determine whether the application is complete. If he determines that the application is complete, the applicant shall be deemed registered as of the date of the submission of the application. If he determines that the application is not complete, he shall notify the applicant by mail at the mailing address stated on the application of the additional information required. The applicant shall be deemed registered as of the date of the initial submission of the application if the additional information is provided before the close of registration. If the applicant has not provided the additional information before the close of registration, the incomplete application is void.

5. The secretary of state shall, with the approval of the director of the department of motor vehicles and public safety, adopt regulations which:

(a) Establish any procedure necessary to provide an elector who applies to register to vote pursuant to this section the opportunity to do so;

(b) Provide for the form of the application of registration to be used by the department of motor vehicles and public safety; and

(c) Provide for the transfer of the completed applications of registration from the department of motor vehicles and public safety to the appropriate county clerk or registrar of voters for inclusion in the election board registers and registrar of voters' register.".

Amend the bill as a whole by deleting sections 2 through 5 and renumbering sections 6 and 7 as sections 2 and 3.

Amend the title of the bill by deleting the second and third lines and inserting: "driver's license or identification card or to register a motor vehicle; and providing".

Amend the summary of the bill, second line, by deleting the period and inserting: "or to register motor vehicle.".

Assemblyman Sader moved the adoption of the amendment.

Remarks by Assemblyman Sader.

Amendment adopted.

Assemblyman Sader moved that Assembly Bill No. 432 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 Bill No. 459.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 609.

Amend the bill as a whole by deleting section 1 and inserting:

"Section 1. 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] *Except as otherwise provided in subsection 6, order* him to pay tuition for an educational course on the abuse of alcohol and controlled substances approved by the department 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 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 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. *If the person who violated the provisions of NRS 484.379 possesses a driver's license issued by a state other than Nevada and does not reside in Nevada, in carrying out the provisions of subparagraph (1) of paragraph (a) of subsection 1, the court shall:*

(a) Order the person to pay tuition for and submit evidence of completion of an educational course on the abuse of alcohol and controlled substances approved by a governmental agency of the state of his residence within the time specified in the order; or

(b) Order him to complete an educational course by correspondence on the abuse of alcohol and controlled substances approved by the department within the time specified in the order,

and the court shall notify the department if the person fails to complete the assigned course within the specified time.

7. 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.".

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. 468.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 619.

Amend section 1, page 1, by deleting line 16 and inserting: "*who has been doing*".

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. 481.

Bill read second time.

The following amendment was proposed by the Committee on Labor and Management:

Amendment No. 556.

Amend section 1, page 1, line 4, before the colon by inserting an open bracket.

Amend section 1, page 1, line 8, by deleting "work." and inserting: "work.] *more than 40 hours in any week of work. An employer shall not require his employees to work more than 10 hours per day unless a majority of employees affected agrees to such a schedule.*".

Amend the title of the bill, first line, after "wages;" by inserting: "revising the conditions under which extra compensation for overtime must be paid;".

Amend the summary of the bill, first line, by deleting: "Removes exemption from requirements of" and inserting: "Revises provisions regarding".

Assemblyman Jeffrey moved the adoption of the amendment.

Remarks by Assemblymen Jeffrey, Arberry and Sader.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 493.

Bill read second time.

The following amendment was proposed by the Committee on Labor and Management:

Amendment No. 569.

Amend section 1, page 2, by deleting line 18 and inserting:

"[5.] *(f) Severely handicapped persons whose disabilities have diminished their productive capacity in a specific job and who are specified in certificates issued by the rehabilitation division of the*".

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. 494.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 516.

Amend sec. 3, page 2, line 23, by deleting "*master plan,*" and inserting "*proposal,*".

Amend sec. 3, page 2, line 25, after "*local*" by inserting "*master plans,*".

Amend sec. 3, page 2, line 26, by deleting "*development*" and inserting: "*improvement or use*".

Amend sec. 3, page 2, by deleting lines 31 and 32 and inserting:

"*(3) Solicitation, consideration and approval of proposals for the use of land,*".

Amend sec. 4, page 3, by deleting lines 7 through 20 and inserting:

"2. *The commission shall not solicit plans for development or dispose of lands described in NRS 321.500 and 321.534 unless it has first obtained the concurrence of the governing body whose territory contains the land described for development or disposal that the proposed development or disposal:*

(a) Is consistent with a master plan adopted by the governing body pursuant to chapter 278 of NRS; or

(b) Constitutes an acceptable revision to the master plan,

and is consistent with the plans and projects of any special district whose territory contains the land described for development or disposal.

3. Any such proposal for the development or disposal of land must comply with applicable local regulations and ordinances governing the development of land, the location and construction of structures or the regulation of projects.

4. The commission may adopt regulations governing procedures for the disposal of the lands described in NRS 321.500 and 321.534 and may develop, dispose of and approve requests for the development or disposal of those lands only if in accordance with a master plan that has been adopted by the governing body whose territory contains the land described for development or disposal.".

Amend sec. 4, page 3, line 21, by deleting "*4.*" and inserting "*5.*".

Amend sec. 7, page 4, line 9, by deleting "[may use" and inserting "may [use".

Amend sec. 7, page 4, line 25, by deleting "*shall*".

Amend sec. 7, page 4, by deleting lines 26 through 36 and inserting: "*use money in the Fort Mohave development fund:*

(a) To purchase or otherwise acquire lands described in NRS 321.500 and 321.543 in an amount not to exceed $3,200,000; and

(b) To administer the provisions of NRS 321.480 to 321.536, inclusive, and any other expenditures authorized by law.".

Amend sec. 9, page 5, line 39, by deleting "$150,000" and inserting "$200,000".

Amend sec. 9, pages 5 and 6, by deleting line 40 on page 5 and lines 1 through 21 and inserting: "natural resources to prepare a master plan that:

(1) Provides a plan for development for the Fort Mohave Recreation Area which is identified as those portions of sections 20, 29, 31 and 32 in T. 32 S., R. 66 E., M.D.B. & M., and those portions of sections 5, 6 and 10 in T. 33 S., R. 66 E., M.D.B. & M., which have been reserved by the Colorado River Commission for the development of a state park.

(2) Provides a plan of development, compatible with the Fort Mohave Recreation Area, accommodating both commercial and recreational uses in conjunction with the protection of other important natural resources of the Laughlin Bay, a backwater of the Colorado River adjacent to the Fort Mohave Recreation Area.

(3) Provides a plan for the use of those lands below Davis Dam and the California state border to which the State of Nevada holds title pursuant to NRS 537.010.

(b) In the amount of $300,000 to the board of directors of a district for the control of floods with jurisdiction over the area to prepare a preliminary engineering plan for the Hiko Springs Wash to facilitate the development of a channel for the control of flooding, and the management of drainage, in order to control sedimentation in Laughlin Bay.

(c) In the amount of $5,500,000 to the governmental entity which is providing a system for the supply, storage and distribution of water in the Fort Mohave Valley and its surrounding area, to assist in the financing, refinancing and retirement of debt and other capital financing for the system.

(d) In the amount of $2,000,000 to the governmental entity which is providing a sanitary system for the treatment, disposal or reuse of sewage for the land in the Fort Mohave Valley and its surrounding area to pay for a portion of the cost of acquiring the facilities and equipment necessary to facilitate:

(1) The".

Amend sec. 9, page 6, by inserting between lines 24 and 25:

"(2) The development of a system for the substitution of treated sewage effluent for existing and future potable water as appropriate.

Any amounts authorized by this subsection must be increased by such amounts as are necessary to cover any interest charged in connection with any advance or work provided or authorized pursuant to subsection 3.".

Amend sec. 9, page 6, by inserting after line 31:

"3. Any entity authorized to receive money pursuant to subsection 1 may accept an advance of money or work from any public or private source to carry out the described activity. Such an advance does not constitute a debt of the State of Nevada or any political subdivision thereof, and the written agreement relating thereto must contain a provision which states explicitly that repayment or compensation for the advanced money or work is only guaranteed upon the entity's successful application for money pursuant to subsection 1. The acceptance of such an advance must be in the form of a written agreement to repay all or a portion of the money advanced or to reimburse the source for the value or cost of the work, whichever is less, as

determined by the entity. The failure to complete an activity within the time set forth in the agreement nullifies any agreement to repay or reimburse the source.

4. Such an agreement may provide for the payment of interest on the advance, not to exceed the annual rate provided by the Index of Twenty Bonds which was in effect at the time the agreement was made. If the activity is initiated by the entity before the money in the fund is available, the date from which interest is charged must be the date the Colorado River Commission receives notification of the activity pursuant to subsection 6. In no case may interest be charged for more than 3 years following the notification of the commission.

5. Any advance of work accepted pursuant to this section must be performed in the manner required of the entity. The initiation of any activity before the money in the fund is available does not preclude the entity from applying for and obtaining the grant authorized pursuant to subsection 1.

6. Any entity undertaking or entering into an agreement for the performance of any such activity before the money in the fund is available shall notify the Colorado River Commission. The notice must contain a statement of the amount of the money or work advanced and the rate of interest, if any, agreed upon. The commission shall consider such a notification as an expression of an intention to apply for the money provided for in subsection 1 for that activity.".

Assemblyman Thompson moved the adoption of the amendment.

Remarks by Assemblyman Thompson.

Amendment adopted.

Assemblyman Thompson moved that Assembly Bill No. 494 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. 518.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 531.

Bill read second time.

The following amendment was proposed by the Committee on Natural Resources, Agriculture and Mining:

Amendment No. 520.

Amend section 1, page 1, by deleting lines 3, 4 and 5 and inserting: "hull number required for a motorboat under this chapter.] *1. A person shall not:*

(a) Intentionally deface, destroy, remove or alter any hull number required for a vessel without written authorization from the department of wildlife; or

(b) Place or stamp any serial number upon a vessel except a number assigned to the vessel by the department.

2. This section does not prohibit:

(a) The restoration of the original hull number by an owner of a vessel when the restoration is authorized by the department; or

(b) Any manufacturer from placing numbers or marks in the ordinary course of business upon new vessels or parts of vessels.

3. The department shall, upon request, assign a hull number to any handmade vessel.

4. Any person who violates subsection 1 is guilty of a gross misdemeanor.".

Amend sec. 2, page 1, line 8, after "[shall]" by inserting: ", *as established by the Nautical Almanac Office, United States Naval Observatory, Washington, D.C.,*".

Amend sec. 3, page 3, by deleting line 15 and inserting: "before sunrise.] *sunrise, as established by the Nautical Almanac Office, United States Naval Observatory, Washington, D.C.*".

Amend the title of the bill, first line, by deleting "watercraft's serial" and inserting "vessel's hull".

Assemblyman Schofield moved the adoption of the amendment.

Remarks by Assemblyman Schofield.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 16.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 618.

Amend section 1, page 1, line 2, by deleting: "[at least twice a year]" and inserting: "at least [twice] *once* a year".

Amend the title of the bill, first line, by deleting "removing" and inserting "revising the".

Assemblyman Jeffrey moved the adoption of the amendment.

Remarks by Assemblyman Jeffrey.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Callister moved that Assembly Bill No. 552 be taken from the Second Reading File and placed on the Chief Clerk's desk.

Remarks by Assemblymen Callister, Craddock, Tebbs, Haller and Thompson.

Assemblyman Jeffrey moved that Assemblyman Callister's motion be amended and that Assembly Bill No. 552 be taken from the Second Reading File and returned to the Concurrent Committee on Education.

Remarks by Assemblymen Jeffrey, Craddock, Callister, Sedway, Sader, Getto, Tebbs, Schofield and Brookman.

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

Assembly in recess at 11:45 a.m.

ASSEMBLY IN SESSION

At 11:49 a.m.

Mr. Speaker presiding.

Quorum present.

Assemblyman Jeffrey withdrew his motion.

Assemblyman Callister withdrew his motion.

SECOND READING AND AMENDMENT

Senate Bill No. 42.

Bill read second time and ordered to third reading.

Senate Bill No. 381.

Bill read second time and ordered to third reading.

Assembly Bill No. 552.

Bill read second time.

The following amendment was proposed by the Committee on Education:

Amendment No. 653.

Amend the bill as a whole by deleting sections 2 through 5, renumbering sections 6 and 7 as sections 4 and 5, respectively, and adding new sections designated sections 2 and 3, following section 1, to read as follows:

"Sec. 2. *1. The state board of education shall establish the minimum standards for a complete and sequential course of factual instruction concerning molestation of children and acquired immune deficiency syndrome which must be:*

(a) Appropriate for the age of the pupils to whom it is presented;

(b) Taught in the public schools at the grade level and in the manner prescribed by the state board; and

(c) Taught only by teachers approved to teach such a course by the state board or, if a school district does not have such a teacher, by an approved teacher provided by the department.

The state board may authorize the use of persons who are recognized as knowledgeable in the subject to make presentations as part of the course of instruction.

2. A board of trustees may include any additional material in such course of instruction as it feels is appropriate for its district.

Sec. 3. *Each school district shall include as part of the materials to be completed by each parent or guardian in order to register a pupil to attend school in that district a:*

1. Notice to the parent or guardian that a course of instruction will be taught in that school concerning the molestation of children and acquired immune deficiency syndrome; and

2. Form, approved by the state board, whereby the parent or guardian may authorize the pupil to attend or request that the pupil not attend such a course.

If a parent or guardian does not return the form or returns it without completing it, the consent of the parent or guardian for the pupil to attend the course shall be deemed to have been given.".

Amend sec. 6, page 3, by deleting lines 1 through 3 and inserting:

"389.065 1. [The] *In addition to the course of instruction concerning molestation of children and acquired immune deficiency syndrome, the* board of trustees of a school district may establish".

Amend the bill as a whole by deleting sec. 8 and adding new sections designated sections 6 and 7, following sec. 7, to read as follows:

"Sec. 6. 1. The state board of education shall comply fully with the provisions of subsection 1 of section 2 of this act in a timely manner so as to allow the school districts to offer the courses for the beginning of the 1987-1988 school year.

2. Each school district shall begin offering the courses required by this act on or before the first day of the 1987-1988 school year.

Sec. 7. This act becomes effective upon passage and approval.".

Amend the title of the bill to read as follows:

"An Act relating to education; requiring the state board of education to establish a course of instruction for pupils in public schools concerning child molestation and acquired immune deficiency syndrome; requiring a notice of the course to a parent or guardian and a form for consent to attend the course to be included in the registration material for each pupil; making an appropriation; and providing other matters properly relating thereto.".

Amend the summary of the bill to read as follows: "Requires state board of education to establish course of instruction for pupils in public schools concerning molestation of children and acquired immune deficiency syndrome. (BDR 34-1994)".

Assemblyman Craddock moved the adoption of the amendment.

Remarks by Assemblyman Craddock.

Amendment adopted.

Assemblyman Craddock moved that Assembly Bill No. 552 be returned to the Concurrent Committee on Education.

Motion carried.

Bill ordered reprinted, engrossed and to the Concurrent Committee on Education.

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

Assembly in recess at 11:54 a.m.

ASSEMBLY IN SESSION

At 11:55 a.m.

Mr. Speaker pro Tempore presiding.

Quorum present.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 7, 1987

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

Senate Concurrent Resolution No. 30.

Assemblyman Triggs moved the adoption of the resolution.

Remarks by Assemblyman Triggs.

Assemblyman Jeffrey requested that Assemblyman Triggs' remarks be entered in the Journal.

Thank you Mr. Speaker pro Tem. To you and through you to my honorable colleagues. Throughout this session, we have been honored with the presence of men and women who have served their country and, in so doing, have become permanently disabled. They have served our nation with dignity and honor and now, as disabled citizens, they serve us still through the reminder that a mere disability does not limit a person's ability to become a meaningful, productive member of our society. We urge the adoption of this resolution in honor of our disabled Nevada veterans. Thank you.

Resolution adopted unanimously.

GENERAL FILE AND THIRD READING

Assembly Bill No. 42.

Bill read third time.

Remarks by Assemblyman Dini.

Mr. Speaker pro Tempore requested that Assemblyman Dini's remarks be entered in the Journal.

Thank you, Mr. Speaker pro Tem. I am very proud to be here today to speak on Assembly Bill No. 42 and before I get into the actual content of the bill, I would like to give credit where credit is due. Assemblyman Jim Banner, about four years ago, chaired an interim study which produced most of the data we needed to complete this bill this year. We had a lot of help from Mr. Spinello and Mr. Price in our subcommittee. The entire Ways and Means Committee worked hard on this, and our staff, Mark Stevens, and my secretary, Betty Day, spent days calling Washington and Boulder City, and all around Carson City for figures to support our figures that we put into this. Also, Les Fry, a noted veteran in western Nevada, who is on one of these committees back in Washington, helped. Mr. Bilbray's staff, Mr. Fierro, helped us considerably in finally coming to an agreement.

Assembly Bill 42, as amended, would provide for the establishment of two state veterans' cemeteries in Nevada located at Boulder City and Fernley.

A total of 80 acres has been allocated in Boulder City for a state veterans' cemetery and $137,000 in state funds would be provided to develop the cemetery site. It is anticipated that the state appropriation would be matched by $150,000 in federal funds.

A total of 40 acres has been allocated for a state veterans' cemetery in Fernley and $149,500 in state funding would be provided to develop the cemetery site. It is anticipated that $175,000 in federal matching funds would also be available.

Our budget is also based on a desert motif for both cemeteries. Funding provided in A.B. 42 would provide at each cemetery a 2,000 square foot administrative-chapel building, a 750-square-foot maintenance building, fencing, a mobile home to allow an employee to live on site, architect and engineering fees, as well as funding required to provide necessary roads and utility connections. The only difference in the amounts allocated to the northern and southern Nevada veterans' cemeteries involves funding for necessary roads and utilities due to the distance from existing services at each cemetery site. Funding would also provide for $62,000 at each cemetery to provide necessary equipment which includes a backhoe, pickup truck and necessary tools and office equipment.

The estimated annual operating costs of the cemetery, which is a 100 percent state responsibility, is estimated to be between $70,000 and $86,000 per year at each cemetery site. These costs will be partially offset by a $150 interment fee provided by the Veterans' Administration for the burial of any veteran at a state veterans' cemetery.

The Assembly Ways and Means Committee amended A.B. 42 to provide $137,000 in general fund appropriation to the southern Nevada veterans' cemetery at Boulder City and $149,500 to the northern Nevada veterans' cemetery located at Fernley. In addition, the bill was amended to allow the commissioner of Veteran Affairs to review, approve and coordinate all volunteers' activities in the construction and maintenance of each state veterans' cemetery.

We have received good words from veterans' groups throughout the State of Nevada in support of both cemeteries as well as support to see that we do a nice job in both cemeteries. I think it is a fitting tribute from the State of Nevada to these veterans who put their lives on the line for all of us, to make it possible to have the Legislature and Congress and a President who want to give them the tribute of a cemetery in the State of Nevada. I certainly urge your approval.

Roll call on Assembly Bill No. 42:

YEAS—42.

NAYS—None.

Assembly Bill No. 42 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 335.

Bill read third time.

Remarks by Assemblyman McGaughey.

Roll call on Assembly Bill No. 335:

YEAS—42.

NAYS—None.

Assembly Bill No. 335 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 12:05 p.m.

ASSEMBLY IN SESSION

At 12:06 p.m.

Mr. Speaker presiding.

Quorum present.

GENERAL FILE AND THIRD READING

Assembly Bill No. 472.

Bill read third time.

Remarks by Assemblymen Triggs, DuBois and Thompson.

Roll call on Assembly Bill No. 472:

YEAS—42.

NAYS—None.

Assembly Bill No. 472 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 525.

Bill read third time.
Remarks by Assemblyman Lambert.
Roll call on Assembly Bill No. 525:
YEAS—42.
NAYS—None.

Assembly Bill No. 525 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 547.
Bill read third time.
Remarks by Assemblyman Getto.
Roll call on Assembly Bill No. 547:
YEAS—39.
NAYS—Evans, Jeffrey, Myrna Williams—3.

Assembly Bill No. 547 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 664.
Bill read third time.
Remarks by Assemblyman Garner.
Roll call on Assembly Bill No. 664:
YEAS—42.
NAYS—None.

Assembly Bill No. 664 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 665.
Bill read third time.
Remarks by Assemblyman Kerns.
Roll call on Assembly Bill No. 665:
YEAS—42.
NAYS—None.

Assembly Bill No. 665 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 703.
Bill read third time.
Remarks by Assemblymen Thompson and Getto.
Roll call on Assembly Bill No. 703:
YEAS—42.
NAYS—None.

Assembly Bill No. 703 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 18.

Bill read third time.

Remarks by Assemblyman Fay.

Roll call on Senate Bill No. 18:

YEAS—42.

NAYS—None.

Senate Bill No. 18 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 Nicholas, Thomas, Adler, Arberry, Haller, Jeffrey, Swain, Sedway, Getto, Myrna Williams and Spinello.

Assemblymen Nevin, Thompson and DuBois moved the previous question.

Motion carried.

The question being on the passage of Senate Bill No. 50.

Roll call on Senate Bill No. 50:

YEAS—11.

NAYS—Adler, Arberry, Banner, Bergevin, Brookman, Callister, Carpenter, Craddock, DuBois, Evans, Freeman, Garner, Gaston, Getto, Haller, Humke, Kissam, Lambert, Marvel, May, Nicholas, Schofield, Sedway, Spriggs, Swain, Tebbs, Thomas, Triggs, Wendell Williams, Wisdom, Mr. Speaker—31.

Senate Bill No. 50 having failed to receive a constitutional majority, Mr. Speaker declared it lost.

Senate Bill No. 81.

Bill read third time.

Remarks by Assemblyman Schofield.

Roll call on Senate Bill No. 81:

YEAS—42.

NAYS—None.

Senate Bill No. 81 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

UNFINISHED BUSINESS

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker appointed Assemblymen Myrna Williams, Sader 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. 127.

Mr. Speaker appointed Assemblymen Garner, Freeman and Kerns as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Assembly Bill No. 362.

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bill No. 126; Senate Bills Nos. 21, 244; Assembly Concurrent Resolution No. 52.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Adler, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Brooks and the Seventh Grade Students of Carson Junior High School: Kimberly Bahnsen, Lance Bruntz, Jeffery Chaney, Chyanne Connelly, Angela Culbert, Pat Darragh, Nikki Geissler, Casey McGruder, Gustavo Medal, Julie Newcomb, Yohanna Payan and Dustin Rand; Sister Martha, Mesdames Pam Matorian, Margaret Graham, Mss. Ginger Mankins, D. Schellin and the students of St. Teresa School: Pam Beaton, Melissa Chatigny, Daniel Cody, Ryan Coombs, Matt DeMattei, Christine Heaton, Billy Henderson, Rod Hill, Robin Graber, Matt Griffin, Linda Johnson, Todd Matorian, Ross Miller, Rogelio Rodriguez, Kyle Schellin, Jon Sieben, George Ward, Mary Wurster, Ray Biley, James Bone, Michael Cahill, Christopher Clark, Roberto Garcia, Eric Holzhauer, Christopher Leach, Anthony Luchetti, Jeffery Oliver, Joshua Patrick, Marc Reville, Scott Schellin, John Wilson, Greg Mardersteig, Racquel Aboud, Christa Blair, Jessica Quinn, Gretchen Stephans, Heidi Wood, Carolyn Hlarvaty, Angela Hilton, Marnie Schreiner, Mia Patrick, Jean Fontana, Brenda Camparni, Jason Perock, Stacey Froland, Teresa Breeden, Tearra Bobula, Alex Fischer, Priscilla deVaney, Jason Sease, Julie Bone, Mark Mellow, Melissa Schreiner, Milly Duncan, Eileen O'Donnell, Amy Fay, Gregg Campagni, Andy Rasor, Annie Donaldson and Jenny Thomas.

On request of Assemblymen Adler and Fay, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. John Burison.

On request of Assemblyman Brookman, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Brian Kale.

On request of Assemblymen Brookman and Fay, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Bev Cassidy and Mr. Cas Cassidy.

On request of Assemblyman Craddock, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Evelynne Dunn and Messrs. Fred Dunn and Vaughn Smith.

On request of Assemblyman Fay, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Nancy Hicks and Mr. Ed Misunas.

On request of Assemblymen Getto and Fay, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Gilbert Moore.

On request of Assemblyman Porter, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Stanley Spierer.

Assemblyman Jeffrey moved that the Assembly adjourn until Friday, May 8, 1987 at 10:30 a.m.

Motion carried.

Assembly adjourned at 12:35 p.m.

Approved: JOSEPH E. DINI, JR.
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE ONE HUNDRED AND TENTH DAY

CARSON CITY (Friday), May 8, 1987

Assembly called to order at 10:43 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, The Reverend Doctor Terry Arnold.

The Psalmist said, "Who is wise? Let him . . . Consider the loving kindnesses of the Lord (Psalm 107:43)." Let us pray. Our Heavenly Father, thank You for Your love for us. Help us convey Your special love to others today. In the name of our Lord and Saviour I pray. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Nevin 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. 685, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JAMES J. BANNER, *Chairman*

Mr. Speaker:

Your Committee on Health and Welfare, to which was referred Senate Concurrent Resolution No. 5, has had the same under consideration, and begs leave to report the same back with the recommendation: Be adopted.

MORSE ARBERRY, JR., *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which were referred Assembly Bills Nos. 642, 671; Senate Bill No. 308, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

DANNY L. THOMPSON, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Assembly Bill No. 672, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

DANNY L. THOMPSON, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which were referred Assembly Bill No. 471; Senate Bills Nos. 25, 121, 339, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

MARVIN M. SEDWAY, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Education, 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: Do pass.

ROBERT G. CRADDOCK, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Ways and Means, 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: Do pass.

MARVIN M. SEDWAY, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which was re-referred Senate Bill No. 118, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

MARVIN M. SEDWAY, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Assembly Bill No. 526, 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.

DANNY L. THOMPSON, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 7, 1987

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. 325, 464, 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. 72 and requests a conference, and appointed Senators Redelsperger, Beyer 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. 199.

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 Assembly Concurrent Resolutions Nos. 50, 54.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Bill No. 453.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 76, 89, 203, 234.

Also, I have the honor to inform your honorable body that the Senate on this day adopted, as amended, Senate Concurrent Resolution No. 17.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Senate Concurrent Resolution No. 5.

Assemblyman Arberry moved the adoption of the resolution.

Remarks by Assemblyman Arberry.

Resolution adopted.

Senate Concurrent Resolution No. 17.

Assemblyman Nevin moved that the resolution be referred to the Committee on Government Affairs.

Motion carried.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 8, 1987

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. 31.

MARY JO MONGELLI
Assistant Secretary of the Senate

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Wisdom, Carpenter, Haller, Dini, Kerns, Freeman, Garner, Arberry, Brookman, Kissam, Porter, Getto, Callister, Myrna Williams, Gaston, Jeffrey, Fay, Spinello, Banner, Nevin, DuBois, Swain, Sedway, Schofield, Nicholas, Wendell Williams, Evans, Price and May:

Assembly Bill No. 773—An Act relating to public assistance; requiring the welfare division of the department of human resources to develop and use a single form for applying for all types of public assistance; requiring the welfare division to provide counseling to recipients of public assistance on the receipt of all federal, state and local benefits; and providing other matters properly relating thereto.

Assemblyman Wisdom moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

By the Committee on Taxation:

Assembly Bill No. 774—An Act relating to gaming; revising and increasing the quarterly fee for a restricted operation; and providing other matters properly relating thereto.

Assemblyman May moved that the bill be referred to the Committee on Taxation.

Motion carried.

Senate Bill No. 76.

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

Motion carried.

Senate Bill No. 89.

Assemblyman Nevin moved that the bill be referred to the Committee on Education.

Motion carried.

Senate Bill No. 203.

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

Motion carried.

Senate Bill No. 234.

Assemblyman Nevin moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 453.

Assemblyman Nevin moved that the bill be referred to the Committee on Natural Resources, Agriculture and Mining.

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Schofield moved that Assembly Bill No. 668 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. 668.

Bill read third time.

Remarks by Assemblymen Schofield, Spriggs and Nicholas.

Assemblyman Schofield requested that the following remarks be entered in the Journal.

ASSEMBLYMAN SCHOFIELD:

Thank you, Mr. Speaker. I appreciate the courtesy in doing this. We heard this bill in Natural Resources, Agriculture and Mining. It came about by some students from the Pleasant Valley School, academically talented students, and I asked for this to be heard early because of the students we have visiting, and the two students who came and testified before the committee. Once we got the bill out, they asked for it to be recommended to the committee, the committee chose to ask for a bill to be drafted regarding the Bristlecone Pine and many of the students came and testified before the committee asking us to do this—to make this introduction. I think it is very appropriate to consider this bill today. There were a couple of technical amendments the day before yesterday that we put on it.

ASSEMBLYMAN SPRIGGS:

Thank you, Mr. Speaker. I have two of the authors—and two of the testifiers— with us here today on the Bristlecone Pine bill. They are Nicole Sheltra and Kenny Beane.

Assembly Bill No. 668 designates the Bristlecone Pine as one of the two official state trees of the State of Nevada. This tree shares that designation with Nevada's existing state tree, the Single Leaf Piñon.

The Bristlecone Pine is found in high mountainous areas throughout much of the state and its older specimens, some exceeding four thousand years of age, are the oldest living things on earth.

Nevada is the first state to designate the Bristlecone Pine as the official state tree. Stands of this tree, such as those in Great Basin National Park, will serve as an attraction for visitors from throughout the world.

ASSEMBLYMAN NICHOLAS:

Thank you. To you and through you, this is probably the best example I have ever seen of participation in representative democracy by all citizens regardless of age or sex. It's a good bill. Thank you.

Roll call on Assembly Bill No. 668:

YEAS—42.

NAYS—None.

Assembly Bill No. 668 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Senate Concurrent Resolution No. 31.

Assemblyman Carpenter moved the adoption of the resolution.

Remarks by Assemblyman Carpenter.

Resolution adopted unanimously.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Judiciary, to which were referred Assembly Bills Nos. 412, 414, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

ROBERT M. SADER, *Chairman*

GENERAL FILE AND THIRD READING

Assembly Bill No. 106.

Bill read third time.

Remarks by Assemblyman Haller.

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.

Assembly Bill No. 120.

Bill read third time.

Remarks by Assemblyman Triggs.

Roll call on Assembly Bill No. 120:

YEAS—42.

NAYS—None.

Assembly Bill No. 120 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 214.

Bill read third time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 478.

Amend section 1, page 1, lines 3 and 4, by deleting: "*cancel or not renew any policy of insurance*" and inserting: "*withdraw from providing insurance for a particular class of insureds*".

Amend section 1, page 1, line 6, by deleting "*insured.*" and inserting "*insureds.*".

Amend the title of the bill, first line, after "insurance;" by inserting: "requiring insurers to notify the commissioner of insurance of their intention to withdraw from providing insurance to particular insureds;".

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. 260.

Bill read third time.

Remarks by Assemblyman Jeffrey.

Roll call on Assembly Bill No. 260:

YEAS—40.

NAYS—None.

Not voting—Brookman, McGaughey—2.

Assembly Bill No. 260 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Arberry moved that Assembly Bill No. 342 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Arberry.

Motion carried.

Assemblyman Callister moved that Assembly Bill No. 344 be taken from the Second Reading File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Callister.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 340.

Bill read third time.

Remarks by Assemblyman Wendell Williams.

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. 518.

Bill read third time.

Remarks by Assemblyman Spinello.

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.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Arberry moved that Assembly Bill No. 342 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. 342.

Bill read third time.

Remarks by Assemblyman McGaughey.

Roll call on Assembly Bill No. 342:
YEAS—42.
NAYS—None.

Assembly Bill No. 342 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 522.

Bill read third time.

The following amendment was proposed by Assemblyman May:

Amendment No. 662.

Amend section 1, page 2, line 1, before "commercial" by inserting "*private,*".

Amend section 1, page 2, line 4, by deleting "*which sets*" and inserting: "*which:*

(1) Prohibits commercial activity; or

(2) Sets".

Amend the title of the bill, third line, before "private" by inserting "certain".

Amend the summary of the bill, second line, before "private" by inserting "certain".

Assemblyman May moved the adoption of the amendment.

Remarks by Assemblyman May.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 561.

Bill read third time.

Remarks by Assemblyman Adler.

Roll call on Assembly Bill No. 561:
YEAS—42.
NAYS—None.

Assembly Bill No. 561 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 Carpenter.

Roll call on Assembly Bill No. 567:

YEAS—42.

NAYS—None.

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. 588.

Bill read third time.

Remarks by Assemblyman Brookman.

Roll call on Assembly Bill No. 588:

YEAS—42.

NAYS—None.

Assembly Bill No. 588 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 621.

Bill read third time.

Remarks by Assemblyman Banner.

Roll call on Assembly Bill No. 621:

YEAS—42.

NAYS—None.

Assembly Bill No. 621 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 42.

Bill read third time.

Remarks by Assemblyman Freeman.

Roll call on Senate Bill No. 42:

YEAS—42.

NAYS—None.

Senate Bill No. 42 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 198.

Bill read third time.

Remarks by Assemblyman Haller.

Roll call on Senate Bill No. 198:

YEAS—42.

NAYS—None.

Senate Bill No. 198 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 294.

Bill read third time.

Remarks by Assemblyman Kissam.

Roll call on Senate Bill No. 294:

YEAS—41.

NAYS—None.

Not voting—Mr. Speaker.

Senate Bill No. 294 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 381.

Bill read third time.

Remarks by Assemblymen Haller and Arberry.

Roll call on Senate Bill No. 381:

YEAS—36.

NAYS—Arberry, Banner, Jeffrey, Price, Sedway, Wendell Williams—6.

Senate Bill No. 381 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

SECOND READING AND AMENDMENT

Assembly Bill No. 31.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 540.

Amend section 1, page 1, by deleting lines 2 and 3 and inserting:

"258.010 1. Except as *otherwise* provided in subsections 2 [, 3 and 4:] *and 3:*".

Amend section 1, page 2, line 1, by deleting "[3. In" and inserting "3. [In".

Amend section 1, page 2, line 8, by deleting "4." and inserting "4.]".

Amend section 1, page 2, line 16, by deleting the bracket.

Amend the bill as a whole by deleting sec. 2 and renumbering sec. 3 as sec. 2.

Amend sec. 3, page 2, line 24, by deleting "or 4".

Amend sec. 3, page 2, line 26, by deleting the period and inserting: "to determine whether the electorate desires to reestablish the office of constable in the township.".

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. 304.

Bill read second time.

The following amendment was proposed by the Committee on Natural Resources, Agriculture and Mining:

Amendment No. 650.

Amend section 1, page 2, line 40, by deleting "*chemical*" and inserting "*chemical, radioactive*".

Amend section 1, page 3, line 6, by deleting "*department*" and inserting "*regulating agency*".

Assemblyman Schofield moved the adoption of the amendment.

Remarks by Assemblyman Schofield.

Amendment adopted.

Bill ordered reprinted, engrossed and to the Concurrent Committee on Judiciary.

Assembly Bill No. 308.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 407.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 498.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 656.

Amend section 1, page 2, line 5, by deleting "*must*" and inserting "*may*".

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. 527.

Bill read second time.

The following amendment was proposed by the Committee on Labor and Management:

Amendment No. 643.

Amend section 1, page 2, by deleting lines 3 and 4 and inserting: "employment, upon commencement of the coverage , *once every even-numbered year until he is 40 years of age or older* and thereafter on an annual basis during his employment.".

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. 568.

Bill read second time.

The following amendment was proposed by the Committee on Labor and Management:

Amendment No. 644.

Amend section 1, page 2, by deleting lines 31 through 34 and inserting:

"4. *In determining and fixing premium rates, the manager may establish a varying schedule of rates for workers who are in the classification of employment designated as construction which reflects the varying hourly rates of wages paid to such workers.*".

Amend section 1, page 2, line 35, by deleting "4." and inserting "*5.*".

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. 617.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 645.

Amend section 1, page 1, line 7, by deleting "*$20,000,*" and inserting "*$50,000,*".

Amend sec. 2, page 2, line 3, by deleting "*$20,000*" and inserting "*$50,000*".

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. 619.

Bill read second time.

Assemblyman Sader moved that Assembly Bill No. 619 be taken from the Second Reading File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Sader.

Motion carried.

Senate Bill No. 66.

Bill read second time and ordered to third reading.

Senate Bill No. 226.

Bill read second time.

The following amendment was proposed by the Committee on Taxation:

Amendment No. 539.

Amend section 1, page 1, line 9, by deleting "*may*" and inserting "*must*".

Amend section 1, page 1, lines 14 and 15, by deleting "*post office.*" and inserting "*postal service.*".

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. 325.

The following Senate amendment was read:

Amendment No. 530.

Amend section 1, page 1, by deleting lines 5 and 6 and inserting: "*is the sole source of supply within the area served by the governing body is not unlawful or unethical if the public*".

Assemblyman Thompson moved that the Assembly concur in the Senate amendment to Assembly Bill No. 325.

Remarks by Assemblyman Thompson.

Motion carried.

Bill ordered enrolled.

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker appointed Assemblymen May, Marvel and Gaston as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Assembly Bill No. 72.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen DuBois, Schofield, Nicholas, Sedway, Brookman, Porter, May, Thomas, McGaughey, Jeffrey, Lambert, Thompson, Adler, Myrna Williams, Wisdom, Fay, Swain, Arberry, Evans, Garner, Humke, Wendell Williams, Tebbs, Callister, Gaston, Kissam and Price:

Assembly Bill No. 775—An Act relating to manufactured homes; prohibiting dealers from requiring that financing be obtained from a specific source as a condition to the sale of a mobile or manufactured home; requiring the licensing of repossessors and liquidators; and providing other matters properly relating thereto.

Assemblyman DuBois moved that the bill be referred to the Committee on Commerce.

Motion carried.

By Assemblymen Evans, Nevin, Thompson, Wisdom, Gaston, Price and Jeffrey:

Assembly Bill No. 776—An Act making an appropriation to the department of education for apprenticeships and occupational education; and providing other matters properly relating thereto.

Assemblyman Evans moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By the Committee on Natural Resources, Agriculture and Mining:

Assembly Bill No. 777—An Act relating to hazardous materials; authorizing the establishment of a facility in Lincoln County for the thermal destruction of hazardous waste; and providing other matters properly relating thereto.

Assemblyman Schofield moved that the bill be referred to the Committee on Natural Resources, Agriculture and Mining.

Motion carried.

By the Committee on Ways and Means:

Assembly Bill No. 778—An Act relating to mental health; permitting a client of a facility of the mental hygiene and mental retardation division of the department of human resources to obtain a copy of his records at any time; and providing other matters properly relating thereto.

Assemblyman Sedway moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bills Nos. 124, 158; Senate Bill No. 180; Assembly Concurrent Resolution No. 53.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Adler, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Laurel Terry, Mr. Dennis Rose and the fifth grade students of J. C. Fremont School: John Butler, Mac Bybee, Mike Case, Greg Fogelberg, Phil Hodges, Matt Morgan, Joshua Reynolds, Sean Richer, Zachary Schnaible, Jesse Truell, Joseph Vendelin, William Voight, Lance Yomtob, Jeff Wade, Trisha Anderson, Staci Denham, Amanda Ellis, Stacie Farrell, Jackie Fisk, Amber Giles, Stephanie Hick, Erin Hill, Julie Long, Allison Oakes, Emily Reed, Shelley Rose, Marie Schofield, Erin Stowell, Jennifer Woodbury, Ben Armstrong, Seth Christensen, Joe Crawford, Paul Nino, John Redican, Scott Sager, Christopher Sawyer, Joey Sferrazza, Donald Thompson, Kent Torok, Johnathan Vietti, Eric Weston, Michelle Barte, Francis Brophy, Tiffany Coder, Shelly Dawson, Pamela Eswonia, Yvonne Goodson, Jennifer Halton, Nicci Hansen, Kristen Martin, Betsy Maxwell, Priscilla Pallo, Jennifer Portch, Dena Rutherfurd, Vinda Smith, Heather Taylor, Janice Thompson, Malissa Woodruff, Ruel Alldredge and Kevin Salisbury.

On request of Assemblyman Arberry, the privilege of the floor of the Assembly Chamber for this day was extended to Mss. Monica Rees, Estelle Pryor, Carol Martin, Messrs. Arden Clute, Jusy Alvarez, John Perry and the fifth and sixth grade students of Malcolm X Elementary School, Berkeley, California: Aimee Baldwin, Robin Bouc, Damon Bramble, Dyron Brewer, Noah Bunce, Arvin Chan, Claire Chessen, Laurel Ference, Isaac Fox, Noah Friedman, David Granger, Tasha Henneman, Leah Hickey, Jesse

Isaacs, Omar Jones, Brandon Phillips, Shalah Pleasants, Maurice Powell, Tamara Romijn, Philip Schneider, Hubert Schwartz, Tiffany Smothers, Yvette Whiten, LeChieta Williams, Clair Yoder, Mindy Brown, Mia Hughes, Steven Addison, Nicola Alesandrini, Michael Choy, Trent Cohn, Pablo Cuneo, Mia DiStasi, Tamicka Eisley, Zhubin Fardis, Amber Francis, Eric Harper, Charlie Hibbard, Mark Jekabson, Anne Jones, Jackie Melton, Bronwyn Metal, Abdul Mixon, Nao Myers, Maria Newport, Iheanyi Ngumezi, Jesse Ross, Christina Seely, Aidan Semingson, Frederick Thomas, Donte Thompson, Ana Traylor, Abby Warwas, Alice Wong and Kadidja Yansane.

On request of Assemblyman Bergevin, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Roth, Barsness and the fourth grade students of Zephyr Cove Elementary School: Kirsten Beronio, Arnulfo Bravo, Patrick Case, Rebecca Clarke, Christopher Fagan, Dirk Folstad, Craig Forsberg, Dulcenea Garcia, Oscar Hernandez, Kevin Kloepfer, Alexandra Koc, Luke MacSween, Earl Maxie, Jennifer Maxwell, Heather Miller, Ivan Munoz, Season Moreno, Melanie Norman, Michael Pereira, Sharon Shearer, Laura Spear, Katie Tanner, Shaun Thomas, Joni Weston, Jennifer Wilber, Adam Altman, Damon Apocotos, Jamie Beinert, Garrett Dunham, Kelly Gerling, Nick Green, Ryan Hambsch, Jennifer Ingraham, Kyle Kline, Brandi Kling, Brooke Langelius, Amy Manning-Lusby, Scott Mansfield, Joya Martuscello, Monique Norman, Antionette Parry, Heather Patterson, Doug Reasoner, Jason Ryan, Kara Slingerland, Matt Stillson, Chrissy Stranahan, Valerie Sunde, Katrina Sutter and Nicole Williams.

On request of Assemblyman Humke, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Laura L. Marshall and Mr. Robert E. Marshall.

On request of Assemblyman Schofield, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Debbie Sheltra.

On request of Assemblyman Spriggs, the privilege of the floor of the Assembly Chamber for this day was extended to Miss Nicole Sheltra and Mr. Kenny Beane.

On request of Assemblyman Triggs, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Diane Gardner and Mr. Michael Gardner.

On request of Assemblyman Wendell Williams, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Dorothy Wells.

On request of Assemblyman Wisdom, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Kenneth Shaddy.

Assemblyman Nevin moved that the Assembly adjourn until Monday, May 11, 1987 at 10:30 a.m., and that it do so in honor of the 125th anniversary of the National Guard.

Motion carried.

Assembly adjourned at 12:01 p.m.

Approved: JOSEPH E. DINI, JR.
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE ONE HUNDRED AND THIRTEENTH DAY

CARSON CITY (Monday), May 11, 1987

Assembly called to order at 10:42 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, The Reverend Roy Parker.

Our Father of heaven and earth, we recognize our need for You today. We need Your strength and wisdom as part of Your guidance in our lives here this day. Grant these legislators Your help today in the decisions that they face. You, Lord, expect us to look to You for our sufficiency and that we do just now, in Your name we ask these favors.

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Jeffrey moved that further reading of the Journal be dispensed with, and the Speaker and Chief Clerk be authorized to make the necessary corrections and additions.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Government Affairs, to which were referred Assembly Bills Nos. 417, 690, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

DANNY L. THOMPSON, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 8, 1987

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 376, 443, 444, 478.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Bills Nos. 173, 356, 384.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 153, 253, 281, 292, 298.

MARY JO MONGELLI
Assistant Secretary of the Senate

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Government Affairs:

Assembly Bill No. 779—An Act relating to statutes; making technical corrections to certain inappropriate or inaccurate statutory terms; repealing certain obsolete provisions; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 780—An Act relating to witnesses; precluding a witness from being declared incompetent to testify solely by reason of medical or psychological care or counseling received by him or a member of his family; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 781—An Act relating to counties; revising the provisions governing public administrators and guardians in counties whose populations are less than 100,000; and providing other matters properly relating thereto.

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

Motion carried.

Senate Bill No. 153.

Assemblyman Nevin moved that the bill be referred to the Concurrent Committees on Elections and Government Affairs.

Motion carried.

Senate Bill No. 173.

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

Motion carried.

Senate Bill No. 253.

Assemblyman Nevin moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 281.

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

Motion carried.

Senate Bill No. 292.

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

Motion carried.

Senate Bill No. 298.

Assemblyman Nevin moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 356.

Assemblyman Nevin moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

Senate Bill No. 384.

Assemblyman Nevin moved that the bill be referred to the Committee on Taxation.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 102.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 412.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 414.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 471.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 526.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 667.

Amend the bill as a whole by deleting section 1, and adding a new section designated section 1, following the enacting clause, to read as follows:

"Section 1. NRS 338.070 is hereby amended to read as follows:

338.070 1. Any public body and its officers or agents awarding a contract shall:

(a) Take cognizance of complaints of violations of the provisions of NRS 338.010 to 338.090, inclusive, committed in the course of the execution of the contract; and

(b) When making payments to the contractor of money becoming due under the contract, withhold and retain therefrom all sums forfeited pursuant to the provisions of NRS 338.010 to 338.090, inclusive.

2. No sum may be withheld, retained or forfeited, except from the final payment, without a full investigation being made by the awarding body or its agents.

3. It is lawful for any contractor to withhold from any subcontractor under him sufficient sums to cover any penalties withheld from him by the awarding body on account of the subcontractor's failure to comply with the terms of NRS 338.010 to 338.090, inclusive. If payment has already been made to the subcontractor, the contractor may recover from him the amount of the penalty or forfeiture in a suit at law.

4. The contractor and each subcontractor shall keep or cause to be kept an accurate record showing the name, occupation and the actual per diem, wages and benefits paid to each workman employed by him in connection with the public work.

5. The record must be open at all reasonable hours to the inspection of the public body awarding the contract, and its officers and agents. A copy of the record for each calendar month must be sent to the labor commissioner no later than 1 week after the end of the month. *The record in the possession of the public body awarding the contract may be discarded by the public body 1 year after final payment is made by the public body for the public work.*

6. Any contractor or subcontractor, or agent or representative thereof, doing public work who neglects to comply with the provisions of this section is guilty of a misdemeanor.".

Amend the title of the bill to read as follows:

"An Act relating to public works projects; authorizing a public body to discard after a certain period its record of the employees on a project; and providing other matters properly relating thereto.".

Amend the summary of the bill to read as follows: "Authorizes public body to discard record of employees on public work. (BDR 28-629)".

Assemblyman Thompson moved the adoption of the amendment.

Remarks by Assemblyman Thompson.

Amendment adopted.

Assemblyman Thompson moved that Assembly Bill No. 526 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. 642.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 671.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 672.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 669.

Amend section 1, page 2, line 8, after "*other*" by inserting "*good*".

Amend the bill as a whole by deleting sections 2 and 3.

Amend the title of the bill, first and second lines, by deleting: "requiring candidates for the office of supervisor to be elected by ward in the primary election;".

Assemblyman Adler moved the adoption of the amendment.

Remarks by Assemblyman Adler.

Amendment adopted.
Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 685.
Bill read second time, ordered engrossed and to third reading.

Senate Bill No. 25.
Bill read second time and ordered to third reading.

Senate Bill No. 121.
Bill read second time and ordered to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Sader moved that Assembly Bill No. 619 be taken from the Chief Clerk's desk and placed on the Second Reading File.
Remarks by Assemblyman Sader.
Motion carried.

SECOND READING AND AMENDMENT

Senate Bill No. 308.
Bill read second time and ordered to third reading.

Senate Bill No. 339.
Bill read second time and ordered to third reading.

Assembly Bill No. 619.
Bill read second time.
The following amendment was proposed by the Committee on Judiciary:
Amendment No. 608.
Amend section 1, page 1, by deleting lines 15 and 16 and inserting:
"2. *In any proceeding to impose liability against a person for:*
(a) Making a report pursuant to subsection 2 of NRS 432B.220; or
(b) Any of the acts set forth in paragraphs (b) to (f), inclusive, of subsection 1,
there is a presumption that the person acted in".
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 Labor and Management, to which was referred Assembly Bill No. 486, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JAMES J. BANNER, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which was re-referred Assembly Bill No. 298, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass, as amended.

MARVIN M. SEDWAY, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which was referred Senate Bill No. 240, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

MARVIN M. SEDWAY, *Chairman*

Mr. Speaker:

Your Committee on Natural Resources, Agriculture and Mining, to which was referred Assembly Joint Resolution No. 16, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JAMES W. SCHOFIELD, *Chairman*

Mr. Speaker:

Your Committee on Elections, to which was referred Assembly Concurrent Resolution No. 31, has had the same under consideration, and begs leave to report the same back with the recommendation: Be adopted.

COURTENAY C. SWAIN, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which was referred Assembly Bill No. 771, has had the same under consideration, and begs leave to report the same back with the recommendation: Re-refer to the Committee on Transportation.

MARVIN M. SEDWAY, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which were referred Assembly Bills Nos. 111, 385; Senate Bill No. 344, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ROBERT M. SADER, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Sedway moved that Assembly Bill No. 771 be re-referred to the Committee on Transportation.

Motion carried.

Assemblyman Kerns moved that Assembly Bill No. 452 be taken from the Chief Clerk's desk and placed on the General File.

Remarks by Assemblyman Kerns.

Motion carried.

Assembly Concurrent Resolution No. 31.

Assemblyman Nicholas moved the adoption of the resolution.

Remarks by Assemblyman Nicholas.

Resolution adopted.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Elections:

Assembly Bill No. 782—An Act relating to political parties; revising the procedure for electing delegates to the county and state conventions of a political party; and providing other matters properly relating thereto.

Assemblyman Swain moved that the bill be referred to the Committee on Elections.

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 783—An Act relating to fire protection districts; authorizing the exclusion of a portion of a county fire protection district for inclusion in a fire protection district receiving federal aid; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 784—An Act relating to corporations; permitting certain variations in the effective date of a merger or consolidation; allowing certain variations in the time to compensate a shareholder who objects to a merger or consolidation; and providing other matters properly relating thereto.

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

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 281.

Bill read third time.

Remarks by Assemblyman Fay.

Roll call on Assembly Bill No. 281:

YEAS—42.

NAYS—None.

Assembly Bill No. 281 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 308.

Bill read third time.

Remarks by Assemblyman Porter.

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. 407.

Bill read third time.

Remarks by Assemblyman Nicholas.

Roll call on Assembly Bill No. 407:

YEAS—41.

NAYS—Spriggs.

Assembly Bill No. 407 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 459.
Bill read third time.
Remarks by Assemblyman Nicholas.
Roll call on Assembly Bill No. 459:
YEAS—42.
NAYS—None.

Assembly Bill No. 459 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 468.
Bill read third time.
Remarks by Assemblyman Jeffrey.
Roll call on Assembly Bill No. 468:
YEAS—42.
NAYS—None.

Assembly Bill No. 468 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 481.
Bill read third time.
Remarks by Assemblyman Jeffrey.
Roll call on Assembly Bill No. 481:
YEAS—41.
NAYS—Carpenter.

Assembly Bill No. 481 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 493.
Bill read third time.
Remarks by Assemblyman Brookman.
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, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 531.
Bill read third time.
Remarks by Assemblyman Adler.
Roll call on Assembly Bill No. 531:
YEAS—42.
NAYS—None.

Assembly Bill No. 531 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Senate Bill No. 16.
Bill read third time.
Remarks by Assemblyman Wisdom.
Roll call on Senate Bill No. 16:
YEAS—42.
NAYS—None.

Senate Bill No. 16 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Senate Bill No. 66.
Bill read third time.
Remarks by Assemblymen Callister, Haller and Jeffrey.
Roll call on Senate Bill No. 66:
YEAS—42.
NAYS—None.

Senate Bill No. 66 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 118.
Bill read third time.
Remarks by Assemblymen Garner and Triggs.
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.

Assembly Bill No. 452.
Bill read third time.
The following amendment was proposed by the Committee on Commerce:
Amendment No. 671.
Amend sec. 3, page 3, line 10, by deleting "*or improvement*".
Amend sec. 3, page 3, line 12, by deleting "*or improvement*".
Assemblyman Kerns moved the adoption of the amendment.
Remarks by Assemblyman Kerns.
Amendment adopted.
Bill ordered reprinted, re-engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Callister moved that Assembly Bill No. 344 be taken from the Chief Clerk's desk and placed on the Second Reading File.
Remarks by Assemblyman Callister.
Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 344.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 689.

Amend sec. 13, page 2, line 13, by deleting "person" and inserting "skier".

Amend sec. 13, page 2, line 15, by deleting: "or reasonably should know".

Amend sec. 13, page 2, line 21, by deleting "throw, cast" and inserting: "throw or cast or intentionally".

Amend sec. 13, page 2, line 27, by deleting "or".

Amend sec. 13, page 2, line 29, by deleting the period and inserting: "; or

8. Ski in an area which is posted as closed.".

Amend sec. 15, page 3, line 2, after "is" by inserting: "attached to the skier by a strap or".

Amend sec. 17, page 3, line 33, by deleting "and".

Amend sec. 17, page 3, line 35, by deleting the period and inserting: "; and

(c) To warn of each area within the boundary of the ski area where there is a danger of avalanche by posting signs stating "Warning: Avalanche Danger Area." ".

Amend sec. 19, page 4, by deleting lines 3 through 12 and inserting: "possible after discovery of the injury.

2. A skiing operator is not liable for the death or injury of a person or damages to property caused or sustained by a skier who knowingly enters an area which is not designated for skiing or which is outside the boundary of a ski area.

3. A skiing operator shall take reasonable steps to minimize dangers and conditions within his control.

4. A skier shall comply with those provisions of section 14 of this act which are within his control.".

Amend the bill as a whole by deleting sec. 20 and inserting:

"Sec. 20. (Deleted by amendment.)".

Amend sec. 21, page 4, by deleting line 20 and inserting:

"(a) Ski in an area within the ski area which is posted as closed;

(b) Ski in an area within the ski area which is posted as closed because of the danger of an avalanche in that area; or".

Amend sec. 21, page 4, line 21, by deleting "(b)" and inserting "(c)".

Assemblyman Callister moved the adoption of the amendment.

Remarks by Assemblyman Callister.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Schofield moved that Assembly Joint Resolution No. 16 be placed on the Second Reading File.

Remarks by Assemblyman Schofield.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Joint Resolution No. 16.

Resolution read second time.

The following amendment was proposed by the Committee on Natural Resources, Agriculture and Mining:

Amendment No. 566.

Amend the resolution, page 1, by deleting line 2 and inserting "for judicial".

Amend the resolution, page 1, line 8, after "state's" by inserting "congressionally imposed".

Amend the resolution, page 1, by inserting between lines 8 and 9:

"WHEREAS, Through judicial review the 9th United States Circuit Court of Appeals agreed with the state's interpretation of its oversight role and struck down the guidelines of the Department of Energy for grants which had prevented the state from receiving federal grants; and".

Amend the resolution, page 1, by deleting lines 9 through 11 and inserting:

"WHEREAS, The Department of Energy again has denied Nevada access to federal money for technical studies; now, therefore, be it".

Amend the resolution, page 1, by deleting lines 14 through 16 and inserting: "to be crucial to Nevada's oversight role relating to the high-level nuclear waste program and urges Congress to support the congressional policy underlying the availability of money for judicial review consistent with section 119 of the Nuclear Waste Policy Act and the policy of the Act itself; and be it further".

Assemblyman Schofield moved the adoption of the amendment.

Remarks by Assemblyman Schofield.

Amendment adopted.

Resolution ordered reprinted, engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Price moved that Assembly Bill No. 119 be taken from the Chief Clerk's desk and placed on the General File.

Remarks by Assemblyman Price.

Assemblymen Price, Jeffrey and Craddock requested a roll call on Assemblyman Price's motion.

Roll call on Assemblyman Price's motion:

YEAS—25.

NAYS—Banner, Bergevin, Carpenter, DuBois, Garner, Gaston, Getto, Haller, Humke, Kerns, Marvel, Porter, Sedway, Spriggs, Tebbs, Thompson, Wisdom—17.

The motion having received a majority, Mr. Speaker declared it carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 119.

Bill read third time.

Remarks by Assemblymen Price, Thomas, Fay, DuBois, Sedway, Jeffrey and Thompson.

Assemblyman Thompson moved that Assembly Bill No. 119 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblymen Thompson, Gaston, Price, Kerns and DuBois.

Assemblymen Price, Thompson and Bergevin requested a roll call on Assemblyman Thompson's motion.

Roll call on Assemblyman Thompson's motion:

YEAS—28.

NAYS—Bergevin, Brookman, Carpenter, Kissam, Lambert, May, Price, Sader, Spinello, Swain, Thomas, Myrna Williams, Mr. Speaker—13.

Absent—Craddock.

The motion having received a majority, Mr. Speaker declared it carried.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Callister, Brookman, Tebbs, Sedway, Jeffrey, Nevin, Porter, Kerns, Wisdom, Spinello, Myrna Williams, Freeman, Gaston, Getto, Swain, Arberry, Evans, Garner, Humke, Wendell Williams, Nicholas, McGaughey, DuBois, Schofield, Bergevin, Sader, Thompson, Adler, Kissam, Lambert, Craddock, Haller, Triggs, Marvel and Dini:

Assembly Bill No. 785—An Act relating to the disposal of solid waste; imposing a civil penalty; providing for rewards; requiring the posting of certain notices; limiting the use of unsupervised disposal sites; providing a penalty; and providing other matters properly relating thereto.

Assemblyman Callister moved that the bill be referred to the Committee on Natural Resources, Agriculture and Mining.

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

Mr. Speaker announced that in order to comply with Assembly Standing Rule No. 91, copies of a resolution to amend Assembly Standing Rule No. 40 (Standing Committees) has been distributed.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bills Nos. 199, 325, 329; Senate Bill No. 18; Assembly Concurrent Resolutions Nos. 50, 54; Senate Concurrent Resolutions Nos. 27, 30.

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. Olive Schofield and Mr. Warren Schofield.

On request of Assemblyman Adler, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Konnie McGruder and

the sixth grade class of Grace Bordewich School: Richard Anderson, Ryan Carel, David Ernst, Dan Larkin, John Musgrave, Charles Newman, Kelly Ortega, John Perl, Lee Silva, Ben Smith, Noel Wilkin, Todd Hazlewood, Sarah Beal, Jessie Benet, Michelle Bentley, Mary Jo Boyer, Alese Coates, Kristi Gurries, Meredith Lemley, Summer Mansberger, Christy Martinez, Jennifer Mirales, Mindy McKay, Jamie Rather, Lani Reams, Jessica Sala, Michelle Toulouse; Ms. Bonnie Coyle and the sixth grade class of E. W. Fritsch Elementary School: Tami Arndt, Erica Barton, Meesha Beckett, Tracy Blume, Theresa Brode, Jennifer Chalmers, Stacie Farnham, Amity Gardner, Joy Graber, Linnea Gundlack, Krissy Gutzman, Kari Keller, Mesina Laack, Tricia Lloyd, Margie Manke, Jody Snelling, Shannon Ward, Amelie Weldon, Dianna Martin, Josh Coughran, Jason Doescher, Brian Edwards, Jeff Erickson, Sean Green, Jim Merrill, Jon Mudget, Aaron Rajs, John Sullivan and Nathan Tobey.

On request of Assemblyman Haller, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Boone and the students of Wooster High School: Michelle Dilwith, David Tegtmeyer, Jerome Wiercyski, Liz Peck, Kerry Clarke, Karen Condie, Keith Covert, Jennitess Sinocruz, Scott Taylor, John Beeghly, Theresa Danen, Michael Grimm, Harlan Powell, Kevin Roloff, John Beadell, Harlan Darrah, Linda Doig, Elsie Downs, Julie Drake, David Mckemy, Dave Merwin, Donald Miller, Shelly Peppe, Gregory Pyatt, James Ramey, Nadine Salyer, Martin Schultz, David Sousa, Kathrin Wachter, Ricardo Makonnen, Lisa Peek, Shandell Price, Brian Caldwell, Jason Dolence, Brita Engdahl, Kim Hurley, Tim Rapp, Tracie Sasaki, Allen Rooney, Pat Aragon and John Feliciana.

On request of Assemblyman Price, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Sang Woan Lee and Ki Soo Kim.

On request of Assemblyman Wisdom, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Don Schlesinger.

On request of Assemblyman Thompson, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Robert Femenella.

Assemblyman Jeffrey moved that the Assembly adjourn until Tuesday, May 12, 1987 at 10:30 a.m.

Motion carried.

Assembly adjourned at 12:11 p.m.

Approved: JOSEPH E. DINI, JR.
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE ONE HUNDRED AND FOURTEENTH DAY

CARSON CITY (Tuesday), May 12, 1987

Assembly called to order at 10:46 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, The Reverend Roy Parker.

Let us pray: O Lord, Your word tells us to be thankful for our past blessings, and we are. You said that our actions toward others would determine their actions toward us. Our actions also determine Your actions toward us, so help us here today to be in unity and in one accord so that right decisions will be made for us all. Thank You again in the name of our soon coming King. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Nevin moved that further reading of the Journal be dispensed with, and the Speaker and Chief Clerk be authorized to make the necessary corrections and additions.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Commerce, to which were referred Assembly Bills Nos. 374, 375, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN E. JEFFREY, *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which was referred Assembly Bill No. 425, 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 E. JEFFREY, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Legislative Functions, 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.

MYRNA WILLIAMS, *Chairman*

Mr. Speaker:

Your Committee on Elections, 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: Amend, and do pass as amended.

COURTENAY C. SWAIN, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which were referred Assembly Bills Nos. 271, 554, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

DANNY L. THOMPSON, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Government Affairs, to which was referred Assembly Bill No. 662, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

DANNY L. THOMPSON, *Chairman*

Mr. Speaker:

Your Committee on Transportation, 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.

LEONARD V. NEVIN, *Chairman*

Mr. Speaker:

Your Committee on Transportation, 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: Do pass.

LEONARD V. NEVIN, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 11, 1987

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Senate Bills Nos. 318, 400, 407, 441, 477.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bill No. 221.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen Dini and Jeffrey:

Assembly Resolution No. 10—Amending Assembly Standing Rule 40 to enlarge the membership of certain standing committees.

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, That Rule 40 of the Standing Rules of the Assembly is hereby amended to read as follows:

40

Standing Committees.

The standing committees of the Assembly are as follows:

1. Ways and Means, thirteen members.
2. Judiciary, thirteen members.
3. Taxation, eleven members.
4. Elections, nine members.
5. Education, thirteen members.
6. Legislative Functions, [nine] *ten* members.
7. Natural Resources, Agriculture and Mining, eleven members.
8. Labor and Management, nine members.
9. Transportation, nine members.
10. Commerce, [thirteen] *fourteen* members.
11. Economic Development, Small Business and Tourism, eleven members.
12. Health and Welfare, thirteen members.
13. Government Affairs, thirteen members.

Assemblyman Jeffrey moved the adoption of the resolution.

Remarks by Assemblyman Jeffrey.

Resolution adopted unanimously.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Ways and Means:

Assembly Bill No. 786—An Act relating to mentally ill persons; requiring the appointment of a physician and personnel of the mental hygiene and mental retardation division of the department of human resources to evaluate a person alleged to be mentally ill in certain proceedings; and providing other matters properly relating thereto.

Assemblyman Sedway moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By the Committee on Ways and Means:

Assembly Bill No. 787—An Act making a supplemental appropriation to the Youth Services Division of the Department of Human Resources for the support of the Southern Nevada Children's Home; and providing other matters properly relating thereto.

Assemblyman Sedway moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By the Committee on Ways and Means:

Assembly Bill No. 788—An Act relating to the reserve for statutory contingency fund; revising the provisions regarding reimbursement of counties for ballot cards; and providing other matters properly relating thereto.

Assemblyman Sedway moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By the Committee on Ways and Means:

Assembly Bill No. 789—An Act making an appropriation to the Department of Museums and History for the purchase of antique railroad equipment; and providing other matters properly relating thereto.

Assemblyman Sedway moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 790—An Act relating to statutes; making technical corrections to certain inappropriate or inaccurate statutory terms; repealing certain obsolete provisions; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 791—An Act relating to the procedure in criminal cases; requiring notice of the failure by a defendant to appear to be given to the agent of the surety; specifying the time for giving such a notice; and providing other matters properly relating thereto.

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

Motion carried.

Senate Bill No. 221.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 318.

Assemblyman Jeffrey moved that the bill be referred to the Select Committee on Corrections.

Motion carried.

Senate Bill No. 400.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Natural Resources, Agriculture and Mining.

Motion carried.

Senate Bill No. 407.

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

Motion carried.

Senate Bill No. 441.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Natural Resources, Agriculture and Mining.

Motion carried.

Senate Bill No. 477.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

By the Committee on Ways and Means:

Assembly Concurrent Resolution No. 56—Directing the Commission on Economic Development to grant sufficient money to the appropriate local agencies to employ a person in rural Nevada and west Las Vegas to aid in the economic development of those areas.

Assemblyman Sedway moved that the resolution be referred to the Committee on Ways and Means.

Motion carried.

By the Committee on Judiciary:

Assembly Concurrent Resolution No. 57—Directing the Legislative Commission to conduct an interim study of the feasibility and desirability of state-owned and operated medical clinics.

Assemblyman Sader moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

By the Committee on Judiciary:

Assembly Concurrent Resolution No. 58—Directing the Legislative Commission to conduct an interim study on the treatment of persons convicted of crimes involving sexual acts.

Assemblyman Sader moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Concurrent Committee on Health and Welfare, to which was referred Assembly Bill No. 286, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

MORSE ARBERRY, JR., *Chairman*

Mr. Speaker:

Your Committee on Health and Welfare, to which was re-referred Assembly 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.

MORSE ARBERRY, JR., *Chairman*

Mr. Speaker:

Your Committee on Health and Welfare, to which were referred Assembly Bills Nos. 263, 377, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

MORSE ARBERRY, JR., *Chairman*

Mr. Speaker:

Your Committee on Health and Welfare, to which was referred Assembly Bill No. 442, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

MORSE ARBERRY, JR., *Chairman*

Mr. Speaker:

Your Committee on Natural Resources, Agriculture and Mining, to which was re-referred Assembly Joint Resolution No. 3, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass, as amended.

JAMES W. SCHOFIELD, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which was referred Assembly Bill No. 691, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ROBERT M. SADER, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which was referred Assembly Bill No. 516, 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.

ROBERT M. SADER, *Chairman*

Mr. Speaker:

Your Committee on Education, to which was referred Assembly Bill No. 446, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

ROBERT G. CRADDOCK, *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which was referred Senate Bill No. 275, has had the same under consideration, and begs leave to report the same back with the recommendation: Re-refer to the Committee on Government Affairs.

JOHN E. JEFFREY, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Thompson moved that Assembly Bill No. 617 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Thompson.

Motion carried.

Assemblyman Jeffrey moved that Senate Bill No. 275 be re-referred to the Committee on Government Affairs.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 31.

Bill read third time.

Remarks by Assemblymen Bergevin, Sader and Spinello.

Roll call on Assembly Bill No. 31:

YEAS—41.

NAYS—Thompson.

Assembly Bill No. 31 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 Evans.

Roll call on Assembly Bill No. 102:

YEAS—42.

NAYS—None.

Assembly Bill No. 102 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 214.

Bill read third time.

Remarks by Assemblyman Jeffrey.

Roll call on Assembly Bill No. 214:

YEAS—42.

NAYS—None.

Assembly Bill No. 214 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. 119 be taken from the Chief Clerk's desk and placed at the top of the General File.

Remarks by Assemblyman Thompson.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 119.

Bill read third time.

The following amendment was proposed by Assemblyman Thompson:

Amendment No. 720.

Amend section 1, page 1, line 10, after "*the date and*" by inserting: ", *except as otherwise provided in subsection 4,*".

Amend section 1, page 1, after line 16 by inserting:

"*4. In preparing the list, the legislative counsel shall not include the summary of a measure requested by a legislator until the particular measure has been prepared and delivered to the legislator.*".

Amend the title of the bill, first line, by deleting "bills;" and inserting "measures;".

Amend the summary of the bill, first line, by deleting "bills." and inserting "measures.".

Assemblyman Thompson moved the adoption of the amendment.

Remarks by Assemblymen Thompson, Price and Wisdom.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 298.

Bill read third time.

Remarks by Assemblyman McGaughey.

Roll call on Assembly Bill No. 298:

YEAS—41.

NAYS—None.

Not voting—Carpenter.

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. 412.

Bill read third time.

Remarks by Assemblyman Myrna Williams.

Roll call on Assembly Bill No. 412:

YEAS—42.

NAYS—None.

Assembly Bill No. 412 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 414.

Bill read third time.
Remarks by Assemblyman Thomas.
Roll call on Assembly Bill No. 414:
YEAS—42.
NAYS—None.

Assembly Bill No. 414 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 Assemblymen Sedway, Callister and Fay.
Roll call on Assembly Bill No. 471:
YEAS—42.
NAYS—None.

Assembly Bill No. 471 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 498.
Bill read third time.
Remarks by Assemblyman Kerns.
Roll call on Assembly Bill No. 498:
YEAS—41.
NAYS—None.
Not voting—McGaughey.

Assembly Bill No. 498 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 522.
Bill read third time.
Remarks by Assemblyman Adler.
Roll call on Assembly Bill No. 522:
YEAS—42.
NAYS—None.

Assembly Bill No. 522 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 527.
Bill read third time.
Remarks by Assemblyman Banner.
Roll call on Assembly Bill No. 527:
YEAS—42.
NAYS—None.

Assembly Bill No. 527 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 568.
Bill read third time.
Remarks by Assemblyman Jeffrey.
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. 642.
Bill read third time.
Remarks by Assemblymen Brookman, Getto, DuBois and Evans.
Roll call on Assembly Bill No. 642:
YEAS—42.
NAYS—None.

Assembly Bill No. 642 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 671.
Bill read third time.
Remarks by Assemblyman Adler.
Roll call on Assembly Bill No. 671:
YEAS—42.
NAYS—None.

Assembly Bill No. 671 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 Thompson.
Roll call on Assembly Bill No. 685:
YEAS—42.
NAYS—None.

Assembly Bill No. 685 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 25.
Bill read third time.
Remarks by Assemblymen Schofield and Haller.
Roll call on Senate Bill No. 25:
YEAS—39.
NAYS—Haller, Thomas, Triggs—3.

Senate Bill No. 25 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 121.
Bill read third time.
Remarks by Assemblyman Getto.
Roll call on Senate Bill No. 121:
YEAS—42.
NAYS—None.

Senate Bill No. 121 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 226.
Bill read third time.
Remarks by Assemblyman Bergevin.
Roll call on Senate Bill No. 226:
YEAS—42.
NAYS—None.

Senate Bill No. 226 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Senate Bill No. 308.
Bill read third time.
Remarks by Assemblyman Lambert.
Roll call on Senate Bill No. 308:
YEAS—42.
NAYS—None.

Senate Bill No. 308 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 339.
Bill read third time.
Remarks by Assemblyman Price.
Roll call on Senate Bill No. 339:
YEAS—42.
NAYS—None.

Senate Bill No. 339 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

SECOND READING AND AMENDMENT

Assembly Bill No. 111.
Bill read second time.
The following amendment was proposed by the Committee on Judiciary:
Amendment No. 499.
Amend sec. 2, page 1, by deleting lines 7 through 9 and inserting: "*finds that restitution is impracticable. Such an*".

Amend the bill as a whole by deleting sections 4 and 5 and renumbering sections 6 through 11 as sections 4 through 9.

Amend the bill as a whole by deleting sec. 12 and renumbering sections 13 and 14 as sections 10 and 11.

Amend the bill as a whole by deleting sections 15 through 21.

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. 385.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 579.

Amend section 1, page 1, line 8, by inserting an open bracket before "advanced".

Amend section 1, page 1, by deleting line 9 and inserting: "technician-ambulance] *emergency medical technician* or a technician , *technologist or assistant* employed in a medical laboratory; [and]".

Amend section 1, page 1, by deleting line 12 and inserting: "blood serum or plasma [.] *; and*

(c) The person who withdrew the blood was authorized to do so by the appropriate licensing or certifying agency.".

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. 417.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 624.

Amend section 1, page 2, line 25, after "*The*" by inserting: "*policies for the*".

Amend section 1, page 2, by deleting lines 32 and 33 and inserting:

"(a) The right to hire, direct, assign or transfer an employee, but excluding the right to assign or transfer an employee as".

Amend section 1, page 2, line 41, by deleting: "[;] *and the size of classes;*" and inserting ";".

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. 486.

Bill read second time.

The following amendment was proposed by the Committee on Labor and Management:

Amendment No. 700.

Amend the bill as a whole by deleting sections 1 and 2 and inserting:

"Section 1. Chapter 616 of NRS is hereby amended by adding thereto a new section to read as follows:

1. It is unlawful for any person who is not employed full time by the employer to represent the employer at hearings of contested cases unless licensed to do so by the administrator.

2. The administrator shall adopt regulations which include the:

(a) Requirements for licensure of employers' representatives;

(b) Procedure for such licensure; and

(c) Causes for revocation of such a license, including any applicable action listed in NRS 616.647 or a violation of this section.

3. Any person who is employed by or contracts with an employer to represent the employer at hearings regarding contested claims is an agent of the employer. If the employer's representative violates any provision of this chapter, the employer is liable for any penalty assessed because of that violation.

4. An employer shall not make the compensation of any person representing him contingent in any manner upon the outcome of any contested claim.

Sec. 2. This act becomes effective on July 1, 1987, for the purposes of adopting regulations, and on January 1, 1988, for all other purposes.".

Amend the title of the bill, first and second lines, by deleting: "limiting plans for retrospective rating of risks to individual employers;" and inserting: "providing for the licensure of employers' representatives;".

Amend the summary of the bill to read as follows: "Provides for licensure of employers' representatives in contested cases regarding industrial insurance. (BDR 53-1015)".

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. 690.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 652.

Amend sec. 3, page 2, line 5, by deleting: "purchasers, but the" and inserting: "purchasers . [, but the] *The*".

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. 240.

Bill read second time and ordered to third reading.

Senate Bill No. 344.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 525.

Amend section 1, page 1, line 3, by deleting the bracket.

Amend section 1, page 1, by deleting line 4 and inserting: "jury *pending the judicial determination pursuant to subsection 2* has the same effect as if he were regularly adjudged insane, and the".

Amend section 1, page 2, by inserting between lines 5 and 6: "*The court shall issue its finding within 90 days after the defendant is acquitted.*".

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

Assemblyman Schofield moved that Assembly Bill No. 425 be placed on the Second Reading File.

Remarks by Assemblyman Schofield.

Motion carried.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 464.

The following Senate amendment was read:

Amendment No. 582.

Amend sec. 2, page 3, by deleting lines 15, 16 and 17.

Amend sec. 2, page 3, line 18, by deleting "*3.*" and inserting "*2.*".

Amend sec. 2, page 3, line 21, by deleting "*4.*" and inserting "*3.*".

Assemblyman Sader moved that the Assembly concur in the Senate amendment to Assembly Bill No. 464.

Remarks by Assemblyman Sader.

Motion carried.

Bill ordered enrolled.

SECOND READING AND AMENDMENT

Assembly Bill No. 425.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 657.

Amend section 1, page 1, line 3, after "bank" by inserting: ", *mortgage company, credit union, thrift company*".

Amend section 1, page 1, line 4, after "bank" by inserting: ", *mortgage company, credit union, thrift company*".

Amend section 1, page 2, line 1, by deleting: "*section is in*" and inserting: "*section:*

(a) Is not, for the purposes of NRS 40.430, an action for the recovery of any debt or an action for the enforcement of any right secured by mortgage or lien upon real estate.

(b) Is in".

Amend section 1, page 2, line 10, by deleting "*$100,000*" and inserting "*$150,000*".

Assemblyman Schofield moved the adoption of the amendment.

Remarks by Assemblyman Schofield.

Amendment adopted.

Assemblyman Schofield moved that Assembly Bill No. 425 be re-referred to the Committee on Judiciary.

Motion carried.

Bill ordered reprinted, engrossed and to the Committee on Judiciary.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bills Nos. 376, 443, 444, 478; Senate Bills Nos. 42, 381; Senate Concurrent Resolutions Nos. 5, 31.

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. Terry Singley, Mr. Jim Stewart and the students of Fernley Intermediate School: Scott Hackbarth, Damen Sullivan, Dena Cuny, Audrey Rice, Shawn Cook, Mary Lamas, Ron DeLangie, Sara Collins, Charlie Wolf, Billy Gerrard, Jill Bloomster, April Young, Michelle Pease, Bill Riley, Robby Johnson, Cielo Shortt, Kathryn Norlie, Joe Foley, Bryan Manning, Michelle DuRousseau, Ann Alexander, Alysha Martin, Tawny Love, Jake Fehr, Sherry Basaraba, Herb Crockett, Chan Evans, Steve Crook, Andrea Golden, Kevin Line, David Ward, Mike Wootton, Carlos Singh, Marianna Singh, George Holler, Ken Chapman, Sabrina Macedo, Lisa Lignowski, Brandi Adams, Toby Alt, Heather Asher, Brian Dossey, Bobby Miles, Samantha Stackhouse, Bridgett Leavitt, John Fields and Becky Krys.

On request of Assemblyman Adler, the privilege of the floor of the Assembly Chamber for this day was extended to Mss. Marilyn Berry, Carol Heinricy and the sixth grade students of E. W. Fritsch Elementary School: Jason Beaman, Vincent Lopez, Jeff Thackston, Pam Pollard, Monty Lowe, Dan Hill, Corina Smith, Heather Kennedy, Becky Van Hoose, Charlene Holt, Vicky Balderamma, Sasha Mills, Shelli Tuthill, Veronica Fletcher, Cory Grant, Chris Baugus, Pablo Quevedo, Brian Williams, Joshua Wood, Jason Anderson, Dan Boler, Tony Castillo, Olin Coles, Micky Doyle, Misty Elliot, Mike Fletcher, Melissa Foley, Chris Franklin, Matt Gangestad, Robert Holbrook, Serena Jennings, Mark Kluge, Janet Lamers, Nicole

LeClaire, Eric Morrison, Scott Obsorn, Vinny Picard, Eddie Rea, Jennifer Rickertt, Josh Scissions, Jackie Shilevinatz, Travis Simpson, Anthony Tolan, Mechelle Vernott and Jamie Ward.

On request of Assemblyman Craddock, the privilege of the floor of the Assembly Chamber for this day was extended to Mss. Sue Fay, Earlene Stenton, Faye Morrison and Mr. Lloyd Morrison.

On request of Assemblyman Porter, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Nicholas Serrano.

On request of Assemblyman Thompson, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Gene Meridieth and Charles Bojarski.

On request of Assemblyman Triggs, the privilege of the floor of the Assembly Chamber for this day was extended to Dr. Dan R. Newburn.

Assemblyman Nevin moved that the Assembly adjourn until Wednesday, May 13, 1987 at 10:30 a.m.

Motion carried.

Assembly adjourned at 12:11 p.m.

Approved: JOSEPH E. DINI, JR.
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE ONE HUNDRED AND FIFTEENTH DAY

CARSON CITY (Wednesday), May 13, 1987

Assembly called to order at 10:55 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, The Reverend Roy Parker.

Let us pray. Our Father, You created all heaven and earth, and all that lives within. Life revolves around You. You said that when righteous people rule a nation, the people are blessed. Thank You for leaders that look to You for answers. Give them strength and all that they need here today, we pray, in the name of our Lord and Saviour. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Jeffrey moved that further reading of the Journal be dispensed with, and the Speaker and Chief Clerk be authorized to make the necessary corrections and additions.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Taxation, to which was referred Senate Bill No. 316, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

PAUL W. MAY, *Chairman*

Mr. Speaker:

Your Committee on Taxation, to which was re-referred Assembly Bill No. 322, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

PAUL W. MAY, *Chairman*

Mr. Speaker:

Your Committee on Taxation, to which was referred Assembly Bill No. 223, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

PAUL W. MAY, *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.

MARVIN M. SEDWAY, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 12, 1987

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 451, 560.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 379, 481.

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. 81.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen Spinello, Schofield, Marvel, Swain and Tebbs:

Assembly Concurrent Resolution No. 59—Directing the Legislative Commission to conduct an interim study of the Mental Hygiene and Mental Retardation Division of the Department of Human Resources.

Assemblyman Spinello moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Ways and Means:

Assembly Bill No. 792—An Act relating to group insurance for public employees; increasing the amount payable by the state for its retired employees; and providing other matters properly relating thereto.

Assemblyman Sedway moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By the Committee on Taxation:

Assembly Bill No. 793—An Act relating to hazardous materials; authorizing counties and cities to require a permit for the transportation of high-level radioactive waste within their boundaries; authorizing the imposition of a fee for that permit; providing a penalty; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Taxation.

Motion carried.

By the Committee on Health and Welfare:

Assembly Bill No. 794—An Act relating to the healing arts; regulating the practice of respiratory care; creating the board to regulate the practice of respiratory care; providing for its organization, powers and duties; providing for licensing and disciplinary actions; providing penalties; and providing other matters properly relating thereto.

Assemblyman Arberry moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

By Assemblymen Humke, Price, Tebbs, Swain, Wendell Williams, Triggs, Thomas, Gaston, Garner, Lambert and DuBois:

Assembly Bill No. 795—An Act relating to economic development; creating the fund for the investment of venture capital; authorizing the public employees' retirement board to invest money in the fund in businesses which are or will be located in Nevada; and providing other matters properly relating thereto.

Assemblyman Humke moved that the bill be referred to the Committee on Economic Development, Small Business and Tourism.

Motion carried.

Senate Bill No. 379.

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

Motion carried.

Senate Bill No. 481.

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

Motion carried.

UNFINISHED BUSINESS

REPORTS OF CONFERENCE COMMITTEES

Mr. Speaker:

The first Committee on Conference concerning Assembly Bill No. 72, 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. 4C, which is attached to and hereby made a part of this report.

PAUL W. MAY, JR.
JOHN W. MARVEL
ROBERT E. GASTON
Assembly Committee on Conference

KENNETH K. REDELSPERGER
ERIK BEYER
RAY SHAFFER
Senate Committee on Conference

Amendment No. 4C.

Amend sec. 2, page 2, by deleting line 27 and inserting: "percent of the maximum revenue allowable from taxes ad valorem for the preceding".

Assemblyman Marvel moved that the Assembly adopt the report of the first Committee on Conference concerning Assembly Bill No. 72.

Remarks by Assemblyman Marvel.

Motion carried.

Mr. Speaker:

The first Committee on Conference concerning Assembly Bill No. 362, consisting of the undersigned members, has met, and reports that:

It has agreed to recommend that the amendment of the Senate be concurred in.

VAL Z. GARNER
VIVIAN L. FREEMAN
BOB L. KERNS
Assembly Committee on Conference

CHARLES W. JOERG
JAMES I. GIBSON
THOMAS J. HICKEY
Senate Committee on Conference

Assemblyman Garner moved that the Assembly adopt the report of the first Committee on Conference concerning Assembly Bill No. 362.

Remarks by Assemblyman Garner.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Labor and Management, to which was referred Assembly Bill No. 625, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JAMES J. BANNER, *Chairman*

GENERAL FILE AND THIRD READING

Assembly Bill No. 344.
Bill read third time.
Remarks by Assemblymen Callister and Fay.
Roll call on Assembly Bill No. 344:
YEAS—41.
NAYS—Price.

Assembly Bill No. 344 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 452.
Bill read third time.
Remarks by Assemblyman Kerns.
Roll call on Assembly Bill No. 452:
YEAS—38.
NAYS—Bergevin, Carpenter—2.
Not voting—Brookman, McGaughey—2.

Assembly Bill No. 452 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 619.
Bill read third time.
Remarks by Assemblymen Thomas and Kissam.
Conflict of interest declared by Assemblyman Kissam.
Roll call on Assembly Bill No. 619:
YEAS—41.
NAYS—None.
Not voting—Kissam.

Assembly Bill No. 619 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 672.
Bill read third time.
Remarks by Assemblyman Adler.
Roll call on Assembly Bill No. 672:
YEAS—42.
NAYS—None.

Assembly Bill No. 672 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Joint Resolution No. 3.
Resolution read third time.
Remarks by Assemblyman Schofield.
Roll call on Assembly Joint Resolution No. 3:
YEAS—42.
NAYS—None.

Assembly Joint Resolution No. 3 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Resolution ordered transmitted to the Senate.

Assembly Joint Resolution No. 16.
Resolution read third time.
Remarks by Assemblyman Adler.
Roll call on Assembly Joint Resolution No. 16:
YEAS—42.
NAYS—None.

Assembly Joint Resolution No. 16 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Resolution ordered transmitted to the Senate.

Senate Bill No. 240.
Bill read third time.
Remarks by Assemblymen Sedway, Carpenter, Haller, Freeman, Adler, Kerns, Nevin and Brookman.
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.
Bill ordered transmitted to the Senate.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Government Affairs, to which was re-referred Assembly Bill No. 494, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass, as amended.

DANNY L. THOMPSON, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which were referred Assembly Bills Nos. 622, 689, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

DANNY L. THOMPSON, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Health and Welfare, to which was referred Assembly Bill No. 541, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

MORSE ARBERRY, JR., *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: Amend, and do pass as amended.

MORSE ARBERRY, JR., *Chairman*

Mr. Speaker:

Your Committee on Natural Resources, Agriculture and Mining, to which were referred Senate 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.

JAMES W. SCHOFIELD, *Chairman*

SECOND READING AND AMENDMENT

Assembly Bill No. 130.

Bill read second time.

The following amendment was proposed by the Committee on Health and Welfare:

Amendment No. 537.

Amend sec. 4, page 2, line 2, by deleting "*and*".

Amend sec. 4, page 2, line 3, by deleting the period and inserting: "*; and*

(d) A contract between the welfare division and the recipient which specifies the responsibilities of each party, including the:

(1) Recipient's commitment to specific actions to prepare for and seek employment that will make the recipient self-sufficient.

(2) Welfare division's commitment to provide assistance and services to the recipient while he is seeking employment.".

Amend sec. 4, page 2, by inserting after line 9:

"*3. Operation of a program to assist recipients who have limited or no skills to obtain the necessary training and experience for unsubsidized employment.*".

Amend sec. 4, page 2, line 10, by deleting "*3.*" and inserting "*4.*".

Amend sec. 4, page 2, line 18, by deleting "*4.*" and inserting "*5.*".

Amend sec. 4, page 2, line 20, by deleting "*5.*" and inserting "*6.*".

Amend the bill as a whole by renumbering sections 6 and 7 as sections 10 and 11, and adding new sections designated sections 6 through 9, following sec. 5, to read as follows:

"Sec. 6. Chapter 616 of NRS is hereby amended by adding thereto the provisions set forth as sections 7 and 8 of this act.

Sec. 7. *Any person who participates in a program to obtain education and experience for employment administered by the welfare division of the department of human resources pursuant to subsection 3 of section 4 of this act shall be deemed for the purposes of this chapter to be an employee of the welfare division at the wage of $150 per month and is entitled to the benefits of this chapter.*

Sec. 8. *Any person who participates in a program to obtain training for employment administered by the welfare division of the department of human resources, if he receives training on the job and a wage directly from an employer, shall be deemed for the purposes of this chapter to be an employee of that employer and is entitled to the benefits of this chapter.*

Sec. 9. NRS 616.015 is hereby amended to read as follows:

616.015 As used in this chapter, unless the context otherwise requires, the words and terms defined in NRS 616.020 to 616.120, inclusive, *and sections 7 and 8 of this act,* have the meanings ascribed to them in those sections.".

Amend the title of the bill, second line, after "children;" by inserting: "providing coverage under industrial insurance for certain recipients who participate in programs of education and training;".

Assemblyman Arberry moved the adoption of the amendment.

Remarks by Assemblyman Arberry.

Amendment adopted.

Assemblyman Arberry moved that Assembly Bill No. 130 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 Bill No. 263.

Bill read second time.

The following amendment was proposed by the Committee on Health and Welfare:

Amendment No. 538.

Amend sec. 2, page 1, by deleting line 13 and inserting: "professional engineering, unless he is registered to do so pursuant to chapter 625 of NRS.".

Amend sec. 5, page 2, by deleting line 7 and inserting: "initial appointments, two must represent the general public and two must be".

Amend sec. 5, page 2, lines 8 and 9, by deleting: "one employed by the health division of the department of human resources,".

Amend sec. 11, page 3, by deleting line 5 and inserting:

"2. A copy of the report must be mailed by the board to:

(a) Each sanitarian; and

(b) Any other person who submits a written request to the board for a copy.".

Amend sec. 23, page 5, line 38, after "finds" by inserting: "after a hearing".

Amend sec. 24, page 6, line 12, by deleting "15" and inserting "30".

Amend sec. 25, page 6, lines 16 and 17, by deleting: "It is unlawful to engage in the business of public sanitation as a sanitarian without a valid certificate of registration issued by the board.".

Amend sec. 25, page 6, line 18, by deleting "hold" and inserting "holds".

Amend sec. 28, page 7, line 2, by deleting "three" and inserting "two".

Amend sec. 28, page 7, line 4, by deleting: "one other person" and inserting "two persons".

Amend sec. 28, page 7, by deleting lines 12 and 13 and inserting: "(c) Two members, who represent the general public, to terms".

Amend the title of the bill, first line, by deleting "requiring" and inserting "authorizing".

Assemblyman Arberry moved the adoption of the amendment.

Remarks by Assemblyman Arberry.

Amendment adopted.

Assemblyman Arberry moved that Assembly Bill No. 263 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 Bill No. 271.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 552.

Amend section 1, page 1, by deleting lines 11 through 13 and inserting: "*not be considered holding a public office.*".

Amend the bill as a whole by adding a new section designated sec. 2, following section 1, to read as follows:

"Sec. 2. NRS 278.130 is hereby amended to read as follows:

278.130 [Where]

1. If the governing body of a city or county collaborates in the creation of a regional planning commission and does not create a separate city or county planning commission, the regional planning commission shall perform for the city or county all the duties and functions delegated to a city or county planning commission by the terms of NRS 278.010 to 278.630, inclusive.

2. If a regional planning commission has duties and functions pursuant to NRS 278.010 to 278.630, inclusive, which parallel the duties and functions of a city or county planning commission, the city or county planning commission has the responsibility for making decisions pertaining to planning which have a local effect, and the regional planning commission has the responsibility for making decisions pertaining to planning which have a regional or intergovernmental effect.".

Amend the title of the bill, second line, after "members;" by inserting: "clarifying the division of responsibility between regional planning commissions and city and county planning commissions;".

Amend the summary to read as follows: "Revises provisions relating to regional planning commissions. (BDR 22-960)".

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. 286.

Bill read second time.

The following amendment was proposed by the Committee on Health and Welfare:

Amendment No. 660.

Amend sec. 3, page 2, line 4, by deleting "*his home*" and inserting: "*his own home or with his family*".

Assemblyman Arberry moved the adoption of the amendment.

Remarks by Assemblyman Arberry.

Amendment adopted.

Bill ordered reprinted, engrossed and to the Concurrent Committee on Ways and Means.

Assembly Bill No. 374.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 563.

Amend sec. 2, page 1, by deleting lines 3 through 8 and inserting:

"Sec. 2. (Deleted by amendment.)".

Amend sec. 4, page 1, line 14, after "*service*" by inserting "*or amenity*".

Amend the bill as a whole by deleting sec. 6 and renumbering sections 7 through 9 as sections 6 through 8.

Amend sec. 7, page 2, lines 39 and 40, by deleting: "*not chosen by the landlord,*" and inserting: "*chosen by the tenants,*".

Amend sec. 7, page 2, line 41, by deleting "*20*" and inserting "*45*".

Amend sec. 7, page 3, line 3, after the period by inserting: "*The representative group of tenants must consist of no more than five persons.*".

Amend sec. 8, page 3, line 17, after "*maintain*" by inserting: ", *in the manner required for the other tenants,*".

Amend sec. 8, page 3, line 19, after the period, by inserting: "*The landlord is entitled to reimbursement for the cost of that maintenance from the repossessor or lien holder or from the proceeds of any sale for taxes, as the case may be.*".

Amend the bill as a whole by deleting sec. 10 and renumbering sections 11 through 14 as sections 9 through 12.

Amend sec. 11, page 5, line 10, by deleting "[90] *120*" and inserting "90".

Amend sec. 12, page 6, line 9, by deleting "*NRS 461A.120.*" and inserting: "*NRS 461A.120 or the park's rules or regulations regarding architectural standards.*".

Amend sec. 13, page 6, line 20, by deleting "*$5,000.*" and inserting "*$1,000.*".

Amend sec. 13, page 6, line 22, by deleting "*$10,000.*" and inserting "*$1,500.*".

Amend sec. 13, page 6, line 24, by deleting "*$15,000.*" and inserting "*$2,500.*".

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. 375.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 562.

Amend the bill as a whole by renumbering section 1 as sec. 1.5 and adding a new section designated section 1, following the enacting clause, to read as follows:

"Section 1. NRS 118.165 is hereby amended to read as follows:

118.165 1. Unless exempted by subsection 3, every landlord of real property leased or otherwise rented to a tenant , *including every landlord of a mobile home park,* shall deliver to the tenant in July of each year, and whenever the periodic rent changes, a statement which shows separately for each periodic payment of rent:

(a) The amount which represents property taxes paid by the landlord; and

(b) The remainder of that payment.

2. If the property rented is one of several upon which the landlord pays taxes together, the amount which represents property taxes must be calculated by:

(a) Apportioning the total property tax paid for the year upon the entire property among the individual properties rented according to their respective areas.

(b) Reducing the amount so apportioned to each particular property for the year by the appropriate fraction to correspond to the period for which rent on it is paid.

3. This section does not apply to:

(a) Any property covered by a written agreement which requires the tenant to pay the property tax or otherwise provides for calculation and notice to the tenant of its amount.

(b) Any lodging unless it contains its own cooking and toilet facilities, separate from other living quarters.

(c) Any room in a hotel or motel.

(d) Any concession within a larger commercial enterprise, or any other property not customarily used separately from adjacent units.

(e) Any property for which the rent is a share of sales or profit.

4. The statements required in July 1981 by subsection 1 must show, in addition to the information required as of the date the statement is prepared, the comparable information as of July 1980. Each landlord of property which is subject to this section shall reduce the periodic rent otherwise payable by an amount equal to 90 percent of any reduction from 1980 to 1981 of the amount which represents property taxes as shown in the statements required by that subsection.

5. This section does not purport to regulate the total amount of rent payable.

6. A landlord who fails to reduce the periodic rent in accordance with subsection 4 is liable to each tenant whose rent was not properly reduced for an amount equal to three times the amount which was overpaid by the tenant, unless the landlord shows good cause for the failure. If the tenant

made written demand upon his landlord at least 20 days before bringing his action under this subsection, a judgment for the tenant must include costs and a reasonable attorney's fee.

7. The department of taxation is responsible for enforcing the provisions of this section.".

Amend sec. 2, page 1, by deleting lines 4 and 5 and inserting: "*be required to sign a new rental agreement or lease as long as the tenant lives in the park unless:*

1. The entrance into a new agreement or lease is mutually agreed upon by the landlord and tenant; or

2. There are statutory changes which require a particular modification of the rental agreement or lease. In which case, the modification must be limited to the statutorily required change.".

Amend sec. 3, page 1, by deleting lines 6 through 11 and inserting:

"Sec. 3. *1. The landlord shall authorize each manager and assistant manager to make repairs himself or enter into a contract with a third party for the repairs.*

2. The manager shall contract with a third party to provide emergency repairs for the tenants on the occasions when the manager and assistant manager are not physically present in the park. The manager shall notify each tenant of the telephone number of the third party who will make the repairs, and direct the tenants to call him when an emergency repair is needed and the manager and assistant manager are not physically present in the park. The telephone number so provided must be that of the third party directly. The provision of the telephone number of an answering service does not fulfill this requirement. If the manager or assistant manager are present in the park, any request for repairs must be made to him and not the third party.".

Amend the bill as a whole by adding a new section designated sec. 3.5, following sec. 3, to read as follows:

"Sec. 3.5. NRS 118B.014 is hereby amended to read as follows:

118B.014 "Landlord" means the owner or lessor of a mobile home lot and the owner [, lessor or operator] *or lessor* of a mobile home park.".

Amend sec. 4, page 1, line 13, by deleting: "contract or lease must" and inserting: "[contract] *agreement* or lease [must] *may*".

Amend sec. 4, page 1, line 15, by deleting: "contract or lease" and inserting: "[contract] *agreement* or lease *, if any,*".

Amend sec. 4, page 1, line 17, by deleting: "The written rental contract" and inserting: "[The written rental contract] *Any such written rental agreement*".

Amend sec. 5, page 2, line 24, after "agreement" by inserting "*or lease*".

Amend sec. 5, page 2, line 40, by deleting "*change*" and inserting: "*modification, other than one related to a statutory change,*".

Amend sec. 5, page 3, line 1, by deleting "*pets.*" and inserting: "*pets, unless the landlord provides a special service regarding children or pets.*".

Amend sec. 7, page 3, by deleting lines 34 through 37 and inserting: "name [and address of:

(a) The person authorized to manage] , *address and telephone number of the manager or assistant manager of* the mobile home park [;

(b)] , *and any change thereof. The landlord shall also disclose in writing to each tenant the name and address of:*

(a) A person authorized to receive service of process for the landlord; and

[(c)] *(b)* The owner of the mobile home park,".

Amend sec. 7, page 3, lines 40 and 41, by deleting: "*at his request.*" and inserting an italicized period.

Amend sec. 8, page 4, by deleting line 2 and inserting:

"118B.085 1. [The] *If the* owner of a mobile home park *has employed a manager or assistant manager, the owner* shall notify the".

Amend sec. 8, page 4, line 5, by deleting "30" and inserting "[30] *45*".

Amend sec. 8, page 4, line 18, after the period by inserting: "*The term includes any company chosen by the landlord to administer or supervise the affairs of the mobile home park.*".

Amend sec. 10, page 5, line 11, by deleting the bracket.

Amend sec. 10, page 5, line 13, by deleting the bracket.

Amend sec. 10, page 5, by inserting between lines 21 and 22:

"*7. For the purposes of this section, "capital improvement" means any addition or change to the land or buildings which increases its value more than a repair or replacement would increase its value.*".

Amend sec. 11, pages 5 and 6, by deleting lines 22 through 41 on page 5 and lines 1 through 23 on page 6, and inserting:

"Sec. 11. NRS 118B.110 is hereby amended to read as follows:

118B.110 1. The landlord shall meet with a representative group of tenants occupying the park at least once a year to hear any complaints or suggestions which concern a matter relevant to the park if he receives a written request to do so which has been signed by 25 percent of the tenants occupying the park. The meeting must be held at a time and place which is convenient to the landlord and the tenants.

2. At least 10 days before any meeting is held pursuant to this section the landlord or his agent shall post a notice of the meeting in a conspicuous place in a common area of the park.

3. If the landlord is not a natural person, the landlord shall appoint a natural person, not the manager or assistant manager, who possesses a financial interest in the mobile home park to meet with the tenants.".

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. 377.

Bill read second time.

The following amendment was proposed by the Committee on Health and Welfare:

Amendment No. 526.

Amend the bill as a whole by deleting sections 1, 2 and 3 and inserting:

"Section 1. Chaper 426 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 and 3 of this act.

Sec. 2. *"Helping dog" means a dog which has been or is being specially trained by or in conjunction with a school for helping dogs to the individual requirements of a physically handicapped person to:*

1. Provide a minimum of protection;

2. Rescue the person in certain situations;

3. Pull a wheelchair;

4. Fetch dropped items; or

5. Provide other services to the person.

Sec. 3. *"School for helping dogs" means a school which trains dogs to be helping dogs and which is approved by the division.*

Sec. 4. NRS 426.005 is hereby amended to read as follows:

426.005 It is the policy of this state to:

1. Enable the visually , *aurally and physically* handicapped to participate fully in the social and economic life of the state and to engage in remunerative employment and to secure for them the same rights as the able-bodied to the full and free use of the street, highways, sidewalks, walkways, public buildings, public facilities and other public places.

2. Promote these objectives by periodic public observance in which the people of the state are reminded:

(a) Of the significance of the white cane [.] *and the blaze orange dog leash.*

(b) To observe the provisions of the laws for the protection of the disabled and to take precautions necessary to the safety of the disabled.

(c) Of the policies of the state with respect to the visually and physically disabled and to cooperate in giving effect to them.

(d) Of the need to:

(1) Be aware of the presence of disabled persons in the community;

(2) Keep safe and functional for the disabled the streets, highways, sidewalks, walkways, public buildings, public facilities, other public places, places of public accommodation, amusement and resort, and other places to which the public is invited; and

(3) Offer assistance to disabled persons upon appropriate occasions.

Sec. 5. NRS 426.031 is hereby amended to read as follows:

426.031 As used in this chapter, unless the context otherwise requires, the words and terms defined in NRS 426.035 to 426.091, inclusive, *and sections 2 and 3 of this act,* have the meanings ascribed to them in those sections.

Sec. 6. NRS 426.075 is hereby amended to read as follows:

426.075 "Guide dog" means a dog which has been *or is being* specially trained by *or in conjunction with* a school for guide dogs to lead in harness and serve as an aid to the mobility of a particular blind person.

Sec. 7. NRS 426.081 is hereby amended to read as follows:

426.081 "Hearing dog" means a dog which has been *or is being* specially trained by *or in conjunction with* a school for hearing dogs to alert a particular deaf person to certain sounds.

Sec. 8. NRS 426.510 is hereby amended to read as follows:

426.510 1. Except as *otherwise* provided in subsections 2 [and 3, no person may use] *, 3 and 4, a person shall not:*

(a) Use a guide dog, [a] hearing dog *or helping dog* or a blaze orange dog leash [or carry] *; or*

(b) Carry or use on any street [, highway,] *or highway* or in any other public place a cane or walking stick which is white or metallic in color, or white tipped with red.

2. A blind person may use a guide dog, a blaze orange dog leash and a cane or walking stick which is white or metallic in color, or white tipped with red.

3. A deaf person may use a hearing dog and a blaze orange dog leash.

4. *A physically handicapped person may use a helping dog and a blaze orange dog leash.*

5. Any pedestrian who approaches or encounters a person using a guide dog or carrying a cane or walking stick white or metallic in color, or white tipped with red, shall immediately come to a full stop and take such precautions before proceeding as may be necessary to avoid accident or injury to the blind person.

[5.] *6.* Any person other than a blind person who:

(a) Uses a guide dog or [a blaze orange dog leash or] carries a cane or walking stick such as is described in this section, contrary to the provisions of this section;

(b) Fails to heed the approach of a person using a guide dog or carrying such a cane as is described by this section;

(c) Fails to come to a stop upon approaching or coming in contact with a person so using a guide dog or so carrying such a cane or walking stick; or

(d) Fails to take precaution against accident or injury to such a person after coming to a stop,

as provided for in this section, is guilty of a misdemeanor.

[6.] *7. Any person other than a blind, deaf or physically handicapped person who uses a blaze orange dog leash is guilty of a misdemeanor.*

8. This section does not apply to any person who is instructing a blind , [or] deaf *or physically handicapped* person or training a guide dog , [or a] hearing dog [.] *or helping dog.*

Sec. 9. NRS 426.515 is hereby amended to read as follows:

426.515 The failure of a:

1. Blind person to carry a white or metallic colored cane or to use a guide dog or a blaze orange dog leash; [or]

2. Deaf person to use a hearing dog or a blaze orange dog leash [,] *; or*

3. Physically handicapped person to use a helping dog or a blaze orange dog leash,

does not constitute contributory negligence per se, but may be admissible as evidence of contributory negligence in a personal injury action by [such

a] *that* person against a common carrier or any other means of public conveyance or transportation or a place of public accommodation as defined by NRS 651.050 when the injury arises from the blind , [or] deaf *or physically handicapped* person's making use of the facilities or services offered by the carrier or place of public accommodation.

Sec. 10. NRS 426.790 is hereby amended to read as follows:

426.790 1. It is unlawful for any person to beat, harass, intimidate or interfere with a guide dog , [or a] hearing dog [.] *or helping dog.*

2. Any person who violates subsection 1 shall be punished by imprisonment in the county jail for not more than 6 months, or by a fine of not less than $100 nor more than $500, or by both fine and imprisonment.

Sec. 11. NRS 118.105 is hereby amended to read as follows:

118.105 1. A landlord may not refuse to rent a dwelling subject to the provisions of chapter 118A of NRS solely because a guide dog , [or a] hearing dog *or helping dog* will be residing with the prospective tenant in the dwelling.

2. A landlord may require proof that a dog is a guide dog , [or a] hearing dog [.] *or helping dog.* This requirement may be satisfied, by way of example and not of limitation, by exhibition of the identification card normally presented to a visually , [or] aurally *or physically* handicapped person upon his graduation from a school for guide dogs , [or a] school for hearing dogs [.] *or school for helping dogs.*

3. For the purposes of this section, the terms "guide dog," "hearing dog," ["school for guide dogs" and] *"helping dog," "school for guide dogs,"* "school for hearing dogs" *and "school for helping dogs"* have the meanings ascribed to them respectively in NRS 426.075 to 426.091, inclusive [.] *, and sections 2 and 3 of this act.*

Sec. 12. NRS 651.075 is hereby amended to read as follows:

651.075 1. It is unlawful for a place of public accommodation to:

(a) Refuse *admittance or* service to a visually , [or] aurally *or physically* handicapped person because he is accompanied by a guide dog , [or] hearing dog [; or

(b)] *or helping dog;*

(b) Refuse admittance or service to a person training such a dog; or

(c) Charge an additional fee for such a dog.

2. A place of accommodation may require proof that a dog is a guide dog , [or a] hearing dog [. Such] *or helping dog, or that a person is training such a dog. This* requirement may be satisfied, by way of example and not of limitation, by exhibition of the identification card normally presented to a [visually or] *trainer of such a dog or to a visually,* aurally *or physically* handicapped person upon his graduation from a school for guide dogs , [or a] school for hearing dogs [.] *or school for helping dogs.*

3. A guide dog , [or] hearing dog *or helping dog* may not be presumed dangerous by reason of the fact it is not muzzled.

4. This section does not relieve a visually , [or] aurally *or physically* handicapped person *or a person who trains such a dog* from liability for damage which may be caused by his guide dog , [or] hearing dog [.] *or helping dog.*

5. Visually , [or] aurally *or physically* handicapped persons accompanied by guide dogs , [or] hearing dogs *or helping dogs* are subject to the same conditions and limitations that apply to persons who are not so handicapped and accompanied.

6. For the purposes of this section, the terms ["guide dog" and] *"guide dog,"* "hearing dog" *and "helping dog"* have the meanings ascribed to them respectively in NRS 426.075 and 426.081 [.] *and section 2 of this act.*

Sec. 13. NRS 704.145 is hereby amended to read as follows:

704.145 1. It is unlawful for a common carrier or other means of public conveyance or transportation operating in this state to:

(a) Refuse service to a visually , [or] aurally *or physically* handicapped person because he is accompanied by a guide dog , [or a] hearing dog [;] *or helping dog;* or

(b) Charge an additional fee for such a dog.

2. This section does not relieve a visually , [or] aurally *or physically* handicapped person from liability for damage which may be caused by his guide dog , [or] hearing dog [.] *or helping dog.*

3. Visually , [or] aurally *or physically* handicapped persons accompanied by guide dogs , [or] hearing dogs *or helping dogs* are subject to the same conditions and limitations that apply to persons who are not so handicapped and accompanied.

4. For the purposes of this section, the terms ["guide dog" and] *"guide dog,"* "hearing dog" *and "helping dog"* have the meanings ascribed to them respectively in NRS 426.075 and 426.081 [.] *and section 2 of this act.*

Sec. 14. NRS 706.366 is hereby amended to read as follows:

706.366 1. It is unlawful for a common motor carrier of passengers or other means of public conveyance or transportation operating in this state to:

(a) Refuse service to a visually , [or] aurally *or physically* handicapped person because he is accompanied by a guide dog , [or] hearing dog [;] *or helping dog;* or

(b) Charge an additional fee for such a dog.

2. This section does not relieve a visually , [or] aurally *or physically* handicapped person from liability for damage which may be caused by his guide dog , [or] hearing dog [.] *or helping dog.*

3. Visually , [or] aurally *or physically* handicapped persons accompanied by guide dogs , [or] hearing dogs *or helping dogs* are subject to the same conditions and limitations that apply to persons who are not so handicapped and accompanied.

4. For the purposes of this section, the terms ["guide dog" and] *"guide dog,"* "hearing dog" *and "helping dog"* have the meanings ascribed to them respectively in NRS 426.075 and 426.081 [.] *and section 2 of this act.*".

Amend the title of the bill, first line, after "persons;" by inserting: "guaranteeing to a physically handicapped person with a helping dog the same rights accorded to a blind person with a guide dog;".

Amend the summary of the bill to read as follows: "Revises provisions relating to dogs trained to assist handicapped persons. (BDR 38-1236)".

Assemblyman Adler moved the adoption of the amendment.

Remarks by Assemblyman Adler.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 442.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 446.

Bill read second time, ordered 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. 627.

Amend section 1, page 1, line 5, after "*Given*" by inserting: ", *traded or otherwise made available*".

Assemblyman Porter moved the adoption of the amendment.

Remarks by Assemblyman Porter.

Amendment adopted.

Assemblyman Sader moved that Assembly Bill No. 516 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 Bill No. 539.

Bill read second time.

The following amendment was proposed by the Committee on Elections:

Amendment No. 709.

Amend section 1, page 1, line 3, after "*county*" by inserting "*or city*".

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. 546.

Bill read second time.

The following amendment was proposed by the Committee on Transportation:

Amendment No. 551.

Amend the bill as a whole by deleting section 1 and adding a new section designated section 1, following the enacting clause, to read as follows:

"Section 1. Chapter 482 of NRS is hereby amended by adding thereto a new section to read as follows:

1. A person shall not rent or lease space for others to display for sale any vehicle unless the:

(a) Tenant or lessee is:

(1) The lienholder, owner or registered owner of the vehicle; or

(2) A repossessor of the vehicle or the holder of a statutory lien on the vehicle, selling the vehicle on the basis of bids received; and

(b) Landlord or lessor is a manufacturer, distributor, rebuilder, lessor or dealer licensed under the provisions of this chapter.

2. The provisions of this section do not apply to any executor, administrator, sheriff or other person who sells a motor vehicle pursuant to powers or duties granted or imposed by specific statute.

3. Any person who violates any of the provisions of this section is guilty of a misdemeanor.".

Amend the title of the bill, second line, after "vehicle;" by inserting: "providing a penalty;".

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. 554.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 696.

Amend sec. 2, page 1, by deleting lines 4 through 9 and inserting: "*context otherwise requires:*

1. "Control of asbestos" means:

(a) The removal of asbestos or material containing asbestos from a building or structure including any associated mechanical systems, whether inside or outside the building or structure;

(b) The abatement of the danger posed to human beings by the presence of asbestos or material containing asbestos in a building or structure;

(c) The demolition of a building or structure containing asbestos or materials containing asbestos; or

(d) Any activity connected with that removal, abatement or demolition.

2. "Worker" means any person actually engaged in work directly related to asbestos on a project for the control of asbestos who is not required to be licensed in any other specific classification.".

Amend the bill as a whole by adding a new section designated sec. 2.5, following sec. 2, to read as follows:

"Sec. 2.5. *Sections 2 to 17, inclusive, of this act, do not apply to the control of asbestos by a person in his own residence.*".

Amend sec. 3, page 2, line 2, by deleting the semicolon and inserting: "*or analyze building materials for the presence of asbestos; and*".

Amend sec. 3, page 2, by deleting lines 3 and 4.

Amend sec. 3, page 2, line 5, by deleting "*(d)*" and inserting "*(c)*".

Amend sec. 4, page 2, line 14, by deleting: "*planners and laborers.*" and inserting: "*planners, workers and any other classifications of licenses deemed necessary.*".

Amend sec. 4, page 2, by inserting after line 15:

"*3. The department may establish a classification for instructors in the control of asbestos and prescribe the qualifications for the issuance of a license for that classification.*".

Amend sec. 5, page 2, line 22, by deleting "*Present*" and inserting: "*Except for a worker, present*".

Amend sec. 8, page 3, line 3, by inserting after the period: "*The department shall not issue a license as a contractor for projects for the control of asbestos on the basis of a qualified employee.*".

Amend sec. 9, page 3, by deleting line 9.

Amend sec. 9, page 3, line 10, by deleting "*3.*" and inserting "*2.*".

Amend sec. 9, page 3, line 11, by deleting "*4.*" and inserting "*3.*".

Amend sec. 10, page 3, line 15, after "*Employ*" by inserting: "*to engage in activities directly related to asbestos*".

Amend sec. 10, page 3, by deleting lines 17, 18 and 19 and inserting:

"*2. If a laboratory is used for any aspect of monitoring the quality of air for a project, use only a laboratory which meets the standards adopted by the department and in which the contractor or owner of the building or structure has no financial interest.*".

Amend sec. 10, page 3, after line 20 by inserting:

"*4. Provide no other services on a project directly relating to asbestos.*".

Amend sec. 11, page 3, by deleting line 21 and inserting:

"Sec. 11. *1. If the department finds that any person, other than a worker, licensed pursuant to*".

Amend sec. 11, page 3, by deleting lines 25 and 26 and inserting:

"*(a) Upon the first violation, impose an administrative fine of not more than $15,000.*".

Amend sec. 11, page 3, line 27, by deleting "2." and inserting "*(b)*".

Amend sec. 11, page 3, by deleting lines 28 and 29 and inserting:

"*(1) Impose an administrative fine of not more than $25,000;*".

Amend sec. 11, page 3, line 30, by deleting "*(b)*" and inserting "*(2)*".

Amend sec. 11, page 3, line 31, by deleting "*(c)*" and inserting "*(3)*".

Amend sec. 11, page 3, after line 32, by inserting:

"2. *If the license of a contractor for projects for the control of asbestos is revoked pursuant to this section and the owner of a building or structure upon which the contractor is engaged in a project hires another licensed contractor to complete the project, the original contractor cannot bring an action against the owner of the building or structure for breach of contract or damages based on that hiring of another contractor.*".

Amend sec. 12, page 4, line 5, by deleting: "*as soon as practicable.*" and inserting: "*within 10 days after the date of the receipt of the request.*".

Amend sec. 19, page 4, line 30, after "2," by inserting "2.5,".

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. 601.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 662.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 625.

Amend sec. 10, page 3, line 17, by deleting: "fees for its services." and inserting: "nominal fees for the services it provides and the activities it sponsors.".

Assemblyman Thompson moved the adoption of the amendment.

Remarks by Assemblyman Thompson.

Amendment adopted.

Bill ordered reprinted, engrossed and to the Concurrent Committee on Ways and Means.

Assembly Bill No. 678.

Bill read second time.

The following amendment was proposed by the Committee on Legislative Functions:

Amendment No. 666.

Amend sec. 3, page 2, line 6, after the period, by inserting: "One member of the commission must be a former assemblyman and one member must be a former senator.".

Amend sec. 8, page 3, by deleting line 34 and inserting:

"Sec. 8. The commission shall submit its findings and recommendations to the legislative commission".

Amend sec. 8, page 3, line 35, by deleting "December" and inserting "September".

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. 691.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 646.

Amend sec. 3, page 2, line 31, by deleting "*decreased*" and inserting "*otherwise changed*".

Amend the title of the bill, first line, by deleting: "increase or decrease" and inserting "change".

Assemblyman Porter moved the adoption of the amendment.

Remarks by Assemblyman Porter.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Elections:

Assembly Bill No. 796—An Act relating to elections; revising the provisions governing absent ballots and registration to vote for certain persons in the service of the United States or who reside outside the United States; authorizing voting for persons whose names do not appear on the ballot for a general election; and providing other matters properly relating thereto.

Assemblyman Swain moved that the bill be referred to the Committee on Elections.

Motion carried.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bill No. 464; Senate Bills Nos. 81, 118.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Speaker, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Don Dallas and the students of Fernley High School: Brian Beaty, Angela Bennett, Kasey Cottam, Michelle Gramckow, Don Jenkins, Brent Jones, Lisa Long, Hillary Maddern, Lori May, Tami McAulty, Melissa O'Leary, Angela Parsons, Carla Ramsey, Randy Sandman, Ginger Schenk, Jennifer Scott, Darcie Robinson, Diana York, Jim Asher, Jimmy Boyd, Kelly Brown, Kerry Brown, Pat Buckman, Tana Cramer, Deanna Chouquer, Anne Kramer, Kevin Kissenberger, Tony Keever, Kristy Lavoie, Regina Mann, Bobbie McIntyre, Cain Passi, Mark Pennington, Bob Tucker, Leslie Henderson, Lynette Henderson, Kimberly Vigil, Brent Williams, Cory Mallars and Paul Mallars.

On request of Assemblyman Carpenter, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Vernon Dalton.

On request of Assemblyman Craddock, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Laurel Etchegaray.

On request of Assemblyman Freeman, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Ari Roloff.

On request of Assemblyman Haller, the privilege of the floor of the Assembly Chamber for this day was extended to Mss. Barbara Miller, Diane Mooney, Judy Harris, Diane Bernarda, Mary Culbert, BeBe Youngberg and the seventh-grade students of Our Lady of the Snows School: Jackie Barnet, Stacey Berger, Kathleen Bergin, Kara Bernarda, Elena Biljanic, Jason Brajkovich, Jayson Culbert, William Daniel, Jennifer Davis, Danielle

Devine, Bryan Dumond, Tashya Ekechukwu, Samantha Fitzgerald, Troy Hamer, Tami Harker, Jana Harris, Jannine Koewler, Jami Leonard, Meredith Mall, Kathleen Maloney, Michael Miller, Megan Mooney, Amy Moran, Tricia O'Gara, Brian O'Mara, Shannon O'Neal, Kelly Schumacher, Anthony Smith, Amy Stover, Shannon Toole and Alicia Youngberg.

On request of Assemblyman Nicholas, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Michael Pennacchio.

On request of Assemblyman Sader, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Bill Langs and the students of Edward C. Reed High School: Scot Charles, Teri Hood, Tina Reynolds, Kim Stephens, Leslie Utter, Jack Webb and Chuck White.

Assemblyman Jeffrey moved that the Assembly adjourn until Thursday, May 14, 1987 at 10:30 a.m.

Motion carried.

Assembly adjourned at 11:56 a.m.

Approved: JOSEPH E. DINI, JR.
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

The

Journal of the Assembly

OF THE

SIXTY-FOURTH SESSION

OF THE

LEGISLATURE OF THE STATE OF NEVADA

1987

BEGUN ON MONDAY, THE NINETEENTH DAY OF JANUARY, AND ENDED ON THURSDAY, THE EIGHTEENTH DAY OF JUNE

VOLUME 2

THE ONE HUNDRED AND SIXTEENTH DAY—THE ONE HUNDRED AND FIFTY-FIRST DAY

SEE VOLUME 1 FOR TABLE OF CONTENTS

SPO, Carson City, Nevada, 1988

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THE ONE HUNDRED AND SIXTEENTH DAY

CARSON CITY (Thursday), May 14, 1987

Assembly called to order at 10:45 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, The Reverend Roy Parker.

Let us pray. Father, we are glad that You are alive and watching over our nation and people. We would ask You for guidance for each one of these, our lawmakers, today. You know all that we have need of and we ask You just now to fulfill those needs. Thank You again. In Your name we pray. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Jeffrey moved that further reading of the Journal be dispensed with, and the Speaker and Chief Clerk be authorized to make the necessary corrections and additions.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Transportation, to which was referred Assembly Bill No. 272, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

LEONARD V. NEVIN, *Chairman*

Mr. Speaker:

Your Committee on Labor and Management, to which was referred Assembly Bill No. 661, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JAMES J. BANNER, *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which were referred Assembly Bill No. 603; Senate Bill No. 284, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN E. JEFFREY, *Chairman*

Mr. Speaker:

Your Committee on Transportation, to which was referred Assembly Bill No. 616, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

LEONARD V. NEVIN, *Chairman*

Mr. Speaker:

Your Committee on Elections, to which were referred Assembly Bills Nos. 497, 573, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

COURTENAY C. SWAIN, *Chairman*

Mr. Speaker:

Your Committee on Transportation, to which was referred Assembly Bill No. 287, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

LEONARD V. NEVIN, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 13, 1987

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. 72.

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. 362.

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. 317, 415.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bill No. 358.

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. 422.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Freeman moved that Assembly Bill No. 622 be taken from the Second Reading File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Freeman.

Motion carried.

Assemblyman Thompson moved that Assembly Bill No. 631 be taken from the Chief Clerk's desk and placed on the General File immediately following Assembly Bill No. 690.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Banner, Schofield, Callister, McGaughey, Wendell Williams, Kerns, Wisdom, Freeman, Dini, Garner, Adler, Sedway, Spinello, Brookman, Nevin, May, Porter, Triggs, Thompson, Craddock, Haller, Gaston, Tebbs, Myrna Williams, Price, Jeffrey, DuBois, Fay, Swain, Evans, Arberry, Sader and Kissam:

Assembly Bill No. 797—An Act relating to occupational disease; including cancer as an occupational disease for firemen; and providing other matters properly relating thereto.

Assemblyman Banner moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

By Assemblyman Nevin (by request):

Assembly Bill No. 798—An Act relating to traffic laws; increasing the maximum allowable weight of trucks used by licensed haulers of garbage and refuse; and providing other matters properly relating thereto.

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

Motion carried.

Senate Bill No. 317.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 358.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

Senate Bill No. 415.

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

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Senate Bill No. 239, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

DANNY L. THOMPSON, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen Callister, McGaughey and Fay:

Assembly Resolution No. 11—Requiring the citation of Atlantic Richfield Company and Paul Richmond to show cause why they should not be punished for contempt.

WHEREAS, The Atlantic Richfield Company was served with a lawful subpoena duces tecum issued by the Speaker of the Assembly of the State of Nevada; and

WHEREAS, The subpoena required the production of certain evidence which was compiled and produced recently in the case of *Southern Nevada Shell Dealers Association, et al. v. Shell Oil Company, et al.*; and

WHEREAS, The evidence so requested is pertinent to the action of the Committee on Commerce of the Assembly regarding Assembly Bill No. 420; and

WHEREAS, Mr. Paul Richmond, attorney for the Atlantic Richfield Company, appeared and refused to produce the evidence requested; and

WHEREAS, NRS 218.5327 provides that such a refusal is a contempt; now, therefore, be it

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, That the Atlantic Richfield Company and Mr. Paul Richmond be cited to appear before this house to show cause, if any they have, why they should not be punished for their contempt.

Assemblyman Callister moved the adoption of the resolution.

Remarks by Assemblymen Callister, Fay, Price, McGaughey, Sader, Nevin, DuBois and Schofield.

Assemblyman Haller requested that the following remarks be entered in the Journal.

ASSEMBLYMAN CALLISTER:

Thank you, Mr. Speaker. Last week the subcommittee of the Commerce Committee dealing with Arco had subpoenaed certain documents through the subcommittee which I chair. They sent a representative without the documents. When we asked them why the documents were not provided, they initially responded that they felt that they would be too sensitive to allow this legislative body or the Commerce Committee to examine. I would just briefly read from the transcript of the minutes of that hearing where they indicated that they felt the best place to dispute this type of issue was in a Federal District Court.

I think there is a terribly important precedent involved here. One that will involve the legislature for some time to come. That is a question of whether or not the legislature in this state has the right to the same kind of data and information to assist us in the decision-making process that the judiciary branch has. That is essentially what the issue was and that was essentially the excuse that was provided by Arco.

It is my sentiment that their failure to provide this documentation is contemptuous behavior and for us to fail to at least initiate contempt proceedings at this point would somehow suggest that we have acquiesced to their belief that we are less entitled to essential information in our decision-making process. I'm fearful that that is a terrible precedent to establish so I urge the adoption of this resolution.

ASSEMBLYMAN FAY:

Thank you, Mr. Speaker. I rise in support of this resolution. I feel that the integrity of the entire legislative body is at stake and I feel that we should pursue this to the maximum. Thank you.

ASSEMBLYMAN PRICE:

Thank you, Mr. Speaker. I rise in support of, and I commend my colleagues in the subcommittee for their aggressiveness on this matter. Similar issues around the states have arisen and this is not the first time that large, multi-national companies and other types have tried to thumb their nose at the various legislatures around the country. I think it is time that people, regardless of how large they are, or how rich, or how much money they have, have to understand that there comes a time that they have to answer to the citizenry. I think that this may be an excellent opportunity and I urge your support.

ASSEMBLYMAN MCGAUGHEY:

Thank you, Mr. Speaker. As a member of the subcommittee, I rise in support of the resolution. Assembly Bill No. 420 is a very important piece of legislation, it affects a lot of businesses in this state and if this body is going to process legislation for the best interests of the people of this state, sometimes we need the information, more information than what we have, to do it. The allegations that are involved in processing this legislation could be easily resolved if Arco would provide the information that we requested.

ASSEMBLYMAN SADER:

Yes, Mr. Speaker, there is a question going around the house in the form of conversation about what it means—a motion for contempt—what can we do? I would like to cite the Nevada Constitution, Article 4, which deals with the legislative branch. In Section No. 7, which states, "Punishment of a non-member. Either house during the session may punish by imprisonment any person not a member who shall be guilty of disrespect of the house or by disorderly or contemptuous behavior in its presence. That such impunishment shall not extend beyond the final adjournment of the session." So we can throw them in jail.

ASSEMBLYMAN NEVIN:

Thank you, Mr. Speaker. To you and through you, I stand in full support of this measure. As you probably know, I was the one who introduced this bill because of existing problems that we saw created. We saw patterns existing and we feel that this information is either going to confirm or deny our suspicions and I feel we have a right to see it. Thank you.

ASSEMBLYMAN DUBOIS:

I support this bill. I just wanted to ask, however, for clarification in my own mind, what does this mean? Does this mean that we are going to again subpoena them, or are we going to haul them into this chamber and have a trial here or are we going to file a contempt filing in court?

ASSEMBLYMAN CALLISTER:

Thank you, Mr. Speaker. Through you and to my colleague from southern Nevada, very briefly I would refer you to NRS 218, Section 533, which sets forth the process. Essentially what happens is, the initial step is to offer a resolution as we have done today to have the individual or the entity cited for contempt by virtue of an Order to Show Cause. The Order to Show Cause would be executed by the Speaker and would require at a certain time and date that representatives from Arco appear in a formal hearing setting before this entire Assembly. And, at that time, they are entitled to present evidence, to have counsel, to present testimony as to why they should not be held in contempt for failure to respond to the subpoena last week. There would be a vote by the entire body. If the entire body then determines to vote in support of a contempt citation, the citation would issue and at that time they would be susceptible to the rather limited enforcement power that we have, unfortunately, which is to put somebody in jail.

ASSEMBLYMAN PRICE:

Thank you, Mr. Speaker. If we can't put them in jail, perhaps we could confine them to one of the legislative offices upstairs. That would be cruel punishment.

ASSEMBLYMAN SCHOFIELD:

Thank you, Mr. Speaker, I rise in support of this. In sitting in this house for the past six sessions, there has been only one time in my memory where a subpoena power of this legislative body was used. It was because of the refusal of one of the State Agency heads at that time to come before the body. I certainly rise in support of this. When a particular firm or someone who has been subpoenaed does not answer the subpoena it is a direct slap in the face to this legislature and I really think that we ought to go ahead with this.

Assemblymen Nevin, Wisdom and Myrna Williams moved the previous question.

Motion carried.

The question being on the motion to adopt Assembly Resolution No. 11.

Resolution adopted.

Assemblyman Gaston moved that Assembly Bill No. 119 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblymen Gaston and Price.

Motion carried.

Assemblyman Sader moved that Assembly Bill No. 111 be taken from the General File and re-referred to the Committee on Ways and Means.

Remarks by Assemblyman Sader.

Motion carried.

UNFINISHED BUSINESS

REPORTS OF CONFERENCE COMMITTEES

Mr. Speaker:

The first Committee on Conference concerning Assembly Bill No. 127, consisting of the undersigned members, has met, and reports that:

It has agreed to recommend that the amendment of the Senate be receded from.

It has agreed to recommend that the bill be further amended as set forth in Amendment No. 3C, which is attached to and hereby made a part of this report.

MYRNA T. WILLIAMS	ANN O'CONNELL
ROBERT M. SADER	WILLIAM J. RAGGIO
VIRGIL M. GETTO	JAMES I. GIBSON
Assembly Committee on Conference	*Senate Committee on Conference*

Amendment No. 3C.

Amend section 1, page 2, line 1, by deleting: "*wages or as an independent contractor,*" and inserting "*wages,*".

Amend section 1, page 2, by inserting between lines 4 and 5:

"*(c) Receive, for services as an instructor or teacher from any county school district or the University of Nevada System, compensation for which the original source was a legislative appropriation to any governmental entity or a private entity not owned or controlled by the legislator.*".

Assemblyman Sader moved that the Assembly adopt the report of the first Committee on Conference concerning Assembly Bill No. 127.

Remarks by Assemblyman Sader.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Schofield, Dini, Getto, Spriggs, Price, Jeffrey, Bergevin, Swain, Arberry, Evans, Garner, Humke, Wendell Williams, Nicholas, McGaughey, Thomas, DuBois, Adler, Kissam, Lambert, Craddock, Haller, Triggs, Tebbs and Gaston:

Assembly Bill No. 799—An Act relating to the state seal; designating its official colors; and providing other matters properly relating thereto.

Assemblyman Schofield moved that the bill be referred to the Committee on Natural Resources, Agriculture and Mining.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 223.

Bill read second time.

The following amendment was proposed by the Committee on Taxation:

Amendment No. 690.

Amend the bill as a whole by deleting sections 1 through 9 and inserting:

"Section 1. NRS 374.030 is hereby amended to read as follows:

374.030 1. "Gross receipts" means the total amount of the sale or lease or rental price, as the case may be, of the retail sales of retailers, valued in money, whether received in money or otherwise, without any deduction on account of any of the following:

(a) The cost of the property sold. However, in accordance with such rules and regulations as the department may prescribe, a deduction may be taken if the retailer has purchased property for some other purpose than resale, has reimbursed his vendor for tax which the vendor is required to pay to the county or has paid the use tax with respect to the property, and has resold the

property prior to making any use of the property other than retention, demonstration or display while holding it for sale in the regular course of business. If such a deduction is taken by the retailer, no refund or credit will be allowed to his vendor with respect to the sale of the property.

(b) The cost of the materials used, labor or service cost, interest paid, losses or any other expense.

(c) The cost of transportation of the property prior to its sale to the purchaser.

2. The total amount of the sale or lease or rental price includes all of the following:

(a) Any services that are a part of the sale.

(b) All receipts, cash, credits and property of any kind.

(c) Any amount for which credit is allowed by the seller to the purchaser.

3. "Gross receipts" does not include any of the following:

(a) Cash discounts allowed and taken on sales.

(b) Sale price of property returned by customers when the full sale price is refunded either in cash or credit; but this exclusion shall 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 price received for labor or services used 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 allowance against the selling price given by a retailer for the value of [a] *:*

(1) A used vehicle which is taken in trade on the purchase of another vehicle [.] *; or*

(2) A used piece of farm machinery or equipment which is taken in trade on the purchase of another piece of farm machinery or equipment.

4. For purposes of the sales tax, if the retailers establish to the satisfaction of the department that the sales tax has been added to the total amount of the sale price and has not been absorbed by them, the total amount of the sale price shall be deemed to be the amount received exclusive of the tax imposed.".

Amend the title of the bill to read as follows:

"An Act relating to certain taxes on retail sales; providing an exemption for the trade-in allowance given for used farm machinery and equipment on a purchase of new farm machinery and equipment; and providing other matters properly relating thereto.".

Amend the summary of the bill to read as follows: "Provides exemption from certain taxes on retail sales for trade-in allowance given for used farm machinery and equipment on purchase of new farm machinery and equipment. (BDR 32-1269)".

Assemblyman May moved the adoption of the amendment.

Remarks by Assemblyman May.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 322.

Bill read second time.

The following amendment was proposed by the Committee on Taxation:

Amendment No. 665.

Amend section 1, page 1, line 15, by deleting "[any] *:*" and inserting "any".

Amend section 1, page 2, line 1, by deleting "*(a) Any*".

Amend section 1, page 2, by deleting lines 3 through 7 and inserting "enactment.".

Amend section 1, page 2, line 8, after "3." by inserting: "*If a county takes over the functions previously performed by:*

(a) A city which came into existence before July 1, 1983, and whose population was less than 15,000;

(b) A city which came into existence on or after July 1, 1983; or

(c) Any other local government,

which no longer exists, the executive director of the department of taxation shall add to the basic ad valorem revenue and the maximum combined allowable revenue, respectively, otherwise allowable to that county pursuant to NRS 354.59805, 354.59811 and 354.59816, an amount equal to the basic ad valorem revenue and the maximum combined allowable revenue, respectively, for the last fiscal year of existence of the local government whose functions were assumed.

4.".

Amend section 1, page 2, line 16, by deleting "4." and inserting "[4.] *5.*".

Amend the title of the bill by deleting the first and second lines and inserting:

"An Act relating to local financial administration; allowing an increase of the limits on the revenue of a county that performs functions".

Amend the summary of the bill, first line, by deleting "local government" and inserting "county".

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. 515.

Bill read second time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 710.

Amend section 1, page 1, line 3, by deleting "$7,000" and inserting "$5,000".

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. 541.

Bill read second time.

The following amendment was proposed by the Committee on Health and Welfare:

Amendment No. 606.

Amend sec. 2, page 1, line 6, after "providing" by inserting "emergency".

Amend sec. 3, page 2, by deleting lines 2 and 3 and inserting: "emergency shelter for homeless Nevadans is hereby created within the office of community services.".

Amend sec. 3, page 2, line 4, by deleting "nine" and inserting "seven".

Amend sec. 3, page 2, by deleting lines 6 through 9 and inserting:

"(a) One member representing a nationally recognized charitable organization that provides shelter in Nevada for homeless Nevadans.".

Amend sec. 3, page 2, by deleting lines 12, 13 and 14 and inserting:

"(c) One member representing a religious organization that provides social and welfare services in Nevada.".

Amend sec. 3, page 2, line 17, by deleting: "office of community services." and inserting: "division of emergency management of the department of the military.".

Amend sec. 4, page 2, line 29, by deleting "president" and inserting "chairman".

Amend sec. 5, page 2, by deleting lines 31, 32 and 33 and inserting:

"Sec. 5. 1. The board shall annually elect from its members a chairman and a vice chairman.".

Amend sec. 5, page 2, line 34, by deleting: "department of human resources" and inserting: "office of community services".

Amend sec. 7, page 3, by inserting between lines 3 and 4:

"(c) Reimburse the office of community services for the cost of any administrative services it provides to the board.".

Amend sec. 8, page 3, by deleting lines 9 through 12 and inserting:

"Sec. 8. 1. The director of the office of community services shall administer the:

(a) Account to provide shelter for homeless Nevadans.

(b) Program for providing shelter for homeless Nevadans established pursuant to this chapter.

2. The office of community services shall:

(a) Coordinate the program for providing shelter for homeless Nevadans established pursuant to this chapter with other programs for the homeless.

(b) Annually prepare an overall analysis of and recommendations for programs for the homeless in Nevada.

(c) Annually evaluate the financial position of each organization that receives an award of money pursuant to this chapter.

3. The analyses and evaluations required by paragraphs (b) and (c) of subsection 2 must be completed within 90 days after the end of the fiscal year and submitted to the:

(a) Board;

(b) Governor;

(c) State controller; and

(d) Director of the department of human resources.".

Amend sec. 10, page 3, line 26, by deleting "50" and inserting "30".

Amend sec. 10, page 3, line 28, by deleting "Restrict" and inserting: "Except for providing shelter for not more than 72 hours to any transient homeless person, restrict".

Amend sec. 10, page 3, line 32, by deleting "Provide shelter" and inserting: "Limit its services".

Amend sec. 10, page 3, by deleting lines 34 and 35 and inserting: "(c) Limit its services to victims of domestic violence or".

Amend sec. 10, page 4, line 3, by deleting the semicolon and inserting: "for necessary health care or hospitalization;".

Amend sec. 10, page 4, line 4, after "charge" by inserting: "or compulsory work except housekeeping at the shelter".

Amend sec. 10, page 4, by deleting lines 9, 10 and 11.

Amend sec. 11, page 4, by deleting lines 17 and 18 and inserting:

"2. The maximum amount of any such award which may be spent on:

(a) Administrative costs such as salaries, employees' benefits, business overhead and the raising of additional money is 30 percent.

(b) Capital improvements or acquisitions is 50 percent.".

Amend sec. 12, page 4, line 19, before "The" by inserting "1.".

Amend sec. 12, page 4, line 20, after "providing" by inserting "emergency".

Amend sec. 12, page 4, by deleting lines 21 through 24 and inserting:

"(a) Two members to terms ending on June 30, 1991.

(b) Two members to terms ending on June 30, 1990.

(c) Two members to terms ending on June 30, 1989.

(d) One member to a term ending on June 30, 1988.

2. So far as it is practicable, the governor shall appoint the members of the board who are qualified pursuant to paragraphs (a) and (c) of subsection 2 of section 3 of this act by alternating appointments between persons from the northern district and the southern district of Nevada, as those terms are defined in section 3 of this act.".

Amend sec. 13, page 4, line 25, before "There" by inserting "1.".

Amend sec. 13, page 4, by deleting lines 26 and 27 and inserting: "account to provide assistance to shelters for homeless Nevadans:

For the fiscal year 1987-88 ..... $300,000

For the fiscal year 1988-89 300,000

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.".

Assemblyman Wisdom moved the adoption of the amendment.

Remarks by Assemblyman Wisdom.

Amendment adopted.

Bill ordered reprinted, engrossed and to the Concurrent Committee on Ways and Means.

Assembly Bill No. 615.

Bill read second time.

The following amendment was proposed by the Committee on Health and Welfare:

Amendment No. 730.

Amend section 1, page 1, line 11, by deleting "*$1,000,000*" and inserting "*$2,000,000*".

Amend section 1, page 2, line 11, by deleting "*$1,000,000*" and inserting "*$2,000,000*".

Assemblyman Freeman moved the adoption of the amendment.

Remarks by Assemblyman Freeman.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 625.

Bill read second time.

The following amendment was proposed by the Committee on Labor and Management:

Amendment No. 604.

Amend section 1, page 1, line 16, by deleting "*or*".

Amend section 1, page 1, line 18, by deleting the period and inserting "*; or*".

Amend section 1, page 1, after line 18 by inserting:

"*(c) When the majority of the affected employees consent to work a regular schedule which exceeds 8 hours in any 24 hours.*".

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. 689.

Bill read second time, ordered engrossed and to third reading.

Senate Bill No. 316.

Bill read second time and ordered to third reading.

Senate Joint Resolution No. 4.

Resolution read second time.

The following amendment was proposed by the Committee on Natural Resources, Agriculture and Mining:

Amendment No. 719.

Amend the resolution, page 1, by deleting lines 3 through 5 and inserting: "WHEREAS, The construction and operation of".

Assemblyman Spinello moved the adoption of the amendment.

Remarks by Assemblyman Spinello.
Amendment adopted.
Resolution ordered reprinted, re-engrossed and to third reading.

Senate Joint Resolution No. 5.
Resolution read second time.
The following amendment was proposed by the Committee on Natural Resources, Agriculture and Mining:
Amendment No. 718.
Amend the resolution, page 1, by deleting lines 7 through 9 and inserting: "WHEREAS, If Nevada is chosen to be the".
Assemblyman Callister moved the adoption of the amendment.
Remarks by Assemblyman Callister.
Amendment adopted.
Resolution ordered reprinted, re-engrossed and to third reading.

Assemblyman Bergevin moved that the Assembly recess until 11:27 a.m.
Motion carried.

Assembly in recess at 11:22 a.m.

ASSEMBLY IN SESSION

At 11:28 a.m.
Mr. Speaker presiding.
Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Ways and Means, to which were re-referred Assembly Bills Nos. 9, 327, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

MARVIN M. SEDWAY, *Chairman*

Assemblyman Jeffrey moved that the Assembly recess until 11:34 a.m.
Motion carried.

Assembly in recess at 11:29 a.m.

ASSEMBLY IN SESSION

At 11:41 a.m.
Mr. Speaker presiding.
Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen Schofield, Dini, Getto, Spriggs, Price, Jeffrey, Bergevin, Swain, Arberry, Evans, Garner, Humke, Wendell Williams, Nicholas, McGaughey, Thomas, DuBois, Thompson, Adler, Kissam, Lambert, Craddock, Haller, Triggs, Tebbs and Gaston:

Assembly Concurrent Resolution No. 60—Encouraging the purchase and sale of local agricultural products.

Assemblyman Jeffrey moved that the resolution be referred to the Committee on Natural Resources, Agriculture and Mining.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 385.

Bill read third time.

Remarks by Assemblyman Nicholas.

Roll call on Assembly Bill No. 385:

YEAS—41.
NAYS—None.
Absent—Craddock.

Assembly Bill No. 385 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 417.

Bill read third time.

Remarks by Assemblymen Thompson, Thomas, Brookman, Jeffrey, Adler, Getto, Nevin, Carpenter, Price, Spinello and Nicholas.

Conflict of interest declared by Assemblyman Getto.

Assemblymen Triggs, Evans and Haller moved the previous question.

Motion carried.

The question being on the passage of Assembly Bill No. 417.

Roll call on Assembly Bill No. 417:

YEAS—37.
NAYS—Bergevin, Carpenter, Thomas—3.
Absent—Craddock.
Not voting—Getto.

Assembly Bill No. 417 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 442.

Bill read third time.

Remarks by Assemblyman Haller.

Roll call on Assembly Bill No. 442:

YEAS—41.
NAYS—None.
Absent—Craddock.

Assembly Bill No. 442 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 Haller.

Roll call on Assembly Bill No. 446:

YEAS—41.
NAYS—None.
Absent—Craddock.

Assembly Bill No. 446 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 486.

Bill read third time.

Remarks by Assemblyman Jeffrey.

Roll call on Assembly Bill No. 486:

YEAS—41.
NAYS—None.
Absent—Craddock.

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 Thompson and Fay.

Roll call on Assembly Bill No. 494:

YEAS—41.
NAYS—None.
Absent—Craddock.

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. 601.

Bill read third time.

Remarks by Assemblyman Thomas.

Roll call on Assembly Bill No. 601:

YEAS—41.
NAYS—None.
Absent—Craddock.

Assembly Bill No. 601 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 690.

Bill read third time.

Remarks by Assemblyman Bergevin.

Roll call on Assembly Bill No. 690:

YEAS—41.
NAYS—None.
Absent—Craddock.

Assembly Bill No. 690 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 631.

Bill read third time.

Remarks by Assemblyman Adler.

Roll call on Assembly Bill No. 631:

YEAS—42.

NAYS—None.

Assembly Bill No. 631 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 344.

Bill read third time.

Remarks by Assemblymen Spriggs and Thomas.

Roll call on Senate Bill No. 344:

YEAS—42.

NAYS—None.

Senate Bill No. 344 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. 451, 560; Senate Bills Nos. 25, 121, 308, 339, 422; Assembly Resolution No. 10.

REMARKS FROM THE FLOOR

Assemblyman Schofield requested that his remarks be entered in the Journal.

WHEREAS, Mason Valley is a charming and productive farming community which produces abundant amounts of onions, garlic and hay; and

WHEREAS, Often, important events are overlooked in the hustle and bustle of legislative life, so it is fitting to take time to acknowledge great accomplishments when they occur, and

WHEREAS, A part of the charm of Mason Valley is directly related to its most populous, and well-known family, scientifically known as Culicidae; and

WHEREAS, During the last Mason Valley Days the Garlic Queen and several of the blue ribbon bovine beauties were last seen being carried across the East fork of the Walker River by these large two-winged, needle-nosed insects with hairy legs; and

WHEREAS, Assemblyman Getto will most probably suggest that this insect be considered as a candidate for declaration as the "State Insect;" and

WHEREAS, Mason Valley is rivaling Panama as the "Mosquito Capital of The World;" and

WHEREAS, The organizers of the next Mason Valley Days are planning to hold the first and last annual Mosquito Round-Up and Branding; and

WHEREAS, In deference to the magnificent stature of this one of God's creatures, the residents of Mason Valley have established the Mason Valley Mosquito Abatement District; and

WHEREAS, No such district is complete without a leader, so Father Joe Anthony has been named the official Mosquito Control Observation Officer for Mason Valley; now, therefore, be it

OFFICIALLY STATED BY THE ASSEMBLY OF THE STATE OF NEVADA, That Mason Valley be congratulated on its establishment of the Mason Valley Mosquito Abatement District and the appointment of Father Joe Anthony as Control Officer, with continued best wishes for their success.

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 Mss. Jamilla Morley and Sandy Curtis; Mr. Jim Stewart, Mrs. Tracy Singley and the eighth grade students of Fernley School: Daniel Bouma, James Bowen, Julie Hearn, Dawna Hesse, Daniel Jones, John Knowles, Juanita Korte, Sonja Kurdupski, Bill Shaw, Rich Parale, Brandy Bauman, Mike Bigelow, Tina Kopp, Adriana Lepe, Jared Logan, Chris Reed, Jessica Sappington, Cara Foerschler, Roxana Puglisei, Mesha Ballew, Tony Curtis, Normandy Donaldson, Juanita Estes, Cecily Fuhrman, Jessica Hayes, Jess Teton, Shyanne Dick, Jim Ward, Robert Roysdon, Travis Ackerman, Howard Brown, Sal Cervantes, Jason Creiglow, Adam Hoop, Mike McKnight, Stephanie Thompson, Chris Skinner, Ernie Simmons, Russell Akins, John Lewis, Ron Hannah and Michelle Cornelison.

On request of Assemblyman Adler, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Berrum, Ms. Cassie Berrum and the fourth grade students of E. W. Fritsch School: Jenny Boland, Regina Carlton, Charlie Coleman, David Dealy, Rachel Diez, John Dorff, Annie Etchegoyhen, Stas Gibbs, Jennifer Katzorke, Mollie Loper, Jerrod Maple, Caitie McCarthy, Dale Miller, Kerri Miller, Kim Reid, Dani Saulisberry, Blaine Scott, Robin Suwe, Nate Wadhams, Terri Zimmerman, Corey Bell, Alisha Giurlani, Mitch Jones, Kim Moell, Patty Nicholas, Scott O' Brien, Andrea Krueger and Shannon Parks.

On request of Assemblyman Arberry, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Lorayne Hall.

On request of Assemblyman Banner, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Douglas Bache.

On request of Assemblyman Freeman, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Tammy Michelle Schumacher.

On request of Assemblyman Getto, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. David G. Lumos and Harry A. Londos.

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

On request of Assemblyman Marvel, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Richard Dahl.

On request of Assemblyman May, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. John H. Cocks.

On request of Assemblyman Nicholas, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. David R. Nicholas.

On request of Assemblyman Sader, the privilege of the floor of the Assembly Chamber for this day was extended to Mss. Ginny Young, Cathy Nafisi, Robin Auer-Williams, Mesdames Williams, Wagner and the twelfth grade students of Reed High School: David Calkins, Jennifer Riedel, Gina Gammick, Cory Ragland, Shannon Callier, Chris Hall, Kelly Rose, Christy Williams, Darlene Dickerson, Leslie Utter, Dene Egami, Mark Lawson, Amy Glover, Val Welsh, Wendy Welch, Lisa Licausi, Joe Leniz, Wendy Wiggs, Jennifer Bowling, Amy Tremaine, Joe Easdon, Katie Banks, Chad Jenkins, Kathryn Gerow, Laura Williams, Paul Rieckers, Michelle Mydler, Tracy Barto, Laura Miles, Mark Rodriguez, Bill Stuersel, Troy Murphy-Dews, Kara Bailey, Ken Welsh, Jason Walker, Heather Soper, Tami Saner, Tiffany Phelan, Mark Laine, Holly Putnam, Andy McAfee, Joanne Skinner, Patricia Isbister, Tammy Wagner, Angela Parigini, Tony Zimmet, Kurt Jensen, Julia Ratti, Tobi Tuohy, Mel English, Kelli Akers, Gabi Zarrella, Brian Coller, Stephanie Schopper, Kim Pfeil, Cassie Brown, Mike Milliken, Teresa Fabbi, Stacey Sims, Louis Maze, Kristine Decker, Mark Carlson, Kristine Jackson, Renee Lynch, Tanya Africa, Angie Griffiths, Iris Chen, Chong Pak, Laurel Capurro, Judy Medved, Ken Comer, Mandy Powell, Rachel Anderson and Ron Cook.

On request of Assemblyman Sedway, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Sharon Walbeck.

On request of Assemblyman Thompson, the privilege of the floor of the Assembly Chamber for this day was extended to Mss. Ramona Jones and Denise Stahl.

On request of Assemblyman Wendell Williams, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Julia Kitchen.

Assemblyman Jeffrey moved that the Assembly adjourn until Friday, May 15, 1987 at 10:30 a.m., and that it do so in honor of the 200th anniversary of the Constitutional Convention.

Motion carried.

Assembly adjourned at 12:27 p.m.

Approved: JOSEPH E. DINI, JR.
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE ONE HUNDRED AND SEVENTEENTH DAY

CARSON CITY (Friday), May 15, 1987

Assembly called to order at 10:46 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, The Reverend Roy Parker.

Let us pray. O God of Abraham, Isaac, and Jacob; we adhere to You as our God also. Another week is about to close, one in which we have received mightily from You; yet we would ask You for another day's wisdom, guidance and strength for each of these Assemblymen and women. Thank you for giving them the power to rule their people well, in Jesus' name we pray. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Nevin 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. 793, has had the same under consideration, and begs leave to report the same back with the recommendation: Re-refer to the Committee on Natural Resources, Agriculture and Mining.

PAUL W. MAY, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which were referred Assembly Bills Nos. 634, 681, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

ROBERT M. SADER, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which were referred Assembly Bills Nos. 336, 441; 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.

ROBERT M. SADER, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which were referred Assembly Bills Nos. 741, 751, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

DANNY L. THOMPSON, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Ways and Means, to which was referred 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.

MARVIN M. SEDWAY, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which was re-referred Assembly 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.

MARVIN M. SEDWAY, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, 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.

MARVIN M. SEDWAY, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, 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.

MARVIN M. SEDWAY, *Chairman*

Mr. Speaker:

Your Committee on Taxation, to which was referred Assembly Bill No. 645, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

PAUL W. MAY, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 14, 1987

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 115, 257, 369, 371.

Also, I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bill No. 123, 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. 127.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 11, 91, 104, 148, 187, 264, 404, 416, 459.

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. 16, 198.

Also, I have the honor to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolutions Nos. 32, 33.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman May moved that Assembly Bill No. 793 be re-referred to the Committee on Natural Resources, Agriculture and Mining.

Remarks by Assemblyman May.

Motion carried.

Assemblyman Gaston moved that Assembly Bill No. 119 be taken from the Chief Clerk's desk and placed at the top of the General File.

Motion carried.

Assemblyman Nevin moved that Assembly Bill No. 271 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Nevin.

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 10:55 a.m.

ASSEMBLY IN SESSION

At 10:56 a.m.

Mr. Speaker pro Tempore presiding.

Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

Senate Concurrent Resolution No. 32.

Assemblyman Getto moved the adoption of the resolution.

Remarks by Assemblymen Getto, Dini, May, Brookman and Thomas.

Assemblyman Nevin requested that the following remarks be entered in the Journal.

ASSEMBLYMAN GETTO:

Thank you, Mr. Speaker pro Tem. I guess I'm one of the few, two or three, legislators here that do remember serving with Senator Slattery.

Senator Slattery is probably one of the most colorful characters who has served in this legislature. He will long be remembered for his direct approach and for some of his wit and humor. I think one of the historical ones that I remember—I was not in the Senate, but I heard about it and it has been repeated many times—when they were talking about a cremation bill and he was explaining this cremation bill and in his ending statements he said, "I thought it would be a wonderful thing" when his wife could take his ashes and place them in a urinal—he meant an urn, of course.

Slats represented Storey County. Reapportionment took care of Slats; he probably would have served many, many years there, but when the reapportionment came along it wiped Senator Slattery out.

I'm sure that those of you who have served here over the last seven or eight years at least knew Senator Slattery as a lobbyist. He marched up and down the halls. He was here early in the morning and he cornered legislators and did his thing.

Senator Slattery was well known for his ability in golf—I'm not a golf player, but he was an outstanding golf player. They said he either won by hook or crook. But, he always boasted about his winning ability. I really enjoyed Senator Slattery.

I remember another humorous aspect of Senator Slattery's comments. Of course, he served in the legislature before equal rights. He was confronting a group, I remember, some women's organization, and they were trying to get this bill passed and he looked out and saw some representatives from this women's organization and he finally said, "Why don't you women go home and do your dishes so we can get on with our legislative business." Of course that statement would cause him to probably get killed today.

Slattery was a very outspoken, colorful senator.

ASSEMBLYMAN DINI:

Yes, Mr. Speaker pro Tem. I would be remiss if I didn't stand up and talk about "Slats" because we served together and I represented him since reapportionment of 1972. I was reapportioned into Storey County, so I was an assemblyman from that district and have been up to this time.

Slats was a colorful character. In my first session here I sat next to Bill Swackhamer in the old building, because they wanted to keep me under Swackhamer's hands. Each day Slats would bring a handful of cigars to Swack, and he didn't smoke, so he gave them to me. At that time I liked dollar cigars and it was very nice of him to provide those for me.

Slats and his wife have become great friends. A short time before he passed away he and his wife took a drive to Yerington to have lunch with me at my club. We just became great, great friends.

He was a great leader for our state; he did a lot of good things. You hear a little bit about the Comstock Historical District and sometimes I introduce a little bill or small amendment to the Comstock Historical District; he created that in 1969. It is one of the great things he did for the preservation of the history of this state. By creating that district it made it a state agency. It is the only one in the State of Nevada.

He did many, many other things and he was always for the little people. He worked hard for the working people in this state. He had a broad base of support that elected him. Of course, it was easy to run when you just had Storey County and 400 voters—it was kind of easy. Then he got reapportioned into Washoe and that is when the real battle came and Storey County was just too small to hold a seat. Since that time, of course, reapportionment has gone around the world again and now Storey County is represented by Senator Jacobsen in the Senate.

He was a great leader and he was a good man for the State of Nevada and I hope that history proves him to be the great leader that I think he was.

ASSEMBLYMAN MAY:

Thank you, Mr. Speaker pro Tem. I, too, as did the two previous speakers and perhaps one yet to come, had the distinct pleasure of serving with Senator James Slattery. Years ago there used to be a quite popular TV program called, "Slattery's People." Well, James Slattery had some bumper stickers made up and the bumper stickers simply said, "Slattery's People," referring, perhaps, as much to his constituents and followers and admirers as they did the TV program. It always amazed me to walk around the streets of Carson City and to see the number of those bumper stickers.

He was a man of immense popularity, a quite outspoken man, in fact. That was one of the problems of trying to memoralize him properly, because a great many of his utterances would not be allowable in today's polite society, a somewhat more restrained society.

However, walking down the halls of this building, when he was out of politics and simply advocating whatever cause he felt important to himself, I'd feel that arm—and he was quite muscular—I'd feel that great grip on one of my arms as I walked down the hall. Of course, I'd become almost paralyzed and at a dead stop. But even today sometimes as I walk down to the Senate to do a little lobbying, I can feel the ghost of Senator Slattery out there walking these halls and I can almost feel that iron-like vice grip on my arm. And I look over my shoulder and I say, "Hi, Slats, how are you." We miss him; he was a hell of a guy.

ASSEMBLYMAN BROOKMAN:

Thank you, Mr. Speaker pro Tem. I think I'm about the only remaining female "Assemblyman" in this house or even on the other side who had the good fortune to serve with Slats.

Slats used to come over every day and give us all cigars. I kept my cigars and sold them, but, I saved all the money and gave it to the Children's Home in Eagle Valley. And that is what this little bank is for.

Slats told me to go home and do my dishes. And, I looked him right in the eye and I pulled his tie down and I said, "Slats, you know what, it's time to get out of the house and get in the Senate." And he ran across the hall very fast.

ASSEMBLYMAN THOMAS:

Thank you, Mr. Speaker pro Tem. I did not have the pleasure of working with Slats—I was too young. But I did encounter him on the golf course once or twice. He was the master of the invisible golf shot. You neither saw it nor heard it, but when he reached down into the cup, he managed to pull a ball out every time.

Resolution adopted unanimously.

Mr. Speaker pro Tempore announced that if there were no objections, the Assembly would recess subject to the call of the Chair.

Assembly in recess at 11:05 a.m.

ASSEMBLY IN SESSION

At 11:06 a.m.

Mr. Speaker presiding.

Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

Senate Concurrent Resolution No. 33.

Assemblyman Nevin moved the adoption of the resolution.

Remarks by Assemblymen Nevin, Nicholas and Kerns.

Assemblyman Nevin requested that the following remarks be entered in the Journal.

ASSEMBLYMAN NEVIN:

Thank you, Mr. Speaker. Chuck Bourne was a friend of mine. I had known him around the hallways for some time as a rebel. He took on the Governor—I don't know if he lost or won, but I know he won with the people in his district. He was a concerned legislator; he was concerned about the people in his district—that was his main concern, that was his main job. He really didn't care what happened to the rest of the state as much as what happened to the people in his district. I think he did a fine job and he is going to be dearly missed. Thank you.

ASSEMBLYMAN NICHOLAS:

Thank you, Mr. Speaker. Chuck was a friend. He had a harder life than we would have wished for him and he took it more seriously, perhaps, than would have been good for him. All I can say, really, is that we'll miss him, and we're sorry he's gone.

ASSEMBLYMAN KERNS:

Thank you, Mr. Speaker. Chuck and I were great friends. My wife and Chuck's wife were good friends. We used to spend considerable time with Chuck. During the airshows we were always invited out to his house as his backyard went right alongside the back part of the airshow and it was really great.

Chuck didn't care what party you belonged to; he didn't really care much what you thought about anything. Chuck was very honest. You didn't want to ask Chuck a question if you didn't think you'd like the answer because he would give you what he really thought was straightforward.

I'm sure everybody over here had problems with Chuck but at the same time Chuck helped everybody over here. I know Chuck would just love to be here, right in the middle of this hospital containment bill.

Resolution adopted unanimously.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Judiciary:

Assembly Bill No. 800—An Act relating to administrative procedure; making the welfare division of the department of human resources subject to the Nevada Administrative Procedure Act for the adoption of certain regulations; and providing other matters properly relating thereto.

Assemblyman Sader moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

By the Committee on Taxation:

Assembly Bill No. 801—An Act relating to metropolitan police departments; revising the schedule for submitting budgetary information of the departments; and providing other matters properly relating thereto.

Assemblyman May moved that the bill be referred to the Committee on Taxation.

Motion carried.

Senate Bill No. 11.

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

Motion carried.

Senate Bill No. 91.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

Senate Bill No. 104.

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

Motion carried.

Senate Bill No. 148.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

Senate Bill No. 187.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

Senate Bill No. 264.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

Senate Bill No. 404.

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

Motion carried.

Senate Bill No. 416.

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

Motion carried.

Senate Bill No. 459.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

Assemblyman Jeffrey moved that the Assembly recess until 11:21 a.m.

Motion carried.

Assembly in recess at 11:16 a.m.

ASSEMBLY IN SESSION

At 11:31 a.m.

Mr. Speaker presiding.

Quorum present.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 123.

The following Senate amendment was read:

Amendment No. 691.

Amend sec. 2, page 2, line 32, after "*reimbursement.*" by inserting: "*The agency, board or commission may withhold from the employee's regular pay or final payment received upon the termination of his employment, the amount of the repayment required by this subsection.*".

Amend the bill as a whole by adding a new section designated sec. 3, following sec. 2, to read as follows:

"Sec. 3. This act becomes effective upon passage and approval.".

Assemblyman Sedway moved that the Assembly concur in the Senate amendment to Assembly Bill No. 123.

Remarks by Assemblyman Sedway.

Motion carried.

Bill ordered enrolled.

GENERAL FILE AND THIRD READING

Assembly Bill No. 119.

Bill read third time.

The following amendment was proposed by Assemblyman Wisdom:

Amendment No. 739.

Amend sec. 2, page 2, after line 34, by inserting:

"*6. Upon receipt of a request for the preparation of a measure to be submitted to the legislature which duplicates or closely resembles a request previously submitted for the same legislative session, the legislative counsel shall, to the extent practicable, notify the person submitting the duplicative request of that fact and, except as otherwise provided in this subsection, ask the person to withdraw the request. If the request is not withdrawn, the legislative counsel shall inform the previous requestor of the fact that a duplicative request has been made. If the request is submitted by a legislator on his own behalf, and the previous request was submitted by a legislator*

who is a member of the other house of the legislature, the legislative counsel shall inform the second requestor of the fact that the request is duplicative.".

Assemblyman Wisdom moved the adoption of the amendment.

Remarks by Assemblyman Wisdom.

Amendment adopted.

The following amendment was proposed by Assemblyman Gaston:

Amendment No. 765.

Amend section 1, page 2, line 6, by deleting: "*prepared and delivered to*" and inserting: "*prepared, delivered to and approved by*".

Assemblyman Gaston moved the adoption of the amendment.

Remarks by Assemblymen Gaston, Sedway, DuBois, Jeffrey, Getto, Price and Schofield.

Assemblymen Nevin, Jeffrey and Wisdom moved the previous question.

Motion carried.

The question being on the motion to adopt Amendment No. 765 to Assembly Bill No. 119.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 327.

Bill read third time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 712.

Amend sec. 12, page 8, lines 36 and 37, by deleting: "administrator:

(a) Shall" and inserting: "administrator [:

(a) Shall] *shall*".

Amend sec. 12, page 9, by deleting lines 3 through 8 and inserting:

"[(b) May deduct:

(1)]

4. The administrator may pay from money available in the abandoned property trust fund:

(a) Any costs in connection with the sale of abandoned property.

[(2)] *(b)* Any costs of mailing and publication in connection with any abandoned property.

[(3)] *(c)* Reasonable service charges.

[(4)] *(d)* Any costs incurred in examining the records of a holder and in".

Amend sec. 12, page 9, line 10, by deleting "4." and inserting "[4.] *5.*".

Amend sec. 12, page 9, line 11, by deleting "[$100,500] *$250,000*" and inserting "$100,500".

Amend sec. 12, page 9, by inserting between lines 13 and 14:

"*6. If there is an insufficient amount of money in the abandoned property trust fund to pay any cost or charge pursuant to subsection 4, the state board of examiners may, upon the application of the administrator, authorize a temporary transfer from the state general fund to the abandoned property*

trust fund of an amount necessary to pay those costs or charges. The administrator shall repay the amount of the transfer as soon as sufficient money is available in the abandoned property trust fund.".

Amend the title of the bill, sixth and seventh lines, by deleting: "increasing the maximum balance in the abandoned property trust fund;".

Assemblyman Humke moved the adoption of the amendment.

Remarks by Assemblymen Humke and Sedway.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 374.

Bill read third time.

Remarks by Assemblymen Banner and Jeffrey.

Roll call on Assembly Bill No. 374:

YEAS—41.

NAYS—None.

Not voting—Carpenter.

Assembly Bill No. 374 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 375.

Bill read third time.

Remarks by Assemblyman Banner.

Roll call on Assembly Bill No. 375:

YEAS—41.

Nays—None.

Not voting—Carpenter.

Assembly Bill No. 375 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 377.

Bill read third time.

Remarks by Assemblyman Adler.

Roll call on Assembly Bill No. 377:

YEAS—42.

NAYS—None.

Assembly Bill No. 377 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 539.

Bill read third time.

Remarks by Assemblymen Wendell Williams, Sader, Swain and Brookman.

Assemblyman Jeffrey moved that Assembly Bill No. 539 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Jeffrey.

Motion carried.

Assembly Bill No. 546.

Bill read third time.

Remarks by Assemblymen Evans, Haller, Nevin and Price.

Roll call on Assembly Bill No. 546:

YEAS—41.

NAYS—Haller.

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. 554.

Bill read third time.

Remarks by Assemblyman Thompson.

Roll call on Assembly Bill No. 554:

YEAS—42.

NAYS—None.

Assembly Bill No. 554 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 689.

Bill read third time.

Remarks by Assemblyman Adler.

Roll call on Assembly Bill No. 689:

YEAS—42.

NAYS—None.

Assembly Bill No. 689 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 691.

Bill read third time.

Remarks by Assemblyman Kissam.

Roll call on Assembly Bill No. 691:

YEAS—42.

NAYS—None.

Assembly Bill No. 691 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that all rules be suspended and that Assembly Bills Nos. 374, 375, 377, 546, 554, 689 and 691 be immediately transmitted to the Senate.

Motion carried unanimously.

GENERAL FILE AND THIRD READING

Senate Bill No. 316.

Bill read third time.

Remarks by Assemblyman May.

Roll call on Senate Bill No. 316:

YEAS—42.

NAYS—None.

Senate Bill No. 316 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Nevin moved that Assembly Bill No. 272 be taken from the Second Reading File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Nevin.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Commerce:

Assembly Bill No. 802—An Act relating to chiropractic; reducing the amount of notice which must be given for meetings of the Nevada state board of chiropractic examiners; adding to the conduct which is prohibited to persons who are not licensed as chiropractors; increasing the penalty for unlawful practice of chiropractic; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

By the Committee on Labor and Management:

Assembly Bill No. 803—An Act relating to occupational diseases; reversing the burden of proof regarding compensation for heart disease resulting from certain occupations; and providing other matters properly relating thereto.

Assemblyman Banner moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 9.

Bill read second time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 572.

Amend section 1, page 1, by deleting line 9 and inserting: "*and conduct independent audits and examinations of financial institutions. The administrator shall levy an assessment upon each licensed financial institution to cover all of the costs related to the employment of the certified public accountant and the performance of the audits and examinations.*".

Amend the bill as a whole by renumbering sections 2 and 3 as sections 9 and 10 and adding new sections designated sections 2 through 8, following section 1, to read as follows:

"Sec. 2. Chapter 659 of NRS is hereby amended by adding thereto a new section to read as follows:

Each bank shall pay the assessment levied pursuant to NRS 658.055 and cooperate fully with the audits and examinations performed pursuant thereto.

Sec. 3. Chapter 645B of NRS is hereby amended by adding thereto a new section to read as follows:

Each mortgage company shall pay the assessment levied pursuant to NRS 658.055 and cooperate fully with the audits and examinations performed pursuant thereto.

Sec. 4. Chapter 649 of NRS is hereby amended by adding thereto a new section to read as follows:

Each collection agency shall pay the assessment levied pursuant to NRS 658.055 and cooperate fully with the audits and examinations performed pursuant thereto.

Sec. 5. Chapter 673 of NRS is hereby amended by adding thereto a new section to read as follows:

Each association shall pay the assessment levied pursuant to NRS 658.055 and cooperate fully with the audits and examinations performed pursuant thereto.

Sec. 6. Chapter 676 of NRS is hereby amended by adding thereto a new section to read as follows:

Each licensee shall pay the assessment levied pursuant to NRS 658.055 and cooperate fully with the audits and examinations performed pursuant thereto.

Sec. 7. Chapter 677 of NRS is hereby amended by adding thereto a new section to read as follows:

Each licensee shall pay the assessment levied pursuant to NRS 658.055 and cooperate fully with the audits and examinations performed pursuant thereto.

Sec. 8. Chapter 678 of NRS is hereby amended by adding thereto a new section to read as follows:

Each credit union shall pay the assessment levied pursuant to NRS 658.055 and cooperate fully with the audits and examinations performed pursuant thereto.".

Amend sec. 3, page 1, line 11, by deleting "section 2" and inserting "section 9".

Amend the bill as a whole by inserting the text of the repealed section.

TEXT OF REPEALED SECTION

645B.052 Annual fee for auditor employed by division of financial institutions of department of commerce; fund for audits of mortgage companies.

1. Each mortgage company licensed pursuant to this chapter, other than those companies which do not maintain trust accounts, shall pay, in addition to the annual fee for a license, an annual fee, in an amount to be determined by the administrator, to be used to pay the salary and expenses of a certified public accountant employed by the division of financial institutions of the department of commerce to review independent audits of mortgage companies and to conduct such audits of those companies as the administrator deems necessary.

2. The fees received pursuant to this section must be deposited in the fund for audits of mortgage companies which is hereby created as a special revenue fund. All money in the fund and the interest earned thereon must be used only for the purpose stated in subsection 1.

3. The administrator shall administer the fund.

Amend the title of the bill, second line, after "accountant;" by inserting: "authorizing an assessment to cover the related costs;".

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. 287.

Bill read second time.

The following amendment was proposed by the Committee on Transportation:

Amendment No. 623.

Amend the bill as a whole by deleting section 1 and inserting new sections designated sections 1 through 5, following the enacting clause, to read as follows:

"Section 1. NRS 481.063 is hereby amended to read as follows:

481.063 1. The director may charge and collect reasonable fees for official publications of the department and from persons making use of files and records of the department or its various divisions for a private purpose. *The director shall not release in any files and records made available for a private use the Social Security number of any person.*

2. All money so collected must be deposited in the state treasury for credit to the motor vehicle fund.

3. 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.

4. The director shall adopt such regulations as he deems necessary to carry out the purposes of this section.

Sec. 2. 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 must:

(a) Be made upon a form furnished by the department.

(b) 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.

(c) Be accompanied by the required fee.

(d) State the full name, date of birth, sex, and residence address of the applicant and briefly describe the applicant.

(e) 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 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.

(f) Include such other information as the department may require to determine the applicant's competency and eligibility.

2. Every applicant shall 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, a driver's license issued by another state or the District of Columbia, or a passport.

3. Except as otherwise provided in NRS 483.345, every applicant shall furnish proof of his Social Security number by displaying:

(a) An original card issued to the applicant by the Social Security Administration bearing the applicant's Social Security number; or

(b) Other proof acceptable to the department including, but not limited to, records of employment or income tax returns.

Sec. 3. NRS 483.345 is hereby amended to read as follows:

483.345 [The] *1. Except as otherwise provided in subsections 2 and 3, the* number of any driver's license [issued or renewed by the department after July 1, 1969, shall] *must* be identical to the Social Security number of the licensee.

2. If the licensee does not have a Social Security number [,] *or requests that his Social Security number not be used,* the department [may] *shall* assign a number.

3. A person may request the department to assign a number other than his Social Security number:

(a) On an original application to the department for a driver's license; or

(b) Within 90 days before the expiration of his driver's license.

Sec. 4. NRS 483.410 is hereby amended to read as follows:

483.410 1. For every driver's license, including a motorcycle driver's license, issued and service performed the following fees must be charged:

A license issued to a person 70 years of age or older	$4
An original license issued to any other person	9
A renewal license issued to any other person	9
Reinstatement of a license after suspension, revocation or cancellation	15
A duplicate license, new photograph, change of name, change of address or any combination	3

2. For every motorcycle endorsement to a driver's license a *fee of* $3 [fee] must be charged.

3. *For every request to use a number other than the Social Security number on a driver's license, a fee of $5 must be charged.*

4. The increase in fees authorized by NRS 483.347 must be paid in addition to the fees charged pursuant to subsections 1 and 2.

[4.] *5.* A penalty of $5 must be paid by each person renewing his license after it has expired for a period of 30 days or more as provided in NRS 483.386 unless he is exempt under that section.

[5.] *6.* All fees and penalties are payable to the administrator at the time a license or a renewal license is issued.

[6.] *7.* All money collected by the department under this chapter must be deposited in the state treasury for credit to the motor vehicle fund.

Sec. 5. This act becomes effective on January 1, 1988.".

Amend the title of the bill to read as follows:

"An Act relating to drivers' licenses; providing for the use of Social Security numbers on licenses; prohibiting the release for private use of Social Security numbers in the files and records of the department of motor vehicles and public safety; and providing other matters properly relating thereto.".

Amend the summary of the bill to read as follows: "Provides for use of Social Security number on driver's license. (BDR 43-1019)".

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. 497.

Bill read second time.

The following amendment was proposed by the Committee on Elections:

Amendment No. 738.

Amend the bill as a whole by deleting section 1 and renumbering sections 2 and 3 as sections 1 and 2.

Amend sec. 2, page 2, line 34, by deleting "[, city]".

Amend sec. 2, page 3, line 16, by deleting "[shall] *will*" and inserting "will".

Amend sec. 3, pages 3 and 4, by deleting lines 35 through 40 on page 3 and lines 1 through 11 on page 4 and inserting:

294A.035 1. Every candidate for city office where the general city election is preceded by a primary city election shall file the reports in the manner required by NRS 294A.010, 294A.020 and 294A.031 for other offices not later than:

(a) Fifteen days before the primary city election, for the period from the last election for that office up to 20 days before the primary city election;

(b) Fifteen days before the general city election, whether or not the candidate won the primary city election, for the period from 20 days before the primary city election up to 20 days before the general city election; and

(c) Thirty days after the general city election, for the remaining period up to the general city election.

2. Every candidate for city office where there is no primary city election shall so file those reports:

(a) Twenty days before the general city election, for the period from the last election for that office up to 30 days before the general city election; and

(b) Thirty days after the general city election, for the remaining period up to the general city election.".

Amend the bill as a whole by deleting sections 4 and 5 and adding a new section designated sec. 3, following sec. 3, to read as follows:

"Sec. 3. Sections 1 and 2 of this act become effective at 12:01 a.m. on July 1, 1987.".

Amend the title of the bill, lines 3 and 4, by deleting: "revising the provisions requiring the identification of the sources of campaign contributions and expenses;".

Amend the summary of the bill to read as follows: "Requires disclosure of source of excess money spent by candidate. (BDR 24-1260)".

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. 573.

Bill read second time.

The following amendment was proposed by the Committee on Elections:

Amendment No. 737.

Amend section 1, page 1, line 2, after "county" by inserting "or city".

Amend section 1, page 1, line 3, after "county" by inserting "or city".

Amend section 1, page 1, by deleting lines 6 through 13 and inserting:

"2. *The county or city clerk shall include in each sample ballot for a primary election, the offices and names of candidates for those offices for which there is no contest for nomination.*

3. The cost of mailing sample ballots for any election other than a primary or general election must be borne by the political subdivision".

Amend the bill as a whole by adding a new section designated sec. 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, 1987.".

Amend the title of the bill by deleting the second line and inserting: "the primary elections the candidates for uncontested".

Amend the summary of the bill by deleting "and general".

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. 603.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 616.

Bill read second time.

The following amendment was proposed by the Committee on Transportation:

Amendment No. 727.

Amend section 1, page 1, line 13, by deleting "*8*" and inserting "*7*".

Amend sec. 2, page 2, line 33, after "department" by inserting "*in writing*".

Amend sec. 2, page 2, line 34, by deleting "15" and inserting "[15] *30*".

Amend sec. 2, page 2, line 37, by deleting "*15*" and inserting "*30*".

Amend sec. 2, page 3, by deleting lines 1 and 2 and inserting:

"7. The order of the department upon [such] a petition [shall become final 15] *becomes final 30* days after service of notice thereof. If any additional".

Amend sec. 5, page 5, line 4, by deleting "*reports*" and inserting "*returns*".

Amend sec. 5, page 5, line 5, by deleting "*reports*" and inserting "*returns*".

Amend sec. 5, page 5, line 7, by deleting "*8*" and inserting "*7*".

Amend sec. 8, page 7, line 28, by deleting "15" and inserting "[15] *30*".

Amend sec. 8, page 7, line 31, by deleting "*15*" and inserting "*30*".

Amend sec. 8, page 7, by deleting lines 36 and 37 and inserting:

"8. The order of the department upon [such] a petition [shall become final 15] *becomes final 30* days after service of notice thereof. If [any such]".

Amend the title of the bill, first line, after "preserved;" by inserting: "extending the time for petitioning for a redetermination of an assessment;".

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. 661.

Bill read second time.

The following amendment was proposed by the Committee on Labor and Management:

Amendment No. 742.

Amend section 1, page 1, line 3, by deleting "*An*" and inserting: "*Except as otherwise provided in subsection 4, an*".

Amend section 1, page 2, after line 3, by inserting:

"*4. The requirements of this section do not apply to any operator employed by a public utility regulated pursuant to chapter 704 of NRS to operate a boiler or pressure vessel used:*

(a) In the generation of electricity; or

(b) Otherwise in the production of the service or commodity sold by the public utility.".

Amend the title of the bill, third line, after "relations;" by inserting: "providing an exception;".

Assemblyman Banner moved the adoption of the amendment.

Remarks by Assemblyman Banner.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 239.

Bill read second time and ordered to third reading.

Senate Bill No. 284.

Bill read second time and ordered to third reading.

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

Assembly in recess at 12:29 p.m.

ASSEMBLY IN SESSION

At 12:30 p.m.

Mr. Speaker pro Tempore presiding.

Quorum present.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 155.

The following Senate amendment was read:

Amendment No. 369.

Amend section 1, page 2, line 6, by deleting "*premises.*" and inserting: "*premises, except in those areas leased to or operated by a person licensed pursuant to NRS 463.160.*".

Amend section 1, page 2, by deleting lines 11 and 12 and inserting: "areas *where smoking is prohibited* to be used [as smoking areas where it is possible to confine the smoke to those areas.] *for smoking.*".

Assemblyman Arberry moved that the Assembly concur in the Senate amendment to Assembly Bill No. 155.

Remarks by Assemblyman Arberry.

Motion carried.

Bill ordered enrolled.

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bill No. 362; Senate Bills Nos. 16, 198, 240; Assembly Concurrent Resolution No. 29.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Craddock, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Brett W. Knowles.

On request of Assemblyman Garner, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Karl Buckmaster.

On request of Assemblyman Getto, the privilege of the floor of the Assembly Chamber for this day was extended to Mss. Roberta Ashbaugh, Messrs. Fred Colip, Carl Williams and the students of E. C. Best Jr. High School: Wendy Thom, Amber McFarlane, Cathy Barter, Amy Boehner, Karl Buckmaster, Tony Denio, Shane Ewert, Callie Gallio, Doug Geis, David Hardy, Daren Hendrickson, Brook Hill, Ross Hill, Kristin Hutchens, B. J. Hyatt, Jennifer Jacobs, Janell Jones, Brett Knowles, Gary Lawry, Peggi Lawson, Matt McFarlane, Nikkie Miller, Donnie Talbert, James Trumble, Alicia Woods, Jenny Yohey and Shawn Nelson.

On request of Assemblyman Schofield, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Doug Bache.

On request of Assemblyman Spriggs, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. John Randal Allen.

Assemblyman Nevin moved that the Assembly adjourn until Monday, May 18, 1987 at 10:30 a.m.

Motion carried.

Assembly adjourned at 12:33 p.m.

Approved: JOSEPH E. DINI, JR.
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE ONE HUNDRED AND TWENTIETH DAY

CARSON CITY (Monday), May 18, 1987

Assembly called to order at 10:36 a.m.

Mr. Speaker presiding.

Roll called.

All present except Assemblyman Tebbs, who was excused.

Prayer by the Chaplain, The Reverend Gene Ratzlaff.

Almighty God, giver of all good, I ask that Your presence be with us throughout this session as well as this day. In our Father's name we pray. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Nevin 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 re-referred Assembly Bill No. 526, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass, as amended.

DANNY L. THOMPSON, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which were referred Senate Bills Nos. 161, 376, 377, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

DANNY L. THOMPSON, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, 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.

MARVIN M. SEDWAY, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which was referred Assembly Bill No. 787, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

MARVIN M. SEDWAY, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 15, 1987

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 282, 357, 406, 448, 488, 620.

Also, I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bills Nos. 278, 284, and respectfully requests your honorable body to concur in said amendments.

Also, I have the honor to inform your honorable body that the Senate 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 adopted Assembly Concurrent Resolution No. 21.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Bills Nos. 183, 334, 362, 391, 412, 463.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 22, 30, 34, 51, 128, 155, 235, 236, 297, 330.

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. 294.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Mr. Speaker instructed the Chief Clerk to read the following communication:

May 10, 1987

HONORABLE JOSEPH E. DINI, JR., *Speaker, Nevada Assembly,* Legislative Building, Carson City, Nevada 89710

Dear Mr. Speaker:

"Thank you" is such a simple phrase, but I hope you know there's a world of meaning and appreciation in it.

Thank you so much for the resolution honoring my dad. Of the many tributes to his life, I'm certain the Legislature's thoughtfulness would please him the most.

With best regards,
JAMES "JIM" MONROE

INTRODUCTION, FIRST READING AND REFERENCE

Senate Bill No. 22.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 30.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

Senate Bill No. 34.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

Senate Bill No. 51.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 128.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 155.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 183.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 235.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 236.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 297.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 330.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 334.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 362.

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

Motion carried.

Senate Bill No. 391.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

Senate Bill No. 412.

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

Motion carried.

Senate Bill No. 463.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Senate Bill No. 292, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

DANNY L. THOMPSON, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which were referred Assembly Bills Nos. 587, 673, 779, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

DANNY L. THOMPSON, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Thompson moved that Assembly Bill No. 622 be taken from the Chief Clerk's desk and placed on the Second Reading File.

Remarks by Assemblyman Thompson.

Motion carried.

Assemblyman Nevin moved that Assembly Bill No. 271 be taken from the Chief Clerk's desk and placed on the General File immediately following Assembly Bill No. 625.

Remarks by Assemblyman Nevin.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 223.

Bill read third time.

Remarks by Assemblyman May.

Conflicts of interest declared by Assemblymen Bergevin, Getto and Marvel.

Roll call on Assembly Bill No. 223:

YEAS—35.

NAYS—DuBois, Nicholas, Thomas—3.

Absent—Tebbs.

Not voting—Bergevin, Getto, Marvel—3.

Assembly Bill No. 223 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 10:56 a.m.

ASSEMBLY IN SESSION

At 10:57 a.m.

Mr. Speaker pro Tempore presiding.

Quorum present.

GENERAL FILE AND THIRD READING

Assembly Bill No. 251.

Bill read third time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 711.

Amend sec. 8, page 2, line 38, after "*securities*" by inserting: "*or revenue bonds*".

Amend sec. 15, page 4, line 2, by deleting: "*financing, leasing or sales of the*".

Amend sec. 15, page 4, by deleting lines 7 and 8 and inserting:

"*(c) A written statement from the obligor affirming that the obligor does not undertake to commit the state, and any political subdivision or municipality thereof to incur any pecuniary*".

Amend sec. 17, page 5, line 4, by deleting: "*and revenue bonds*".

Amend sec. 18, page 5, line 22, after the period, by inserting: "*The director shall deposit all money received pursuant to this section with the state treasurer for credit to the fund for the financing of water projects.*".

Amend sec. 18, page 5, line 25, by deleting "*project.*" and inserting: "*project and, within the limits of money available for this purpose, to reimburse a municipality pursuant to the provisions of section 28 of this act.*".

Amend sec. 19, page 5, line 28, by deleting "*deposited in*" and inserting: "*deposited with the state treasurer for credit to*".

Amend sec. 19, page 5, by deleting lines 40 and 41.

Amend sec. 29, page 8, line 35, by deleting "February" and inserting "March".

Amend sec. 29, page 8, line 36, by deleting "March" and inserting "April".

Assemblyman Dini moved the adoption of the amendment.

Remarks by Assemblyman Dini.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman May moved that Assembly Bill No. 322 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman May.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 397.

Bill read third time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 745.

Amend sec. 2, page 1, line 4, after "analysis of" by inserting: "existing revenues and".

Amend sec. 2, page 1, by deleting line 5 and inserting "sources.".

Amend sec. 3, page 2, line 8, after "mining," by inserting "agriculture,".

Assemblyman Sedway moved the adoption of the amendment.

Remarks by Assemblyman Sedway.

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 10:59 a.m.

ASSEMBLY IN SESSION

At 11 a.m.

Mr. Speaker presiding.

Quorum present.

GENERAL FILE AND THIRD READING

Assembly Bill No. 515.

Bill read third time.

Remarks by Assemblyman Getto.

Roll call on Assembly Bill No. 515:

YEAS—41.

NAYS—None.

Absent—Tebbs.

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. 603.

Bill read third time.

Remarks by Assemblyman Porter.

Roll call on Assembly Bill No. 603:

YEAS—40.

NAYS—Thomas.

Absent—Tebbs.

Assembly Bill No. 603 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 615.

Bill read third time.
Remarks by Assemblymen Freeman and Fay.
Conflict of interest declared by Assemblyman Nicholas.
Roll call on Assembly Bill No. 615:
YEAS—38.
NAYS—Fay, Thomas—2.
Absent—Tebbs.
Not voting—Nicholas.

Assembly Bill No. 615 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 625.
Bill read third time.
Remarks by Assemblymen Thompson, Getto, Jeffrey, Carpenter, Marvel, Price, Brookman, Banner and Thomas.
Assemblymen Nevin, Thompson and Sedway moved the previous question.
Motion carried.
The question being on the passage of Assembly Bill No. 625.
Roll call on Assembly Bill No. 625:
YEAS—32.
NAYS—Bergevin, Carpenter, DuBois, Getto, Kerns, Lambert, Marvel, Nicholas, Spriggs—9.
Absent—Tebbs.

Assembly Bill No. 625 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Assembly Bills Nos. 9, 119, 287, 327, 497, 526, 573, 616 and 661 be placed on the General File immediately following Assembly Bill No. 271.
Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 271.
Bill read third time.
Remarks by Assemblyman Nevin.
Roll call on Assembly Bill No. 271:
YEAS—41.
NAYS—None.
Absent—Tebbs.

Assembly Bill No. 271 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 9.

Bill read third time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 808.

Amend sec. 10, page 2, by deleting line 34 and inserting:

"2. Sections 1 to 8, inclusive, of this act become effective on July 1, 1987.".

Assemblyman Sedway moved the adoption of the amendment.

Remarks by Assemblyman Sedway.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 119.

Bill read third time.

Remarks by Assemblyman Price.

Roll call on Assembly Bill No. 119:

YEAS—31.

NAYS—Banner, Bergevin, DuBois, Evans, Getto, Kerns, Marvel, Nicholas, Sedway, Spriggs—10.

Absent—Tebbs.

Assembly Bill No. 119 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 287.

Bill read third time.

Remarks by Assemblymen Nevin and Arberry.

Roll call on Assembly Bill No. 287:

YEAS—41.

NAYS—None.

Absent—Tebbs.

Assembly Bill No. 287 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 327.

Bill read third time.

Remarks by Assemblyman Humke.

Roll call on Assembly Bill No. 327:

YEAS—41.

NAYS—None.

Absent—Tebbs.

Assembly Bill No. 327 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 Swain and Thomas.

Roll call on Assembly Bill No. 497:

YEAS—33.

NAYS—Banner, Carpenter, Kerns, Marvel, Price, Sedway, Spriggs, Thomas—8.

Absent—Tebbs.

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. 526.

Bill read third time.

Remarks by Assemblyman Thompson.

Roll call on Assembly Bill No. 526:

YEAS—40.

NAYS—Sader.

Absent—Tebbs.

Assembly Bill No. 526 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 573.

Bill read third time.

Remarks by Assemblyman Swain.

Roll call on Assembly Bill No. 573:

YEAS—40.

NAYS—Carpenter.

Absent—Tebbs.

Assembly Bill No. 573 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 616.

Bill read third time.

Remarks by Assemblyman Nevin.

Roll call on Assembly Bill No. 616:

YEAS—41.

NAYS—None.

Absent—Tebbs.

Assembly Bill No. 616 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 661.

Bill read third time.

Remarks by Assemblyman Banner.

Roll call on Assembly Bill No. 661:

YEAS—41.
NAYS—None.
Absent—Tebbs.

Assembly Bill No. 661 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that all rules be suspended and that Assembly Bills Nos. 119, 223, 271, 287, 327, 497, 515, 526, 573, 603, 615, 616, 625 and 661 be immediately transmitted to the Senate.

Motion carried unanimously.

Assemblyman May moved that Assembly Bill No. 322 be taken from the Chief Clerk's desk and placed on the General File immediately following Senate Bill No. 284.

Remarks by Assemblyman May.

Motion carried.

Assemblyman Arberry moved that Assembly Bill No. 339 be taken from the Chief Clerk's desk and placed on the General File.

Remarks by Assemblyman Arberry.

Motion carried.

Assemblyman Wendell Williams moved that Assembly Bill No. 539 be taken from the Chief Clerk's desk and placed on the General File.

Remarks by Assemblyman Wendell Williams.

Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 239.

Bill read third time.

Remarks by Assemblyman Adler.

Roll call on Senate Bill No. 239:

YEAS—41.
NAYS—None.
Absent—Tebbs.

Senate Bill No. 239 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 284.

Bill read third time.

Remarks by Assemblyman Fay.

Roll call on Senate Bill No. 284:

YEAS—41.
NAYS—None.
Absent—Tebbs.

Senate Bill No. 284 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 322.

Bill read third time.

The following amendment was proposed by the Committee on Taxation:

Amendment No. 824.

Amend section 1, page 2, by deleting lines 21 through 25 and inserting: "received from taxes ad valorem, excluding net proceeds of mines and delinquent payments of taxes, in excess of the maximum allowable combined revenue must not be expended during the fiscal year in which collected, and must be subtracted from the result obtained under subsection 2 of NRS 354.59805 to reduce the maximum amount of revenue which may be derived from taxes ad valorem in the next fiscal year for which the tax rates are certified. On or before January 1 of each year, each county treasurer shall submit a report of the excess ad valorem receipts for the prior year to the department of taxation, in the manner prescribed by the department. The executive director of the department of taxation shall withhold all revenue from the supplemental city-county relief tax otherwise payable to the county until an accurate and complete report is submitted.".

Assemblyman May moved the adoption of the amendment.

Remarks by Assemblyman May.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Joint Resolution No. 4.

Resolution read third time.

Remarks by Assemblymen Schofield, Adler, Myrna Williams, Thomas, Gaston and Wisdom.

Assemblymen Sedway, Nevin and DuBois 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—16.

NAYS—Adler, Arberry, Brookman, Callister, Carpenter, DuBois, Evans, Freeman, Gaston, Getto, Haller, Kissam, McGaughey, Nevin, Porter, Price, Schofield, Sedway, Spinello, Swain, Thomas, Myrna Williams, Wendell Williams, Wisdom, Mr. Speaker—25.

Absent—Tebbs.

Senate Joint Resolution No. 4 having failed to receive a constitutional majority, Mr. Speaker declared it lost.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Schofield gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Joint Resolution No. 4 was this day refused passage.

GENERAL FILE AND THIRD READING

Senate Joint Resolution No. 5.

Resolution read third time.

Remarks by Assemblymen Callister, Myrna Williams, Adler, Schofield, Spinello, Fay, Thompson and Jeffrey.

Assemblymen Sedway, DuBois and Adler moved the previous question.

Motion carried.

The question being on the passage of Senate Joint Resolution No. 5.

Roll call on Senate Joint Resolution No. 5:

YEAS—21.

NAYS—Adler, Brookman, Callister, DuBois, Evans, Freeman, Gaston, Haller, Kissam, Nevin, Porter, Sedway, Spinello, Swain, Thomas, Myrna Williams, Wendell Williams, Wisdom, Mr. Speaker—19.

Absent—Arberry, Tebbs—2.

Senate Joint Resolution No. 5 having failed to receive a constitutional majority, Mr. Speaker declared it lost.

Assembly Bill No. 339.

Bill read third time.

The following amendment was proposed by the Committee on Health and Welfare:

Amendment No. 764.

Amend section 1, page 2, line 12, after "*revenue*" and inserting: "*from the fees*".

Assemblyman Arberry moved the adoption of the amendment.

Remarks by Assemblyman Arberry.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Nevin gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Joint Resolution No. 5 was this day refused passage.

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

Assembly in recess at 12:29 p.m.

ASSEMBLY IN SESSION

At 12:43 p.m.

Mr. Speaker presiding.

Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Judiciary, to which were referred Assembly Bills Nos. 570, 677, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ROBERT M. SADER, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, 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.

ROBERT M. SADER, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Education, to which was referred Assembly Bill No. 552, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ROBERT G. CRADDOCK, *Chairman*

Mr. Speaker:

Your Committee on Education, to which was referred Assembly Bill No. 535, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

ROBERT G. CRADDOCK, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 18, 1987

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Senate Bills Nos. 64, 338, 347, 432, 445, 485, 503, 504.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 45, 248, 313, 314, 340, 464, 511.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bill No. 66, which was returned from enrollment for the purpose of effecting a technical amendment.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that the vote whereby Senate Bill No. 66 was passed be rescinded.

Remarks by Assemblyman Jeffrey.

Motion carried.

Assemblyman Jeffrey moved that Senate Bill No. 66 be taken from the General File and placed on the Chief Clerk's desk.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Labor and Management:

Assembly Bill No. 804—An Act relating to industrial insurance; establishing a deemed wage for members of the Nevada legislature for the purpose of industrial insurance; and providing other matters properly relating thereto.

Assemblyman Banner moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 805—An Act relating to arbitration; requiring that certain civil claims be submitted to arbitration if the amount in controversy is $15,000 or less; providing for the procedure to be followed in such cases; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 806—An Act relating to offers of judgment; allowing interest and a reasonable attorney's fee; reducing the time for acceptance of an offer; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 807—An Act relating to dissolution of marriage; authorizing a former spouse to bring an action for the partition of military retirement benefits under certain circumstances; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 808—An Act relating to courts; authorizing a justice of the peace or a municipal judge to suspend the sentence of certain offenders and to impose conditions of suspension; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 809—An Act relating to privileged communications; revising the provisions governing such communications between doctors and their patients; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 810—An Act relating to alcoholic beverages; permitting a person who operates a brewery in certain counties to sell his beer at retail on the premises; and providing other matters properly relating thereto.

Assemblyman Sader moved that the bill be referred to the Committee on Commerce.

Motion carried.

By the Committee on Commerce:

Assembly Bill No. 811—An Act relating to insurance; revising the provisions governing unfair practices of insurers; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 812—An Act relating to counties; revising the provisions governing the reorganization of county fair and recreation boards in certain counties; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Price:

Assembly Bill No. 813—An Act relating to the department of human resources; allowing the divisions of the department of human resources to share confidential information which they possess amongst themselves; and providing other matters properly relating thereto.

Assemblyman May moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

Senate Bill No. 45.

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

Motion carried.

Senate Bill No. 64.

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

Motion carried.

Senate Bill No. 248.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 313.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 314.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 338.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 340.

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

Motion carried.

Senate Bill No. 347.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 432.

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

Motion carried.

Senate Bill No. 445.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 464.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

Senate Bill No. 485.

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

Motion carried.

Senate Bill No. 503.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

Senate Bill No. 504.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

Senate Bill No. 511.

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

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 171.

Bill read second time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 713.

Amend section 1, page 2, by deleting lines 12 through 25.

Amend section 1, page 2, line 26, by deleting "*4.*" and inserting "*3.*".

Amend section 1, page 2, line 31, by deleting "*5.*" and inserting "*4.*".

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. 336.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 502.

Amend sec. 2, page 3, by deleting lines 13 through 20.

Amend sec. 5, page 6, by deleting lines 25 and 26 and inserting: "*on the informational statement sent pursuant to NRS 78.235,* except that, in lieu thereof, the certificate *or informational statement*".

Amend sec. 5, page 6, by deleting line 35 and inserting: "certificate *or informational statement sent pursuant to NRS 78.235* must set forth".

Amend sec. 7, page 8, by deleting line 5 and inserting: "*of uncertificated shares of some or all of the shares of any or all of its classes or series.*".

Amend sec. 7, page 8, line 8, after the period, by inserting: "*Unless otherwise provided by a specific statute, the rights and obligations of stockholders are identical whether or not their shares of stock are represented by certificates.*

5. Within a reasonable time after the issuance or transfer of shares without certificates, the corporation shall send the shareholder a written statement containing the information required on the certificates pursuant to subsection 1. At least annually thereafter, the corporation shall provide to its shareholders of record, a written statement confirming the information contained in the informational statement previously sent pursuant to this subsection.".

Amend sec. 8, page 8, by deleting line 12 and inserting: "outstanding shares [,] *or informational statements sent pursuant to NRS 78.235,*".

Amend sec. 8, page 8, line 16, by deleting "*written*" and inserting "*informational*".

Amend sec. 8, page 8, line 17, by deleting "*104.8408*" and inserting "*78.235*".

Amend the bill as a whole by renumbering sections 9 through 14 as sections 10 through 15 and adding a new section designated sec. 9, following sec. 8, to read as follows:

"Sec. 9. NRS 78.265 is hereby amended to read as follows:

78.265 1. Except to the extent limited or denied by this section or the articles of incorporation, shareholders have a preemptive right to acquire unissued shares, treasury shares or securities convertible into such shares.

2. Unless otherwise provided in the articles of incorporation:

(a) A preemptive right does not exist:

(1) To acquire any shares issued to directors, officers or employees pursuant to approval by the affirmative vote of the holders of a majority of the shares entitled to vote or when authorized by a plan approved by such a vote of shareholders;

(2) To acquire any shares sold for a consideration other than cash;

(3) To acquire any shares issued at the same time that the shareholder who claims a preemptive right acquired his shares;

(4) To acquire any shares issued as part of the same offering in which the shareholder who claims a preemptive right acquired his shares; or

(5) To acquire any shares [then] , *treasury shares or securities convertible into such shares, if the shares or the shares into which the convertible securities may be converted are upon issuance* registered pursuant to section 12 of the Securities Exchange Act of 1934 (15 U.S.C. § 78 1).

(b) Holders of shares of any class that is preferred or limited as to dividends or assets are not entitled to any preemptive right.

(c) Holders of common stock are not entitled to any preemptive right to shares of any class that is preferred or limited as to dividends or assets or to any obligations, unless convertible into shares of common stock or carrying a right to subscribe to or acquire shares of common stock.

(d) Holders of common stock without voting power have no preemptive right to shares of common stock with voting power.

(e) The preemptive right is only an opportunity to acquire shares or other securities upon such terms as the board of directors fixes for the purpose of providing a fair and reasonable opportunity for the exercise of such right.".

Amend sec. 12, page 9, line 36, by deleting "The" and inserting: "Except as otherwise provided in subsection 3, the".

Amend sec. 12, page 10, line 1, by deleting "At" and inserting: "Except as otherwise provided in subsection 3, at".

Amend sec. 12, page 10, line 17, after "3." by inserting: "Unless required by its certificate or articles of incorporation, no vote of stockholders of a constituent corporation surviving a merger is necessary to authorize a merger if:

(a) The agreement does not amend in any respect the certificate or articles of incorporation of the constituent corporation;

(b) Each treasury share or share of stock of the constituent corporation outstanding immediately before the effective date of the merger is to be an identical outstanding or treasury share of the surviving corporation after the effective date of the merger; and

(c) Either no shares of common stock of the surviving corporation and no shares, securities or obligations convertible into such stock are to be issued or delivered under the plan of merger, or the authorized unissued shares or the treasury shares of common stock of the surviving corporation to be issued or delivered under the plan of merger plus those initially issuable upon conversion of any other shares, securities or obligations to be issued or delivered under such plan do not exceed 20 percent of the shares of common stock of the constituent corporation outstanding immediately before the effective date of the merger.

If an agreement is adopted by the constituent corporation surviving the merger, by action of its board of directors and without any vote of its stockholders pursuant to this subsection, the president or vice president, and the secretary or assistant secretary of that corporation, shall certify on the agreement that the agreement has been adopted pursuant to this subsection and that, as of the date of the certification, the outstanding shares of the corporation were such as to render this subsection applicable.

4. Any constituent corporation organized under this chapter which has not issued shares of stock may merge or consolidate by the adoption by its board of directors of a resolution approving the agreement.

5.".

Amend sec. 12, page 10, line 23, by deleting "4." and inserting "6.".

Amend sec. 12, page 10, line 26, by deleting "5." and inserting "7.".

Amend sec. 12, page 10, line 30, by deleting "6." and inserting "8.".

Amend sec. 12, page 10, line 35, by deleting "7." and inserting "9.".

Amend the bill as a whole by renumbering sections 15 through 19 as sections 17 through 21 and adding a new section designated sec. 16, following sec. 14, to read as follows:

"Sec. 16. Chapter 80 of NRS is hereby amended by adding thereto a new section to read as follows:

Foreign corporations shall comply with the provisions of NRS 78.626, 78.627 and 78.628.".

Amend sec. 17, page 13, by deleting line 20 and inserting: "value] , *or informational statements sent pursuant to NRS 78.235, indicating*".

Amend sec. 17, page 13, line 24, by deleting "*written*" and inserting "*informational*".

Amend sec. 17, page 13, line 26, by deleting "*written*" and inserting "*informational*".

Amend the bill as a whole by deleting sec. 20 and removing the text of the repealed sections.

Amend the title of the bill to read as follows:

"An Act relating to corporations; expanding certain powers of corporations; making certain changes regarding the permissible number and the method of electing directors; requiring that a certificate of approval be attached to an agreement for merger or consolidation; requiring foreign corporations to file certain notices; authorizing the issuance of uncertificated shares; and providing other matters properly relating thereto.".

Amend the summary of the bill to read as follows: "Makes various changes relating to corporations. (BDR 7-707)".

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. 441.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 515.

Amend section 1, page 2, line 29, by deleting "*$100.*" and inserting "*$50.*".

Amend the bill as a whole by adding a new section designated sec. 2, following section 1, to read as follows:

"Sec. 2. NRS 484.408 is hereby amended to read as follows:

484.408 1. Any parking space designated for the handicapped must be indicated by a sign:

(a) Bearing the international symbol of accessibility with or without the words "Parking," "Handicapped Parking," "Handicapped Parking Only," or "Reserved for the Handicapped," or any other word or combination of words indicating that the space is designated for the handicapped; and

(b) Stating "Fine of [$100] *$50* for use by others" or equivalent words.

2. A person shall not park a vehicle in a space designated for the handicapped, whether on public or privately owned property, unless he is eligible to do so and the vehicle displays:

(a) Special license plates for a handicapped person;

(b) A parking permit for a handicapped person;

(c) An officially recognized emblem issued by this state or another jurisdiction indicating that the driver or a passenger in the vehicle is eligible; or

(d) Special license plates for a disabled veteran.

3. A person shall not use such a plate, permit or emblem for a vehicle for the purpose of parking unless he is handicapped, a disabled veteran or is the driver of a vehicle in which a handicapped person or a disabled veteran is a passenger.

4. Any person who violates any provision of this section shall be punished by a fine of [$100.] *$50.*".

Amend the title of the bill, second line, after "persons;" by inserting: "reducing the penalty for unlawfully parking in a space designated for the handicapped;".

Amend the summary of the bill, first line, after "misuse of" by inserting "parking spaces,".

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. 634.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 645.

Bill read second time.

The following amendments were proposed by the Committee on Taxation:

Amendment No. 716.

Amend section 1, page 1, line 7, by deleting "revenue received" and inserting: "maximum revenue allowable".

Amend section 1, page 1, line 8, by deleting "in" and inserting "for".

Amend the bill as a whole by renumbering sec. 3 as sec. 5 and adding new sections designated sections 3 and 4, following sec. 2, to read as follows:

"Sec. 3. For the purposes of section 5 of this act, in a county whose population is less than 100,000, a city whose actual tax rate, for purposes other than debt service, was zero per $100 of assessed valuation is entitled to the use of a rate not greater than 15 cents per $100 of assessed valuation.

Sec. 4. 1. Any local governing body which proposes to raise its tax rate pursuant to the provisions of section 5 of this act shall provide notice of that fact to the residents of the area it governs.

2. The notice required by subsection 1 must:

(a) State that the governing body proposes to raise the ad valorem tax rate pursuant to the provisions of this act.

(b) Be published in a newspaper of general circulation in the county at least once before the meeting in which the proposal will be considered. The notice must be set in boldface type and at least one quarter of the newspaper's page in size.".

Amend sec. 3, page 2, line 21, after "maximum" by inserting: "allowable combined revenue and the".

Amend sec. 3, page 2, line 24, after "354.59816" by inserting: "and subsection 3 of NRS 354.5982".

Amend sec. 3, page 2, by deleting lines 25 through 27 and inserting:

"2. For each fiscal year after the fiscal year 1987-1988, any increase authorized in subsection 1, must be included in determining the".

Amend the bill as a whole by adding a new section designated sec. 6, following sec. 3, to read as follows:

"Sec. 6. This act becomes effective upon passage and approval."

Amendment No. 823.

Amend section 1, page 1, line 7, after "roll" by inserting: ", excluding net proceeds of mines,".

Amend section 1, page 1, line 9, after "valuation," by inserting: "excluding net proceeds of mines but".

Assemblyman May moved the adoption of the amendments.

Remarks by Assemblyman May.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 681.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 727.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 741.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 751.

Bill read second time, ordered engrossed and to third reading.

Senate Bill No. 59.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 303.

Amend section 1, pages 1 and 2, by deleting lines 2 through 14 on page 1 and lines 1 through 5 on page 2 and inserting:

"41.0307 As used in NRS 41.031 to 41.039, inclusive, and sections 2 and 3 of chapter 40, Statutes of Nevada 1987:

1. "Employee" includes an employee of a part-time or full-time board, commission or similar body of the state or a political subdivision of the state which is created by law.

2. *"Employment" includes any services performed by an immune contractor.*

3. "Immune contractor" means any natural person, professional corporation or professional association which:

(a) Is an independent contractor with the state pursuant to NRS 284.173; and

(b) Contracts to provide medical services for the department of prisons.

As used in this subsection, "professional corporation" and "professional association," have the meanings ascribed to them in NRS 89.020.

4. "Public officer" or "officer" includes:

(a) A member of a part-time or full-time board, commission or similar body of the state or a political subdivision of the state which is created by law.

(b) A public defender and any deputy or assistant attorney of a public".

Amend sec. 14, page 7, by deleting lines 2 through 9 and inserting:

"41.039 An action which is based on the conduct of any *immune contractor,* employee or appointed or elected officer of a political subdivision of the State of Nevada while in the course of his employment or in the performance of his official duties may not be filed against the *immune contractor,* employee or officer unless, before the filing of the complaint in such an action, a valid claim has been filed, pursuant to NRS 41.031 to 41.038, inclusive, and sections 2 and 3 of chapter 40, Statutes of Nevada 1987, against the political subdivision for which the *immune contractor,* employee or officer was authorized to act.".

Amend the bill as a whole by adding a new section designated sec. 15, following sec. 14, to read as follows:

"Sec. 15. Sections 1 and 14 of this act become effective at 12:01 a.m. on July 1, 1987.".

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. 622.

Bill read second time, ordered engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Craddock moved that Assembly Bill No. 552 be placed on the General File.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 539.

Bill read third time.

The following amendment was proposed by Assemblyman Wendell Williams:

Amendment No. 807.

Amend section 1, page 1, line 5, after "*residents*" by inserting: "*of the development*".

Assemblyman Wendell Williams moved the adoption of the amendment.

Remarks by Assemblyman Wendell Williams.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 552.

Bill read third time.

The following amendment was proposed by the Committee on Education:

Amendment No. 818.

Amend section 1, page 1, line 2, by deleting "and 3" and inserting: "to 5, inclusive,".

Amend sec. 2, page 1, by deleting line 3 and inserting:

"Sec. 2. *1. The board of trustees of each county school district shall:*

(a) Establish the minimum".

Amend sec. 2, pages 1 and 2, by deleting lines 6 through 9 on page 1 and lines 1 through 8 on page 2 and inserting: "*syndrome.*

(b) Determine the appropriate age of pupils to whom the material in the course is to be presented.

(c) Determine that the material in the course is appropriate.

2. The course or a unit of the course must be taught by a teacher approved by the board of trustees.

The board of trustees may authorize the use of persons who are recognized as knowledgeable in the subject to make presentations as part of the course of instruction.

3. All instructional materials to be used in the course must be available for inspection by parents or guardians of pupils at reasonable times and locations, before the course is taught, and appropriate written notice of the availability of the material must be furnished to all parents or guardians before instruction commences.".

Amend sec. 3, page 2, line 15, by deleting "*state board,*" and inserting: "*board of trustees*".

Amend sec. 3, page 2, by deleting lines 19 and 20 and inserting: "*completing it, a representative of the school district shall personally contact that parent or guardian concerning his consent.*".

Amend the bill as a whole by renumbering sec. 4 as sec. 6 and adding new sections designated sections 4 and 5, following sec. 3, to read as follows:

"Sec. 4. *1. Except as otherwise provided in subsection 2, the board of trustees of each county school district shall appoint an advisory committee consisting of:*

(a) Four parents of children who attend schools in the district; and

(b) Three representatives, one from each of three of the following professions or occupations:

(1) Medicine or nursing.

(2) Counseling.

(3) Religion.

(4) Pupils who attend school in the district.

(5) Teaching.

2. If a school district has an advisory committee for a course of instruction on the human reproductive system, related communicable diseases and sexual responsibility, the board of trustees may authorize that committee to serve as the committee established pursuant to subsection 1.

3. The committee appointed pursuant to subsection 1 shall advise the board of trustees concerning the content of and the materials to be used in the course of instruction concerning molestation of children and acquired immune deficiency syndrome and shall recommend the ages of the pupils to whom the course is to be offered. The board of trustees shall make the final decision on these matters.

Sec. 5. *The state board of education shall develop basic objectives to assist the boards of trustees of the county school districts in this state in developing a complete and sequential course of factual instruction concerning molestation of children and acquired immune deficiency syndrome.*".

Amend the bill as a whole by deleting sec. 5 and renumbering sections 6 and 7 as sections 7 and 8.

Amend sec. 6, page 3, line 25, by deleting "shall comply" and inserting: "shall:

(a) Comply".

Amend sec. 6, page 3, by inserting between lines 28 and 29:

"(b) Collect and compile the material and statistics developed by each school district for the course of instruction concerning child molestation and acquired immune deficiency syndrome and shall report this information to the 65th session of the Nevada legislature.".

Amend the title of the bill to read as follows:

"An Act relating to education; requiring each county school district to establish a course of instruction for pupils in public schools concerning child molestation and acquired immune deficiency syndrome; requiring a notice of the course to a parent or guardian and a form for consent to be included in the registration material for each pupil; requiring the state board of education to establish objectives to assist the districts in developing the course; requiring the state board to present certain information to the next session of the legislature; and providing other matters properly relating thereto.".

Amend the summary of the bill, first line, by deleting: "state board of education" and inserting: "each county school district".

Assemblyman Craddock moved the adoption of the amendment.

Remarks by Assemblymen Craddock, Adler, Swain, Sedway, Haller, Garner, Porter and Getto.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to the Concurrent Committee on Ways and Means.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bills Nos. 72, 115, 123, 155, 257, 369, 371; Senate Bills Nos. 294, 316; Senate Concurrent Resolutions Nos. 32, 33; Assembly Resolution No. 11.

REMARKS FROM THE FLOOR

Assemblyman Haller requested that his remarks be entered in the Journal.

WHEREAS, The Retired Senior Volunteer Program, which involves older Americans above the age of 60 in community services, is a resource of Nevada which has benefited many persons living in our communities; and

WHEREAS, The Retired Senior Volunteer Program has provided a means for older persons to gain fulfillment in their lives by helping others; and

WHEREAS, This organization, which is sponsored by public agencies and private nonprofit organizations, has become a reason for living for many persons; and

WHEREAS, More than 2,000 older residents of Nevada participate in the Retired Senior Volunteer Program volunteering 560,000 hours each year to various community services; now, therefore, be it

DECLARED BY THE ASSEMBLY OF THE STATE OF NEVADA, That the Retired Senior Volunteer Program is hereby commended for the positive effect their program has had on its participants and the community.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Brookman, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Frances Badgley and Mr. Gene Badgley.

On request of Assemblyman Haller, the privilege of the floor of the Assembly Chamber for this day was extended to Mss. Elsie Connor, Pat Blanchard, Verla Martelle, Bonnie Bullwinkel, Gail Bishop, Velma Bishop, Morgan Hughes, Jayne Bauer-Hughes, Messrs. Louis Martinez and John H. Squires.

On request of Assemblyman Price, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Victor Weissberg.

On request of Assemblyman Myrna Williams, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Sherry Porter.

On request of Assemblyman Wisdom, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Verlene Chiodini.

Assemblyman Jeffrey moved that the Assembly adjourn until Tuesday, May 19, 1987 at 10:30 a.m.

Motion carried.

Assembly adjourned at 1:25 p.m.

Approved: JOSEPH E. DINI, JR.
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE ONE HUNDRED AND TWENTY-FIRST DAY

CARSON CITY (Tuesday), May 19, 1987

Assembly called to order at 10:50 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, The Reverend Gene Ratzlaff.

We praise Thee O God of the universe, who gives all, sees all and knows all. We praise You for the light of the day and the guidance You give us during the night. We ask that You give that same guidance during this hour. In the Father's name we pray. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Jeffrey moved that further reading of the Journal be dispensed with, and the Speaker and Chief Clerk be authorized to make the necessary corrections and additions.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Judiciary, to which was referred Assembly Bill No. 743, 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.

ROBERT M. SADER, *Chairman*

Mr. Speaker:

Your Committee on Health and Welfare, to which was referred Assembly Bill No. 192, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

MORSE ARBERRY, JR., *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which were referred Assembly Bills Nos. 358, 708, 748, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ROBERT M. SADER, *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which was referred Senate Bill No. 283, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN E. JEFFREY, *Chairman*

Mr. Speaker:

Your Committee on Transportation, to which were referred Assembly Bill No. 732; Senate Bill No. 282, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

LEONARD V. NEVIN, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Assembly Bill No. 426, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

DANNY L. THOMPSON, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Senate Concurrent Resolution No. 17, has had the same under consideration, and begs leave to report the same back with the recommendation: Be adopted.

DANNY L. THOMPSON, *Chairman*

Mr. Speaker:

Your Committee on Elections, 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.

COURTENAY C. SWAIN, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which were referred Assembly Bills Nos. 460, 744, 747, 755, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

ROBERT M. SADER, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which was referred Assembly Bill No. 738, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

MARVIN M. SEDWAY, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Sader moved that Assembly Bill No. 743 be re-referred to the Committee on Ways and Means.

Motion carried.

Assemblyman Jeffrey moved that Assembly Bills Nos. 9, 171, 251, 322, 336, 339, 397, 441, 539 and 645 be placed on the General File.

Motion carried.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 18, 1987

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 97, 316, 440, 513.

Also, I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bills Nos. 138, 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 adopted Senate Concurrent Resolution No. 19.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

By the Committee on Legislative Functions:

Assembly Resolution No. 12—Providing for the appointment of an additional attaché.

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, That Jane Dunne is elected as an additional attaché of the Assembly for the 64th session of the Legislature of the State of Nevada.

Assemblyman Myrna Williams moved the adoption of the resolution.

Remarks by Assemblyman Myrna Williams.

Resolution adopted.

Senate Concurrent Resolution No. 17.

Assemblyman Thompson moved the adoption of the resolution.

Remarks by Assemblyman Thompson.

Resolution adopted.

Senate Concurrent Resolution No. 19.

Assemblyman Jeffrey moved that the resolution be referred to the Committee on Transportation.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Government Affairs:

Assembly Bill No. 814—An Act relating to counties; providing in skeleton form authority for a board of county commissioners to appoint a county counsel; prescribing the qualifications and duties of the county counsel; and providing other matters properly relating thereto.

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

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 535.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 570.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 580.

Amend section 1, page 1, by deleting lines 4 and 5 and inserting: "*subsection 3 of NRS 453.336, the court may order sealed all documents,*".

Amend section 1, page 1, line 12, after "2." by inserting: "*In the case of a person who is sentenced and convicted pursuant to subsection 5 of NRS 453.336, the court shall order sealed all documents, papers and exhibits in that person's record, minute book entries and entries on dockets, and other documents relating to the case in the custody of such other agencies and officers as are named in the court's order if the person fulfills the terms and conditions imposed by the court and the department of parole and probation. The court shall order those records sealed without a hearing unless the department of parole and probation petitions the court, for good cause shown, not to seal the records and requests a hearing thereon.*

3.".

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. 579.

Bill read second time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 744.

Amend section 1, pages 1 and 2, by deleting lines 9 through 15 on page 1 and lines 1 through 4 on page 2 and inserting:

"$5 to $49	*$10*
50 to 59	*25*
60 to 69	*30*
70 to 79	*35*
80 to 89	*40*
90 to 99	*45*
100 to 199	*55*
200 to 299	*65*
300 to 399	*75*
400 to 499	*85*
500 to 1,000	*100".*

Amend section 1, page 2, by deleting lines 17 through 24 and inserting:

"(a) [Seven 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) Two dollars for credit to a special account in the municipal general fund for the use of the municipal courts.] *One dollar and fifty cents 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.*

(b) Two dollars and fifty cents for credit to a special account in the municipal general fund for the use of the municipal courts.

(c) The remainder of each assessment to the state treasurer for credit to a special account in the state general fund.".

Amend section 1, page 2, by deleting lines 30 through 37 and inserting:

"(a) [Seven 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) Two dollars for credit to a special account in the county general fund for the use of the justices' courts.] *One dollar and fifty cents 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.*

(b) Two dollars and fifty cents for credit to a special account in the county general fund for the use of the justices' courts.

(c) The remainder of each assessment to the state treasurer for credit to a special account in the state general fund.".

Amend section 1, page 2, after line 41, by inserting:

"*6. Of the total amount deposited in the state general fund pursuant to subsections 3 and 4, the state controller shall distribute the money received to the following public agencies in the following amounts for each assessment received:*

(a) Six dollars to the office of the court administrator for allocation as follows:

(1) One dollar for the administration of the courts.

(2) One dollar for the development of a uniform system for judicial records.

(3) One dollar for continuing judicial education.

(4) Three dollars for the supreme court.

(b) The remainder of any amount so deposited must be used to the extent of legislative authorization for the support of:

(1) The peace officers' standards and training committee of the department of motor vehicles and public safety;

(2) The central repository for Nevada records of criminal history;

(3) The activities of the investigation division of the department of motor vehicles and public safety related to law enforcement;

(4) The operation by the Nevada highway patrol of a computerized switching system for information related to law enforcement; and

(5) The fund for the compensation of victims of crime.".

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. 587.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 799.

Amend section 1, page 2, line 40, by deleting "*$5,000.*" and inserting "*$1,000.*".

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. 673.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 704.

Amend sec. 2, page 3, after line 30, by inserting:

"*3. Any agreement resulting from those negotiations must be ratified by the city council before it is effective.*".

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. 677.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 753.

Amend sec. 2, page 1, by deleting lines 6 through 8 and inserting:

"*2. "Substantial remission" means that a person professionally qualified in the field of psychiatric mental health has evaluated the client and found, for at least 2 years, no evidence of continuing mental illness which would indicate the client's need for psychiatric medication, psychotherapy or other services related to his mental health.*".

Amend sec. 7, page 3, by deleting lines 1 through 3 and inserting:

"*4. If, after the sealing of the records, the petitioner is being treated by a physician or certified psychologist, the physician or psychologist may obtain a copy of the petitioner's records from the hospital or facility. Any records so obtained must be used solely for the treatment of the petitioner.*".

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. 779.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 820.

Amend sec. 20, pages 13 and 14, by deleting lines 37 through 42 on page 13 and lines 1 through 13 on page 14 and inserting:

"Sec. 20. (Deleted by amendment.)".

Amend sec. 26, page 16, line 8, after "levied" by inserting: "on the net proceeds of mines or".

Amend sec. 39, page 22, line 40, after "inclusive," by inserting: "and sections 2 to 10, inclusive, of [this act,] *Assembly Bill No. 115 of this session,*".

Amend sec. 39, page 22, line 42, after "inclusive," by inserting: "and section 2 of [this act] *Assembly Bill No. 115 of this session*".

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. 787.
Bill read second time, ordered engrossed and to third reading.

Senate Bill No. 161.
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. 376.
Bill read second time and ordered to third reading.

Senate Bill No. 377.
Bill read second time and ordered to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Gaston moved that Assembly Bill No. 708 be placed on the Second Reading File.
Remarks by Assemblyman Gaston.
Motion carried.

Assemblyman May moved that Assembly Bill No. 645 be taken from the General File and placed on the Chief Clerk's desk.
Remarks by Assemblyman May.
Motion carried.

Assemblyman Adler moved that Assembly Bill No. 476 be placed on the Second Reading File.
Remarks by Assemblyman Adler.
Motion carried.

Assemblyman Thompson moved that Assembly Bill No. 426 be placed on the Second Reading File.
Remarks by Assemblyman Thompson.
Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 110.
Bill read third time.
The following amendment was proposed by the Committee on Judiciary:
Amendment No. 809.
Amend the bill as a whole by deleting sec. 3.
Amend the title of the bill, fourth through sixth lines, by deleting: "authorizing a court to suspend the execution of a sentence of imprisonment for a probationer under certain circumstances;".
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. 622.
Bill read third time.

Remarks by Assemblymen Thompson, Adler, Nicholas, Lambert, Freeman, Evans, Nevin, Price, Garner, Bergevin, Kissam and Sader.

Conflict of interest declared by Assemblyman Kissam.

Assemblyman Freeman requested that the following remarks be entered in the Journal.

ASSEMBLYMAN THOMPSON:

Mr. Speaker, Assembly Bill No. 622, requires counties and cities to compensate the owners of signs or billboards which are required by local ordinance to be removed. The measure also prohibits the enforcement of an ordinance or regulation that limits the normal maintenance or repair of these signs or billboards. The bill, however, allows the local government to enter into agreements with a sign or billboard owner for the planned relocation of the advertising without the expenditure of public money—that's the basic overview of the bill.

We heard testimony in committee, Mr. Speaker, that some local governments have enacted ordinances as a way to get rid of their billboard signs whereby they don't allow necessary maintenance and upkeep on the billboards. One of the questions that I asked of one of the people testifying, "give me an example."

He said, "Well, you know, the foundation is crumbling and falling down." I think in these cases, these people are creating a public hazard when they allow these billboards to deteriorate to the point that they are going to be blowing in the highway and in the name of getting rid of these by attrition when more than 50 percent of the sign becomes damaged then the sign is gone. They have a plan called amortization whereby they give you the sign—your sign which is on your property—for ten years and then you have to take it down. I think this whole issue revolves around the basic property right. In the committee on Government Affairs we talked about property rights a lot—TRPA has been a big concern. Property rights is the number one issue. This issue is no different than that. This is a basic property right. If you want the sign, you pay for the sign. If you aren't able to pay for the sign, then you don't take the sign down.

Over 30 states, Mr. Speaker, including California, have adopted billboard legislation mandating the just payment and compensation upon removal. I think even Congress has said the same thing. If you are going to take the signs, you pay for them. Amortization, I would submit to you, is not just payment in these cases.

On another issue that is related to this, our gaming industry in Nevada is of paramount concern to everybody here as our revenues are generated from this industry. This industry cannot advertise on TV, they cannot advertise on the radio, they have to rely on the newspapers and the magazines and the billboards. I think that by allowing these signs to be removed and taken down, we are going to have a negative impact on our state, on our state's revenues without a doubt. There is a stretch of land in the county up here where we had some people testifying who said the question was, "Well, how many signs are there on this one particular stretch of road?" There are ninety-something signs—I forget the exact numbers—and they had a formula whereby they figured out how many signs they wanted to take down. When they got on calculating, they came to the conclusion that all the signs had to be removed, not just a percentage of them. But, I think this whole issue evolves around property rights. If it's my property, it's my sign. If you want my sign on my property, then you pay me for it.

ASSEMBLYMAN ADLER:

Thank you, Mr. Speaker. I would just like to correct a few things that were stated by the previous speaker. First of all, the Washoe County sign ordinance that was referred to specifically states that a sign cannot be repaired if it is 50 percent destroyed by natural disaster. It does not state that repairs cannot be made on signs.

Secondly, the Washoe County ordinance would only remove 13 percent of all signs in Washoe County, not 90 percent. With that, I think I would like to address the basic issue here.

Since 1926, in the landmark case of *City of Euclid v. Ambler Realty,* the United States Supreme Court has said that amortization is the proper way to remove signs. Essentially,

what amortization does is allow the person who had erected the sign which is non-conforming, to collect the entire amount of their investment in addition to a sizable profit prior to removing the sign. That is just compensation, it has been just compensation in this country for over 60 years and it has been used throughout the United States.

In essence, this issue boils down to a matter of local control vs. the State of Nevada forcing its will upon local communities who seek to improve their environment, who seek to have a quality life, who seek not to have their roadsides spoiled by some of these signs, who seek to have a type of environment that they are proud to raise their children in. What this bill does, esentially, is reverse over 60 years worth of case law in the United States and it reverses many local ordinances, including the local ordinance in Carson City. Carson City's ordinance allows these signs to be maintained for 12 years prior to removal. It was their feeling that this has been agreed to by the billboard industry. But, even though Carson City thought they had an agreement, the next thing they knew this bill was introduced in the legislature and was moving out of the government affairs committee. I think fairness dictates that we allow communities to set their own standards as to what the community is going to look like. That way we can all choose to live in a community that we are individually proud of and if someone wants to live in a community which is littered with billboards, more power to them. But, I don't choose to live that way. I would like to see this bill defeated for that reason. Thank you.

ASSEMBLYMAN NICHOLAS:

Thank you, Mr. Speaker, to you and through you. My district borders 395 all the way from Moana in Reno down to the Carson line. Talk about having signs, I've got signs. I also have constituents who are concerned about this particular bill and four separate groups of them have spoken to me on this issue and asked me not only to vote against this bill, but to speak against it. If I had a choice, perhaps I'd make it in a different direction, but I do not. I represent my people, they want me to take the direction of opposing this bill. I will do so.

ASSEMBLYMAN LAMBERT:

Thank you, Mr. Speaker. Assembly Bill No. 622 essentially takes away from the local government control of land use planning. If I can give you some insight on how the ordinance specifically in Washoe County was developed and the amount of time it took.

The county staff went to all the county commission advisory boards. I happened to be at one of the meetings. The meeting I attended was two to three hours and they went through the ordinance as it existed at that time to various alternatives there were, and eventually the advisory board came up with what they would support in an ordinance which essentially was what would support the guidelines that they'd established in their local master plan for billboards. The process in Washoe County took months and months and months. A.B. 622 was introduced on the 21st of April, less than a month ago, and we would undo all that work that happened in the county that I represent in just a few weeks in this body and I oppose A.B. 622 because of that.

ASSEMBLYMAN FREEMAN:

Thank you, Mr. Speaker, to you and through you to this honorable body. Most of my comments have already been spoken to by the previous speakers, so I won't bore you with repeating them. However, I would like to repeat one of them that the ordinance in Washoe County was agreed on after years of study and after extensive public hearings. This was not a decision that was taken lightly. I think that amortization is certainly a fair way of compensating the owners of the signs and I must say someone recently told me that the road going into Reno from Carson City looks like the road to Tijuana, and that bothers me. I think we all should have civic pride, concern about the way our community appears to the outsider. I think that the argument that this is going to hurt the gaming interests is a fallacious argument. I do not agree with that and I oppose this bill and would ask you to join us in putting down this legislation.

ASSEMBLYMAN EVANS:

Thank you, Mr. Speaker, to you and through you. I also stand in opposition to A.B. 622. I am reminded of that old statement that things are not always as they seem. And, I

would submit that A.B. 622 is a masquerade. It is a masquerade in a sense that the legislature is making, or attempting to make a state law in a state case out of something that is purely and simply a local matter and I have to wonder, I have to ask, why are we doing this? As was stated in previous testimony, there are something like 575 signs presently in Washoe County. About a hundred of those signs would be affected. And, it is estimated that through land use development over ten years that that would be reduced to about 75 signs, or 13 percent. I stand as a fierce defendant of property rights, but the amortization plans have stood the test of courts. I have a list of cases that have been tried throughout our country and amortization has stood. I would further submit that for those who say people will lose income on the rental of their property, well, you don't have to be knowledgeable in classical economics to know that when you have a scarce commodity it rises in value and they will be able to charge double and triple and probably quadruple for those very precious signs. We are not eliminating signs, we are not dismantling them, we are just trying to reduce, by a mere 13 percent—that is not very much. And, it only occurs in a few restricted areas.

If the people of my county tomorrow decide that they would like to rescind that action, I will support them, but I don't think it is appropriate for this body to intercede.

A few weeks ago I reversed myself on a vote on this floor on the issue of JPs being attorneys, and the amendment that came back said that in one particular county in this state it was important for JPs to have that training. And I said, if that is what that county wants, it is not appropriate for me to deny them that. And, I would tell you it is the same case.

As I finish I would just say that I find it an ironic twist of fate that here on the 200th birthday of our Constitution with self-determination as the bedrock of democracy that we are flying in the face of that very important principle. I hope you will vote with me and vote against A.B. 622.

Assemblyman Nevin:

Thank you, Mr. Speaker, I rise in opposition to A.B. 622 and a lot of reasons were given and I won't go over them again. I would like to point out that everyone received on their desk yesterday the opinion from the *Reno Gazette Journal* and the headline, itself, speaks for the whole issue—legislature has no right to usurp local billboard law. A lot of work has been put into this study and we came up with an ordinance and it doesn't, I agree, it doesn't really have any effect on the south, it doesn't affect you at all, but it does affect the north—it affects Washoe County, it affects Carson City, it affects my city of Sparks. I'm also a believer of people having their rights on their private property. One thing that bothered me in this hearing was that they came in with people building homes and extensions on their homes and things of that nature and I contend that a small piece of property with two poles planted in the ground is not a piece of property that you can relate to a home and property rights. I am firmly opposed to this bill. I received here on my desk just today a sheet of paper from an opinion poll. Eighteen people signed this and they put it on our desks. That was overnight. There is not one Las Vegas, not one Las Vegas name on this opinion poll, it's all Reno and they are opposing it. I urge you to vote against this. Let our county pass our laws, let us regulate. Thank you.

ASSEMBLYMAN THOMPSON:

Thank you, Mr. Speaker, for a second time. We got way afield of this. This bill is not a masquerade. This bill does affect Clark County. This bill affects the entire state. I don't agree that amortization is just payment for something that belongs to me. When I went to county government or local government and got a legal permit, legally inspected, paid a legal fee for a sign that was legal one day and then the next day is not legal. This bill does not say that you can't take the billboards down. You can take them down. All you have to do is pay and if you can't pay, then you can't take my property. That's it. That's a basic property right—if you want it, you can take it. This bill does not say that they cannot take those signs. They can take them, but you have to pay for them. The 1978 Highway Beautification Act mandates just payments to be paid by the states for removal of signs

along any interstate or Federal aid primary highway. And, if you don't do that, you lose 10 percent of your money. There is nothing in this bill that says they can't take the signs down, you just have to pay.

ASSEMBLYMAN PRICE:

Mr. Speaker, my questions have been answered in the debate.

ASSEMBLYMAN GARNER:

Thank you, Mr. Speaker, I don't believe that this is a north-south issue at all. It is a matter that involves a simple issue of private property rights.

If government wants to take private property for a public purpose, then fairness and the Constitution dictates that just compensation be paid. To preclude a person from performing ordinary maintenance and repair upon his or her property, knowing that the property will eventually deteriorate and blow away is nothing short of taking, under the Fifth Amendment. I urge a do pass for this bill.

ASSEMBLYMAN BERGEVIN:

Mr. Speaker, I find it ironic that some of the people espousing the idea of the State of Nevada superseding local property rights in this matter saw fit to vote for TRPA, which totally abrogated every county ordinance, every county building permit, everything that stood for property rights, and a good number of the people on this floor voted against the bill to pull out of that particular agency last year. This is simply a matter of property rights. A sign is no different from a home, no different from a car or anything else. If you want it, you pay for it. These signs were put there under the laws and zoning ordinance of the county, now they are changing the rules and don't want to pay to change the rules. I think that this is where the state has to step in in those kind of instances.

ASSEMBLYMAN KISSAM:

Thank you, Mr. Speaker. I rise in support of A.B. 622 in spite of the fact that I might have a potential conflict with a billboard on one of my properties that is of a charitable nature, that produces no income. I do stand in support of this bill and will vote that way.

ASSEMBLYMAN FREEMAN:

Thank you, Mr. Speaker for the second time. To my esteemed colleagues who say that this issue is only property rights I would disagree. The courts have said that government interests regulating billboards is especially strong because billboards don't derive their value from the private land they stand on, but on the public roads they stand next to. A billboard would be of no value out in the middle of a field. It derives its value from the public road by which it stands. A local government has the responsibility of land use planning and this is one of these issues and to me it seems that this industry is singling itself out for special interest. The local governments are allowed control of land use planning in all other areas, but in this case the state would be telling the local governments how to do it. This is a local issue, it should be decided on the local level.

ASSEMBLYMAN PRICE:

Thank you. Due to some remarks since I came up, I would like to mention something. My first response would be to my colleague from Reno's observation, talking about the value being in the location. As a person who went to school in Real Estate, one of the first things that we learned about value is that it is location, location, location. And, I would submit to you that there is little doubt that a billboard is, in fact, private property. It is property that is protected under the Constitution. The Supreme Court has upheld that. Yes, they upheld the depreciation method of paying for them, and that may be Constitutional, but I'm not sure that it is fair. If we allow a depreciation scheme to exist on billboards, I cannot see too far a reach to say that when a street or a new highway starts to come through our home that they may be able to plan far enough ahead to come and say, "OK, we think your home has a value of $100,000, and the home may really only be worth $90,000, but we are going to depreciate that from $100,000 to zero in the next five years by the time our road gets here." And, I see very little difference. I think the issue is a little larger than a parochial or local one that the discussion seems to be going on here because it is something that could affect and does, in fact under the law as it must under

our Constitution, affect the entire state and I am sorry that some of my colleagues feel that it is a local issue. I would submit that we are in fact talking about Constitutional, we are talking about fairness doctrine, so I am going to support the bill. I wasn't too sure when we started the debate whether or not I would, but I will be supporting it.

ASSEMBLYMAN SADER:

Thank you, Mr. Speaker. I think the issues have been sufficiently aired and the only thing that I have to add is the disconcerting nature of what I perceive this vote is going to be. When the green lights go up on that board, the green lights are going to be from the representatives from the areas that are not affected by this dispute. The areas affected by this dispute are primarily in Washoe County and in Carson City and I don't think that it is going to be unanimous in those two delegations, but it is going to be overwhelming in the majority opposed. What has happened is that votes have been rounded up to support this bill by representatives who come from counties whose constituents are not making an issue out of this and whose local governments have not decided this issue in public forums. I would urge you not to do that—those of you who have been solicited to vote yes on this bill. Don't ram that down our throats from those of us who come from counties that are affected by this bill and who are responding to our constituents. Let's not start that this session.

ASSEMBLYMAN ADLER:

I would just like to make one comment, Mr. Speaker, thank you, and that is this really isn't an issue of paying for the billboards, because we know that's all a sham. This issue is whether Carson City and Washoe County are going to have those billboards in place for the next 50 to 100 years. And, if you feel strongly that that should be the case, vote for this bill. But, if you think that they should be removed at some point in time, vote in opposition. Thank you.

ASSEMBLYMAN THOMPSON:

Thank you, Mr. Speaker. Just to point out again. This bill affects the entire State of Nevada. There is an ordinance currently in Washoe County that is in effect that has brought it to life but this bill reflects Clark County, White Pine County, every county in Nevada. The signs won't be up for 50 years if they pay for the signs and that is the crux of the whole argument.

Roll call on Assembly Bill No. 622:

YEAS—27.

NAYS—Adler, Craddock, Evans, Fay, Freeman, Haller, Humke, Lambert, Nevin, Nicholas, Sader, Swain, Myrna Williams, Wisdom—14.

Not voting—Gaston.

Assembly Bill No. 622 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 634.

Bill read third time.

Remarks by Assemblymen Kissam, Getto and Sader.

Roll call on Assembly Bill No. 634:

YEAS—42.

NAYS—None.

Assembly Bill No. 634 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 681.

Bill read third time.

Remarks by Assemblyman Nicholas.
Roll call on Assembly Bill No. 681:
YEAS—42.
NAYS—None.

Assembly Bill No. 681 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 727.
Bill read third time.
Remarks by Assemblyman Sedway.
Roll call on Assembly Bill No. 727:
YEAS—42.
NAYS—None.

Assembly Bill No. 727 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 741.
Bill read third time.
Remarks by Assemblyman Adler.
Roll call on Assembly Bill No. 741:
YEAS—42.
NAYS—None.

Assembly Bill No. 741 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 751.
Bill read third time.
Remarks by Assemblyman Lambert.
Roll call on Assembly Bill No. 751:
YEAS—42.
NAYS—None.

Assembly Bill No. 751 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 9.
Bill read third time.
Remarks by Assemblyman DuBois.
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, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 171.

Bill read third time.

Remarks by Assemblyman Tebbs.

Roll call on Assembly Bill No. 171:

YEAS—42.

NAYS—None.

Assembly Bill No. 171 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 11:56 a.m.

ASSEMBLY IN SESSION

At 11:57 a.m.

Mr. Speaker pro Tempore presiding.

Quorum present.

GENERAL FILE AND THIRD READING

Assembly Bill No. 251.

Bill read third time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 838.

Amend sec. 29, page 8, line 14, after "levied" by inserting: "on the net proceeds of mines or".

Assemblyman Sedway moved the adoption of the amendment.

Remarks by Assemblyman Sedway.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 322.

Bill read third time.

Remarks by Assemblyman Bergevin.

Roll call on Assembly Bill No. 322:

YEAS—42.

NAYS—None.

Assembly Bill No. 322 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed, as amended.

Bill ordered transmitted to the Senate.

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 11:59 a.m.

ASSEMBLY IN SESSION

At 12 noon.
Mr. Speaker presiding.
Quorum present.

GENERAL FILE AND THIRD READING

Assembly Bill No. 336.
Bill read third time.
Remarks by Assemblyman Sader.
Roll call on Assembly Bill No. 336:
YEAS—40.
NAYS—Getto, Porter—2.

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. 339.
Bill read third time.
Remarks by Assemblyman Kissam.
Roll call on Assembly Bill No. 339:
YEAS—42.
NAYS—None.

Assembly Bill No. 339 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 397.
Bill read third time.
Remarks by Assemblymen Sedway, Thomas, DuBois, Carpenter, Myrna Williams, Price, May and Craddock.
Assemblymen Nevin, Jeffrey and Thompson moved the previous question.
Motion carried.
The question being on the passage of Assembly Bill No. 397.
Roll call on Assembly Bill No. 397:
YEAS—40.
NAYS—Banner, Carpenter—2.

Assembly Bill No. 397 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 12:18 p.m.

ASSEMBLY IN SESSION

At 12:26 p.m.
Mr. Speaker presiding.
Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Rule No. 14 of the Joint Rules of the Senate and Assembly be suspended and that a bill (BDR S-2242), requested by the Committee on Ways and Means, be introduced by individual assemblymen.

Remarks by Assemblyman Jeffrey.

Motion carried unanimously.

GENERAL FILE AND THIRD READING

Assembly Bill No. 441.

Bill read third time.

Remarks by Assemblymen Myrna Williams, Nevin, Kerns, Triggs, Humke and Sader.

Assemblymen Thompson, Adler and Schofield moved the previous question.

Motion carried.

The question being on the passage of Assembly Bill No. 441.

Roll call on Assembly Bill No. 441:

YEAS—29.

NAYS—Arberry, Banner, Bergevin, Carpenter, Getto, Humke, Kerns, McGaughey, Marvel, Nevin, Nicholas, Price, Swain—13.

Assembly Bill No. 441 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 539.

Bill read third time.

Remarks by Assemblyman Wendell Williams.

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, as amended.

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. 453, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JAMES W. SCHOFIELD, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 19, 1987

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. 31, 152, 181, 480.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

By the Committee on Government Affairs:

Assembly Joint Resolution No. 43—Urging Congress to prohibit airlines from overbooking and canceling regularly scheduled flights, using misleading advertising and refusing to allow guide dogs and hearing dogs to accompany their handicapped masters.

Assemblyman Thompson moved that the resolution be referred to the Committee on Health and Welfare.

Motion carried.

By Assemblymen Callister, McGaughey and Fay:

Assembly Resolution No. 13—Suspending Assembly Standing Rule 11 for certain meetings of the Assembly Standing Committee on Commerce.

WHEREAS, Assembly Standing Rule 11 provides that all meetings of the Assembly and its standing committees must be open to the public; and

WHEREAS, The Assembly Standing Committee on Commerce is currently considering Assembly Bill No. 420 which revises the statutory provisions governing the relationships between grantors and holders of franchises to operate service stations; and

WHEREAS, The Assembly Standing Committee on Commerce believes that certain documents in the possession of the Atlantic Richfield Company (ARCO) are pertinent to the committee's consideration of the bill; and

WHEREAS, The documents relate to the management and operation of a major segment of the business of ARCO and include proprietary information concerning ARCO's marketing, pricing, planning, financial analysis and strategy; and

WHEREAS, ARCO maintains that the documents and information contained therein are extremely sensitive and confidential and that any disclosure to the public or persons in competition with ARCO may seriously damage the ability of ARCO and its dealers to compete in the market; and

WHEREAS, ARCO maintains that by producing the documents pursuant to the subpoena, ARCO does not waive or intend to waive the confidentiality order entered by the United States District Court in the case captioned *Southern Nevada Shell Dealers Association, et al. v. Shell Oil Company, et al.*; and

WHEREAS, ARCO desires to provide the committee and the legislature with accurate information to assist in its deliberations on Assembly Bill No. 420, but must take the steps set forth herein to ensure the confidentiality of the information; now, therefore, be it

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, That Assembly Standing Rule 11 be suspended as it regards meetings of the Assembly Standing Committee on Commerce and any subcommittees thereof to review the documents and information produced by ARCO in response to the subpoena issued by the Speaker of the Assembly on May 8, 1987; and be it further

RESOLVED, That production of the documents and review by the Assembly and its Standing Committee on Commerce must be as follows:

1. All of the documents produced by ARCO pursuant to the subpoena must be first read and reviewed by the three-member subcommittee of the Assembly Standing Committee on Commerce. During the review by the subcommittee any of its members may designate, by number only, any document or documents to be read and reviewed by the Standing Committee on Commerce. The review by the subcommittee must be done during a duly convened meeting of the subcommittee which must be closed to the public and must have in attendance only the members of the subcommittee, the Assembly Bill Drafting Adviser and representatives of ARCO.

2. All documents designated to be reviewed by the Standing Committee on Commerce must be delivered by ARCO to the Standing Committee on Commerce. The review by the Standing Committee on Commerce must also be done during a duly convened meeting,

which must be closed to the public and have in attendance only members of the Standing Committee on Commerce, members of the Assembly, the Assembly Bill Drafting Adviser and representatives of ARCO;

and be it further

RESOLVED, That ARCO will have present at each meeting an employee familiar with the documents to answer questions; and be it further

RESOLVED, That any member of the Assembly and the Assembly Bill Drafting Adviser by his or her attendance at any of the meetings thereby agrees that:

1. No copies of the documents will be made;
2. No notes or records, whether oral or written, will be taken in any manner of the information contained in the documents produced;
3. The documents will not be left overnight or unattended and will not be taken from the meeting room, except at the conclusion of each meeting by the representatives of ARCO;
4. All examination of the documents must take place in the presence of a representative of ARCO;
5. At the conclusion of each meeting, the representatives of ARCO will be allowed to remove the documents and take them wherever ARCO desires;
6. No information originally obtained at the meeting which was contained in the documents or presented by an employee of ARCO may be disclosed in any form to anyone whomsoever, including but not limited to, any party interested in the litigation captioned *Southern Nevada Shell Dealers Association, et al. v. Shell Oil Company, et al.*, or to any member of the news media, nor will anyone otherwise comment on the documents themselves or the information contained therein, except that those persons who review the documents or information contained therein do so with the understanding that they are prohibited from any explicit reference to any particular document or information, except in the most general and conclusory terms; and
7. The confidentiality restrictions of this resolution do not apply to documents and information obtained independently of ARCO and not obtained in violation of the confidentiality order entered in the above-captioned litigation;

and be it further

RESOLVED, That any member of the Assembly and the Assembly Bill Drafting Adviser by his or her attendance at those meetings represent that he or she currently have no interest whatsoever, direct or indirect, in the selling of gasoline and/or other petroleum products or merchandise and/or food products generally sold in convenience stores, grocery stores, super markets or service stations competing with ARCO; and be it further

RESOLVED, That the production of the documents in the agreed upon manner satisfies the subpoena issued by the Speaker of the Assembly and the citation of contempt issued by the Speaker of the Assembly on May 15, 1987, is thereupon withdrawn.

Assemblyman Callister moved the adoption of the resolution.

Remarks by Assemblymen Callister, Jeffrey, DuBois, Getto, Price, Nevin, McGaughey, May and Myrna Williams.

Assemblyman Brookman requested that the following remarks be entered in the Journal.

ASSEMBLYMAN CALLISTER:

I think the agreement speaks for itself. I appreciate this body's patience in working with us on this. Obviously, there are some rather severe restraints that we would have to impose upon ourselves in order to be able to review the documents. Obviously that is not my desire. But, I think it is our desire, collectively, to accommodate the needs, at least the alleged needs, for security and sensitivity that any party might have when we subpoena their documentation. I think the pertinent part that should concern us all begins on page 4, paragraph 6, in which it very explicitly sets forth that we are not allowed to discuss anything that might be revealed either in the subcommittee meeting or the full committee meeting—to which all of the members of this body would be invited, and which I would

urge all of you to attend should such a meeting take place. At that time the subcommittee would report back to the full committee as to the nature of any documents that we found which we thought pertained to this very difficult and complex piece of legislation.

The concern we all share is in regard to our ability to express our views. We are balancing competing interests here. Interests that I think are of a precedent setting nature. The interest on one hand of any individual or any corporation's concerns for sensitive information and our need to know. I would suggest to this body that this kind of conflict will occur many times in the years to come as we increasingly are called upon to legislate matters that involve national, international and multinational corporations who are reluctant to participate in the legislative process. I think that their willingness to come this far is a sign of their good faith and their attempt to cooperate. I have no knowledge independently of whether or not we will find documentation that will make or break this determination on this issue, but I would urge the passage of this proposed resolution as a vehicle that allows us to accomplish what we intended to accomplish, what we set out to accomplish.

ASSEMBLYMAN JEFFREY:

Mr. Speaker, I rise in support of the resolution. First of all I would like to commend two members of the subcommittee who worked very hard on this issue, Mr. Callister and Mr. McGaughey.

We all have agreed in the past that all of our proceedings need to be opened to the public and the press and this is an extraordinary measure. However, this is an extraordinary issue with the sensitivity of the documents and we must also consider the gag rule put on by the Federal judge in the Shell case.

I think the only way that the Commerce Committee and the Assembly as a whole is going to make a decision on this particular bill is to be able to review these documents.

ASSEMBLYMAN DUBOIS:

Thank you, Mr. Speaker. To you and through you to the chairman of the Commerce subcommittee. I see no time frame, no time certain on this. Are there certain limitations as to when this will happen, and if so, why is it not in the resolution?

ASSEMBLYMAN CALLISTER:

There are no express time provisions because, of course, we couldn't identify whether or not this body—we couldn't predict whether or not this body would pass the resolution. I can advise you what the anticipated time frame is. It is hoped that upon passage of this we would begin review of the documents in the subcommittee context as soon as possible—perhaps as early as this afternoon. Upon the completion of that subcommittee review, there would be a full committee meeting called, perhaps Wednesday or Thursday of this week—perhaps that early. At that time, in closed session once again, the full committee would meet. All the members of the Assembly would be asked to attend if they so desired, and we would report back to the full committee any findings that we may have come across in terms of documents that were pertinent to the issue. So we are hopeful that it can be accomplished within this week and we can move this bill one way or another down the hall.

Assemblyman Getto:

Thank you, Mr. Speaker. As a point of information to some of the legal minds of the Assembly. In the closed meeting, a member of the legislature attends the closed meeting and then later on discloses what went on in the closed meeting. Does that place that member in some type of liability?

ASSEMBLYMAN CALLISTER:

I would invite responses from those who have greater tenure here than I do. I would suggest that the sanction would be a sanction by this body. Recall again that the initial proposal made by ARCO was in the form of an agreement, a contract, that each reviewing individual member of this body would be obligated to sign—we refused that. We suggested that as an alternative we could express collectively our intent and our consensus by virtue of a resolution—that is the purpose of the resolution. I know of no action that could be brought against a member for violation of such a resolution, but I would certainly

suggest that to violate it, knowingly or unintentionally, would constitute a breach of good faith on ARCO's part in wanting to comply. I think all of us would have an obligation to the very best of our abilities to live up to this resolution. Again, we are talking about a rather new area, a new aspect of legislation. I don't know that there is any precedent for this. In any event, I think that it would certainly be up to this body to sanction any individual member who clearly violated the intent of the resolution.

ASSEMBLYMAN PRICE:

Thank you, Mr. Speaker. I made my feelings clear when we started this battle. I want to tell you I'm outraged by this proposed change in our rules. Let me tell you why. We are elected by the citizens of Nevada and by our constituents to protect the best interests of Nevada, Nevada businesses and ourselves. ARCO elects their officers to protect the interests of some far flung business somewhere and there is nothing wrong with that. But when we start talking about compromising our positions against theirs, then I suggest we've gone too far. We do not necessarily need the information that we have asked them for to process legislation. I would suggest to you, and to the members that we remember if those people whose businesses and whose rights we are dealing with do not want to cooperate, that we can process that legislation in a manner that we think is correct. If it should happen to hurt them, too bad. I for one am not willing to close meetings to put myself under jeopardy, or anyone else of some future censure by this body or lawsuit or anything else because we have in some way violated what they feel to be a sensitive matter—whether it is sensitive or not.

I want to go a little step further. This session of the legislature, in my humble opinion, has been dominated by more major closed-door meetings, where all of the other legislators and the public.

I do have a few more things to say, Mr. Speaker, with your indulgence.

I would like to repeat the question of my colleague on the time frame because you answered in the manner of time frame with response to when the information was going to be taken and I thought he was asking, and if he wasn't, I will ask, what is the time frame as you view it on any colleague of ours, myself or yourself in saying something. If you say something five years from now will you be censured by the legislature? Two years from now? Three days? That is the time frame I would be interested in.

ASSEMBLYMAN CALLISTER:

Thank you, Mr. Speaker. Certainly I would suggest that once this bill has passed it doesn't lift our obligation to maintain the concern for sensitivity and secrecy that they've alleged. I would imagine that until that information is made public, available to the public generally, we would still be under that same obligation. If I might respond to your larger issue, I think that all the members of this body would concur that we feel that it is unfortunate that this is the only context in which these documents may be made available to us, but in the end, I guess the essential issue is this: do we legislate in the absence of all available evidence, or do we attempt to reach some accord so that allegedly sensitive material can be viewed and assist us in the legislative process. I for one feel it is better to attempt to have all the information before me before I push a button and make that decision. Because of that I urge your support and this body's support of this resolution.

ASSEMBLYMAN JEFFREY:

Thank you, Mr. Speaker for the second time. First of all, I would like to say any censure by this body would also have to be done by resolution and I think it would depend on the mood of the body on the overall issue at the time that that may be done as to whether that resolution may pass. That has been a matter that has not been done lightly in the past and I'm sure wouldn't be in the future. However, I think that we need to take a look at what the issue really is here and where we are. Assembly Bill No. 420 is the issue. Assembly Bill No. 420 was introduced to try to help some small independent businessmen throughout the state primarily in Southern Nevada, where there was a concern that ARCO was trying to create a monopoly. The papers were served for the subpoena and subsequent events that followed that. Our concern as legislators needs to be, what happens to the overall issue? If an agreement and a resolution is not passed, I don't know all the legal ramifications, I'm not an attorney either, but I think that ARCO could go to Federal court

for a restraining order, especially under the circumstances of the gag rule and may very well get the restraining order. We are in the waning days of the session and those things could be fought in court until we go home—that is one possibility. Assembly Bill No. 420 would die in committee if we wait for that kind of an action. The other possibility is as my colleague from North Las Vegas suggests that we can act on the legislation. And that's true. I think the commerce committee has an appetite to pass the bill. We could act on the bill and send it to the Senate. But from the conversations I've heard, there is no support in the Senate for this bill and if we do that then all the work that has been done on this legislation to this point in time will be for nothing. The subpoena will be moot because we don't have the bill anymore. There is nothing more that we can do besides pass the bill. If the full committee hearing brings out information as I personally suspect it will, then maybe the Senate will change their mind. I think that is one of the issues that needs to seriously be considered. Again, I am not in favor of closing any meetings of the legislature. However, these are extraordinary circumstances that call for extraordinary measures.

ASSEMBLYMAN NEVIN:

Thank you, Mr. Speaker. I stand in support of this resolution, but I have a question, if I may, direct to the chairman of the subcommittee. I noticed that it is on the Assembly and my question is, in time, saving problems and everything, was the Senate invited to look over this information out of their committee with us?

ASSEMBLYMAN CALLISTER:

Thank you, Mr. Speaker. To you and through you to my colleague from Sparks. The answer is an unequivocal yes and yes. We asked if the Senate cared to attend in a joint session. Initially they evidenced some ambivalence and then finally they agreed that they had three members that would concur and we were advised by ARCO that under no circumstances could any Senators attend.

ASSEMBLYMAN MCGAUGHEY:

Thank you, Mr. Speaker. I rise in favor of this resolution and to one of the previous speaker's remarks, I believe that all of us are elected to serve all of the citizens of this state. I have my opinions on A.B. No. 420, but I would like to point out that I believe ARCO is a company that is a citizen of this state and the company is entitled to be fairly judged by this body and we feel that we have not had enough information—bits and pieces that indicate that there is a problem. What we would like is the additional information to confirm if there is a problem or not. I would submit that if we were to subpoena the Coca-Cola Company for the recipe of their Coke that that company would fight vigorously to protect that recipe to fall into the hands of the public. ARCO is in a very competitive business and I can understand and I hope this body would understand why there is information that they have that would be damaging if put in the hands of their competitors. We have had negotiations over the days going to a subpoena in the first place is an extraordinary step the contempt citation, the company indicates it is willing to work with us, we are with it, let's try to judge them objectively and still retain their confidentiality that is important to their business future. I wish that we could have had the Senate sit in on this session, but the resolution didn't provide for it and ARCO strongly objected and so we are going with what we have. I hope that eventually this entire body will have enough information that if A.B. No. 420 is justified we will pass it on the basis of full information and not heresay and allegations that may end up proving to be invalid or not necessary. Thank you.

ASSEMBLYMAN MAY:

Mr. Speaker, thank you. Each of us sees through different eyes. But my eyes are riveted on the language on page three of the bill, "Review by the subcommittee must be done by a duly convened meeting of the subcommittee which must be closed to the public and having an attendance of only the members of the subcommittee, Assembly bill drafting advisor and representatives of ARCO."

I have but one question, Mr. Speaker, to you and through you to the chairman of the subcommittee, and if that answer is "No," then I will be recorded as voting "No" on this

measure. Was any thought, discussion, conversation given to having at least one member of the media designated from among themselves present and available at this meeting and also sworn to the same secrecy and to the very same penalties as the other members present?

ASSEMBLYMAN CALLISTER:

Thank you, Mr. Speaker. No, there was not discussion of that possibility. I would be happy to relay that as an option, but I think I can safely suggest that they would refuse.

ASSEMBLYMAN MYRNA WILLIAMS:

Thank you, Mr. Speaker, I rise in support of this resolution as a member of the commerce committee. With your indulgence, perhaps, I would like to ask my esteemed colleague to clear something up. Is it true that these documents right now are the subject of some litigation?

ASSEMBLYMAN CALLISTER:

Mr. Speaker, to you and through you to my colleague from Southern Nevada.

The documents that we will be reviewing are discovery in a litigation in Southern Nevada. I have reason to believe they have also been discovery in other similar litigations across the country, but they are not protected in any form as to our review of them by the gag order in Southern Nevada and that is an important point to understand. We are not acting in violation of some Federal court order. The Federal court order affects the parties to that litigation; we are non parties to that litigation.

ASSEMBLYMAN MYRNA WILLIAMS:

I understand that, I was just trying to clear up the fact that these documents are, indeed part of an ongoing action at this time. I would like to, as a member of this body, suggest that as far as not divulging anything, I think that that is an ethical stand that we should take in a situation like this. If we are entrusted with material that is viewed by anybody under these kinds of circumstances, we should have enough faith and respect for ourselves not to ethically violate that agreement. I do stand in support of this resolution.

Assemblymen Schofield, Nevin and Price requested a roll call on Assemblyman Callister's motion.

Roll call on Assemblyman Callister's motion:

YEAS—33.

NAYS—Adler, Banner, Evans, Getto, Kerns, Lambert, Marvel, May, Price—9.

The motion having received a two-thirds majority, Mr. Speaker declared the resolution adopted.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Getto and Sedway:

Assembly Bill No. 815—An Act making an appropriation to the Northern Nevada Railroad Association to help make the railroad operational; and providing other matters properly relating thereto.

Assemblyman Getto moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 816—An Act relating to collective bargaining by local governments; requiring binding arbitration if the parties cannot come to an agreement; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 817—An Act relating to public employees' retirement; prohibiting a member from receiving credit for service on active or inactive duty with the military; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 818—An Act relating to public employment; allowing the employees of a local government to negotiate their salaries as a fair share of the total budget of the local government employer; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Ways and Means:

Assembly Bill No. 819—An Act relating to state purchasing; authorizing the director of the department of general services to contract without competitive bidding for certain services and commodities with certain organizations or agencies whose primary purpose is the training and employment of handicapped persons; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Schofield:

Assembly Bill No. 820—An Act relating to radioactive waste; prohibiting the selection of Nevada as a site for a repository for high-level radioactive waste without approval; and providing other matters properly relating thereto.

Assemblyman Schofield moved that the bill be referred to the Committee on Natural Resources, Agriculture and Mining.

Motion carried.

By Assemblyman Callister:

Assembly Bill No. 821—An Act making an appropriation from the reserve fund for the supplemental city-county relief tax for water and sewer facilities for Blue Diamond area in Clark County; and providing other matters properly relating thereto.

Assemblyman Callister moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By the Committee on Economic Development, Small Business and Tourism:

Assembly Bill No. 822—An Act relating to the department of commerce; authorizing the director of the department to enter into contracts with and

receive grants from any source for the program for financing exportation of foreign goods; authorizing the director to promote or assist in the creation of shared foreign sales corporations in furtherance of the purposes of such a program; authorizing the director to promote or create certain nonprofit corporations consistent with the purposes, powers and duties of the department; and providing other matters properly relating thereto.

Assemblyman Price moved that the bill be referred to the Committee on Economic Development, Small Business and Tourism.

Motion carried.

Senate Bill No. 31.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

Senate Bill No. 152.

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

Motion carried.

Senate Bill No. 181.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Taxation.

Motion carried.

Senate Bill No. 480.

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

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 708.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 749.

Amend the bill as a whole by deleting section 1 and adding new sections designated sections 1 and 2, following the enacting clause, to read as follows:

"Section 1. Chapter 123 of NRS is hereby amended by adding thereto a new section to read as follows:

Except as otherwise provided in subsection 2 of NRS 123.123, a grandparent or parent of either parent of an unmarried minor child, whether or not:

1. One parent of the minor child is deceased, divorced or separated from the other parent; or

2. The parental rights of either parent have been terminated,

may visit the child during the child's minority and spend sufficient time with the child to establish a meaningful relationship, if the court determines that visitation is in the best interests of the child.

Sec. 2. NRS 123.123 is hereby amended to read as follows:

123.123 1. [If] *Except as otherwise provided in subsection 2, if* a parent of an unmarried minor child is deceased or divorced or separated from the parent who has custody of the child, or his parental rights have been relinquished or terminated, the district court in the county in which the child resides may grant to [the grandparents, parents and] other children of [the parent who is deceased or divorced or separated from the parent who has custody of the child or whose parental rights have been relinquished or terminated,] *either parent of the child* a reasonable right to visit the child during his minority, if the court finds that the visits would be in the best interests of the child. In determining whether to grant this right to a petitioner , [who is not one of the parents of the person who is deceased or who does not have custody of the child,] the court shall consider the amount of personal contact between the petitioner and the child which occurred before the petition for the right to visit was filed.

2. If the parental rights of *either or* both natural parents of a child are relinquished or terminated, *and the child is placed in the custody of a public agency or a private agency licensed to place children in homes,* 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] *the* 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:

(a) In a divorce decree;

(b) In an order of separate maintenance; or

(c) Upon a petition filed by an eligible person after a divorce or separation or after the death of the parent to whom the person was related, 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 *previously* granted pursuant to subsection 1 , [to persons related to the parent,] unless the court finds that visits by those persons would be in the best interests of the child.

5. 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.".

Amend the bill as a whole by renumbering sec. 2 as sec. 3.

Amend sec. 2, page 3, line 2, by deleting: "*to be suitable to care for the child*" and inserting: "*has established a meaningful relationship with the child,*".

Amend the bill as a whole by renumbering sec. 3 as sec. 5 and adding a new section designated sec. 4, following sec. 2, to read as follows:

"Sec. 4. NRS 432B.550 is hereby amended to read as follows:

432B.550 1. If the court finds that the child is in need of protection, it shall determine [if] *whether* 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. *If, pursuant to subsection 1, the child is to be placed with a relative, the court may consider, among other factors, whether the child has resided with a particular relative for 3 years or more before the incident which brought the child to the court's attention.*

4. 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.''.

Amend the title of the bill by deleting the first and second lines and inserting:

''An Act relating to children; extending to the grandparents of a minor child the right to visit the child regardless of the marital status of the parents; authorizing the award of temporary custody or a''.

Assemblyman Gaston moved the adoption of the amendment.

Remarks by Assemblymen Gaston and Spriggs.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 476.

Bill read second time.

The following amendment was proposed by the Committee on Elections:

Amendment No. 830.

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. Chapter 293 of NRS is hereby amended by adding a new section to read as follows:

It is unlawful for any person to be registered as a voter in more than one county at one time.".

Amend section 1, page 1, line 9, by deleting "*A*" and inserting: "*Except as otherwise provided in subsection 5, a*".

Amend section 1, page 1, line 14, after the period, by inserting: "*For the purpose of this subsection, the voter is deemed to have received the notice 3 days after the notice is mailed.*".

Amend section 1, page 2, by deleting lines 1 through 4 and inserting:

"*4. Notice pursuant to subsection 3 is not required if a county clerk is canceling the affidavit of registration of a voter pursuant to NRS 293.527 or subsection 2, 3 or 7 of NRS 293.540.*".

Amend sec. 2, page 2, by deleting lines 17 through 23 and inserting:

"2. If the affidavit of registration of an elector is canceled pursuant to the provisions of subsection 1, the county clerk shall mail by March 15 of".

Amend sec. 2, page 2, by deleting line 27 and inserting:

"3.] *if he first mails a written notice to that elector of his intention to cancel the affidavit of registration for failure to vote in the general election, and the elector does not, within 15 days after he receives the notice, mail a return postcard provided by the county clerk with the notice, stating under penalty of perjury that he:*

(a) Does not wish to have his affidavit of registration canceled; and

(b) Currently resides at the residence indicated on his affidavit of registration.

For the purpose of this subsection, the elector is deemed to have received the notice 3 days after the notice is mailed.

3. An absent voter whose ballot is voted and mailed on or before the".

Amend the title of the bill, first line, after "elections;" by inserting: "prohibiting registration as a voter in more than one county;".

Amend the summary of the bill to read as follows: "Makes various changes governing registration of voters. (BDR 24-1237)".

Assemblyman Adler moved the adoption of the amendment.

Remarks by Assemblyman Adler.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 426.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 829.

Amend the bill as a whole by renumbering section 1 as sec. 2 and adding a new section designated section 1, following the enacting clause, to read as follows:

"Section 1. NRS 278.260 is hereby amended to read as follows:

278.260 *1.* The governing body shall provide for the manner in which zoning regulations and restrictions and the boundaries of zoning districts [shall be] *are* determined, established and enforced, and from time to time amended. However, a zoning regulation, restriction or boundary [shall] *may* not become effective until after a public hearing at which parties in interest and citizens [shall] have *had* an opportunity to be heard. [At least 10 days' notice of the time and place of the hearing shall be published in an official newspaper, or a newspaper of general circulation, in the city, county, or region.]

2. When establishing or reviewing proposed changes to zoning regulations or restrictions, a notice setting forth the time, place and purpose of the hearing, a description of the action being considered, and the telephone number of a person who may be contacted for further information concerning the hearing, must be published at least once 10 days immediately preceding the hearing in a newspaper of general circulation in the affected area.

3. When establishing or reviewing proposed changes to the boundaries of zoning districts, a notice setting forth the time, place and purpose of the hearing, a description of the action being considered, and the telephone number of a person who may be contacted for further information concerning the hearing must be:

(a) Sent by mail at least 10 days before the hearing to:

(1) The applicant;

(2) Each owner of real property located within 300 feet of the property in question or each owner of the nearest 36 habitable structures, whichever requires the greatest notice; and

(3) Any advisory board which has been established for the affected area by the governing body; and

(b) Published at least once 10 days immediately preceding the hearing in a newspaper of general circulation in the affected area.

4. Each such notice must include a reference to the area or property by its physical description in addition to any description stated in terms of metes and bounds.".

Amend section 1, pages 1 and 2, by deleting line 15 on page 1 and lines 1 through 3 on page 2 and inserting: "*concerning the request or hearing,* must be sent by mail at least 10 days before the hearing to [the applicant, to each] *:*

(a) The applicant;".

Amend section 1, page 2, line 4, by deleting "*(2)*" and inserting "*(b)*".

Amend section 1, page 2, line 5, by deleting the semicolon and inserting: "*or, in the case of an application for a special use permit or special exception, to each owner of the nearest 36 habitable structures, whichever requires the greatest notice; and*".

Amend section 1, page 2, by deleting lines 6 through 8.

Amend section 1, page 2, line 9, by deleting "*(4)*" and inserting "*(c)*".

Amend section 1, page 2, line 10, by deleting "[.] *;*" and inserting a period.

Amend section 1, page 2, by deleting lines 11 through 16.

Amend section 1, page 2, by inserting after line 19:

"*4. Each such notice must include a reference to the area or property by its physical description in addition to any description stated in terms of metes and bounds.*".

Amend the title of the bill, first line, after "land;" by inserting: "expanding the notice required for changes concerning zoning;".

Amend the summary of the bill, first line, after "concerning" by inserting "zoning and".

Assemblyman Lambert moved the adoption of the amendment.

Remarks by Assemblyman Lambert.

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 1:18 p.m.

ASSEMBLY IN SESSION

At 1:19 p.m.

Mr. Speaker pro Tempore presiding.

Quorum present.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 138.

The following Senate amendment was read:

Amendment No. 481.

Amend section 1, page 1, by deleting lines 8 through 12 and inserting: "*shall post in a conspicuous place on the property or at his sales office if an improved lot is being sold, a notice which states the current rates to be charged for such services or, if the public utility is not presently serving customers, the projected rates to be charged. The notice must also contain the name, address and telephone*".

Assemblyman Thompson moved that the Assembly concur in the Senate amendment to Assembly Bill No. 138.

Remarks by Assemblyman Thompson.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 278.

The following Senate amendment was read:

Amendment No. 679.

Amend the bill as a whole by renumbering section 1 as sec. 3 and adding new sections designated sections 1 and 2, following the enacting clause, to read as follows:

"Section 1. Chapter 689B of NRS is hereby amended by adding thereto a new section to read as follows:

A policy of group health insurance which offers a difference of payment between preferred providers of health care and providers of health care who are not preferred:

1. May not require a deductible of more than $500 per admission to a facility for inpatient treatment which is not a preferred provider of health care.

2. May not provide for more than a 20 percent difference between the copayment required to be paid by the insured to a preferred provider of health care and the copayment required to be paid by the insured to a provider of health care who is not preferred.

3. Must require that the deductible and payment for coinsurance paid by the insured to a preferred provider of health care be applied to the negotiated reduced rates of that provider.

4. Must use for both the preferred providers of health care and the providers of health care who are not preferred, a common dollar amount to determine the point at which an insured's payment for coinsurance is no longer required to be paid, based on a calendar year.

5. Must provide that if there is a particular service which a preferred provider of health care does not provide and the provider of health care who is treating the insured determines that the use of the service is necessary for the health of the insured, the service shall be deemed to be provided by the preferred provider of health care.

6. Must require the insurer to pay a claim to a provider of health care who is not preferred not later than 30 days after the date on which proof of the claim is received.

Sec. 2. Chapter 695B of NRS is hereby amended by adding thereto a new section to read as follows:

A group contract for hospital, medical or dental services which offers a difference of payment between preferred providers of health care and providers of health care who are not preferred:

1. May not require a deductible of more than $500 per admission to a facility for inpatient treatment which is not a preferred provider of health care.

2. May not provide for more than a 20 percent difference between the copayment required to be paid by the insured to a preferred provider of health care and the copayment required to be paid by the insured to a provider of health care who is not preferred.

3. Must require that the deductible and payment for coinsurance paid by the insured to a preferred provider of health care be applied to the negotiated reduced rates of that provider.

4. Must use for both the preferred providers of health care and the providers of health care who are not preferred, a common dollar amount to determine the point at which an insured's payment for coinsurance is no longer required to be paid, based on a calendar year.

5. Must provide that if there is a particular service which a preferred provider of health care does not provide and the provider of health care who

is treating the insured determines that the use of the service is necessary for the health of the insured, the service shall be deemed to be provided by the preferred provider of health care.

6. Must require the corporation to pay a claim to a provider of health care who is not preferred not later than 30 days after the date on which proof of the claim is received.".

Amend the bill as a whole by adding a new section designated sec. 4, following section 1, to read as follows:

"Sec. 4. The provisions of sections 1 and 2 of this act apply to all policies or coverages issued or renewed on or after January 1, 1988.".

Amend the title of the bill, first line, by deleting: "plans for dental care;" and inserting: "insurance; placing limitations on deductibles and copayments charged under certain policies of group health insurance;".

Amend the summary of the bill to read as follows: "Limiting deductibles and copayments charged under certain contracts for insurance. (BDR 57-470)".

Assemblyman Jeffrey moved that the Assembly do not concur in the Senate amendment to Assembly Bill No. 278.

Remarks by Assemblyman Jeffrey.

Motion carried.

Bill ordered transmitted to the Senate.

Assembly Bill No. 284.

The following Senate amendment was read:

Amendment No. 410.

Amend section 1, pages 1 and 2, by deleting lines 1 through 14 on page 1 and lines 1 and 2 on page 2 and inserting:

"Section 1. (Deleted by amendment.)".

Amend sec. 6, page 7, by deleting lines 18 and 19 and inserting: "for 3 years unless it is suspended, revoked or otherwise terminated. A license may be renewed upon payment of the".

Amend sec. 6, page 7, by deleting line 23 and inserting: "2. Any license not so renewed expires".

Amend sec. 7, page 7, by deleting lines 30 through 33 and inserting:

"Sec. 7. (Deleted by amendment.)".

Amend sec. 8, page 7, by deleting lines 36 and 37 and inserting: "for 3 years unless it is suspended, revoked or otherwise terminated. A license may be renewed upon payment of the".

Amend sec. 8, page 8, by deleting line 1 and inserting: "2. Any license not so renewed expires".

Amend the bill as a whole by adding a new section designated section 42, following section 41, to read as follows:

"Sec. 42. Sections 6 and 8 of this act become effective at 12:01 a.m. on July 1, 1987."

Assemblyman Jeffrey moved that the Assembly concur in the Senate amendment to Assembly Bill No. 284.

Remarks by Assemblyman Jeffrey.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 303.

The following Senate amendment was read:

Amendment No. 396.

Amend the bill as a whole by adding a new section designated sec. 4, following sec. 3, to read as follows:

"Sec. 4. This act becomes effective upon passage and approval.".

Assemblyman Sader moved that the Assembly concur in the Senate amendment to Assembly Bill No. 303.

Remarks by Assemblyman Sader.

Motion carried.

Bill ordered enrolled.

Assembly Joint Resolution No. 1.

The following Senate amendment was read:

Amendment No. 675.

Amend the resolution, page 1, lines 10 and 11, by deleting: "*behalf, but the net*" and inserting "*behalf. All*".

Assemblyman Sader moved that the Assembly do not concur in the Senate amendment to Assembly Joint Resolution No. 1.

Remarks by Assemblyman Sader.

Motion carried.

Resolution ordered transmitted to the Senate.

Mr. Speaker pro Tempore announced that if there were no objections, the Assembly would recess subject to the call of the Chair.

Assembly in recess at 1:26 p.m.

ASSEMBLY IN SESSION

At 1:27 p.m.

Mr. Speaker presiding.

Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

In compliance with a notice given on a previous day, Assemblyman Nevin moved that the vote whereby Senate Joint Resolution No. 5 was refused passage be reconsidered.

Remarks by Assemblyman Nevin.

Motion carried.

In compliance with a notice given on a previous day, Assemblyman Schofield moved that the vote whereby Senate Joint Resolution No. 4 was refused passage be reconsidered.

Remarks by Assemblyman Schofield.

Motion carried on a division of the house.

Assemblyman Schofield moved that Senate Joint Resolutions Nos. 4 and 5 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. 127, 282, 357, 406, 448, 488, 620; Assembly Concurrent Resolution No. 21.

REMARKS FROM THE FLOOR

Assemblyman Price requested that the following remarks be entered in the Journal.

ESSAY BY MARK A. DE LA TORRE

Bicentennial Anniversary of the United States Constitution

This year the United States Constitution is 200 years old. The Constitution is the country's compact between the government and the people. Although this document has been amended in certain areas, it still remains basically in its original form.

Two hundred years ago delegates from all states, except Rhode Island, gathered to lay the Foundation for our government as we know it today. The results of their efforts had, and still has, a tremendous impact on the citizens of the United States.

The reason for the success of this visionary document is that in the preamble of the Constitution we realize that "we the people," as a whole are affected. It is "we" that establish the government and control the destiny of the country. It is only through active participation that we can insure that the individual rights of the governed can be sustained. These are shared rights of free men and women in a free society.

Americans need to renew their sense of citizenship. It is because of this pride that a strong nation has existed for two centuries. We cannot continue if only 25 percent of the people are the ones electing our officials.

People should use the Bicentennial as a time to reflect on what was created by the Constitution. It created three separate branches of government. The Constitutional system of government is one of checks and balances. This system provides tensions. These tensions between the branches are not meant to be resolved, but to be perpetuated, to restrain and give vitality to our government. The manner in which the government is set up gives it an emormous amount of power over the country, but it is limited in that it cannot deny the rights of individuals.

In this country any citizen has the opportunity to obtain anything they so desire, as long as it does not infringe upon the rights of other individuals.

The Constitution of the United States of America along with the Bill of Rights are nothing more than pieces of paper. What the framers of this paper accomplished that summer in Philadelphia was little short of a miracle. These documents outlined the government, the powers it has and how these powers could be exercised. It insured a free life to all who came to this country.

One must ponder the far reaching powers of this document. In its inception, this country did not have the number of states, people, resources, or even the types of businesses that exist today. I am forever in awe at the power this document has exhibited over the course of our country's history—through times of war, depression and in dealing with foreign countries. Nobody knows what the future holds for this country. So far the Constitution has stood the test of time and it will most likely continue to endure. Right

now there is a national cry to convene a Constitutional convention. However, it has not met with the support that is required. This reaffirms to me the strength of our Constitution.

If "we the people" have moved our great nation forward this far under the direction of this miraculous document, I have no doubt that it will help get us through another century. Generations to come will be faced with new and complex problems which the Constitution will help solve. It is our responsibility as citizens to enliven our spirits and renew our faith in the Constitution and our great democratic nation for which it underlies. I conclude that without a doubt, we will at the bicentennial anniversary of the Constitution celebrate "the blessings of liberty to ourselves and our posterity."

ESSAY BY PATRICIA ARMSTRONG

"The Constitution: what it means to me—past, present, and future."

"We the people of the United States, in order to form a more perfect Union . . ." as stated in the United States Constitution.

What an outstanding message to the American public! One should take notice that it says "We the people" and not "We the states." The constitution was created for the equality and fairness of all people. That is something that should not be overlooked.

Many years ago, men seeking justice, independence, and legal rights for all individuals met and created a living document to adjust and grow with new times. I feel privileged to live in a country with the history of such righteous and honorable men, who once fought for our rights.

The liberties I now enjoy are deeply valued. Many people forget what our history is. Our government was designated for the citizens of the United States. Equal protection under the law, the right for blacks and women to vote, no unreasonable search and seizure, freedom of religion and speech are among many rights we share thanks to the initiative of some good men.

As an adult citizen, I plan to uphold my responsibilities. Voting, appearing in court as a jury member or witness, and obeying the laws of this country are duties I will gladly carry out.

In the future, I hope to be a servant of the court. As an attorney, I will uphold my oath to seek justice and order. The chance to do this, and serve fellow citizens, will be my way of repaying a country that I owe so much.

Constitutional Moments—Week of January 26, 1987

Birthdays during this week include: Thomas Paine in 1737; Douglas MacArthur in 1880; Franklin Delano Roosevelt, the 32nd President, in 1882; and William McKinley, our 25th President (assassinated September 6, 1901), born in 1843.

On this date in 1787, John George Washington Hancock, the son of John Hancock, died at the age of nine.

During this week in 1787, Congress was still waiting for a quorum. Alexander Hamilton addressed the New York legislature on regulating elections and Benjamin Franklin paid George Sheed 3 pounds, 3 shillings and 5 pence for horsehair, an ingredient in 18th Century plaster. It seems to have worked—most of the plaster you see on the walls of Congress Hall haven't been touched since it was put on nearly 200 years ago.

We can see that history repeats itself as American captives were being held in the Barbary States during this week in 1787. John Adams and Thomas Jefferson, commissioners for negotiating a treaty with Morocco, wrote Congress enclosing the treaty, reporting a lack of information on the status of the treaty with Portugal, and noting that money was so scarce they would spend no more on the Barbary business, not even to ransom American seamen, without further orders.

In Nevada in 1865, on the 25th day of the Assembly, G. W. Walton made these remarks: "Mr. Speaker, your committee on Public Morals, to whom was referred Assembly Bill No. 91, an Act to prevent unlicensed gaming and to provide for the issuance of licenses for gaming, have had the same under consideration and recommend that it do not pass."

Nevada ratified the 18th Amendment on Prohibition, on this date in 1919. Due to statewide vote, prohibition had already been in effect in Nevada since November 5, 1918.

Thirty-eight years ago on this date in 1949, Assemblyman Don Crawford (D-Washoe) introduced a resolution to change to a unicameral (one house) legislature. The resolution was defeated 1-41 on February 4, 1949. Other members of the Assembly at that time were Chet Christensen, Bill Embry, Harley Harmon, Harry Claiborne and Bill Swackhamer.

Constitutional Moments—Week of April 5-April 11, 1987

During this week in 1787, the Board of Treasury reported to Congress on the plan for selling western lands (western, in those days meant Pennsylvania, West Virginia and Kentucky). Of 657,000 acres surveyed, one seventh part was reserved for veterans of the late war. The land was to be advertised four months in advance and was to be sold for not less than one dollar per acre.

James Robertson of Nashville, Tennessee, wrote to William Blount, North Carolina member of Congress: "On my return to this country, I find it involved in a war with the Chickamagua's which seems to threaten the most disagreeable consequences and without some timely assistance I fear will be productive of the ruin of the settlement. I beg you will use all your influence with the Governor to forward out some immediate assistance as I have no hopes of getting peace by any other means than by carrying the war into the Indian country."

In June 1784, North Carolina ceded its western lands to the United States. Residents of the area, comprising the present counties of Green, Sullivan and Washington in Tennessee, met and erected a new state. At a meeting in Greenville, John Sevier was elected Governor, courts were established, taxes levied, laws enacted and a Constitution adopted. The citizens named their new state after the venerable Benjamin Franklin. Applying to Congress for recognition and admission to the Confederation, the citizens were shocked to learn the Confederation was not interested. The State of Franklin passed out of existence in 1788. The land reverted to North Carolina jurisdiction and became a part of Tennessee when that state was established.

The 17th Amendment was ratified on April 8, 1913, allowing for popular election of United States Senators. As more people became eligible to vote, the idea of electing Senators in the same way as Representatives gained support, prompting the call for this Amendment.

April 6, 1917, the United States declared war on Germany. President Woodrow Wilson had been elected on a platform of "He kept us out of war," but three months after his election, German submarines began sinking American merchant ships. Almost two million men volunteered for service, and approximately three million men were drafted. World War I ended in an Allied victory with an armistice signed on November 11, 1918.

Constitutional Moments—Week of April 4-April 19, 1987

In 1775, on April 19, British troops tried to seize the military supplies of the Massachusetts Militia. This led to the start of the American Revolutionary War. The Second Continental Congress met on May 10, 1775, and organized the Continental Army on June 15, 1775. Congress named George Washington of Virginia as Commander in Chief of the Army.

On April 19, 1787, Congress received the credentials of Henry Lee, Jr. of Virginia, who was accordingly seated. Lee was better known to his friends as Colonel "Lighthorse Harry" Lee of fame in the Revolutionary War. The resolution of fellow Virginia Congressman John Marshal, upon the death of Washington was actually written by Lee. He described Washington as first in war, first in peace and first in the hearts of his countrymen.

William Samuel Johnson, a Congressman from New York, reported on April 21, 1787, that it was snowing in New York as Congress assembled. Debate on copper coinage and offering for sale of western lands continued.

In a letter dated April 20, 1787, to Thomas Jefferson, Ben Franklin wrote, "Our Federal Constitution is generally thought defective, and a convention first proposed by Virginia and since recommended by Congress is to assemble here next month to revise it and propose amendments. The delegates generally appointed as far as I have heard of them, are men of character for prudence and ability, so that I hope good comes of their

meeting. Indeed, if it does not do good, it must do harm, as it will show that we have not wisdom enough among us to govern ourselves and will strengthen the opinion of some political writers that popular governments cannot long support themselves."

April 18, 1913: W. Fred Dressler, later to become state Senator from Douglas County, 1919-1946 (28 years—the longest continuous service in the Nevada Legislature) applied for an auto license (a new requirement by the state) for his 1913 Dorris Motor Company touring car, 35 hp, license number 73. The fee was $3.30.

Constitutional Moments—April 26-May 2, 1987

Two hundred years ago, General Henry Knox, Secretary of War, urged Congress to proceed with its mandate of allotting western lands to veterans of the Continental Army. A committee to plan a temporary government for western territories was slated to present its report.

New Jersey, Pennsylvania and Virginia all included their incumbent governors in their states' delegations to the Convention. William Livingston from New Jersey, Ben Franklin from Pennsylvania and Edmund Randolph from Virginia.

John Rutherford, in a letter from New York to General James Robertson, wrote: "The town is much alarmed at a late attempt to move Congress to Philadelphia. The attempt was defeated by one vote, but it is expected when Maryland comes forward, being at present unrepresented, that it is again intended to make another trial. If Philadelphia succeeds, it will much affect the rents and trades of this place and we will lose the society of the foreign ministers and delegates."

Congress, on favorable report of a committee, directed Secretary of War, Henry Knox, to sell the outdated weaponry at Springfield Arsenal, Massachusetts.

Secretary of Foreign Affairs, John Jay, reported that Congress direct the American Ambassador at Paris to negotiate for the release of American seamen held hostage at Algiers.

On April 30, 1789, George Washington became the first President of the United States. He was 57 years old at the time. President Washington took his oath of office on the balcony of Federation Hall in New York City, New York. His second inauguration occurred in Philadelphia, Pennsylvania. He was the only President to be inaugurated in two cities.

In Nevada, on May 2, 1864, Territorial Governor James W. Nye, issued a proclamation apportioning the number of delegates among the ten counties of the Territory of Nevada, and ordering an election to choose delegates to the Second Constitutional Convention.

Constitutional Moments—Week of May 10, 1987

Two hundred years ago in Congress, Henry Lee of Virginia made a motion that the Board of Treasury erect the necessary building for the accommodations of Congress at Georgetown on the Potomac River. Congress would then take up its session in this Federal town on the completion of those buildings. The motion was defeated on a vote of four ayes to five nays.

With nine states fully represented, Congress directed that the Board of Treasury pay stipends for the education of two sons of generals killed in the late war. Accordingly, John Warren was granted $500 and Hugh Mercer received $400.

The General Assembly of Connecticut was debating the issue of sending delegates to the convention in Philadelphia. Sentiment of the majority seemed to favor Connecticut's attendance while opposing any radical changes to the Articles of Confederation.

The *Independent Gazeteer* published an extract of a letter from Dr. Price in London, dated January 26, 1787. "At present the power in Congress, in Europe is an object of derision rather than respect. At the same time the tumults in New England, the weakness of Congress, the difficulties and sufferings of many of the states and the knavery of the Rhode Island legislature, form subjects of triumph in this country. The conclusion is that you are falling to pieces and will soon repent of your independence. But the hope of the friends of virtue and liberty is that whereas the kingdom of Europe traveled to tranquility through seas of blood, the United States are traveling to a degree of tranquility and liberty that will make them an example to the world, only through seas of *blunders*. God grant this may be the truth."

Constitutional Moments—Week of May 17, 1987

The Free African Society met at the home of Richard Allen and adopted Articles of Association. These provided that "We, the free Africans and their descendants, do unanimously agree, for the benefit of each other, to advance one shilling a month in silver and after one year's subscriptions from the date hereof, then to hand forth to the needy of this society, if any should require, the sum of three shillings and ninepence per week of said money, provided this necessity is not brought on them by their own imprudence.

New York joined Virginia, Pennsylvania and South Carolina among states having a quorum of their delegates present.

The Canton ended its return voyage from China, having departed Philadelphia in early 1786. Captain Thomas Truxton, who would later do much to establish the discipline and traditions of the United States Navy, was greeted by a crowd of well-wishers, including John Pringle, John Donaldson and Tranch Coxe, backers of the voyage.

Since there seemed to be no chance that Congress would have a quorum again until the convention was over, many members were leaving New York.

The *Carlisle Gazette* printed excerpts of George Washington's circular letter urging the power of Congress be increased, the public debt paid, the militia made uniform and the states abandon "Local prejudices and policies."

May 20, 1927: On this date, Captain Charles A. Lindberg embarked on the first solo transatlantic flight. He departed from Roosevelt Field, Long Island, New York, at 7:52 a.m. and landed at Paris, France, at 10:42 p.m., May 21, 1927.

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. Stan Cooper.

On request of Assemblyman Humke, the privilege of the floor of the Assembly Chamber for this day was extended to Mss. Goldie Emerson, Vicky Borsheim, Barbara Winchell and Lezli Winchell.

On request of Assemblyman Tebbs, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Greg Swain.

On request of Assemblyman Porter, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Bill Porter and Ms. Boots Porter.

On request of Assemblyman Price, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Mark A. de la Torre and Ms. Patricia A. Armstrong.

Assemblyman Jeffrey moved that the Assembly adjourn until Wednesday, May 20, 1987 at 10:30 a.m.

Motion carried.

Assembly adjourned at 1:33 p.m.

Approved: JOSEPH E. DINI, JR.
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE ONE HUNDRED AND TWENTY-SECOND DAY

CARSON CITY (Wednesday), May 20, 1987

Assembly called to order at 10:38 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, The Reverend Gene Ratzlaff.

David in Psalm 40:1 said "I waited patiently for the Lord; He turned to me and heard my cry." Lord, hear us, we are a needy people. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Nevin 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 Bills Nos. 759, 774, 801; Senate Bill No. 24, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

PAUL W. MAY, *Chairman*

Mr. Speaker:

Your Committee on Labor and Management, to which was referred Assembly Bill No. 757, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JAMES J. BANNER, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was re-referred Senate Bill No. 275, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

DANNY L. THOMPSON, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which were referred Senate Bills Nos. 203, 415, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

DANNY L. THOMPSON, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which were referred Assembly Bill No. 508; Senate 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.

DANNY L. THOMPSON, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which were re-referred Assembly Bills Nos. 263, 432, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass, as amended.

MARVIN M. SEDWAY, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which was re-referred Assembly Bill No. 162, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

MARVIN M. SEDWAY, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which was referred Assembly Bill No. 788, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

MARVIN M. SEDWAY, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Ways and Means, 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: Do pass, as amended.

MARVIN M. SEDWAY, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Ways and Means, to which was referred Assembly Bill No. 286, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass, as amended.

MARVIN M. SEDWAY, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 18, 1987

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. 450, and respectfully requests your honorable body to concur in said amendment.

MARY JO MONGELLI
Assistant Secretary of the Senate

SENATE CHAMBER, Carson City, May 19, 1987

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 273, 470, 505.

Also, I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bill No. 8, 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 Senate Concurrent Resolution No. 35.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Senate Concurrent Resolution No. 35.

Assemblyman Humke moved the adoption of the resolution.

Remarks by Assemblymen Humke and DuBois.

Resolution adopted unanimously.

Assemblyman Jeffrey moved that Assembly Bills Nos. 110, 251, 426, 476, 570, 579, 587, 673, 677, 708 and 779 be placed on the General File immediately following Assembly Bill No. 787.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Judiciary, to which were referred Assembly Bill No. 675; Senate Bill No. 223, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ROBERT M. SADER, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which was referred Assembly Bill No. 559, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

ROBERT M. SADER, *Chairman*

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Taxation:

Assembly Bill No. 823—An Act relating to Elko County; authorizing an increase in the limit on revenue that the county may receive from taxes ad valorem to allow for the operation of a jail; excluding the increase from the calculation of the distribution of the supplemental city-county relief tax; and providing other matters properly relating thereto.

Assemblyman May moved that the bill be referred to the Committee on Taxation.

Motion carried.

By the Committee on Taxation:

Assembly Bill No. 824—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 provide an exemption from the tax for syringes used to inject insulin; contingently creating the same exemption from certain analogous taxes; and providing other matters properly relating thereto.

Assemblyman May moved that the bill be referred to the Committee on Taxation.

Motion carried.

By the Committee on Taxation:

Assembly Bill No. 825—An Act relating to public obligations; requiring a notice of election on certain proposals to issue bonds to include a disclosure of the future costs relating to the proposal; and providing other matters properly relating thereto.

Assemblyman May moved that the bill be referred to the Committee on Taxation.

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 826—An Act relating to incorporated cities; revising the provisions governing the incorporation of certain cities; ratifying the incorporation of certain cities; and providing other matters properly relating thereto.

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

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 535.
Bill read third time.
Remarks by Assemblyman Craddock.
Roll call on Assembly Bill No. 535:
YEAS—42.
NAYS—None.

Assembly Bill No. 535 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 787.
Bill read third time.
Remarks by Assemblyman Sedway.
Roll call on Assembly Bill No. 787:
YEAS—42.
NAYS—None.

Assembly Bill No. 787 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 10:51 a.m.

ASSEMBLY IN SESSION

At 10:52 a.m.
Mr. Speaker pro Tempore presiding.
Quorum present.

GENERAL FILE AND THIRD READING

Assembly Bill No. 110.
Bill read third time.
Remarks by Assemblyman Sader.
Roll call on Assembly Bill No. 110:
YEAS—42.
NAYS—None.

Assembly Bill No. 110 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 251.
Bill read third time.
Remarks by Assemblyman Dini.
Roll call on Assembly Bill No. 251:
YEAS—42.
NAYS—None.

Assembly Bill No. 251 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 426.
Bill read third time.
Remarks by Assemblyman Lambert.
Roll call on Assembly Bill No. 426:
YEAS—42.
NAYS—None.

Assembly Bill No. 426 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 10:59 a.m.

ASSEMBLY IN SESSION

At 11 a.m.
Mr. Speaker presiding.
Quorum present.

GENERAL FILE AND THIRD READING

Assembly Bill No. 476.
Bill read third time.
Remarks by Assemblymen Adler and Swain.
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. 570.
Bill read third time.
Remarks by Assemblyman DuBois.
Roll call on Assembly Bill No. 570:
YEAS—42.
NAYS—None.

Assembly Bill No. 570 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 579.
Bill read third time.
Remarks by Assemblyman Humke.

Roll call on Assembly Bill No. 579:

YEAS—41.

NAYS—Evans.

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. 587.

Bill read third time.

Remarks by Assemblymen Thompson and DuBois.

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, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 673.

Bill read third time.

Remarks by Assemblyman Thompson.

Roll call on Assembly Bill No. 673:

YEAS—42.

NAYS—None.

Assembly Bill No. 673 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 677.

Bill read third time.

Remarks by Assemblyman Myrna Williams.

Roll call on Assembly Bill No. 677:

YEAS—42.

NAYS—None.

Assembly Bill No. 677 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 708.

Bill read third time.

The following amendment was proposed by Assemblyman Spriggs:

Amendment No. 842.

Amend section 1, page 1, lines 4 and 5, by deleting: "*whether or not:*" and inserting "*if:*".

Amend the title of the bill by deleting the first and second lines and inserting:

"An Act relating to children; authorizing the visitation of a minor child by his grandparents in certain circumstances; authorizing the award of".

Assemblyman Spriggs moved the adoption of the amendment.

Remarks by Assemblymen Spriggs, Gaston, Myrna Williams, Adler, Swain, DuBois and Humke.

Assemblymen Bergevin, Nevin and Thompson moved the previous question.

Motion carried.

The question being on the motion to adopt Amendment No. 842 to Assembly Bill No. 708.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 779.

Bill read third time.

Remarks by Assemblyman Thompson.

Roll call on Assembly Bill No. 779:

YEAS—42.

NAYS—None.

Assembly Bill No. 779 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that all rules be suspended and that Assembly Bills Nos. 110, 251, 426, 476, 535, 570, 579, 587, 673, 677, 779 and 787 be immediately transmitted to the Senate.

Motion carried unanimously.

GENERAL FILE AND THIRD READING

Senate Bill No. 59.

Bill read third time.

Remarks by Assemblyman Triggs.

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. 161.

Bill read third time.

Remarks by Assemblyman Adler.

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. 292.

Bill read third time.
Remarks by Assemblyman Banner.
Roll call on Senate Bill No. 292:
YEAS—42.
NAYS—None.

Senate Bill No. 292 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 376.
Bill read third time.
The following amendment was proposed by the Committee on Government Affairs:
Amendment No. 858.
Amend the bill as a whole by adding a new section designated sec. 3, following sec. 2, to read as follows:
"Sec. 3. This act becomes effective upon passage and approval.".
Assemblyman Thompson moved the adoption of the amendment.
Remarks by Assemblyman Thompson.
Amendment adopted.
Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 377.
Bill read third time.
Remarks by Assemblyman May.
Roll call on Senate Bill No. 377:
YEAS—42.
NAYS—None.

Senate Bill No. 377 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assemblyman Jeffrey moved that the Assembly recess until 11:50 a.m.
Motion carried.

Assembly in recess at 11:45 a.m.

ASSEMBLY IN SESSION

At 12:14 p.m.
Mr. Speaker presiding.
Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Concurrent Committee on Judiciary, to which was referred Assembly 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.

ROBERT M. SADER, *Chairman*

Mr. Speaker:

Your Select Committee on Corrections, to which was referred Senate Bill No. 318, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

ROBERT M. SADER, *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which was referred Senate Bill No. 235, 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.

JOHN E. JEFFREY, *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which was referred Senate Bill No. 463, has had the same under consideration, and begs leave to report the same back with the recommendation: Re-refer to the Committee on Transportation.

JOHN E. JEFFREY, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Assembly Bills Nos. 162, 196, 263, 286, 432 and 678 be placed on the General File.

Motion carried.

Assemblyman May moved that Assembly Bill No. 645 be taken from the Chief Clerk's desk and placed at the top of the General File.

Remarks by Assemblyman May.

Motion carried.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 20, 1987

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. 36.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Senate Concurrent Resolution No. 36.

Assemblyman Porter moved the adoption of the resolution.

Remarks by Assemblyman Porter.

Resolution adopted unanimously.

By Assemblymen Sedway, Dini, Spinello, Myrna Williams, Callister, Jeffrey, Thompson, Nevin, May, Brookman, Fay, Banner, Bergevin, Wisdom, Schofield, Arberry, Evans, Garner and Triggs:

Assembly Joint Resolution No. 44—Proposing to amend article 7 of the Nevada Constitution to provide for the removal of an elected public officer who changes his affiliation with a political party during his term of office.

RESOLVED BY THE ASSEMBLY AND SENATE OF THE STATE OF NEVADA, JOINTLY, That article 7 of the constitution of the State of Nevada be amended by adding thereto a new section to read as follows:

Sec. 5. *The legislature shall provide by law for the removal from office of any elected public officer who, during his term of office, changes the designation of his affiliation with a political party on an affidavit of registration as a voter.*

Assemblyman Sedway moved that the resolution be referred to the Committee on Elections.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Sedway, Sader, Spinello, Myrna Williams, Callister, Porter, Nevin, Price, Banner, Fay, Bergevin, DuBois, Wisdom, Schofield, Dini, Arberry, Evans, Garner, Adler and Triggs:

Assembly Bill No. 827—An Act relating to public works; requiring the selection of an architect by competitive bidding for certain public works; establishing the requirements for advertising for those bids; establishing the procedure and criteria for the selection of an architect; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Sedway, Sader, Spinello, Myrna Williams, Callister, Porter, Jeffrey, Thompson, Nevin, May, Price, Brookman, Fay, Banner, Bergevin, DuBois, Wisdom, Schofield, Dini, Arberry, Evans, Garner, Adler and Triggs:

Assembly Bill No. 828—An Act making an appropriation to the department of education for distribution to public broadcasting stations; and providing other matters properly relating thereto.

Assemblyman Sedway moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By Assemblymen Sedway, Sader, Spinello, Myrna Williams, Callister, Porter, Jeffrey, Thompson, Nevin, May, Price, Brookman, Fay, Banner, Bergevin, Wisdom, Schofield, Dini, Arberry, Evans, Garner, Adler and Triggs:

Assembly Bill No. 829—An Act making an appropriation to the State Board of Education to provide matching money for the student financial aid grant program; and providing other matters properly relating thereto.

Assemblyman Sedway moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By Assemblymen Sedway, Sader, Spinello, Myrna Williams, Callister, Porter, Jeffrey, Thompson, Nevin, May, Banner, Bergevin, Fay, DuBois, Wisdom, Arberry, Schofield, Dini, Evans, Garner, Adler and Triggs:

Assembly Bill No. 830—An Act relating to public works; providing a preference for architects who have paid state and local taxes; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Sedway, Sader, Myrna Williams, Callister, Porter, Jeffrey, Nevin, Thompson, May, Fay, Price, Brookman, Bergevin, Banner, DuBois, Wisdom, Schofield, Dini, Arberry, Evans, Garner, Adler and Triggs:

Assembly Bill No. 831—An Act making an appropriation to the Governor for Nevada's apportioned fee for membership in the Education Commission of the States; and providing other matters properly relating thereto.

Assemblyman Sedway moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 556.

The following Senate amendment was read:

Amendment No. 725.

Amend section 1, page 1, line 8, by deleting the period and inserting: "*or its equivalent as determined by the state board of education.*".

Amend the title of the bill, second line, by deleting "diploma;" and inserting: "diploma or its equivalent;".

Assemblyman Sader moved that the Assembly concur in the Senate amendment to Assembly Bill No. 556.

Remarks by Assemblyman Sader.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 450.

The following Senate amendment was read:

Amendment No. 724.

Amend section 1, page 2, line 5, by deleting "*motor*".

Amend section 1, page 2, by deleting lines 8 and 9 and inserting:

"*5. For the purposes of this section, "vehicle" has the meaning ascribed to it in NRS 482.135.*".

Assemblyman Nevin moved that the Assembly concur in the Senate amendment to Assembly Bill No. 450.

Remarks by Assemblyman Nevin.

Motion carried.

Bill ordered enrolled.

SECOND READING AND AMENDMENT

Assembly Bill No. 192.

Bill read second time.

The following amendment was proposed by the Committee on Health and Welfare:

Amendment No. 731.

Amend sec. 2, page 1, by deleting lines 4 and 5 and inserting:

"*1. "Authorized agency" means a nonprofit organization or political subdivision having a formal agreement with an eligible entity to perform services under a grant pursuant to 42 U.S.C. §§ 9901 et seq.*

2. "Director" means the director of the office of community services.

3. "Eligible entity" means an agency, organization or governmental".

Amend the bill as a whole by deleting sections 3, 4 and 5 and inserting new sections designated sections 3, 4 and 5, following sec. 2, to read as follows:

"Sec. 3. *1. The director shall administer any federal allotment received by this state pursuant to the Community Services Block Grant Act (42 U.S.C. §§ 9901 et seq.) for the amelioration of the causes of poverty within this state.*

2. The director shall, on or before June 1 of each year, file with the interim finance committee a report of the allocation of that money by his office during the previous federal fiscal year and a report on the progress of the program for the current federal fiscal year.

3. The director shall not spend more than 5 percent of the federal allotment, or $50,000, whichever is greater, for the administrative expenses of the office of community services relating to the allotment. He shall allocate not less than 90 percent of the allotment to eligible entities for the purposes specified in 42 U.S.C. § 9904(c)(1), as that section existed on January 1, 1987. He may spend the remainder of the allotment in any manner not inconsistent with the terms of the federal grant.

4. Money distributed to an authorized agency by an eligible entity and not expended before the end of the year of the grant may be redistributed by the eligible entity with the approval of the director. Money granted to an eligible entity and not expended before the end of the year of the grant must be returned to the director, who may:

(a) Grant the money to an eligible entity;

(b) Distribute the money to an authorized agency through an eligible entity; or

(c) Retain the money for distribution during the next federal fiscal year.

Sec. 4. *1. The interim finance committee shall, before June 1 of each year, hold a public hearing to receive the public's comments on a plan for the proposed use and distribution of the federal allotment anticipated for the next federal fiscal year. The plan must provide for:*

(a) The intended use and distribution of the federal allotment for the next federal fiscal year and any unexpended money from the current federal fiscal year; and

(b) Procedures for the review by the director and eligible entities of applications and plans submitted by authorized agencies.

2. The procedures established pursuant to paragraph (b) of subsection 1 must provide an authorized agency with the opportunity to make a presentation regarding its proposal to the appropriate eligible entity making recommendations to the director on the distribution of the federal allotment.

3. After reviewing the comments made at the public hearing held pursuant to subsection 1, the director shall prepare the final plan for the statewide use and distribution of the anticipated allotment and file a copy of the plan with the interim finance committee.

4. The proposed distribution of the portion of the allotment set aside for eligible entities must allocate, as nearly as practicable:

(a) A base amount for each:

(1) Agency which was authorized pursuant to 42 U.S.C. § 2790; and

(2) Organization which was authorized pursuant to 42 U.S.C. § 2808, for the federal fiscal year 1981 and which has been recertified for the next federal fiscal year; and

(b) The remainder among all eligible entities based on the comparative number of persons in the respective counties whose income is at or below the federally designated level signifying poverty.

5. To apply for a grant, an eligible entity must submit an application to the director in the manner established by the director. The application must include a detailed description of the proposed use of the grant.

6. The director shall provide for assistance and instruction for all potential applicants, including eligible entities, in the preparation of applications and the requirements related to the use of the grants.

Sec. 5. *1. The director shall establish a procedure for the review of applications by eligible entities and criteria for their approval or denial.*

2. In determining which applications for money by authorized agencies to approve, an eligible entity shall consider whether the proposed program:

(a) Is compatible with any local plan to ameliorate the causes of poverty in that community;

(b) Is compatible with any long-range plan by the state to ameliorate the causes of poverty within the state;

(c) Meets the federal criteria for eligibility;

(d) May assist participants who have low incomes to achieve self-sufficiency; and

(e) Any other factors determined by the eligible entity to be in the best interest of persons who have low incomes in its area of service and which are compatible with the purposes and requirements of the Community Services Block Grant Act (42 U.S.C. §§ 9901 et seq.).

3. The director shall establish procedures to:

(a) Respond to individual inquiries and complaints regarding the distribution of the federal allotment; and

(b) Resolve conflicts regarding the approval of applications and the operation of approved programs.".

Amend the bill as a whole by renumbering sec. 7 as sec. 9 and inserting new sections designated sections 7 and 8, following sec. 6, to read as follows:

"Sec. 7. 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 subsection 3 of NRS 328.480, by subsection 1 of NRS 341.145, and by NRS 353.220, 353.224 and 353.335, *section 4 of this act* 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. 8. Section 2 of chapter 96, Statutes of Nevada 1987, is hereby amended to read as follows:

Sec. 2. 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 *subsections 4 and 6 of NRS 284.115,* subsection 3 of NRS 328.480, [by] subsection 1 of NRS 341.145, [and by] NRS 353.220, 353.224 and 353.335, section 4 of [this act,] *Assembly Bill No. 192 of this session,* 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.".

Assemblyman Arberry moved the adoption of the amendment.

Remarks by Assemblyman Arberry.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 358.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 322.

Amend the bill as a whole by deleting section 1, and renumbering sec. 2 as section 1.

Amend sec. 2, page 1, by deleting line 13 and inserting: "*reasonable attorney's fees to the prevailing party in an*".

Amend sec. 2, page 2, by deleting lines 2 through 4 and inserting:

"*(b) The opposing party unnecessarily or improperly extended the proceedings.*".

Amend sec. 2, page 2, line 5, by deleting "*costs or*".

Amend sec. 2, page 2, by deleting lines 11 and 12, and inserting:

"*(3) Determine, before the claim was asserted, that the parties against whom the claim was asserted were proper parties owing a legal obligation to the party asserting the*".

Amend sec. 2, page 2, by deleting lines 22 and 23.

Amend sec. 2, page 2, line 24, by deleting "*(g)*" and inserting "*(f)*".

Amend sec. 2, page 2, line 26, by deleting "*(h)*" and inserting "*(g)*".

Amend sec. 2, page 2, by deleting lines 27 through 29.

Amend sec. 2, page 2, line 30, by deleting "*4.*" and inserting "*3.*".

Amend sec. 2, page 2, line 34, by deleting "*appears without*" and inserting: "*is not represented by*".

Amend sec. 2, page 2, line 37, by deleting "*5.*" and inserting "*4.*".

Amend sec. 2, page 2, by deleting lines 38 and 39, and inserting:

"*(a) "Claim" includes a counterclaim, cross-claim, claim by a third party or defense; and*".

Amend sec. 2, page 2, line 41, by deleting "*groundless*" and inserting: "*without reasonable grounds*".

Amend the bill as a whole by deleting sec. 3 and renumbering sec. 4 as sec. 2.

Amend sec. 4, page 3, line 34, by deleting "2" and inserting "*1*".

Amend the title of the bill to read as follows:

"An Act relating to civil actions; allowing a court to award attorney's fees to the prevailing party on a frivolous claim; and providing other matters properly relating thereto.".

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. 460.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 732.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 738.

Bill read second time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 827.

Amend section 1, page 1, lines 6 and 7, by deleting: "*structured programs during the day*" and inserting: "*structured nonresidential programs*".

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. 744.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 747.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 748.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 810.

Amend the bill as a whole by adding a new section designated sec. 5.5, following sec. 5, to read as follows:

"Sec. 5.5. *"Control shares" means those outstanding voting shares of an issuing corporation which an acquiring person and those persons acting in association with an acquiring person:*

1. Acquire in an acquisition or offer to acquire in an acquisition; and

2. Acquire within 90 days immediately preceding the date when the acquiring person became an acquiring person.".

Amend sec. 7, page 2, line 25, by deleting "*or offered*".

Amend sec. 11, page 3, by deleting lines 16 and 17 and inserting:

"Sec. 11. *1. An acquiring person and those acting in association with an acquiring person obtain only such voting rights in the control shares*".

Amend sec. 11, page 3, line 24, by deleting "*securities*" and inserting "*control shares.*".

Amend sec. 11, page 3, by deleting line 25.

Amend sec. 12, page 4, by deleting line 3 and inserting: "*granting voting rights to the control shares, by an*".

Amend sec. 3, page 4, lines 12 and 13, by deleting: "*all shares acquired in an acquisition*" and inserting "*control shares*".

Amend sec. 13, page 4, line 14, by deleting "*fair value,*" and inserting: "*not more than the average price paid for the control shares,*".

Amend sec. 13, page 4, by deleting lines 17 and 18 and inserting:

"2. *If an offeror's statement is delivered, control shares are subject to redemption only if the control shares are not accorded full*".

Amend sec. 14, page 4, line 20, by deleting: "*shares acquired in an acquisition*" and inserting: "*the control shares*".

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. 755.

Bill read second time, ordered engrossed and to third reading.

Senate Bill No. 282.

Bill read second time and ordered to third reading.

Senate Bill No. 283.

Bill read second time and ordered to third reading.

Senate Bill No. 453.

Bill read second time and ordered to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 20, 1987

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. 369, 396, 474, 505.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Joint Resolution No. 19.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Senate Joint Resolution No. 19.

Assemblyman Jeffrey moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

Senate Bill No. 369.

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

Motion carried.

Senate Bill No. 396.

Assemblyman Jeffrey moved that the bill be referred to the Select Committee on Corrections.

Motion carried.

Senate Bill No. 474.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

Senate Bill No. 505.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 645.

Bill read third time.

Remarks by Assemblymen May, DuBois, Brookman, Fay and Marvel.

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

Assembly in recess at 12:51 p.m.

ASSEMBLY IN SESSION

At 12:52 p.m.

Mr. Speaker pro Tempore presiding.

Quorum present.

Remarks by Assemblymen Carpenter, Lambert, Jeffrey, Dini, Thomas, Price, Spriggs, Bergevin, Getto and Myrna Williams.

Roll call on Assembly Bill No. 645:

YEAS—35.

NAYS—DuBois, Lambert, Marvel, Nevin, Porter, Sader, Spinello—7.

Assembly Bill No. 645 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 1:10 p.m.

ASSEMBLY IN SESSION

At 1:11 p.m.

Mr. Speaker presiding.

Quorum present.

GENERAL FILE AND THIRD READING

Assembly Bill No. 162.

Bill read third time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 817.

Amend sec. 4, page 4, line 10, by deleting "*$35.*" and inserting "*$20.*".

Assemblyman Schofield moved the adoption of the amendment.

Remarks by Assemblymen Schofield, Sader, Thomas, Nicholas, Adler, Gaston, Sedway and Getto.

Amendment lost on a division of the house.

Remarks by Assemblymen Schofield and Swain.

Roll call on Assembly Bill No. 162:

YEAS—42.

NAYS—None.

Assembly Bill No. 162 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 196.

Bill read third time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 837.

Amend section 1, page 1, line 2, by deleting: "2, 3 and 4" and inserting: "2 to 9, inclusive,".

Amend the bill as a whole by deleting sections 2 through 5 and adding new sections designated sections 2 through 9, following section 1, to read as follows:

"Sec. 2. *1. It is unlawful for any person who:*

(a) Is under the influence of intoxicating liquor; or

(b) Has 0.10 percent or more by weight of alcohol in his blood,

to operate or be in actual physical control of a vessel under power or sail on the waters of this state.

2. It is unlawful for any person who:

(a) Is under the influence of any controlled substance;

(b) Is under the combined influence of intoxicating liquor and a controlled substance; or

(c) Inhales, ingests, applies or otherwise uses any chemical, poison or organic solvent, or any compound or combination of any of these, to a degree which renders him incapable of safely operating or exercising actual physical control of a vessel under power or sail,

to operate or exercise actual physical control of a vessel under power or sail on the waters of this state.

Sec. 3. *1. To determine whether a person operating or exercising actual and physical control of a vessel under power or sail is under the influence of intoxicating liquor, the amount of alcohol in his blood at the time of the test as shown by chemical analysis of his blood, breath or urine gives rise to the following presumptions:*

(a) If there was at that time 0.05 percent or less by weight of alcohol in his blood, that at the time of the alleged violation the defendant was not under the influence of intoxicating liquor.

(b) If there was at that time 0.10 percent or more by weight of alcohol in his blood, that at the time of the alleged violation he was under the influence of intoxicating liquor.

If there was at that time more than 0.05 but less than 0.10 percent by weight of alcohol in his blood, no presumption may be made, but this fact may be considered with other competent evidence in determining whether he was under the influence of intoxicating liquor.

2. The provisions of subsection 1 do not limit the introduction of any other competent evidence bearing upon the question whether the person was under the influence of intoxicating liquor.

Sec. 4. *1. Any person who operates or is in actual physical control of a vessel under power or sail on the waters of this state 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 peace officer having reasonable grounds to believe that the person to be tested was operating or exercising actual physical control of a vessel under power or sail while under the influence of intoxicating liquor or a controlled substance.*

2. If a person refuses to submit to such a test as directed by a peace officer, evidence of that refusal is admissible in any criminal action to determine whether the person was operating or exercising actual physical control of a vessel under power or sail while under the influence of intoxicating liquor or a controlled substance.

3. The person to be tested must be informed that his refusal to submit to the test is admissible pursuant to subsection 2.

4. 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 evidence of his refusal to submit to the test is admissible.

5. 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, but may be required to submit to a test of his breath or urine.

Sec. 5. *1. A court may not exclude evidence of a failure to submit to such a test if the peace officer or other person substantially complied with the provisions of section 4 of this act.*

2. 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.

3. Evidence of a required test is not admissible in a criminal proceeding unless it is shown by documentary or other evidence that the testing device was certified calibrated, maintained and operated as provided by the regulations of the committee on testing for intoxication adopted pursuant to NRS 484.3882, 484.3884 and 484.3886.

4. If the testing device has been certified by the committee on testing for intoxication to be accurate and reliable pursuant to subsection 1 of NRS 484.3882, 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.

5. A court shall take judicial notice of the certification by the director of the department of motor vehicles and public safety of a person to operate testing 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 NRS 484.3886, it is presumed that the person operated the device properly.

6. This section does not preclude the admission of evidence of a test of a person's breath, blood or urine where the:

(a) Information is obtained through the use of a device other than one of a type certified by the committee on testing for intoxication.

(b) Test has been performed by a person other than one who is certified by the director of the department of motor vehicles and public safety.

Sec. 6. *1. A person arrested for operating or exercising actual physical control of a vessel under power or sail while under the influence of intoxicating liquor or a controlled substance must be permitted, upon his request and at his expense, reasonable opportunity to have a qualified person of his own choosing administer a chemical test for the purpose of determining the alcoholic content of his blood or the presence of a controlled substance in his blood.*

2. The failure or inability to obtain such a test does not preclude the admission of evidence relating to the refusal to submit to a test or relating to a test taken upon the request of a peace officer.

3. A test obtained under the provisions of this section may not be substituted for or stand in lieu of the test required by section 4 of this act.

Sec. 7. *1. The results of any blood test administered under the provisions of section 4 of this act are not admissible in any criminal action arising out of the acts alleged to have been committed while a person was under the influence of intoxicating liquor or a controlled substance unless:*

(a) The blood tested was withdrawn by a physician, registered nurse, licensed practical nurse, emergency medical technician or a technician, technologist or assistant employed in a medical laboratory;

(b) The test was performed on whole blood, except if the sample was clotted when it was received by the laboratory, the test may be performed on blood serum or plasma; and

(c) The person who withdrew the blood was authorized to do so by the appropriate licensing or certifying agency.

2. The limitation contained in paragraph (a) of subsection 1 does not apply to the taking of a chemical test of the urine, breath or other bodily substance.

3. No person listed in paragraph (a) of subsection 1 incurs any civil or criminal liability as a result of the administering of a blood test when requested by a peace officer or the person to be tested to administer the test.

Sec. 8. *If:*

1. A manufacturer or technician in a laboratory prepares a chemical solution or gas to be used in calibrating a device for testing a person's breath, blood or urine to determine the percent by weight of alcohol in his blood; and

2. The manufacturer certifies or the technician makes an affidavit that the solution or gas has the chemical composition that is specified by the manufacturer of such a device as necessary for calibrating the device,

it is presumed that the solution or gas has been properly prepared and is suitable for calibrating the device.

Sec. 9. *1. Any coroner, or other public officer performing like duties, shall in all cases in which a death has occurred as a result of an accident involving a vessel under power or sail on the waters of this state, whether the person killed is the operator of the vessel or a passenger or other person, cause to be drawn from each decedent, within 8 hours after the accident, a blood sample to be analyzed for the presence and amount of alcohol.*

2. The findings of the examinations are a matter of public record and must be reported to the commission by the coroner or other public officer within 30 days after the death.

3. Analyses of blood alcohol are acceptable only if made by laboratories licensed to perform this function.".

Amend the title of the bill to read as follows:

"An Act relating to watercraft; prohibiting the operation of a vessel under power or sail while under the influence of alcohol or a controlled substance; providing for implied consent to testing for the presence of alcohol or controlled substances in an operator's blood; providing presumptions for the alcoholic content of an operator's blood; providing a penalty; and providing other matters properly relating thereto.".

Assemblyman Sader moved the adoption of the amendment.

Remarks by Assemblymen Sader, Fay, Nevin and Getto.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 263.

Bill read third time.

Remarks by Assemblyman Swain.

Roll call on Assembly Bill No. 263:

YEAS—41.

NAYS—Carpenter.

Assembly Bill No. 263 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

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

Assembly in recess at 1:29 p.m.

ASSEMBLY IN SESSION

At 1:30 p.m.

Mr. Speaker pro Tempore presiding.

Quorum present.

GENERAL FILE AND THIRD READING

Assembly Bill No. 286.
Bill read third time.
Remarks by Assemblymen Dini, Nicholas, Brookman and Carpenter.
Conflict of interest declared by Assemblyman Nicholas.
Roll call on Assembly Bill No. 286:
YEAS—41.
NAYS—None.
Not voting—Nicholas.

Assembly Bill No. 286 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 432.
Bill read third time.
Remarks by Assemblymen Sader, Bergevin, Swain and DuBois.
Roll call on Assembly Bill No. 432:
YEAS—42.
NAYS—None.

Assembly Bill No. 432 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 1:38 p.m.

ASSEMBLY IN SESSION

At 1:39 p.m.
Mr. Speaker presiding.
Quorum present.

GENERAL FILE AND THIRD READING

Assembly Bill No. 678.
Bill read third time.
Remarks by Assemblymen Humke, McGaughey, Thomas and Myrna Williams.
Assemblymen Nevin, Thompson and Adler moved the previous question.
Motion carried.
The question being on the passage of Assembly Bill No. 678.
Roll call on Assembly Bill No. 678:
YEAS—40.
NAYS—DuBois, Thomas—2.

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 Sader moved that the action whereby Senate Bill No. 396 was referred to the Select Committee on Corrections be rescinded.

Motion carried.

Assemblyman Sader moved that Senate Bill No. 396 be referred to the Committee on Judiciary.

Motion carried.

Assemblyman Jeffrey moved that Senate Bill No. 235 be re-referred to the Committee on Ways and Means.

Motion carried.

Assemblyman Jeffrey moved that Senate Bill No. 463 be re-referred to the Committee on Transportation.

Motion carried.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bills Nos. 97, 138, 284, 303, 316, 440, 513; Senate Bill No. 239.

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. Dace Sacchini, Messrs. Enrico Sacchini, Dusk Bennett and Alan Bennett.

On request of Assemblyman Spriggs, the privilege of the floor of the Assembly Chamber for this day was extended to Miss Holly Iverson.

Assemblyman Jeffrey moved that the Assembly adjourn until Thursday, May 21, 1987 at 10:30 a.m.

Motion carried.

Assembly adjourned at 1:47 p.m.

Approved: JOSEPH E. DINI, JR.
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE ONE HUNDRED AND TWENTY-THIRD DAY

CARSON CITY (Thursday), May 21, 1987

Assembly called to order at 10:51 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, The Reverend Gene Ratzlaff.

Joshua said to the people, "But as for me and my household, we will serve the Lord." Joshua 24:15. Shall we pray. Humble us before You, Lord, so that our households might shine with Your glory. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Jeffrey moved that further reading of the Journal be dispensed with, and the Speaker and Chief Clerk be authorized to make the necessary corrections and additions.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Transportation, to which was referred Senate Bill No. 231, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

LEONARD V. NEVIN, *Chairman*

Mr. Speaker:

Your Committee on Transportation, to which was re-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.

LEONARD V. NEVIN, *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which were referred Assembly Bills Nos. 453, 612, 640, 730; Senate Bills Nos. 184, 263, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN E. JEFFREY, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Assembly Bill No. 819, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

DANNY L. THOMPSON, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which were referred Senate Bills Nos. 354, 355, 356, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

MARVIN M. SEDWAY, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which was referred Senate Bill No. 462, has

had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

MARVIN M. SEDWAY, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which were referred Assembly Bills Nos. 636, 656, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ROBERT M. SADER, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 20, 1987

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. 344.

MARY JO MONGELLI
Assistant Secretary of the Senate

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Government Affairs:

Assembly Bill No. 832—An Act relating to local governments; removing certain territory from the City of Mesa Vista; and providing other matters properly relating thereto.

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

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Assembly Bills Nos. 192, 196, 358, 708, 738 and 748 be placed on the General File immediately following Assembly Bill No. 755.

Motion carried.

Assemblyman Nevin moved that Assembly Bill No. 510 be placed on the General File.

Remarks by Assemblyman Nevin.

Motion carried.

Assemblyman Arberry moved that Assembly Bill No. 192 be taken from its position on the General File and placed at the bottom of the General File.

Remarks by Assemblyman Arberry.

Motion carried.

Assemblyman Gaston moved that Assembly Bill No. 708 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Gaston.

Motion carried.

Assemblyman Triggs moved that Senate Bill No. 282 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Triggs.

Motion carried.

Assemblyman Sader moved that Senate Bill No. 191 be taken from the Chief Clerk's desk and placed on the Second Reading File.

Remarks by Assemblyman Sader.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 460.

Bill read third time.

Remarks by Assemblyman Thomas.

Roll call on Assembly Bill No. 460:

YEAS—42.

NAYS—None.

Assembly Bill No. 460 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 732.

Bill read third time.

Remarks by Assemblymen DuBois and Fay.

Roll call on Assembly Bill No. 732:

YEAS—42.

NAYS—None.

Assembly Bill No. 732 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 744.

Bill read third time.

Remarks by Assemblymen Porter and Sader.

Roll call on Assembly Bill No. 744:

YEAS—42.

NAYS—None.

Assembly Bill No. 744 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 747.

Bill read third time.

Remarks by Assemblyman Gaston.

Roll call on Assembly Bill No. 747:

YEAS—42.

NAYS—None.

Assembly Bill No. 747 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 755.

Bill read third time.

Remarks by Assemblyman Spriggs.
Roll call on Assembly Bill No. 755:
YEAS—41.
NAYS—None.
Not voting—Mr. Speaker.

Assembly Bill No. 755 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 196.
Bill read third time.
Remarks by Assemblymen Thomas, Nicholas, Thompson, DuBois and Fay.
Roll call on Assembly Bill No. 196:
YEAS—42.
NAYS—None.

Assembly Bill No. 196 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 358.
Bill read third time.
Remarks by Assemblyman DuBois.
Roll call on Assembly Bill No. 358:
YEAS—42.
NAYS—None.

Assembly Bill No. 358 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 738.
Bill read third time.
Remarks by Assemblyman Sedway.
Roll call on Assembly Bill No. 738:
YEAS—42.
NAYS—None.

Assembly Bill No. 738 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 748.
Bill read third time.
Remarks by Assemblymen Sader and Thomas.
Roll call on Assembly Bill No. 748:
YEAS—42.
NAYS—None.

Assembly Bill No. 748 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that all rules be suspended and that Assembly Bills Nos. 196, 358, 460, 732, 738, 744, 747, 748 and 755 be immediately transmitted to the Senate.

Motion carried unanimously.

GENERAL FILE AND THIRD READING

Senate Bill No. 283.

Bill read third time.

Remarks by Assemblyman Myrna Williams.

Roll call on Senate Bill No. 283:

YEAS—42.

NAYS—None.

Senate Bill No. 283 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 453.

Bill read third time.

Remarks by Assemblyman Marvel.

Roll call on Senate Bill No. 453:

YEAS—42.

NAYS—None.

Senate Bill No. 453 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 510.

Bill read third time.

The following amendment was proposed by the Committee on Transportation:

Amendment No. 879.

Amend section 1, page 1, line 11, by deleting "*$4.50*" and inserting "*$5*".

Assemblyman Nevin moved the adoption of the amendment.

Remarks by Assemblymen Nevin, Haller and Sedway.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 192.

Bill read third time.

Remarks by Assemblymen Arberry and DuBois.

Roll call on Assembly Bill No. 192:

YEAS—42.

NAYS—None.

Assembly Bill No. 192 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Jeffrey, Sedway, May, Price, Fay, Tebbs, Wisdom, Brookman, Callister, Myrna Williams, Porter, Spinello, Nevin, Banner, Gaston, Thompson, DuBois, Kissam, McGaughey, Nicholas, Wendell Williams, Garner, Spriggs, Arberry, Swain and Schofield:

Assembly Bill No. 833—An Act relating to elections; authorizing a county clerk to register, outside the boundaries of the county, a voter who resides within the county; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Elections.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 508.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 828.

Amend sec. 13, page 4, line 33, by deleting "*by*" and inserting "*of*".

Amend sec. 16, page 5, by deleting lines 16 through 36 and inserting:

"Sec. 16. (Deleted by amendment.)".

Amend sec. 17, pages 5 and 6, by deleting lines 38, 39 and 40 on page 5 and lines 1, 2 and 3 on page 6 and inserting: "*after the hearing on the petition is completed, issue its opinion in writing on the advisability of the incorporation of the proposed area.*".

Amend sec. 17, page 6, line 4, by deleting "*3.*" and inserting "*2.*".

Amend sec. 17, page 6, line 6, by deleting "*decision.*" and inserting "*opinion.*".

Amend sec. 17, page 6, line 7, by deleting "*4.*" and inserting "*3.*".

Amend sec. 17, page 6, line 11, by deleting "*5.*" and inserting "*4.*".

Amend the bill as a whole by deleting sections 18 and 19 and inserting:

"Secs. 18 and 19. (Deleted by amendment.)".

Amend sec. 25, page 7, by deleting lines 34 and 35.

Amend sec. 25, page 7, line 36, by deleting "*5.*" and inserting "*4.*".

Amend sec. 26, page 7, line 39, by deleting "*1.*".

Amend sec. 26, page 7, by deleting line 40 and inserting: "*office of a newly created city must:*

1. Reside within the boundaries of the newly created city; and

2. File an affadavit of candidacy with the county clerk".

Amend sec. 26, page 8, by deleting lines 1 and 2.

Amend sec. 41, page 13, line 40, by deleting "3. [If" and inserting "[3. If".

Amend the bill as a whole by renumbering sections 95 through 98 as sections 97 through 100 and adding new sections designated sections 95 and 96, following sec. 94, to read as follows:

"Sec. 95. Section 126 of chapter 152, Statutes of Nevada 1987, is hereby amended to read as follows:

Sec. 126. NRS 267.110 is hereby amended to read as follows:

267.110 1. Any city having adopted a charter under the provisions of NRS 267.010 to 267.140, inclusive, has under the charter:

(a) All of the powers enumerated in the general laws of the state for the incorporation of cities.

(b) Such other powers necessary and not in conflict with the constitution and laws of the State of Nevada to carry out the commission form of government.

2. The charter, when submitted, must:

(a) Fix the number of commissioners, their terms of office [,] and their duties and compensation.

(b) Provide for all necessary appointive and elective officers for the form of government therein provided, and fix their salaries and emoluments, their duties and powers.

(c) Fix, in accordance with the provisions of [NRS 266.623 and 266.626] *sections 3 and 4 of this act* or with the provisions of [NRS 266.629,] *section 5 of this act,* the time for the first and subsequent elections for all elective officers, and, after the first election and the qualification of the officers thereat elected, the old officers [,] and all boards or offices must be abolished, together with the emoluments thereof, and cease to exist.

Sec. 96. Section 127 of chapter 152, Statutes of Nevada 1987, is hereby amended to read as follows:

Sec. 127. NRS 268.010 is hereby amended to read as follows:

268.010 1. As used in this section, "city" means an incorporated city.

2. An amendment to the charter of a city may be:

(a) Made by the legislature.

(b) Proposed and submitted to the registered voters of the city by a majority of the whole governing body, and must be so submitted by a petition signed by registered voters of the city equal [in number] to 15 percent or more of the voters who voted at the last preceding general [municipal] *city* election, setting forth the proposed amendments.

3. An amendment proposed pursuant to paragraph (b) of subsection 2 must be submitted at the next general [municipal] *city* election or at a special election.

4. The city attorney shall draft any amendment proposed in the petition mentioned in paragraph (b) of subsection 2 and an explanation thereof for submission to the registered voters.

5. The petition must be filed with the city clerk. It must be in the form and its sufficiency must be determined in the manner provided for city initiative petitions.

6. When an amendment is adopted by the registered voters of the city, the city clerk shall, within 30 days thereafter, transmit a certified copy of the amendment to the legislative counsel.".

Amend sec. 96, page 38, line 29, by deleting "January" and inserting "July".

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. 559.
Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 675.
Bill read second time.
The following amendment was proposed by the Committee on Judiciary:
Amendment No. 770.
Amend section 1, page 2, line 26, after "*act.*" by inserting:
"*The victim shall not disclose to any other person the information so disclosed by the district attorney.*".
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. 757.
Bill read second time.
The following amendment was proposed by the Committee on Labor and Management:
Amendment No. 802.
Amend section 1, pages 1 and 2, by deleting line 18 on page 1 and lines 1 and 2 on page 2 and inserting: "*insurer shall pay in installments to the claimant that portion of the claimant's disability in excess of 25 percent.*".
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. 759.
Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 774.
Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 788.
Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 801.
Bill read second time, ordered engrossed and to third reading.

Senate Bill No. 24.
Bill read second time and ordered to third reading.

Senate Bill No. 203.
Bill read second time and ordered to third reading.

Senate Bill No. 223.
Bill read second time.
The following amendment was proposed by the Committee on Judiciary:

Amendment No. 834.

Amend section 1, page 1, line 3, before "*device*" by inserting: "*key or other*".

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. 275.

Bill read second time and ordered to third reading.

Senate Bill No. 289.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 806.

Amend sec. 4, page 5, after line 41, by inserting: "*other means provided for registering the quantity consumed or supplied, unless otherwise approved by the district;*".

Amend sec. 4, page 6, by deleting lines 10 through 12 and inserting: "*of subsection 1 is guilty of a gross misdemeanor.*".

Amend sec. 4, page 6, line 37, by deleting "*treble*".

Amend sec. 4, page 7, by deleting lines 1 through 10.

Amend sec. 6, page 10, line 23, by deleting "*politacal*" and inserting "*political*".

Amend sec. 7, page 11, line 1, by deleting "roads" and inserting "roads ,".

Amend sec. 7, page 11, by deleting line 2 and inserting "*highways, subways,*".

Amend sec. 7, page 11, line 4, after "*culverts*" by inserting: "*owned or maintained by the state or a county*".

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. 318.

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. 191.

Bill read second time and ordered to third reading.

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

Assembly in recess at 11:47 a.m.

ASSEMBLY IN SESSION

At 12 noon.

Mr. Speaker presiding.

Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Assembly Bills Nos. 453, 612, 636, 640, 656, 730, 819; Senate Bills Nos. 184, 231, 263, 354, 355, 356 and 462 be placed on the Second Reading File.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Government Affairs:

Assembly Bill No. 834—An Act relating to protection from fire; authorizing the board of county commissioners to exclude from a county fire protection district upon the petition of the owners of property a portion of the district for inclusion in a fire protection district receiving federal aid; and providing other matters properly relating thereto.

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

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 453.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 612.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 636.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 768.

Amend section 1, page 1, line 2, by inserting an open bracket before "A".

Amend section 1, page 1, line 8, by deleting the open bracket.

Amend section 1, page 1, by deleting lines 9 through 13 and inserting: "of them had filed an action for separate maintenance or divorce.] *It is no defense to a charge of sexual assault that the perpetrator was, at the time of the assault, married to the victim.*".

Amend the title of the bill to read as follows:

"An Act relating to sexual assault; providing that it is no defense to a charge of sexual assault that the perpetrator was married to the victim at the time of the assault; and providing other matters properly relating thereto.".

Amend the summary of the bill to read as follows: "Provides that marriage to victim is no defense to charge of sexual assault. (BDR 15-1849)".

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. 640.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 656.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 769.

Amend sec. 4, page 2, by deleting lines 15 and 16 and inserting:

"(b) Is recommended for earlier discharge by the [chief parole and probation officer;] *department of parole and probation;* or".

Amend sec. 4, page 2, by deleting lines 20 and 21 and inserting: "may [at any time thereafter be permitted by] *be granted an honorable discharge from probation by order of* the court . [to withdraw his plea of guilty or nolo".

Amend sec. 4, page 2, by deleting lines 27 through 39 and inserting: "convicted.

2. The probationer shall be informed of this privilege in his probation papers.

3. The probationer may make such application and change of plea in person or by attorney authorized in writing, or by a parole and probation officer authorized in writing; but in any subsequent prosecution of the defendant for any other offense, such prior conviction may be pleaded and proved and shall have the same effect as if probation had not been granted or the indictment or information had not been dismissed.".

Amend sec. 4, page 3, line 2, by deleting the brackets.

Amend sec. 4, page 3, line 3, by deleting "5." and inserting "5.] 2.".

Amend sec. 4, page 3, after line 4 by inserting:

"*3. A person honorably discharged from probation is free from the terms and conditions of his probation and may apply to the court, in person or by attorney, for the restoration of his civil rights. He must be informed of this privilege in his probation papers.*

4. A person honorably discharged from probation who has had his civil rights restored by the court:

(a) Is exempt from the requirements of NRS 207.090, but is not exempt from the requirements of NRS 207.152.

(b) May vote, hold office or serve as a juror.".

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. 730.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 819.

Bill read second time, ordered engrossed and to third reading.

Senate Bill No. 184.
Bill read second time and ordered to third reading.

Senate Bill No. 231.
Bill read second time and ordered to third reading.

Senate Bill No. 263.
Bill read second time and ordered to third reading.

Senate Bill No. 354.
Bill read second time and ordered to third reading.

Senate Bill No. 355.
Bill read second time and ordered to third reading.

Senate Bill No. 356.
Bill read second time and ordered to third reading.

Senate Bill No. 462.
Bill read second time.
The following amendment was proposed by the Committee on Ways and Means:
Amendment No. 854.
Amend section 1, page 1, line 2, by deleting "$950,000." and inserting "$800,000.".
Assemblyman Sedway moved the adoption of the amendment.
Remarks by Assemblyman Sedway.
Amendment adopted.
Bill ordered reprinted, re-engrossed and to third reading.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Commerce, to which was referred Assembly Bill No. 457, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN E. JEFFREY, *Chairman*

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 8.
The following Senate amendment was read:
Amendment No. 568.
Amend sec. 2, page 2, line 26, by deleting the period and inserting: "[.] *or offers for sale in this state any unregistered security under state or federal law and purports to make investments in promissory notes secured by liens on real property.*".
Amend the bill as a whole by adding a new section designated sec. 3, following sec. 2, to read as follows:
"Sec. 3. NRS 80.250 is hereby amended to read as follows:
80.250 Any corporation or insurance association organized under the laws of any other state, district or territory of the United States, or foreign

government, which does not maintain an office in this state for the transaction of business, may carry on any one or more of the activities enumerated in paragraph (a) of subsection 1 of NRS 80.240 without purchase or assignment from or participation with a domestic lender, and in connection therewith may carry on any of the activities listed in paragraphs (b) to (g), inclusive, of that subsection, but if it elects to do so must comply in all respects with NRS 80.010 to 80.230, inclusive. *No corporation or association carrying on activities enumerated in subsection 1 of NRS 80.240 pursuant to this section is required to qualify or comply with the provisions of Title 55 of NRS.*".

Amend the title of the bill, first line, by deleting "mortgage companies;" and inserting: "secured loans; exempting certain foreign corporations and associations which make secured loans in this state from certain provisions governing financial institutions;".

Amend the summary of the bill to read as follows: "Makes various changes in provisions regarding secured loans. (BDR 54-166)".

Assemblyman Jeffrey moved that the Assembly concur in the Senate amendment to Assembly Bill No. 8.

Remarks by Assemblyman Jeffrey.

Motion carried.

Bill ordered enrolled.

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bills Nos. 273, 450, 470, 505, 556; Senate Bill No. 344; Senate Concurrent Resolution No. 17; Assembly Resolutions Nos. 12, 13.

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. Justin Schneider; the students of schools in White Pine County: Randy Lydon, Susan Wetmore, Marcia Eldridge, Wendy Wheeler, Shawn Gonder, Nathan Hale, Jeremy Eldridge and Donavan Girard.

On request of Assemblyman Kissam, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Del Bertsch.

On request of Assemblyman Lambert, the privilege of the floor of the Assembly Chamber for this day was extended to Mesdames Edgington, Carol Tretten, Karen Handy, Paula Franchi, Sue Borchard, Barbara Schott, Liz Potetz, Mr. Jason O'Neal and the fourth grade students of Verdi Elementary School: Faith Ashby, Shannon Balik, Carly Borchard, Alvin Bresciani, Tory Clark, Chris Ewing, Andrea Franchi, Jamie Handy, Matt House, Adam Koehm, Kyle Miller, Josh O'Neal, Aaron Phillips, John Potetz, Katja Schott, Michele Stander, Devin Steinbach, Tommy Summy, Jennifer Tretten, Adam Valieres, Travus Wiltse, Jake Weber and Donny Price.

On request of Assemblyman Marvel, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Jerry Miller and the fourth grade students of Natchez Elementary School: Monica Mosley, Norbert Lenoir, Lindsey John, Jojo Smith, Konrad Begay, Jason Davis, Amber Bill, Rita Davis and Jessica Carlile.

On request of Assemblyman Nicholas, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Scott Holmes.

On request of Assemblyman Spinello, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Jerry Fairweather.

On request of Assemblyman Triggs, the privilege of the floor of the Assembly Chamber for this day was extended to Mss. Judy Rider, Rhonda Mitchell and Mr. Dale Loftus.

Assemblyman Jeffrey moved that the Assembly adjourn until Friday, May 22, 1987 at 10:30 a.m.

Motion carried.

Assembly adjourned at 12:24 p.m.

Approved: JOSEPH E. DINI, JR.
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE ONE HUNDRED AND TWENTY-FOURTH DAY

CARSON CITY (Friday), May 22, 1987

Assembly called to order at 10:41 a.m.

Mr. Speaker presiding.

Roll called.

All present except Assemblyman Swain, who was excused.

Prayer by the Chaplain, The Reverend Gene Ratzlaff.

On the beginning of this Memorial Day weekend, let us have a time of silent prayer for those who have died for the cause of our country as well as Nevada. Lord, we thank You for those who have given their lives to make us free! AMEN.

Pledge of allegiance to the Flag.

Assemblyman Nevin 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. 384, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

PAUL W. MAY, *Chairman*

Mr. Speaker:

Your Committee on Taxation, to which was referred Assembly Bill No. 75, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

PAUL W. MAY, *Chairman*

Mr. Speaker:

Your Committee on Labor and Management, to which was referred Assembly Bill No. 663, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JAMES J. BANNER, *Chairman*

Mr. Speaker:

Your Committee on Labor and Management, to which was referred Assembly Bill No. 803, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JAMES J. BANNER, *Chairman*

Mr. Speaker:

Your Committee on Transportation, to which was referred Assembly Bill No. 563, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

LEONARD V. NEVIN, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which were referred Senate Bills Nos. 11, 329, 412, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

DANNY L. THOMPSON, *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which was referred Assembly Bill No. 420, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN E. JEFFREY, *Chairman*

Mr. Speaker:

Your Select Committee on Corrections, to which was referred Senate Bill No. 443, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

ROBERT M. SADER, *Chairman*

Mr. Speaker:

Your Committee on Natural Resources, Agriculture and Mining, to which was referred Assembly Bill No. 349, 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 Natural Resources, Agriculture and Mining.

JAMES W. SCHOFIELD, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Natural Resources, Agriculture and Mining, to which were referred Assembly Bills Nos. 47, 352, 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.

JAMES W. SCHOFIELD, *Chairman*

Mr. Speaker:

Your Committee on Health and Welfare, to which were referred Assembly Bills Nos. 227, 592; Senate Bills Nos. 222, 296, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

MORSE ARBERRY, JR., *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 21, 1987

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 120, 412, 414.

Also, I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bill No. 95, 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 Resolutions Nos. 5, 21.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Bills Nos. 501, 514, 515.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 260, 268, 269.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Joint Resolution No. 18.

Also, I have the honor to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolutions Nos. 22, 26.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Senate Joint Resolution No. 18.

Assemblyman Jeffrey moved that the resolution be referred to the Committee on Taxation.

Motion carried.

Senate Concurrent Resolution No. 22.

Assemblyman Jeffrey moved that the resolution be referred to the Committee on Government Affairs.

Motion carried.

Senate Concurrent Resolution No. 26.

Assemblyman Jeffrey moved that the resolution be referred to the Committee on Transportation.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

Senate Bill No. 260.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Taxation.

Motion carried.

Senate Bill No. 268.

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

Motion carried.

Senate Bill No. 269.

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

Motion carried.

Senate Bill No. 501.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

Senate Bill No. 514.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

Senate Bill No. 515.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that all rules be suspended, reading so far had considered second reading, rules further suspended, Assembly Bill No. 420 be considered engrossed, declared an emergency measure under the Constitution and placed on third reading and final passage.

Motion carried unanimously.

Assemblyman Jeffrey moved that Assembly Bill No. 420 be taken from its position on the General File and placed at the top of the General File.

Motion carried.

Assemblyman Gaston moved that Assembly Bill No. 708 be taken from the Chief Clerk's desk and placed on the General File immediately following Assembly Bill No. 420.

Remarks by Assemblyman Gaston.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 457.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 885.

Amend sec. 23, page 7, by deleting lines 1, 2 and 3.

Amend sec. 23, page 7, line 4, by deleting "*3.*" and inserting "*2.*".

Amend sec. 23, page 7, line 9, by deleting: "*(k), (l) and (m)*" and inserting: "*(l), (m) and (n)*".

Amend sec. 43, page 26, lines 23 and 24, by deleting: "*unless the payments*" and inserting: "*unless the:*

(1) Payments".

Amend sec. 43, page 26, line 26, by deleting the period and inserting: "*; or*

(2) Issuance of the security has been approved by the state board of examiners, the state board of finance or the governing body of a political subdivision of the state.".

Amend sec. 43, page 27, line 24, after "*issuance*" and inserting: "*or notice of issuance*".

Amend sec. 43, page 27, by inserting between lines 31 and 32:

"*(i) A security designated or approved for designation upon issuance or notice of issuance for inclusion in the automated quotation system of the National Association of Securities Dealers, Inc., that are not included under paragraph (h), any other security of the same issuer which is of senior or substantially equal rank, a security called for by subscription right of warrant so designated, or by a warrant or a right to purchase or subscribe to any of the foregoing.*".

Amend sec. 43, page 27, line 32, by deleting "*(i)*" and inserting "*(j)*".

Amend sec. 43, page 27, line 39, by deleting "*(j)*" and inserting "*(k)*".

Amend sec. 43, page 28, line 6, by deleting "*(k)*" and inserting "*(l)*".

Amend sec. 43, page 28, line 13, by deleting "*(l)*" and inserting "*(m)*".

Amend sec. 43, page 28, line 15, by deleting "*(m)*" and inserting "*(n)*".

Amend sec. 43, page 28, line 19, by deleting "*(n)*" and inserting "*(o)*".

Amend sec. 43, page 28, line 38, by deleting "*(n)*" and inserting "*(o)*".

Amend sec. 43, page 29, line 1, by deleting "*(n)*" and inserting "*(o)*".

Amend sec. 44, page 33, by inserting between lines 5 and 6:

"*21. A transaction involving one or more promissory notes secured by a lien on real estate, or participating interests in those notes, by a mortgage company licensed pursuant to chapter 645B of NRS to engage in those transactions.*

22. Any nonissuer distribution of an outstanding security by a registered broker-dealer if:

(a) A recognized securities manual contains the name of the issuer's officers and directors, a balance sheet of the issuer as of a date within 18 months after the distribution and a statement of profit and loss for either the fiscal year preceding that date or the most recent year of operations; or

(b) The security has a fixed maturity or a fixed interest or dividend provision and there has been no default during the current fiscal year or within the preceding 3 fiscal years, or during the existence of the issuer and any predecessors if less than 3 fiscal years, in the payment of principal, interest or dividends on the security.".

Amend sec. 79, page 49, line 29, by deleting "is" and inserting: "and the committee on group insurance are".

Assemblyman Sader moved the adoption of the amendment.

Remarks by Assemblymen Sader and Callister.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Arberry moved that Assembly Bills Nos. 592, 227; Senate Bills Nos. 222 and 296 be placed on the Second Reading File.

Motion carried.

Assemblyman Jeffrey moved that Assembly Bills Nos. 508, 510, 636, 656, 675 and 757 be placed on the General File immediately following Assembly Bill No. 819.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Select Committee on Corrections, to which was referred Assembly Bill No. 584, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ROBERT M. SADER, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which were referred Assembly Bills Nos. 302, 428, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ROBERT M. SADER, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Assembly Bill No. 332, 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.

DANNY L. THOMPSON, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Schofield moved that Assembly Bills Nos. 352, 349 and 47 be placed at the top of the Second Reading File.

Remarks by Assemblyman Schofield.

Motion carried.

Assemblyman Sader moved that Assembly Bill No. 584 be placed on the Second Reading File.

Motion carried.

Assemblyman Thompson moved that Assembly Bill No. 332 be placed on the Second Reading File.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 352.

Bill read second time.

The following amendment was proposed by the Committee on Natural Resources, Agriculture and Mining:

Amendment No. 702.

Amend the bill as a whole by deleting sections 1 through 19 and inserting:

"Section 1. Chapter 459 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 19, inclusive, of this act.

Sec. 2. *As used in sections 2 to 19, inclusive, of this act, unless the context otherwise requires:*

1. "Department" means the department of motor vehicles and public safety.

2. "Director" means the director of the department of motor vehicles and public safety.

3. "Division" means the Nevada highway patrol division of the department of motor vehicles and public safety.

4. "Hazardous material" means any material or combination of materials, including solids, semisolids, liquids or contained gases, which:

(a) Is identified as hazardous by the regulating agency as a result of studies undertaken to identify hazardous materials or wastes; or

(b) Because of its quantity or concentration or its physical, chemical, radioactive or infectious characteristics may:

(1) Cause or significantly contribute to an increase in mortality or serious irreversible or incapacitating illness; or

(2) Pose a substantial hazard or potential hazard to human health, public safety or the environment when it is given improper treatment, storage, transportation, disposal or other management,

including toxins, corrosives, flammable materials, irritants, strong sensitizers and materials which generate pressure by decomposition, heat or otherwise.

Sec. 3. *1. Every person who transports hazardous materials in a motor vehicle upon the highways of this state shall, pursuant to regulations of the department:*

(a) Obtain from the division a permit for each motor vehicle used to transport the hazardous materials.

(b) Submit each motor vehicle for an inspection pursuant to the regulations of the department as to the safety of the vehicle to transport hazardous materials.

2. The permit or a legible copy of the permit must be carried in the driver's compartment of the motor vehicle at all times while the vehicle is used to transport hazardous materials. The permit must be presented upon demand to any peace officer or other person authorized to enforce the laws of this state.

Sec. 4. *1. The director shall adopt regulations providing for the:*

(a) Granting, renewal, modification, suspension, revocation and denial of permits for motor vehicles which transport hazardous materials.

(b) Inspection of motor vehicles which transport hazardous materials on the highways of this state.

(c) Identification and listing of hazardous materials.

2. The regulations adopted pursuant to subsection 1 must include provisions for fees to pay the cost of inspection, issuing a permit and other regulation. Except as otherwise provided in subsection 3, money received by the division from the fees must be deposited with the state treasurer for credit to the account for the inspection and regulation of the safety of vehicles transporting hazardous materials in the state general fund. The interest and income earned on the money in the account, after deducting any applicable charges, must be credited to the account. Money in the account must only be used for carrying out the provisions of sections 2 to 8, inclusive, of this act.

3. The division shall deposit 20 percent of the money collected from fees imposed pursuant to this section with the state treasurer for credit to the contingency fund for hazardous materials.

4. The division shall issue an identifying device to each motor vehicle transporting hazardous materials upon receipt of the appropriate application and fee and the satisfactory completion of the inspection for safety.

Sec. 5. *1. The repository for information concerning hazardous materials in Nevada is hereby created within the division.*

2. Every state and local governmental agency concerned with the generation, transportation, shipment, storage or disposal of hazardous materials shall submit to the division pursuant to the regulations of the department such information it collects regarding hazardous materials as required by the division.

3. The division shall collect, maintain and arrange all information submitted to it concerning hazardous materials.

4. The division may:

(a) Disseminate any information which is contained in the repository to any other governmental agency concerned with the storage, packaging, disposal or transportation of hazardous materials; and

(b) Enter into cooperative agreements with federal and state repositories to facilitate exchanges of such information.

Sec. 6. *1. The director shall appoint an advisory committee on hazardous materials to advise him regarding policies and regulations for the collection, retention, dissemination and reporting of information in the repository for information concerning hazardous materials in Nevada.*

2. The advisory committee consists of 11 members as follows:

(a) One representative of the public service commission of Nevada.

(b) One representative of the health division of the department of human resources who is charged with responsibility concerning protection from radiation.

(c) One representative of the Nevada highway patrol division of the department of motor vehicles and public safety.

(d) One representative of the division of environmental protection of the state department of conservation and natural resources.

(e) One representative of the state fire marshal division of the department of commerce.

(f) One representative of the division of emergency management of the department of the military.

(g) One representative of the department of transportation.

(h) Two representatives of local governmental agencies in counties whose respective populations are 100,000 or more, having responsibility for managing hazardous materials or responding to an emergency involving hazardous materials.

(i) Two representatives of local governmental agencies in counties whose respective populations are less than 100,000, having responsibility for the management of hazardous materials or responding to an emergency involving hazardous materials.

3. The members of the advisory committee are not entitled to compensation or the payment of per diem allowances and travel expenses while engaged in the work of the committee.

Sec. 7. *1. Every person who generates, packages, transports, ships, stores or disposes of, or has any responsibility for, any hazardous material in this state shall, pursuant to the regulations of the department, report to the division, within 10 days and on forms supplied by the division, designated accidents or incidents involving the hazardous material.*

2. Any person who violates the provisions of subsection 1 is guilty of a misdemeanor.

Sec. 8. *1. The director is responsible for administering the provisions of sections 2 to 8, inclusive, of this act, and may adopt regulations for that purpose.*

2. The director shall adopt regulations:

(a) For the security of the repository for information concerning hazardous materials in Nevada so that it is adequately protected from fire, theft, loss, destruction, other hazards and unauthorized access.

(b) Prescribing the manner in which information concerning hazardous materials is submitted to the division by state and local governmental agencies.

Sec. 9. *1. Any person who transports controlled quantities of radioactive material shall notify the division not less than 4 hours nor more than 48 hours before he begins to transport that material in this state.*

2. Any person who transports high-level radioactive waste shall notify the governor or his designee not less than 4 hours before he begins to transport that waste in this state.

3. Information submitted to the division and the governor or his designee pursuant to subsections 1 and 2, unless otherwise required to be kept confidential, must be made available to other state and local governmental agencies concerned with hazardous materials whose operations or responsibilities involve a need for that information.

4. As used in this section, unless the context otherwise requires:

(a) "Controlled quantity" has the meaning ascribed to "highway route controlled quantity" in 49 C.F.R. § 173.403(l);

(b) "High-level radioactive waste" has the meaning ascribed to that term in 10 C.F.R. § 60.2; and

(c) "Radioactive material" has the meaning ascribed to that term in 49 C.F.R. § 173.403(y),

as those sections existed on January 1, 1987.

Sec. 10. *1. The contingency fund for hazardous materials is hereby created as a trust fund.*

2. The commission established by the governor pursuant to Public Law 99-499 shall administer the contingency fund for hazardous materials, and the money in the fund may be expended only for:

(a) Carrying out the provisions of sections 10 to 17, inclusive, of this act.

(b) Carrying out the provisions of Public Law 99-499; and

(c) Training and equipping state and local personnel to respond to accidents and incidents involving hazardous materials.

3. All money received by the commission from any source must be deposited with the state treasurer to the credit of the contingency fund for hazardous materials. The interest and income earned on the money in the contingency fund, after deducting any applicable charges, must be credited to the account.

4. All claims against the contingency fund for hazardous materials must be paid as other claims against the state are paid.

Sec. 11. *The commission established by the governor pursuant to Public Law 99-499 may:*

1. Adopt regulations for the purpose of enforcing its responsibilities pursuant to Public Law 99-499.

2. Accept gifts and grants of money and other revenues for the purpose of enforcing its responsibilities pursuant to Public Law 99-499.

Sec. 12. *1. The commission established by the governor pursuant to Public Law 99-499 shall conduct a study for the development of a statewide system of radio communication for use by political subdivisions and state and local entities for emergency management in responding to an emergency.*

2. The study must:

(a) Identify existing deficiencies in radio communications between political subdivisions and state and local entities for emergency management.

(b) Propose a system of radio communication that will satisfy the needs of those political subdivisions and entities for 10 years after the completion of the study.

(c) Meet the requirements established by the Federal Communications Commission pursuant to 47 U.S.C. §§ 154 to 332, inclusive, as those sections existed on January 1, 1987.

3. The commission shall consult with political subdivisions and state and local entities for emergency management during the study.

Sec. 13. *Any person who possessed or had in his care any hazardous material involved in a spill or accident requiring the cleaning and decontamination of the affected area is responsible for that cleaning and decontamination.*

Sec. 14. *If the person responsible for hazardous material involved in a spill or accident does not act promptly and appropriately to clean and decontaminate the affected area, and if his inaction presents an imminent and substantial hazard to human health, public safety, any property or the environment, money from the contingency fund for hazardous materials may be expended to pay the costs of:*

1. Responding to a spill of or an accident involving hazardous material;

2. Coordinating the efforts of state, local and federal agencies responding to a spill of or an accident involving hazardous material;

3. Managing the cleaning and decontamination of an area for the disposal of hazardous material or the site of a spill of or an accident involving hazardous material; or

4. Removing or contracting for the removal of hazardous material which presents an imminent danger to human health, public safety or the environment.

Sec. 15. *1. Any state agency accruing expenses for the cleaning and decontamination of the area affected by a spill of an accident involving hazardous material may present an itemized accounting of those expenses with a demand for reimbursement of those expenses to the person responsible for the hazardous material. Payment of the reimbursement must be made within 60 days after the person receives notice from the agency of the amount due. The agency shall impose an administrative penalty of 5 percent of the amount of the reimbursement for each day the amount remains unpaid after the date the payment for reimbursement is due.*

2. At the request of the state agency, and at any time after the payment for reimbursement is due, the attorney general shall initiate recovery by legal action of the amount of any unpaid reimbursement and penalty.

Sec. 16. *Any reimbursement and penalty recovered by the attorney general from a person responsible for hazardous material involved in a spill or accident must be deposited with the state treasurer for credit to the contingency fund for hazardous materials.*

Sec. 17. *Any county or city in this state may adopt an ordinance authorizing its legal representative to initiate recovery by legal action from the person responsible for any hazardous material involved in a spill or accident of the amount of any costs incurred by the county or city for the cleaning and decontamination of an area affected by the spill of or accident involving hazardous material.*

Sec. 18. *Any person who:*

1. Transports a hazardous material in a motor vehicle without a valid permit;

2. Transports a hazardous material in a motor vehicle that has not been inspected pursuant to the regulations of the department;

3. Fails to carry the permit or a copy of the permit in the driver's compartment of the motor vehicle;

4. Transports a hazardous material in a motor vehicle under an expired permit; or

5. Violates any of the terms or conditions of a permit issued by the division,

is guilty of a misdemeanor.

Sec. 19. *Any person who:*

1. Allows the use of a permit or identifying device issued by the division by a person not entitled thereto;

2. Uses a permit or identifying device to which he is not entitled;

3. Alters, forges or counterfeits a permit or identifying device issued by the division;

4. Uses a permit or identifying device which has been altered, forged or counterfeited;

5. Submits false information on an application or other form used to obtain a permit to transport hazardous materials in a motor vehicle;

6. Transports a hazardous material in a motor vehicle under a permit which has been suspended or revoked; or

7. Transports a hazardous material in a motor vehicle which failed to pass the required inspection for safety,

is guilty of a gross misdemeanor.

Sec. 20. NRS 459.490 is hereby amended to read as follows:

459.490 Regulations adopted by the commission pursuant to NRS 459.485 must be based upon studies, guidelines and regulations of the Federal Government and must:

1. Set out mechanisms for determining whether any waste is hazardous;

2. Govern combinations of wastes which are not compatible and may not be stored, treated or disposed of together;

3. Govern generation, storage, treatment and disposal of hazardous waste;

4. Govern operation and maintenance of facilities for the treatment, storage and disposal of hazardous waste, including the qualifications and requirements for ownership, continuity of operation, closure and care after closing;

5. Provide standards for location, design and construction of facilities for treatment, storage and disposal of hazardous waste;

6. [Govern] *Except as otherwise provided in sections 2 to 19, inclusive, of this act, govern* the transportation, packing and labeling of hazardous waste in a manner consistent with regulations issued by the United States Department of Transportation relating to hazardous waste;

7. Provide procedures and requirements for the use of a manifest for each shipment of hazardous waste. The procedures and requirements must

be applied equally to those persons who transport hazardous waste generated by others and those who transport hazardous waste which they have generated themselves; and

8. Take into account climatic and geologic variations and other factors relevant to the management of hazardous waste.

Sec. 21. NRS 459.500 is hereby amended to read as follows:

459.500 1. [Regulations] *Except as otherwise provided in sections 2 to 19, inclusive, of this act, regulations* of the commission must provide for safety in packaging, handling, [transport] *transportation,* 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] *cause that waste* 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, 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. 22. NRS 481.023 is hereby amended to read as follows:

481.023 Except as otherwise provided therein, the department 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 those carriers.

3. Chapter 366 of NRS relating to imposition and collection of taxes on special fuels used for motor vehicles.

4. Chapter 233F of NRS relating to the state communications system.

5. Chapter 453 of NRS relating to controlled substances and chapter 454 of NRS relating to dangerous drugs.

6. Chapter 459 of NRS relating to the transportation of hazardous materials.

Sec. 23. NRS 481.180 is hereby amended to read as follows:

481.180 1. The duties of the personnel of the Nevada highway patrol are:

(a) To police the public highways of this state, and to enforce and to aid in enforcing thereon all the traffic laws of the State of Nevada. They have the powers of peace officers:

(1) When enforcing traffic laws; and

(2) With respect to all other laws of this state when:

(I) In the apprehension or pursuit of an offender or suspected offender;

(II) Making arrests for crimes committed in their presence or upon or adjacent to the highways of this state; or

(III) Making arrests pursuant to a warrant in the officer's possession or communicated to him.

(b) To investigate accidents on all primary and secondary highways within the State of Nevada resulting in personal injury, property damage or death, and to gather evidence for the purpose of prosecuting any person guilty of any violation of the law contributing to the happening of such an accident.

(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.

(e) *To maintain the repository for information concerning hazardous materials in Nevada and to carry out its duties pursuant to chapter 459 of NRS concerning the transportation of hazardous materials.*

(f) To perform such other duties in connection with the duties specified in this section, as may be imposed by the director.

2. Commercial officers, supervisors and inspectors:

(a) Shall enforce the provisions of chapters 365, 366, 408, *459,* 482, 483, 484, 487 and 706 of NRS.

(b) Have the powers of peace officers when carrying out the duties specified in paragraph (a).

Sec. 24. NRS 484.779 is hereby amended to read as follows:

484.779 1. Except as *otherwise* provided in subsection 3, a local authority may adopt, by ordinance, regulations with respect to highways under its jurisdiction within the reasonable exercise of the police power:

(a) Regulating or prohibiting processions or assemblages on the highways.

(b) Designating particular highways as one-way highways and requiring that all vehicles thereon be moved in one specific direction.

(c) Designating any highway as a through highway, requiring that all vehicles stop before entering or crossing the highway, or designating any intersection as a stop or a yield intersection and requiring all vehicles to stop or yield at one or more entrances to the intersection.

(d) Designating truck and bicycle routes.

(e) Adopting such other traffic regulations related to specific highways as are expressly authorized by this chapter.

2. An ordinance relating to traffic control enacted under this section is not effective until official traffic-control devices giving notice of those local traffic regulations are posted upon or at the entrances to the highway or part thereof affected as may be most appropriate.

3. An ordinance enacted under this section is not effective with respect to:

(a) Highways constructed and maintained by the department of transportation under the authority granted by chapter 408 of NRS; or

(b) Alternative routes for the transport of radioactive, chemical or other hazardous materials which are governed by regulations of the United States Department of Transportation,

until the ordinance has been approved by the board of directors of the department of transportation.

4. As used in this section, "hazardous material" has the meaning ascribed to it in section 2 of this act.

Sec. 25. Chapter 706 of NRS is hereby amended by adding thereto a new section to read as follows:

"Hazardous material" has the meaning ascribed to it in section 2 of this act.

Sec. 26. NRS 706.011 is hereby amended to read as follows:

706.011 As used in NRS 706.016 to 706.791, inclusive, *unless the context otherwise requires,* the words and terms defined in NRS 706.016 to 706.146, inclusive, *and section 25 of this act,* have the meanings ascribed to them in those sections . [, unless the context otherwise requires.]

Sec. 27. NRS 706.173 is hereby amended to read as follows:

706.173 The commission [and] *or* the department may, by regulation applicable to *all motor vehicles transporting hazardous materials and to* common, contract and private motor carriers of passengers and property, adopt standards for:

1. Safety for drivers and vehicles; and
2. The transportation of hazardous materials [, including] *and* hazardous waste as defined in NRS 459.430.

Sec. 28. NRS 706.441 is hereby amended to read as follows:

706.441 1. No common, contract or private motor carrier of property may transport radioactive waste upon the highways of this state unless he obtains from the commission a permit specifically allowing him to transport radioactive waste. An interstate common or contract carrier must register with the commission the certificate issued to him by the Interstate Commerce Commission when he applies for such a permit.

2. The commission shall issue a permit to a carrier allowing him to transport radioactive waste if the carrier:

(a) Registers his certificate issued by the Interstate Commerce Commission and complies with the regulations of the public service commission respecting the registration of interstate carriers; or

(b) Demonstrates to the satisfaction of the public service commission that he complies and will continue to comply with all laws and regulations of this state and the Federal Government respecting the handling and transport of radioactive waste and the safety of drivers and vehicles.

3. A carrier of radioactive waste shall reject any package containing [such] *that* waste which is tendered to him for transport in this state if the package is leaking or spilling its contents, or does not bear a shipping label or is not accompanied by a bill of lading or other shipping document in a form prescribed by the regulations of the state board of health. A carrier who accepts [such] *the* waste for transport in this state is liable for any package in his custody which leaks or spills its contents, does not bear the

required shipping label or is not accompanied by the required shipping documents, unless, in the case of a leak or spill of [such] *the* waste and by way of affirmative defense, the carrier proves that he did not and could not know of the leak when he accepted the package for transport.

4. [A carrier of radioactive waste shall notify the commission not less than 4 nor more than 48 hours before he begins to transport the waste in this state.

5.] A carrier need not obtain the permit required by this section if he has been exempted from licensing by the health division of the department of human resources because he transports only radioactive waste the possession of which has been exempted from licensure pursuant to the regulations of the state board of health.

[6.] *5.* The commission may revoke a certificate issued pursuant to this chapter, and shall revoke a permit to transport radioactive waste issued pursuant to this section, or in the case of a carrier whose certificate is issued by the Interstate Commerce Commission it may file a complaint with that commission, if it finds that, while transporting radioactive waste, the carrier has failed to comply with any laws or regulations of this state or the Federal Government respecting the handling or transport of radioactive waste and the safety of drivers or vehicles.

Sec. 29. 1. There is hereby appropriated from the state general fund to the contingency fund for hazardous materials created pursuant to section 10 of this act the sum of $200,000 for the study for the development of a statewide system of radio communications for use in emergencies in this state pursuant to section 12 of this act.

2. Any remaining balance of the appropriation made by subsection 1 must not be committed for expenditure after June 30, 1989, and reverts to the state general fund as soon as all payments of money committed have been made.".

Amend the bill as a whole by deleting the text of the repealed section.

Amend the title of the bill to read as follows:

"An Act relating to hazardous materials; authorizing the Nevada highway patrol to regulate vehicles transporting hazardous materials; establishing a repository for information concerning hazardous materials; establishing an advisory committee on hazardous materials in the department of motor vehicles and public safety; requiring that certain notification be given before certain hazardous materials are transported in this state; creating a contingency fund for hazardous materials; authorizing a commission established by the governor under certain federal laws to use money in the contingency fund for hazardous materials for training and equipping state and local personnel to respond to accidents involving hazardous materials; requiring that commission to conduct a study for the development of a statewide system of radio communication for use in emergencies in this state; establishing liability for spills of or accidents involving hazardous materials; providing penalties; making an appropriation; and providing other matters properly relating thereto.".

Amend the summary of the bill to read as follows: "Makes various changes in provisions governing transportation of hazardous materials. (BDR 40-199)".

Assemblyman Schofield moved the adoption of the amendment.

Remarks by Assemblyman Schofield.

Amendment adopted.

Assemblyman Schofield moved that Assembly Bill No. 352 be returned to the Committee on Natural Resources, Agriculture and Mining.

Bill ordered reprinted, engrossed and to the Concurrent Committee on Natural Resources, Agriculture and Mining.

Assembly Bill No. 349.

Bill read second time.

The following amendment was proposed by the Committee on Natural Resources, Agriculture and Mining:

Amendment No. 717.

Amend section 1, page 2, line 3, after "*granted*" by inserting: "*or under review*".

Assemblyman Schofield moved the adoption of the amendment.

Remarks by Assemblyman Schofield.

Amendment adopted.

Assemblyman Schofield moved that Assembly Bill No. 349 be re-referred to the Committee on Natural Resources, Agriculture and Mining.

Bill ordered reprinted, engrossed and to the Committee on Natural Resources, Agriculture and Mining.

Assembly Bill No. 47.

Bill read second time.

The following amendment was proposed by the Committee on Natural Resources, Agriculture and Mining:

Amendment No. 701.

Amend section 1, page 1, line 5, by deleting "*hazardous*" and inserting: "*controlled quantities of radioactive*".

Amend section 1, page 1, line 9, by deleting "*hazardous*" and inserting: "*controlled quantities of radioactive*".

Amend section 1, page 1, line 10, by deleting "*hazardous*" and inserting: "*controlled quantities of radioactive*".

Amend section 1, page 2, line 4, by deleting "*hazardous*" and inserting: "*controlled quantities of radioactive*".

Amend section 1, page 2, by deleting lines 5 and 6 and inserting:

"*3. The department of transportation may:*

(a) Adopt regulations necessary to carry out the provisions of this section.

(b) Cooperate with federal, state and local governmental agencies that regulate other hazardous materials.

4. As used in this section, unless the context otherwise requires:

(a) "Controlled quantity" has the meaning ascribed to "highway route controlled quantity" in 49 C.F.R. § 173.403(l); and

(b) "Radioactive material" has the meaning ascribed to that term in 49 C.F.R. § 173.403(y), as those sections existed on January 1, 1987.".

Amend the bill as a whole by deleting sections 2 through 5.

Amend the title of the bill to read as follows:

"An Act relating to hazardous materials; requiring the department of transportation to develop a plan for routing shipments of certain radioactive materials in this state and cooperate with the Federal Government, regional organizations and other states in developing a plan for interstate shipments; and providing other matters properly relating thereto.".

Amend the summary of the bill, second line, by deleting "hazardous" and inserting "certain radioactive".

Assemblyman Schofield moved the adoption of the amendment.

Remarks by Assemblyman Schofield.

Amendment adopted.

Assemblyman Schofield moved that Assembly Bill No. 47 be returned to the Committee on Natural Resources, Agriculture and Mining.

Bill ordered reprinted, engrossed and to the Concurrent Committee on Natural Resources, Agriculture and Mining.

GENERAL FILE AND THIRD READING

Assembly Bill No. 420.

Bill read third time.

Remarks by Assemblymen Callister, McGaughey, Fay, Nevin, Brookman, DuBois, Sedway, Craddock, Adler, Myrna Williams, Spinello, Jeffrey, Schofield and Price.

Conflict of interest declared by Assemblyman Craddock.

Assemblymen Sader, Thompson and Arberry moved the previous question.

Motion carried.

The question being on the passage of Assembly Bill No. 420.

Assemblyman Brookman requested that the following remarks be entered in the Journal.

ASSEMBLYMAN CALLISTER:

Thank you, Mr. Speaker. I apologize for the condition of my voice. If you'll bear with me, I'm just going to make a few general remarks and I believe the other members of the subcommittee and other members of this body may wish to speak to this issue. Let me just start off by indicating my extreme pride in serving with a body as unified in spirit and in desire to serve the public as I believe this body to be. I think the course of conduct exhibited by the members of the Assembly in the last week and a half in the face of extreme public dissent has been unparalleled in my experience, and I'm very proud to serve with individuals who are more interested in informed decision-making than they are in political popularity. Regarding A.B. 420, it is with some degree of remorse that I rise to urge your support of this measure. I suggest remorse because, as I believe most other members of this body would share this sentiment, we all are opposed almost uniformly to the notion of the political intervention into the business marketplace. I think our state has long been the champion of the notion of *laisse faire*, free marketplace attitudes, allow the market to cure its ills, allow competition to take its course and resolve the dilemma. It is unfortunately in very rare instances, and I believe this to be one. It is our duty to confront

a specter that looms just over the horizon, and I would briefly identify the specter as the specter of monolithic multinational oil companies who have an absolute cradle-to-grave, well-to-pump control over the most essential commodity each and every one of us requires for our routine daily life—gasoline. We have heard substantial testimony in the full committee and in the subcommittee, pros and cons; we had a three-hour marathon session last night, the conclusion of which I would suggest identifies one central issue and it's important to frame our analysis of A.B. 420 in the light of this issue. As much as I like individuals like Mr. Greco, I don't believe it's this body's duty to get involved in the resolution of contractual disputes. I don't believe it's this body's obligation to get involved in anti-trust enforcement when that can and ought to occur in the judicial branch, but I do believe that we, as policy makers for the State of Nevada, have an obligation to address this central policy. Is it appropriate to allow trade practices to continue that will have the net effect of eliminating from the petroleum marketing industry the independent marketer of gasoline? That's the issue. It's not any broader than that, and divorcement addresses that issue because by severing the right of a multinational major oil refiner marketer, by severing his right to simultaneously access the crude, refine the crude, and market the crude, you are using that as a vehicle to allow the continuance of the independent component in the marketplace from which we have all benefited. All of us who have spent any time in Nevada appreciate the highly competitive nature of this industry which has focused on these independent marketers who drive the competition down, who have traditionally been the most innovative marketers, who have been the high volume, low price dealers. Because of a variety of reasons, there has now been a conscious decision made by at least one major oil company, and this conscious decision is set down on a piece of paper that's entitled "The Strategic Planning Unit" document, which we obtained. When we reviewed that document we saw what the conscious decision made was, and we now know it was their intent to eliminate the independent marketer from the marketplace. We realized it was their intent once that had occurred to explicitly increase prices; that's their express intent, once this interim period that we benefit from now of low, indeed aberrationally low, prices has concluded, the price will go up. Consider for a moment what you would do if you were in a business in which you owned the crude, because that is the case with ARCO. Unlike virtually any other major oil company they own their own crude reserves, they don't buy it. Also they are immune from international conflict because their crude comes from Alaska. They own the crude, they refine the crude and they own the means of distribution. Increasingly in the last four to five years those means of distribution have doubled and tripled at the expense of not other major oil companies but at the exclusive expense of the independent. Who are the independents? They are people we know. They are people that we have grown up with. They are people that have made a lifelong commitment to preserving competition in this state. Recognize this fact. A vote for A.B. 420 is a vote in favor of preserving competition, of preserving a dynamic marketplace. A vote against A.B. 420 is a vote against the preservation of traditional notions of competition. It's important for us to address briefly the documents that were obtained. We all walked out on a long political limb to obtain those documents. After initial requests by form of a written letter of a document we identified I believe to have been the SPU. We identified it by name as best we could. We identified it by reference to the court case in which it had been introduced, at least one of the two court cases, and we were told because of that document's highly confidential and secretive nature they could not provide it. We then issued the subpena.

The result of the subpena was an attorney, in-house counsel, appearing and advising us that he felt it was better to determine this kind of dispute in a judicial arena. That may well be the case if we had the time. By their own admission they are 20 months into a litigation in southern Nevada. I would suggest from my experience, probably another two years from a trial. By the time another two or three years has gone by it will be too late. When we had subpenaed this document and they had refused to comply, we initiated the contempt procedure. In our subpena we had requested other documents besides the SPU, documents that would provide evidence of profitability of company owned stations in southern Nevada. That evidence was not provided until we could reach some accord on an arrangement to view them at least at the subcommittee level, the initial review in closed

session. There has been some degree of controversy over this method. I think all of us here are painfully aware of how important it is that we do our jobs in public. We've always attempted to do so and I am certain that we always will. In reviewing other states who have confronted this same dilemma, we encountered the dilemma of dealing with corporations the size of nations, corporations with the reserves and the legal talent far in excess of anything the humble state of Nevada could hope to muster. When we reviewed the other states we discovered that there are procedures statutorily enacted that would have accommodated this kind of analysis, would have provided the confidentiality concerns and at the same time allowed us to access the documents. But unfortunately we don't have those statutes on the books yet this session. I can guarantee you that in the very near future my colleague from southern Nevada and I on the subcommittee will introduce just such legislation. We don't intend that we should have to go through this trial, this ordeal again, but we had to do it this time and as a result of having done it we were made aware that one of the documents, the SPU, which had long been refused, was in fact public record in a California lawsuit. It is my belief that had we not come forward with a public effort to sanction ARCO, we never would have had this information drawn to our attention. We solicited and obtained a copy out of the court records. By being able to compare that version, which was some four pages longer than the version that was provided in response to the subpena, we were able to document and evidence I believe two points. One, the nature and intent of their practices, that the Strategic Planning Unit document was nothing more than a blueprint designed some six years ago that would allow this corporation to become dominant at the expense of its own dealers and more critically at the expense of the independents. I would note that this document has been solicited from this body as recently as yesterday evening by major publications who are anxious to get their hands on it. There has been a great deal of gamesmanship played; a great deal of individuals and members of the industry are anxious to have a look at the document that we were able to provide. I think we need to, in some sense, recognize the merit of having stood firm, of having said to a multination corporation, produce what we ask so we can make an informed decision. Certainly we had an obvious and simple alternative. Let's have a little trial and throw somebody in jail but that would not have produced the documents. By standing firm we obtained the Strategic Planning Unit document, together with the second component which was so critical, evidence of profitability in southern Nevada. The evidence was that virtually none of the ARCO owner-operated stores in southern Nevada has made a profit in the last year, some 30 stations' operating losses that range into six figures. At the same time gasoline is consistently 10 cents less than it is 400 miles closer to the refinery. You must begin to wonder whose interests are at heart when that kind of ambiguity exists in the marketplace. As a result of this evidence as a result of their stated intent and the evidence of their conduct by virtue of the profitability documentation, I can only urge your support of this measure.

ASSEMBLYMAN MCGAUGHEY:

Thank you, Mr. Speaker. I wish that there was an alternative to A.B. 420 today rather than to have to vote on the bill but there isn't. The chronology of the industry goes back to 1973 when we had the Arab oil embargo. We had the long lines in places in the country, no gasoline supplies, and then we went into regulation. That regulation then provided that all of those receiving product at that time would receive a share of that product; the independents flourished and all of the independents stayed alive. Then in 1982, ARCO had their special products unit meeting and they formulated the document we've been talking about. In that document they planned to discontinue the credit cards called the credit card blow-up. They established price zones. In blowing up the credit card, one of the intentions was, according to the SPU document, that in the short term at least those dealers would lose all those credit card customers and their volume would decrease. At the same time they were used to paying a rent based upon gallonage of gas sold and that was converted over into economic rent. The economic rent then was 300-400 percent more than what they were paying on the gallonage rent. Their volume is down and their rent has gone up. What happens? They left the business. That allowed the company to then either choose to close the stores or company operate them; they chose to go to company operation. In 1984 in southern Nevada one of our large independents, Terrible Herbst,

found himself unable to survive anymore buying gasoline on the spot market. His wholesale prices that he could buy for were about the same as what he could retail for, and so it was either get out of the business or find somebody to team up with. So he was forced into branding to ARCO, and I want to use the word forced. He didn't do that willingly, he would have preferred to have carried his own banner. Rebel at the same time was approached prior to Herbst and Mr. Casen refused to sign and last night in committee Mr. Casen in his own words stated to us that he was offered and refused to sign. Being the largest independent distributor in the state he is still surviving. So Terrible Herbst is gone, large independent. In August 1984 the Armor Oil Company, another large independent in this state, filed Chapter 11 bankruptcy and left the state. One of the reasons for an independent refiner going out of business is if the independent dealers are gone, there is no one for that independent refiner to sell his product to. In 1985 the rents were increased regardless of lease expiration dates. They were increased again the following year in 1986. We're not talking about $100, we're talking of going from $2,500 to $3,500 a month to $4,500 a month to $6,000 a month; those types of increases. Now we come along to August 1985. USA Gas, an independent company in southern Nevada also left the state because they didn't have a source of gasoline they could buy and retail and make any profit. In late 1985 the swap between ARCO and Shell Oil Company began. As we know on the eastern side of the Mississippi River, Shell took over the ARCO units, and on the western side of the Mississippi, Arco took over Shell. Arco wants to concentrate on the western part of the United States. Shell oil now has gone from southern Nevada. In 1986, Mobil left southern Nevada. They are gone. At the same time in 1986 in the north, USA brands branded. When we say branded that means going from an independent designation to carrying a major oil company brand. USA branded to Shell and Chevron in the north in this area. Armor gas went with Arco in the north. Buy Rite went with Unocal in the north. Texaco notified their dealers in Nevada that "we don't know if we're going to be here."

There's a Texaco dealer right here in Carson City that has been given indication by his company that his lease is up this year. He may not be around because the company may leave the state. Express Brands in southern Nevada is a large independent, functioning out of San Diego. They could find no source of fuel so they were forced to go with Unocal to stay in the business. Fill-n-Fast Brands independent in southern Nevada. They're not Fill-n-Fast anymore, they are now Unocal. We have one independent left in this state operating in southern Nevada with one station in the north and that is Rebel owned by Jack Casen. He's been in the business 37 years and he intends to hang on as long as he can. We ask ourselves what happened to all these small businesses, the businesses that are our neighbors, they service our products, they have taken a corner and carved out a niche in the world for themselves. They can unlock their doors in the morning, lock them at night, hire the people, make business decisions, try to put a legacy together for their family and become a part of the American Free Enterprise system, and what are we doing to those people? I think the large companies of the world need to exist, we need those too, but we need coexistence and this is not anti-business legislation. This is legislation to continue the quest of the small person to run his own business and be able to compete in the marketplace, keep the prices down and we'll all be better off. I'd like to go to who was at this SPU meeting because I think it is very important to give you a feeling for what kind of meeting this was. Was it zone managers, lower level management people that got into a planning session? No. Mr. Benson was vice chairman of the board of Atlantic Richfield. We're talking parent company people here, not divisions and so forth. Mr. Cook, executive vice president and director; Mr. Cox, executive vice president and director; Mr. Downer, vice chairman of the board; Mr. Duker, ex vice president and director; Mr. Kieschnick, chief executive officer, president of Arco; Mr. Wycoff, ex vice president and a director. This was the very highest level of management in the Atlantic Richfield Corporation to assemble in one room. I would submit they were not there to talk about some innocuous agreement or plans in a company that would normally be delegated down to the lower level management people. In the Senate in 1986, September 15, Senate Judiciary, there was legislation dealing with this particular problem and I'd like to just quote two very short paragraphs. "In these direct operations, the refiners sell gasoline in competition with their dealer operated stations in the same marketing area. The refiners

set both the wholesale prices charged the independent franchisees in that area and the retail prices on that same brand of gasoline at the service stations they operate themselves." The significant thing as mentioned, the Judiciary Committee believed that this legislation was needed to preserve the role of the full service franchise gasoline dealer in our competitive motor fuel market. These dealers are small businesses, independent and competitive, and they are unable to survive large scale incursions into the retail tier by the same large companies which supply them with their product. Today I believe that A.B. 420 is a necessary piece of legislation, and it's to preserve business, not to defeat it and I would urge your support. Thank you.

ASSEMBLYMAN FAY:

Thank you, Mr. Speaker. I come here today in favor of A.B. 420 as a guy who has been called many names in his life, but never a Socialist. I hope after today I still will remain not a Socialist. I defend or promote this bill for one reason and one reason only. Captain of industry, Mr. J. S. Morrison himself in these documents alluded twice specifically to the fear of political influence. Captains of industry many times, on most occasions, ascribe to the Milton Friedman form of free economic marketing. Yet in private, in confidential memos, they don't recognize the fact of political judgment on these policies they ascribe to on that basis. I think that it is not only our duty but our obligation at times to get into the private sector when the problems do exist.

ASSEMBLYMAN NEVIN:

Thank you, Mr. Speaker. This bill was not just dreamed up and drafted a couple of weeks ago or last month; this has been in the working for over a year.

I had a meeting with some gasoline retailers and they told me they had a problem. They showed me some interoffice memos they had which they weren't supposed to have and it pointed out that they definitely had a problem. I saw charts; I saw maps; I saw the takeover of the south; I saw how service stations, six months prior to one chart had been taken over and surrounded by ARCO, and others have been driven out of business.

This is a very important piece of legislation. We've come to a point in our time in our state that we are going to have to adopt these kinds of laws because the government isn't going to do it. They don't think they should, they think it's our problem and we should handle it and this is what this legislation does. I urge your support, I urge your "yes" vote and I urge you to make sure that this bill, when it gets to the Senate passes. You talk to them and tell them what the problem is. A two-year interim study from the Senate is not going to solve our problem; it's going to be too late, everybody will be out of business. Thank you.

ASSEMBLYMAN BROOKMAN:

Yes, Mr. Speaker, thank you. Through you and to you to this august body. I sat through the hearing last night—all the way through—and I commend my colleagues that sat on the committee, and especially the subcommittee. I am a consumer of gas, I am a member of this body and I am on the bill.

I rise in support of A.B. 420. I have seen many of the documents and charts and the information in those charts and documents—it must have been a very hard thing to get—and I, alone, will vote for this on that—just from looking at the charts alone.

What they plan to do, these giants, to the little guy and the consumer in the State of Nevada is unforgivable. They've already done it in the north, and now they are trying to do it to us in the south—I think we should rise up in arms and say, "No." The oil companies have dictated to the gas stations, "No more fixing flats; no more serving the people, washing their windshields; no more restrooms; don't be kind, just charge them—gouge them and charge them, they'll have no place else to go." Indeed, how long do we know they are going to stay here when they get the monopoly? I've heard of stonewalling before, but last night in the meeting I saw it.

I urge every one of you here, as a consumer, for the little guy, for the handicapped, for the elderly, I urge you to do a yes vote and vote this out to the other side and send a message to the other side that we will not be pushed around in Nevada by the big guys. We're going to do something for the little guys.

ASSEMBLYMAN DUBOIS:

Thank you, Mr. Speaker. I stand in opposition to this populace. But in saying that, let me add that I come here not to praise Caesar, but also not to bury him.

Let me say that when I first got wind of this from the ARCO dealer in Las Vegas, I was very impressed and I must admit that I believed him and I still believe him. I do believe that there are many injustices that were provoked upon him and upon many other dealers. I became enraged and, like all of us who are do-gooders, I wanted to get out and do something about it.

I had second thoughts after this bill was introduced, and I might add that I signed on it also. I wanted to give it full consideration, and I did. And, I must say that after the bill was introduced, word got out pertaining to it and I had second thoughts, particularly when I talked to my Texaco dealer whom I've done business with for many years and another dealer that I've known and talk to generally about once a month, a Conoco dealer, pleading with me not to pass this bill because they would be put out of business. That's the other side of the coin.

Now, what we're going to do here with this piece of legislation is to tell the marketplace how to run their business—we're going to legislate that. We're attempting to legislate the most competitive business in the world, believe me. That's why ARCO has come out with a very competitive marketing plan.

I've written a few marketing plans. This plan, as the Assemblyman from Las Vegas stated, was presented to their board of directors, most of whom know very little about marketing. When you write a marketing plan, you write it to be persuasive. That's what that plan is.

I think that this is a knee-jerk reaction. I don't think it is wise legislation. What we are going to do here, actually, is join four other states—all of them Eastern liberal states—in a divorcement-type legislation. Those states are Maryland, Delaware, Connecticut and Virginia. There used to be five. They used to have Florida, but two years ago Florida repealed this law—they didn't like it. If you want to join those four states, fine, but I submit to you that if you really studied this bill and really think it's true and have sat on the committees as I have, you'll see this as a special interest bill. I submit to you that it is a special interest for three multi-millionaires who are in the independent oil business. They are the ones who are going to get richer. The bill simply takes out competition in the Nevada market, the major competitors. When you do that, when you take them out of the retail competition, you automatically lessen the competition. We all know what happens—that increases prices—and in the long run you will hurt the consumer, and you are doing that for the benefit of a few.

We heard in testimony that prices in Las Vegas are among the lowest—lower even than in Los Angeles. We all know that there are gas wars that go on, prices go up and prices go down. As I said it is a highly competitive business. I feel that we are acting on our emotions here and I don't think that the legislature is the proper forum for this piece of action. The proper forum is in the courts and, right now there is a court action in Las Vegas Federal Court pertaining to this whole matter. That is where this thing belongs, not for us to legislate business.

My final thought, simply, is that, as I stated before, even the proponents of the bill have admitted that prices are at rock-bottom right now and if this bill passes, prices will increase. Who is going to be hurt? The consumer is going to be hurt—not only the consumer, but many other retailers, not the least of whom are over one hundred retailers in the convenience-food market.

ASSEMBLYMAN SEDWAY:

Thank you, Mr. Speaker. I rise in support of A.B. 420, specifically to counter balance remarks made by the previous speaker, my distinguished colleague from Clark County.

This is not a knee-jerk reaction we are taking. It is not a hasty action. This bill has been before this body for two months. It has been a subject of much scrutiny and much debate. Why are ARCO's prices lower? Any of you who have been made aware of the actions of the committee and the subcommittee and had the opportunity to read the strategic planning document which was presented to us last night, which was gone over line by line by the

chairman of our subcommittee—line by line—would see that that was a blueprint for monopolistic destruction of an industry which serves us. In the course of the testimony last night we were given to understand that all 50 attorneys general—all 50 attorneys general in the United States—have openly complained about the lack of prosecution by the administration, the Federal administration, in prosecuting anti-trust activities of major corporations in this country. What you have here now before you is a remedy to forestall the efforts of the present administration to strangle the efforts of individuals who want to make their way in the State of Nevada.

Why are prices lower in Nevada? They are lower because this corporation has gone out of their way to drive the price down to the point where independents cannot compete. In answer to a direct question that I put to the chief spokesman for ARCO last night, he told me that they would stay here as long as they had to in spite of the fact that they are losing hundreds of thousands of dollars every month. And I asked him how long they can stay here and do that? Are they going to do that for ten years, and he said, "Probably not." I said are you going to do it for five years? And, he said, "I'm not sure, probably not." And I said are you going to do it for one month? And, he said, "Sure." Well we know how long they are going to do it then. They are going to do it for somewhere between one month and five years. Who will be able to stand the force, the economic force, of a multi-billion dollar corporation to fight for survival with a plan like that? I command you, each and every one of you, to get a copy of that document and apply it to your own lives and businesses. You would not be able to survive. We cannot allow business practices like this to exist in the State of Nevada. A.B. 420 is a remedy which must be applied.

ASSEMBLYMAN CRADDOCK:

Mr. Speaker, to you and through you to the members. It is an unusual circumstance that I rise this morning. First of all I want to stipulate clearly that I stand in support of A.B. 420. Secondly, I want to state to you that I have a clear-cut conflict of interest. The conflict of interest is not the type that is normally talked about on this floor. I am one of several who enjoy an income from ARCO. I don't necessarily agree with the way they do business. The public interest far exceeds anything that I have by way of personal gain in this one. I've had that income for years now, and in the event that they would elect to forestall that, that's fine with me and if they have a representative here they can state as a matter of public record that I have said that and I'm willing to go through with it.

But, I do feel that the public interest is at stake here and I feel if these people are allowed to continue in this type of an operation we will certainly find out why they've lost 10 cents per gallon or whatever it is over the course of the last several years. Somewhere down the road we will be exceedingly sorry that we've allowed this thing to continue on this path. So, those members that have any interest in long-term survivalship, or long-term best interests in the State of Nevada better think twice when they vote against this because I think the intent of the plan is laid out clearly and I don't think there is any denying it at this point in time. So, with those remarks I will be voting for A.B. 420.

ASSEMBLYMAN ADLER:

Thank you, Mr. Speaker. I rise in support of this bill. I went to the subcommittee hearing last night undecided on this matter. I wasn't committed to either voting for or against this measure; however, just briefly a couple of things turned me around. This is in response to my colleague from Las Vegas who is opposed to this measure.

We really have no alternative at this point in time. There was sufficient testimony that the Federal government now is not enforcing the anti-trust laws on oil companies. I suggest to you that if they were doing their job, we would not be introducing this legislation today. This is being caused by their failure to meet their responsibilities to the public in general in the United States. Therefore, they have placed multi-national oil companies in the position of monopolizing markets which, I believe after reviewing the documents yesterday, is happening in Las Vegas and will soon happen in the northern part of the state. Secondly, the State of Nevada is not prepared to bring an anti-trust action against ARCO or any other major multi-national corporation. We have one half-time attorney general position to take on ARCO's hundreds of attorneys. Our entire litigation budget would be exhausted in a few months with just one lawsuit against ARCO. I have

been involved in a few lawsuits such as this, not as large as this one, and I can tell you that the attorney's fees can go past $1 million in less than one year's time. And, in preparation of documents, that figure can also be exceeded. So, we do not have a legal alternative in terms of the court system in controlling this multi-national corporation.

And, finally, in reply to my colleague from the south. There was a suggestion that letting this process continue will lead to greater competition. If one looks to the SPU, which is their own document, they state quite clearly that the temporary price reduction which is occurring now wherein they are selling gas below the market price and losing money will continue only to such time as all competition is driven out of the market and they can raise their prices. They do state quite clearly in that document that they will be raising their prices at that point in time and I would suggest to you that when that happens, we will all suffer as consumers. Therefore, I reluctantly support this measure because I believe we have been left with no alternative and I urge your support. Thank you.

ASSEMBLYMAN MYRNA WILLIAMS:

Thank you, Mr. Speaker. I rise in support of A.B. 420. I would say that perhaps this is the most informed vote that any of us will cast. I'm proud to be a member of the Commerce Committee because of the work, the research and the information that was provided to us. There is no question in my mind that had the Federal government acted, we wouldn't have to. There is no question in my mind that our Committee on Commerce and this body acted very courageously; we took steps that are not popular, but we did that so we could stand here today and make the kind of informed vote that we need to make. I would urge all of you that this is a vote that we need to make and this is a vote that is based on information, on evidence, and not a vote that is based on emotion. Thank you.

ASSEMBLYMAN SPINELLO:

Thank you, Mr. Speaker. I rise in support of the bill. In hearing the testimony last night something kept ringing through. It was a term that was used by a very well-liked member of the U.S. Senate some decades ago. He phrased the term "corporate futilism." Futilism, the political system characterized by arrogance, control, the dividing up of things into little areas of control. If you look at the patchwork quilt that I'm sure they have in store for us for various companies to carve off various geographical areas of the country and determine who will control what and within their area what prices they will charge, what services you will be able to get. I don't think it is a coincidence that when that eastern liberal, Teddy Roosevelt, did his greatest trust busting, some of his larger targets were the oil companies. Here we are again. The reason we're here is because we're Nevadans and if the Federal government won't do it, then we must help ourselves. That's why we're here.

ASSEMBLYMAN JEFFREY:

Mr. Speaker, I rise in support of A.B. 420. My colleague from Las Vegas, who intended to speak against the bill, actually spoke in favor of it. There are fewer outlets now for gasoline, or at least fewer people to control the gasoline in Las Vegas now than there were two years ago. We've seen the market narrow in Las Vegas for some time. It is a little disturbing when you drive in Las Vegas and see the number of ARCO stations. They have taken over Shell, they've taken over other operations. They've been forcing their own dealers out of business as well as the competition. You know, there is a well-known commercial that says, "Pay me now or pay me later." I don't want to pay higher prices any more than any other consumer does, but I think we have a choice of paying a stable, realistic price now or paying an artificially low price designed to put independent dealers out of business for the time being in order to pay a higher price later and over the long term.

Gasoline is the life blood of Nevada's tourist economy. We can't afford to have ARCO or any other corporation tamper with our gasoline supplies. There is no question that we'll have to pay no matter what the price is. We saw that during the embargo. I don't want to see it again, especially under these kinds of circumstances.

ASSEMBLYMAN SCHOFIELD:

Thank you, Mr. Speaker. I certainly rise in support of this legislation mainly because of

what the impact, as shown in the southern Nevada area, and, of course the north, will be. The thing that bothered me in sitting on that committee last night more than anything is one particular phrase in that document that has been alluded to and talked about today. It is on page three of the document and I asked exactly what it meant. The requirement, it was almost the thrust of the whole document in my opinion as far as the take-over is concerned, and I'll read it to you. This particular document says, "head off loss of market control." That's exactly what we're talking about. We have an opportunity today to, hopefully, not too late in this game for the people of the State of Nevada, stop that market control that appeared to be their thrust with this particular major oil company. I urge you to vote yes on A.B. 420.

ASSEMBLYMAN PRICE:

Thank you, Mr. Speaker. I rise in support, but first I would like to express my thanks and congratulations for the good work of my colleague with the shock of blonde hair and the rumpled suit from Las Vegas. Differences aside from the other day, I think the committee did an excellent job. With that, I would like to also respond to the remarks of my colleague who opposes the bill. I would suggest that none of us, Democrats or Republicans, liberals or conservatives, choose to voluntarily involve ourselves into the private sector and into the free enterprise system. I think probably very few people who have come before us in legislative bodies across this land voluntarily chose to do the same thing. However, our history indicates, the history of our country, that in many cases when there has been abuse in any area that those legislative bodies from Congress to the several legislatures across the country have, in fact, injected themselves into private enterprise as they have in many other portions of the private sector where there was anti-trust laws. I suppose you could characterize our "greenmail" bill that we have done this year, regulations for safety on the job and many other areas. And, I think that when we first started hearing of this problem a year or so ago, there were at least indications of abuses as was characterized by our neighbors, the people we have grown up with, business people throughout our state. It would appear at this point in time from the report that has come back from our committee that there is ample evidence of those abuses. I for one am very happy and very pleased because I feel like we are doing something again for the little guys, that we have an opportunity to do something about that. I was not really aware of the size of the company or the people we were dealing with until our colleague indicated that they were larger in dollars than many states, and certainly our state, and many countries. I did not realize that we were dealing with quite that scale. I know that today what we're doing today is not the final answer, but I hope that we—we being Nevada and this legislature—the little guys, like David, have loaded our sling and I hope that we will be able to bring down that giant that has been menacing our neighbors and our friends and our constituents.

Roll call on Assembly Bill No. 420:

YEAS—33.

NAYS—Bergevin, DuBois, Humke, Kerns, Lambert, Marvel, Spriggs—7.

Absent—Swain.

Not voting—Carpenter.

Assembly Bill No. 420 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Judiciary, to which was referred Assembly Bill No. 742, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ROBERT M. SADER, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which was re-referred Assembly 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.

MARVIN M. SEDWAY, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Sedway moved that Assembly Bill No. 130 be placed on the General File immediately following Assembly Bill No. 757.

Remarks by Assemblyman Sedway.

Motion carried.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 22, 1987

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Senate Bills Nos. 469, 508.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bill No. 288.

Also, 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

GENERAL FILE AND THIRD READING

Assembly Bill No. 708.

Bill read third time.

The following amendment was proposed by Assemblyman Gaston:

Amendment No. 878.

Amend section 1, page 1, line 4, by deleting "*if:*" and inserting: "*whether or not:*".

Amend the title of the bill by deleting the first and second lines and inserting:

"An Act relating to children; extending to the grandparents of a minor child the right to visit the child regardless of the marital status of the parents; authorizing the award of temporary custody or a right of".

Assemblyman Gaston moved the adoption of the amendment.

Remarks by Assemblymen Gaston, Fay, Spriggs and McGaughey.

Assemblymen Gaston, May and Jeffrey requested a roll call on Assemblyman Gaston's motion.

Roll call on Assemblyman Gaston's motion:

YEAS—27.

NAYS—Arberry, Bergevin, DuBois, Evans, Garner, Humke, Lambert, McGaughey, Nicholas, Sader, Spriggs, Thomas, Triggs, Mr. Speaker—14.

Absent—Swain.

The motion having received a majority, Mr. Speaker declared the amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 453.

Bill read third time.
Remarks by Assemblyman Wisdom.
Roll call on Assembly Bill No. 453:
YEAS—41.
NAYS—None.
Absent—Swain.

Assembly Bill No. 453 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 559.
Bill read third time.
Remarks by Assemblyman Triggs.
Roll call on Assembly Bill No. 559:
YEAS—41.
NAYS—None.
Absent—Swain.

Assembly Bill No. 559 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 612.
Bill read third time.
Remarks by Assemblyman Porter.
Roll call on Assembly Bill No. 612:
YEAS—38.
NAYS—None.
Absent—Swain.
Not voting—Kissam, May, Price—3.

Assembly Bill No. 612 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 640.
Bill read third time.
Remarks by Assemblyman Callister.
Roll call on Assembly Bill No. 640:
YEAS—37.
NAYS—None.
Absent—Swain.
Not voting—Carpenter, Kissam, May, Price—4.

Assembly Bill No. 640 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 730.
Bill read third time.
Remarks by Assemblyman DuBois.

Roll call on Assembly Bill No. 730:

YEAS—41.
NAYS—None.
Absent—Swain.

Assembly Bill No. 730 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 12:30 p.m.

ASSEMBLY IN SESSION

At 12:38 p.m.

Mr. Speaker presiding.

Quorum present.

REMARKS FROM THE FLOOR

Assemblyman Jeffrey announced that Assemblyman May would be excused for the remainder of the day.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Judiciary, 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: Amend, and do pass as amended.

ROBERT M. SADER, *Chairman*

Mr. Speaker:

Your Committee on Natural Resources, Agriculture and Mining, to which was referred Senate Bill No. 441, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JAMES W. SCHOFIELD, *Chairman*

GENERAL FILE AND THIRD READING

Assembly Bill No. 759.

Bill read third time.

The following amendment was proposed by the Committee on Taxation:

Amendment No. 920.

Amend section 1, page 1, line 12, by deleting "3, 4 and 5" and inserting "3 and 4".

Amend section 1, pages 2 and 3, by deleting lines 40 and 41 on page 2 and 1 through 27 on page 3.

Amend section 1, page 3, line 28, by deleting "6." and inserting "5.".

Amend section 1, page 3, line 38, by deleting "7." and inserting "6.".

Amend section 1, page 3, line 40, by deleting "8." and inserting "7.".

Amend section 1, page 4, line 3, by deleting "9." and inserting "8.".

Amend section 1, page 4, line 7, by deleting "10." and inserting "9.".

Amend section 1, page 4, line 13, by deleting "11." and inserting "10.".

Amend section 2, page 4, by deleting lines 30 and 31 and inserting:

"Sec. 2. Section 4 of chapter 245, Statutes of Nevada 1983, at page 551, is hereby amended to read as follows:

Sec. 4. 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, [and] 4 *and 5* and section 1 of this act, 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. If the company is operating in more than one county, on establishing the 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. 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.

[5.] *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.

[6.] *7.* As used in this section the word "company" means any person, company, corporation or association engaged in the business described.

[7.] *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.

[8.] *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.

[9.] *10.* 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.

[10.] *11.* 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. A company which fails to pay the tax within the time required shall pay a penalty of 10 percent of the tax due or $5,000, whichever is greater, in addition to the tax. Any amount paid as a penalty must be deposited in the state general fund. The department may, for good cause shown, waive the payment of a penalty pursuant to this subsection. 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.".

Amend the bill as 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 Gaston moved the adoption of the amendment.

Remarks by Assemblyman Gaston.

Amendment adopted.

Assemblyman Bergevin moved that Assembly Bill No. 759 be re-referred to the Committee on Taxation.

Motion carried.

Bill ordered reprinted, re-engrossed and to the Committee on Taxation.

Assembly Bill No. 774.
Bill read third time.
Remarks by Assemblymen Lambert and Triggs.
Roll call on Assembly Bill No. 774:

YEAS—37.
NAYS—Porter.
Absent—May, Swain—2.
Not voting—Brookman, Carpenter—2.

Assembly Bill No. 774 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 788.
Bill read third time.
Remarks by Assemblyman Marvel.
Roll call on Assembly Bill No. 788:

YEAS—40.
NAYS—None.
Absent—May, Swain—2.

Assembly Bill No. 788 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 801.
Bill read third time.
Remarks by Assemblyman Marvel.
Roll call on Assembly Bill No. 801:

YEAS—40.
NAYS—None.
Absent—May, Swain—2.

Assembly Bill No. 801 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 819.
Bill read third time.
Remarks by Assemblyman Spinello.
Roll call on Assembly Bill No. 819:

YEAS—40.
NAYS—None.
Absent—May, Swain—2.

Assembly Bill No. 819 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 508.
Bill read third time.
Remarks by Assemblyman Thompson.

Roll call on Assembly Bill No. 508:

YEAS—38.

NAYS—Banner, Mr. Speaker—2.

Absent—May, Swain—2.

Assembly Bill No. 508 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 510.

Bill read third time.

Remarks by Assemblyman Nevin.

Roll call on Assembly Bill No. 510:

YEAS—38.

NAYS—Banner, Haller—2.

Absent—May, Swain—2.

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

Bill ordered transmitted to the Senate.

Assembly Bill No. 636.

Bill read third time.

Remarks by Assemblyman Haller.

Roll call on Assembly Bill No. 636:

YEAS—37.

NAYS—Spriggs, Thomas, Thompson—3.

Absent—May, Swain—2.

Assembly Bill No. 636 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 656.

Bill read third time.

Remarks by Assemblyman Carpenter.

Roll call on Assembly Bill No. 656:

YEAS—40.

NAYS—None.

Absent—May, Swain—2.

Assembly Bill No. 656 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 675.

Bill read third time.

Remarks by Assemblyman Spriggs.

Roll call on Assembly Bill No. 675:

YEAS—40.

NAYS—None.

Absent—May, Swain—2.

Assembly Bill No. 675 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 757.

Bill read third time.

Remarks by Assemblyman Banner.

Roll call on Assembly Bill No. 757:

YEAS—40.

NAYS—None.

Absent—May, Swain—2.

Assembly Bill No. 757 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 130.

Bill read third time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 880.

Amend the bill as a whole by deleting sec. 10 and renumbering sec. 11 as sec. 10.

Amend the title of the bill, fourth line, by deleting: "making an appropriation;".

Assemblyman Sedway moved the adoption of the amendment.

Remarks by Assemblyman Sedway.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 24.

Bill read third time.

Remarks by Assemblymen Myrna Williams, Bergevin and Carpenter.

Roll call on Senate Bill No. 24:

YEAS—35.

NAYS—Carpenter, Getto, Porter, Spriggs, Thomas—5.

Absent—May, Swain—2.

Senate Bill No. 24 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Senate Bills Nos. 184, 191, 203, 231, 263, 275, 318, 354, 355, 356, 376 and 415 be taken from the General File and placed on the General File for the next legislative day.

Motion carried.

By the Committee on Government Affairs:

Assembly Concurrent Resolution No. 61—Directing the Legislative Commission to conduct an interim study concerning the basing of public utilities' rates upon anticipated revenues and expenses.

Assemblyman Thompson moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

Senate Concurrent Resolution No. 38.

Assemblyman Craddock moved the adoption of the resolution.

Remarks by Assemblyman Craddock.

Resolution adopted unanimously.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Transportation:

Assembly Bill No. 835—An Act relating to motor vehicles; requiring a dealer in motor vehicles to pay off any security interest which is outstanding on any motor vehicle he takes in trade on the purchase of another vehicle; and providing other matters properly relating thereto.

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

Motion carried.

Senate Bill No. 288.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Taxation.

Motion carried.

Senate Bill No. 469.

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

Motion carried.

Senate Bill No. 508.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 592.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 227.

Bill read second time, ordered engrossed and to third reading.

Senate Bill No. 222.

Bill read second time and ordered to third reading.

Senate Bill No. 296.

Bill read second time and ordered to third reading.

Assembly Bill No. 584.

Bill read second time.

The following amendment was proposed by the Select Committee on Corrections:

Amendment No. 909.

Amend sec. 2, page 1, by deleting lines 3 through 6, and inserting:

"Sec. 2. *1. Except as otherwise provided in subsections 3, 4 and 5 and in cases where a consecutive sentence is still to be served, if a prisoner sentenced to imprisonment for a term of 3 years or more:*

(a) Has not been released on parole previously for that sentence; and

(b) Is not otherwise ineligible for parole,

he must be released on parole 9 months before the end of his term,".

Amend sec. 2, page 1, line 6, after "*sentence.*" by inserting: "*The board shall prescribe any conditions necessary for the orderly conduct of the parolee upon his release.*".

Amend sec. 2, page 1, by inserting between lines 9 and 10:

"*3. If the board finds, at least 2 months before a prisoner would otherwise be paroled pursuant to subsection 1, that there is a reasonable probability that the prisoner will be a danger to public safety while on parole, the board may require the prisoner to serve the balance of his sentence and not grant the parole provided for in subsection 1.*

4. If the prisoner is the subject of a lawful request from another law enforcement agency that he be held or detained for release to that agency, the prisoner must not be released on parole, but released to that agency.

5. If the department has not completed its establishment of a program for the prisoner's activities during his parole pursuant to this section, the prisoner must be released on parole as soon as practicable after the prisoner's program is established.

6. For the purposes of this section, the determination of the 9-month period before the end of a prisoner's term must be calculated without consideration of any credits he may have earned against his sentence had he not been paroled.".

Amend sec. 3, page 1, line 15, by deleting the period and inserting: "*unless, because of the remoteness of the community to which the parolee is released, enhanced supervision is impractical.*".

Amend sec. 5, page 2, by inserting between lines 31 and 32:

"*4. In determining whether to release a prisoner on parole pursuant to this section, the board shall not consider whether the prisoner will soon be eligible for release pursuant to section 2 of this act.*".

Amend the bill as a whole by adding a new section designated sec. 8, following sec. 7, to read as follows:

"Sec. 8. The provisions of section 2 of this act apply to any prisoner whose term of imprisonment ends on or after March 31, 1988.".

Amend the title of the bill to read as follows:

"An Act relating to parole; revising certain provisions relating to the release of prisoners on parole; requiring intensive mandatory supervision of certain prisoners released on parole; and providing other matters properly relating thereto.".

Amend the summary to read as follows: "Requires mandatory intensive supervision of certain prisoners released on parole. (BDR 16-2093)".

Assemblyman Sader moved the adoption of the amendment.

Remarks by Assemblymen Sader and Adler.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 332.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 703.

Amend the bill as a whole by deleting sections 1 and 2, and adding a new section designated section 1, following the enacting clause, to read as follows:

"Section 1. NRS 288.110 is hereby amended to read as follows:

288.110 1. The board may make rules governing proceedings before it and procedures for factfinding and may issue advisory guidelines for the use of local government employers in the recognition of employee organizations and determination of bargaining units.

2. The board may hear and determine any complaint arising out of the interpretation of, or performance under, the provisions of this chapter by any local government employer, local government employee or employee organization. *The board shall conduct a hearing within 90 days after it decides to hear a complaint.* The board, after a hearing, if it finds that the complaint is well taken, may order any person to refrain from the action complained of or to restore to the party aggrieved any benefit of which he has been deprived by that action. *The board shall issue its decision within 90 days after the hearing on the complaint is completed.*

3. Any party aggrieved by the failure of any person to obey an order of the board issued pursuant to subsection 2 may apply to a court of competent jurisdiction for a prohibitory or mandatory injunction to enforce the order.

4. The board may not consider any complaint or appeal filed more than 6 months after the occurrence which is the subject of the complaint or appeal.

5. The board may decide without *a* hearing a contested matter in which all of the legal issues have been previously decided by the board, if it adopts its previous decision or decisions as precedent.

6. The board may award reasonable costs, which may include attorneys' fees, to the prevailing party.".

Amend the bill as a whole by renumbering sec. 3 as sec. 2.

Amend the title of the bill to read as follows:

"An Act relating to local government employee-management relations boards; requiring each board to hear a complaint and issue its decision within a certain period; and providing other matters properly relating thereto.".

Amend the summary of the bill to read as follows: "Requires local government employee-management relations board to hear complaint and issue decision within certain period. (BDR 23-748)".

Assemblyman Thompson moved the adoption of the amendment.

Remarks by Assemblyman Thompson.

Amendment adopted.

Assemblyman Thompson moved that Assembly Bill No. 332 be re-referred to the Committee on Government Affairs.

Motion carried.

Bill ordered reprinted, engrossed and to the Committee on Government Affairs.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bill No. 8; Senate Bills Nos. 161, 292, 377; Senate Concurrent Resolutions Nos. 35, 36.

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 Mss. JoAnn Tarr, Diana Adams, Judy McCombs, June Thomas, Messrs. John Conklin, Robert Ramos and the students of Sun Valley Elementary School: Daniel Adams, Ben Billington, Gary Davis, Keith Grosebeck, Jason Hoff, Edward Jachimiak, James McCombs, Anthony Mongelli, Shawn Mullen, Mike Seidler, William Shirk, Jason Starrett, Jessica Ashworth, Danielle Blevins, Camille Estrada, Julie Gilman, Kerrie Griffin, Kimberly Hamilton, Virginia Hare, Christina Lastine, Jennine Ness, Jonella Nicholson, Melissa Poggi, Brandee Ramos, Silvia Rodriguez, Jessica Romano, Otilia Shelton, Joleen Thom, Verna Thomas and Angela Wallis.

On request of Assemblyman Lambert, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Lureca Jones, Angel Garcia, Mesdames Snow, Burns, Aity, Mr. Mike Pelfrey and the students of Herlong Elementary School: Janeen McCoy, Colleen Diedrick, Pattie Russell, Jessica Ward, Tisha McMichael, Stacey Perez, Dawn Hodson, Christie Diedrick, John Emmons, Steve Pelfrey, Brenda Snow, Stephanie Dunn, Nancy Simpson, Jared Cochran, Keegan Warner, Jennifer Brown, Brian Weems, Sandy McGuire, Rachel Russell, Scott Burns, Katy Idzinski, Jeremiah Cochran and Andrew King.

On request of Assemblyman Getto, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Darcy Dickerson.

On request of Assemblyman Brookman, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Brian Greenspun.

On request of Assemblyman Porter, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Derrick Streets.

On request of Assemblyman Thompson, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Gary J. Bloomquist and Ms. Margaret Bloomquist.

On request of Assemblyman Sedway, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Carol Fukunaga, Gail Iseri, Messrs. T. David Woo, Gerald Miyoshi, and Daniel T. Aono.

Assemblyman Jeffrey moved that the Assembly adjourn until Monday, May 25, 1987 at 10:30 a.m.

Motion carried.

Assembly adjourned at 1:19 p.m.

Approved: JOSEPH E. DINI, JR.
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE ONE HUNDRED AND TWENTY-SEVENTH DAY

CARSON CITY (Monday), May 25, 1987

Assembly called to order at 10:40 a.m.

Mr. Speaker presiding.

Roll called.

All present except Assemblyman Freeman, who was excused.

Prayer by the Chaplain, Mr. J. Scott Allred.

O God, we ask Your guidance this day as we begin another week of our session. Help us to keep our minds on our work so that we may best represent our work to others.

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Nevin 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. 362, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

ROBERT M. SADER, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which was referred Assembly Bill No. 537, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ROBERT M. SADER, *Chairman*

Mr. Speaker:

Your Committee on Legislative Functions, 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: Do pass.

MYRNA WILLIAMS, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which were referred Assembly Bills Nos. 674, 723, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

DANNY L. THOMPSON, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which were referred Assembly Bills Nos. 812, 826, 827, 830, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

DANNY L. THOMPSON, *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which were referred Assembly Bill No. 749; Senate Bill No. 320, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN E. JEFFREY, *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which were referred Assembly Bills Nos. 438, 695, 775, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN E. JEFFREY, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which were referred Assembly Bills Nos. 256, 258, 512, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

MARVIN M. SEDWAY, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, 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: Amend, and re-refer to the Committee on Ways and Means.

MARVIN M. SEDWAY, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 22, 1987

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. 278 and requests a conference, and appointed Senators O'Donnell, Shaffer 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 amended, and on this day adopted, as amended, Assembly Concurrent Resolution No. 8, 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 Senate Concurrent Resolution No. 39.

MARY JO MONGELLI
Assistant Secretary of the Senate

UNFINISHED BUSINESS

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker appointed Assemblymen Fay, Callister and McGaughey as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Assembly Bill No. 278.

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

Assembly in recess at 10:47 a.m.

ASSEMBLY IN SESSION

At 10:48 a.m.

Mr. Speaker pro Tempore presiding.

Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen Kerns, Schofield, Brookman, Wisdom, Porter, Spinello, Tebbs, Fay, Myrna Williams, Marvel, Callister, Banner, Getto, Jeffrey, Price, May, Sedway, Nevin, Freeman, Gaston, Craddock, Swain, McGaughey, Garner, Bergevin, Nicholas, Lambert, Haller, Wendell Williams, DuBois, Arberry, Thompson, Kissam, Humke, Adler, Triggs, Spriggs, Sader, Carpenter, Evans, Thomas and Dini:

Assembly Concurrent Resolution No. 62—Memorializing a distinguished Nevadan, the late Wallie Warren.

WHEREAS, Nevada has lost a true friend and a devoted public servant with the passing of Wallie Warren; and

WHEREAS, Wallace D. "Wallie" Warren was born September 18, 1908, in Glenwood, Iowa; and

WHEREAS, Wallie Warren attended Glenwood schools, the University of Nebraska and studied journalism at Creighton University in Omaha; and

WHEREAS, Mr. Warren's career began as a reporter for the Omaha Bee News before becoming a broadcaster for the Central State Broadcasting System; and

WHEREAS, In 1937 Wallie Warren moved to Sacramento to become a broadcaster for McClatchy Broadcasting Station KFBK before moving to Reno 2 months later to become Manager of KOH radio; and

WHEREAS, He stayed at KOH until 1941 when he quit to become Deputy Administrator of the State Defense Savings Program; and

WHEREAS, In 1943 Wallie Warren served as a combat correspondent-photographer assigned to General Headquarters-Armed Forces Pacific Air Command; and

WHEREAS, During this time he reported General MacArthur's activities throughout the Pacific and was a featured correspondent on the NBC Army Hour; and

WHEREAS, He was awarded the Bronze Star for his service to his country; and

WHEREAS, Wallie Warren began his own public relations firm in Reno, specializing in legislation and politics in 1946; and

WHEREAS, During the past 4 decades, Wallie Warren was a charter member and President of the Reno Exchange Club, a member of the Reno Junior Chamber of Commerce, Washoe Lodge 35, F & AM, American Legion, Nevada Area Council, Boy Scouts of America Executive Board, Nevada State Press Association, Public Relations Society of America, Nevada Taxpayer's Association, Nevada State Chamber of Commerce and the Western Industrial Nevada; and

WHEREAS, He was Director of the Reno Rodeo Association, Director and President of the Washoe County Fair (Nevada State Fair), Director and President of the Prospectors Club, President of the Rotary Club of Reno, and founding member, Director and President of the Reno Press Club; and

WHEREAS, Wallie Warren was also active in politics as Chairman of the Washoe County Young Republicans and Regional Director of National Young Republicans; and

WHEREAS, He worked on Alf Landon's presidential campaign and was campaign director for former Nevada Governor Charles Russell and former United States Senator George Malone; and

WHEREAS, His judgment was sought on many matters by virtually all Nevada Governors; and

WHEREAS, Wallie Warren received the award for Distinguished Service to State Government in 1973 from the National Governor's Association and was voted among the ten most influential Nevadans in 1975; and

WHEREAS, In 1970 Wallie Warren received the Silver Medal Award from the Reno Advertising Club, in 1979 he received the Raymond I. "Pappy" Smith Award as civic leader of the year, he received the Distinguished Nevadan award from the University of Nevada Regents and he was a Northern Nevada Business Leader's Hall of Fame Laureate; and

WHEREAS, Wallie Warren became a friend to many Legislators during his distinguished career of 41 years as a lobbyist with the Nevada Legislature; and

WHEREAS, Wallie Warren was revered by many as one of the "wise men" of Nevada's public life, and served as mentor and adviser to hundreds of Nevadans who sought to make a contribution to their state; and

WHEREAS, Wallie's view of the political process was the long view, seasoned over many decades and directed to the broad objective of advancing the common good; and

WHEREAS, Without the vision and wisdom behind Wallie's quiet encouragement and very real assistance, many might have lacked the stimulus needed for full realization of their goals; now, therefore, be it

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, THE SENATE CONCURRING, That members of the 64th session of the Nevada Legislature do hereby extend their deepest sympathy and sense of loss on the death of a distinguished Nevadan to Wallie Warren's wife of 49 years, Ethel, sons Stan and Leonard and daughter Christy Zinn along with eight grandchildren and two great-grandchildren, all of Reno; and be it further

RESOLVED, That a copy of this resolution be prepared and transmitted by the Chief Clerk of the Assembly to Wallie Warren's wife Ethel, sons Stan and Leonard and daughter Christy Zinn.

Assemblyman Kerns moved the adoption of the resolution.

Remarks by Assemblymen Kerns, Dini, Nicholas, Getto, Jeffrey, Humke, Marvel, Brookman and May.

Assemblyman Nevin requested that the following remarks be entered in the Journal.

ASSEMBLYMAN KERNS:

Mr. Speaker pro Tem, I've known Wallie probably for about twenty-five years. We first became lobbyists together back in 1963 and our friendship developed from there.

Wallie was one of the people responsible for my being here. I don't know whether some of you like that or not.

It was a great honor serving with Wallie all those years. I learned an awful lot from Wallie. I'm not sure how Wallie would lobby for this bill. Wallie would say, "Well, what's this all about? Is this how everybody does things?" Because being right, being honest and being straightforward was Wallie, and he wouldn't be able to understand why we should be making such a big deal about being that type of person. Wallie would hate to think that everybody wasn't that way.

But Wallie was special. In twenty-five years I don't think I ever heard Wallie have anything derogatory to say about anybody. Wallie could find something good about anybody—and I'll tell you that sometimes that's hard to do, but Wallie could do it.

I have some people here that I would like to introduce to you today. I have Wallie's wife, Ethel, sitting with me. In the back are his son, Leonard; his son Stan and his wife, Ruth; daughter, Christy Zinn and her husband, John; and some of the grandchildren: Mike Warren; Gene Warren and his wife, Nancy; and Nancy Kennedy and her husband, Mark. I would like to have you all please stand.

I could stand here and say many, many good things about Wallie, but I'm sure we've heard most of it in the resolution. I'm sure Wallie had a lot of friends in this room who will have a few words to say, so I'll stop at that. Thank you.

ASSEMBLYMAN DINI:

Thank you, Mr. Speaker pro Tem. I would be really remiss if I didn't stand up and say a few words about my good friend, Wallie. I guess when I came here to the legislature in 1967, he was one of the first people I met. He taught me what legislative advocates are.

He left me with the impression of honesty and sincerity for the job he was doing. He helped me so many, many times early in my career when I had to have assistance. I think that Walter Cox and Jack McCloskey actually first put me in touch with Wallie Warren. They kind of steered him to me early in 1967 to be sure I stayed straight over here and listened to the populace, I guess.

Wallie was certainly a dedicated man and I'm going to miss him very much because of our close association all those years.

Our condolences to the family. I know it is hard to take, but we are all with you.

ASSEMBLYMAN NICHOLAS:

Thank you very much, Mr. Speaker pro Tem. I will be brief.

We all know many people in many walks of life. We know some who don't achieve and some who do. I think what I would like to have said about me probably never will be, but I can say it about Wallie Warren. He was really, really the top of the line. They don't come any better, they don't achieve more than he did and we are lucky we had him.

ASSEMBLYMAN GETTO:

Thank you, Mr. Speaker pro Tem. Like my colleague, Assemblyman Dini, my first session was my introduction to Wallie Warren. What I can say about Wallie was that he was a gentle, caring, and yet a very forceful man. He was very informative. He provided me with the information I needed, and yet never was an arm twister.

Wallie's funeral, I think, was a testimonial to the man. The caliber of the people who were there was very impressive to me and surely Wallie had touched every one of those people's lives.

Nevada is a better place today to live because of Wallie Warren. I'm only sorry that he had to go—that he couldn't be here to still make it a better place in the future.

Certainly I would like to pay my respects to the family. I know it is hard, but we have some wonderful memories of Wallie.

ASSEMBLYMAN JEFFREY:

Thank you, Mr. Speaker pro Tem. I first met Wallie, I believe, in 1971, when I first sat in on some Labor and Management meetings in the days when Labor and Management used to get together on some of the then NIC legislation.

I found Wallie to be very well-informed, a tough advocate for the people he represented and yet he was not only concerned about what the right thing was to do, but what was fair.

Wallie had a deep concern for the people of the State of Nevada in the state as a whole. His information was good, his word was good and he will be sorely missed in these halls.

ASSEMBLYMAN HUMKE:

Thank you, Mr. Speaker pro Tem. When I first started, a number of the lobbyists and other people advising those who get into politics said, you have to take a look at lobbyists as a class and remember that their function is to educate you. Don't necessarily pick up the newspaper and believe that all lobbyists are going to be bad individuals for they do serve a very appropriate function. I think that statement could have applied first and foremost to Wallie Warren, who was a great guy. I think he made the profession of lobbyist look good.

I would like to relate a very brief story related by a friend of mine, Dave Howard, who is an out-going city councilman for Reno. When he first ran for public office he put out an announcement and was very happy to receive a phone call from Wallie asking him to come see him as soon as he could. Dave was very excited and he knew that this would either lead to some gold mine of advice or perhaps the other gold mine, financial contributions, as Wallie might put him on the right track. In the end I think that Wallie showed that he had a real sense of humor. He called Dave up to his office and sat down and had some coffee. And Wallie's advice to Dave was this, he said, "When you put out your yard signs, if somebody knocks them down, don't get mad." That was it. Thank you.

ASSEMBLYMAN MARVEL:

Thank you, Mr. Speaker pro Tem. I think it is somewhat regrettable since we have so many new faces in the Assembly this session that they didn't really have the opportunity to know Wallie for what an honorable and incredible man he was. I think you have heard from both parties how much assistance he had given all of us during our sessions in the legislature. We are certainly most appreciative to have known Wallie and the members of his family. Certainly his friendship will be a lasting memory for me the rest of my life.

ASSEMBLYMAN BROOKMAN:

Thank you, Mr. Speaker pro Tem. I knew Wallie before I became a legislator because I was always up in these halls trying to legislate for good things for little people in Nevada. He came up to me one day and he said, "Eileen, I'm going to adopt you as a little girl. I want you to be one of our first women legislators." I took his advice. He called me. I called him. And I did file and I did win and I did become a legislator.

I echo my compadre John Marvel, I'm sorry that the freshmen really didn't get a chance to enjoy Wallie's humor; his wit was marvelous. He was one of the most truthful men I have ever met in my life. He was so very kind. He always called in between sessions to find out how you were. He gave you the truth on everything. Thank you.

ASSEMBLYMAN MAY:

Thank you, Mr. Speaker pro Tem. In 1967, Clark County sent sixteen legislators to the state assembly. Only two of us hold these seats today along with Mr. Getto and Mr. Dini, of course.

Each of us had the great honor of meeting, at least in my case, for the first time in that session, Wallie Warren. Wallie personified that which is a good legislative advocate—straightforward. If you asked him a question, you would get an honest answer even if it were detrimental to the side he was advocating. But, he would never try to color for his own benefit the proposal he was working for or trying to see enacted into statute. He would be candid, he would be straightforward, he'd give you the benefit of years of accumulated wisdom. On many, many occasions he would come to me and he would say, "Paul, whatever you learn up here as you continue to serve us, one thing I would ask of you or advise you strongly on. Once you give your word, stay with it." I've tried to do that.

Wallie, we miss you.

ASSEMBLYMAN KERNS:

Thank you, Mr. Speaker pro Tem. At this time I would like to present Wallie's wife with a framed copy of the Assembly Concurrent Resolution 62 which she can have as a memento of this occasion.

Ethel says to thank you all.

We also have copies here for the rest of the family.

Resolution adopted unanimously.

Assemblyman Kerns moved that all rules be suspended and that Assembly Concurrent Resolution No. 62 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 11:01 a.m.

ASSEMBLY IN SESSION

At 11:06 a.m.

Mr. Speaker presiding.

Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Concurrent Committee on Economic Development, Small Business and Tourism, to which was referred Assembly Bill No. 403, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

BOB PRICE, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Senate Concurrent Resolution No. 39.

Assemblyman May moved the adoption of the resolution.

Remarks by Assemblymen May, Craddock, Price and Schofield.

Resolution adopted unanimously.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Ways and Means:

Assembly Bill No. 836—An Act relating to the University of Nevada; authorizing the construction and equipment of two buildings for the desert research institute; authorizing the issuance of securities to pay for part of the cost of the buildings; and providing other matters properly relating thereto.

Assemblyman Sedway moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By Assemblymen Price, Kerns, Fay, May, Thompson, Arberry, DuBois, Swain, Freeman and Thomas:

Assembly Bill No. 837—An Act relating to legal holidays; declaring September 17, 1987, as the holiday commemorating the 200th anniversary of the signing of the United States Constitution; declaring this day a holiday in lieu of the day after Thanksgiving in 1987; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Nevin and Jeffrey:

Assembly Bill No. 838—An Act relating to unemployment compensation; changing the method for calculating the wages paid to a claimant during his base period; and providing other matters properly relating thereto.

Assemblyman Nevin moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

By Assemblymen Nevin and Jeffrey:

Assembly Bill No. 839—An Act relating to unemployment compensation; standardizing the duration of benefits for all claimants; and providing other matters properly relating thereto.

Assemblyman Nevin moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

By Assemblymen Nevin and Jeffrey:

Assembly Bill No. 840—An Act relating to unemployment compensation; making uniform the periods of disqualification for benefits; and providing other matters properly relating thereto.

Assemblyman Nevin moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Assembly Bills Nos. 130, 457, 584 and 708 be placed on the General File immediately following Assembly Bill No. 592.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 227.
Bill read third time.
Remarks by Assemblyman Wisdom.
Roll call on Assembly Bill No. 227:
YEAS—41.
NAYS—None.
Absent—Freeman.

Assembly Bill No. 227 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 592.
Bill read third time.
Remarks by Assemblyman Arberry.
Roll call on Assembly Bill No. 592:
YEAS—41.
NAYS—None.
Absent—Freeman.

Assembly Bill No. 592 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 130.
Bill read third time.
Remarks by Assemblymen Sedway and DuBois.
Roll call on Assembly Bill No. 130:
YEAS—41.
NAYS—None.
Absent—Freeman.

Assembly Bill No. 130 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 Callister.
Roll call on Assembly Bill No. 457:
YEAS—40.
NAYS—Nicholas.
Absent—Freeman.

Assembly Bill No. 457 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 584.
Bill read third time.
Remarks by Assemblymen Sader, Adler and Getto.

Roll call on Assembly Bill No. 584:

YEAS—41.
NAYS—None.
Absent—Freeman.

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. 708.

Bill read third time.

Remarks by Assemblymen Gaston, Swain, McGaughey and Spriggs.

Roll call on Assembly Bill No. 708:

YEAS—25.
NAYS—Bergevin, Callister, DuBois, Evans, Garner, Lambert, McGaughey, Nevin, Nicholas, Spinello, Spriggs, Swain, Tebbs, Triggs, Myrna Williams, Mr. Speaker—16.
Absent—Freeman.

Assembly Bill No. 708 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that all rules be suspended and that Assembly Bills Nos. 130, 227, 457, 584, 592, 708 and Senate Concurrent Resolution No. 39 be immediately transmitted to the Senate.

Motion carried unanimously.

GENERAL FILE AND THIRD READING

Senate Bill No. 184.

Bill read third time.

Remarks by Assemblyman McGaughey.

Roll call on Senate Bill No. 184:

YEAS—41.
NAYS—None.
Absent—Freeman.

Senate Bill No. 184 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 191.

Bill read third time.

Remarks by Assemblyman Callister.

Roll call on Senate Bill No. 191:

YEAS—41.
NAYS—None.
Absent—Freeman.

Senate Bill No. 191 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 203.
Bill read third time.
Remarks by Assemblyman Bergevin.
Roll call on Senate Bill No. 203:

YEAS—41.
NAYS—None.
Absent—Freeman.

Senate Bill No. 203 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 11:46 a.m.

ASSEMBLY IN SESSION

At 12:04 p.m.
Mr. Speaker presiding.
Quorum present.

GENERAL FILE AND THIRD READING

Senate Bill No. 222.
Bill read third time.
Remarks by Assemblyman Haller.
Roll call on Senate Bill No. 222:

YEAS—41.
NAYS—None.
Absent—Freeman.

Senate Bill No. 222 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 Carpenter.
Roll call on Senate Bill No. 223:

YEAS—41.
NAYS—None.
Absent—Freeman.

Senate Bill No. 223 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Senate Bill No. 231.
Bill read third time.
Remarks by Assemblyman Nevin.

Roll call on Senate Bill No. 231:

YEAS—41.
NAYS—None.
Absent—Freeman.

Senate Bill No. 231 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 263.

Bill read third time.

Remarks by Assemblyman Nicholas.

Roll call on Senate Bill No. 263:

YEAS—38.
NAYS—None.
Absent—Freeman.
Not voting—Kissam, May, Price—3.

Senate Bill No. 263 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 275.

Bill read third time.

Remarks by Assemblyman Lambert.

Roll call on Senate Bill No. 275:

YEAS—41.
NAYS—None.
Absent—Freeman.

Senate Bill No. 275 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 289.

Bill read third time.

Remarks by Assemblyman McGaughey.

Roll call on Senate Bill No. 289:

YEAS—41.
NAYS—None.
Absent—Freeman.

Senate Bill No. 289 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 296.

Bill read third time.

Remarks by Assemblyman Garner.

Roll call on Senate Bill No. 296:

YEAS—41.
NAYS—None.
Absent—Freeman.

Senate Bill No. 296 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 318.

Bill read third time.

Remarks by Assemblyman Sader.

Roll call on Senate Bill No. 318:

YEAS—41.

NAYS—None.

Absent—Freeman.

Senate Bill No. 318 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 Spinello.

Roll call on Senate Bill No. 354:

YEAS—41.

NAYS—None.

Absent—Freeman.

Senate Bill No. 354 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 Evans.

Roll call on Senate Bill No. 355:

YEAS—41.

NAYS—None.

Absent—Freeman.

Senate Bill No. 355 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 356.

Bill read third time.

Remarks by Assemblyman Tebbs.

Roll call on Senate Bill No. 356:

YEAS—41.

NAYS—None.

Absent—Freeman.

Senate Bill No. 356 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 May.
Roll call on Senate Bill No. 376:
YEAS—41.
NAYS—None.
Absent—Freeman.

Senate Bill No. 376 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Senate Bill No. 415.
Bill read third time.
Remarks by Assemblymen Adler, Swain and Price.
Roll call on Senate Bill No. 415:
YEAS—41.
NAYS—None.
Absent—Freeman.

Senate Bill No. 415 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 462.
Bill read third time.
Remarks by Assemblyman Sedway.
Roll call on Senate Bill No. 462:
YEAS—41.
NAYS—None.
Absent—Freeman.

Senate Bill No. 462 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 Natural Resources, Agriculture and Mining, to which was referred Assembly Concurrent Resolution No. 60, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and be adopted as amended.

JAMES W. SCHOFIELD, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which were referred Assembly Bills Nos. 607, 740, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ROBERT M. SADER, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Schofield moved that Assembly Bill No. 719 be placed on the Second Reading File immediately following Assembly Bill No. 803.
Remarks by Assemblyman Schofield.
Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 75.

Bill read second time.

The following amendment was proposed by the Committee on Taxation:

Amendment No. 855.

Amend section 1, page 1, by deleting lines 3 through 15 and inserting:

"*1. The executive director of the department of taxation may exclude the fees charged by a local government for building permits from the limit on the maximum allowable revenue from fees established pursuant to NRS 354.5989, upon application by the local government, if the local government creates an enterprise fund exclusively for fees for building permits.*

2. If fees for building permits are excluded from the maximum allowable revenue from fees of a local government pursuant to the provisions of this section:

(a) Any interest or other income earned on the money in the enterprise fund must be credited to the fund; and

(b) The local government shall not use any of the money in the enterprise fund for any purpose other than the actual direct and indirect costs of the program for the issuance of building permits, including without limitation, the cost of checking plans, issuing permits, inspecting buildings and administering the program. The executive director of the department of taxation shall adopt regulations governing the permissible expenditures from an enterprise fund pursuant to this paragraph.".

Amend sec. 2, page 2, line 1, by deleting "1. A" and inserting: "1. [A] *Except as otherwise provided in section 1 of this act, a*".

Amend sec. 2, page 2, by deleting lines 4 through 6 and inserting: "business licenses, liquor licenses, gaming licenses, and building and zoning permits, except as permitted by this section. This prohibition does not apply to fees imposed by hospitals,".

Amend sec. 2, page 2, line 28, by deleting "4." and inserting:

"4. *If the executive director of the department of taxation excludes fees for building permits from the maximum allowable revenue from fees of a local government pursuant to section 1 of this act, he shall decrease the maximum allowable revenue from fees established pursuant to this section for that local government by an amount equal to the portion of the total fees otherwise allowable which was attributable to fees for building permits.*

5.".

Amend sec. 2, page 2, line 34, by deleting "5." and inserting "[5.] *6.*".

Amend the title of the bill to read as follows:

"An Act relating to local governmental financial administration; authorizing the executive director of the department of taxation to exclude fees for building permits from the maximum allowable revenue from fees of a local government under certain circumstances; and providing other matters properly relating thereto.".

Amend the summary of the bill, first line, by deleting "or zoning".

Assemblyman May moved the adoption of the amendment.

Remarks by Assemblyman May.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 302.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 771.

Amend section 1, pages 1 and 2, by deleting lines 3 through 18 on page 1 and line 1 on page 2 and inserting:

"*1. Except as otherwise provided in subsection 2, a volunteer of a charitable organization is immune from liability for civil damages as a result of an act or omission:*

(a) Of an agent of the charitable organization; or

(b) Concerning services he performs for the charitable organization that are not supervisory in nature and are not part of any duties or responsibilities he may have as an officer, director or trustee of the charitable organization, unless his act is intentional, willful, wanton or malicious.

2. This section does not restrict the liability of a charitable organization for the acts or omissions of a volunteer performing services on its behalf.".

Amend section 1, page 2, by deleting line 6 and inserting: "*or organization, or a licensed medical facility or facility for the dependent, but does not include a fire department, law enforcement agency or auxiliary thereof; and*".

Amend section 1, page 2, line 9, by deleting the period and inserting: "*on behalf of or to benefit a charitable organization.*".

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. 428.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 832.

Amend section 1, page 1, by deleting lines 2 through 5 and inserting:

"484.448 *1.* It is unlawful for [any] *a* person to [drink] *:*

(a) Drink any intoxicating liquor [in a motor vehicle while such person is driving such motor vehicle] *; or*

(b) Have an open container of any intoxicating liquor within the passenger compartment of a passenger car, truck or truck tractor,

while he is driving or in actual physical control of a motorcycle, passenger car, truck or truck tractor upon a highway.

2. This section does not apply to any motorcycle, passenger car, truck or truck tractor which is designed, maintained or used primarily for the transportation of persons for compensation.".

Amend section 1, page 1, line 6, by deleting "2." and inserting "*3.*".

Amend section 1, page 1, after line 9, by inserting:

"(c) "Passenger compartment" means that area of a passenger car, truck or truck tractor designed for the seating of the driver or passengers.".

Amend the title of the bill, second line, by deleting: "a motor vehicle" and inserting: "certain motor vehicles".

Amend the summary of the bill, first line, by deleting "motor vehicle" and inserting: "certain motor vehicles".

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. 563.

Bill read second time.

The following amendment was proposed by the Committee on Transportation:

Amendment No. 741.

Amend the bill as a whole by deleting sections 1 through 32 and adding new sections designated sections 1 through 11, following the enacting clause, to read as follows:

"Section 1. Chapter 482 of NRS is hereby amended by adding thereto a new section to read as follows:

Any person applying to register a motor vehicle as a moped shall present the department with certification from the manufacturer of the vehicle that the vehicle meets, but does not exceed, the requirements prescribed by NRS 482.069 for a moped.

Sec. 2. NRS 482.069 is hereby amended to read as follows:

482.069 "Moped" means a vehicle which looks and handles essentially like a bicycle *or motor scooter* and is propelled by a small engine which produces not more than 2 gross brake horsepower and which has a displacement of not more than 50 cubic centimeters, and:

1. Is designed to travel on not more than three wheels in contact with the ground but is not a tractor; and

2. Is capable of a maximum speed of not more than 30 miles per hour on a flat surface with not more than 1 percent grade in any direction when the motor is engaged.

Sec. 3. NRS 482.210 is hereby amended to read as follows:

482.210 1. The provisions of this chapter requiring the registration of certain vehicles do not apply to:

(a) Special mobile equipment.

(b) Implements of husbandry temporarily drawn, moved or otherwise propelled upon the highways.

(c) Any mobile home or commercial coach subject to the provisions of chapter 489 of NRS.

(d) Golf carts which are:

(1) Traveling from the residence or temporary abode of the owner or operator thereof to a golf course;

(2) Traveling upon streets properly designated by the appropriate city or county as permissible for the operation of golf carts; and

(3) Operating pursuant to a permit issued in accordance with rules and regulations adopted by the appropriate city or county.

(e) [Mopeds.

(f)] Towable tools or equipment as defined in NRS 484.202.

[(g)] *(f)* Any motorized conveyance for a wheelchair, whose operator is a handicapped person not able to walk about.

2. For the purposes of this section, "motorized conveyance for a wheelchair" means a vehicle which:

(a) Can carry a wheelchair;

(b) Is propelled by an engine which produces not more than 3 gross brake horsepower or has a displacement of not more than 50 cubic centimeters;

(c) Is designed to travel on not more than three wheels; and

(d) Can reach a speed of not more than 30 miles per hour on a flat surface with not more than a grade of 1 percent in any direction.

The term does not include a tractor.

Sec. 4. NRS 482.265 is hereby amended to read as follows:

482.265 1. The department shall furnish to every owner whose vehicle [shall be] *is* registered two license plates for a motor vehicle other than a motorcycle or [power cycle,] *moped,* and one license plate for all other vehicles required to be registered hereunder. Upon renewal of registration, the department may issue one or more license plate stickers, tabs or other suitable devices in lieu of new license plates.

2. The director [shall have the authority to] *may* require the return to the department of all number plates upon termination of the lawful use thereof by the owner under this chapter.

Sec. 5. NRS 482.275 is hereby amended to read as follows:

482.275 1. The license plates for a motor vehicle other than a motorcycle or [power cycle] *moped* must be attached thereto, one in the front and the other in the rear. The license plate issued for all other vehicles required to be registered must be attached to the rear of the vehicle. The license plates must be so displayed during the current calendar year or *period of* registration . [period.]

2. Every license plate must at all times be securely fastened to the vehicle to which it is assigned so as to prevent the plate from swinging and at a height not less than 12 inches from the ground, measuring from the bottom of [such] *the* plate, in a place and position to be clearly visible, and must be maintained free from foreign materials and in a condition to be clearly legible.

3. Any license plate which is issued to a dealer, rebuilder or manufacturer may be attached to a vehicle owned or controlled by that person by a secure means. No license plate may be displayed loosely in the window or by any other unsecured method in any motor vehicle.

Sec. 6. NRS 482.480 is hereby amended to read as follows:

482.480 There must be paid to the department for the registration, transfer or reinstatement of registration of motor vehicles, trailers and semitrailers, fees according to the following schedule:

1. For each stock passenger car and each reconstructed or specially constructed passenger car, regardless of weight or number of passenger capacity, a registration fee of $15.

2. For every motorcycle [,] *and moped,* a registration fee of $15.

3. For each transfer of registration the fee is $6 in addition to any other fees.

4. For every motor vehicle there is an additional fee of $4 for each registration, which must be accounted for in the highway patrol special fund which is hereby created as a special revenue fund and must be used only for the purposes specified in NRS 481.145.

5. To reinstate the registration of a motor vehicle suspended pursuant to NRS 485.383 the fee is $100, which must be accounted for in the fund for verification of insurance which is hereby created as a special revenue fund and must be used only for the purposes specified in NRS 485.383.

6. For every travel trailer, the registration fee is $15.

A vehicle which is registered without proration under this section is exempt from the provisions of NRS 706.516, 706.521 and 706.526.

Sec. 7. NRS 483.265 is hereby amended to read as follows:

483.265 1. The department shall not license a person under the age of 18 years to drive a motor vehicle when in use as a school bus transporting children or when in use for the transporting of persons for compensation unless he has had at least 1 year of licensed driving experience exclusive of experience gained while driving a motorcycle or [power cycle.] *moped.*

2. In addition to the requirement of subsection 1, the department shall not license a person under the age of 18 years to drive a motor vehicle when in use as a school bus transporting children unless:

(a) [Such] *That* person is over the age of 17 years; and

(b) The board of trustees of the school district in which the school bus is to be driven recommends the licensing of [such] *that* person.

Sec. 8. NRS 484.0798 is hereby amended to read as follows:

484.0798 "Moped" means a vehicle which looks and handles essentially like a bicycle *or motor scooter* and is propelled by a small engine which produces not more than 2 gross brake horsepower and which has a displacement of not more than 50 cubic centimeters, and:

1. Is designed to travel on not more than three wheels in contact with the ground but is not a tractor; and

2. Is capable of a maximum speed of not more than 30 miles per hour on a flat surface with not more than 1 percent grade in any direction when the motor is engaged.

Sec. 9. NRS 485.383 is hereby amended to read as follows:

485.383 1. The department shall annually select a sample of not less than 10 percent of all motor vehicles registered in this state, except motorcycles , *mopeds* and motor homes, on which the security is a contract of insurance for a verification of motor vehicle insurance.

2. The department shall mail a form for verification to the owner of each vehicle selected for verification of insurance. The owner shall complete the form with all the information which is requested by the department and return the completed form within 15 days after the date on which the form was mailed by the department.

3. When the department receives a completed form for verification it shall mail the form to the named insurer.

4. Upon receipt of a form for verification of insurance from the department, the insurer shall verify the information on the form and return it to the department only if the insurer did not have a contract of insurance covering the vehicle on the date the vehicle was selected pursuant to subsection 1.

5. The department shall suspend the registration of the vehicle and require the return to the department of the license plates of any vehicle for which a form for verification is not returned to the department by the owner within 15 days or for which the form for verification is returned by the insurer with a denial of coverage.

6. If an owner who did not return a completed form for verification within the specified period:

(a) Proves to the satisfaction of the department that there was a justifiable cause for his failure to do so;

(b) Submits a completed form regarding his insurance on the date the vehicle was selected pursuant to subsection 1; and

(c) Presents evidence of current insurance,

the department shall rescind its suspension of the registration and mail the completed form to the named insurer. Upon receipt of the form from the department, the insurer shall verify the information on the form and return it to the department only if the insurer did not have a contract of insurance covering the vehicle on the date the vehicle was selected pursuant to subsection 1. If the form is returned by the insurer with a denial of such coverage, the department shall suspend the registration and require the return of the license plates.

7. Except as otherwise provided in subsection 11, 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.

8. A denial of coverage, signed by an officer or agent of an insurer, is prima facie evidence of a false certification.

9. 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.

10. 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.

11. If an owner proves to the satisfaction of the department that his vehicle was not used in this state for a 30-day period, including the date on

which the sample was taken, the department shall not require him to file proof of financial responsibility as a prerequisite to reinstating his registration and reissuing his license plates.

Sec. 10. NRS 486.038 is hereby amended to read as follows:

486.038 "Moped" means a vehicle which looks and handles essentially like a bicycle *or motor scooter* and is propelled by a small engine which produces not more than 2 gross brake horsepower and which has a displacement of not more than 50 cubic centimeters, and:

1. Is designed to travel on not more than three wheels in contact with the ground but is not a tractor; and

2. Is capable of a maximum speed of not more than 30 miles per hour on a flat surface with not more than 1 percent grade in any direction when the motor is engaged.

Sec. 11. Section 9 of this act becomes effective at 12:01 a.m. on July 1, 1987.".

Amend the title of the bill to read as follows:

"An Act relating to motor vehicles; requiring the registration and insuring of mopeds in the same manner as other motor vehicles; requiring the presentation at the time of registration of a certificate from the manufacturer of the moped that it meets the statutory standards; and providing other matters properly relating thereto.".

Amend the summary of the bill to read as follows: "Requires registration and insuring of mopeds in same manner as other motor vehicles. (BDR 43-1139)".

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. 609.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 918.

Amend section 1, page 1, line 8, after "evidence" by inserting: "*in an administrative proceeding or*".

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. 663.

Bill read second time.

The following amendment was proposed by the Committee on Labor and Management:

Amendment No. 860.

Amend section 1, page 1, line 3, by deleting the bracket.

Amend section 1, page 1, line 4, by deleting "same community" and inserting: "[same community] *state*".

Amend section 1, page 1, by deleting line 5 and inserting: "similar treatment . [of injured persons.]".

Amend section 1, page 1, line 6, by deleting "Be] *be*" and inserting "Be".

Amend section 1, page 1, by inserting between lines 7 and 8:

"*(c) Be based upon any discriminatory fees and charges.*".

Amend section 1, page 1, line 11, by deleting "*The*".

Amend section 1, page 1, by deleting lines 12 through 14 and inserting: "*The director shall review*".

Amend section 1, page 1, by deleting line 17 and inserting: "*Index (Medical Care Component).*".

Amend section 1, page 2, by deleting lines 4 and 5 and inserting: "*information concerning fees and charges billed for similar services, except those provided pursuant to a contract, as he deems necessary to carry out the provisions of subsections 1 and 2.*".

Amend section 1, page 2, line 7, after "*confidential.*" and inserting: "*He shall not require persons to record or report its fees or charges in a manner inconsistent with their own system of records.*".

Amend section 1, page 2, line 8, by deleting "*refusal,*" and inserting "*refusal.*".

Amend section 1, page 2, by deleting line 9.

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. 742.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 881.

Amend the bill as a whole by deleting section 1 and renumbering sec. 2 as section 1.

Amend the title of the bill, first line, by deleting: "increasing the compensation of jurors;".

Amend the summary of the bill to read as follows: "Prohibits dissuasion of person from serving as juror. (BDR 1-2048)".

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. 803.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 719.

Bill read second time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 945.

Amend the bill, first page, by deleting lines 9 through 14, and inserting: "enacted into law in 1983 by the Nevada Legislature, authorizes the imposition of a state surcharge per unit of waste received at Nevada's regional facility in Beatty; now, therefore,".

Amend the bill as a whole by deleting sections 1 and 2 and inserting:

"Section 1. Chapter 459 of NRS is hereby amended by adding thereto a new section to read as follows:

There is hereby imposed a state surcharge of $2 per cubic foot of radioactive waste received at Nevada's regional facility in Beatty. This state surcharge must be collected at the same time and in the manner provided for the compact surcharge collected pursuant to Article 5 of the Rocky Mountain Low-level Radioactive Waste Compact.

Sec. 2. 1. There is hereby appropriated to the state fire marshal from the surcharges authorized pursuant to Article 5 of the Rocky Mountain Low-level Radioactive Waste Compact the sum of $250,000 for the establishment of a training center for handling emergencies relating to hazardous materials at the state-owned portion of the facility at Stewart, Nevada.

2. The state fire marshal shall coordinate the training program with other agencies in the state which are responsible for responding to emergencies.

Sec. 3. 1. There is hereby appropriated from the surcharges authorized pursuant to Article 5 of the Rocky Mountain Low-level Radioactive Waste Compact to the Nevada highway patrol division of the department of motor vehicles and public safety for the costs related to the performance of its statutory duties relating to the transportation of radioactive waste:

For the fiscal year 1987-88 ..... $220,000
For the fiscal year 1988-89 100,000

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.

Sec. 4. The director of the department of human resources shall seek the approval of the Rocky Mountain low-level radioactive waste board for the state surcharge imposed pursuant to section 1 of this act.

Sec. 5. 1. This section and section 4 of this act become effective on July 1, 1987.

2. Sections 1, 2 and 3 of this act become effective on the date the director of the department of human resources reports to the governor that the Rocky Mountain low-level radioactive waste board has approved the state surcharge fixed pursuant to section 1 of this act.".

Amend the title of the bill to read as follows:

"An Act relating to hazardous materials; imposing a state surcharge for waste received at Nevada's regional facility in Beatty; making appropriations; and providing other matters properly relating thereto.".

Amend the summary of the bill to read as follows: "Imposes state surcharge on radioactive waste received at Nevada's regional facility at Beatty and makes related appropriations. (BDR S-1773)".

Assemblyman Schofield moved the adoption of the amendment.

Remarks by Assemblyman Schofield.

Amendment adopted.

Assemblyman Schofield moved that Assembly Bill No. 719 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 Price moved that Assembly Bill No. 403 be placed at the top of the Second Reading File.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 403.

Bill read second time.

The following amendment was proposed by the Committee on Economic Development, Small Business and Tourism:

Amendment No. 904.

Amend sec. 3, page 1, line 6, by deleting the comma.

Amend sec. 3, page 1, by deleting line 7 and inserting: "*and four members of the assembly*".

Amend sec. 3, page 1, line 8, by deleting "*this state,*".

Amend sec. 3, page 1, line 10, by deleting: "*who are state legislators*".

Amend sec. 4, page 2, line 12, by deleting: "*legislator who is a*".

Amend sec. 4, page 2, by deleting lines 16 through 20 and inserting: "*otherwise engaged in the work of the committee and the per diem allowance and travel*".

Amend the bill as a whole by deleting sections 7 and 8.

Assemblyman Price moved the adoption of the amendment.

Remarks by Assemblyman Price.

Amendment adopted.

Bill ordered reprinted, engrossed and to the Concurrent Committee on Ways and Means.

Senate Bill No. 11.

Bill read second time and ordered to third reading.

Senate Bill No. 329.

Bill read second time and ordered to third reading.

Senate Bill No. 384.

Bill read second time and ordered to third reading.

Senate Bill No. 412.

Bill read second time and ordered to third reading.

Senate Bill No. 441.

Bill read second time.

The following amendment was proposed by the Committee on Natural Resources, Agriculture and Mining:

Amendment No. 923.

Amend the bill as a whole by adding a new section designated sec. 2, following section 1, to read as follows:

"Sec. 2. This act becomes effective upon passage and approval.".

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. 443.

Bill read second time and ordered to third reading.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Natural Resources, Agriculture and Mining, to which were referred Assembly Bill No. 710; Senate Bills Nos. 325, 326, 400, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JAMES W. SCHOFIELD, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assembly Concurrent Resolution No. 60.

Resolution read.

The following amendment was proposed by the Committee on Natural Resources, Agriculture and Mining:

Amendment No. 950.

Amend the resolution, page 1, line 4, by deleting "cotton,".

Assemblyman Schofield moved the adoption of the amendment.

Remarks by Assemblyman Schofield.

Amendment adopted.

Resolution ordered reprinted and engrossed.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Concurrent Resolution No. 8.

The following Senate amendment was read:

Amendment No. 411.

Amend the resolution, page 1, by deleting lines 13, 14 and 15 and inserting: "plans relating to such transportation and develop, in cooperation with the affected local governments and the committee on high-level radioactive waste, a comprehensive plan addressing the issues relating to the transportation of nuclear waste if a repository for nuclear waste is located in this state; and be it further

RESOLVED, That the Nevada Agency for Nuclear Projects report its plan and its recommendations, including any proposed legislation, to the committee on high-level radioactive waste;".

Amend the title of the resolution, by deleting the third line and inserting: "develop a plan addressing the issues related thereto.".

Amend the summary of the resolution, second line, by deleting: "report to legislature." and inserting: "develop plan addressing issues related thereto.".

Assemblyman Schofield moved that the Assembly concur in the Senate amendment to Assembly Concurrent Resolution No. 8.

Remarks by Assemblyman Schofield.

Motion carried.

Resolution ordered enrolled.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 25, 1987

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. 62.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Bills Nos. 375, 495, 510, 531, 532, 533.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bill No. 27.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Joint Resolution No. 20.

MARY JO MONGELLI
Assistant Secretary of the Senate

INTRODUCTION, FIRST READING AND REFERENCE

Senate Bill No. 27.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

Senate Bill No. 375.

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

Motion carried.

Senate Bill No. 495.

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

Motion carried.

Senate Bill No. 510.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Taxation.

Motion carried.

Senate Bill No. 531.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

Senate Bill No. 532.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

Senate Bill No. 533.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

Senate Joint Resolution No. 20.

Assemblyman Jeffrey moved that the resolution 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. 120, 412, 414; Senate Bills Nos. 283, 453; Assembly Joint Resolutions Nos. 5, 21.

REMARKS FROM THE FLOOR

Assemblyman Wisdom requested that her remarks be entered in the Journal.

I would like to announce, because I am so proud of this, I became a grandmother last night at 10:00 p.m. to a little girl, Lauren Nicole, 7 lbs., 5 ozs.

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 Mrs. Pat Getto.

On request of Assemblyman Porter, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Michael Cahlan.

On request of Assemblyman Price, the privilege of the floor of the Assembly Chamber for this day was extended to Mss. Cherie Elizabeth Price and Theresa Marie Price.

On request of Assemblyman Spriggs, the privilege of the floor of the Assembly Chamber for this day was extended to Mss. Loretta Click and Joyce Rhodes.

On request of Assemblyman Thompson, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Mike Pintar.

On request of Assemblyman Myrna Williams, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Judy Smith.

On request of Assemblyman Wisdom, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Ellen Cali and Miss Lauren Nicole.

Assemblyman Jeffrey moved that the Assembly adjourn until Tuesday, May 26, 1987 at 11 a.m., and that it do so in memory of Henry "Hank" Gardner and all those who are honored on Memorial Day.

Motion carried.

Assembly adjourned at 1:03 p.m.

Approved: JOSEPH E. DINI, JR.
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE ONE HUNDRED AND TWENTY-EIGHTH DAY

CARSON CITY (Tuesday), May 26, 1987

Assembly called to order at 11:08 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, Mr. J. Scott Allred.

O God, we ask that You be in our hearts and minds this morning as we gather again to attend to the matters of our state. Please be with us through this long day ahead as well. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Nevin 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. 456; Senate Bills Nos. 173, 485, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ROBERT M. SADER, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which were referred Assembly Bills Nos. 780, 781, 791; Senate Bill No. 379, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

ROBERT M. SADER, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Judiciary, to which was referred Assembly Bill No. 637, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ROBERT M. SADER, *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which was referred Senate Bill No. 127, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN E. JEFFREY, *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which were referred Senate Bills Nos. 22, 183, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN E. JEFFREY, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which were referred Assembly Bills Nos. 792, 831, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

MARVIN M. SEDWAY, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Assembly Bill No. 832, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

DANNY L. THOMPSON, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 22, 1987

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate passed, as amended, Senate Bill No. 270.

MARY JO MONGELLI
Assistant Secretary of the Senate

SENATE CHAMBER, Carson City, May 25, 1987

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 260, 281.

Also, I have the honor to inform your honorable body that the Senate on this day respectfully refused to recede from its action on Assembly Joint Resolution No. 1 and requests a conference, and appointed Senators Wagner, Beyer and Neal as a first Committee on Conference to meet with a like committee of the Assembly.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 133, 336, 406, 418.

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.

Also, I have the honor to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 42.

MARY JO MONGELLI
Assistant Secretary of the Senate

UNFINISHED BUSINESS

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker appointed Assemblymen Sader, Haller and DuBois as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Assembly Joint Resolution No. 1.

MOTIONS, RESOLUTIONS AND NOTICES

Mr. Speaker instructed the Chief Clerk to read the following communication:

JOSEPH E. DINI, JR., *Speaker, Nevada Assembly,* Carson City, Nevada

Dear Speaker Dini:

Please convey my gratitude for the kind and thoughtful gesture of the Senate and Assembly in formulating and adopting the concurrent resolution commemorating my father, Snowy Monroe.

His great abiding interest was Nevada politics and certainly his greatest satisfactions were realized during his time of service in the Nevada Legislature.

I wish you success in the difficult work ahead of you as legislators. Take good care of my old home—Nevada.

Thank you again.

Best regards,
LARRY MONROE

Assembly Concurrent Resolution No. 60.

Assemblyman Schofield moved the adoption of the resolution.

Remarks by Assemblymen Schofield and Getto.

Resolution adopted, as amended.

Senate Concurrent Resolution No. 42.

Assemblyman Bergevin moved the adoption of the resolution.

Remarks by Assemblyman Bergevin.

Resolution adopted unanimously.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Health and Welfare, to which was referred Assembly Bill No. 467, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

MORSE ARBERRY, JR., *Chairman*

Mr. Speaker:

Your Committee on Health and Welfare, to which was referred Assembly Bill No. 437, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

MORSE ARBERRY, JR., *Chairman*

Mr. Speaker:

Your Committee on Education, 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: Amend, and do pass as amended.

ROBERT G. CRADDOCK, *Chairman*

INTRODUCTION, FIRST READING AND REFERENCE

Senate Bill No. 133.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 270.

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

Motion carried.

Senate Bill No. 336.

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

Motion carried.

Senate Bill No. 406.

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

Motion carried.

Senate Bill No. 418.

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

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Assembly Bills Nos. 75, 302, 428, 563, 609, 663 and 742 be placed on the General File immediately following Assembly Bill No. 803.

Motion carried.

Assemblyman Nevin moved that Senate Bill No. 412 be taken from the General File and re-referred to the Committee on Ways and Means.

Motion carried.

Assemblyman Gaston moved that Assembly Bill No. 437 be placed on the Second Reading File immediately following Assembly Bill No. 830.

Motion carried.

Assemblyman Arberry moved that Assembly Bill No. 151 be taken from the Chief Clerk's desk and placed on the Second Reading File immediately following Assembly Bill No. 437.

Remarks by Assemblyman Arberry.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 803.

Bill read third time.

Remarks by Assemblyman Carpenter.

Roll call on Assembly Bill No. 803:

YEAS—42.

NAYS—None.

Assembly Bill No. 803 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 75.

Bill read third time.

Remarks by Assemblyman May.

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. 302.

Bill read third time.

Remarks by Assemblyman Porter.

Roll call on Assembly Bill No. 302:

YEAS—42.

NAYS—None.

Assembly Bill No. 302 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 428.

Bill read third time.

Remarks by Assemblymen Haller, Nevin, Sader, Price, Fay, Getto, Banner, Gaston, Thomas, Kerns, Thompson and McGaughey.

Assemblymen Jeffrey, Nevin and Adler moved the previous question.

Motion carried.

The question being on the passage of Assembly Bill No. 428.

Roll call on Assembly Bill No. 428:

YEAS—17.

NAYS—Arberry, Banner, Bergevin, Carpenter, Craddock, Fay, Garner, Getto, Jeffrey, Kerns, Kissam, McGaughey, Marvel, May, Nevin, Porter, Price, Schofield, Sedway, Spinello, Thomas, Thompson, Wendell Williams, Wisdom, Mr. Speaker—25.

Assembly Bill No. 428 having failed to receive a constitutional majority, Mr. Speaker declared it lost.

Assembly Bill No. 563.

Bill read third time.

Remarks by Assemblymen Kissam, Haller, Nicholas and Nevin.

Roll call on Assembly Bill No. 563:

YEAS—25.

NAYS—Adler, Arberry, Banner, Bergevin, Carpenter, Evans, Getto, Haller, McGaughey, Marvel, Nicholas, Schofield, Spriggs, Tebbs, Thompson, Wendell Williams, Wisdom—17.

Assembly Bill No. 563 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—42.

NAYS—None.

Assembly Bill No. 609 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 663.

Bill read third time.

Remarks by Assemblyman Banner.
Roll call on Assembly Bill No. 663:
YEAS—42.
NAYS—None.

Assembly Bill No. 663 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 742.
Bill read third time.
Remarks by Assemblymen Haller and Thomas.
Roll call on Assembly Bill No. 742:
YEAS—40.
NAYS—Nicholas, Thomas—2.

Assembly Bill No. 742 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that all rules be suspended and that Assembly Bills Nos. 75, 302, 563, 609, 663, 742, 803; Assembly Concurrent Resolution No. 60 and Senate Concurrent Resolution No. 42 be immediately transmitted to the Senate.
Motion carried unanimously.

Assemblyman Arberry moved that Assembly Bill No. 467 be placed on the Second Reading File.
Remarks by Assemblyman Arberry.
Motion carried.

Assemblyman Craddock moved that Assembly Bill No. 415 be placed on the Second Reading File.
Motion carried.

Assemblyman Kissam moved that Assembly Bill No. 456 be placed on the Second Reading File.
Remarks by Assemblyman Kissam.
Motion carried.

Assemblyman Getto moved that Assembly Bill No. 617 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

Senate Bill No. 11.
Bill read third time.
Remarks by Assemblyman Adler.

Roll call on Senate Bill No. 11:

YEAS—42.

NAYS—None.

Senate Bill No. 11 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 329.

Bill read third time.

Remarks by Assemblymen Thompson, Nicholas, Humke and Thomas.

Roll call on Senate Bill No. 329:

YEAS—39.

NAYS—Bergevin, DuBois, Lambert—3.

Senate Bill No. 329 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 384.

Bill read third time.

Remarks by Assemblyman Bergevin.

Roll call on Senate Bill No. 384:

YEAS—42.

NAYS—None.

Senate Bill No. 384 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 443.

Bill read third time.

Remarks by Assemblyman Sader.

Roll call on Senate Bill No. 443:

YEAS—41.

NAYS—DuBois.

Senate Bill No. 443 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 617.

Bill read third time.

The following amendment was proposed by Assemblyman Getto:

Amendment No. 924.

Amend section 1, page 1, line 3, by deleting "*An*" and inserting: "*Except as otherwise provided in subsection 4, an*".

Amend section 1, page 1, by inserting between lines 14 and 15:

"*3. Any or all bids received in response to an advertisement for bids may be rejected if the person responsible for awarding the contract determines that:*

(a) The bidder is not responsive or responsible;

(b) The quality of the services, materials, equipment or labor offered does not conform to the approved plan or specifications; or

(c) The public interest would be served by such a rejection.

4. This section does not apply to any:

(a) Utility subject to the provisions of chapter 710 of NRS; or

(b) Work of construction, reconstruction, improvement and maintenance of highways subject to NRS 408.323 or 408.327.".

Amend the bill as a whole by deleting sections 2 and 3.

Amend the title of the bill, second line, by deleting: "limiting the requirement for bids on certain projects;".

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 Ways and Means, to which was referred Assembly Bill No. 789, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

MARVIN M. SEDWAY, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 26, 1987

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. 302, 440, 478, 484, 486.

MARY JO MONGELLI
Assistant Secretary of the Senate

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblyman Getto:

Assembly Bill No. 841—An Act relating to public employees; authorizing the public employees' retirement board to enter into agreements whereby a member of the retirement program for the University of Nevada System who accepts employment with another public employer may transfer his contributions and credit for service under that program to the public employees' retirement system; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Labor and Management:

Assembly Bill No. 842—An Act relating to labor; prohibiting an employer from requiring an employee to share his tips with other employees; providing a penalty; and providing other matters properly relating thereto.

Assemblyman Banner moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

By the Committee on Labor and Management:

Assembly Bill No. 843—An Act relating to public employees; prohibiting the testing of a public officer or employee for the presence of a controlled substance except upon probable cause; and providing other matters properly relating thereto.

Assemblyman Banner moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

By Assemblyman Banner:

Assembly Bill No. 844—An Act relating to industrial insurance; permitting the appointment of the state industrial claimants' attorney to represent a claimant before a hearing officer; and providing other matters properly relating thereto.

Assemblyman Banner moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

Senate Bill No. 302.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Natural Resources, Agriculture and Mining.

Motion carried.

Senate Bill No. 440.

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

Motion carried.

Senate Bill No. 478.

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

Motion carried.

Senate Bill No. 484.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 486.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

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

Assembly in recess at 12:17 p.m.

ASSEMBLY IN SESSION

At 12:29 p.m.

Mr. Speaker presiding.

Quorum present.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Nevin and Jeffrey:

Assembly Bill No. 845—An Act relating to unemployment compensation; changing the method for the reduction of benefits received by a claimant because of payments received from a pension; and providing other matters properly relating thereto.

Assemblyman Nevin moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 256.

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. 438.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 512.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 537.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 578.

Amend section 1, page 1, line 7, after: "*in this state*" by inserting: "*which has not obtained a business license elsewhere in this state*".

Amend sec. 2, page 2, line 3, by deleting "*A*" and inserting: "*Except for nonprofit foreign corporations, a*".

Amend sec. 2, page 2, line 10, before "$30." by inserting: "*not more than*".

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. 580.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 607.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 910.

Amend section 1, page 1, line 9, after "*3.*", by inserting: "*The commissioner may join into one action any number of claims for one person or a group of aggrieved persons.*

4.".

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. 674.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 801.

Amend section 1, page 1, by deleting lines 6 and 7 and inserting: "council for consideration, after which [at least one copy] *an adequate number of copies* of the ordinance must be [filed] *deposited* with the city clerk for public examination [.] *and distribution upon request.* Notice of the [filing,] *deposit of the copies,*".

Amend section 1, page 1, line 11, after the period, by inserting: "*At any meeting at which final action on the ordinance is considered, at least one copy of the ordinance must be available for public examination.*".

Amend section 1, page 2, line 1, after "*title*" by inserting "*and summary*".

Amend the title of the bill, second line, after the semicolon, by inserting: "requiring that copies of the ordinance be made available for public examination;".

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. 695.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 710.

Bill read second time, ordered engrossed and to third reading.

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

Assembly in recess at 12:38 p.m.

ASSEMBLY IN SESSION

At 12:39 p.m.

Mr. Speaker pro Tempore presiding.

Quorum present.

SECOND READING AND AMENDMENT

Assembly Bill No. 723.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 873.

Amend section 1, page 1, by deleting lines 8 through 11 and inserting: "*period of 6 months.*".

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. 740.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 882.

Amend section 1, page 1, line 4, by deleting "*shall*" and inserting "*may*".

Amend section 1, page 1, lines 8 and 9, by deleting: "*that:*

(a) Based" and inserting "*that based*".

Amend section 1, page 1, by deleting lines 13 through 15 and inserting "*motion.*".

Amend section 1, page 2, by deleting lines 4 and 5 and inserting "*record.*".

Amend section 1, page 2, line 8, by deleting "*shall,*" and inserting "*may,*".

Amend section 1, page 2, line 10, by deleting "*The*" and inserting: "*If the motion is granted, the*".

Amend the title of the bill, first line, by deleting "requiring" and inserting "authorizing".

Amend the summary of the bill by deleting "Requires" and inserting "Authorizes".

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. 749.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 902.

Amend section 1, page 2, by deleting lines 8 and 9.

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. 775.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 812.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 826.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 827.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 830.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 437.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 151.

Bill read second time.

The following amendment was proposed by the Committee on Health and Welfare:

Amendment No. 884.

Amend the bill as a whole by renumbering section 1 as sec. 2 and adding a new section designated section 1, following the enacting clause, to read as follows:

"Section 1. NRS 244.284 is hereby amended to read as follows:

244.284 1. In addition to the powers conferred by NRS 450.500, the board of county commissioners may *grant or* lease any of the real property of the county , [for a term not exceeding 30 years,] if such real property is not needed for the public purposes of the county and is *granted or* let to or for any nonprofit charitable or civic organization, and the property is actually used for charitable or civic purposes.

2. A *grant or* lease pursuant to this section may be made on such terms and conditions as seem proper to the board of county commissioners [.] , *except that the term of any such lease may not exceed 30 years.*".

Amend section 1, page 1, by deleting lines 4 and 5 and inserting: "may [enact an ordinance requiring all dog] *by ordinance require all* owners *of dogs* to procure inoculation of their dogs against rabies.".

Amend section 1, page 1, by deleting line 9 and inserting:

"(a) Every [dog] owner shall, after his dog attains the age of [4] *3* months".

Amend the bill as a whole by adding a new section designated sec. 3, following section 1, to read as follows:

"Sec. 3. NRS 244.359 is hereby amended to read as follows:

244.359 1. Each board of county commissioners may [enact and enforce an ordinance or ordinances:

(a) Fixing, imposing and collecting] *by ordinance:*

(a) Fix, impose and collect an annual license fee on dogs and [providing] *provide* for the capture and disposal of all dogs on which the license fee is not paid.

(b) [Regulating or prohibiting] *Regulate or prohibit* the running at large and disposal of all [kinds of animals.] *dogs.*

(c) [Establishing a pound, appointing a poundkeeper and prescribing his duties.

(d) Prohibiting] *Establish, operate and maintain an animal shelter.*

(d) Prohibit cruelty to animals.

(e) Provide programs for the prevention of diseases of animals.

2. Any ordinance [or ordinances] enacted pursuant to [the provisions of paragraphs (a) and (b)] *paragraph (a), (b) or (e)* of subsection 1 may apply throughout an entire county or govern only a limited area within the county . [which shall] *Any such limitation must* be specified in the ordinance . [or ordinances.]".

Amend the title of the bill to read as follows:

"An Act relating to counties; authorizing the granting of county property under certain circumstances; revising the provisions requiring the inoculation of dogs against rabies; authorizing the operation of animal shelters and certain programs; and providing other matters properly relating thereto.".

Amend the summary of the bill to read as follows: "Makes various changes regarding counties. (BDR 20-543)".

Assemblyman Arberry moved the adoption of the amendment.

Remarks by Assemblyman Arberry.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 320.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 864.

Amend sec. 3, pages 1 and 2, by deleting lines 7 through 15 on page 1 and lines 1 through 23 on page 2 and inserting:

"Sec. 3. (Deleted by amendment.)".

Amend the title of the bill, first, second and third lines, by deleting: "providing for the confidentiality of certain proceedings and records of the board of dental examiners of Nevada;".

Assemblyman Porter moved the adoption of the amendment.

Remarks by Assemblyman Porter.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 325.

Bill read second time and ordered to third reading.

Senate Bill No. 326.

Bill read second time and ordered to third reading.

Senate Bill No. 362.

Bill read second time.

Assemblyman Sader moved that Senate Bill No. 362 be placed on the Chief Clerk's desk.

Motion carried.

Bill ordered to the Chief Clerk's desk.

Senate Bill No. 400.

Bill read second time and ordered to third reading.

Assembly Bill No. 467.

Bill read second time.

The following amendment was proposed by the Committee on Health and Welfare:

Amendment No. 919.

Amend section 1, page 1, line 2, by deleting "7," and inserting "8,".

Amend sec. 2, page 1, line 3, by deleting "7," and inserting "8,".

Amend the bill as a whole by adding a new section, designated sec. 8, following sec. 7, to read as follows:

"Sec. 8. *The form of a power of attorney for a disabled principal must be substantially as follows:*

DURABLE POWER OF ATTORNEY
FOR HEALTH CARE DECISIONS
WARNING TO PERSON EXECUTING THIS DOCUMENT

THIS IS AN IMPORTANT LEGAL DOCUMENT. IT CREATES A DURABLE POWER OF ATTORNEY FOR HEALTH CARE. BEFORE EXECUTING THIS DOCUMENT, YOU SHOULD KNOW THESE IMPORTANT FACTS:

1. THIS DOCUMENT GIVES THE PERSON YOU DESIGNATE AS YOUR ATTORNEY-IN-FACT THE POWER TO MAKE HEALTH CARE DECISIONS FOR YOU. THIS POWER IS SUBJECT TO ANY LIMITATIONS OR STATEMENT OF YOUR DESIRES THAT YOU INCLUDE IN THIS DOCUMENT. THE POWER TO MAKE HEALTH CARE DECISIONS FOR YOU MAY INCLUDE CONSENT, REFUSAL OF CONSENT, OR WITHDRAWAL OF CONSENT TO ANY CARE, TREATMENT, SERVICE, OR PROCEDURE TO MAINTAIN, DIAGNOSE, OR TREAT A PHYSICAL OR MENTAL CONDITION. YOU MAY STATE IN THIS DOCUMENT ANY TYPES OF TREATMENT OR PLACEMENTS THAT YOU DO NOT DESIRE.

2. THE PERSON YOU DESIGNATE IN THIS DOCUMENT HAS A DUTY TO ACT CONSISTENT WITH YOUR DESIRES AS STATED IN THIS DOCUMENT OR OTHERWISE MADE KNOWN OR, IF YOUR DESIRES ARE UNKNOWN, TO ACT IN YOUR BEST INTERESTS.

3. EXCEPT AS YOU OTHERWISE SPECIFY IN THIS DOCUMENT, THE POWER OF THE PERSON YOU DESIGNATE TO MAKE HEALTH CARE DECISIONS FOR YOU MAY INCLUDE THE POWER TO CONSENT TO YOUR DOCTOR NOT GIVING TREATMENT OR STOPPING TREATMENT WHICH WOULD KEEP YOU ALIVE.

4. UNLESS YOU SPECIFY A SHORTER PERIOD IN THIS DOCUMENT, THIS POWER WILL EXIST INDEFINITELY FROM THE DATE YOU EXECUTE THIS DOCUMENT AND, IF YOU ARE UNABLE TO MAKE HEALTH CARE DECISIONS FOR YOURSELF, THIS POWER WILL CONTINUE TO EXIST UNTIL THE TIME WHEN YOU BECOME ABLE TO MAKE HEALTH CARE DECISIONS FOR YOURSELF.

5. NOTWITHSTANDING THIS DOCUMENT, YOU HAVE THE RIGHT TO MAKE MEDICAL AND OTHER HEALTH CARE DECISIONS FOR YOURSELF SO LONG AS YOU CAN GIVE INFORMED CONSENT WITH

RESPECT TO THE PARTICULAR DECISION. IN ADDITION, NO TREATMENT MAY BE GIVEN TO YOU OVER YOUR OBJECTION, AND HEALTH CARE NECESSARY TO KEEP YOU ALIVE MAY NOT BE STOPPED IF YOU OBJECT.

6. YOU HAVE THE RIGHT TO REVOKE THE APPOINTMENT OF THE PERSON DESIGNATED IN THIS DOCUMENT TO MAKE HEALTH CARE DECISIONS FOR YOU BY NOTIFYING THAT PERSON OF THE REVOCATION ORALLY OR IN WRITING.

7. YOU HAVE THE RIGHT TO REVOKE THE AUTHORITY GRANTED TO THE PERSON DESIGNATED IN THIS DOCUMENT TO MAKE HEALTH CARE DECISIONS FOR YOU BY NOTIFYING THE TREATING PHYSICIAN, HOSPITAL, OR OTHER PROVIDER OF HEALTH CARE ORALLY OR IN WRITING.

8. THE PERSON DESIGNATED IN THIS DOCUMENT TO MAKE HEALTH CARE DECISIONS FOR YOU HAS THE RIGHT TO EXAMINE YOUR MEDICAL RECORDS AND TO CONSENT TO THEIR DISCLOSURE UNLESS YOU LIMIT THIS RIGHT IN THIS DOCUMENT.

9. THIS DOCUMENT REVOKES ANY PRIOR DURABLE POWER OF ATTORNEY FOR HEALTH CARE.

10. IF THERE IS ANYTHING IN THIS DOCUMENT THAT YOU DO NOT UNDERSTAND, YOU SHOULD ASK A LAWYER TO EXPLAIN IT TO YOU.

1. DESIGNATION OF HEALTH CARE AGENT. I,.....
.....(insert your name)
do hereby designate and appoint: Name:.....
Address:.....
Telephone Number:.....
as my attorney-in-fact to make health care decisions for me as authorized in this document.

(Insert the name and address of the person you wish to designate as your attorney-in-fact to make health care decisions for you. None of the following may be designated as your attorney-in-fact: (1) your treating provider of health care, (2) an employee of your treating provider of health care, (3) an operator of a health care facility, or (4) an employee of an operator of a health care facility.)

2. CREATION OF DURABLE POWER OF ATTORNEY FOR HEALTH CARE.

By this document I intend to create a durable power of attorney by appointing the person designated above to make health care decisions for me. This power of attorney shall not be affected by my subsequent incapacity.

3. GENERAL STATEMENT OF AUTHORITY GRANTED.

In the event that I am incapable of giving informed consent with respect to health care decisions, I hereby grant to the attorney-in-fact named above full power and authority to make health care decisions for me before, or after my death, including: consent, refusal of consent, or

withdrawal of consent to any care, treatment, service, or procedure to maintain, diagnose, or treat a physical or mental condition, subject only to the limitations and special provisions, if any, set forth in paragraph 4 or 6.

4. SPECIAL PROVISIONS AND LIMITATIONS.

(Your attorney-in-fact is not permitted to consent to any of the following: commitment to or placement in a mental health treatment facility, convulsive treatment, psychosurgery, sterilization, or abortion. If there are any other types of treatment or placement that you do not want your attorney-in-fact's authority to give consent for or other restrictions you wish to place on his or her attorney-in-fact's authority, you should list them in the space below. If you do not write any limitations, your attorney-in-fact will have the broad powers to make health care decisions on your behalf which are set forth in paragraph 3, except to the extent that there are limits provided by law.)

In exercising the authority under this durable power of attorney for health care, the authority of my attorney-in-fact is subject to the following special provisions and limitations:

.....

.....

.....

.....

5. DURATION.

I understand that this power of attorney will exist indefinitely from the date I execute this document unless I establish a shorter time. If I am unable to make health care decisions for myself when this power of attorney expires, the authority I have granted my attorney-in-fact will continue to exist until the time when I become able to make health care decisions for myself.

(IF APPLICABLE)

I wish to have this power of attorney end on the following date:.....

6. STATEMENT OF DESIRES.

(With respect to decisions to withhold or withdraw life-sustaining treatment, your attorney-in-fact must make health care decisions that are consistent with your known desires. You can, but are not required to, indicate your desires below. If your desires are unknown, your attorney-in-fact has the duty to act in your best interests; and, under some circumstances, a judicial proceeding may be necessary so that a court can determine the health care decision that is in your best interests. If you wish to indicate your desires, you may INITIAL the statement or statements that reflect your desires and/or write your own statements in the space below.)

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(If the statement reflects your desires, initial the box next to the statement.)

1. I desire that my life be prolonged to the greatest extent possible, without regard to my condition, the chances I have for recovery or long term survival, or the cost of the procedures. *[.....]*

2. If I am in a coma which my doctors have reasonably concluded is irreversible, I desire that life-sustaining or prolonging treatments not be used. (Also should utilize provisions of NRS 449.610 et seq. if this subparagraph is initialed.) *[.....]*

3. If I have an incurable or terminal condition or illness and no reasonable hope of long term recovery or survival, I desire that life sustaining or prolonging treatments not be used. (Also should utilize provisions of NRS 449.610 et seq. if this subparagraph is initialed.) *[.....]*

4. I do not desire treatment to be provided and/or continued if the burdens of the treatment outweigh the expected benefits. My attorney-in-fact is to consider the relief of suffering, the preservation or restoration of functioning, and the quality as well as the extent of the possible extention of my life. *[.....]*

(If you wish to change your answer, you may do so by drawing an "X" through the answer you do not want, and circling the answer you prefer.)

Other or Additional Statements of Desires:.....

.....

.....

.....

.....

.....

7. DESIGNATION OF ALTERNATE ATTORNEY-IN-FACT.

(You are not required to designate any alternative attorney-in-fact but you may do so. Any alternative attorney-in-fact you designate will be able to make the same health care decisions as the attorney-in-fact designated in paragraph 1, page 2, in the event that he or she is unable or unwilling to act as your attorney-in-fact. Also, if the attorney-in-fact designated in paragraph 1 is your spouse, his or her designation as your attorney-in-fact is automatically revoked by law if your marriage is dissolved.)

If the person designated in paragraph 1 as my attorney-in-fact is unable to make health care decisions for me, then I designate the

following persons to serve as my attorney-in-fact to make health care decisions for me as authorized in this document, such persons to serve in the order listed below:

A. First Alternative Attorney-in-fact

Name:.....

Address:.....

.....

Telephone Number:.....

B. Second Alternative Attorney-in-fact

Name:.....

Address:.....

.....

Telephone Number:.....

8. PRIOR DESIGNATIONS REVOKED. I revoke any prior durable power of attorney for health care.

(YOU MUST DATE AND SIGN THIS POWER OF ATTORNEY)

I sign my name to this Durable Power of Attorney for Health care on.....*(date) at*.....*(city),* .....*(state)*

.....

(Signature)

(THIS POWER OF ATTORNEY WILL NOT BE VALID FOR MAKING HEALTH CARE DECISIONS UNLESS IT IS EITHER (1) SIGNED BY AT LEAST TWO QUALIFIED WITNESSES WHO ARE PERSONALLY KNOWN TO YOU AND WHO ARE PRESENT WHEN YOU SIGN OR ACKNOWLEDGE YOUR SIGNATURE OR (2) ACKNOWLEDGED BEFORE A NOTARY PUBLIC.)

CERTIFICATE OF ACKNOWLEDGEMENT OF NOTARY PUBLIC

(You may use acknowledgement before a notary public instead of the statement of witnesses.)

State of Nevada }
} *ss.*
County of..... }

On this.....*day of*....., *in the year*....., *before me,* .....*(here insert name of notary public) personally appeared* .....*(here insert name of principal) personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to this instrument, and acknowledged that he or she executed it. I declare under penalty of perjury that the person whose name is ascribed to this instrument appears to be of sound mind and under no duress, fraud, or undue influence.*

NOTARY SEAL .....

(Signature of Notary Public)

STATEMENT OF WITNESSES

(You should carefully read and follow this witnessing procedure. This document will not be valid unless you comply with the witnessing procedure. If you elect to use witnesses instead of having this document notarized you must

use two qualified adult witnesses. None of the following may be used as a witness: (1) a person you designate as the attorney-in-fact, (2) a provider of health care, (3) an employee of a provider of health care, (4) the operator of health care facility, (5) an employee of an operator of a health care facility. At least one of the witnesses must make the additional declaration set out following the place where the witnesses sign.)

I declare under penalty of perjury that the principal is personally known to me, that the principal signed or acknowledged this durable power of attorney in my presence, that the principal appears to be of sound mind and under no duress, fraud, or undue influence, that I am not the person appointed as attorney-in-fact by this document, and that I am not a provider of health care, an employee of a provider of health care, the operator of a community care facility, nor an employee of an operator of a health care facility.

Signature:..... *Residence Address:*.....
Print Name:..... .....
Date:..... .....
Signature:..... *Residence Address:*.....
Print Name:..... .....
Date:..... .....

(AT LEAST ONE OF THE ABOVE WITNESSES MUST ALSO SIGN THE FOLLOWING DECLARATION.)

I declare under penalty of perjury that I am not related to the principal by blood, marriage, or adoption, and to the best of my knowledge I am not entitled to any part of the estate of the principal upon the death of the principal under a will now existing or by operation of law.

Signature:.....
Signature:.....

Names:..... *Address:*.....
Print Name:..... .....
Date:..... .....

COPIES: You should retain an executed copy of this document and give one to your attorney-in-fact. The power of attorney should be available so a copy may be given to your providers of health care.''.

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. 415.

Bill read second time.

The following amendment was proposed by the Committee on Education:

Amendment No. 883.

Amend section 1, page 1, by deleting line 3 and inserting: *''1. Except as otherwise provided in subsection 2, any involuntary transfer or reassignment of a*''.

Amend section 1, page 1, line 6, after "*may be*" by inserting "*involuntarily*".

Amend section 1, page 1, line 7, by deleting "*written*".

Amend section 1, page 1, by deleting lines 8 through 17 and inserting: "*officer after a hearing which affords due process.*".

Amend the title of the bill, first line, after "the" by inserting "involuntary".

Amend the summary of the bill, first line, after "before" by inserting "involuntary".

Assemblyman Adler moved the adoption of the amendment.

Remarks by Assemblyman Adler.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 456.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 976.

Amend section 1, page 1, line 3, by deleting "*A*" and inserting: "*1. Except as otherwise provided in subsection 2, a*".

Amend section 1, page 1, line 4, after "*decree*" by inserting "*equitably*".

Amend section 1, page 1, by deleting line 5 and inserting: "*assets and obligations of a husband and wife into the separate assets and obligations of the spouses, if*".

Amend section 1, page 1, line 7, by deleting "*1.*" and inserting "*(a)*".

Amend section 1, page 1, line 9, by deleting "2." and inserting "*(b)*".

Amend section 1, page 1, by inserting between lines 10 and 11:

"*2. The court shall not divide any community asset the basis of which is income from property owned by the spouses.*

3. Upon the entrance of such a decree, the separate property of each spouse is not liable for the costs of supporting the other spouse, including the costs of the necessities of life or medical care.".

Assemblyman Kissam moved the adoption of the amendment.

Remarks by Assemblyman Kissam.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 95.

The following Senate amendments were read:

Amendment No. 683.

Amend section 1, page 2, line 16, after "*only,*" by inserting "*immediately*".

Amend sec. 2, page 2, by deleting lines 20 through 28 and inserting:

"Sec. 2. NRS 704.679 is hereby amended to read as follows:

704.679 1. The commission [shall] *must* be furnished a copy of each application to any city, town, county or any planning commission for new subdivisions or other [land development] projects *for the development of land* which require a [water] supply *of water* or connection with a sewer system. [Filing of each] *Each* application *must be filed* with the commission [shall be made] within 48 hours [of] *after* the filing with the appropriate city, town or county level of government. The commission shall thereupon review [such] *the* application and conduct an investigation, if deemed necessary, to determine the continuity and adequacy of [subject water] *the* supply *of water* or sewer service. Final approval of applications by any [such] local governmental entity [shall] *must* not be granted unless and until approval in writing has been given by the commission. *If the commission does not respond within 15 days after receiving an application, the application shall be deemed approved by the commission.*

2. The commission shall collect a fee not to exceed $200, which fee [shall] *must* be used to defray the cost of conducting any investigation under the provisions of subsection 1.

3. The provisions of subsections 1 and 2 [shall] *do* not apply in any case where:

(a) The person to furnish the [water] supply *of water* or sewer service has already been granted a certificate of public convenience and necessity by the commission to serve the area described in the application.

(b) Any county, municipality or other form of local government, including but not limited to districts formed under the provisions of chapter 318 of NRS, will furnish the [water] supply *of water* or sewer service to the area described in the application.".

Amendment No. 825.

Amend section 1, page 2, line 20, after "*704.679.*" by inserting: "*The public service commission of Nevada shall acknowledge receipt of the tentative map within 15 days after it is received.*".

Amend the bill as a whole by deleting sec. 2.

Amend the title of the bill by deleting the third and fourth lines and inserting: "circumstances; and providing other matters properly".

Amend the summary of the bill to read as follows: "Requires local government to forward copy of tentative map of subdivision of land to public service commission of Nevada under certain circumstances. (BDR 22-59)".

Assemblyman Thompson moved that the Assembly concur in the Senate amendments to Assembly Bill No. 95.

Remarks by Assemblyman Thompson.

Motion carried.

Bill ordered enrolled.

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Senate Bills Nos. 24, 59; Assembly Concurrent Resolution No. 8; Senate Concurrent Resolutions Nos. 38, 39.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Callister, the privilege of the floor of the Assembly Chamber for this day was extended to Mss. Andrea Moss and Michelle Moss.

On request of Assemblyman Haller, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Michael Dini.

Assemblyman Nevin moved that the Assembly adjourn until Wednesday, May 27, 1987 at 10:30 p.m.

Motion carried.

Assembly adjourned at 1:02 p.m.

Approved: JOSEPH E. DINI, JR.
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE ONE HUNDRED AND TWENTY-NINTH DAY

CARSON CITY (Wednesday), May 27, 1987

Assembly called to order at 10:43 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, Mr. J. Scott Allred.

O God, we seek Your peace this morning within our session. Guide us in the decisions that need to be made, and please comfort us at the end of the day with the knowledge that we did our best. We thank You for Your grace. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Nevin 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 Bills Nos. 823, 824, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

PAUL W. MAY, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Assembly Bill No. 722, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

DANNY L. THOMPSON, *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which were referred Assembly Bills Nos. 602, 654, 750; Senate Bills Nos. 178, 182, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN E. JEFFREY, *Chairman*

Mr. Speaker:

Your Committee on Health and Welfare, to which was re-referred Senate Bill No. 103, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

MORSE ARBERRY, JR., *Chairman*

Mr. Speaker:

Your Committee on Economic Development, Small Business and Tourism, 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 do pass as amended.

BOB PRICE, *Chairman*

Mr. Speaker:

Your Committee on Education, to which were referred Senate Bills Nos. 89, 169, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

ROBERT G. CRADDOCK, *Chairman*

Mr. Speaker:

Your Committee on Transportation, to which were referred Senate Bills Nos. 232, 233, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

LEONARD V. NEVIN, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Senate Bill No. 281, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

DANNY L. THOMPSON, *Chairman*

Mr. Speaker:

Your Committee on Elections, to which was referred Assembly Bill No. 833, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

COURTENAY C. SWAIN, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which were referred Assembly Bill No. 836; Senate Bills Nos. 166, 374, 505, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

MARVIN M. SEDWAY, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Commerce, to which was referred Assembly Bill No. 203, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN E. JEFFREY, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Ways and Means, to which was referred Assembly Bill No. 203, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

MARVIN M. SEDWAY, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which were referred Senate Bills Nos. 14, 146, 148, 395, 424, 503, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

MARVIN M. SEDWAY, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Ways and Means, to which was referred Assembly Bill No. 552, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass, as amended.

MARVIN M. SEDWAY, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 26, 1987

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 292, 557, 634, 681, 690, 703.

Also, I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bills Nos. 399, 502, and respectfully requests your honorable body to concur in said amendments.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Assembly Bills Nos. 151, 415, 456, 467, 537, 607, 617, 674, 723, 740 and 749 be placed on the General File immediately following Assembly Bill No. 830.

Motion carried.

By Assemblymen Wisdom, Freeman, Kerns, Thomas, Tebbs, Lambert, Kissam, Thompson, Nevin, Arberry, Brookman, Garner, Bergevin, Myrna Williams, Spinello, McGaughey, Fay, Dini, Marvel, Evans, Callister, Jeffrey, Adler, Getto, Swain, DuBois, Humke, Spriggs, Haller, Wendell Williams, Carpenter, Porter, May, Nicholas, Schofield, Triggs, Sader, Gaston and Price:

Assembly Concurrent Resolution No. 63—Commending the persons who are continuing the tradition of the Pony Express.

WHEREAS, The Pony Express faithfully met every obligation of speedy communication between Nevada and the rest of the nation during the 18 months of its existence; and

WHEREAS, There were over 100 riders, riding night and day in good weather and bad, traveling the trail 616 times carrying 34,753 pieces of mail; and

WHEREAS, The National Pony Express Association has worked diligently to locate, reestablish and preserve the famous Pony Express trail for posterity; and

WHEREAS, There were approximately 30 stations along the 420 miles of trail across Nevada and one such station, Fort Churchill, is now a state monument; and

WHEREAS, It is the avowed intention of the National Pony Express Association, along with the Pollock Pines Chamber of Commerce, the U.S. Forest Service, the American Hiking Society, the Heritage Trails Funds, Inc., and all interested horsemen and hikers to make certain the Pony Express trail does not vanish with the sands of time; now, therefore, be it

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, THE SENATE CONCURRING, That the Nevada Legislature commends the dedicated effort of the National Pony Express Association and other persons involved in preserving a portion of our nation's history for future generations; and be it further

RESOLVED, That this resolution be prepared and transmitted by the Chief Clerk of the Assembly to the National Pony Express Association.

Assemblyman Wisdom moved the adoption of the resolution.

Remarks by Assemblyman Wisdom.

Assemblyman Spinello requested that Assemblyman Wisdom's remarks be entered in the Journal.

Thank you. Today we have the very special privilege of having some of our Pony Express members here in our gallery.

I would like to speak briefly on the Pony Express and our resolution commending these persons who have worked to continue its traditions. Competing with the time, distance,

harsh climate and caught between battling soldiers and Indians, the Pony Express carried important communications 2,000 miles from St. Joseph, Missouri, to Sacramento, California, in just ten days.

The Pony, as it was called, is an outstanding example of American courage, endurance and determination in the westward expansion of the nation.

The Pony made its first historic run on April 3, 1860, and despite its famous reputation, it lasted only 18 months. Its founder was W. H. Russell, one of the operators of the Overland Stage Line in Leavenworth, Kansas, a daily coach from the Missouri River to Salt Lake City.

The idea for such a daring operation, however, came from Senator William Gwin of California. In the winter of 1859, Russell, while in Washington, D.C., became acquainted with Senator Gwin and was very interested in faster mail service between the east and California. Knowing Russell was engaged in the stage coach business, Senator Gwin convinced him to establish a mail service using horses and riders. The Overland Stage Company had already established stage coach stations every ten or twelve miles as far west as Salt Lake City. Beyond that, new stations in remote hostile territory had to be built. Riders and fast horses also had to be found, but despite all this in less than two months after Russell promised Senator Gwin to do the job, the first Pony Express was ready to leave Sacramento and St. Joseph simultaneously.

To handle the operation, four able division agents were selected, including Bolivar Roberts at Carson City. In a short time, these four agents managed to find 80 experienced riders, 500 horses, and built some of the 190 stations needed for the Pony Express. For risking their lives daily, the riders received $25 a week, two revolvers, a rifle, a Bowie knife and a gold-imprinted bible. Later on, the heavier armaments proved to be too much luggage for the riders and they finally settled for a single pistol with an extra loaded cylinder.

The Pony Express was a fast, efficient organization, but even with its high prices—averaging $1 to $5 an ounce, and sometimes totalling $1,000 in receipts for a single day—it failed as a financial venture. However, the Pony Express is credited with helping to keep California in the Union at the outbreak of the Civil War. Despite this contribution, the Pony Express never received any financial assistance or subsidy from Congress.

But finances were only part of the Pony's demise. While the Pony riders were setting speed records carrying communications between the East and the West, construction was underway on a communications system that they could never beat—the transcontinental telegraph. When it was completed on October 24, 1861, it solved the need for urgent communication that had created the Pony Express. A message that had taken ten days by Pony Express could be transmitted by telegraph in ten seconds. So, four days later, on October 28, 1861, the Pony Express, and with it a colorful era of history, was at an end.

Every year these men make the Pony Express ride—the Pony Express Association as it is today. The ride is 460 miles and it takes them 56 to 59 hours, riding around the clock. This year they leave St. Joseph on June 14 and they will arrive in Carson City on June 23rd.

As it has been said in the past, the past belongs to the future, but only the present can preserve it. The Pony Express may, as tradition, be retained forever.

Resolution adopted unanimously.

Assemblyman Wisdom moved that all rules be suspended and that Assembly Concurrent Resolution No. 63 be immediately transmitted to the Senate.

Motion carried unanimously.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Government Affairs:

Assembly Bill No. 846—An Act relating to collective bargaining; removing designation of proper person to negotiate on behalf of local government; and providing other matters properly relating thereto.

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

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 256.

Bill read third time.

Remarks by Assemblyman Sedway.

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.

Bill ordered transmitted to the Senate.

Assembly Bill No. 258.

Bill read third time.

Remarks by Assemblyman Marvel.

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. 437.

Bill read third time.

Remarks by Assemblymen Gaston and DuBois.

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. 438.

Bill read third time.

Remarks by Assemblyman Sedway.

Roll call on Assembly Bill No. 438:

YEAS—41.

NAYS—None.

Not voting—Gaston.

Assembly Bill No. 438 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 512.

Bill read third time.

Remarks by Assemblyman Swain.

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.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Arberry moved that Assembly Bill No. 151 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Arberry.

Motion carried.

Assemblyman Sader moved that Assembly Bill No. 537 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Sader.

Motion carried.

Assemblyman Jeffrey moved that Senate Bill No. 66 be taken from the Chief Clerk's desk and placed on the General File.

Motion carried.

Assemblyman Nevin moved that Senate Bill No. 282 be taken from the Chief Clerk's desk and placed on the General File.

Remarks by Assemblyman Nevin.

Motion carried.

Assemblyman Nevin moved that Assembly Bill No. 617 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Nevin.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 580.

Bill read third time.

Remarks by Assemblyman Myrna Williams.

Roll call on Assembly Bill No. 580:

YEAS—41.

NAYS—Thomas.

Assembly Bill No. 580 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 695.

Bill read third time.

Remarks by Assemblyman Kerns.

Roll call on Assembly Bill No. 695:

YEAS—42.

NAYS—None.

Assembly Bill No. 695 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 710.

Bill read third time.

Remarks by Assemblyman Schofield.

Roll call on Assembly Bill No. 710:

YEAS—42.

NAYS—None.

Assembly Bill No. 710 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 775.

Bill read third time.

Remarks by Assemblymen DuBois and Price.

Roll call on Assembly Bill No. 775:

YEAS—42.

NAYS—None.

Assembly Bill No. 775 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 812.

Bill read third time.

Remarks by Assemblyman Lambert.

Roll call on Assembly Bill No. 812:

YEAS—42.

NAYS—None.

Assembly Bill No. 812 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 826.

Bill read third time.

Remarks by Assemblyman Thompson.

Roll call on Assembly Bill No. 826:

YEAS—42.

NAYS—None.

Assembly Bill No. 826 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 827.

Bill read third time.

Remarks by Assemblymen Sedway, DuBois and Thomas.

Roll call on Assembly Bill No. 827:

YEAS—42.

NAYS—None.

Assembly Bill No. 827 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 830.

Bill read third time.

Remarks by Assemblymen Thompson, Schofield and Sedway.

Roll call on Assembly Bill No. 830:

YEAS—42.

NAYS—None.

Assembly Bill No. 830 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 415.

Bill read third time.

Remarks by Assemblyman Adler.

Roll call on Assembly Bill No. 415:

YEAS—42.

NAYS—None.

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. 456.

Bill read third time.

Remarks by Assemblymen Kissam and Swain.

Roll call on Assembly Bill No. 456:

YEAS—39.

NAYS—Nevin, Porter—2.

Not voting—Nicholas.

Assembly Bill No. 456 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 467.

Bill read third time.

Remarks by Assemblyman Humke.

Roll call on Assembly Bill No. 467:

YEAS—42.

NAYS—None.

Assembly Bill No. 467 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 607.

Bill read third time.
Remarks by Assemblyman Myrna Williams.
Roll call on Assembly Bill No. 607:
YEAS—42.
NAYS—None.

Assembly Bill No. 607 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 674.
Bill read third time.
Remarks by Assemblyman Thompson.
Roll call on Assembly Bill No. 674:
YEAS—42.
NAYS—None.

Assembly Bill No. 674 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 723.
Bill read third time.
Remarks by Assemblymen Adler and Price.
Roll call on Assembly Bill No. 723:
YEAS—42.
NAYS—None.

Assembly Bill No. 723 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 740.
Bill read third time.
Remarks by Assemblyman Kissam.
Roll call on Assembly Bill No. 740:
YEAS—42.
NAYS—None.

Assembly Bill No. 740 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 749.
Bill read third time.
Remarks by Assemblyman Callister.
Roll call on Assembly Bill No. 749:
YEAS—42.
NAYS—None.

Assembly Bill No. 749 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that all rules be suspended and that Assembly Bills Nos. 256, 258, 415, 437, 438, 456, 467, 512, 580, 607, 674, 695, 710, 723, 740, 749, 775, 812, 826, 827 and 830 be immediately transmitted to the Senate.

Motion carried unanimously.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Health and Welfare, to which was referred Assembly Bill No. 626, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

MORSE ARBERRY, JR., *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which were referred Assembly Bills Nos. 582, 694, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN E. JEFFREY, *Chairman*

GENERAL FILE AND THIRD READING

Senate Bill No. 325.

Bill read third time.

Remarks by Assemblyman Getto.

Roll call on Senate Bill No. 325:

YEAS—39.

NAYS—Arberry, Evans, May—3.

Senate Bill No. 325 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 326.

Bill read third time.

Remarks by Assemblyman Marvel.

Roll call on Senate Bill No. 326:

YEAS—42.

NAYS—None.

Senate Bill No. 326 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 400.

Bill read third time.

Remarks by Assemblyman Callister.

Roll call on Senate Bill No. 400:

YEAS—42.

NAYS—None.

Senate Bill No. 400 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 441.

Bill read third time.

Remarks by Assemblymen Schofield and Spinello.

Roll call on Senate Bill No. 441:

YEAS—42.

NAYS—None.

Senate Bill No. 441 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 66.

Bill read third time.

Remarks by Assemblyman Jeffrey.

Roll call on Senate Bill No. 66:

YEAS—42.

NAYS—None.

Senate Bill No. 66 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 282.

Bill read third time.

Remarks by Assemblymen Triggs and Gaston.

Roll call on Senate Bill No. 282:

YEAS—42.

NAYS—None.

Senate Bill No. 282 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. 399.

The following Senate amendment was read:

Amendment No. 875.

Amend the bill as a whole by deleting sections 1, 2 and 3 and adding new sections designated sections 1 through 5, following the enacting clause, to read as follows:

"Section 1. 1. The state board of examiners shall issue general obligation bonds of the State of Nevada to provide the money necessary for:

(a) The architectural design of a new Supreme Court building, in a face amount of not more than $956,543.

(b) The architectural design of a new building to house the State Library and Archives, in a face amount of not more than $748,941.

2. The bonds may be issued at one time or from time to time.

3. The provisions of the State Securities Law, contained in chapter 349 of NRS, apply to the issuance of bonds pursuant to this section.

Sec. 2. 1. The state board of examiners shall issue general obligation bonds of the State of Nevada to provide the money necessary for the completion of the design and construction of the dam and park begun pursuant to chapter 479, Statutes of Nevada 1983, in a face amount of not more than $5,800,000.

2. The bonds may be issued at one time or from time to time.

3. The provisions of the State Securities Law, contained in chapter 349 of NRS, apply to the issuance of bonds pursuant to this section.

4. The legislature finds and declares that the issuance of bonds pursuant to this section is necessary for the protection and preservation of the natural resources of this state and for the purpose of obtaining the benefits thereof, and constitutes an exercise of the authority conferred by the second paragraph of section 3 of article 9 of the constitution of the State of Nevada.

Sec. 3. The board of county commissioners of Elko County shall pay to the state a sum equal to 25 percent of the amount of the bonds issued pursuant to section 2 of this act. The amount must be paid in equal installments by July 1 of each year for 16 years. The state treasurer shall credit the interest earned on money paid pursuant to this section to the sinking fund for the redemption of those bonds.

Sec. 4. 1. The board of county commissioners of Elko County may add an amount determined by the board, not to exceed the following amounts, to the amount of revenue from taxes ad valorem otherwise allowable to Elko County pursuant to NRS 354.58905, 354.59811 and 354.59816, to discharge its obligation pursuant to section 3 of this act:

For the fiscal year 1987-88 ..... $255,000

For each of the following 15 fiscal years 76,334

2. The amounts received from increases in taxes ad valorem that are authorized by subsection 1 must not be included in the determination of maximum allowable combined revenue for the purpose of distribution of the supplemental city-county relief tax.

Sec. 5. This act becomes effective upon passage and approval.".

Amend the title of the bill to read as follows:

"An Act relating to state finances; requiring the state board of examiners to issue general obligation bonds to finance the design of new buildings for the Supreme Court and the state library and the completion of the South Fork Reservoir; requiring Elko County to repay to the state a portion of the amount of the bonds issued to complete the reservoir; authorizing an increase in the limit on revenue that Elko County may receive from taxes ad valorem to discharge that obligation; and providing other matters properly relating thereto.".

Amend the summary of the bill to read as follows: "Provides for issuance of general obligation bonds to finance various projects. (BDR S-1925)".

Assemblyman Sedway moved that the Assembly do not concur in the Senate amendment to Assembly Bill No. 399.

Remarks by Assemblymen Sedway, DuBois, Carpenter, Schofield, Spinello, Jeffrey, Getto and Thomas.

Motion carried.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Thompson moved that Assembly Bill No. 151 be taken from the Chief Clerk's desk and placed on the General File.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 151.

Bill read third time.

Remarks by Assemblymen Arberry, Swain and DuBois.

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.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Arberry moved that Assembly Bill No. 626 be placed on the Second Reading File immediately following Assembly Bill No. 832.

Motion carried.

Assemblyman Craddock moved that Assembly Bill No. 552 be placed on the General File.

Motion carried.

Assemblyman Nevin moved that the Assembly recess subject to the call of the Chair.

Motion carried.

Assembly in recess at 12:27 p.m.

ASSEMBLY IN SESSION

At 12:33 p.m.

Mr. Speaker presiding.

Quorum present.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 27, 1987

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Senate Bills Nos. 472, 502, 509.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 165, 208, 324, 371, 373, 393, 449, 516, 517.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Joint Resolution No. 17.

Also, 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 Joint Resolution No. 17.

Assemblyman Jeffrey moved that the resolution be referred to the Committee on Ways and Means.

Motion carried.

Senate Concurrent Resolution No. 16.

Assemblyman Jeffrey moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

Senate Bill No. 165.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

Senate Bill No. 208.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

Senate Bill No. 324.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Natural Resources, Agriculture and Mining.

Motion carried.

Senate Bill No. 371.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 373.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 393.

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

Motion carried.

Senate Bill No. 449.

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

Motion carried.

Senate Bill No. 472.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 502.

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

Motion carried.

Senate Bill No. 509.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

Senate Bill No. 516.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

Senate Bill No. 517.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 637.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 833.

Amend section 1, page 1, line 2, by deleting "juveniles," and inserting "children,".

Amend section 1, page 1, line 9, by deleting the comma and inserting: "and involved in the formulation of the policies of the department,".

Amend sec. 2, page 2, line 9, by deleting "juveniles." and inserting: "children who are 18 years of age or younger.".

Amend sec. 2, page 2, by deleting lines 11 through 18 and inserting:

"(a) An evaluation of the need to modernize the laws relating to those children; and

(b) An analysis of the feasibility of and recommendations for creating a children's code to provide a coherent, comprehensive and integrated body of law relating to children, including the provisions of chapters 62, 432A and 432B of NRS.".

Amend sec. 2, page 2, line 22, after "money" by inserting "or services".

Amend sec. 3, page 2, line 24, by deleting "juveniles" and inserting "children".

Amend sec. 4, page 2, line 28, by deleting "juveniles" and inserting "children".

Amend sec. 6, page 2, line 34, before "Sections" by inserting:

"1. This act becomes effective upon passage and approval.

2.".

Amend the title of the bill to read as follows:

"An Act relating to children; creating the advisory committee to study the laws relating to children; making an appropriation; and providing other matters properly relating thereto.".

Amend the summary of the bill by deleting "juveniles." and inserting "children.".

Assemblyman Sader moved the adoption of the amendment.

Remarks by Assemblyman Sader.

Amendment adopted.

Bill ordered reprinted, engrossed and to the Concurrent Committee on Ways and Means.

Assembly Bill No. 780.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 781.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 789.

Bill read second time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 977.

Amend the bill as a whole by deleting sections 1 through 3 and inserting:

"Section 1. 1. There is hereby appropriated from the state general fund to the Department of Museums and History the sum of $237,000 for the purchase of antique railroad equipment.

2. The sum appropriated by subsection 1 is contingent upon the Department of Museums and History receiving, from a source other than the State of Nevada, and expending in addition to the appropriated sum $50,000 in the fiscal year 1987-88 and $50,000 in the fiscal year 1988-89.

3. Any remaining balance of the appropriation made by subsection 1 must not be committed for expenditure after June 30, 1989, and reverts to the state general fund as soon as all payments of money committed have been made.".

Amend the bill as a whole by renumbering sec. 4 as sec. 2.

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. 791.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 792.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 831.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 832.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 966.

Amend sec. 2, page 2, by deleting lines 1 through 3 and inserting:

"The northwest quarter and the west half of the northeast quarter and the southeast quarter of the northeast quarter of section 23, T. 21 S., R. 62 E., M.D.B. & M., and the south half of the southwest quarter of section 14, T. 21 S., R. 62 E., M.D.B. & M., and the north half of section 22, T. 21 S., R. 62 E., M.D.B. & M., and the east 184 feet of the north half of section 21, T. 21 S., R. 62 E., M.D.B. & M.".

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. 626.

Bill read second time.

The following amendment was proposed by the Committee on Health and Welfare:

Amendment No. 872.

Amend section 1, page 1, line 3, by deleting "*shall*" and inserting "*may*".

Amend section 1, page 1, line 8, by deleting "*clerk.*" and inserting "*recorder.*".

Amend sec. 2, page 2, line 23, after "*license*" by inserting: "*issued on or after July 1, 1987,*".

Amend the bill as a whole by renumbering sections 3 through 7 as sections 4 through 8 and adding a new section designated sec. 3, following sec. 2, to read as follows:

"Sec. 3. NRS 122.050 is hereby amended to read as follows:

122.050 The marriage license must be substantially in the following form:

Marriage License

(Expires 1 year after issuance)

State of Nevada }
} *ss.*
County of..... }

These presents are to authorize any minister who has obtained a certificate of permission, any supreme court justice or district judge within this state, or justice of the peace within a township wherein he is permitted to solemnize marriages, or any commissioner of civil marriages or his deputy within a commissioner township wherein they are permitted to solemnize marriages, to join in marriage.....of (City, town or location) ....., State of.....State of birth (If not in U.S.A., name of country) .....; Date of birth.....Father's name.....Father's state of birth (If

not in U.S.A., name of country).....Mother's maiden name..... Mother's state of birth (If not in U.S.A., name of country).....Number of this marriage (1st, 2nd, etc.).....Wife deceased.....Divorced..... Annulled.....When.....Where.....And.....of (City, town or location).....; State of.....State of birth (If not in U.S.A., name of country).....; Date of birth.....Father's name.....Father's state of birth (If not in U.S.A., name of country).....Mother's maiden name .....Mother's state of birth (If not in U.S.A., name of country)..... Number of this marriage (1st, 2nd, etc.).....Husband deceased..... Divorced.....Annulled.....When.....Where.....; and to certify the marriage according to law.

Witness my hand and the seal of the county, this.....day of ..... A.D. 19.....

.....

(Seal) Clerk

.....

Deputy clerk''.

Amend sec. 3, page 2, line 28, after ''recording the'' by inserting ''*originally signed*''.

Amend sec. 4, page 3, line 7, by deleting: ''of the parties [, if'' and inserting: ''[of the parties, if''.

Amend sec. 4, page 3, line 9, after the bracket by inserting: ''*couple being married*''.

Amend sec. 4, page 3, by deleting lines 31 through 41 and inserting:

''

.....

Signature of person performing the marriage

(Seal of County Clerk)

.....

Name under signature typewritten or printed in black ink

.....

County Clerk

.....

Official title of person performing the marriage

.....

.....

Couple's mailing address

3. All information contained in the certificate of marriage must be typewritten or legibly printed in black ink, except the signatures. The signature of the person performing the marriage must be an original signature.''.

Amend sec. 6, page 4, line 28, by deleting ''recorder a'' and inserting: ''recorder [a] *an originally signed*''.

Amend the bill as a whole by deleting sections 8 through 12 and renumbering sec. 13 as sec. 9.

Amend sec. 13, page 6, line 6, by deleting "3" and inserting "4".

Amend the title of the bill, first line, by deleting "requiring" and inserting "authorizing".

Assemblyman Arberry moved the adoption of the amendment.

Remarks by Assemblyman Arberry.

Amendment adopted.

Assemblyman Arberry moved that Assembly Bill No. 626 be placed on the Chief Clerk's desk.

Motion carried.

Bill ordered reprinted, engrossed and to the Chief Clerk's desk.

Senate Bill No. 22.

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. 899.

Amend sec. 3, page 2, line 9, by deleting: "[subsequent to] *after*" and inserting "after".

Amend sec. 3, page 2, line 10, after "insurance" by inserting "that are".

Amend sec. 3, page 2, line 11, by deleting "*the*" and inserting "the".

Amend sec. 3, page 2, after line 36 by inserting:

"8. The issuance of annuities by an affiliate of an authorized insurer if the affiliate:

(a) Is approved by the commissioner;

(b) Is organized as a nonprofit educational corporation;

(c) Issues annuities only to nonprofit institutions of education and research; and

(d) Reports and pays any premium tax on the annuities required pursuant to chapter 680B of NRS.".

Amend sec. 7, page 4, line 28, by deleting "documents , [()" and inserting "documents,".

Amend sec. 7, page 4, line 29, by deleting "authority . [).]" and inserting "authority.".

Amend sec. 7, page 4, lines 30 and 31, by deleting: "[(as to] *for* reciprocal insurers [),]".

Amend sec. 7, page 4, by deleting line 33 and inserting:

"3. Annual statement or report. For filing annual statement or report..... $25".

Amend sec. 7, page 4, line 40, by deleting ", if issued".

Amend sec. 7, page 5, line 4, by deleting ", if issued".

Amend sec. 7, page 5, line 10, by deleting ", if issued".

Amend sec. 7, page 5, line 13, by deleting ", if issued".

Amend sec. 7, page 5, line 16, by deleting ", if issued".

Amend sec. 7, page 5, line 19, by deleting ", if issued".

Amend sec. 7, page 5, by deleting line 24 and inserting:

"(a) Resident managing general agents:

(1) Application and license..... $45".

Amend sec. 7, page 5, line 25, by deleting "(b)" and inserting "(2)".

Amend sec. 7, page 5, line 26, by deleting "(c)" and inserting "(3)".

Amend sec. 7, page 5, after line 26, by inserting:

"(b) Nonresident managing general agents:

(1) Application and license..... 105

(2) Initial appointment, each insurer..... 25

(3) Triennial renewal of each license..... 105".

Amend sec. 7, page 5, line 29, by deleting ", if issued".

Amend sec. 7, page 5, line 32, by deleting ", if issued".

Amend sec. 7, page 5, line 37, by deleting ", if issued".

Amend sec. 7, page 6, line 3, by deleting "if issued,".

Amend sec. 7, page 6, line 9, by deleting ", if issued".

Amend sec. 7, page 6, line 12, by deleting ", if issued".

Amend sec. 7, page 6, line 14, by deleting: "of life and".

Amend sec. 7, page 6, by deleting lines 15 and 16 and inserting: "licensed pursuant to chapter 683A of NRS:

(a) Resident administrators:

(1) Application and certificate of registration..... $45".

Amend sec. 7, page 6, line 17, by deleting "(b)" and inserting "(2)".

Amend sec. 7, page 6, after line 17, by inserting:

"(b) Nonresident administrators:

(1) Application and certificate of registration..... 105

(2) Triennial renewal..... 105".

Amend sec. 7, page 6, line 29, by deleting ", if issued".

Amend sec. 7, page 6, line 33, by deleting ", if issued".

Amend sec. 7, page 6, line 36, by deleting ", if issued".

Amend sec. 7, page 6, line 40, by deleting ", if issued".

Amend sec. 7, page 7, by deleting lines 2 through 5 and inserting:

"(a) Resident title agents and escrow officers:

(1) Application and license..... $45

(2) Triennial renewal of each license..... 45

(b) Nonresident title agents and escrow officers:

(1) Application and license..... 105

(2) Triennial renewal of each license..... 105

(c) Change in name or location of business or in association..... 10

27. Certificate of authority for a seller of prepaid funeral contracts, for issuance and each annual renewal..... $45".

Amend sec. 7, page 7, by deleting lines 8 and 9 and inserting:

"(a) Resident agents:

(1) Application and license..... $45

(2) Triennial renewal of each license..... 45

(b) Nonresident agents:

(1) Application and license..... 105

(2) Triennial renewal of each license..... 105".

Amend sec. 7, page 7, by deleting line 12 and inserting:

"(a) Resident agents:

(1) Application and license..... $45".

Amend sec. 7, page 7, line 13, by deleting "(b)" and inserting "(2)".

Amend sec. 7, page 7, line 14, by deleting "(c)" and inserting "(3)".

Amend sec. 7, page 7, after line 14, by inserting:

"(b) Nonresident agents:

(1) Application and license..... 105

(2) Triennial renewal of each license..... 105".

Amend sec. 7, page 7, line 20, after "31." by inserting: "Cemetery merchandise sellers and cemetery merchandise agents:

(a) Resident agents and sellers:

(1) Application and certificate or license..... $45

(2) Triennial renewal..... 45

(b) Nonresident agents and sellers:

(1) Application and certificate or license..... 105

(2) Triennial renewal..... 105

32.".

Amend the bill as a whole by adding a new section, designated sec. 11, following sec. 10, to read as follows:

"Sec. 11. Sections 3 and 7 of this act become effective at 12:01 a.m. on July 1, 1987.".

Assemblyman Jeffrey moved the adoption of the amendment.

Remarks by Assemblyman Jeffrey.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 173.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 917.

Amend section 1, page 1, line 2, by deleting "*1.*".

Amend section 1, page 1, line 6, by deleting "*(a)*" and inserting "*1.*".

Amend section 1, page 1, line 8, by deleting "*(b)*" and inserting "*2.*".

Amend section 1, page 1, line 9, by deleting "*; or*" and inserting "*;*".

Amend section 1, page 1, line 10, by deleting "*(c)*" and inserting "*3.*".

Amend section 1, page 1, line 12, by deleting: "*2. Every person who executes*" and inserting "*4. Executes*".

Amend section 1, page 1, line 13, by deleting "*and*" and inserting "*or*".

Amend section 1, page 1, line 14, by deleting: "*3. Every person who executes*" and inserting "*5. Executes*".

Amend the title of the bill, second line, by deleting "so;" and inserting: "so under certain circumstances;".

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. 183.

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. 485.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 915.

Amend section 1, page 1, line 3, after "*knowingly*" by inserting "*sell, lease,*".

Amend the title of the bill, first line, after "sale" by inserting ", lease".

Amend the summary of the bill, after "sale" by inserting ", lease".

Assemblyman Sader moved the adoption of the amendment.

Remarks by Assemblymen Sader, Fay, Thomas and Adler.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

GENERAL FILE AND THIRD READING

Assembly Bill No. 552.

Bill read third time.

The following amendment was proposed by the Committee on Education:

Amendment No. 841.

Amend sec. 2, page 1, line 4, by deleting "*minimum*".

Amend sec. 2, page 1, by inserting between lines 6 and 7:

"*(b) Determine the instructional material to be presented in that course.*".

Amend sec. 2, page 1, line 7, by deleting "*(b)*" and inserting "*(c)*".

Amend sec. 2, page 2, by deleting line 1.

Amend sec. 7, page 4, line 7, by deleting: "subsection 1 of section 2" and inserting "section 5".

Amend sec. 7, page 4, line 8, by deleting "courses" and inserting "course".

Assemblyman Craddock moved the adoption of the amendment.

Remarks by Assemblyman Craddock.

Amendment adopted.

The following amendment was proposed by Assemblyman Swain.

Amendment No. 843.

Amend sec. 3, page 2, by deleting line 20 and inserting: "*attend the portion of the course related to acquired immune deficiency syndrome.*".

Assemblyman Swain moved the adoption of the amendment.

Remarks by Assemblyman Swain.

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. 95, 260, 281; Senate Bills Nos. 184, 191, 203, 222, 231, 263, 275, 296, 318, 354, 355, 356, 415; Assembly Concurrent Resolution No. 62; Senate Concurrent Resolution No. 42.

REMARKS FROM THE FLOOR

Assemblyman Price requested that his remarks be entered in the Journal.

Constitutional Moments—Week of May 24

May 24—On this the tenth day after the opening date for the Constitutional Convention, only five states were represented.

May 25—The Constitutional Convention opens, as a quorum of delegates from seven states convenes in Philadelphia, to discuss revising the Articles of Confederation. However, on June 19th, the Convention votes to strike the Articles of Confederation, choosing instead to form a new national government.

May 26—Having met and organized yesterday, the Convention was in recess until Monday. It will be the last Saturday off until July 28th.

May 27—Washington and several of his colleagues attended Mass at St. Mary's, then dined, drank tea and spent the evening at his lodgings.

May 28—Ben Franklin took his seat at the Constitutional Convention. The Convention voted on rules of procedure.

May 29—Rhode Island, the last of the original states to do so, ratified the Constitution, while having been the only state that did not attend the Convention.

May 29—On this day in 1736, Patrick Henry was born in Studly, Virginia. He was an American Revolutionary leader and renowned orator, famous for his speech in which he declared, "I know not what course others may take, but as for me, give me liberty or give me death."

May 29, 1917—On this date, John F. Kennedy was born in Brookline, Massachusetts. He was the 35th President of the United States, the youngest man to ever be elected to the Presidency, the first Roman Catholic President and the first President to have served in the United States Navy. He was assassinated in Dallas, Texas, on November 22, 1963.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Brookman, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Glynda White.

On request of Assemblyman Spinello, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Lila Gaye Macey.

On request of Assemblyman Wisdom, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Daniel Murphy, Byron Clark, Neil Merringer, Neil Rose and Don Morrison.

Assemblyman Jeffrey moved that the Assembly adjourn until Thursday, May 28, 1987 at 10:30 a.m.

Motion carried.

Assembly adjourned at 1:02 p.m.

Approved: JOSEPH E. DINI, JR.
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE ONE HUNDRED AND THIRTIETH DAY

CARSON CITY (Thursday), May 28, 1987

Assembly called to order at 10:37 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, Mr. J. Scott Allred.

I would like to ask that we take a short time of silent prayer this morning because I am sure there are some things on your mind that you would like to offer up to God. So we'll be in prayer for a short moment and then I'll close for us together. Let us pray.

Lord, God, we are a people that come to You today with concerns and petitions for Your ears. We ask that You accept our prayers in Your grace. We look forward now to seeing them answered in Your time. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Jeffrey moved that further reading of the Journal be dispensed with, and the Speaker and Chief Clerk be authorized to make the necessary corrections and additions.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Commerce, to which was referred Assembly 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.

JOHN E. JEFFREY, *Chairman*

Mr. Speaker:

Your Committee on Transportation, to which was re-referred Senate Bill No. 463, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

LEONARD V. NEVIN, *Chairman*

Mr. Speaker:

Your Committee on Transportation, to which was referred Senate Bill No. 340, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

LEONARD V. NEVIN, *Chairman*

Mr. Speaker:

Your Committee on Transportation, to which were referred Assembly Bill No. 643; Senate Bill No. 167, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

LEONARD V. NEVIN, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which were referred Senate Bills Nos. 393, 449, 502, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

DANNY L. THOMPSON, *Chairman*

Mr. Speaker:

Your Committee on Education, to which was referred Senate Bill No. 138, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ROBERT G. CRADDOCK, *Chairman*

Mr. Speaker:

Your Committee on Labor and Management, to which was referred Assembly Bill No. 797, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JAMES J. BANNER, *Chairman*

Mr. Speaker:

Your Committee on Health and Welfare, to which was referred Assembly Bill No. 455, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

MORSE ARBERRY, JR., *Chairman*

Mr. Speaker:

Your Concurrent Committee on Ways and Means, to which was referred Assembly Bill No. 403, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass, as amended.

MARVIN M. SEDWAY, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 27, 1987

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 318, 498.

Also, I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bills Nos. 180, 205, 217, 317, 320, and respectfully requests your honorable body to concur in said amendments.

Also, I have the honor to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolutions Nos. 48, 63.

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. 462.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen Dini, Getto, Freeman, Brookman, Gaston, Carpenter, Banner, Porter, Kerns, Wisdom, Spinello, Craddock, Myrna Williams, Marvel, Callister, Tebbs, Fay, Price, May, Sedway, Jeffrey, Garner, Spriggs, Evans, Swain, Schofield, Arberry, Humke, Wendell Williams, Nicholas, McGaughey, Thomas, Haller, Lambert, Triggs, Kissam, Adler, Thompson, DuBois, Bergevin, Sader and Nevin:

Assembly Concurrent Resolution No. 64—Memorializing Henry "Hank" Gardner, former employee of the Nevada Legislature.

WHEREAS, The members of the Nevada Legislature note with profound sorrow the passing of Henry "Hank" Gardner; and

WHEREAS, Henry Eugene "Hank" Gardner, Sr. was born on January 28, 1915, in Pittston, Pennsylvania; and

WHEREAS, Hank moved to Carson City 17 years ago and became executive vice president and general manager of Mallory Electric; and

WHEREAS, He was a member of the Knights of Columbus Council 4781, the Carson City Chamber of Commerce, the Capitol Club, Nevada Manufacturers Association and St. Teresa of Avila Catholic Church; and

WHEREAS, Henry "Hank" Gardner received several awards for "Man of the Year" from the Carson City Chamber of Commerce and also received a similar award from the Specialized Equipment Manufacturers' Association; and

WHEREAS, After retirement, Hank began working for the Nevada Legislature in 1979 in the Bill Distribution Center and that session it became evident to all who met Hank that he was the Nevada Legislature's "ambassador of good will"; and

WHEREAS, With his promotion to supervisor in 1981, Hank continued to demonstrate his outstanding ability to help others in spite of the tremendous pressure and stress of this position; and

WHEREAS, Although Hank Gardner's death has created a void in the lives of his numerous friends, in death as in life, his kindness, sense of humor and personal charm will always be remembered; now, therefore, be it

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, THE SENATE CONCURRING, That the members of the 64th Session of the Nevada Legislature express their sincere condolences to Hank's wife Eleanore Katherine, and their son Hank of Scottsdale, Arizona; and be it further

RESOLVED, That copies of this resolution be prepared and transmitted forthwith by the Chief Clerk of the Assembly to Eleanore Gardner and their son Hank.

Assemblyman Banner moved the adoption of the resolution.

Remarks by Assemblyman Banner.

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 Mrs. Henry "Hank" Gardner.

Assembly in recess at 10:46 a.m.

ASSEMBLY IN SESSION

At 10:47 a.m.

Mr. Speaker presiding.

Quorum present.

Remarks by Assemblyman Getto.

Assemblyman Getto requested that the following remarks be entered in the Journal.

ASSEMBLYMAN BANNER:

Yes, Mr. Speaker, I have the privilege of having his wife, Eleanore, and his son, Hank, here at my desk today. It is really an honor for me because I've known Hank since I've been in this building. As some of you know, I am a creature of habit. Hank was also a creature of habit. We met at 7:00 a.m. every morning in the bill room to discuss what we were going to do for the day and what happened and about his son, who has been playing golf. His wife tells me that I probably made him a little more prompt because after I started meeting with him he always made it a point to be here at 7:00 a.m.

Hank turned out to be one of my dearest friends in this Assembly and I feel it an honor to have the family sitting at my desk and to be able to offer them this resolution today. I think it was nice. They will get a copy of it also in the Journal, which I will mail to them. Thank you.

If you could allow it, Mrs. Gardner would like to say something.

ASSEMBLYMAN GETTO:

Thank you, Mr. Speaker. Very briefly, I met Hank here at the Legislature. One thing

that I can say about Hank is that he loved people. He was a very cheery person. As my colleague from down south said, it was a very spiritual uplifting every morning when I did happen to go in and visit with Hank.

My granddaughter was here the day that Hank passed away. She was in the bill room just about four or five minutes before it happened. This was the first time she met Hank and she took a very particular liking to him and remembered him. When she heard about the tragic event, she was very upset.

As I said before, I think one of Hank's great attributes was that he loved people and he made a lot of friends who will certainly miss him over the years.

Resolution adopted unanimously.

Assemblyman Banner moved that all rules be suspended and that Assembly Concurrent Resolution No. 64 be immediately transmitted to the Senate.

Motion carried unanimously.

Assemblyman Jeffrey moved that Assembly Bills Nos. 552, 789, 832; Senate Bills Nos. 127, 173 and 485 be placed on the General File immediately following Assembly Bill No. 831.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Ways and Means:

Assembly Bill No. 847—An Act relating to public employees; increasing the amount paid by certain public employers for group insurance; and providing other matters properly relating thereto.

Assemblyman Sedway moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By the Committee on Ways and Means:

Assembly Bill No. 848—An Act relating to public employees' retirement; authorizing the director of the department of administration to pay certain claims to reimburse public employees for amounts incorrectly deducted from their salaries for retirement contributions; and providing other matters properly relating thereto.

Assemblyman Sedway moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By the Committee on Ways and Means:

Assembly Bill No. 849—An Act making an appropriation from the estate tax account to the University of Nevada System for scholarships in the field of education; and providing other matters properly relating thereto.

Assemblyman Sedway moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By the Committee on Ways and Means:

Assembly Bill No. 850—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.

Assemblyman Sedway moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 851—An Act relating to criminal procedure; prohibiting a district court from remanding a defendant for a preliminary examination if the defendant has made an unconditional waiver of the preliminary examination; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 852—An Act relating to children; requiring facilities for the care of children to separate children who have not committed delinquent acts from children who have; and providing other matters properly relating thereto.

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

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 780.

Bill read third time.

Remarks by Assemblyman Porter.

Roll call on Assembly Bill No. 780:

YEAS—42.

NAYS—None.

Assembly Bill No. 780 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 781.

Bill read third time.

Remarks by Assemblyman Carpenter.

Roll call on Assembly Bill No. 781:

YEAS—42.

NAYS—None.

Assembly Bill No. 781 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 791.

Bill read third time.

Remarks by Assemblyman Kissam.

Roll call on Assembly Bill No. 791:

YEAS—42.

NAYS—None.

Assembly Bill No. 791 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 792.

Bill read third time.

Remarks by Assemblyman Spinello.

Roll call on Assembly Bill No. 792:

YEAS—42.

NAYS—None.

Assembly Bill No. 792 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 831.

Bill read third time.

Remarks by Assemblyman Sedway.

Roll call on Assembly Bill No. 831:

YEAS—41.

NAYS—Thomas.

Assembly Bill No. 831 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 552.

Bill read third time.

Remarks by Assemblymen Craddock, Spriggs, Sedway and DuBois.

Assemblyman Sedway moved that Assembly Bill No. 552 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblymen Sedway, Craddock, Thomas, Gaston, Swain, Jeffrey, Lambert and Getto.

Assemblymen Thompson, Adler and McGaughey moved the previous question.

Motion carried.

The question being on the motion to take Assembly Bill No. 552 from the General File and place it on the Chief Clerk's desk.

Motion lost.

Remarks by Assemblymen Adler, Myrna Williams, Freeman, Carpenter, Schofield and Kissam.

Assemblymen Nevin, Thompson and Adler moved the previous question.

Motion carried.

The question being on the passage of Assembly Bill No. 552.

Roll call on Assembly Bill No. 552:

YEAS—42.

NAYS—None.

Assembly Bill No. 552 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 789.
Bill read third time.
Remarks by Assemblymen Humke and Thomas.
Roll call on Assembly Bill No. 789:

YEAS—42.
NAYS—None.

Assembly Bill No. 789 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 832.
Bill read third time.
Remarks by Assemblymen Thompson and Gaston.
Roll call on Assembly Bill No. 832:

YEAS—42.
NAYS—None.

Assembly Bill No. 832 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that all rules be suspended and that Assembly Bills Nos. 552, 780, 781, 789, 791, 792, 831 and 832 be immediately transmitted to the Senate.
Motion carried unanimously.

Assemblyman Thomas moved that Assembly Bill No. 626 be taken from the Chief Clerk's desk and placed on the General File.
Remarks by Assemblymen Thomas, Bergevin, Adler, Haller and Humke.
Motion carried on a division of the house.

Assemblyman Nevin moved that the Assembly recess until 11:50 a.m.
Motion carried.

Assembly in recess at 11:45 a.m.

ASSEMBLY IN SESSION

At 12:17 p.m.
Mr. Speaker presiding.
Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Adler moved that Assembly Bill No. 626 be taken from the General File and placed on the Chief Clerk's desk.
Remarks by Assemblymen Adler and Thomas.
Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 127.
Bill read third time.
Remarks by Assemblyman Fay.
Roll call on Senate Bill No. 127:
YEAS—42.
NAYS—None.

Senate Bill No. 127 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Senate Bill No. 173.
Bill read third time.
Remarks by Assemblyman Porter.
Roll call on Senate Bill No. 173:
YEAS—42.
NAYS—None.

Senate Bill No. 173 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 Haller, Freeman, Sader, Jeffrey and Schofield.
Roll call on Senate Bill No. 485:
YEAS—42.
NAYS—None.

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. 22.
Bill read third time.
Remarks by Assemblymen Wisdom, Adler and Fay.
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. 183.
Bill read third time.
Remarks by Assemblyman Jeffrey.
Roll call on Senate Bill No. 183:
YEAS—42.
NAYS—None.

Senate Bill No. 183 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 320.

Bill read third time.

Remarks by Assemblyman Porter.

Roll call on Senate Bill No. 320:

YEAS—42.

NAYS—None.

Senate Bill No. 320 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 379.

Bill read third time.

Remarks by Assemblyman Myrna Williams.

Roll call on Senate Bill No. 379:

YEAS—42.

NAYS—None.

Senate Bill No. 379 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

UNFINISHED BUSINESS

REPORTS OF CONFERENCE COMMITTEES

Mr. Speaker:

The first Committee on Conference concerning Senate Bill No. 55, 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.

ERNEST E. ADLER
JAMES W. MCGAUGHEY
VIVIAN L. FREEMAN
Assembly Committee on Conference

ERIK BEYER
NICHOLAS J. HORN
LAWRENCE E. JACOBSEN
Senate Committee on Conference

Amendment No. C5.

Amend sec. 2, page 2, line 2, by deleting "1991," and inserting "1988,".

Assemblyman Adler moved that the Assembly adopt the report of the first Committee on Conference concerning Senate Bill No. 55.

Remarks by Assemblyman Adler.

Motion carried.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 217.

The following Senate amendment was read:

Amendment No. 789.

Amend the bill as a whole by adding a new section designated sec. 4, following sec. 3, to read as follows:

"Sec. 4. Chapter 338 of NRS is hereby amended by adding thereto a new section to read as follows:

1. Except as otherwise provided in NRS 338.170, each contractor shall disburse money paid to him pursuant to this chapter, including any interest which he receives, to his subcontractors and suppliers within 15 days after he receives the money, in direct proportion to the subcontractors' and suppliers' basis in the total contract between the contractor and the owner.

2. Any money which is payable to a subcontractor pursuant to this section accrues interest at a rate equal to the lowest daily prime rate at the three largest United States banking institutions on the date the contract is executed plus 2 percent, from 15 days after the date on which the money was received by the contractor until the date of payment.".

Assemblyman Jeffrey moved that the Assembly concur in the Senate amendment to Assembly Bill No. 217.

Remarks by Assemblyman Jeffrey.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 502.

The following Senate amendments were read:

Amendment No. 797.

Amend sec. 5, page 4, line 4, by deleting "$4" and inserting "$6".

Amend sec. 15, page 6, line 26, by deleting: "Section 14 of this act becomes" and inserting: "Sections 5 and 14 of this act become".

Amendment No. 905.

Amend sec. 10, pages 4 and 5, by deleting lines 39, 40 and 41 on page 4 and lines 1 through 9 on page 5 and inserting:

"Sec. 10. (Deleted by amendment.)".

Amend sec. 11, page 5, line 13, by deleting "[such] *the*" and inserting "the".

Amend sec. 11, page 5, line 14, by deleting "[such] *the*" and inserting "the".

Amend sec. 11, page 5, by deleting lines 16 and 17 and inserting: "the tax became finally due until the date of payment.

2. Any person who fails to submit a quarterly or monthly tax return as required by NRS 366.380 or section 2 of [this act,] *Assembly Bill No. 273 of this session,* respectively, shall pay a".

Amend sec. 11, page 5, by deleting line 22 and inserting: "prescribed by this chapter.".

Amend sec. 15, page 6, line 26, by deleting "5" and inserting "5, 11".

Assemblyman Nevin moved that the Assembly concur in the Senate amendments to Assembly Bill No. 502.

Remarks by Assemblyman Nevin.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 317.

The following Senate amendment was read:

Amendment No. 790.

Amend sec. 8, page 4, line 20, by deleting "[20] *35*" and inserting "20".

Assemblyman Banner moved that the Assembly concur in the Senate amendment to Assembly Bill No. 317.

Remarks by Assemblyman Banner.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 320.

The following Senate amendment was read:

Amendment No. 735.

Amend sec. 4, page 3, line 5, by deleting "*30-day*" and inserting "*10-day*".

Amend sec. 4, page 3, line 7, by deleting "*30-day*" and inserting "*10-day*".

Amend sec. 7, page 3, line 28, by deleting "*30-day*" and inserting "*10-day*".

Amend sec. 7, page 3, line 30, by deleting "*30-day*" and inserting "*10-day*".

Assemblyman Banner moved that the Assembly do not concur in the Senate amendment to Assembly Bill No. 320.

Remarks by Assemblyman Banner.

Motion carried.

Bill ordered transmitted to the Senate.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Economic Development, Small Business and Tourism, to which was referred Assembly Bill No. 822, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

BOB PRICE, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which were referred Senate Bills Nos. 104, 416, 480, 481, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

ROBERT M. SADER, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which were referred Assembly Bills Nos. 300, 746, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ROBERT M. SADER, *Chairman*

Mr. Speaker:

Your Committee on Economic Development, Small Business and Tourism, to which was referred Assembly Bill No. 501, 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.

BOB PRICE, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Natural Resources, Agriculture and Mining, to which

was referred Assembly Bill No. 47, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JAMES W. SCHOFIELD, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Natural Resources, Agriculture and Mining, 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.

JAMES W. SCHOFIELD, *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.

JAMES W. SCHOFIELD, *Chairman*

Mr. Speaker:

Your Committee on Natural Resources, Agriculture and Mining, to which was re-referred Assembly Bill No. 349, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass, as amended.

JAMES W. SCHOFIELD, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 28, 1987

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Senate Bill No. 552.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 230, 341, 363, 467, 476.

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. 223.

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. 55.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Joint Resolution No. 16.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Senate Joint Resolution No. 16.

Assemblyman Jeffrey moved that the resolution be referred to the Committee on Government Affairs.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

Senate Bill No. 230.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Taxation.

Motion carried.

Senate Bill No. 341.

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

Motion carried.

Senate Bill No. 363.

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

Motion carried.

Senate Bill No. 467.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Education.

Motion carried.

Senate Bill No. 476.

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

Motion carried.

Senate Bill No. 552.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 203.

Bill read second time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1017.

Amend sec. 9, page 2, line 40, by deleting "4," and inserting "5,".

Amend sec. 17, page 4, by inserting between lines 12 and 13: "The exemption provided in this section does not apply to any transaction or activity which is prohibited by the Commodity Exchange Act or by a rule of the Commodity Futures Trading Commission.".

Amend sec. 38, page 15, line 1, by deleting "is" and inserting: "and the committee on group insurance are".

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. 373.

Bill read second time.

The following amendment was proposed by the Committee on Economic Development, Small Business and Tourism:

Amendment No. 869.

Amend section 1, page 2, after line 16, by inserting:

"*7. Establish in west Las Vegas an office within the division of economic development to provide technical assistance to small businesses owned or operated by racial minorities.*".

Amend the bill as a whole by adding a new section designated sec. 2, following section 1, to read as follows:

"Sec. 2. 1. There is hereby appropriated from the state general fund to the commission on economic development for the operation of the offices established pursuant to section 1 of this act:

For the fiscal year 1987-88 ..... $149,724

For the fiscal year 1988-89 146,724

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.".

Amend the title of the bill, third line, after the semicolon, by inserting: "requiring the commission to create an office in west Las Vegas; making an appropriation;".

Amend the summary of the bill by deleting: "office for rural development" and inserting "new offices".

Assemblyman Price moved the adoption of the amendment.

Remarks by Assemblyman Price.

Amendment adopted.

Assemblyman Price 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.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that the action whereby Senate Joint Resolution No. 16 was referred to the Committee on Government Affairs be rescinded.

Motion carried.

Assemblyman Jeffrey moved that Senate Joint Resolution No. 16 be referred to the Committee on Natural Resources, Agriculture and Mining.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 582.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 1032.

Amend sec. 2, page 1, by deleting lines 4 through 10 and inserting:

"*1. Has applied to the board in writing on the form prescribed by the board;*

2. Holds a high school diploma or its equivalent;

3. Has paid the applicable fees;

4. Holds a certificate of registered barber issued by the board;

5. Has practiced as a full-time barber in this state or in any other state or country whose requirements for licensing barbers are substantially equivalent to those in this state;

6. Has successfully completed a training program for instructors conducted by a licensed barber school which consists of a minimum of 400 hours of instruction within a 6-month period; and

7. Successfully passes an examination for instructors administered by the board.".

Amend sec. 5, page 2, line 26, before "The" by inserting "*1.*".

Amend sec. 5, page 2, by deleting lines 28, 29 and 30 and inserting:

"[1.] *(a)* The conduct of barber schools;

[2.] *(b)* The course of study of barber schools; [and

3. The qualifications required of instructors in barber schools.]

(c) The examination of instructors;

(d) The fee for the examination of instructors, which may not exceed $75; and

(e) The fee for the issuance and renewal of an instructor's certificate.

2. The board shall require, as a prerequisite for the renewal of an instructor's certification, continuing education in the form of seminars or other training.".

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. 602.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 861.

Amend the bill as a whole by deleting sections 1, 2 and 3 and renumbering sec. 4 as section 1.

Amend sec. 4, page 3, line 26, by deleting "*A*" and inserting: "*Except as otherwise provided by federal law or regulation, a*".

Amend sec. 4, page 3, line 27, after "*board*" by inserting: "*issued at the time he was licensed or relicensed,*".

Amend the title of the bill, first and second lines, by deleting: "requiring the state contractors' board to increase the bond or cash deposit of a contractor who fails to pay for materials or services;".

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. 654.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 900.

Amend section 1, page 1, line 5, after "*1987,*" by inserting: "*that provides coverage for medical transportation,*".

Amend sec. 3, page 2, line 10, after "*1987,*" by inserting: "*that provides coverage for medical transportation,*".

Amend sec. 4, page 2, line 25, after "*1987,*" by inserting: "*that provides coverage for medical transportation,*".

Amend sec. 5, page 2, line 40, after "*1987,*" by inserting: "*that provides coverage for medical transportation,*".

Amend the title of the bill to read as follows:

"An Act relating to insurance; providing for the direct payment under a policy of health insurance of a provider of medical transportation; and providing other matters properly relating thereto.".

Amend the summary of the bill to read as follows: "Provides for direct payment under health insurance of provider of medical transportation. (BDR 57-1728)".

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. 694.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 903.

Amend section 1, page 1, line 2, after "2," by inserting "2.5,".

Amend the bill as a whole by adding a new section designated sec. 2.5, following sec. 2, to read as follows:

"Sec. 2.5. *A pharmacist shall not dispense by prescription any tablet or capsule, except one which is hypodermic, sublingual or soluble, if it does not have the manufacturer's product identification code imprinted on it.*".

Amend sec. 3, page 1, by deleting lines 9, 10 and 11 and inserting: "*safe and efficient operation of institutional pharmacies.*".

Amend sec. 6, page 2, by deleting lines 3 through 6 and inserting: "place [for controlled substances and dangerous drugs] *as defined by regulations adopted by the board* which is a part of or is operated in conjunction with a [correctional facility, including a jail and detentional facility for juveniles.] *medical facility as that term is*".

Amend sec. 10, page 3, by deleting lines 30 through 34 and inserting:

"conduct [a hospital pharmacy for inpatients] *an institutional pharmacy*..... 400

For biennial renewal of a license to conduct [a hospital pharmacy for inpatients] *an institutional pharmacy*..... 300".

Amend the bill as a whole by adding a new section designated sec. 12.5, following sec. 12, to read as follows:

"Sec. 12.5. NRS 639.2591 is hereby amended to read as follows:

639.2591 A pharmacist [may] *shall* not substitute a generic drug for a drug prescribed by brand name unless the manufacturer of the drug which he proposes to substitute is licensed in Nevada and:

1. All products are dated with an expiration date on the original package;

2. All tablets and capsules, except for *those which are* hypodermic [and sublingual tablets,] , *sublingual or soluble,* have the manufacturer's product identification code imprinted on them;

3. The manufacturer is capable of recalling unsafe or defective drugs, and has filed a statement describing its capability with the board; and

4. The manufacturer has filed a liability statement relative to its drugs with the board.''.

Amend sec. 14, page 5, by deleting lines 22, 23 and 24 and inserting: ''*place as defined by regulations adopted by the board which is a part of or operated in conjunction with a medical facility as that term is*''.

Amend sec. 21, page 7, line 30, after ''*or*'' by inserting: ''*furnished pursuant to a*''.

Amend sec. 25, page 9, by deleting lines 15, 16 and 17 and inserting: ''*place as defined by regulations adopted by the board which is a part of or is operated in conjunction with a medical facility as that term is*''.

Amend sec. 29, page 9, line 41, by deleting ''*controlled substance*'' and inserting ''*dangerous drug*''.

Amend the title of the bill by deleting the first and second lines and inserting:

''An Act relating to pharmacy; requiring certain information to be imprinted on certain drugs; providing for the regulation of pharmacies operated in conjunction with medical facilities; changing the''.

Amend the summary of the bill to read as follows: ''Makes various changes relating to pharmacies. (BDR 54-294)''.

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. 722.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 874.

Amend section 1, page 1, line 3, after ''*state*'' by inserting: ''*or dependent thereof*''.

Amend section 1, page 1, line 7, by deleting: ''*officer or employee,*'' and inserting: ''*officer, employee or dependent,*''.

Amend section 1, page 1, line 8, by deleting ''*officer or*'' and inserting ''*officer,*''.

Amend section 1, page 1, line 9, after ''*employee*'' by inserting ''*or dependent*''.

Amend section 1, page 1, line 10, by deleting: ''*officer or employee*'' and inserting: ''*officer, employee or dependent*''.

Amend section 1, page 1, line 12, by deleting: ''*officer or employee*'' and inserting: ''*officer, employee or dependent*''.

Amend section 1, page 1, line 14, by deleting "*officer*" and inserting "*officer,*".

Amend section 1, page 1, line 15, by deleting "*or employee*" and inserting: "*employee or dependent*".

Amend section 1, page 1, line 16, by deleting "*officer*" and inserting "*officer,*".

Amend section 1, page 1, line 17, by deleting "*or employee*" and inserting: "*employee or dependent*".

Amend section 1, page 2, line 2, by deleting: "*officer or employee*" and inserting: "*officer, employee or dependent*".

Amend section 1, page 2, line 7, by deleting: "*officer or employee*" and inserting: "*officer, employee or dependent*".

Amend section 1, page 2, line 9, by deleting "*officer or*" and inserting "*officer,*".

Amend section 1, page 2, line 10, by deleting "*employee*" and inserting: "*employee or dependent*".

Amend section 1, page 2, line 12, by deleting: "*officer or employee*" and inserting: "*officer, employee or dependent*".

Amend sec. 2, page 2, line 30, after "3." by inserting: "Give public notice in writing of proposed changes in rates or coverage to each participating public employer who may be affected by the changes. Notice must be provided at least 30 days before the effective date of the changes.

4.".

Amend sec. 2, page 2, line 35, by deleting "4." and inserting "5.".

Amend sec. 2, page 2, line 37, by deleting "5." and inserting "6.".

Amend sec. 2, page 2, after line 38, by inserting: "[and] sections 2 to 5, inclusive, of [this act,] *chapter 149, Statutes of Nevada 1987,*".

Amend sec. 2, page 3, after line 2, by inserting:

"7. Appoint an independent certified public accountant. The accountant shall provide an annual audit of the plan and report to the committee and the legislative commission.".

Amend the bill as a whole by adding a new section designated sec. 3, following sec. 2, to read as follows:

"Sec. 3. Section 2 of this act becomes effective at 12:01 a.m. on July 1, 1987.".

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. 750.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 901.

Amend section 1, page 1, line 2, by deleting "All" and inserting: "[All] *Upon the application of the association or insured and upon cause shown, all*".

Amend section 1, page 1, line 4, by deleting "6" and inserting "[6] *3*".

Amend section 1, page 1, line 6, after the period, by inserting: "*Cause may be established by affidavit showing the unavailability of the insolvent insurer's files or records which are reasonably necessary for the association to confirm coverage and adjust the claim.*".

Amend the title of the bill, third line, after the semicolon, by inserting: "reducing the period of the stay;".

Assemblyman Callister moved the adoption of the amendment.

Remarks by Assemblyman Callister.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 823.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 824.

Bill read second time.

Assemblyman Jeffrey moved that Assembly Bill No. 824 be placed on the Chief Clerk's desk.

Motion carried.

Bill ordered engrossed and to the Chief Clerk's desk.

Assembly Bill No. 833.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 836.

Bill read second time, ordered engrossed and to third reading.

Senate Bill No. 14.

Bill read second time and ordered to third reading.

Senate Bill No. 89.

Bill read second time and ordered to third reading.

Senate Bill No. 103.

Bill read second time and ordered to third reading.

Senate Bill No. 146.

Bill read second time and ordered to third reading.

Senate Bill No. 148.

Bill read second time and ordered to third reading.

Senate Bill No. 166.

Bill read second time and ordered to third reading.

Senate Bill No. 169.

Bill read second time and ordered to third reading.

Senate Bill No. 178.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 863.

Amend sec. 2, page 1, by deleting line 10.

Amend sec. 2, page 1, line 11, by deleting "*(b)*" and inserting "*(a)*".

Amend sec. 2, page 1, line 13, by deleting "*(c)*" and inserting "*(b)*".

Amend sec. 2, page 1, line 15, by deleting "*(d)*" and inserting "*(c)*".

Amend sec. 4, page 2, by deleting lines 37, 38 and 39 and inserting: "*is guilty of a gross misdemeanor.*".

Amend sec. 11, page 5, by deleting lines 23, 24 and 25 and inserting: "*may be renewed before its expiration upon presentation of proof of:*

(a) Completion of the hours of continuing education required pursuant to NRS 635.115;

(b) Current certification in the techniques of administering cardiopulmonary resuscitation; and

(c) Payment of a renewal fee in an amount not to exceed $600 for".

Amend sec. 12, page 5, line 38, by deleting the period and inserting: "[.] *and is currently certified in the techniques of administering cardiopulmonary resuscitation.*".

Amend the title of the bill, second line, after the semicolon, by inserting: "requiring podiatrists to be trained in the techniques of cardiopulmonary resuscitation;".

Assemblyman Jeffrey moved the adoption of the amendment.

Remarks by Assemblyman Jeffrey.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 182.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 898.

Amend section 1, page 2, by deleting lines 25 through 30 and inserting: "liable to be sold or applied in satisfaction of the judgment [.

(f)] *, and after reasonable efforts that no property or assets could be found or levied upon in satisfaction of the judgment.*

(f) He has made reasonable efforts to recover damages from each and every judgment debtor.".

Assemblyman Callister moved the adoption of the amendment.

Remarks by Assemblyman Callister.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 232.

Bill read second time and ordered to third reading.

Senate Bill No. 233.

Bill read second time and ordered to third reading.

Senate Bill No. 281.

Bill read second time and ordered to third reading.

Senate Bill No. 374.
Bill read second time and ordered to third reading.

Senate Bill No. 395.
Bill read second time and ordered to third reading.

Senate Bill No. 424.
Bill read second time and ordered to third reading.

Senate Bill No. 503.
Bill read second time and ordered to third reading.

Senate Bill No. 505.
Bill read second time and ordered to third reading.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bills Nos. 292, 557, 634, 681, 690, 703; Senate Bills Nos. 11, 329, 384, 443, 462.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Banner, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Eleanore K. Gardner and Mr. Henry E. Gardner, Jr.

Assemblyman Jeffrey moved that the Assembly adjourn until Friday, May 29, 1987 at 10 a.m.
Motion carried.

Assembly adjourned at 1:15 p.m.

Approved: JOSEPH E. DINI, JR.
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE ONE HUNDRED AND THIRTY-FIRST DAY

CARSON CITY (Friday), May 29, 1987

Assembly called to order at 10:08 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, Assemblyman Val Z. Garner.

Father in Heaven, as we humbly bow our heads before Thee at the beginning of this legislative session, we pray that Thou will bless us in our deliberations concerning the affairs of government; that our minds will be keen; that Thou will bless us with health and strength; that Thou will help us to address the important things that are before us and that we can come to the most reasonable and logical conclusions. We are thankful, Father in Heaven, for all the blessings that Thou hast given us and for the opportunity we have of serving Thee in these important positions. We say this prayer humbly and in the name of Jesus Christ. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Nevin 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. 731, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

LEONARD V. NEVIN, *Chairman*

Mr. Speaker:

Your Committee on Elections, to which was referred Assembly Bill No. 782, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

COURTENAY C. SWAIN, *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which were referred Senate Bills Nos. 248, 253, 297, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN E. JEFFREY, *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which was referred Assembly Bill No. 555, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN E. JEFFREY, *Chairman*

Mr. Speaker:

Your Committee on Taxation, to which were referred Senate Bills Nos. 181, 260, 288; Senate Joint Resolutions Nos. 18, 20, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

PAUL W. MAY, *Chairman*

Mr. Speaker:

Your Committee on Taxation, to which was re-referred Assembly Bill No. 759, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass, as amended.

PAUL W. MAY, *Chairman*

Mr. Speaker:

Your Committee on Taxation, to which was referred Assembly Bill No. 660, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

PAUL W. MAY, *Chairman*

Mr. Speaker:

Your Committee on Health and Welfare, to which were referred Assembly Bills Nos. 765, 778, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

MORSE ARBERRY, JR., *Chairman*

Mr. Speaker:

Your Committee on Education, to which was referred Assembly Bill No. 421, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ROBERT G. CRADDOCK, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which were referred Assembly Bills Nos. 142, 187, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

MARVIN M. SEDWAY, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Assembly Bill No. 846, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

DANNY L. THOMPSON, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Senate Concurrent Resolution No. 22, has had the same under consideration, and begs leave to report the same back with the recommendation: Be adopted.

DANNY L. THOMPSON, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 28, 1987

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 110, 171, 196, 336, 527, 542, 547, 568, 588, 595, 600, 664, 665, 685, 779, 787.

Also, I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bill No. 390, 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. 64.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bill No. 252.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Senate Concurrent Resolution No. 22.

Assemblyman Thompson moved the adoption of the resolution.

Remarks by Assemblyman Thompson.

Resolution adopted.

Assemblyman May moved that Assembly Bill No. 824 be taken from the Chief Clerk's desk and placed on the General File immediately following Assembly Bill No. 836.

Remarks by Assemblyman May.

Motion carried.

Assemblyman Thompson moved that the vote whereby Assembly Bill No. 779 was passed be rescinded.

Remarks by Assemblyman Thompson.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Concurrent Committee on Economic Development, Small Business and Tourism, 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: Amend, and do pass as amended.

BOB PRICE, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which was referred Assembly Bill No. 807, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ROBERT M. SADER, *Chairman*

Mr. Speaker:

Your Committee on Transportation, to which was re-referred Assembly Bill No. 771, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

LEONARD V. NEVIN, *Chairman*

Mr. Speaker:

Your Committee on Natural Resources, Agriculture and Mining, to which was referred Assembly Bill No. 785, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JAMES W. SCHOFIELD, *Chairman*

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Ways and Means:

Assembly Bill No. 853—An Act relating to mentally ill persons; requiring that a person be examined by a physician before emergency commitment to a public or private mental health facility; requiring the county to pay the cost of the examination and any necessary hospitalization; transferring to the state financial responsibility for certain care; temporarily adjusting limits on spending by a county for the care of medically indigent persons; and providing other matters properly relating thereto.

Assemblyman Sedway moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By the Committee on Ways and Means:

Assembly Bill No. 854—An Act relating to the department of minerals; revising the provisions governing the appointment of the executive director of the department; and providing other matters properly relating thereto.

Assemblyman Sedway moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 855—An Act relating to traffic laws; establishing a presumption concerning the relative concentrations of alcohol in the breath and blood of a person who is in actual control of a vehicle; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Ways and Means:

Assembly Bill No. 856—An Act making an appropriation to Storey County for restoration of the historic Fourth Ward School in Virginia City; and providing other matters properly relating thereto.

Assemblyman Sedway moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

Senate Bill No. 252.

Assemblyman Nevin moved that the bill be referred to the Committee on Commerce.

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen Price, Kerns, Fay, May, Thompson, Arberry, DuBois, Swain, Dini, Humke, Thomas, Freeman, Schofield, Nevin, Wisdom, Sedway, Banner, Carpenter, Gaston, Tebbs, Myrna Williams, Porter, Marvel, Callister, Brookman, Bergevin, Sader, Adler, Craddock, Haller, Garner, Spriggs, Wendell Williams, Triggs, Evans, Lambert, Kissam, Nicholas, Getto, Spinello, Jeffrey and McGaughey:

Assembly Concurrent Resolution No. 65—Instructing the Director of the Legislative Counsel Bureau to grant paid leave to employees of the Legislative Counsel Bureau in recognition of their services to the 64th session of the Nevada Legislature.

Assemblyman Price moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Commerce, to which was referred Assembly Bill No. 590, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN E. JEFFREY, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that for the balance of the session the reading of the history on Senate introductions, all bills and resolutions on Second Reading and all bills and resolutions on Unfinished Business be dispensed with.

Remarks by Assemblyman Jeffrey

Motion carried.

Assemblyman Jeffrey moved that Assembly Bills Nos. 203, 582, 602, 654, 694, 722 and 750 be placed on the General File immediately following Assembly Bill No. 824.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 47.

Bill read third time.

The following amendment was proposed by the Committee on Natural Resources, Agriculture and Mining:

Amendment No. 993.

Amend section 1, page 1, line 5, after "*materials*" by inserting: "*and high-level radioactive waste*".

Amend section 1, page 1, line 9, by deleting "*materials;*" and inserting: "*materials and high-level radioactive waste;*".

Amend section 1, page 1, line 11, after "*materials*" by inserting: "*and high-level radioactive waste*".

Amend section 1, page 2, line 5, by deleting "*materials.*" and inserting: "*materials and high-level radioactive waste.*".

Amend section 1, page 2, line 12, by deleting "*and*".

Amend section 1, page 2, line 13, after "*(b)*" by inserting: "*"High-level radioactive waste" has the meaning ascribed to that term in 10 C.F.R. § 60.2; and*

(c)".

Amend the title of the bill, second line, by deleting "radioactive materials" and inserting: "materials and waste".

Assemblyman Brookman moved the adoption of the amendment.

Remarks by Assemblyman Brookman.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to the Concurrent Committee on Transportation.

Assembly Bill No. 349.

Bill read third time.

Remarks by Assemblyman Schofield.
Roll call on Assembly Bill No. 349:
YEAS—41.
NAYS—Spriggs.

Assembly Bill No. 349 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 403.
Bill read third time.
Remarks by Assemblymen Triggs and Brookman.
Roll call on Assembly Bill No. 403:
YEAS—39.
NAYS—DuBois, Spriggs, Tebbs—3.

Assembly Bill No. 403 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 823.
Bill read third time.
Remarks by Assemblymen May and Carpenter.
Roll call on Assembly Bill No. 823:
YEAS—42.
NAYS—None.

Assembly Bill No. 823 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 833.
Bill read third time.
Remarks by Assemblyman Swain.
Roll call on Assembly Bill No. 833:
YEAS—42.
NAYS—None.

Assembly Bill No. 833 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 836.
Bill read third time.
Remarks by Assemblyman Marvel.
Roll call on Assembly Bill No. 836:
YEAS—42.
NAYS—None.

Assembly Bill No. 836 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 824.

Bill read third time.
Remarks by Assemblymen May and Freeman.
Roll call on Assembly Bill No. 824:
YEAS—42.
NAYS—None.

Assembly Bill No. 824 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 203.
Bill read third time.
Remarks by Assemblyman Wisdom.
Roll call on Assembly Bill No. 203:
YEAS—42.
NAYS—None.

Assembly Bill No. 203 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 582.
Bill read third time.
Remarks by Assemblymen McGaughey and Fay.
Roll call on Assembly Bill No. 582:
YEAS—42.
NAYS—None.

Assembly Bill No. 582 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 602.
Bill read third time.
Remarks by Assemblyman Jeffrey.
Roll call on Assembly Bill No. 602:
YEAS—42.
NAYS—None.

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. 654.
Bill read third time.
Remarks by Assemblyman Wisdom.
Roll call on Assembly Bill No. 654:
YEAS—42.
NAYS—None.

Assembly Bill No. 654 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 Assemblyman Nicholas.

Roll call on Assembly Bill No. 694:

YEAS—42.

NAYS—None.

Assembly Bill No. 694 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. 722 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Thompson.

Motion carried.

Assemblyman Adler moved that Assembly Bill No. 626 be taken from the Chief Clerk's desk and placed on the General File.

Motion carried.

Assemblyman Schofield moved that Assembly Bill No. 785 be placed at the top of the Second Reading File.

Remarks by Assemblyman Schofield.

Motion carried.

Assemblyman Jeffrey moved that Assembly Bill No. 590 be placed on the Second Reading File immediately following Assembly Bill No. 822.

Motion carried.

Assemblyman Nevin moved that Assembly Bill No. 771 be placed on the Second Reading File immediately following Assembly Bill No. 590.

Motion carried.

Assemblyman Nevin moved that Assembly Bill No. 731 be placed on the Second Reading File immediately following Assembly Bill No. 771.

Motion carried.

Assemblyman Price moved that Assembly Bill No. 121 be placed at the top of the Second Reading File.

Motion carried.

Assemblyman Craddock moved that Senate Bill No. 89 be taken from the General File and re-referred to the Committee on Ways and Means.

Motion carried.

Assemblyman Sader moved that Senate Bill No. 480 be taken from the Second Reading File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Sader.

Motion carried.

Assemblyman Gaston moved that Assembly Bill No. 759 be placed on the General File immediately following Assembly Bill No. 750.

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 10:57 a.m.

ASSEMBLY IN SESSION

At 11:08 a.m.

Mr. Speaker presiding.

Quorum present.

GENERAL FILE AND THIRD READING

Assembly Bill No. 750.

Bill read third time.

Remarks by Assemblyman Callister.

Roll call on Assembly Bill No. 750:

YEAS—42.

NAYS—None.

Assembly Bill No. 750 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. 722 be taken from the Chief Clerk's desk and placed on the General File immediately following Assembly Bill No. 759.

Motion carried.

Assemblyman Sader moved that Senate Bill No. 190 be taken from the Chief Clerk's desk and placed on the General File.

Motion carried.

Assemblyman Sader moved that Senate Bill No. 362 be taken from the Chief Clerk's desk and re-referred to the Committee on Ways and Means.

Remarks by Assemblyman Sader.

Motion carried.

Assemblyman Swain moved that Assembly Bill No. 782 be placed on the Second Reading File.

Remarks by Assemblyman Swain.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 759.

Bill read third time.

Remarks by Assemblymen Gaston, May and Bergevin.

Roll call on Assembly Bill No. 759:

YEAS—42.

NAYS—None.

Assembly Bill No. 759 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 722.

Bill read third time.

Remarks by Assemblyman Adler.

Roll call on Assembly Bill No. 722:

YEAS—42.

NAYS—None.

Assembly Bill No. 722 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that all rules be suspended and that Assembly Bills Nos. 203, 349, 403, 582, 602, 654, 694, 722, 750, 759, 823, 824, 833, 836 and Senate Concurrent Resolution No. 22 be immediately transmitted to the Senate.

Motion carried unanimously.

GENERAL FILE AND THIRD READING

Senate Bill No. 14.

Bill read third time.

Remarks by Assemblyman Sedway.

Roll call on Senate Bill No. 14:

YEAS—41.

NAYS—Lambert.

Senate Bill No. 14 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 103.

Bill read third time.

Remarks by Assemblyman McGaughey.

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. 146.

Bill read third time.

Remarks by Assemblyman Getto.

Roll call on Senate Bill No. 146:

YEAS—42.

NAYS—None.

Senate Bill No. 146 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 148.

Bill read third time.

Remarks by Assemblyman Evans.

Roll call on Senate Bill No. 148:

YEAS—42.

NAYS—None.

Senate Bill No. 148 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 166.

Bill read third time.

Remarks by Assemblyman Tebbs.

Roll call on Senate Bill No. 166:

YEAS—42.

NAYS—None.

Senate Bill No. 166 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 169.

Bill read third time.

Remarks by Assemblyman Craddock.

Roll call on Senate Bill No. 169:

YEAS—42.

NAYS—None.

Senate Bill No. 169 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 232.

Bill read third time.

Remarks by Assemblyman Nevin.

Roll call on Senate Bill No. 232:

YEAS—42.

NAYS—None.

Senate Bill No. 232 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 233.

Bill read third time.

Remarks by Assemblyman Garner.
Roll call on Senate Bill No. 233:
YEAS—42.
NAYS—None.

Senate Bill No. 233 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 281.
Bill read third time.
Remarks by Assemblymen Nevin and Craddock.
Roll call on Senate Bill No. 281:
YEAS—42.
NAYS—None.

Senate Bill No. 281 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 374.
Bill read third time.
Remarks by Assemblyman Getto.
Roll call on Senate Bill No. 374:
YEAS—42.
NAYS—None.

Senate Bill No. 374 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 395.
Bill read third time.
Remarks by Assemblyman Humke.
Roll call on Senate Bill No. 395:
YEAS—42.
NAYS—None.

Senate Bill No. 395 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 424.
Bill read third time.
Remarks by Assemblyman Spinello.
Roll call on Senate Bill No. 424:
YEAS—42.
NAYS—None.

Senate Bill No. 424 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 503.

Bill read third time.
Remarks by Assemblyman Swain.
Roll call on Senate Bill No. 503:
YEAS—42.
NAYS—None.

Senate Bill No. 503 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 505.
Bill read third time.
Remarks by Assemblyman Spinello.
Roll call on Senate Bill No. 505:
YEAS—42.
NAYS—None.

Senate Bill No. 505 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 779.
Bill read third time.
The following amendment was proposed by the Committee on Government Affairs:
Amendment No. 1100.
Amend sec. 30, page 18, line 20, after "valuation" by inserting: ", excluding net proceeds of mines,".
Amend sec. 30, page 18, line 35, by deleting "*protection*" and inserting "protection".
Amend sec. 69, page 33, by deleting lines 3 through 10 and inserting:
"Sec. 69. (Deleted by amendment.)".
Assemblyman Thompson moved the adoption of the amendment.
Remarks by Assemblyman Thompson.
Amendment adopted.
Bill ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 626.
Bill read third time.
The following amendment was proposed by Assemblyman Bergevin:
Amendment No. 1037.
Amend sec. 2, page 1, line 11, by deleting "state" and inserting "state.".
Amend sec. 2, page 1, by deleting line 12 and inserting: "Licenses may be obtained at the county seat.".
Amend the title of the bill, third and fourth lines, by deleting: "clarifying that a marriage license must be obtained at the county seat;".
Assemblyman Bergevin moved the adoption of the amendment.
Remarks by Assemblymen Bergevin, Adler, Haller and Thomas.
Amendment lost.
Remarks by Assemblyman Arberry.

Roll call on Assembly Bill No. 626:

YEAS—37.

NAYS—Bergevin, Carpenter, Getto, Marvel, Spriggs—5.

Assembly Bill No. 626 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 190.

Bill read third time.

Remarks by Assemblymen Callister, Gaston, Nicholas, Myrna Williams, Sedway, Thomas and Haller.

Assemblymen Jeffrey, Nevin and Schofield moved the previous question.

Motion carried.

The question being on the passage of Senate Bill No. 190.

Roll call on Senate Bill No. 190:

YEAS—27.

NAYS—Banner, Bergevin, Carpenter, Craddock, Evans, Gaston, Getto, Nevin, Porter, Sader, Sedway, Spriggs, Swain, Wendell Williams—14.

Not voting—Freeman.

Senate Bill No. 190 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 29, 1987

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. 289, 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. 229, 303, 378, 397, 428, 439.

MARY JO MONGELLI
Assistant Secretary of the Senate

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Health and Welfare:

Assembly Bill No. 857—An Act making an appropriation to Clark County for the cost of providing medical care to indigent persons; and providing other matters properly relating thereto.

Assemblyman Arberry moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

Senate Bill No. 229.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Taxation.

Motion carried.

Senate Bill No. 303.

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

Motion carried.

Senate Bill No. 378.

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

Motion carried.

Senate Bill No. 397.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 428.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 439.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Natural Resources, Agriculture and Mining.

Motion carried.

Assemblyman Brookman moved that the Assembly recess until 12:18 p.m.

Motion carried.

Assembly in recess at 12:08 p.m.

ASSEMBLY IN SESSION

At 12:21 p.m.

Mr. Speaker presiding.

Quorum present.

SECOND READING AND AMENDMENT

Assembly Bill No. 121.

Bill read second time.

The following amendment was proposed by the Committee on Economic Development, Small Business and Tourism:

Amendment No. 870.

Amend section 1, page 1, line 3, before "*If*" by inserting "*1.*".

Amend section 1, page 1, line 5, by deleting "*regarding*" and inserting: "*concerning the initial contact with and research and planning for*".

Amend section 1, page 1, by inserting between lines 8 and 9:

"*2. Records and documents that are confidential pursuant to subsection 1 remain confidential until the client:*

(a) Initiates any process regarding the location of his business in Nevada which is within the jurisdiction of a state agency other than the commission; or

(b) Decides to locate his business in Nevada.".

Amend the bill as a whole by adding a new section designated sec. 3, following sec. 2, to read as follows:

"Sec. 3. This act expires by limitation on July 1, 1989.".

Assemblyman Price moved the adoption of the amendment.

Remarks by Assemblyman Price.

Amendment adopted.

Bill ordered reprinted, engrossed and to the Concurrent Committee on Government Affairs.

Assembly Bill No. 785.

Bill read second time.

The following amendment was proposed by the Committee on Natural Resources, Agriculture and Mining:

Amendment No. 1082.

Amend sec. 2, page 1, line 9, by deleting "*$100*" and inserting "*$250*".

Amend sec. 2, page 1, line 11, after "*authority*" by inserting: "*or division of environmental protection of the state department of conservation and natural resources*".

Amend sec. 2, page 2, line 2, by deleting "*health division*" and inserting: "*division of environmental protection or, if the health authority initiated the action, the district health department*".

Amend sec. 2, page 2, line 4, by deleting the period and inserting: "*or with the county treasurer for deposit in an account for the district health department, as the case may be. Money so deposited must be used only to pay rewards pursuant to section 3 of this act or for the management of solid waste and paid as other claims against the state or local governments are paid.*".

Amend sec. 3, page 2, line 5, by deleting "*health authority*" and inserting: "*division of environmental protection of the state department of conservation and natural resources or the district health department*".

Amend sec. 3, page 2, line 11, by deleting "*health division*" and inserting: "*state environmental commission or district board of health*".

Amend sec. 4, page 2, by deleting line 13 and inserting:

"Sec. 4. *1. The division of environmental protection of the state department of conservation and natural resources, and the district health officer in his district or the board of county commissioners in a county without a district health officer shall post notices of*".

Assemblyman Callister moved the adoption of the amendment.

Remarks by Assemblyman Callister.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 300.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1085.

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. Chapter 40 of NRS is hereby amended by adding thereto a new section to read as follows:

"*The provisions of NRS 40.430 to 40.459, inclusive, do not apply to a mortgagor, beneficiary of a deed of trust or lienor whose debt or right is no longer secured by a mortgage, deed of trust or lien upon real estate because the real estate was sold to a person other than the mortgagor, beneficiary or lienor to satisfy, in whole or in part, a debt or right which was secured by a senior mortgage, deed of trust or lien.*".

Amend section 1, page 1, line 4, after "mortgage" by inserting: "*, deed of trust*".

Amend section 1, page 1, line 13, by deleting "*realize*" and inserting "*collect*".

Amend the title of the bill, first line, after the semicolon by inserting: "exempting certain persons from the provisions governing foreclosures;".

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. 353.

Bill read second time.

The following amendment was proposed by the Committee on Natural Resources, Agriculture and Mining:

Amendment No. 951.

Amend section 1, page 1, by deleting lines 1 through 4 and inserting:

"Section 1. 1. There is hereby appropriated from the state general fund to the contingency fund created pursuant to NRS 353.266 the sum of $100,000 for the formation of weed control districts in Elko, Humboldt, Washoe, Lyon, Storey and Churchill counties to control Cardaria draba, commonly referred to as "white top."

2. The interim finance committee shall allocate the sum appropriated by subsection 1 among the counties that form such a district upon application by the board of county commissioners of the county and submission of proof that the county has obtained an equal amount of money from a source other than the State of Nevada.".

Amend the title of the bill to read as follows:

"An Act making an appropriation to the contingency fund for the formation of certain weed control districts; providing for the allocation of the appropriation by the interim finance committee; and providing other matters properly relating thereto.".

Amend the summary of the bill to read as follows: "Makes appropriation for formation of certain weed control districts. (BDR S-1931)."

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. 454.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 620.

Amend the bill as a whole by deleting sec. 9.

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. 455.

Bill read second time.

The following amendment was proposed by the Committee on Health and Welfare:

Amendment No. 1015.

Amend section 1, page 1, by deleting lines 3 through 7 and inserting: "*When an autopsy is performed upon the body of a minor who is less than 1 year in age, the coroner's office, agency or person performing the autopsy shall give the custodial parent or guardian of the minor written notice of the autopsy, if his name and address is known to the coroner, agency or person after a diligent search. The notice may be delivered to the parent or guardian or mailed to the last known address of the parent or guardian. If the minor's body is recovered by the coroner at the minor's place of residence, notice that an autopsy may be performed must be given at that time or at the next feasible opportunity.*".

Amend the title of the bill by deleting the second line and inserting: "less than 1 year in age; and providing".

Amend the summary of the bill to read as follows: "Requires notification of parent or guardian of autopsy performed upon body of certain minor. (BDR 40-1048)".

Assemblyman Gaston moved the adoption of the amendment.

Remarks by Assemblymen Gaston and Swain.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Price moved that Assembly Bill No. 501 be taken from its position on the Second Reading File and placed at the bottom of the Second Reading File.

Remarks by Assemblyman Price.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 548.

Bill read second time.

The following amendment was proposed by the Committee on Natural Resources, Agriculture and Mining:

Amendment No. 600.

Amend section 1, page 1, line 2, by deleting "42," and inserting "27,".

Amend sec. 3, page 1, line 8, by deleting "*engineer.*" and inserting: "*engineer or pursuant to NRS 534.030.*".

Amend the bill as a whole by deleting sections 4 through 49, and adding new sections designated sections 4 through 30, following sec. 3, to read as follows:

Sec. 4. *"Area of hydrologic effect" means the surface area of land covering the extent of hydrologic response of water recharged pursuant to a project to recharge.*

Sec. 5. *"Artesian well" means a well tapping an aquifer underlying an impervious material in which the static water level in the well stands above where it is first encountered in the aquifer.*

Sec. 6. *"Augmentation" means to increase the volume of stored water in a system of aquifers by artificially introducing water into that system.*

Sec. 7. *"Domestic use" extends to culinary and household purposes, in a single-family dwelling, the watering of a family garden, lawn and the watering of domestic animals.*

Sec. 8. *"Percolating waters" are underground waters, the course and boundaries of which are incapable of determination.*

Sec. 9. *"Person" includes any municipal corporation, power district, political subdivision of this or any state, or an agency of the United States Government.*

Sec. 10. *"Project" means a facility designed and constructed to add water to a system of aquifers, store water underground and recover that water pursuant to a permit issued pursuant to section 17 of this act.*

Sec. 11. *"Recharged water" means water that reaches or percolates into an aquifer or system of aquifers:*

1. Through natural processes;

2. By secondary recharge as a result of beneficial uses; or

3. Artificially through facilities specifically constructed for that purpose.

Sec. 12. *"Storage account" means an account established pursuant to section 22 of this act for a project for underground storage and recovery.*

Sec. 13. *"Stored water" means water which has been stored underground for the purpose of recovery pursuant to a permit issued pursuant to section 17 of this act.*

Sec. 14. *"Waste" means causing, suffering or permitting any artesian well to discharge water unnecessarily above or below the surface of the ground so that the waters thereof are lost for beneficial use or in any canal or ditch conveying water from a well where the loss of water in transit is more than 20 percent of the amount of the water discharged from the well.*

Sec. 15. *"Well driller" means any person who drills a well or wells, for compensation or otherwise.*

Sec. 16. *"Well drilling" or "drilling a well" are synonymous, and mean drilling or boring new wells, placing casing in wells, cleaning and repairing existing wells, cementing wells and doing all other things normally associated with the construction or rehabilitation of wells.*

Sec. 17. *1. Any person desiring to operate a project must first make an application to, and obtain from, the state engineer a permit to operate such a project.*

2. The state engineer shall, upon application, issue a permit to operate a project if he determines that:

(a) The applicant has the technical and financial capability to construct and operate a project.

(b) The applicant has a right to use the proposed source of water for recharge pursuant to an approved appropriation consistent with chapters 533 and 534 of NRS. Any determination made by the state engineer for purposes of this paragraph is not binding in any other proceeding.

(c) The project is hydrologically feasible.

(d) If the project is in an area of active management, the project is consistent with the program of augmentation for that area.

(e) The project will not cause unreasonable harm to users of land or other water within the area of hydrologic effect of the project.

3. The holder of a permit may apply to the state engineer for approval to assign the permit to another person. The state engineer must approve the assignment if the person to whom the permit is to be assigned will meet the requirements of paragraphs (a) and (b) of subsection 2 when the assignment is completed.

4. A permit for a project must include:

(a) The name and mailing address of the person to whom the permit is issued.

(b) The name of the area of active management, ground water basin or ground water sub-basin, as applicable, in which the project will be located.

(c) The capacity and plan of operation of the project.

(d) Any monitoring required pursuant to subsection 5.

(e) Any conditions which are imposed pursuant to this chapter or any regulation adopted pursuant thereto.

(f) Any other information which the state engineer deems necessary to include.

5. The state engineer may require the holder of a permit to monitor the operation of the project and the effect of the project on users of land and other water within the area of hydrologic effect of the project. In determining any monitoring requirements, the state engineer shall cooperate with all government entities which regulate or monitor, or both, the quality of water.

6. The state engineer, on his initiative or at the request of the holder of the permit, may modify the conditions of the permit if monitoring demon-

strates that modifications are necessary. In determining whether modifications are necessary, the state engineer shall consider uses of land or water which were not in existence when the permit was issued.

Sec. 18. *The state engineer shall prescribe and furnish guidelines for an application for a permit for a project. The application must include:*

1. A fee for application of $2,500;

2. The name and mailing address of the applicant;

3. The name of the area of active management, ground water basin or ground water sub-basin, as applicable, in which the applicant proposes to operate the project;

4. The name and mailing address of the owner of the land on which the applicant proposes to operate the project;

5. The legal description of the location of the proposed project;

6. Such evidence of financial and technical capability as the state engineer requires;

7. The source, quality and annual quantity of water proposed to be recharged, and the quality of the receiving water;

8. The legal basis for acquiring and using the water proposed to be recharged;

9. A description of the proposed project including its capacity and plan of operation;

10. A copy of a study that demonstrates:

(a) The area of hydrologic effect of the project;

(b) That the project is hydrologically feasible;

(c) That the project will not cause unreasonable harm to users of land and water within the area of hydrologic effect; and

(d) The percentage of recoverable water;

11. The proposed duration of the permit; and

12. Any other information which the state engineer requires.

Sec. 19. *1. Upon receipt of an application for a permit to operate a project, the state engineer shall endorse on the application the date it was received and keep a record of the application. He shall conduct an initial review of the application within 45 days after receipt of the application. If the state engineer determines in the initial review that the application is incomplete, he shall notify the applicant. The application is incomplete until the applicant files all the information requested in the application. The state engineer shall determine whether the application is correct within 180 days after receipt of a complete application. The state engineer may request additional information from the applicant. The state engineer may conduct such independent investigations as are necessary to determine whether the application should be approved or rejected.*

2. If the application is determined to be complete and correct, the state engineer, within 30 days after such a determination or a longer period if requested by the applicant, shall cause notice of the application to be given once each week for 2 consecutive weeks in a newspaper of general circulation in the county or counties in which persons reside who could reasonably be expected to be affected by the project. The notice must state:

(a) The legal description of the location of the proposed project;

(b) A brief description of the proposed project including its capacity;

(c) That any person who may be adversely affected by the project may file a written protest with the state engineer within 30 days after the last publication of the notice;

(d) The date of the last publication;

(e) That the grounds for protesting the project are limited to whether the project would be in compliance with subsection 2 of section 17 of this act;

(f) The name of the applicant; and

(g) That a protest must:

(1) State the name and mailing address of the protester;

(2) Clearly set forth the reason why the permit should not be issued; and

(3) Be signed by the protester or the protester's agent or attorney.

3. A protest to a proposed project:

(a) May be made by any person who may be adversely affected by the project;

(b) Must be in writing;

(c) Must be filed with the state engineer within 30 days after the last publication of the notice;

(d) Must be upon a ground listed in subsection 2 of section 17 of this act;

(e) Must state the name and mailing address of the protester;

(f) Must clearly set forth the reason why the permit should not be issued; and

(g) Must be signed by the protester or the protester's agent or attorney.

4. Upon receipt of a protest, the state engineer shall advise the applicant by certified mail that a protest has been filed.

5. Upon receipt of a protest, or upon his own motion, the state engineer may hold a hearing. Not less than 30 days before the hearing, the state engineer shall send by certified mail notice of the hearing to the applicant and any person who filed a protest.

6. The state engineer shall either approve or deny each application within 1 year after the final date for filing a protest, unless he has received a written request from the applicant to postpone his decision or, in the case of a protested application, from both the protester and the applicant. The state engineer may delay action on the application pursuant to paragraph (b) of subsection 2 of NRS 533.370.

7. Any person aggrieved by any decision of the state engineer made pursuant to subsection 6, may appeal that decision to the district court pursuant to NRS 533.450.

Sec. 20. *1. Any person who holds a permit for a project must compile and file with the state engineer annual reports which define the operation of the project and provide such information as the state engineer requires.*

2. Each report must contain either a sworn statement or a certification, under penalty of perjury, that the information contained in the report is true and correct according to the best belief and knowledge of the person filing the report.

3. The annual report must be maintained on a calendar-year basis for the preceding calendar year. If a person who is required to file an annual report under this section fails to file a report when due, the state engineer may assess and collect a penalty of $500 for each month or portion of a month that the annual report is delinquent. The total penalty assessed under this subsection must not exceed $5,000.

4. The records and reports required to be kept and filed pursuant to this section must be in such form as the state engineer prescribes.

Sec. 21. *1. A permit for a recovery well must comply with the requirements of chapters 533 and 534 of NRS.*

2. The holder of a permit for a project may recover water stored pursuant to the permit only from wells designated by the holder and approved by the state engineer, located within the area of hydrologic effect of the project as determined by the state engineer.

3. The person entitled to recover the water must be designated by the holder of the permit and approved by the state engineer.

4. The holder of a permit for a project and a permit for a recovery well may use or exchange water recovered pursuant to those permits only in the manner in which it was permissible for him to use that water before it was stored.

Sec. 22. *1. The state engineer shall establish a storage account for each project for which he has issued a permit. If the project stores water from more than one source, he shall establish subaccounts for each source of water.*

2. The holder of a permit for a project may recover only the recoverable amount of water that is stored by the project.

3. For the purposes of this section, "recoverable amount" means the amount of water, as determined by the state engineer, that has reached the aquifer and remains within the area of active management.

Sec. 23. *1. The state engineer shall levy and collect an annual fee from each person who holds a permit for a project. The state engineer shall establish the amount of the fee for the following year not later than October 1 of each year.*

2. Within 30 days after the state engineer sets the fee, he shall mail written notice of the fee to all holders of permits.

3. The fee must be paid to the state engineer at the time the person holding a permit files an annual report. If a person who is required to pay a fee fails to pay the fee when due, the state engineer may assess and collect a penalty of 10 percent of the unpaid fee, without compounding, for each month or portion of a month that the fee is delinquent. The total penalty assessed must not exceed 60 percent of the unpaid fee.

4. Money received by the state engineer pursuant to this section must be deposited with the state treasurer for credit to the account for projects for recharge, underground storage and recovery of water in the state general fund. The interest and income earned on the money in the account, after deducting any applicable charges, must be credited to the account. Money in the account must only be used for the administration of this chapter.

5. The state engineer may employ special consultants to assist him in fulfilling his responsibilities pursuant to this chapter.

Sec. 24. *1. The state engineer may periodically review a project to determine if the holder of the permit is complying with the terms and conditions of the permit and the public interest is properly guarded. The state engineer may permanently revoke or temporarily suspend the permit for good cause after an investigation and a hearing. Notice must be sent to the holder of the permit at least 15 days before the hearing, by registered or certified mail, that the holder has failed to comply with this chapter. In determining whether to revoke or suspend a permit, the state engineer shall consider uses of land and water which were not in existence when the permit was issued.*

2. Except as otherwise provided in subsection 3, if the state engineer has reason to believe that a person is violating or has violated a provision of this chapter or a permit issued or regulation adopted pursuant to this chapter, the state engineer may issue a written notice that the person must appear and show cause, at a hearing before the state engineer not less than 15 days after the receipt of the notice, why the person should not be ordered to cease and desist from the violation. The notice must inform the person of the date, time and place of the hearing and the consequences of failure to appear.

3. If the state engineer finds that a person is constructing a project in violation of this chapter, the state engineer may issue a temporary order for the person to cease and desist the construction pending final action by the state engineer pursuant to subsection 5. The order must include written notice to the person of the date, time and place where the person must appear at a hearing before the state engineer to show cause why the temporary order should be vacated. The hearing must be held not less than 15 days after the date of the order.

4. After a hearing pursuant to subsection 2 or 3, or after the expiration of the time to appear, the state engineer shall issue a decision and order. The decision and order may take such form as the state engineer determines to be reasonable and appropriate and may include a determination of violation, an order to cease and desist, the recommendation of a civil penalty and an order directing that positive steps be taken to abate or ameliorate any harm or damage arising from the violation. The person affected may appeal the decision to the district court pursuant to NRS 533.450.

5. If the person continues the violation after the state engineer has issued a final decision and order pursuant to subsection 4 or a temporary order pursuant to subsection 3, the state engineer may apply for a temporary restraining order or a preliminary or permanent injunction from the district court. A decision to seek injunctive relief does not preclude other forms of relief or enforcement against the violator.

Sec. 25. *1. A person who is determined pursuant to section 24 of this act to be in violation of this chapter or a permit issued or regulation adopted pursuant to this chapter may be assessed a civil penalty in an amount not exceeding:*

(a) One hundred dollars per day of violation not directly related to illegal recovery or use of stored water; or

(b) Ten thousand dollars per day of violation directly related to illegal recovery or use of stored water.

2. An action to recover penalties pursuant to this section must be brought by the state engineer in the district court in the county in which the violation occurred.

Sec. 26. *The state engineer shall designate areas of active management pursuant to NRS 534.030.*

Sec. 27. *The removal of ground water from any basin in Nevada, to alleviate potential hazards to persons and property resulting from the rise of ground water caused by secondary recharge, is hereby declared to be a beneficial use if it is accomplished pursuant to the terms and conditions of a waiver issued pursuant to paragraph (c) of subsection 2 of NRS 534.050 or subsection 2 of NRS 534.070.*

Sec. 28. NRS 534.010 is hereby amended to read as follows:

534.010 1. As used in this chapter [:

(a) "Aquifer" means a geological formation or structure that transmits water.

(b) "Artesian well" means a well tapping an aquifer underlying an impervious material in which the static water level in the well stands above where it is first encountered in the aquifer.

(c) "Domestic use" extends to culinary and household purposes, in a single-family dwelling, the watering of a family garden, lawn, and the watering of domestic animals.

(d) "Percolating waters" are underground waters, the course and boundaries of which are incapable of determination.

(e) "Person" includes any municipal corporation, power district, political subdivision of this or any state, or an agency of the United States Government.

(f) "Waste" means causing, suffering or permitting any artesian well to discharge water unnecessarily above or below the surface of the ground so that the waters thereof are lost for beneficial use or in any canal or ditch conveying water from a well where the loss of water in transit is more than 20 percent of the amount of the water discharged from the well.

(g) "Well driller" means any person who drills a well or wells, for compensation or otherwise.

(h) "Well drilling" or "drilling a well" are synonymous, and mean drilling or boring new wells, placing casing in wells, cleaning and repairing existing wells, cementing wells and doing all other things normally associated with the construction or rehabilitation of wells.] *, unless the context otherwise requires, the words and terms defined in sections 2 to 16, inclusive, of this act, have the meanings ascribed to them in those sections.*

2. As used in this chapter, the terms "underground water" and "ground water" are synonymous.

Sec. 29. NRS 534.050 is hereby amended to read as follows:

534.050 1. Except as *otherwise* 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] :

(a) For exploratory wells to be drilled to determine the availability of water or the quality of available water [, and may] ;

(b) To allow temporary use of the water in constructing a highway or exploring for oil, gas, minerals or geothermal resources [.] ; *or*

(c) For wells to be drilled in shallow ground water systems and pumped to alleviate potential hazards to persons and property resulting from the rise of ground water caused by secondary recharge. If practical, approved by the state engineer and consistent with chapters 533 and 534 of NRS, the withdrawn water must be used for some other beneficial use.

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 temporary use of water in constructing a highway or exploring for oil, gas, minerals or geothermal resources.

5. Any person using water after a permit has been withdrawn, denied, canceled, revoked or forfeited is guilty of a misdemeanor. Each day of violation of this subsection constitutes a separate offense and is separately punishable.

Sec. 30. NRS 534.060 is hereby amended to read as follows:

534.060 1. During the sinking or boring of a well the permittee shall cause to be placed in the well a proper and sufficient casing approved by the state engineer, so arranged as to prevent the caving in of the well and to prevent the escape of water therefrom through any intervening sand or gravel stratum, which casing must be of sufficient length to reach the deepest aquifer encountered during the sinking or boring of the well.

2. The number, size, type and distribution of perforations is optional with the permittee, except that no perforations may be made in a pipe tapping confined (artesian) water above the confining impervious materials.

3. The permittee shall provide the necessary valves, plugs or other appliances to prevent or control the flow of water from the well and prevent the loss of underground water above or below the ground surface.

4. If in the judgment of the state engineer a well is in any manner defective he may order the owner to repair the well or, in his discretion, may cause the well to be repaired or sealed. If the state engineer elects to repair or seal the well, the cost of repairing or sealing the well must be paid from the water distribution account and must not be charged to the owner of the well or be a lien on the land upon which the well is located or on other land of the owner to which water from the well is appurtenant.

5. If the state engineer orders the owner to repair the well and if upon 15 days' written notice by registered or certified mail, return receipt requested, the owner fails to repair [such] *the* well, the state engineer or his assistants or authorized agents may, without further notice, take such steps as may be necessary to effect such repairs. The cost thereof, including the labor and material, may in the first instance be paid by the state engineer from the water distribution revolving account , [;] but any such cost in any event is a lien on the land on which the well is located and, also, any other land possessed by the well owner to which the water from the well is appurtenant.

6. The state engineer, his assistants or authorized agents, as the case may be, shall file an itemized and sworn statement, setting forth the date when the work was done and the nature of the labor so performed, with the board of county commissioners of the county wherein the charge and expense were incurred. The board of county commissioners shall thereupon present a bill for the expense to the person liable therefor under this section, and if that person neglects for 30 days thereafter to pay it, the bill and costs become a lien upon the lands and property of the person so liable for the payment of the bill, and must be collected as delinquent taxes against the lands and property are collected.

7. When a well is abandoned or about to be abandoned, the owner, in lieu of plugging the well, may advise the state engineer and other interested hydrologic entities that the well is available to monitor the ground water. If, in the opinion of the state engineer, the well would be useful as a site for monitoring, the state engineer may grant the owner a waiver of the requirement that the well be plugged.".

Amend the title of the bill by deleting the third line and inserting: "establish and operate a project for the recharge, underground storage and recovery of water; allowing".

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. 643.

Bill read second time.

The following amendment was proposed by the Committee on Transportation:

Amendment No. 968.

Amend section 1, page 1, by deleting lines 13, 14 and 15 and inserting:

"*(d) Supervisory vehicles which are:*

(1) Marked and used to coordinate and direct the response of ambulances to emergencies;

(2) Privately owned by a person licensed to operate an ambulance; and

(3) Operated under contract with a local governmental agency and at the request of its law enforcement agency or fire department.".

Amend the title, first and second lines, by deleting: "equipped for response to emergencies".

Assemblyman Nevin moved the adoption of the amendment.

Remarks by Assemblyman Nevin.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Mr. Speaker announced that if there were no objections, the Assembly would recess until 12:45 p.m.

Assembly in recess at 12:34 p.m.

ASSEMBLY IN SESSION

At 12:50 p.m.

Mr. Speaker presiding.

Quorum present.

SECOND READING AND AMENDMENT

Assembly Bill No. 746.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1110.

Amend section 1, page 2, by deleting lines 22 through 27 and inserting:

"(b) Compromise a dispute; or

(c) [Retain] *Obtain or retain* a patron's business . [for the future.]".

Amend the bill as a whole by renumbering sec. 2 as sec. 3, and inserting a new section designated sec. 2, following section 1, to read as follows:

"Sec. 2. Section 1 of chapter 175, Statutes of Nevada 1987, is hereby amended to read as follows:

Section 1. NRS 463.371 is hereby amended to read as follows:

463.371 1. For the purposes of this chapter, except as *otherwise* provided in subsection 3, the computation of gross revenue must include the face value of any credit instrument accepted on or after July 1, 1981, if, within 5 years after the last day of the month following the [calendar quarter within] *month in* which the instrument was accepted by the licensee, the board determines that:

(a) The instrument was not signed by the patron or otherwise acknowledged by him in a written form satisfactory to the board;

(b) The licensee did not have an address for the patron at the time of accepting the instrument, or, in lieu of that address, has not provided the board, within a reasonable time after its request, the current address of the patron to whom the credit was extended;

(c) The licensee has not provided the board any evidence that the licensee made a reasonable effort to collect the debt;

(d) The licensee has not provided the board any evidence that the licensee checked the credit history of the patron before extending the credit to him;

(e) The licensee has not produced the instrument within a reasonable time after a request by the board for the instrument unless it:

(1) Is in the possession of a court, governmental agency or financial institution;

(2) Has been returned to the patron upon his partial payment of the instrument;

(3) Has been stolen and the licensee has made a written report of the theft to the appropriate law enforcement agency; or

(4) Cannot be produced because of any other circumstance which is beyond the licensee's control;

(f) The signature of the patron on the instrument was forged and the licensee has not made a written report of the forgery to the appropriate law enforcement agency; or

(g) Upon an audit by the board, the licensee requested the auditors not to confirm the unpaid balance of the debt with the patron and there is no other satisfactory means of confirmation.

2. For the purposes of this chapter, the computation of gross revenue must not include cash or its equivalent which is received in full or partial payment of a debt previously included in the computation of gross revenue pursuant to subsection 1.

3. Subsection 1 does not apply to any credit instrument which is settled for less than its face amount to:

(a) Induce a partial payment;

(b) Compromise a dispute;

(c) Obtain or retain a patron's business.".

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. 797.

Bill read second time.

The following amendment was proposed by the Committee on Labor and Management:

Amendment No. 1028.

Amend section 1, page 1, by deleting lines 3 through 12 and inserting:

"*1. Notwithstanding any other provision of this chapter, cancer, resulting in either temporary or permanent disability, or death, is an occupational disease and compensable as such under the provisions of this chapter if:*

(a) The cancer develops or manifests itself out of and in the course of the employment of a person who, for 5 years or more, has been:

(1) Employed in this state in a full-time salaried occupation of fire fighting for the benefit or safety of the public; or

(2) Acting as a volunteer fireman in this state and is entitled to the benefits of chapter 616 of NRS pursuant to the provisions of NRS 616.070; and

(b) It is demonstrated that:

(1) He was exposed, while in the course of the employment, to a known carcinogen as defined by the International Agency for Research on Cancer or the National Toxicology Program; and

(2) The carcinogen is reasonably associated with the disabling cancer.

2. Compensation awarded to the employee or his dependents for disabling cancer pursuant to subsection 1 must include:

(a) Full reimbursement for related expenses incurred for medical treatments, surgery and hospitalization; and

(b) The compensation provided in chapter 616 of NRS for the disability or death.

3. Disabling cancer is presumed to have developed or manifested itself out of and in the course of the employment of any fireman described in this section. This presumption applies to disabling cancer diagnosed after the termination of the person's employment if the diagnosis occurs within a period, not to exceed 60 months, which begins with the last date the employee actually worked in the qualifying capacity and extends for a period calculated by multiplying 3 months by the number of full years of his employment. This presumption must control the awarding of benefits pursuant to this section unless evidence to dispute the presumption is presented.".

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. 822.

Bill read second time.

The following amendment was proposed by the Committee on Economic Development, Small Business and Tourism:

Amendment No. 967.

Amend sec. 2, page 3, after line 4 by inserting:

"*4. For any bonds which he is otherwise authorized to issue, may issue bonds the interest on which is not exempt from federal income tax or excluded from gross revenue for the purposes of federal income tax.*".

Amend the title of the bill, 7th line, after "department;" by inserting: "authorizing the director to make bonds issued by him nonexempt from federal income tax;".

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. 590.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 1084.

Amend sec. 2, page 2, line 7, after "*(3)*" by inserting: "*Providing counseling or assistance to a person in establishing or effecting a plan for the payment of his indebtedness.*

(4)".

Amend sec. 6, page 4, line 14, by deleting "*$25,000,*" and inserting "*$50,000,*".

Assemblyman Callister moved the adoption of the amendment.

Remarks by Assemblyman Callister.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 771.

Bill read second time.

The following amendment was proposed by the Committee on Transportation:

Amendment No. 989.

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 706.8824 is hereby amended to read as follows:

706.8824 1. In determining whether circumstances require establishment of a system of allocations or a change in existing allocations, the taxicab authority shall consider:

(a) The needs of residents of the area served by the certificate holders;

(b) The needs of the tourists of the area served by the certificate holders;

(c) The interests, welfare, convenience, necessity and well-being of the public at large in the area served by the certificate holders; and

(d) Any other factors which the administrator considers necessary and proper.

2. Whenever circumstances require the establishment of a system of allocations, the taxicab authority shall allocate the number of taxicabs among the certificate holders in the county in a manner which reflects the number of taxicabs operated by each certificate holder during the 5 years immediately preceding the date of establishment of the taxicab authority in the county.

3. Whenever circumstances require an increase in the existing allocations, the taxicab authority shall allocate the additional taxicabs equally among all the certificate holders [in the county.] *who apply from the area to be affected by the allocation.*".

Amend sec. 2, page 2, line 27, by deleting the brackets.

Amend sec. 2, page 2, by deleting line 28 and inserting: "per year for".

Amend sec. 2, page 2, line 30, by deleting: "*not exceeding 20*" and inserting "*15*".

Amend the title of the bill, first line, after "taxicabs;" by inserting: "revising the provisions regarding allocation;".

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. 731.

Bill read second time.

The following amendment was proposed by the Committee on Transportation:

Amendment No. 1026.

Amend section 1, page 1, line 7, after the comma by inserting: "*including the handling and storage of that property,*".

Amend sec. 5, page 3, by deleting lines 5, 6 and 7 and inserting:

"*2. Except as otherwise provided in subsection 3, a purchaser of services from a certificated motor carrier of passengers, or an agent of the purchaser, may resell those services in combination with other services or facilities without complying with the regulations governing motor carriers. The purchaser or his agent is subject to any geographical limitation provided in the seller's certificate.*

3. This section does not authorize such a purchaser to provide transportation to the general public on a regular basis over a fixed route which is regularly served by a:

(a) System which is created pursuant to chapter 377A of NRS; or

(b) Person receiving, directly or indirectly, federal subsidies for urban mass transit.".

Amend sec. 7, page 3, line 20, after "*property*" by inserting: ", *including the handling and storage of that property,*".

Amend sec. 8, page 4, by deleting lines 12 and 13 and inserting: "*sought;*

(d) The holders of existing certificates will not meet the needs of the territory for which the certificate is sought if the certificate is not granted; and

(e) The proposed service will benefit the public and the taxicab business".

Assemblyman May moved the adoption of the amendment.

Remarks by Assemblymen May, Sedway and Fay.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 104.

Bill read second time.

Assemblyman Sader moved that Senate Bill No. 104 be re-referred to the Committee on Ways and Means.

Remarks by Assemblyman Sader.

Motion carried.

Bill ordered to the Committee on Ways and Means.

Senate Bill No. 138.

Bill read second time.

The following amendment was proposed by the Committee on Education:

Amendment No. 839.

Amend section 1, page 1, by deleting line 3 and inserting: "*this section,* boards of trustees of school districts shall *schedule and* provide a".

Amend section 1, page 1, by deleting lines 9 through 12 and inserting:

"*3. Each school district shall schedule at least 3 contingent days of school in addition to the 180 days required by subsection 1, which must be used if a natural disaster, inclement weather or an accident necessitates the closing of a majority of the facilities within the district.*

4. If more than 3 days of free school are lost because a natural disaster, inclement weather or an accident necessitates the closing of a majority of the facilities within a school district, the superintendent of public instruction, upon application by the school district, may permit the additional days lost to be counted as school days in session. The application must be submitted in the manner prescribed by the superintendent of public instruction.

5. The state board of education shall adopt regulations providing procedures for changing schedules of instruction to be used if a natural disaster, inclement weather or an accident necessitates the closing of a particular school within a school district.".

Amend the title of the bill, second line, by deleting: "if a state of emergency is declared;" and inserting: "in cases of emergency;".

Amend the summary of the bill, first and second lines, by deleting "following state" and inserting "in cases".

Assemblyman Gaston moved the adoption of the amendment.

Remarks by Assemblyman Gaston.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 167.

Bill read second time.

The following amendment was proposed by the Committee on Transportation:

Amendment No. 970.

Amend the bill as a whole by deleting sec. 3.

Amend the title of the bill, second line, by deleting: "broadening the definition of "traffic violation";".

Assemblyman Nevin moved the adoption of the amendment.

Remarks by Assemblyman Nevin.

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 1:09 p.m.

ASSEMBLY IN SESSION

At 1:10 p.m.

Mr. Speaker pro Tempore presiding.

Quorum present.

SECOND READING AND AMENDMENT

Senate Bill No. 340.
Bill read second time and ordered to third reading.

Senate Bill No. 393.
Bill read second time and ordered to third reading.

Senate Bill No. 416.
Bill read second time and ordered to third reading.

Senate Bill No. 449.
Bill read second time and ordered to third reading.

Senate Bill No. 463.
Bill read second time and ordered to third reading.

Senate Bill No. 481.
Bill read second time and ordered to third reading.

Senate Bill No. 502.
Bill read second time and ordered to third reading.

Assembly Bill No. 782.
Bill read second time.
The following amendment was proposed by the Committee on Elections:
Amendment No. 1034.
Amend the bill as a whole by deleting sections 1 through 7, and adding a new section designated section 1, following the enacting clause, to read as follows:

"Section 1. Chapter 293 of NRS is hereby amended by adding thereto a new section to read as follows:

A person's right to participate or vote as a delegate to a county or state convention or as a member of a county or state central committee may not be conditioned upon the payment of money.".

Amend the bill as a whole by renumbering sec. 8 as sec. 2.

Amend sec. 8, pages 6 and 7, by deleting lines 33 through 40 on page 6 and lines 1 through 4 on page 7, and inserting: "*terminated only if that member dies, resigns, changes his political party affiliation or for cause, except that a membership terminated for cause may only be terminated by a vote of two-thirds of the membership present at a regular meeting of the central committee.*

3. If such membership is terminated or if any position on the county or state central committee remains unfilled at the county or state convention, the position, if filled, must be filled by a vote of a majority of the membership present at a regular meeting of the central committee.".

Amend the bill as a whole by deleting sections 9 and 10.

Amend the title of the bill to read as follows:

"An Act relating to political parties; prohibiting the conditioning of a person's right to participate or vote as a delegate or member of a central

committee upon the payment of money; revising the provisions governing membership in a county or state central committee; and providing other matters properly relating thereto.".

Amend the summary of the bill to read as follows: "Revises provisions relating to political parties. (BDR 24-2201)".

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. 501.

Bill read second time.

The following amendment was proposed by the Committee on Economic Development, Small Business and Tourism:

Amendment No. 952.

Amend the bill as a whole by renumbering section 1 as sec. 2 and adding a new section designated section 1, following the enacting clause, to read as follows:

"Section 1. Chapter 231 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 6, inclusive, of this act.".

Amend section 1, page 1, by deleting lines 1 through 3 and inserting:

"Sec. 2. *The division for small businesses shall:*".

Amend section 1, page 1, line 6, before "*state*" by inserting "*local,*".

Amend section 1, page 1, line 10, before "*minorities;*" by inserting "*women and*".

Amend section 1, page 2, line 4, before "*state*" by inserting "*local,*".

Amend section 1, page 2, line 9, by deleting "*annually*" and inserting "*biennially*".

Amend the bill as a whole by renumbering sec. 2 as sec. 8 and inserting new sections designated sections 3 through 7, following section 1, to read as follows:

"Sec. 3. *The commission on economic development shall appoint the director of the division for small businesses from a list of three names submitted by the executive director of the commission. The director must have experience as an owner or responsible manager of a small business and have analytical skills.*

Sec. 4. *The director of the division for small businesses shall:*

1. Represent in all appropriate forums the interests of small businesses generally and particularly small businesses owned by women and minorities.

2. Recommend appropriate legislation to advance the interests of small businesses generally and particularly small businesses owned by women and minorities.

Sec. 5. *1. The fund for the advancement of small businesses is hereby created as a special revenue fund.*

2. Every employer within the provisions of chapter 616 of NRS shall pay to the state industrial insurance system a fee of $1.25 per quarter for the support of the division for small businesses. The system shall deposit quarterly those fees in the fund.

3. Money in the fund must only be used for the support of the division for small businesses and to carry out the purposes of sections 2 to 6, inclusive, of this act.

4. All claims against the fund must be paid as other claims against the state are paid.

Sec. 6. *All state agencies shall cooperate with the director of the division for small businesses in all investigations or inquiries and make available to him records and information not otherwise confidential relating to small businesses.*

Sec. 7. NRS 231.020 is hereby amended to read as follows:

231.020 As used in NRS 231.030 to 231.130, inclusive, *and sections 2 to 6, inclusive, of this act,* unless the context otherwise requires, "motion pictures" includes films to be shown in theaters and on television, industrial, training and educational films, commercials for television, and video discs and tapes.".

Amend sec. 2, page 2, line 16, by deleting: "*the advocacy of*".

Amend the title of the bill to read as follows:

"An Act relating to economic development; creating a division for small businesses within the commission on economic development; specifying the powers of the division; creating a special revenue fund for the advocacy of small businesses; imposing a fee upon employers covered by the state industrial insurance system for deposit in the special revenue fund; and providing other matters properly relating thereto.".

Amend the summary of the bill, first line, by deleting "advocacy of".

Assemblyman Price moved the adoption of the amendment.

Remarks by Assemblyman Price.

Amendment adopted.

Assemblyman Price moved that Assembly Bill No. 501 be re-referred to the Committee on Ways and Means.

Motion carried.

Bill ordered reprinted, engrossed and to the Committee on Ways and Means.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 29, 1987

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. 128 and requests a conference, and appointed Senators Joerg, O'Connell and Horn 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. 399 and requests a conference, and appointed Senators Rhoads, Rawson 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 concurred in the Assembly amendment to Senate Bill No. 441.

MARY JO MONGELLI
Assistant Secretary of the Senate

UNFINISHED BUSINESS

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker pro Tempore appointed Assemblymen Price, Tebbs and Triggs as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Assembly Bill No. 128.

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bills Nos. 217, 317, 318, 498, 502; Senate Bills Nos. 66, 223, 282, 325, 326, 400; Assembly Concurrent Resolutions Nos. 48, 63.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Brookman, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Esther Schwartz and Mr. Bill Schwartz.

On request of Assemblyman Callister, the privilege of the floor of the Assembly Chamber for this day was extended to Misses Emily Callister, Maggie Callister, Mesdames Shelly Callister, Pilar Fish, Mr. John Fish, Ms. Marcella C. Rundus.

On request of Assemblyman Price, the privilege of the floor of the Assembly Chamber for this day was extended to Mss. Victoria Vessie, Brooke Sherman, Shelley Chase, Kelly Smith, and Mr. Mike Richardson.

On request of Assemblyman Swain, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Bonnie Bryan, Mss. Karen Denio, Gloria Denio, Gloria Edwards and Galen Eicher.

On request of Assemblyman Spriggs the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Gary Erickson.

Assemblyman Jeffrey moved that the Assembly adjourn until Monday, June 1, 1987 at 10 a.m.

Motion carried.

Assembly adjourned at 1:19 p.m.

Approved: JOSEPH E. DINI, JR.
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE ONE HUNDRED AND THIRTY-FOURTH DAY

CARSON CITY (Monday), June 1, 1987

Assembly called to order at 10:11 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, The Reverend Doctor Gregg Townsley.

God our Father, we thank You that the past never has the last word, that Your light can pierce the darkness, and that out of deadness You bring life. We pray that the newness that only You can bring may be found in our lives and in the life of the world this morning. God our Father, You are always at work creating new life. Help us this day to live constructively, playing our part in the renewal of all things. In the name of our Lord.

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Nevin moved that further reading of the Journal be dispensed with, and the Speaker and Chief Clerk be authorized to make the necessary corrections and additions.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Commerce, to which were referred Assembly Bills Nos. 315, 693; Senate Bill No. 234, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN E. JEFFREY, *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which were referred Assembly Bill No. 811; Senate Bills Nos. 317, 330, 373, 397, 445, 477, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN E. JEFFREY, *Chairman*

Mr. Speaker:

Your Committee on Legislative Functions, to which was referred Senate Joint Resolution No. 15, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

MYRNA WILLIAMS, *Chairman*

Mr. Speaker:

Your Committee on Elections, to which was referred Assembly Joint Resolution 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.

COURTENAY C. SWAIN, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which were referred Assembly Bill No. 772; Senate Bills Nos. 8, 9, 10, 12, 15, 149, 394, 515, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

MARVIN M. SEDWAY, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was re-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.

DANNY L. THOMPSON, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Senate Bill No. 341, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

DANNY L. THOMPSON, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 29, 1987

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 245, 471, 744, 755.

Also, I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bills Nos. 41, 139, 253, 288, 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. 523.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen Evans, Adler, Arberry, Bergevin, Brookman, Callister, Carpenter, Craddock, Dini, DuBois, Fay, Freeman, Garner, Gaston, Getto, Haller, Humke, Jeffrey, Kerns, Kissam, Lambert, McGaughey, Marvel, May, Nevin, Nicholas, Porter, Price, Sader, Schofield, Sedway, Spinello, Spriggs, Swain, Tebbs, Thomas, Thompson, Triggs, Myrna Williams, Wendell Williams and Wisdom:

Assembly Concurrent Resolution No. 66—Commending Ella Savitt on her service to the people of the State of Nevada through her generous contributions to the University of Nevada, Reno.

WHEREAS, Ella Savitt was born in Lithuania, Poland, on December 23, 1903; and

WHEREAS, Ella Savitt and her late husband, Sol, are lifelong advocates of learning and have generously used their personal resources to enhance educational opportunities for others; and

WHEREAS, For many years Ella Savitt has supported the Getchell Library which has allowed the library to purchase books and periodicals for the use of students; and

WHEREAS, Ella Savitt has supported biomedical research at the School of Medicine of the University of Nevada; and

WHEREAS, Ella Savitt has purchased equipment for the Speech Pathology and Audiology Department of the School of Medicine to improve the services provided for handicapped Nevadans; and

WHEREAS, Ella Savitt is an "angel" to the Fleischmann Planetarium of the University of Nevada, Reno, having made a substantial contribution to the "Save the Stars" campaign; and

WHEREAS, For more than 20 years Ella Savitt has demonstrated her commitment to the improvement of education in journalism by providing state-of-the-art equipment, books and magazines, as well as awards for outstanding achievement to students majoring in journalism; and

WHEREAS, Ella Savitt has continued to support the University of Nevada, Reno, through her generous contributions to the Freshman Scholarship Fund, the Foundation for Programs of Excellence, the Alumni Association and the University Club; and

WHEREAS, The warm-natured manner of Ella Savitt has earned her the respect and affection of her friends and neighbors; and

WHEREAS, Ella Savitt justly deserves the recognition and commendation of all of the people of the State of Nevada for her continued support of the University of Nevada, Reno; now, therefore, be it

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, THE SENATE CONCURRING, That the members of the 64th session of the Nevada Legislature commend Ella Savitt for the many years she and her late husband Sol have contributed to the University of Nevada, Reno, in an attempt to provide the best possible education for the people of the State of Nevada; and be it further

RESOLVED, That a copy of this resolution be prepared and transmitted forthwith by the Chief Clerk of the Assembly to Mrs. Ella Savitt.

Assemblyman Evans moved the adoption of the resolution.

Remarks by Assemblymen Evans and Swain.

Assemblyman Evans requested that the following remarks be entered in the Journal.

ASSEMBLYMAN EVANS:

Thank you, Mr. Speaker. To you and through you, from time to time the Assembly chooses to pause and honor an outstanding Nevada citizen and such is our task this morning.

Ella Savitt, as you heard from the concurrent resolution, has given much to education in northern Nevada. To the University of Nevada library, to the School of Journalism, to the School of Medicine—which bears her name and that of her husband on its library, the Sol and Ella Savitt Medical Library—to the Fleischmann Planetarium Atmospherium, the list goes on and on of the wonderful things that the Savitt name has done.

There are a couple of other things I think, though, that you need to know about this generous, warm and caring lady. For many years, Mr. and Mrs. Savitt owned and operated the Sierra News Service in Reno. In the mid-1950s they began a program whereby freshman scholarships to the University were awarded in the Reno area high schools. That tradition has continued for some 30 years. It has grown, it has expanded, and now includes some 21 northern Nevada high schools. It is known as the Savitt Freshman Scholarship.

Another practice that the Savitts put into place was that of inviting their employees to send their children to the University and offering to pay the tuition of those children who wished to get a higher education. I think that is a splendid idea. Wouldn't it be wonderful if even half of the employers in the State of Nevada would follow that fine example and provide tuition for the children of their employees.

Ella Savitt does not believe in giving a handout; but what she does do is believe in giving a leg up to help those who wish to have a degree and those who wish to earn their way in the world. On that note, Ella Savitt, we tell you today that you have earned your place in Nevada's history and you have won your place in our hearts. We honor you today. Thank you for coming.

ASSEMBLYMAN SWAIN:

Thank you, Mr. Speaker. To you and through you to my colleagues, I would just like to say that Mrs. Savitt is a near neighbor of mine and I am a gardner as she is and so I enjoy it enormously when I drive by her house and see her out there working very, very hard on her beautiful, beautiful place.

I would just like to say that I think she has set a very shining example for all of us and if each one of us in our own way could contribute to the betterment of our University system, the betterment of our libraries in the way that she has to whatever degree we can,

our state would be so much better off. I think that it is a great thing that we can do to give tribute to her today for all that she has done for the University system and I am pleased to be part of that.

Resolution adopted unanimously.

Assemblyman Evans moved that all rules be suspended and that Assembly Concurrent Resolution No. 66 be immediately transmitted to the Senate.

Motion carried unanimously.

Assemblyman Jeffrey moved that Assembly Bills Nos. 300, 454, 455, 548, 590, 643, 731, 746, 771, 779, 782, 785, 797 and 822 be placed at the top of the General File.

Motion carried.

Assemblyman Sedway moved that Assembly Bill No. 142 be taken from the Second Reading File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Sedway.

Motion carried.

Assemblyman Arberry moved that Senate Bill No. 178 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Arberry.

Motion carried.

Assemblyman Nevin moved that Assembly Bill No. 617 be taken from the Chief Clerk's desk and placed on the General File immediately following Assembly Bill No. 822.

Remarks by Assemblyman Nevin.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Judiciary, to which was referred Assembly Bill No. 851, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

ROBERT M. SADER, *Chairman*

Mr. Speaker:

Your Committee on Elections, to which was referred Assembly Bill No. 549, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and re-refer to the Committee on Elections.

COURTENAY C. SWAIN, *Chairman*

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen May, Schofield, Price, Adler, Bergevin, McGaughey, Freeman, Wisdom, Thompson, Brookman and Nevin:

Assembly Bill No. 858—An Act relating to gifts; creating the Nevada gift and endowment fund; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 859—An Act relating to administrative regulations; temporarily revising the procedure for adoption of administrative regulations; ratifying the adoption of the administrative regulations in the Nevada Administrative Code; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Commerce:

Assembly Bill No. 860—An Act relating to intoxicating liquor; permitting a wholesale dealer to furnish equipment and services to certain temporary retail licensees; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 523.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 300.

Bill read third time.

Remarks by Assemblyman Callister.

Roll call on Assembly Bill No. 300:

YEAS—38.

NAYS—None.

Not voting—Kissam, Marvel, May, Price—4.

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. 454.

Bill read third time.

Remarks by Assemblyman Porter.

Roll call on Assembly Bill No. 454:

YEAS—42.

NAYS—None.

Assembly Bill No. 454 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 455.

Bill read third time.

Remarks by Assemblyman Gaston.

Roll call on Assembly Bill No. 455:

YEAS—42.

NAYS—None.

Assembly Bill No. 455 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 548.

Bill read third time.

Remarks by Assemblyman Callister.

Roll call on Assembly Bill No. 548:

YEAS—42.

NAYS—None.

Assembly Bill No. 548 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 590.

Bill read third time.

Remarks by Assemblyman Callister.

Roll call on Assembly Bill No. 590:

YEAS—42.

NAYS—None.

Assembly Bill No. 590 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 Nevin.

Roll call on Assembly Bill No. 643:

YEAS—42.

NAYS—None.

Assembly Bill No. 643 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 10:44 a.m.

ASSEMBLY IN SESSION

At 10:45 a.m.

Mr. Speaker pro Tempore presiding.

Quorum present.

GENERAL FILE AND THIRD READING

Assembly Bill No. 731.

Bill read third time.

Remarks by Assemblymen May, Sedway, Arberry, Tebbs, Wendell Williams, Fay, Dini, Spinello and Craddock.

Assemblymen Nevin, Thompson and Thomas moved the previous question.

Motion carried.

The question being on the passage of Assembly Bill No. 731.

Roll call on Assembly Bill No. 731:

YEAS—36.

NAYS—Arberry, Banner, Price, Sedway, Tebbs, Wendell Williams—6.

Assembly Bill No. 731 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 11:08 a.m.

ASSEMBLY IN SESSION

At 11:09 a.m.

Mr. Speaker presiding.

Quorum present.

GENERAL FILE AND THIRD READING

Assembly Bill No. 746.

Bill read third time.

Remarks by Assemblyman Gaston.

Roll call on Assembly Bill No. 746:

YEAS—41.

NAYS—None.

Not voting—Mr. Speaker.

Assembly Bill No. 746 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 771.

Bill read third time.

Remarks by Assemblyman Nevin.

Roll call on Assembly Bill No. 771:

YEAS—41.

NAYS—Brookman.

Assembly Bill No. 771 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 779.

Bill read third time.

Remarks by Assemblyman Thompson.

Roll call on Assembly Bill No. 779:

YEAS—42.

NAYS—None.

Assembly Bill No. 779 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 782.

Bill read third time.

Remarks by Assemblymen Swain, Nicholas and Fay.

Roll call on Assembly Bill No. 782:

YEAS—33.

NAYS—Bergevin, Fay, Garner, Haller, May, Price, Thomas, Triggs, Mr. Speaker—9.

Assembly Bill No. 782 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Callister moved that Assembly Bill No. 785 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Callister.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 797.

Bill read third time.

Remarks by Assemblyman Banner.

Roll call on Assembly Bill No. 797:

YEAS—41.

NAYS—Thomas.

Assembly Bill No. 797 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 822.

Bill read third time.

Remarks by Assemblyman Triggs.

Roll call on Assembly Bill No. 822:

YEAS—42.

NAYS—None.

Assembly Bill No. 822 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 617.

Bill read third time.

Remarks by Assemblyman Nevin.

Roll call on Assembly Bill No. 617:

YEAS—41.

NAYS—Thomas.

Assembly Bill No. 617 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that all rules be suspended and that Assembly Bills Nos. 300, 454, 455, 548, 590, 617, 643, 731, 746, 771, 779, 782, 797 and 822 be immediately transmitted to the Senate.

Motion carried unanimously.

GENERAL FILE AND THIRD READING

Senate Bill No. 182.

Bill read third time.

Remarks by Assemblyman Fay.

Roll call on Senate Bill No. 182:

YEAS—38.

NAYS—None.

Not voting—Carpenter, Kissam, May, Price—4.

Senate Bill No. 182 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 340.

Bill read third time.

Remarks by Assemblymen Thomas, Lambert and Nevin.

Roll call on Senate Bill No. 340:

YEAS—42.

NAYS—None.

Senate Bill No. 340 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 393.

Bill read third time.

Remarks by Assemblyman Kerns.

Roll call on Senate Bill No. 393:

YEAS—41.

NAYS—None.

Not voting—Adler.

Senate Bill No. 393 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 416.

Bill read third time.

Remarks by Assemblyman Haller.
Roll call on Senate Bill No. 416:
YEAS—40.
NAYS—Getto, Mr. Speaker—2.

Senate Bill No. 416 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 449.
Bill read third time.
Remarks by Assemblymen Bergevin, Carpenter and DuBois.
Roll call on Senate Bill No. 449:
YEAS—39.
NAYS—Carpenter, DuBois, Marvel—3.

Senate Bill No. 449 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 463.
Bill read third time.
Remarks by Assemblymen Nevin and DuBois.
Roll call on Senate Bill No. 463:
YEAS—42.
NAYS—None.

Senate Bill No. 463 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 481.
Bill read third time.
Remarks by Assemblyman Spriggs.
Roll call on Senate Bill No. 481:
YEAS—42.
NAYS—None.

Senate Bill No. 481 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 502.
Bill read third time.
Remarks by Assemblyman Garner.
Roll call on Senate Bill No. 502:
YEAS—42.
NAYS—None.

Senate Bill No. 502 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Concurrent Committee on Natural Resources, Agriculture and Mining, to which was referred Assembly Bill No. 352, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JAMES W. SCHOFIELD, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, June 1, 1987

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Senate Bills Nos. 287, 526.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 228, 241, 254, 307, 491, 544.

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 11:44 a.m.

ASSEMBLY IN SESSION

At 11:52 a.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. 719, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

MARVIN M. SEDWAY, *Chairman*

INTRODUCTION, FIRST READING AND REFERENCE

Senate Bill No. 228.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Taxation.

Motion carried.

Senate Bill No. 241.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 254.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 287.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Taxation.

Motion carried.

Senate Bill No. 307.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Taxation.

Motion carried.

Senate Bill No. 491.

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

Motion carried.

Senate Bill No. 526.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Taxation.

Motion carried.

Senate Bill No. 544.

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

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Arberry moved that Assembly Bill No. 765 be taken from the Second Reading File and re-referred to the Committee on Ways and Means.

Motion carried.

Assemblyman Swain moved that Assembly Bill No. 549 be placed on the Second Reading File.

Motion carried.

Assemblyman Schofield moved that Assembly Bill No. 352 be placed on the General File.

Motion carried.

Assemblyman Schofield moved that Assembly Bill No. 719 be placed on the General File.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 187.

Bill read second time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1055.

Amend section 1, page 1, by deleting line 2 and inserting: "the Department of Prisons the sum of $3,080 for reimbursement of moving expenses for Ron Angelone and Harol Whitley.".

Amend section 1, page 1, line 3, by deleting "expenses.".

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. 421.

Bill read second time.

The following amendment was proposed by the Committee on Education:

Amendment No. 949.

Amend the bill as a whole by deleting section 1, and renumbering sec. 2 as section 1.

Amend sec. 2, page 2, line 28, by deleting the bracket.

Amend sec. 2, page 2, line 29, by deleting the bracket.

Amend sec. 2, page 2, line 30, by deleting the bracket.

Amend sec. 2, page 2, line 34, by inserting an open bracket before "it".

Amend sec. 2, page 2, by deleting line 36, and inserting: "cause is found,] his employment may be terminated *if*".

Amend the bill as a whole by deleting sec. 3 and the text of the repealed section.

Amend the title of the bill to read as follows:

"An Act relating to educational personnel; removing the presumption of just cause for dismissal; and providing other matters properly relating thereto.".

Amend the summary of the bill by deleting "discipline and".

Assemblyman Gaston moved the adoption of the amendment.

Remarks by Assemblyman Gaston.

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 Commerce:

Amendment No. 991.

Amend the bill as a whole by deleting sec. 2 and renumbering sec. 3 as sec. 2.

Amend the bill as a whole by deleting sections 4, 5 and 6 and the text of the repealed section and renumbering sec. 7 as sec. 3.

Amend sec. 7, page 4, line 35, by deleting "3" and inserting "2".

Amend the title of the bill to read as follows:

"An Act relating to mortgage companies; requiring licensees to post a bond with the administrator of financial institutions; and providing other matters properly relating thereto.".

Assemblyman Jeffrey moved the adoption of the amendment.

Remarks by Assemblyman Jeffrey.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 660.

Bill read second time.

The following amendment was proposed by the Committee on Taxation:

Amendment No. 914.

Amend the bill as a whole by deleting section 1 and renumbering sections 2 and 3 as sections 1 and 2.

Amend sec. 3, page 2, line 15, before "Upon" by inserting "*1.*".

Amend sec. 3, page 2, by deleting lines 17 and 18 and inserting: "county *with a school district whose enrollment is fewer than 25,000 pupils* may levy a tax of not more than [25] *50* cents on each $100 of assessed valuation of taxable property within the county.

2. Upon the approval of a majority of the registered voters of a county voting upon the question, the board of county commissioners in each county with a school district whose enrollment is 25,000 pupils or more may levy a tax of not more than 35 cents on each $100 of assessed valuation of taxable property within the county.

3. Any money".

Amend the bill as a whole by deleting sections 4 through 6.

Amend the title of the bill to read as follows:

"An Act relating to the financial support of the schools; increasing the time schools may accumulate money in the fund for capital projects and the maximum amount of ad valorem tax which may be levied for credit to that fund; and providing other matters properly relating thereto.".

Assemblyman May moved the adoption of the amendment.

Remarks by Assemblyman May.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 778.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 807.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1089.

Amend section 1, page 1, line 3, by deleting "*division*" and inserting "*disposition*".

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. 846.

Bill read second time, ordered engrossed and to third reading.

Senate Bill No. 181.

Bill read second time and ordered to third reading.

Senate Bill No. 248.

Bill read second time and ordered to third reading.

Senate Bill No. 253.

Bill read second time and ordered to third reading.

Senate Bill No. 260.

Bill read second time and ordered to third reading.

Senate Bill No. 288.

Bill read second time and ordered to third reading.

Senate Bill No. 297.

Bill read second time and ordered to third reading.

Senate Joint Resolution No. 18.

Resolution read second time and ordered to third reading.

Senate Joint Resolution No. 20.

Resolution read second time and ordered to third reading.

Assembly Bill No. 549.

Bill read second time.

The following amendment was proposed by the Committee on Elections:

Amendment No. 1035.

Amend the bill as a whole by deleting sections 1 through 7 and inserting:

"Section 1. Chapter 294A of NRS is hereby amended by adding thereto a new section to read as follows:

1. Every candidate for state, district, county, city or township office shall, not later than the day on which he files his acceptance or declaration of candidacy, open and maintain a separate account for the deposit of any campaign contributions he receives. The candidate shall not commingle the money in the account with money collected for other purposes.

2. The money in the separate account may be used for campaign expenses and other expenses related to public office, such as attendance at educational seminars, communication with constituents and expenses for future campaigns. The money must not be used for personal expenditures.

3. The candidate may close the separate account:

(a) If he was a candidate in a special election, after that election;

(b) If he lost in the primary election, after the primary election; or

(c) If he won the primary election, after the general election,

and as soon as all payments of money committed have been made.".

Amend the title of the bill to read as follows:

"An Act relating to campaign contributions; requiring each candidate to open and maintain a separate account for the deposit of his campaign contributions; prohibiting commingling of money in that account with other money; and providing other matters properly relating thereto.".

Assemblyman Swain moved the adoption of the amendment.

Remarks by Assemblyman Swain.

Amendment adopted.

Assemblyman Swain moved that Assembly Bill No. 549 be re-referred to the Committee on Elections.

Motion carried.

Bill ordered reprinted, engrossed and to the Committee on Elections.

GENERAL FILE AND THIRD READING

Assembly Bill No. 352.

Bill read third time.

The following amendment was proposed by the Committee on Natural Resources, Agriculture and Mining:

Amendment No. 1064.

Amend sec. 2, page 2, line 10, by deleting "*wastes; or*" and inserting "*wastes; and*".

Amend sec. 5, page 3, line 16, after "2." by inserting: "*The commission established by the governor pursuant to Public Law 99-499 shall coordinate the collection of information for the repository and may adopt regulations for that purpose which are consistent with all applicable laws and with any regulations adopted by the director regarding the management and operation of the repository.*

3.".

Amend sec. 5, page 3, line 19, after "*department*" by inserting: "*and the commission*".

Amend sec. 5, page 3, line 20, by deleting "*division.*" and inserting "*commission.*".

Amend sec. 5, page 3, line 21, by deleting "*3.*" and inserting "*4.*".

Amend sec. 5, page 3, by deleting line 23 and inserting:

"*5. The division may, in a manner consistent with applicable laws and regulations:*".

Amend sec. 6, pages 3 and 4, by deleting lines 29 through 41 on page 3 and lines 1 through 16 on page 4 and inserting:

"Sec. 6. (Deleted by amendment.)".

Amend sec. 29, page 12, by deleting lines 9 through 17 and inserting:

"Sec. 29. 1. There is hereby appropriated from the state highway fund to the Nevada highway patrol division of the department of motor vehicles and public safety for costs related to the performance of its statutory duties relating to the transportation of hazardous materials:

For the fiscal year 1987-88 ..... $219,939

For the fiscal year 1988-89 607,244

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 highway fund as soon as all payments of money committed have been made.".

Amend the bill as a whole by adding a new section designated sec. 30, following sec. 29, to read as follows:

"Sec. 30. 1. This section and sections 1, 2, 4, 5, 8 to 17, inclusive, and 20 to 29, inclusive, of this act, become effective on July 1, 1987.

2. Section 7 of this act becomes effective on July 1, 1988.

3. Sections 3, 18 and 19 become effective on January 1, 1989.".

Amend the title of the bill, third and fourth lines, by deleting: "establishing an advisory committee on hazardous materials in the department of motor vehicles and public safety;".

Assemblyman Schofield moved the adoption of the amendment.

Remarks by Assemblyman Schofield.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to the Concurrent Committee on Transportation.

Assembly Bill No. 719.

Bill read third time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1063.

Amend section 1, page 2, line 3, after the period by inserting: "*Any money collected pursuant to this section which is not otherwise distributed by specific legislative appropriation must be deposited with the state treasurer for credit to the trust fund for the care of sites for the disposal of radioactive waste created pursuant to NRS 459.231.*".

Amend sec. 3, page 2, by deleting lines 13 through 20 and inserting: "Compact to the state highway fund created pursuant to NRS 408.235 for the costs incurred by the Nevada highway patrol division of the department of motor vehicles and public safety the sum of $100,000 for costs related to the performance of its statutory duties concerning the transportation of hazardous materials.

2. Any remaining balance of the appropriation made by subsection 1 must not be committed for expenditure after June 30, 1989, and reverts to the trust fund for the care of sites for the disposal of radioactive waste as soon as all payments of".

Amend the bill as a whole by renumbering sections 4 and 5 as sections 5 and 6 and adding a new section designated sec. 4, following sec. 3, to read as follows:

"Sec. 4. 1. There is hereby appropriated to the commission established by the governor pursuant to Public Law 99-499 from the surcharges authorized pursuant to Article 5 of the Rocky Mountain Low-level Radioactive Waste Compact the sum of $200,000 for a study concerning the development of a statewide system of radio communications for use in emergencies related to the transportation of hazardous materials in this state.

2. Any remaining balance of the appropriation made by subsection 1 must not be committed for expenditure after June 30, 1989, and reverts to the trust fund for the care of sites for the disposal of radioactive waste as soon as all payments of money committed have been made.".

Amend sec. 5, page 2, line 25, by deleting "4" and inserting "5".

Amend sec. 5, page 2, line 27, by deleting: "1, 2 and 3" and inserting: "1 through 4, inclusive,".

Assemblyman Schofield moved the adoption of the amendment.

Remarks by Assemblyman Schofield.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 139.

The following Senate amendment was read:

Amendment No. 931.

Amend sec. 2, pages 1 and 2, by deleting lines 7 through 15 on page 1 and lines 1 through 23 on page 2, and inserting:

"Sec. 2. (Deleted by amendment.)".

Amend the bill as a whole by deleting sections 12 through 15 and inserting:

"Secs. 12-15. (Deleted by amendment.)".

Amend the bill as a whole by deleting sections 17, 18 and 19 and inserting:

"Secs. 17-19. (Deleted by amendment.)".

Amend the bill as a whole by deleting sections 21 and 22 and inserting:

"Secs. 21 and 22. (Deleted by amendment.)".

Amend sec. 23, page 14, by deleting lines 13 and 14 and inserting:

"Sec. 23. Section 2 of chapter 160, Statutes of Nevada 1987, is hereby amended to read as follows:

Sec. 2. 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 or planning commission 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. Such an acceptance must be recorded in the office of the county recorder and be so noted by the recorder on the subdivision plot [.] *, if the county recorder does not maintain a cumulative index for such plots and amendments. If such an index is maintained, the county recorder shall direct an appropriate entry for the amendment.*".

Amend the bill as a whole by deleting the text of the repealed sections.

Amend the title of the bill, third and fourth lines, by deleting: "repealing the special provisions regarding the division of land into large parcels;".

Assemblyman Thompson moved that the Assembly concur in the Senate amendment to Assembly Bill No. 139.

Remarks by Assemblyman Thompson.

Motion carried.

Bill ordered enrolled.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, June 1, 1987

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bill No. 668.

MARY JO MONGELLI
Assistant Secretary of the Senate

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bills Nos. 110, 171, 196, 336, 527, 542, 547, 568, 588, 595, 600, 664, 665, 685, 787; Senate Bills Nos. 22, 55, 183, 379, 441; Assembly Concurrent Resolution No. 64; Senate Concurrent Resolution No. 22.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Evans, the privilege of the floor of the Assembly Chamber for this day was extended to Mss. Ella Savitt, Joan Zenan, Janice Goodhue, Kathleen Conaboy, Agnes Heidtman, Edna Brigham, Messrs. Robert Daugherty, Owen Peck, Travis Linn, Joe Crowley, Albert Heidtman, Hap Morehouse, Art Johnson and Steve Riddell.

On request of Assemblyman Thompson, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Julie Jensen, Messrs. Greg Jensen, Benjamin Jensen, Trevor Jensen, David Jensen, Niels Jensen and Miss Sarah Jensen.

Assemblyman Jeffrey moved that the Assembly adjourn until Tuesday, June 2, 1987 at 10:30 a.m.

Motion carried.

Assembly adjourned at 12:22 p.m.

Approved:

JOSEPH E. DINI, JR.
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE ONE HUNDRED AND THIRTY-FIFTH DAY

CARSON CITY (Tuesday), June 2, 1987

Assembly called to order at 10:38 a.m.

Mr. Speaker presiding.

Roll called.

All present except Assemblyman Craddock, who was excused.

Prayer by the Chaplain, The Reverend Doctor Gregg Townsley.

Dear Father, for the opportunity to bear witness to our convictions, to struggle hard, and to mold the laws and policies that shape this state, we thank You. Grant us this day Your peace, and Your prosperity. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Jeffrey moved that further reading of the Journal be dispensed with, and the Speaker and Chief Clerk be authorized to make the necessary corrections and additions.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Government Affairs, to which was re-referred Assembly Bill No. 7, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

DANNY L. THOMPSON, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which were referred Assembly Bills Nos. 395, 424, 599, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ROBERT M. SADER, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Assembly Bill No. 596, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

DANNY L. THOMPSON, *Chairman*

Mr. Speaker:

Your Committee on Transportation, to which was referred 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.

LEONARD V. NEVIN, *Chairman*

Mr. Speaker:

Your Committee on Transportation, to which was referred Assembly Bill No. 835, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

LEONARD V. NEVIN, *Chairman*

Mr. Speaker:

Your Committee on Transportation, to which were referred Senate Concurrent Resolutions Nos. 19, 26, has had the same under consideration, and begs leave to report the same back with the recommendation: Be adopted.

LEONARD V. NEVIN, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which was referred Assembly Bill No. 704, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

MARVIN M. SEDWAY, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, 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: Do pass.

MARVIN M. SEDWAY, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which were re-referred Assembly Bills Nos. 107, 111, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass, as amended.

MARVIN M. SEDWAY, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Education, to which was referred Assembly Bill No. 166, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ROBERT E. GASTON, *Vice Chairman*

Mr. Speaker:

Your Committee on Commerce, to which were referred Senate Bills Nos. 334, 338, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN E. JEFFREY, *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which were referred Senate Bills Nos. 298, 332, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN E. JEFFREY, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which was re-referred Assembly Bill No. 425, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ROBERT M. SADER, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, June 1, 1987

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 275, 311, 312, 313, 377, 559, 640, 727, 747, 748.

Also, I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bill No. 290, 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. 66.

MARY JO MONGELLI
Assistant Secretary of the Senate

UNFINISHED BUSINESS

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker appointed Assemblymen Arberry, Evans and Humke as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Assembly Bill No. 399.

MOTIONS, RESOLUTIONS AND NOTICES

Senate Concurrent Resolution No. 19.

Assemblyman Garner moved the adoption of the resolution.

Remarks by Assemblyman Garner.

Resolution adopted.

Senate Concurrent Resolution No. 26.

Assemblyman Nevin moved the adoption of the resolution.

Remarks by Assemblyman Nevin.

Resolution adopted.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Ways and Means:

Assembly Bill No. 861—An Act relating to protection of children; transferring certain responsibilities for protective services to larger counties; requiring an agency providing protective services to submit to the welfare division of the department of human resources for its approval a plan for maintaining a child in need of protective services in his home; and providing other matters properly relating thereto.

Assemblyman Sedway moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Assembly Bills Nos. 187, 421, 555, 660, 719 and 807 be placed on the General File immediately following Assembly Bill No. 846.

Motion carried.

Assemblyman Jeffrey moved that the Assembly recess until 10:54 a.m.

Motion carried.

Assembly in recess at 10:49 a.m.

ASSEMBLY IN SESSION

At 11:13 a.m.

Mr. Speaker presiding.

Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Judiciary, to which were referred Assembly Bills Nos. 461, 790; Senate Bill No. 194, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ROBERT M. SADER, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which was referred Senate Bill No. 478, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

ROBERT M. SADER, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which was re-referred Senate Bill No. 235, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

MARVIN M. SEDWAY, *Chairman*

SECOND READING AND AMENDMENT

Assembly Bill No. 315.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 1061.

Amend the bill as a whole by deleting sections 1 and 2 and inserting:

"Section 1. Chapter 686B of NRS is hereby amended by adding thereto a new section to read as follows:

Any hearing held by the commissioner to determine whether rates comply with the provisions of NRS 686B.010 to 686B.175, inclusive, must be open to members of the public.

Sec. 2. NRS 686B.050 is hereby amended to read as follows:

686B.050 1. Rates [shall] *must* not be excessive, inadequate or unfairly discriminatory, nor [shall] *may* an insurer charge any rate which if continued will have or tend to have the effect of destroying competition or creating a monopoly.

2. [Rates are presumed not to be excessive if] *The commissioner may disapprove rates if there is not* a reasonable degree of price competition [exists] at the consumer level with respect to the class of business to which they apply. In determining whether a reasonable degree of price competition exists, the commissioner shall consider all relevant tests, including:

(a) The number of insurers actively engaged in the class of business and their *shares of the* market *;* [shares;]

(b) The existence of [rate] differentials *in rates* in that class of business;

(c) Whether long-run profitability for insurers generally of the class of business is unreasonably high in relation to its riskiness; [and

(d) Consumer]

(d) Consumers' knowledge in regard to the market in question [.

If such] *; and*

(e) Whether price competition is a result of the market or is artificial.

If competition does not exist, rates are excessive if they are likely to produce a long-run profit that is unreasonably high in relation to the riskiness of the class of business, or if expenses are unreasonably high in relation to the services rendered.

3. Rates are inadequate if they are clearly insufficient, together with the [investment] income *from investments* attributable to them, to sustain projected losses and expenses in the class of business to which they apply.

4. One rate is unfairly discriminatory in relation to another in the same class if it clearly fails to reflect equitably the differences in expected losses and expenses. Rates are not unfairly discriminatory because different premiums result for policyholders with [like loss exposures] *similar exposure to loss* but different expense factors, or [like] *similar* expense factors but different *exposure to* loss , [exposures,] so long as the rates reflect the differences with reasonable accuracy. Rates are not unfairly discriminatory if they are averaged broadly among persons insured under a group, franchise or blanket policy.

Sec. 3. NRS 686B.070 is hereby amended to read as follows:

686B.070 Every authorized insurer and every rate service organization licensed under NRS 686B.130 which has been designated by any insurer for the filing of rates under subsection 2 of NRS 686B.090 shall file with the commissioner all:

1. Rates;
2. Forms of policies to which the rates apply;
3. Supplementary rate information; and
4. Changes and amendments thereof,

made by it for use in this state [on or] *at least 30 days* before the date the rates become effective.

Sec. 4. NRS 686B.090 is hereby amended to read as follows:

686B.090 1. An insurer [may itself] *shall* establish rates and supplementary rate information for any market segment based on the factors in NRS 686B.060 . [, or] *If an insurer has insufficient creditable loss experience,* it may use rates and supplementary rate information prepared by a rate service organization, with [average expense factors determined by the rate service organization or with such] modification for its own expense and loss experience . [as the credibility of that experience allows.]

2. An insurer may discharge its obligation under NRS 686B.070 by giving notice to the commissioner that it uses rates and supplementary rate information prepared by a designated rate service organization, with such information about modifications thereof as are necessary fully to inform the commissioner. The insurer's rates and supplementary rate information shall be *deemed* those filed from time to time by the rate service organization, including any amendments thereto as filed, subject, however, to the modifications filed by the insurer.

Sec. 5. NRS 686B.100 is hereby amended to read as follows:

686B.100 1. If the commissioner finds that competition is not an effective regulator of the rates charged or that a substantial number of companies are competing irresponsibly through the rates charged, or that there are widespread violations of NRS 686B.010 to 686B.175, inclusive, in any kind or line of insurance or subdivision thereof or in any rating class or rating territory, he may promulgate a rule requiring that in the kind or line of insurance or subdivision thereof or rating class or rating territory comprehended by the finding any subsequent changes in the rates or supplementary rate information be filed with him at least [15] *30* days before they become

effective. He may extend the waiting period for not to exceed 15 additional days by written notice to the filer before the first [15-day] *30-day* period expires.

2. By rule, the commissioner may require the filing of supporting data as to any or all kinds or lines of insurance or subdivisions thereof or classes of risks or combinations thereof as he deems necessary for the proper functioning of the [rate monitoring and regulation process.] *process for monitoring and regulating rates.* The supporting data must include:

(a) The experience and judgment of the filer, and, to the extent it wishes or the commissioner requires, of other insurers or rate service organizations;

(b) Its interpretation of any statistical data relied upon;

(c) Descriptions of the actuarial and statistical methods employed in setting the rates; and

(d) Any other relevant matters required by the commissioner.

3. A rule promulgated under subsection 1 must expire not more than 1 year after [issue.] *it is issued.* The commissioner may renew the rule if he deems it necessary.

4. Whenever a filing is not accompanied by such information as the commissioner has required under subsection 2, he may so inform the insurer and the filing shall be deemed to be made when the information is furnished.

Sec. 6. NRS 686B.110 is hereby amended to read as follows:

686B.110 1. If the commissioner finds that a rate is not in compliance with NRS 686B.050, he shall order that its use be discontinued for any policy issued or renewed after a date specified in the order.

2. [Within 1 year after the effective date of an order under subsection 1, no] *No* rate promulgated to replace a disapproved one may be used until it has been filed with the commissioner and not disapproved within 30 days thereafter.

3. Whenever an insurer has no legally effective rates as a result of the commissioner's disapproval of rates or other act, the commissioner shall on request specify interim rates for the insurer that are high enough to protect the interests of all parties and may order that a specified portion of the premiums be placed in an escrow account approved by him. When new rates become legally effective, the commissioner shall order the escrowed funds or any overcharge in the interim rates to be distributed appropriately, except that refunds to policyholders that are de minimis [shall] *must* not be required.

4. If the commissioner disapproves a rate and an insurer requests a hearing to determine the validity of his action, the insurer has the burden of showing compliance with the applicable standards for rates established in NRS 686B.010 to 686B.175, inclusive.

Sec. 7. NRS 686B.120 is hereby amended to read as follows:

686B.120 The commissioner may by order require that a particular insurer file any or all of its rates and supplementary rate information [15] *30* days before their effective date, if and to the extent that he finds, after a hearing, that the protection of the interests of its insureds and the public in

this state requires closer supervision of its rates because of the insured's financial condition or rating practices. He may extend the waiting period for any filing for not to exceed 15 additional days by written notice to the insurer before the first [15-day] *30-day* period expires. A filing not disapproved before the expiration of the waiting period shall be deemed to meet the requirements of NRS 686B.010 to 686B.175, inclusive, subject to the possibility of subsequent disapproval under NRS 686B.110.

Sec. 8. NRS 686B.160 is hereby amended to read as follows:

686B.160 1. The commissioner [shall] *may* promulgate or approve reasonable rules [, including rules] providing statistical plans [,] for use thereafter by all insurers in the recording and reporting of loss and expense experience, in order that the experience of [such] insurers may be made available to him. [No insurer shall be required to record or report its experience on a classification basis inconsistent with its own rating system.]

2. The commissioner may designate one or more rate service organizations to assist him in gathering such experience and making compilations thereof, which [shall] *must* be made available to the public.".

Amend the title of the bill to read as follows:

"An Act relating to insurance; revising certain provisions concerning rates for insurance; and providing other matters properly relating thereto.".

Amend the summary of the bill to read as follows: "Revises provisions relating to rates for insurance. (BDR 57-865)".

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. 693.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 992.

Amend section 1, page 1, line 3, by deleting: "*receive a commission*" and inserting: "*charge a fee*".

Amend section 1, page 1, line 4, by deleting "*The commission*" and inserting: "*Except as otherwise provided by agreement between the insurer and broker, the fee*".

Amend section 1, page 1, line 12, by deleting "30" and inserting "[30] *90*".

Amend the title of the bill, first line, by deleting "commission" and inserting "fee".

Assemblyman Jeffrey moved the adoption of the amendment.

Remarks by Assemblyman Jeffrey.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Evans moved that Senate Bill No. 234 be taken from the Second Reading File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Evans.

Motion carried.

Assemblyman Getto moved that Senate Bill No. 397 be taken from the Second Reading File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Getto.

Motion carried.

Assemblyman Callister moved that Assembly Bill No. 785 be taken from the Chief Clerk's desk and placed on the General File immediately following Assembly Bill No. 807.

Remarks by Assemblyman Callister.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 772.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 811.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 851.

Bill read second time, ordered engrossed and to third reading.

Assembly Joint Resolution No. 44.

Resolution read second time.

The following amendment was proposed by the Committee on Elections:

Amendment No. 1041.

Amend the resolution, page 1, line 5, by deleting: "*elected public officer*" and inserting: "*public officer elected to a partisan office*".

Amend the title of the resolution, second line, by deleting: "of an elected public officer" and inserting: "from office of a public officer elected to a partisan office".

Amend the summary of the resolution, second line, by deleting: "elected public officer" and inserting: "public officer elected to partisan office".

Assemblyman Swain moved the adoption of the amendment.

Remarks by Assemblyman Swain.

Amendment adopted.

Resolution ordered reprinted, engrossed and to third reading.

Senate Bill No. 8.

Bill read second time and ordered to third reading.

Senate Bill No. 9.

Bill read second time and ordered to third reading.

Senate Bill No. 10.

Bill read second time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1171.

Amend section 1, page 1, by deleting line 11 and inserting: "development of these programs [.

3.] *and the prison farm.*

4. The interest and income earned on the money in the fund, after deducting any applicable charges, must be credited to the fund.".

Amend the bill as a whole by adding a new section designated sec. 5, following sec. 4, to read as follows:

"Sec. 5. This act becomes effective at 12:01 a.m. on July 1, 1987.".

Assemblyman Sedway moved the adoption of the amendment.

Remarks by Assemblyman Sedway.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 12.

Bill read second time and ordered to third reading.

Senate Bill No. 15.

Bill read second time and ordered to third reading.

Senate Bill No. 149.

Bill read second time and ordered to third reading.

Senate Bill No. 317.

Bill read second time and ordered to third reading.

Senate Bill No. 330.

Bill read second time and ordered to third reading.

Senate Bill No. 341.

Bill read second time.

Assemblyman Thompson moved that Senate Bill No. 341 be placed on the Chief Clerk's desk.

Bill ordered to the Chief Clerk's desk.

Senate Bill No. 373.

Bill read second time and ordered to third reading.

Senate Bill No. 394.

Bill read second time and ordered to third reading.

Senate Bill No. 445.

Bill read second time and ordered to third reading.

Senate Bill No. 477.

Bill read second time and ordered to third reading.

Senate Bill No. 515.

Bill read second time and ordered to third reading.

Senate Joint Resolution No. 15.

Resolution read second time and ordered to third reading.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Legislative Functions, 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: Amend, and do pass as amended.

MYRNA WILLIAMS, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, June 2, 1987

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Senate Bills Nos. 276, 492, 527, 559.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 328, 403, 468, 471, 487.

MARY JO MONGELLI
Assistant Secretary of the Senate

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Health and Welfare:

Assembly Bill No. 862—An Act relating to acquired immune deficiency syndrome; prohibiting discrimination against certain persons; requiring that certain information be kept confidential under certain circumstances; providing penalties; and providing other matters properly relating thereto.

Assemblyman Arberry moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

By the Committee on Health and Welfare:

Assembly Bill No. 863—An Act relating to communicable diseases; prohibiting discrimination against certain persons; requiring certain education; requiring that certain persons who have provided emergency medical aid be told if they may have been infected with a serious communicable disease; requiring that certain information be kept confidential under certain circumstances; allowing for special provisions for certain prisoners; providing penalties; and providing other matters properly relating thereto.

Assemblyman Arberry moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 332.

Bill read third time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 1114.

Amend section 1, page 1, line 13, by deleting "*90*" and inserting "*120*".

Assemblyman Thompson moved the adoption of the amendment.

Remarks by Assemblyman Thompson.

Amendment adopted.
Bill ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 778.
Bill read third time.
Remarks by Assemblyman Wendell Williams.
Roll call on Assembly Bill No. 778:

YEAS—41.
NAYS—None.
Absent—Craddock.

Assembly Bill No. 778 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 846.
Bill read third time.
Remarks by Assemblyman Thompson.
Roll call on Assembly Bill No. 846:

YEAS—41.
NAYS—None.
Absent—Craddock.

Assembly Bill No. 846 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Assembly Bills Nos. 166, 212, 395, 424, 461, 578, 596, 599, 704, 790 and 835 be placed on the Second Reading File.
Remarks by Assemblyman Jeffrey.
Motion carried.

Assemblyman Jeffrey moved that Assembly Bill No. 7 be placed on the General File.
Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 187.
Bill read third time.
Remarks by Assemblyman Humke.
Roll call on Assembly Bill No. 187:

YEAS—41.
NAYS—None.
Absent—Craddock.

Assembly Bill No. 187 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Judiciary, to which was referred Assembly Bill No. 394, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ROBERT M. SADER, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Sader moved that Assembly Bill No. 394 be placed on the Second Reading File.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 421.

Bill read third time.

Remarks by Assemblyman Gaston.

Roll call on Assembly Bill No. 421:

YEAS—41.

NAYS—None.

Absent—Craddock.

Assembly Bill No. 421 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 555.

Bill read third time.

Remarks by Assemblyman Jeffrey.

Roll call on Assembly Bill No. 555:

YEAS—41.

NAYS—None.

Absent—Craddock.

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. 660.

Bill read third time.

Remarks by Assemblyman May.

Roll call on Assembly Bill No. 660:

YEAS—41.

NAYS—None.

Absent—Craddock.

Assembly Bill No. 660 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 719.

Bill read third time.

Remarks by Assemblyman Schofield.

Roll call on Assembly Bill No. 719:

YEAS—41.
NAYS—None.
Absent—Craddock.

Assembly Bill No. 719 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 807.

Bill read third time.

Remarks by Assemblymen Carpenter, Gaston, Arberry, Nevin, Sader and Price.

Roll call on Assembly Bill No. 807:

YEAS—41.
NAYS—None.
Absent—Craddock.

Assembly Bill No. 807 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 785.

Bill read third time.

Remarks by Assemblyman Callister.

Roll call on Assembly Bill No. 785:

YEAS—40.
NAYS—Carpenter.
Absent—Craddock.

Assembly Bill No. 785 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that all rules be suspended and that Assembly Bills Nos. 187, 421, 555, 660, 719, 778, 785, 807, 846; Senate Concurrent Resolutions Nos. 19 and 26 be immediately transmitted to the Senate.

Motion carried unanimously.

Assemblyman Sader moved that Assembly Bill No. 425 be placed on the General File.

Remarks by Assemblyman Sader.

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 11:56 a.m.

ASSEMBLY IN SESSION

At 12:08 p.m.
Mr. Speaker presiding.
Quorum present.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, June 2, 1987

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day adopted, as amended, Senate Concurrent Resolution No. 14.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Senate Concurrent Resolution No. 14.

Assemblyman Jeffrey moved that the resolution be referred to the Committee on Health and Welfare.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Government Affairs:

Assembly Bill No. 864—An Act relating to intercollegiate athletics; creating a continuing special award for outstanding achievements; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 865—An Act relating to ambulance service; prescribing certain procedures for the granting of an exclusive franchise for the provision of ambulance service; requiring compensation for any business eliminated by the granting of such a franchise; requiring a franchisee to obtain the approval of the state board of health before increasing its rates; and providing other matters properly relating thereto.

Assemblyman Thompson moved that the bill be referred to the Committee on Commerce.

Motion carried.

By the Committee on Commerce:

Assembly Bill No. 866—An Act relating to the sale of subdivided land; requiring the seller of subdivided land to disclose to a purchaser of a residential lot certain information concerning zoning; providing a penalty; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 276.

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

Motion carried.

Senate Bill No. 328.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

Senate Bill No. 403.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

Senate Bill No. 468.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

Senate Bill No. 471.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Taxation.

Motion carried.

Senate Bill No. 487.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 492.

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

Motion carried.

Senate Bill No. 527.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 559.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 138.

Bill read third time.

Remarks by Assemblyman Gaston.

Roll call on Senate Bill No. 138:

YEAS—41.

NAYS—None.

Absent—Craddock.

Senate Bill No. 138 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 167.

Bill read third time.

Remarks by Assemblyman Fay.

Roll call on Senate Bill No. 167:

YEAS—41.

NAYS—None.

Absent—Craddock.

Senate Bill No. 167 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 181.

Bill read third time.

Remarks by Assemblyman Marvel.

Roll call on Senate Bill No. 181:

YEAS—41.

NAYS—None.

Absent—Craddock.

Senate Bill No. 181 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 248.

Bill read third time.

Remarks by Assemblymen Porter and Jeffrey.

Roll call on Senate Bill No. 248:

YEAS—39.

NAYS—Spriggs.

Absent—Craddock.

Not voting—Carpenter.

Senate Bill No. 248 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 Assemblyman Fay.

Roll call on Senate Bill No. 253:

YEAS—41.

NAYS—None.

Absent—Craddock.

Senate Bill No. 253 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 260.

Bill read third time.
Remarks by Assemblymen Adler and May.
Roll call on Senate Bill No. 260:
YEAS—41.
NAYS—None.
Absent—Craddock.

Senate Bill No. 260 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 288.
Bill read third time.
Remarks by Assemblyman Bergevin.
Roll call on Senate Bill No. 288:
YEAS—41.
NAYS—None.
Absent—Craddock.

Senate Bill No. 288 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 Wisdom.
Roll call on Senate Bill No. 297:
YEAS—41.
NAYS—None.
Absent—Craddock.

Senate Bill No. 297 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Joint Resolution No. 18.
Resolution read third time.
Remarks by Assemblyman Price.
Roll call on Senate Joint Resolution No. 18:
YEAS—41.
NAYS—None.
Absent—Craddock.

Senate Joint Resolution No. 18 having received a constitutional majority, Mr. Speaker declared it passed.
Resolution ordered transmitted to the Senate.

Senate Joint Resolution No. 20.
Resolution read third time.
Remarks by Assemblyman Myrna Williams.
Roll call on Senate Joint Resolution No. 20:
YEAS—39.
NAYS—Banner, Haller—2.
Absent—Craddock.

Senate Joint Resolution No. 20 having received a constitutional majority, Mr. Speaker declared it passed.

Resolution ordered transmitted to the Senate.

Assembly Bill No. 425.

Bill read third time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1097.

Amend section 1, page 1, by deleting lines 12 and 13 and inserting: "*fact knowing that the statement is false, is liable to any financial institution which relied upon the absence of that concealed fact or on that false statement for any damages it sustains*".

Amend section 1, page 2, line 11, by deleting the period and inserting: ", *but the financial institution is not entitled to recover actual damages more than once for the same loss.*".

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 11.190 is hereby amended to read as follows:

11.190 Actions other than those for the recovery of real property, unless further limited by specific statute, can only be commenced as follows:

1. Within 6 years:

(a) An action upon a judgment or decree of any court of the United States, or of any state or territory within the United States, or the renewal thereof.

(b) An action upon a contract, obligation or liability founded upon an instrument in writing, except those mentioned in the preceding sections of this chapter.

2. Within 4 years:

(a) An action on an open account for goods, wares and merchandise sold and delivered.

(b) An action for any article charged on an account in a store.

(c) An action upon a contract, obligation or liability not founded upon an instrument in writing.

3. Within 3 years:

(a) An action upon a liability created by statute, other than a penalty or forfeiture.

(b) An action for waste or trespass of real property, but when the waste or trespass is committed by means of underground works upon any mining claim, the cause of action shall be deemed to accrue upon the discovery by the aggrieved party of the facts constituting the waste or trespass.

(c) An action for taking, detaining or injuring personal property, including actions for specific recovery thereof, but in all cases where the subject of the action is a domestic animal usually included in the term "livestock," which has a recorded mark or brand upon it at the time of its loss, and which strays or is stolen from the true owner without his fault, the statute does not begin to run against an action for the recovery of the animal until the owner has actual knowledge of such facts as would put a reasonable man upon inquiry as to the possession thereof by the defendant.

(d) Except as otherwise provided in section 11 of [of this act,] chapter 8, Statutes of Nevada 1987, an action for relief on the ground of fraud or mistake, but the cause of action in such a case shall be deemed to accrue upon the discovery by the aggrieved party of the facts constituting the fraud or mistake.

(e) An action pursuant to section 1 of this act for damages sustained by a financial institution because of its reliance on certain fraudulent conduct of a borrower, but the cause of action in such a case shall be deemed to accrue upon the discovery by the financial institution of the facts constituting the concealment or false statement.

4. Within 2 years:

(a) An action against a sheriff, coroner or constable upon liability incurred by acting in his official capacity and in virtue of his office, or by the omission of an official duty, including the nonpayment of money collected upon an execution.

(b) An action upon a statute for a penalty or forfeiture, where the action is given to a person or the state, or both, except when the statute imposing it prescribes a different limitation.

(c) An action for libel, slander, assault, battery, false imprisonment or seduction.

(d) An action against a sheriff or other officer for the escape of a prisoner arrested or imprisoned on civil process.

(e) An action to recover damages for injuries to a person or for the death of a person caused by the wrongful act or neglect of another. The provisions of this paragraph relating to an action to recover damages for injuries to a person apply only to causes of action which accrue after March 20, 1951.

5. Within 1 year:

(a) An action against an officer, or officer de facto to recover goods, wares, merchandise or other property seized by the officer in his official capacity, as tax collector, or to recover the price or value of goods, wares, merchandise or other personal property so seized, or for damages for the seizure, detention or sale of, or injury to, goods, wares, merchandise or other personal property seized, or for damages done to any person or property in making the seizure.

(b) An action against an officer, or officer de facto for money paid to the officer under protest, or seized by the officer in his official capacity, as a collector of taxes, and which, it is claimed, ought to be refunded.

Sec. 3. Section 2 of this act becomes effective at 12:01 a.m. on July 1, 1987.".

Amend the title of the bill, third line, after "conduct;" by inserting: "providing a period of limitation on the commencement of the action;".

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. 7.

Bill read third time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 1148.

Amend section 1, page 2, by deleting lines 1 and 2 and inserting: "*percent of the valuation of each building permit issued, or $750, whichever is less. For the purpose of the residential construction tax, the city council of the city or the board of county commissioners of the county shall adopt an ordinance basing the valuation of building permits on the actual costs of residential construction in the area.*".

Amend section 1, page 2, by deleting line 4 and inserting: "counties to provide *neighborhood* parks and [playgrounds] *facilities for parks* which are".

Amend section 1, page 2, by deleting lines 26 through 30 and inserting: "recreational facilities] *neighborhood parks or the installation of facilities in existing or neighborhood parks* in the city or county. Money in the fund must be expended, [insofar as it is practicable and feasible to do so,] for the benefit of the [immediate area from which they were] *neighborhood from which it was* collected.

6. If a *neighborhood* park [or playground] has not been developed *or facilities have not been installed in an existing park* in the".

Amend section 1, pages 2 and 3, by deleting lines 39, 40 and 41 on page 2 and lines 1, 2 and 3 on page 3, and inserting:

"*7. For the purposes of this section:*

(a) "Facilities" means turf, trees, irrigation, playground apparatus, playing fields, play areas, picnic areas, horseshoe pits and other recreational equipment or appurtenances designed to serve the natural persons, families and small groups from the neighborhood from which the tax was collected.

(b) "Neighborhood park" means a site not exceeding 25 acres, designed to serve the recreational and outdoor needs of natural persons, families and small groups.".

Amend the summary of the bill, first line, by deleting "immediate area" and inserting "neighborhood".

Assemblyman May moved the adoption of the amendment.

Remarks by Assemblyman May.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Health and Welfare, to which were referred Assembly Bills Nos. 760, 773; Senate Bill No. 35, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

MORSE ARBERRY, JR., *Chairman*

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 288.

The following Senate amendment was read:

Amendment No. 979.

Amend the bill as a whole by adding a new section designated sec. 4, following sec. 3, to read as follows:

"Sec. 4. This act applies only to ordinances adopted on or after July 1, 1987.".

Assemblyman Thompson moved that the Assembly do not concur in the Senate amendment to Assembly Bill No. 288.

Remarks by Assemblyman Thompson.

Motion carried.

Bill ordered transmitted to the Senate.

Assembly Bill No. 180.

The following Senate amendment was read:

Amendment No. 849.

Amend section 1, page 1, line 5, by deleting "*the*" and inserting "*the:*".

Amend section 1, page 1, by deleting lines 6 and 7 and inserting:

"*1. Completion of the contract; or*

2. Determination of the engineer or decision of the board of directors of the department of transportation on an appeal of a claim arising from the contract as provided in the standard specifications for construction of roads and bridges adopted by the department,

whichever occurs later.".

Assemblyman Sader moved that the Assembly concur in the Senate amendment to Assembly Bill No. 180.

Remarks by Assemblyman Sader.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 205.

The following Senate amendment was read:

Amendment No. 853.

Amend sec. 6, page 6, by inserting between lines 17 and 18:

"*13. The fee for filing articles of incorporation, agreements or certificates of consolidation, certificates of merger or certificates of amendment increasing the basic surplus of a mutual or reciprocal insurer must be computed pursuant to NRS 78.760, 78.765 and 78.770, on the basis of the amount of basic surplus of the insurer.*".

Amend the title of the bill, second line, after "state;" by inserting: "providing a method for calculating fees paid by certain insurers;".

Assemblyman Sader moved that the Assembly do not concur in the Senate amendment to Assembly Bill No. 205.

Remarks by Assemblyman Sader.

Motion carried.

Bill ordered transmitted to the Senate.

Assembly Bill No. 253.

The following Senate amendment was read:

Amendment No. 962.

Amend section 1, page 1, line 3, by deleting "appeals officer." and inserting: "[appeals officer.] *district court.*".

Amend the bill as a whole by deleting sec. 3, and renumbering sec. 4 as sec. 3.

Assemblyman Banner moved that the Assembly concur in the Senate amendment to Assembly Bill No. 253.

Remarks by Assemblyman Banner.

Motion carried.

Bill ordered enrolled.

SECOND READING AND AMENDMENT

Assembly Bill No. 166.

Bill read second time.

The following amendment was proposed by the Committee on Education:

Amendment No. 1062.

Amend the bill as a whole by deleting sections 1 and 2 and adding a new section designated as section 1, following the enacting clause, to read as follows:

"Section 1. NRS 395.010 is hereby amended to read as follows:

395.010 1. The superintendent of public instruction may provide for the education and care of any handicapped person who is eligible for such benefits by:

(a) Making arrangements with the governing body of any institution for the handicapped in any state having any such institution.

(b) Placing the handicapped person in a foster home or other residential facility in [a county in] *or outside of* this state having an appropriate special education program for his particular handicap.

2. The superintendent of public instruction may make all necessary contracts, in accordance with any regulations the state board of education may prescribe, to carry out the provisions of this chapter.".

Amend the title of the bill to read as follows: "An Act relating to handicapped persons; authorizing the superintendent of public instruction to provide for the education and care of certain handicapped persons in foster homes outside of this state; and providing other matters properly relating thereto.".

Amend the summary of the bill to read as follows: "Authorizes superintendent of public instruction to provide for education and care of certain handicapped persons outside of state. (BDR 34-393)".

Assemblyman Gaston moved the adoption of the amendment.

Remarks by Assemblyman Gaston.

Amendment adopted.

Bill ordered reprinted, engrossed and to the Concurrent Committee on Ways and Means.

Assembly Bill No. 212.

Bill read second time.

The following amendment was proposed by the Committee on Transportation:

Amendment No. 1129.

Amend section 1, page 1, line 12, after "2." by inserting: "*By resolution of the board, the department may upon request relinquish to the division of state lands of the state department of conservation and natural resources for the public use of another state agency any portion of any state highway which has been superseded by relocation or which the department determines exceeds its needs.*

3.".

Amend section 1, page 2, by deleting line 2 and inserting: "highway vests in the county [or city,] , *city or division,* as the case may be . [, and the highway or".

Amend section 1, page 2, line 4, by deleting the open bracket.

Amend section 1, page 2, by deleting lines 6 through 11 and inserting: "or city reverts to the department.]".

Amend section 1, page 2, by deleting line 14 and inserting: "*division. If the purpose for which it is relinquished is abandoned or ceases to*".

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. 395.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 803.

Amend section 1, page 1, line 2, by deleting "and 3" and inserting: "to 13, inclusive,".

Amend sec. 2, page 1, line 4, by deleting "*commissions,*" and inserting: "*commissions or knowingly misrepresents the income of an employee,*".

Amend sec. 2, page 1, line 9, by deleting "*withhold, may:*" and inserting: "*withhold or knowingly misrepresented an employee's income:*".

Amend sec. 2, page 1, line 10, by deleting "*Order*" and inserting "*May order*".

Amend sec. 2, page 1, line 12, by deleting "*Fine*" and inserting: "*May order the employer to provide accurate information concerning the employee's income;*

(c) May fine".

Amend sec. 2, page 1, line 13, by deleting "*(c) Require*" and inserting: "*(d) Shall require*".

Amend sec. 3, page 1, line 16, by deleting "*this chapter.*" and inserting: "*NRS 31A.020 to 31A.230, inclusive, and sections 2 and 3 of this act.*".

Amend the bill as a whole by renumbering sections 4 through 12 as sections 14 through 22 and adding new sections designated sections 4 through 13, following sec. 3, to read as follows:

"Sec. 4. *In any proceeding in which the court orders a parent to pay any amount for the support of a child, the court may also order the parent to assign to the person entitled to the payment of support, or that person's legal representative, that portion of the wages or commissions of the parent which are due or to become due and are sufficient to pay the amount ordered by the court for the support.*

Sec. 5. *1. The court shall order the responsible parent who is subject to a previous order for support of a child, to make an assignment of his wages or commissions, due or to become due, upon application in writing, verified by the person entitled to the support, that the responsible parent is delinquent in paying support in an amount equal to the amount he was ordered to pay as support for a 30-day period.*

2. Within 10 days after the court has entered its order, the person entitled to the support or his legal representative, shall send notice by certified mail to the last known address of the responsible parent, advising him that the assignment will go into effect 15 days after the day on which the notice was sent.

3. The responsible parent may, at any time before the assignment goes into effect, request a hearing before the court on the issue of whether the assignment should be made. If the court receives a request, it shall schedule a hearing and stay the effect of the assignment until after the hearing. If the responsible parent establishes at the hearing that payments were made substantially at the times and in amounts required by the order of the court, the court shall rescind its order of assignment.

4. An assignment pursuant to this section becomes effective:

(a) Fifteen days after the mailing of the notice by the applicant if the responsible parent has not requested a hearing; or

(b) When the court issues its decision after a hearing if it finds that the responsible parent has not complied with the order which awarded support.

5. If the assignment becomes effective, costs and attorney's fees may be assessed against the responsible parent.

Sec. 6. *NRS 31A.160 applies to all assignments of wages pursuant to sections 4 to 13, inclusive, of this act. The assignment:*

1. Must be calculated in accordance with NRS 31.295.

2. May include the amount of the current support due and a payment on the arrearages if previously ordered by a court of competent jurisdiction.

Sec. 7. *1. An order for an assignment issued pursuant to sections 4 to 13, inclusive, of this act, operates as an assignment and is binding upon any existing or future employer of the responsible parent upon whom a copy of the order is served by certified mail, return receipt requested. The order may be modified or revoked at any time by the court.*

2. For the purpose of enforcing the obligation for support, the employer shall cooperate with and provide relevant information concerning the responsible parent's employment to the person entitled to the support or that

person's legal representative. A disclosure made in good faith pursuant to this subsection does not give rise to any action for damages for the disclosure.

3. If the order for support is amended or modified, the person entitled to the payment of support or that person's legal representative shall notify the employer of the responsible parent to modify the amount to be withheld accordingly.

4. To reimburse him for his costs in making the payment pursuant to the assignment, the employer may deduct $3 from the amount paid to the responsible parent each time he makes a payment.

5. If an employer wrongfully refuses to honor an assignment or knowingly misrepresents the income of an employee, the court, upon request of the person entitled to the support or that person's legal representative, may enforce the order of assignment in the manner provided for the enforcement of a notice to withhold in section 2 of this act.

6. Compliance by an employer with an order of assignment operates as a discharge of the employer's liability to the employee as to that portion of the employee's wages or commissions affected.

Sec. 8. *An employer may not use assignments of wages and commissions for payments to collect an obligation of support as a basis for the discharge of an employee or for disciplinary action against the employee. An employer who discharges or disciplines an employee in violation of this section shall reinstate the employee with no loss of pay or benefits, is liable for any payments of support not paid and shall be fined $1,000. If an employee prevails in an action for reinstatement based on this section, the employer is liable, in an amount of not less than $2,500, for payment of the employee's costs and attorney's fees incurred in that action.*

Sec. 9. *In any proceeding where a court makes or has made an order of assignment of wages or commissions for the payment of support of a child to a parent receiving welfare payments for the maintenance of minor children, the court shall direct that payments made pursuant to the assignment be made to the welfare division. The district attorney may appear in any proceeding to enforce that order.*

Sec. 10. *1. The parent to whom support is ordered to be paid by assignment of wages or commissions shall notify the court and the employer of the responsible parent by any form of mail requiring a return receipt, of any change of address within a reasonable time after that change.*

2. If the employer or the legal representative of the person entitled to the payment for support is unable to deliver payments as required pursuant to sections 4 to 13, inclusive, of this act, within 3 months because of the failure of the person entitled to the support to notify the employer or his legal representative of a change of address, the employer or legal representative shall not make any further payments pursuant to the assignment and shall return all undeliverable payments to the employee.

Sec. 11. *The responsible parent may petition the court to terminate an order of assignment of wages or commissions if:*

1. The required payments have been withheld and paid for 18 consecutive months to the person entitled to the support; and

2. All arrearages have been paid.

Sec. 12. *1. Money may be withheld for support of a child pursuant to sections 4 to 13, inclusive, of this act, from any money due the responsible parent as a pension, an annuity, unemployment compensation, a benefit because of disability, retirement or other cause or as a return of contributions and interest, or due to some other person because of his death, from the state, a political subdivision of the state or an agency of either, a public trust, corporations or board or a system for retirement, disability or annuity established by a statute of this state.*

2. When a certified copy of any order of assignment is served by certified mail, return receipt requested, on any public entity described in subsection 1, other than the Federal Government, it shall comply with any request for a return of employee contributions by an employee named in the order by paying the contributions to the person entitled to the payment of support or that person's legal representative unless the entity has received a certified copy of an order terminating the order of assignment. A court may not directly or indirectly condition the issuance, modification or termination of, or condition the terms or conditions of, any order for the support of a child upon the issuance of such a request by an employee.

Sec. 13. *Upon receipt of money paid pursuant to sections 4 to 13, inclusive, of this act, the person entitled to the payment of support or that person's legal representative shall, within 10 days after such receipt, send written notice of that fact to the parties and the employer or agency withholding and transmitting the assignment.*".

Amend sec. 5, page 2, line 10, by deleting "30" and inserting "[30".

Amend sec. 5, page 2, by deleting line 11 and inserting: "payment for] *delinquent in paying the* support of a child [as ordered by a court, the person] *in an amount equal to the amount he has been ordered to pay for a 30-day period:*".

Amend sec. 6, page 3, line 1, before "*until*" by inserting: "*as provided in section 35 of this act,*".

Amend sec. 8, page 3, line 29, by deleting "10" and inserting "[10] *15*".

Amend sec. 8, page 3, line 39, by deleting: "for 30 days;" and inserting: "[for 30 days;] *in an amount equal to the amount he has been ordered to pay as support for a 30-day period;*".

Amend sec. 8, page 3, line 40, by deleting "or" and inserting "[or]".

Amend sec. 9, page 4, after line 22, by inserting:

"*4. The enforcing authority shall give written notice to the responsible parent. The notice must contain:*

(a) The decision of the court;

(b) The beginning date of any withholding ordered by the court; and

(c) A summary of the information which was given to the employer in the notice required by NRS 31A.070.".

Amend sec. 11, page 5, line 9, after "*employer*" by inserting "*and continuing*".

Amend sec. 11, page 5, line 15, after "*provide*" by inserting: "*the responsible parent's last known address and*".

Amend the bill as a whole by renumbering sec. 13 as sec. 24 and adding a new section designated sec. 23, following sec. 12, to read as follows:

"Sec. 23. NRS 31A.110 is hereby amended to read as follows:

31A.110 The enforcing authority may, pursuant to [this chapter,] *NRS 31A.020 to 31A.230, inclusive, and sections 2 and 3 of this act,* collect, by withholding, an obligation for support of a spouse or a former spouse under a valid order of a court, if the enforcing authority is also collecting support for a child of that spouse or former spouse from the same responsible parent and the child resides with the spouse or former spouse for whom the obligation of support is being collected.".

Amend sec. 13, page 5, line 39, by deleting "*to exceed*" and inserting "*less than*".

Amend sec. 13, page 6, line 3, by deleting "authority," and inserting: "authority [,] *or knowingly misrepresents the income of the employee,*".

Amend sec. 13, page 6, lines 4 and 5, by deleting: "*punished by a civil fine*" and inserting: "*ordered to pay punitive damages to the person to whom support is owed in an amount*".

Amend sec. 13, page 6, line 6, by deleting "*withholding.*" and inserting: "*withholding or knowingly misrepresented the income of the employee.*".

Amend the bill as a whole by renumbering sections 14 through 17 as sections 26 through 29 and inserting a new section, designated sec. 25, following sec. 13, to read as follows:

"Sec. 25. NRS 31A.150 is hereby amended to read as follows:

31A.150 1. Money may be withheld for support of a child pursuant to [this chapter] *NRS 31A.020 to 31A.230, inclusive, and sections 2 and 3 of this act,* from any money due the responsible parent as a pension, an annuity, unemployment compensation, a benefit because of disability, retirement or other cause or as a return of contributions and interest, or due to some other person because of his death, from the state, a political subdivision of the state or an agency of either, a public trust, corporation or board or a system for retirement, disability or annuity established by a statute of this state.

2. When a certified copy of the notice to withhold income is delivered by certified mail, return receipt requested, to a public entity described in subsection 1, it shall comply with the request and pay the amounts withheld as required in the notice to the enforcing authority.".

Amend sec. 16, page 6, line 32, by deleting "this chapter" and inserting: "[this chapter] *NRS 31A.020 to 31A.230, inclusive, and sections 2 and 3 of this act,*".

Amend sec. 17, page 7, line 25, by deleting "a new".

Amend sec. 17, page 7, by deleting line 26 and inserting: "the provisions set forth as sections 30 and 31 of this act.".

Amend the bill as a whole by renumbering sections 18 through 23 as sections 32 through 37, deleting lines 27 through 41 on page 7 and lines 1 through 15 on page 8 and adding new sections designated sections 30 and 31, following sec. 17, to read as follows:

"Sec. 30. *1. In an action to establish paternity the court may appoint a master to take testimony and recommend orders.*

2. The court shall appoint a master to hear all cases in a county to establish or enforce an obligation for the support of a child unless the district attorney obtains an exemption pursuant to subsection 5.

3. The master must be an attorney licensed to practice in this state. The master:

(a) Shall take testimony and establish a record;

(b) In complex cases may issue temporary orders for support pending resolution of the case;

(c) Shall make findings of fact, conclusions of law and recommendations for the establishment and enforcement of an order;

(d) May accept voluntary acknowledgments of paternity or liability for support and stipulated agreements setting the amount of support;

(e) May, subject to confirmation by the district court, enter default orders against a responsible parent who does not respond to a notice or service within the required time; and

(f) Has any other power or duty contained in the order of reference issued by the court.

4. The findings of fact, conclusions of law and recommendations of the master must be furnished to each party or his attorney at the conclusion of the proceeding or as soon thereafter as possible. Within 10 days after receipt of the findings of fact, conclusions of law and recommendations, either party may file with the court and serve upon the other party written objections to the report. If no objection is filed, the court shall accept the findings of fact, unless clearly erroneous, and the judgment may be entered thereon. If an objection is filed within the 10-day period, the court shall review the matter upon notice and motion.

5. The welfare division may exempt any county from the requirements of subsection 2 upon application to the welfare division by the district attorney of that county. The exemption must comply with the requirements of the Federal Government concerning proceedings for the collection of an obligation of support.

Sec. 31. *To the extent necessary to comply with the requirements of the Federal Government concerning the enforcement of the obligation of support of a child, to avoid jeopardizing the receipt by the welfare division of money from the Federal Government and to avoid subjecting the welfare division to other sanctions by the Federal Government, the disposition of cases to establish or enforce an obligation for support of a child must:*

1. Be 90 percent completed within 90 days after service of the notice of the proceedings;

2. Be 98 percent completed within 6 months after the service of the notice of the proceedings; and

3. Be completed within 1 year after the service of the notice of the proceeding.".

Amend sec. 19, page 8, line 30, by deleting: "*chapter 31A of*".

Amend sec. 19, page 8, line 31, after "*NRS*" by inserting: "*31A.020 to 31A.230, inclusive, and sections 2 and 3 of this act*".

Amend sec. 20, page 8, line 34, by deleting: "21 and 22" and inserting: "35 and 36".

Amend sec. 21, page 8, line 35, by deleting: "*not having physical custody*".

Amend sec. 21, page 8, lines 37 and 38, by deleting: "*pay the support so*" and inserting: "*make the payments for the support as previously*".

Amend sec. 22, page 8, line 39, after "*this*" by inserting: "*or any other*".

Amend sec. 22, page 9, line 10, after "*notice*" by inserting: "*by certified mail, return receipt requested,*".

Amend sec. 22, page 9, line 24, after "*this*" by inserting: "*or any other*".

Amend the bill as a whole by deleting sec. 24 and renumbering sections 25 through 35 as sections 38 through 48.

Amend sec. 25, page 10, line 29, by deleting: "*chapter 31A of NRS*" and inserting: "*NRS 31A.020 to 31A.230, inclusive, and sections 2 and 3 of this act,*".

Amend sec. 26, page 11, line 1, by deleting "*22*" and inserting "*36*".

Amend sec. 27, page 11, line 9, by deleting: "*21 and 22*" and inserting: "*35 and 36*".

Amend sec. 28, page 11, line 21, by deleting "*to seek*" and inserting: "*to:*

(a) Collect arrearages in the amount of that support; or

(b) Seek".

Amend sec. 31, page 12, lines 25 and 26, by deleting: "*chapter 31A of NRS*" and inserting: "*NRS 31A.020 to 31A.230, inclusive, and sections 2 and 3 of this act,*".

Amend sec. 31, page 12, line 31, by deleting: "*at least 30 days,*" and inserting: "*in an amount equal to the amount the responsible parent has been ordered to pay as support for a 30-day period,*".

Amend sec. 33, page 13, line 12, by deleting "*32*" and inserting "*45*".

Amend the title of the bill by deleting the fourth line and inserting: "authorizing the assignment of wages; providing a".

Assemblyman Gaston moved the adoption of the amendment.

Remarks by Assemblyman Gaston.

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 Judiciary:

Amendment No. 955.

Amend section 1, page 1, line 2, by deleting: "to 6, inclusive," and inserting: ", 3 and 4".

Amend sec. 2, page 1, line 4, by deleting: "to 6, inclusive," and inserting: ", 3 and 4".

Amend sec. 2, pages 1 and 2, by deleting lines 5 through 10 on page 1 and line 1 on page 2 and inserting: "context otherwise requires:

1. "Gross monthly income" means the total amount of income from any source of a wage-earning employee or the gross income from any source of a self-employed person, after deduction of all legitimate business expenses, but without deduction for personal income taxes, contributions for retirement benefits, contributions to a pension or for any other personal expenses.

2. "Obligation for support" means the amount determined according to the following schedule:

(a) For one child, 18 percent;

(b) For two children, 25 percent;

(c) For three children, 29 percent;

(d) For four children, 31 percent; and

(e) For each additional child, an additional 2 percent,

of a parent's gross monthly income, but not more than $500 per month per child for an obligation for support determined pursuant to paragraphs (a) to (d), inclusive.".

Amend sec. 3, page 2, by deleting lines 2 through 34 and inserting:

"Sec. 3. 1. A court shall apply the appropriate formula set forth in subsection 2 of section 2 of this act to:

(a) Determine the required support in any contested case involving the support of children.

(b) Regarding any request filed after July 1, 1987, change the amount of the required support of children.

2. If the parties disagree as to the amount of the gross monthly income of either party, the court shall determine the amount and may direct either party to furnish financial information or other records, including income tax returns for the preceding 3 years. Once a court has established an obligation for support by reference to a formula set forth in subsection 2 of section 2 of this act, any modification of that support must be based upon changed circumstances.

3. Notwithstanding the formulas set forth in subsection 2 of section 2 of this act, the minimum amount of support that may be awarded by a court in any case is $100 per month per child, unless the court makes a written finding that the obligor is unable to pay the minimum amount. Willful underemployment or unemployment is not a sufficient cause to deviate from the awarding at least the minimum amount.

4. It is presumed that the basic needs of a child are met by the formulas set forth in subsection 2 of section 2 of this act. This presumption may be rebutted by evidence proving that the needs of a particular child are not met by the applicable formula.

5. If the amount of the awarded support for a child is greater or less than the amount which would be established under the applicable formula, the court shall set forth findings of fact as to the basis for the deviation from the formula.

6. Expenses for health care which are not reimbursed, including, but not limited to, expenses for medical, surgical, dental, orthodontic and optical expenses, must be borne equally by both parents in the absence of extraordinary circumstances.

7. If a parent who has an obligation for support is willfully underemployed or unemployed, that obligation must be based upon the parent's true potential earning capacity.

8. The court shall consider the following factors when adjusting the amount of support of a child upon specific findings of fact:".

Amend sec. 3, page 2, line 40, by deleting "the custodial" and inserting "either".

Amend sec. 3, page 2, line 41, by deleting "and".

Amend sec. 3, page 3, by deleting line 2 and inserting: "confinement;

(i) The cost of transportation of the child to and from visitation if the custodial parent moved with the child from the jurisdiction of the court which ordered the support and the noncustodial parent remained;

(j) The amount of time the child spends with each parent; and

(k) Any other necessary expenses for the benefit of the child.".

Amend sec. 4, page 3, by deleting lines 3 and 4 and inserting:

"Sec. 4. 1. A parent shall support beyond the age of majority his child who is physically or mentally handicapped until the child is no longer handicapped or until the child".

Amend sec. 4, page 3, by inserting between lines 6 and 7:

"2. For the purposes of this section, a child is self-supporting if he receives public assistance beyond the age of majority and that assistance is sufficient to meet his needs.".

Amend the bill as a whole by deleting sections 5 through 8 and renumbering sec. 9 as sec. 5.

Amend the title of the bill to read as follows:

"An Act relating to the support of children; providing formulas to determine the amount of support; requiring the responsible parent to keep current his written statement concerning his ability to support his child; and providing other matters properly relating thereto.".

Assemblyman Callister moved the adoption of the amendment.

Remarks by Assemblymen Callister, Swain, Gaston and Myrna Williams.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 461.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 973.

Amend the bill as a whole by deleting sections 1, 2 and 3 and adding new sections designated sections 1 through 7, following the enacting clause, to read as follows:

"Section 1. As used in this act, unless the context otherwise requires:

1. "Commission" means the advisory commission on the evaluation and education of persons found guilty of driving while intoxicated; and

2. "Department" means the department of motor vehicles and public safety.

Sec. 2. The advisory commission on the evaluation and education of persons found guilty of driving while intoxicated, consisting of the governor or his designated representative, and 12 other members appointed by the governor, is hereby created.

Sec. 3. 1. The governor shall appoint as members of the commission, to serve at his pleasure:

(a) One representative from the bureau of alcohol and drug abuse in the rehabilitation division of the department of human resources, whose duties include participation in the certification of facilities for the treatment of alcohol and drug abusers;

(b) One representative from the department, whose duties include participation in the approval of educational courses on the abuse of alcohol and controlled substances;

(c) One person who serves as a municipal judge or justice of the peace in Clark County;

(d) One person who serves as a municipal judge or justice of the peace in a county other than Clark County;

(e) Two persons who assist in the administration of municipal or justices' courts, one of whom serves in Clark County and one of whom serves in another county;

(f) One representative from a nonprofit facility providing treatment and counseling for the abuse of alcohol and controlled substances which receives a majority of its funding from the state and its political subdivisions;

(g) One representative from a facility providing treatment and counseling for the abuse of alcohol and controlled substances which does not receive a majority of its funding from the state and its political subdivisions;

(h) One representative from a facility that provides an educational course on the abuse of alcohol and controlled substances;

(i) One representative from the state legislature; and

(j) Two persons as representatives of the general public.

No more than six members of the commission may be from the same county.

2. The governor, or his designated representative, shall serve as the chairman of the commission. The commission shall meet at the call of the chairman as often as the chairman deems necessary. Seven members of the commission constitute a quorum. If a member of the commission is

unable to attend a meeting, he may be represented by an alternate who is approved by the chairman. The terms of the members of the commission expire on July 1, 1989.

3. The department shall appoint one of its employees, whose duties include the coordination of federal programs or the disbursement of federal money for highway or traffic safety, to advise and assist the commission in the performance of its duties pursuant to this act.

Sec. 4. 1. The commission shall make recommendations to the department for the adoption of regulations concerning:

(a) Standards for the fees and curricula of educational courses on the abuse of alcohol and controlled substances; and

(b) Standards and procedures for the certification of instructors for those courses.

2. The department shall, before January 1, 1988, consider the recommendations of the commission and adopt regulations concerning the matters set forth in subsection 1.

Sec. 5. 1. The department may establish one or more temporary programs, subject to the availability of money from the Federal Government for that purpose, for:

(a) The mandatory evaluation of persons found guilty of a first or second violation of NRS 484.379 within 7 years to determine whether the offender is an alcoholic or abuser of drugs; and

(b) The mandatory participation of such an offender, at his own expense, in an educational course on the abuse of alcohol and controlled substances that conforms to the regulations adopted pursuant to section 4 of this act.

2. A county or city may:

(a) Participate in a temporary program established pursuant to subsection 1;

(b) Enact any ordinances, not in conflict with state law, necessary to carry out such a program; and

(c) Impose an assessment of not more than $100, to pay for part of the cost of the program, upon each offender who participates in such a program.

Sec. 6. The commission shall:

1. Review and monitor, in consultation and cooperation with the department, each program established pursuant to section 5 of this act;

2. Evaluate the effectiveness of each such program; and

3. Present its report and any recommendations for legislation to the 65th session of the legislature.

Sec. 7. This act expires by limitation on July 1, 1989.".

Amend the title of the bill to read as follows:

"An Act relating to traffic laws; creating the advisory commission on the evaluation and education of persons found guilty of driving while intoxicated; requiring the adoption of regulations and authorizing temporary programs for the education of such persons on the abuse of alcohol and controlled substances; and providing other matters properly relating thereto.".

Amend the summary of the bill to read as follows: "Creates advisory commission on evaluation and education of persons found guilty of driving while intoxicated and authorizes temporary programs to educate such persons on abuse of alcohol and controlled substances. (BDR 43-1158)".

Assemblyman Triggs moved the adoption of the amendment.

Remarks by Assemblyman Triggs.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 578.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 596.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 1093.

Amend sec. 2, page 1, line 12, after the period, by inserting: "*The board of regents may agree with any of its employees to defer the compensation due to them as authorized by 26 U.S.C. § 403(b), without submitting the program to the committee for its approval.*".

Amend sec. 2, page 2, line 10, after the period, by inserting: "*This subsection does not apply to any part of the program for which the property and rights may be, according to federal law, vested with the employee without loss of the tax benefit of the deferral.*".

Assemblyman Adler moved the adoption of the amendment.

Remarks by Assemblyman Adler.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 599.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1124.

Amend section 1, page 1, line 2, by deleting "7," and inserting "8,".

Amend sec. 2, page 1, line 6, after the period, by inserting: "*The district court may refer the petition to a master appointed pursuant to chapter 62 or 432B of NRS.*".

Amend sec. 3, page 1, line 8, after "*writing*" by inserting: ", *verified by the petitioner*".

Amend sec. 3, page 1, line 13, by deleting "*and*".

Amend sec. 3, page 1, line 15, by deleting "*guardian.*" and inserting: "*guardian;*

(f) That the minor willingly lives apart from his parents or legal guardian with the consent or acquiescence of his parents or legal guardian;

(g) That the minor is managing his own financial affairs;

(h) That the source of the minor's income is not derived from any activity declared to be a crime by the laws of this state or the United States; and

(i) That the minor is attending school or has been excused from attending school pursuant to NRS 392.040 to 392.125, inclusive.".

Amend sec. 5 by deleting line 41 on page 2 and lines 1 and 2 on page 3 and inserting:

"*(a) The parents or legal guardian of the minor or if the parents or legal guardian cannot be found, the nearest known relative of the minor residing within this state, if any;*

(b) The legal custodian of the minor, if any;

(c) The appropriate probation officer for his review and recommendation, if the minor is a ward of the court; and

(d) The district attorney of the county in which the matter is to be heard.".

Amend sec. 5, page 3, by deleting lines 5 through 8 and inserting: "*that rule. Evidence must be presented to the court if addresses of those required to be served are unknown or for any other reason notice cannot be given.*

3. The court shall hold a hearing on all petitions filed pursuant to sections 2 to 8, inclusive, of this act.".

Amend sec. 6, page 3, line 15, after "*3.*" by inserting: "*The court may request copies of records in the custody of the school district, the probation office, the welfare division of the department of human resources or any other public or private agency to assist in making its determination. The court may further request a recommendation from the probation officer, the welfare division or any other public or private agency that may have communicated with the minor regarding the petition.*

4.".

Amend sec. 6, page 3, line 20, by deleting "*and*".

Amend sec. 6, page 3, line 22, by deleting the period and inserting: "*; and*

(d) Whether emancipation is in the best interest of the minor.".

Amend sec. 7, page 3, by deleting lines 25 through 28 and inserting:

"*2. A decree so entered is conclusive and binding.*".

Amend sec. 7, page 3, line 32, by deleting "*; and*" and inserting "*;*".

Amend sec. 7, page 3, line 34, by deleting "*therein.*" and inserting: "*therein;*

(d) The consenting to medical, dental or psychiatric care without parental consent, knowledge or liability;

(e) The enrolling in any school or college; and

(f) The establishment of his own residence.".

Amend sec. 7, page 4, line 8, by deleting "*or*".

Amend sec. 7, page 4, line 9, after "*(d)*" by inserting: "*Governs matters relating to referrals for delinquent acts and violation of NRS 392.040 to 392.125, inclusive, unless the minor has been certified by the juvenile division of the district court for trial as an adult pursuant to chapter 62 of NRS; or*

(e)".

Amend sec. 7, page 4, by inserting between lines 10 and 11:

"*6. A petition may be filed by any person or by any public agency to void a decree of emancipation on the following grounds:*

(a) The minor has become indigent and has insufficient means of support; or

(b) The decree of emancipation was obtained by fraud, misrepresentation or the withholding of material information.

7. The voiding of any decree of emancipation must not alter any contractual obligations or rights or any property rights or interests which arose during the period that the decree was in effect.".

Amend the bill as a whole by renumbering sections 8 through 11 as sections 9 through 12, and adding a new section designated sec. 8, following sec. 7, to read as follows:

"Sec. 8. *The method of emancipation of a minor provided for in sections 2 to 8, inclusive, of this act, is in addition to and not in substitution of, any other method of emancipation provided by statute or common law.*".

Amend sec. 8, page 4, line 14, by deleting "*7,*" and inserting "*8,*".

Amend sec. 11, page 5, line 11, by deleting "*7,*" and inserting "*8,*".

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. 704.

Bill read second time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1113.

Amend section 1, page 1, by deleting lines 1 through 4 and inserting:

"Section 1. 1. There is hereby appropriated from the state general fund to the City of Las Vegas the sum of $80,000 for distribution to the Doolittle Community Center for the operation of a tutorial program for disadvantaged youths and the establishment of a Big Brother/Big Sister program.

2. The City of Las Vegas shall account for the sum appropriated by subsection 1 separately from its other money and use the sum only for the purposes set forth in subsection 1.".

Amend the title of the bill, first line, by deleting: "Doolittle Community Center" and inserting: "City of Las Vegas".

Amend the summary of the bill by deleting: "Doolittle Community Center." and inserting: "City of Las Vegas.".

Assemblyman Wendell Williams moved the adoption of the amendment.

Remarks by Assemblyman Wendell Williams.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 790.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1126.

Amend sec. 2, page 2, line 41, by deleting: "*amount of time spent on the matter, the*".

Amend sec. 3, page 4, line 37, by deleting "services, including" and inserting: "services . [, including] *The exercise of the power of eminent domain may include*".

Amend sec. 3, page 5, line 2, by inserting an open bracket before "exercise".

Amend sec. 3, page 5, line 3, by deleting "domain," and inserting: "domain,] *use of the wires, conduits, cables or poles,*".

Amend sec. 26, pages 13 and 14, by deleting lines 27 through 42 on page 13 and lines 1 through 23 on page 14, and inserting:

"Sec. 26. (Deleted by amendment.)".

Amend the bill as a whole by deleting sec. 63 and renumbering sections 64 and 65 as sections 63 and 64.

Amend the bill as a whole by adding a new section designated sec. 65, preceding sec. 66, to read as follows:

"Sec. 65. Section 1 of chapter 198, Statutes of Nevada 1987, is hereby amended to read as follows:

Section 1. NRS 483.330 is hereby amended to read as follows:

483.330 1. The department shall examine every applicant for a driver's license. The examination must include:

(a) A test of the applicant's ability to read and understand official devices used to control traffic;

(b) A test of his knowledge of practices for safe driving and the traffic laws of this state;

(c) Except as otherwise provided in subsection 2, a test of his eyesight; and

(d) Except as otherwise provided in subsection 3, an actual demonstration of his ability to exercise ordinary and reasonable control in the operation of a motor vehicle of the type or class of vehicle for which he is to be licensed.

The examination may also include such further physical and mental examination as the department finds necessary to determine the applicant's fitness to drive a motor vehicle safely upon the highways.

2. The department may provide by regulation for the acceptance of a report from an ophthalmologist or optometrist in lieu of an eye test by a driver's license examiner.

3. If the department establishes a type or classification of driver's license to operate a motor vehicle of a type which is not normally available to examine an applicant's ability to exercise ordinary and reasonable control of such a vehicle, the department may, by regulation, provide for the acceptance of an affidavit from a [past,] :

(a) Past, present or prospective employer of the applicant *; or*

(b) Local joint apprenticeship committee which had jurisdiction over the training or testing, or both, of the applicant,

in lieu of an actual demonstration.".

Amend sec. 66, page 31, line 13, by deleting "1.".

Amend sec. 66, page 31, by deleting line 16.

Amend sec. 67, page 31, line 17, by deleting "58" and inserting "61".

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. 835.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 394.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1183.

Amend section 1, page 1, line 2, by deleting "12," and inserting "13,".

Amend sec. 3, page 1, line 9, by deleting "*12,*" and inserting "*13,*".

Amend the bill as a whole by deleting sections 4 through 19, and inserting:

"Sec. 4. *"Live broadcast" means an audio and video transmission of a race, or series of races, as it occurs at a track and which is furnished by a disseminator to a user for a fee.*

Sec. 5. *"Racing meet" means a series of scheduled races held at a track for a specified period.*

Sec. 6. *"Track" means a facility licensed to operate horse or other racing where pari-mutuel wagering on races is conducted.*

Sec. 7. *"User" means an operator of a race book, sports pool or gambling game who is licensed in this state and receives and displays a live broadcast within this state and uses information contained in the broadcast, which is verified independently by the disseminator, to determine winners of or payoffs on wagers he accepts.*

Sec. 8. *1. A disseminator who wishes to submit a proposal for the exclusive right to disseminate a live broadcast for a racing meet to users shall give written notice to the board not earlier than 180 days nor later than 100 days before the racing meet begins. The board may provide for a shorter period of notice.*

2. Within 10 days after it receives such a notice, the board shall give written notice to each disseminator and user of its intention to conduct a hearing to determine which disseminator will receive the exclusive right to disseminate a live broadcast for a racing meet to users.

3. The notice given by the board must contain the date, time and place of the hearing and any other information the commission, with the advice and assistance of the board, may prescribe by regulation.

Sec. 9. *1. The board shall appoint a hearing panel, consisting of three members, to conduct the hearing. The commission, with the advice and assistance of the board, shall prescribe by regulation the qualifications of those members.*

2. The members of the panel are entitled to receive the necessary expenses incurred in carrying out their duties as prescribed by the board. The expenses must be paid from the account for the operation of hearing panels.

3. The board may enter into agreements necessary to provide for the services of the members of the hearing panels appointed pursuant to this section.

4. The board shall provide from its staff such additional personnel as it deems necessary to carry out the provisions of this section.

Sec. 10. *1. The hearing panel shall keep a record of the hearing and allow any disseminator or user to present oral or written testimony at the hearing.*

2. At the hearing each interested disseminator shall present a proposal for the exclusive right to disseminate a live broadcast to users.

3. A user may present evidence in support of or in opposition to any proposal presented by a disseminator, except that a user may not offer an opinion as to which disseminator the panel should recommend to the board.

4. Within 10 days after the hearing is completed, the hearing panel shall select the proposal of one disseminator from the proposals presented at the hearing and submit to the board the name of that disseminator as its recommendation.

5. The board may accept or reject the recommendation of the hearing panel. If the board rejects the recommendation, it may select any other disseminator who presented a proposal at the hearing, or may reject all proposals presented at the hearing.

6. The commission, with the advice and assistance of the board, shall adopt regulations prescribing the information and documentation each disseminator must include in his proposal.

Sec. 11. *1. Any disseminator who presents a proposal or user who presents evidence at the hearing conducted pursuant to section 10 of this act, may appeal the decision of the board. The aggrieved party must file a petition with the commission within 10 days after the board issues its decision.*

2. The party seeking the review bears the burden of proof. The commission's review must be confined to the record and is limited solely to a consideration and determination of the question of whether there has been an abuse of discretion by the board in its decision.

3. The decision of the commission is final and is not subject to judicial review.

Sec. 12. *The board may:*

1. Authorize a disseminator to enter into an agreement with a track to disseminate to users a live broadcast which is received from the track.

2. Establish fees to be paid by a user of a live broadcast in an amount which is equal to the cost of carrying out the provisions of sections 3 to 13, inclusive, of this act.

3. The board shall deposit the fees with the state treasurer for credit to the account for the operation of hearing panels. Any interest earned on money in the account must be credited to that account.

Sec. 13. *No live broadcast may be used or disseminated unless the rights for that broadcast have been secured by a disseminator authorized by the board pursuant to section 10 of this act.*

Sec. 14. 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 2 of this act,* unless the context otherwise requires, have the meanings ascribed to them in those sections.

Sec. 15. NRS 463.445 is hereby amended to read as follows:

463.445 1. [The] *Except as otherwise provided in subsection 3, the* commission shall fix, regulate and control the rates to be charged by any disseminator of information concerning racing held at a track which uses the pari-mutuel system of wagering, but the rates must be just and reasonable.

2. The commission may require any licensee who subscribes to a disseminator's service to report financial information relating to wagering and amounts won on each track or event, and may publish this information to ensure that the rates are just and reasonable.

3. The provisions of subsection 1 do not apply to the rates to be charged for the dissemination of live broadcasts.

Sec. 16. 1. There is hereby appropriated from the state general fund to the state gaming control board the sum of $10,000 for conducting hearings pursuant to section 10 of this act.

2. The board shall repay the amount so appropriated to the state treasurer for deposit in the state general fund within 1 year after the board receives the appropriation.

Sec. 17. 1. Section 13 of this act becomes effective on November 1, 1987.

2. This section and all remaining sections of this act become effective upon passage and approval.".

Amend the title of the bill to read as follows:

"An Act relating to gaming; requiring the state gaming control board to appoint hearing panels to conduct hearings governing the right to disseminate certain live broadcasts in this state; authorizing the state gaming control board to award the exclusive right to disseminate certain live broadcasts in this state; making an appropriation; and providing other matters properly relating thereto.".

Amend the summary of the bill to read as follows: "Revises provisions relating to dissemination of certain live broadcasts in Nevada. (BDR 41-1302)".

Assemblyman Sader moved the adoption of the amendment.

Remarks by Assemblyman Sader.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Assembly Bills Nos. 760, 773 and Assembly Joint Resolution No. 13 be placed on the Second Reading File.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 760.

Bill read second time.

The following amendment was proposed by the Committee on Health and Welfare:

Amendment No. 1039.

Amend section 1, page 1, by deleting lines 2 through 8 and inserting:

"449.200 [Information received by the health division and records kept under the provisions of NRS 449.001 to 449.240, inclusive, are confidential and shall be disclosed only to the state comprehensive health planning agency or in a proceeding involving the granting or revocation of a license, or the accreditation of a hospital by the Joint Commission on Accreditation of Hospitals.]".

Amend section 1, page 1, line 9, by deleting "2.".

Assemblyman Arberry moved the adoption of the amendment.

Remarks by Assemblyman Arberry.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 773.

Bill read second time.

The following amendment was proposed by the Committee on Health and Welfare:

Amendment No. 1098.

Amend the bill as a whole by deleting sections 1 through 4 and adding new sections designated sections 1 and 2, following the enacting clause, to read as follows:

"Section 1. Chapter 422 of NRS is hereby amended by adding thereto a new section to read as follows:

The welfare division shall:

1. Develop a single form for applying for all types of public assistance provided by the division.

2. Combine the use of the form required by subsection 1 with a method of identification of recipients of public assistance.

3. Provide counseling and other information to applicants for public assistance on the most effective and efficient way to obtain the federal, state and local assistance to which the applicant is entitled.

4. Adopt such regulations as are necessary to carry out the provisions of this section.

Sec. 2. The welfare division of the department of human resources shall begin using the single form developed pursuant to section 1 of this act on or before July 1, 1988, and report to the 65th session of the legislature on the results of the use of that form.".

Assemblyman Arberry moved the adoption of the amendment.

Remarks by Assemblyman Arberry.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Joint Resolution No. 13.

Resolution read second time.

The following amendment was proposed by the Committee on Legislative Functions:

Amendment No. 1140.

Amend the resolution, page 1, by deleting lines 4 through 11 and inserting:

"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,] *commence annually on the 1st Monday of March and shall adjourn sine die no later than 60 calendar days thereafter. Any legislative action taken after the 60th day is void,* unless the Governor of the State , [shall,] in the interim, [convene] *convenes* the Legislature by proclamation.".

Amend the title of the resolution by deleting the second and third lines and inserting: "constitution to provide for limited annual sessions of the legislature.".

Amend the summary of the resolution to read as follows: "Proposes to amend Nevada constitution to provide for limited annual sessions of legislature. (BDR C-314)".

Assemblyman Price moved the adoption of the amendment.

Remarks by Assemblyman Price.

Amendment adopted.

Resolution ordered reprinted, engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

By the Committee on Elections:

Assembly Concurrent Resolution No. 67—Encourages the Commission on Ethics to publish abstracts of its opinions.

Assemblyman Swain moved that the resolution be referred to the Committee on Elections.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Judiciary:

Assembly Bill No. 867—An Act relating to mobile home parks; requiring rental agreements of certain duration upon the request of the tenant; limiting increases in rent and other charges pursuant to such agreements; authorizing the assignment of such agreements; and providing other matters properly relating thereto.

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

Motion carried.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bills Nos. 139, 245, 471, 668, 744, 755; Senate Bills Nos. 14, 103, 146, 148, 166, 169, 232, 233, 281, 374, 395, 424, 503, 505.

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 Mss. Teri Horton, Diana Whiting and the fourth grade students of Roy Gomm Elementary School: Lorraine Domini, Rosie Dooley, Gini Ostrom, Janis Ocean, Jody Benesch, Stacy Cohn, Ryan Daggett, Jennifer Dillon, Melissa Dooley, Scot Domini, Steven Kosach, Nathaniel Nicks, Jamie Ocean, Jason Ostrom, John Peterson, Jessa Norman, Marika Ponton, Nancy Tang, Scott Williams, Clay Smith, Stephanie Turner, Clinton Vernon, Eli Harris, Chris Nelson, Matt Green, Cody Remaklus, Brian Hoke, Brian Atkinson, Matt Chumrah, Erin Dennison, Ryan DeBardelaban, Erin Egan, Cara Fredianelli, Charlie Hoke, Joshua Jones, Matt Dobra, Greg DeYoung, Suzanne Truchard, Tom Keefhaver, Kyle Post, Andy McKennie, Tim Pollard, Katie Rueckl, Kimberly Ford, Ryan Olsen, Devon Moore, Craig Scott, James Murphy, Damon Spear, Lela Williams, Luke Hansen, Sherry Keefhaver, Pauline Helms and John Dobra.

On request of Assemblyman Spriggs, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Harold "Butch" Heater, Gary Click, Jason Vaghe, Rick Cole, Dan Shoop, Mike Vincent, Mss. Terry Foster, Sharon Black and the fourth grade students of Hawthorne Elementary School: Justin Manor, J. D. Fenison, Jerry Witner, Robbie Crimm, Ebony Young, Paul Heater, Eric Cornelius, Davie Pascale, Sierra Vincent, Becky Boley, Ryan Clarke, Daniel Cottrell, Jim Foster, Monica Moore, Melissa Shoop, Amber Folland, Thelesha Montoya, Laurie Palmer, Vicky Burrage, Candy Page, Misty Jones, Yuan Tova, Amber Weaver, Kellie Carlson and Brandi Oberhausli.

On request of Assemblyman Wisdom, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Angie Wallin.

On request of Assemblyman Marvel, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Lori Stevens.

Assemblyman Jeffrey moved that the Assembly adjourn until Wednesday, June 3, 1987 at 10 a.m.

Motion carried.

Assembly adjourned at 1:15 p.m.

Approved: JOSEPH E. DINI, JR.
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE ONE HUNDRED AND THIRTY-SIXTH DAY

CARSON CITY (Wednesday), June 3, 1987

Assembly called to order at 10:10 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, Mr. Monte C. Fast.

Let us pray, Eternal Father, on this day, a gift from You, we offer thanksgiving for the good in life. We understand that all good springs from Your eternal hand, and is given to us as responsible stewards of Your creation. Grant that we may serve each other on this day and in so doing, serve You. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Nevin moved that further reading of the Journal be dispensed with, and the Speaker and Chief Clerk be authorized to make the necessary corrections and additions.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Legislative Functions, to which was referred Assembly Joint Resolution No. 42, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

MYRNA WILLIAMS, *Chairman*

Mr. Speaker:

Your Committee on Taxation, to which was referred Assembly Bill No. 698, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

PAUL W. MAY, *Chairman*

Mr. Speaker:

Your Committee on Taxation, to which was referred Senate Bill No. 230, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

PAUL W. MAY, *Chairman*

Mr. Speaker:

Your Committee on Legislative Functions, 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: Amend, and do pass as amended.

MYRNA WILLIAMS, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which were referred Assembly Bill No. 806; Senate Bills Nos. 268, 396, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ROBERT M. SADER, *Chairman*

Mr. Speaker:

Your Committee on Education, to which was referred Senate Bill No. 467, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

ROBERT G. CRADDOCK, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which was re-referred Senate Bill No. 412, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

MARVIN M. SEDWAY, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which was referred Senate Bill No. 45, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ROBERT M. SADER, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which were referred Senate Bills Nos. 491, 544, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

DANNY L. THOMPSON, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Government Affairs, 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, as amended.

DANNY L. THOMPSON, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which was re-referred Assembly Bill No. 516, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass, as amended.

MARVIN M. SEDWAY, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which were referred Assembly Bills Nos. 143, 244; Senate Bills Nos. 531, 532, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

MARVIN M. SEDWAY, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which were referred Assembly Bills Nos. 737, 828, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

MARVIN M. SEDWAY, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Senate Bill No. 378, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

DANNY L. THOMPSON, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, June 2, 1987

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 214, 298, 308, 447, 601, 779.

Also, I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bill No. 374, and respectfully requests your honorable body to concur in said amendment.

Also, I have the honor to inform your honorable body that the Senate on this day respectfully refused to recede from its action on Assembly Bill No. 320 and requests a conference, and appointed Senators Vergiels, O'Donnell 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 passed Assembly Joint Resolution No. 34.

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, 376.

MARY JO MONGELLI
Assistant Secretary of the Senate

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Government Affairs:

Assembly Bill No. 868—An Act relating to real property; requiring that any agreement creating a joint venture involving real property be in writing; and providing other matters properly relating thereto.

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

Motion carried.

SECOND READING AND AMENDMENT

Senate Bill No. 35.

Bill read second time.

The following amendment was proposed by the Committee on Health and Welfare:

Amendment No. 1030.

Amend sec. 2, page 1, by deleting lines 3, 4 and 5 and inserting:

"Sec. 2. *"Trauma" means any acute injury which, according to standardized criteria for triage in the field, involves a significant risk of death or the precipitation of a major disease.*".

Assemblyman Arberry moved the adoption of the amendment.

Remarks by Assemblyman Arberry.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 194.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1159.

Amend section 1, page 1, line 3, by deleting "*A*" and inserting: "*Except as otherwise provided in subsection 3, a*".

Amend section 1, page 2, by inserting between lines 8 and 9:

"*3. The provisions of subsection 1 do not apply to a distributor or manufacturer licensed by the commission to distribute gaming devices.*".

Amend sec. 3, page 3, line 4, after the period, by inserting: "*For the purposes of this section, cash or the value of noncash prizes awarded to patrons in a contest or tournament are not losses.*".

Amend sec. 4, page 3, by inserting between lines 23 and 24:

"*3. Notwithstanding the provisions of subsection 4 of NRS 463.120:*

(a) The board, commission and their agents and employees shall not release or disclose any information, documents or communications provided by an applicant or licensee which are privileged pursuant to chapter 49 of NRS, without the prior written consent of the applicant or licensee, or pursuant to a lawful court order after timely notice of the proceedings has been given to the applicant or licensee.

(b) The board and commission shall maintain all privileged information, documents and communications in a secure place accessible only to members of the board and commission and their authorized agents and employees.

(c) The board and commission shall adopt procedures and regulations to protect the privileged nature of information, documents and communications provided by an applicant or licensee.".

Amend the title of the bill, seventh line, after the semicolon, by inserting: "requiring privileged information to be maintained in a secure place;".

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

Assemblyman Sedway moved that Senate Bill No. 235 be taken from the Second Reading File and placed on the Chief Clerk's desk.

Motion carried.

Assemblyman Jeffrey moved that Assembly Bills Nos. 7, 212, 315, 332, 394, 395, 424, 425, 461, 596, 599, 693, 704, 760, 773, 790; Assembly Joint Resolutions Nos. 13 and 44 be placed on the General File immediately following Assembly Bill No. 851.

Motion carried.

Assemblyman Jeffrey moved that the Assembly recess until 10:32 a.m.

Motion carried.

Assembly in recess at 10:21 a.m.

ASSEMBLY IN SESSION

At 11:16 a.m.

Mr. Speaker presiding.

Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Judiciary, to which were referred Assembly Bills Nos. 360, 809, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ROBERT M. SADER, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, June 3, 1987

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. 431.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

By the Committee on Education:

Assembly Concurrent Resolution No. 68—Directing the director of the Department of General Services to conduct an interim study relating to telecommunications in Nevada.

Assemblyman Craddock moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Economic Development, Small Business and Tourism:

Assembly Bill No. 869—An Act relating to the state librarian; revising the duties of the state librarian concerning the custody of certain records; and providing other matters properly relating thereto.

Assemblyman Spinello moved that the bill be referred to the Committee on Economic Development, Small Business and Tourism.

Motion carried.

By the Committee on Natural Resources, Agriculture and Mining:

Assembly Bill No. 870—An Act relating to fishing; authorizing the board of wildlife commissioners to declare one day per year as a day for fishing without a license; and providing other matters properly relating thereto.

Assemblyman Schofield moved that the bill be referred to the Committee on Natural Resources, Agriculture and Mining.

Motion carried.

Senate Bill No. 431.

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

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 107.

Bill read third time.

Remarks by Assemblyman Sader.

Roll call on Assembly Bill No. 107:

YEAS—42.

NAYS—None.

Assembly Bill No. 107 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 111.
Bill read third time.
Remarks by Assemblymen Sader and Fay.
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. 578.
Bill read third time.
Remarks by Assemblymen Sedway and Bergevin.
Roll call on Assembly Bill No. 578:

YEAS—27.
NAYS—Banner, Bergevin, Carpenter, DuBois, Fay, Garner, Getto, Humke, Kerns, Lambert, McGaughey, Marvel, Spriggs, Tebbs, Thomas—15.

Assembly Bill No. 578 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 772.
Bill read third time.
Remarks by Assemblyman Swain.
Roll call on Assembly Bill No. 772:

YEAS—42.
NAYS—None.

Assembly Bill No. 772 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Senate Bill No. 397 be taken from the Chief Clerk's desk and re-referred to the Committee on Commerce.
Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Commerce, to which was referred Senate Bill No. 262, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN E. JEFFREY, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which was referred Senate Bill No. 431, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

ROBERT M. SADER, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which was referred Assembly Bill No. 808, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ROBERT M. SADER, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Sader moved that all rules be suspended, reading so far had considered second reading, rules further suspended, Senate Bill No. 431 declared an emergency measure under the Constitution and placed on third reading and final passage.

Motion carried unanimously.

Assemblyman Sader moved that Senate Bill No. 431 be taken from its position on the General File and placed on the General File immediately following Assembly Joint Resolution No. 44.

Motion carried.

Assemblyman Jeffrey moved that Assembly Bill No. 308 be returned from enrollment.

Remarks by Assemblyman Jeffrey.

Motion carried.

Assemblyman Jeffrey moved that the vote whereby Assembly Bill No. 308 was passed be rescinded.

Motion carried.

Assemblyman Jeffrey moved that Assembly Bill No. 308 be taken from the General File and placed on the Chief Clerk's desk.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 811.

Bill read third time.

Remarks by Assemblyman Nevin.

Roll call on Assembly Bill No. 811:

YEAS—42.

NAYS—None.

Assembly Bill No. 811 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 835.

Bill read third time.

Remarks by Assemblyman Kerns.

Roll call on Assembly Bill No. 835:

YEAS—42.

NAYS—None.

Assembly Bill No. 835 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 851.
Bill read third time.
Remarks by Assemblyman Sader.
Roll call on Assembly Bill No. 851:
YEAS—42.
NAYS—None.

Assembly Bill No. 851 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 May.
Roll call on Assembly Bill No. 7:
YEAS—36.
NAYS—Evans, Freeman, Nevin, Nicholas, Sader, Swain—6.

Assembly Bill No. 7 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 Garner.
Roll call on Assembly Bill No. 212:
YEAS—42.
NAYS—None.

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. 315.
Bill read third time.
Remarks by Assemblyman Nevin.
Roll call on Assembly Bill No. 315:
YEAS—41.
NAYS—Spriggs.

Assembly Bill No. 315 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.
Remarks by Assemblymen Thompson and Gaston.
Roll call on Assembly Bill No. 332:
YEAS—42.
NAYS—None.

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. 394.
Bill read third time.
Remarks by Assemblymen Myrna Williams, Carpenter and Gaston.
Roll call on Assembly Bill No. 394:
YEAS—36.
NAYS—Bergevin, Carpenter, Getto, McGaughey, Marvel, Thomas—6.

Assembly Bill No. 394 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 395.
Bill read third time.
Remarks by Assemblyman Gaston.
Roll call on Assembly Bill No. 395:
YEAS—41.
NAYS—Spriggs.

Assembly Bill No. 395 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 424.
Bill read third time.
Remarks by Assemblymen Callister and Nevin.
Roll call on Assembly Bill No. 424:
YEAS—35.
NAYS—Bergevin, DuBois, Humke, McGaughey, Nicholas, Spriggs, Thomas—7.

Assembly Bill No. 424 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 425.
Bill read third time.
Remarks by Assemblymen Kerns, Fay, Marvel, Price and Sader.
Roll call on Assembly Bill No. 425:
YEAS—35.
NAYS—Banner, Carpenter, Fay, Price, Thomas, Triggs—6.
Not voting—Marvel.

Assembly Bill No. 425 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 Assemblymen Triggs, Carpenter and Nevin.
Roll call on Assembly Bill No. 461:
YEAS—42.
NAYS—None.

Assembly Bill No. 461 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 596.

Bill read third time.

Remarks by Assemblyman Adler.

Roll call on Assembly Bill No. 596:

YEAS—41.

NAYS—None.

Not voting—Kissam.

Assembly Bill No. 596 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Assembly Bill No. 308 be taken from the Chief Clerk's desk and placed on the General File immediately following Assembly Bill No. 790.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 599.

Bill read third time.

Remarks by Assemblyman Myrna Williams.

Roll call on Assembly Bill No. 599:

YEAS—42.

NAYS—None.

Assembly Bill No. 599 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 693.

Bill read third time.

Remarks by Assemblyman Callister.

Roll call on Assembly Bill No. 693:

YEAS—42.

NAYS—None.

Assembly Bill No. 693 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 704.

Bill read third time.

Remarks by Assemblyman Wendell Williams.

Roll call on Assembly Bill No. 704:

YEAS—42.

NAYS—None.

Assembly Bill No. 704 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 760.

Bill read third time.

Remarks by Assemblyman Carpenter.

Roll call on Assembly Bill No. 760:

YEAS—41.

NAYS—None.

Not voting—Nicholas.

Assembly Bill No. 760 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 773.

Bill read third time.

Remarks by Assemblyman Wisdom.

Roll call on Assembly Bill No. 773:

YEAS—42.

NAYS—None.

Assembly Bill No. 773 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 790.

Bill read third time.

Remarks by Assemblyman Spriggs.

Roll call on Assembly Bill No. 790:

YEAS—42.

NAYS—None.

Assembly Bill No. 790 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 308.

Bill read third time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 1218.

Amend sec. 2, page 2, after line 15, by inserting:

"6. Any notice to an insured required pursuant to NRS 687B.320 to 687B.350, inclusive, must be personally delivered to the insured or mailed first class or certified to the insured at his address last known by the insurer. The notice must state the effective date of the cancellation or nonrenewal and be accompanied by a written explanation of the specific reasons for the cancellation or nonrenewal.".

Amend the bill as a whole by adding a new section designated sec. 3, following sec. 2, to read as follows:

"Sec. 3. Section 2 of this act becomes effective at 12:01 a.m. on July 1, 1987.".

Assemblyman Jeffrey moved the adoption of the amendment.

Remarks by Assemblyman Jeffrey.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Assembly Joint Resolution No. 13.

Resolution read third time.

Remarks by Assemblymen Price, DuBois, Nevin, Getto and Myrna Williams.

Assemblymen Schofield, Jeffrey and Nevin moved the previous question.

Motion carried.

The question being on the passage of Assembly Joint Resolution No. 13.

Roll call on Assembly Joint Resolution No. 13:

YEAS—36.

NAYS—Bergevin, DuBois, Lambert, Marvel, Spriggs, Thomas—6.

Assembly Joint Resolution No. 13 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Resolution ordered transmitted to the Senate.

Assembly Joint Resolution No. 44.

Resolution read third time.

Remarks by Assemblymen Sedway, Nicholas, DuBois, Myrna Williams, Bergevin, Wendell Williams and Brookman.

Assemblymen Jeffrey, Nevin and Getto moved the previous question.

Motion carried.

The question being on the passage of Assembly Joint Resolution No. 44.

Roll call on Assembly Joint Resolution No. 44:

YEAS—36.

NAYS—Adler, DuBois, Freeman, Lambert, Nicholas, Thomas—6.

Assembly Joint Resolution No. 44 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Resolution ordered transmitted to the Senate.

Senate Bill No. 431.

Bill read third time.

Remarks by Assemblymen Sader, DuBois, May and Carpenter.

Roll call on Senate Bill No. 431:

YEAS—42.

NAYS—None.

Senate Bill No. 431 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

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

Assembly in recess at 12:42 p.m.

ASSEMBLY IN SESSION

At 12:48 p.m.

Mr. Speaker presiding.

Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Economic Development, Small Business and Tourism, to which was referred Assembly Bill No. 669, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and re-refer to the Committee on Ways and Means.

BOB PRICE, *Chairman*

Mr. Speaker:

Your Committee on Health and Welfare, to which was referred Assembly Bill No. 813, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

MORSE ARBERRY, JR., *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, June 3, 1987

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Senate Bills Nos. 553, 555, 566, 568.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 26, 56, 134, 285, 426, 456, 535.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Assembly Bills Nos. 143, 244, 360, 669, 698, 737, 806, 808, 809, 813, 828 and Assembly Joint Resolution No. 42 be placed on the Second Reading File.

Motion carried.

By Assemblymen Callister, Schofield, Freeman, Gaston, Carpenter, Banner, Getto, Swain, Arberry, Evans, Spriggs, Garner, Humke, Wendell Williams, Nicholas, McGaughey, Thomas, DuBois, Bergevin, Jeffrey, Nevin, Porter, Kerns, Wisdom, Spinello, Myrna Williams, Marvel, Brookman, Tebbs, Fay, Price, May, Sedway, Sader, Thompson, Adler, Kissam, Lambert, Craddock, Haller, Triggs and Dini:

Assembly Concurrent Resolution No. 69—Memorializing the late Marcus Joy "M.J." Christensen.

WHEREAS, It was with deep sorrow that the members of the Legislature learned of the death of former state assemblyman and state senator, Marcus Joy "M.J." Christensen; and

WHEREAS, M.J. Christensen was born February 1, 1899, in Brigham City, Utah, and was educated in the public schools of Brigham City; and

WHEREAS, After graduating from high school in 1918 and completing a mission to Illinois, M.J. returned to Brigham City and married his lifelong friend Hazel Johnson; and

WHEREAS, M.J. began working as a carpenter and cabinetmaker and in 1925 became an apprentice watch repairman, 2 years later becoming a railroad watch inspector for the Union Pacific Railroad; and

WHEREAS, While continuing to work for the railroad, M.J. moved his family to Milford, Utah, where, in 1932, he opened his first jewelry store; and

WHEREAS, His job with the railroad later brought M.J. and his family to Las Vegas where he continued his business and where it prospered; and

WHEREAS, M.J. was active in civic affairs as president of the Las Vegas Chamber of Commerce and president of the Las Vegas Better Business Bureau in which he played an important role in its organization; and

WHEREAS, M.J. was elected to the Nevada Legislature in 1952 where he served as an Assemblyman for four terms and as a Senator for one term; and

WHEREAS, M.J. was also very active in his church where he served as a bishop in Milford, a counselor to Bishop Reed Whipple in Las Vegas, a missionary in Tennessee with his wife and for the past decade as Las Vegas Stake Patriarch; and

WHEREAS, He is survived by his wife, Hazel; his sons Don, Vern, Carl, an 8th Judicial District Court Judge and Paul, a Clark County Commissioner; all of Las Vegas; a daughter Adele Atchley of Santa Monica, California; his brothers Max R. and Rush; his sisters Faye Bromley, Ruth Wright, Beth Waldo and Marco Callister; as well as many grandchildren, great grandchildren, nieces and nephews; and

WHEREAS, His entire family revered M.J.'s exemplary life which was filled with service, compassion and commitment; 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 Marcus Joy Christensen; and be it further

RESOLVED, That a copy of this resolution be prepared and transmitted forthwith by the Chief Clerk of the Assembly to Hazel Christensen.

Assemblyman Callister moved the adoption of the resolution.

Remarks by Assemblymen Callister, Schofield and Brookman.

Assemblyman Brookman requested that the following remarks be entered in the Journal.

ASSEMBLYMAN CALLISTER:

Thank you, Mr. Speaker. There is some appropriateness that Uncle Joy passed away while I am serving my first term in the Assembly. Certainly without his example I never would have determined to run—for better or for worse, depending, I guess, on your point of view.

His example was a choice to me and all my family and I urge the adoption of this resolution.

ASSEMBLYMAN SCHOFIELD:

Thank you, Mr. Speaker. M. J. Christensen was really quite a man. I knew him when I was a little boy selling newspapers on Fremont Street when he first moved into the jewelry store in the corner drug store. He brought my father-in-law to Las Vegas in 1945 and encouraged him to run for election for county treasurer while M. J. was serving here with some mutual friends of theirs.

M. J. had quite a history in his reign in the Assembly and the Senate. Early on he, Senator Gibson and Assemblyman Austin Bowler used to drive back and forth every weekend from Carson City to Las Vegas. That is where a lot of legislation, I think, was decided—in that automobile going back and forth, at least what they could get on at that time.

I certainly am in support of a resolution honoring such a man. I think he leaves a history in the State of Nevada from the time he came to Las Vegas in 1937. I have known him ever since and it is an honor to be able to get up and speak a few words about M. J. Christensen.

ASSEMBLYMAN BROOKMAN:

Yes, Mr. Speaker, thank you. Members of the Assembly. M. J. was a great man, he did great things; he was a leader for his people and we shall sorely miss him.

Resolution adopted unanimously.

INTRODUCTION, FIRST READING AND REFERENCE

Senate Bill No. 26.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

Senate Bill No. 56.

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

Motion carried.

Senate Bill No. 134.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 285.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Education.

Motion carried.

Senate Bill No. 426.

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

Motion carried.

Senate Bill No. 456.

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

Motion carried.

Senate Bill No. 535.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Natural Resources, Agriculture and Mining.

Motion carried.

Senate Bill No. 553.

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

Motion carried.

Senate Bill No. 555.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

Senate Bill No. 566.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

Senate Bill No. 568.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

SECOND READING AND AMENDMENT

Senate Bill No. 298.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 1087.

Amend section 1, page 1, by deleting line 11 and inserting: "of community practice and hospital practice of pharmacy.".

Amend section 1, page 1, line 15, before "5." by inserting an open bracket.

Amend section 1, page 1, line 17, after "board." by inserting a closed bracket.

Amend sec. 2, page 2, by deleting line 10 and inserting: "necessary expenses [in attending formal meetings] *while engaged in the business* of the board, [the same] to".

Assemblyman Jeffrey moved the adoption of the amendment.

Remarks by Assemblyman Jeffrey.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 332.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 1153.

Amend section 1, page 1, line 7, by deleting "*$1.75*" and inserting "*$2.00*".

Assemblyman Jeffrey moved the adoption of the amendment.

Remarks by Assemblyman Jeffrey.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 334.

Bill read second time and ordered to third reading.

Senate Bill No. 338.

Bill read second time and ordered to third reading.

Senate Bill No. 478.

Bill read second time and ordered to third reading.

Assembly Bill No. 143.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 244.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 360.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 912.

Amend the bill as a whole by deleting sections 1 and 2 and inserting:

"Section 1. Chapter 463 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 through 5, inclusive, of this act.

Sec. 2. *1. Any person aggrieved by a final decision or order of the board made after hearing by the board pursuant to NRS 463.361 to 463.366, inclusive, may obtain a judicial review thereof in the district court of the county in which the petitioner resides or has his or its principal place of business.*

2. The judicial review must be instituted by filing a petition within 20 days after the effective date of the final decision or order. The petition must set forth the order or decision appealed from and the grounds or reasons why petitioner contends a reversal or modification should be ordered.

3. Copies of the petition must be served upon the board and all other parties of record, or their counsel of record, either personally or by certified mail.

4. The court, upon a proper showing, may permit other interested persons to intervene as parties to the appeal or as friends of the court.

5. The filing of the petition does not stay enforcement of the decision or order of the board, but the board itself may grant a stay upon such terms and conditions as it deems proper.

Sec. 3. *1. Upon written request of petitioner and upon payment of such reasonable costs and fees as the board may prescribe, the complete record on review, or such parts thereof as are designated by the petitioner, must be prepared by the board.*

2. The complete record on review must include copies of:

(a) All pleadings in the case;

(b) All notices and interim orders issued by the board in connection with the case;

(c) All stipulations;

(d) The decision and order appealed from;

(e) A transcript of all testimony, evidence and proceedings at the hearing;

(f) The exhibits admitted or rejected; and

(g) Any other papers in the case.

The original of any document may be used in lieu of a copy thereof. The record on review may be shortened by stipulation of all parties to the review proceedings.

3. The record on review must be filed with the reviewing court within 30 days after service of the petition for review, but the court may allow the board additional time to prepare and transmit the record on review.

Sec. 4. *1. The reviewing court may, upon motion therefor, order that additional evidence in the case be taken by the board upon such terms and conditions as the court may deem just and proper. The motion must not be granted except upon a showing that the additional evidence is material and*

necessary and that sufficient reason existed for failure to present the evidence at the hearing of the board. The motion must be supported by an affidavit of the moving party or his counsel showing with particularity the materiality and necessity of the additional evidence and the reason why it was not introduced in the administrative hearing. Rebuttal evidence to the additional evidence must be permitted. In cases in which additional evidence is presented to the board, the board may modify its decisions and orders as the additional evidence may warrant and shall file with the reviewing court a transcript of the additional evidence together with any modifications of the decision and order, all of which become a part of the record on review.

2. The review must be conducted by the court sitting without a jury, and must not be a trial de novo but is confined to the record on review.

3. The reviewing court may affirm the decision and order of the board, or it may remand the case for further proceedings or reverse the decision if the substantial rights of the petitioner have been prejudiced because the decision is:

(a) In violation of constitutional provisions;

(b) In excess of the statutory authority or jurisdiction of the board;

(c) Made upon unlawful procedure;

(d) Unsupported by any evidence; or

(e) Arbitrary or capricious or otherwise not in accordance with law.

Sec. 5. *1. Any party aggrieved by the final decision in the district court after a review of the decision and order of the board may appeal to the supreme court in the manner and within the time provided by law for appeals in civil cases. The supreme court shall follow the same procedure thereafter as in appeals in civil actions, and may affirm, reverse or modify the decision as the record and law warrant.*

2. The judicial review by the district and supreme courts afforded in this chapter is the exclusive method of review of the board's actions, decisions and orders in hearings held pursuant to NRS 463.361 to 463.366, inclusive. Judicial review is not available for extraordinary common law writs or equitable proceedings.

3. The party requesting judicial review shall bear all of the costs of transcribing the proceedings before the board and of transmitting the record on review.

Sec. 6. NRS 463.365 is hereby repealed.

Sec. 7. This act becomes effective upon passage and approval.".

Amend the bill as a whole by inserting the text of the repealed section.

Amend the title of the bill, first line, by deleting: "limiting the scope of" and inserting: "providing a specific procedure for".

Amend the summary of the bill, first line, by deleting: "Limits scope of" and inserting: "Provides specific procedure for".

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. 669.

Bill read second time.

The following amendment was proposed by the Committee on Economic Development, Small Business and Tourism:

Amendment No. 1207.

Amend sec. 3, page 1, by deleting lines 10 and 11 and inserting:

"*(a) One member who is the representative of a financial institution in Nevada;*

(b) One member who is an investment banker with experience in the investment of venture capital;

(c) Two members who are selected from a list of six names submitted by the Nevada Manufacturers Association;

(d) One member who is selected from a list of three names submitted by the Nevada Retail Association;".

Amend sec. 3, page 1, line 12, by deleting "*(c)*" and inserting "*(e)*".

Amend sec. 3, page 1, line 14, by deleting "*(d)*" and inserting "*(f)*".

Amend sec. 3, page 1, line 16, by deleting "*(e)*" and inserting "*(g)*".

Amend sec. 3, page 2, line 1, by deleting "*(d) or (e)*" and inserting "*(c), (d), (f) or (g)*".

Amend sec. 4, page 2, line 10, after "*created.*" by deleting "*The*".

Amend sec. 4, page 2, by deleting line 11.

Amend sec. 4, page 2, line 19, by deleting: "*At the end*".

Amend sec. 4, page 2, by deleting line 20 and inserting: "*The board may declare and pay dividends to the investors in the fund. To determine the amount of any dividends to be paid, the board shall determine the total amount to be disbursed as dividends and distribute:*

(a) Twenty-five percent of the total disbursement to the state general fund; and

(b) The balance of the total disbursement to the investors".

Amend sec. 4, page 2, line 23, before "*investment*" by inserting "*loans or*".

Amend sec. 4, page 2, line 24, before "*investments;*" by inserting "*loans and*".

Amend sec. 4, page 2, line 25, before "*investments*" by inserting "*loans and*".

Amend sec. 5, page 2, line 28, before "*invest*" by inserting: "*loan money to or*".

Amend sec. 5, page 2, by deleting lines 30 through 37 and inserting:

"*2. All loans and investments must be made with a pledge to meet the conditions of subsection 2 of section 4 of this act.*

3. The board may make investments in businesses in exchange for a percentage of the equity interest in the business. The board may sell its interest in any business.

4. The board may make secured loans to businesses at interest rates which are competitive with those commercially available.

Sec. 6. *1. The executive director of the commission on economic development shall serve as administrator of the fund.*

2. The commission on economic development shall provide any technical and clerical assistance necessary to carry out the duties of the administrator of the fund.

3. The administrator of the fund shall pay the costs of administering the fund from the money in the fund upon approval of the board.

4. The total costs of administering the fund must not exceed 2 percent of the total assets of the fund.".

Amend the bill as a whole by renumbering sections 7 through 10 as sections 8 through 11 and adding a new section, designated sec. 7, following sec. 6, to read as follows:

"Sec. 7. *If the fund for investment in businesses created by section 4 of this act is abolished, any balance in the fund remaining after the payment of all money committed before the fund was abolished must be distributed:*

1. Twenty-five percent to the state general fund; and

2. The remainder to the investors in the fund in proportion to their investments.".

Assemblyman Wendell Williams moved the adoption of the amendment.

Remarks by Assemblyman Wendell Williams.

Assemblyman Price moved that Assembly Bill No. 669 be re-referred to the Committee on Ways and Means.

Motion carried.

Amendment adopted.

Bill ordered reprinted, engrossed and to the Committee on Ways and Means.

Assembly Bill No. 698.

Bill read second time.

The following amendment was proposed by the Committee on Taxation:

Amendment No. 1155.

Amend the bill as a whole by renumbering section 1 as sec. 3 and adding new sections designated sections 1 and 2, following the enacting clause, to read as follows:

"Section 1. Chapter 354 of NRS is hereby amended by adding thereto a new section to read as follows:

1. For the fiscal year beginning July 1, 1987, and each fiscal year thereafter, there must be added to the maximum amount of revenue the following local governments are allowed to receive from taxes ad valorem the amount produced by multiplying the indicated factor by each $100 of assessed valuation:

Local Government	*Factor*
Pueblo County Fire Protection District	*$ .0113*
McDermitt County Fire Protection District	*.0679*
Paradise Valley County Fire Protection District	*.0680*
Humboldt County Fire Protection District	*.0910*
Winnemucca Rural County Fire Protection District	*.0910*
Orovada County Fire Protection District	*.0974*

2. Before the levy of any tax for the fiscal year beginning July 1, 1987, the governing body of a local government listed in subsection 1 shall conduct a public hearing on the proposed levy. The hearing must be held not less than 7 days after the date of mailing notice of the hearing to each property owner. The notice must state the time and place of the hearing and any proposed increase in the authorized rate.

3. After the public hearing, the governing body shall determine by what amount, if any, the authorized rate will be increased.

Sec. 2. NRS 354.470 is hereby amended to read as follows:

354.470 NRS 354.470 to 354.626, inclusive, *and section 1 of this act,* may be cited as the Local Government Budget Act.".

Amend section 1, page 1, line 2, by deleting "354.59816," and inserting: "354.59816 [,] *and section 1 of this act,*".

Amend section 1, page 1, line 4, by deleting: "*a fire protection district,*".

Amend section 1, page 1, line 6, after "levied" by inserting: "on the net proceeds of mines or".

Amend section 1, page 1, line 13, by deleting the open bracket.

Amend section 1, page 1, by deleting line 14 and inserting: "(a) A county whose actual tax rate, for purposes other than debt".

Amend section 1, page 2, line 1, by deleting the open bracket.

Amend section 1, page 2, line 3, by deleting the closed bracket.

Amend the bill as a whole by deleting sec. 2 and renumbering sec. 3 as sec. 4.

Amend sec. 3, page 4, line 10, after "valuation" by inserting: ", excluding net proceeds of mines,".

Amend sec. 3, page 4, line 13, by deleting the open bracket.

Amend sec. 3, page 4, by deleting line 14 and inserting: "(1) A county whose actual tax rate, for purposes other than debt".

Amend sec. 3, page 4, by deleting line 18 and inserting:

"(2) A fire *protection* district in such a county whose tax rate was more than 50".

Amend sec. 3, page 4, line 20, by deleting the closed bracket.

Amend sec. 3, page 4, by inserting between lines 24 and 25:

"*(c) Of a local government listed in subsection 1 of section 1 of this act does not include any increase in the basic ad valorem revenue pursuant to that section.*".

Amend sec. 3, page 4, by deleting lines 25 and 26 and inserting:

"4. For the purposes of this section, a fire protection district organized pursuant to chapter 473 of NRS is a local government.".

Amend the bill as a whole by adding a new section designated sec. 5, following sec. 3, to read as follows:

"Sec. 5. This act becomes effective upon passage and approval.".

Amend the title of the bill to read as follows:

"An Act relating to local financial administration; providing an increase in the basic ad valorem revenue of certain fire protection districts; and providing other matters properly relating thereto.".

Amend the summary of the bill to read as follows: "Provides for increase in basic ad valorem revenue of certain fire protection districts. (BDR 31-1058)".

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. 737.

Bill read second time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1165.

Amend the bill as a whole by deleting sec. 2 and renumbering sec. 3 as sec. 2.

Amend the title of the bill, fourth and fifth lines, by deleting: "requiring repayment of an appropriation for constructing and equipping vending stands for blind persons;".

Amend the summary of the bill to read as follows: "Delays reversion of appropriation to department of human resources. (BDR S-2158)".

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. 806.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1091.

Amend section 1, page 1, by deleting line 17 and inserting: "and the court [may] *shall* order him to pay to the party who made the offer [not only]".

Amend section 1, lines 18 and 19, by deleting "but also" and inserting: "[but] *and may order* also".

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. 808.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1092.

Amend section 1, page 1, line 13, after "*substances;*" by deleting "*and*".

Amend section 1, page 1, line 14, by deleting the italicized period and inserting "*; and*

(f) Engage or refrain from engaging in any other conduct deemed appropriate by the justice of the peace.".

Amend sec. 2, page 2, line 15, after "*substances;*" by deleting "*and*".

Amend sec. 2, page 2, line 16, by deleting the italicized period and inserting "*; and*

(f) Engage or refrain from engaging in any other conduct deemed appropriate by the municipal judge.".

Amend sec. 4, page 3, line 32, by deleting: "*, except as otherwise*" and inserting "*except, as*".

Amend sec. 4, page 3, line 33, by deleting the italicized period and inserting: "*, a portion of the sentence imposed that exceeds the mandatory minimum.*".

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. 809.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1209.

Amend section 1, page 1, lines 9 and 10, by deleting: "*generated by a treating provider of health care*".

Amend section 1, page 1, by deleting line 17 and inserting:

"6. As to any [communication placed in health care] *written medical or hospital* records which are".

Amend sec. 2, page 2, lines 13 and 14, by deleting: "*generated by a treating provider of health care*".

Amend sec. 2, page 2, by deleting line 21 and inserting:

"6. As to any [communication placed in health care] *written medical or hospital* records which are".

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. 813.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 828.

Bill read second time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 994.

Amend section 1, page 1, line 3, after the period, by inserting: "The entire amount of the appropriation must be distributed pursuant to sections 2 and 3 of this act.".

Amend sec. 2, page 1, by deleting lines 6, 7 and 8 and inserting: "broadcasting stations in Nevada. For the purposes of this act, "public broadcasting station" means a station which is licensed by the Federal

Communications Commission as a noncommercial educational station or to operate a low-power television or radio station on an exclusively noncommercial basis and which:

1. Is licensed in the State of Nevada;
2. Has been on the air for at least 1 year;
3. Maintains power and an antenna height sufficient to cover its service area with a primary-strength signal; and
4. Broadcasts programming devoted primarily to serving the educational, informational and cultural needs of the community.

The term does not include a station whose programming is designed to further the principles of a particular religious philosophy.".

Amend the bill as a whole by renumbering sec. 3 as sec. 5 and adding new sections designated sections 3 and 4, following sec. 2, to read as follows:

"Sec. 3. 1. The sum appropriated by section 1 of this act must be distributed by the Superintendent of Public Instruction as follows:

(a) To the grant pool for public television, 75 percent; and

(b) To the grant pool for public radio, 25 percent.

2. After the money has been divided into the grant pools for television and radio, those grant pools will be distributed in the form of:

(a) A basic grant. An amount equal to 20 percent of the television grant pool and of the radio grant pool must be used for basic grants. Money from a basic grant must be distributed equally among the eligible stations within each grant pool.

(b) An incentive grant. To encourage and reward local efforts for nontax-based fund raising, the remaining 80 percent of the television and radio grant pools must be used for incentive grants to stations. Distribution of incentive grants must be based on each station's audited statement of nontax-based income for the fiscal year 1986-1987. The amount distributed to each station must represent that portion, expressed as a percentage, which each station's nontax-based income represents in proportion to the total of all nontax-based income reported by all eligible recipients within each grant pool.

Sec. 4. Money appropriated by section 1 of this act must not supplant or cause to be reduced any other source of funding for such stations and must be used exclusively for the benefit of a public broadcast station and not for general institutional overhead or expenses of a parent organization.".

Assemblyman Sedway moved the adoption of the amendment.

Remarks by Assemblyman Sedway.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Joint Resolution No. 42.

Resolution read second time, ordered engrossed and to third reading.

GENERAL FILE AND THIRD READING

Senate Bill No. 8.

Bill read third time.

Remarks by Assemblyman Tebbs.

Roll call on Senate Bill No. 8:

YEAS—42.

NAYS—None.

Senate Bill No. 8 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 9.

Bill read third time.

Remarks by Assemblymen Marvel, Nevin and Sedway.

Roll call on Senate Bill No. 9:

YEAS—39.

NAYS—Banner, Nevin, Spriggs—3.

Senate Bill No. 9 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 12.

Bill read third time.

Remarks by Assemblyman Swain.

Roll call on Senate Bill No. 12:

YEAS—42.

NAYS—None.

Senate Bill No. 12 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 15.

Bill read third time.

Remarks by Assemblyman Arberry.

Roll call on Senate Bill No. 15:

YEAS—42.

NAYS—None.

Senate Bill No. 15 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 149.

Bill read third time.

Remarks by Assemblyman Marvel.

Roll call on Senate Bill No. 149:

YEAS—42.

NAYS—None.

Senate Bill No. 149 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 317.

Bill read third time.

Remarks by Assemblyman Porter.
Roll call on Senate Bill No. 317:
YEAS—41.
NAYS—None.
Not voting—May.

Senate Bill No. 317 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 McGaughey.
Roll call on Senate Bill No. 330:
YEAS—42.
NAYS—None.

Senate Bill No. 330 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 373.
Bill read third time.
Remarks by Assemblyman Kerns.
Roll call on Senate Bill No. 373:
YEAS—42.
NAYS—None.

Senate Bill No. 373 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 394.
Bill read third time.
Remarks by Assemblyman Arberry.
Roll call on Senate Bill No. 394:
YEAS—42.
NAYS—None.

Senate Bill No. 394 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 445.
Bill read third time.
Remarks by Assemblyman Nicholas.
Roll call on Senate Bill No. 445:
YEAS—42.
NAYS—None.

Senate Bill No. 445 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 477.
Bill read third time.
Remarks by Assemblyman Fay.
Roll call on Senate Bill No. 477:
YEAS—40.
NAYS—None.
Not voting—Carpenter, Kissam—2.

Senate Bill No. 477 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 515.
Bill read third time.
Remarks by Assemblyman Tebbs.
Roll call on Senate Bill No. 515:
YEAS—42.
NAYS—None.

Senate Bill No. 515 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Joint Resolution No. 15.
Resolution read third time.
Remarks by Assemblymen Sader and Swain.
Roll call on Senate Joint Resolution No. 15:
YEAS—41.
NAYS—Thomas.

Senate Joint Resolution No. 15 having received a constitutional majority, Mr. Speaker declared it passed.
Resolution ordered transmitted to the Senate.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Elections, to which was referred Senate Bill No. 57, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

COURTENAY C. SWAIN, *Chairman*

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 390.
The following Senate amendment was read:
Amendment No. 940.
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. NRS 286.130 is hereby amended to read as follows:
286.130 1. [Two board members must be citizens:

(a) Who have resided in the state for 2 years immediately preceding their appointment to the board; and

(b) Neither of whom:

(1) Is an employee of a public employer during his term of office on the board; or

(2) Has been such an employee for 2 years immediately preceding his appointment to the board.

2. Three board] *Three* members *of the board* must be [:

(a) Persons who have] *persons who:*

(a) Have had at least 10 years of service as employees of the State of Nevada or its political subdivisions; [and

(b) Persons who:

(1) Are active members of the system;

(2) Have retired pursuant to the provisions of this chapter; or

(3) Are receiving a disability allowance pursuant to the provisions of this chapter.

3. Two board members must be]

(b) Are not elected officers of the State of Nevada or its political subdivisions;

(c) Are active members of the system; and

(d) Are appointed from written nominations submitted by the following groups:

[(a)] *(1)* Employees of the state and the University of Nevada System;

[(b)] *(2)* The academic staff of school districts *;* [, including principals and administrators;

(c)] *(3)* Employees of cities, excluding Carson City;

[(d)] *(4)* Employees of counties, including Carson City and excluding employees of county hospitals; [and

(e)] *(5)* Employees of county hospitals, public utilities, power districts, sanitation districts, classified school employees and employees of other districts as determined by the board [.] *; and*

(6) Employees whose current positions entitle them to participate in the police and firemen's retirement fund.

Each nominee must be a member of the group or organization that is nominating him . [and a member of the system.

4.] *2. Two members of the board must be persons who:*

(a) Have had at least 10 years of service as employees of the State of Nevada or its political subdivisions;

(b) Are not elected officers of the State of Nevada or its political subdivisions;

(c) Are active members of the system; and

(d) Are appointed from written nominations submitted by the following groups:

(1) Administrators of school districts or members of boards of trustees of school districts; and

(2) Members of boards of county commissioners or the governing bodies of cities or administrators of counties or cities.

3. One member of the board must be a person who:

(a) Is an employee of the State of Nevada or its political subdivisions with at least 10 years of service;

(b) Is serving in a position at least equivalent to the manager of a department or division;

(c) Is not an elected officer of the State of Nevada or its political subdivisions; and

(d) Is an active member of the system.

4. One member of the board must be a person who:

(a) Has had at least 10 years of service as an employee of the State of Nevada or its political subdivisions;

(b) Is not an elected officer of the State of Nevada or its political subdivisions; and

(c) Is receiving an allowance for service or disability retirement pursuant to this chapter.

5. A member of the board shall serve for 4 years , *so long as he has the qualifications required by this section,* and until his successor is appointed and takes office. [Each member of the board must have the same qualifications and be appointed in the same manner as this chapter prescribes for his predecessor.]

Sec. 2. The current members of the public employees' retirement board must be succeeded as follows:

1. One member who was appointed to a term beginning on July 1, 1983, must be succeeded by a member appointed pursuant to subsection 2 of NRS 286.130, as amended by section 1 of this act.

2. One member who was appointed to a term beginning on July 1, 1983, must be succeeded by a member appointed pursuant to subsection 4 of NRS 286.130, as amended by section 1 of this act.

3. The member who was appointed to a term beginning on September 1, 1985, must be succeeded by a member appointed pursuant to subsection 1 of NRS 286.130, as amended by section 1 of this act.

4. The member who was appointed to a term beginning on December 1, 1985, must be succeeded by a member appointed pursuant to subsection 1 of NRS 286.130, as amended by section 1 of this act.

5. The member who was appointed to a term beginning on July 1, 1985, pursuant to subsection 2 of NRS 286.130, as it existed on that date, must be succeeded by a member appointed pursuant to subsection 2 of NRS 286.130, as amended by section 1 of this act.

6. The member who was appointed to a term beginning on July 1, 1986, pursuant to subsection 1 of NRS 286.130, as it existed on that date, must be succeeded by a member appointed pursuant to subsection 3 of NRS 286.130, as amended by section 1 of this act.

7. The member who was appointed to a term beginning on July 1, 1986, pursuant to subsection 2 of NRS 286.130, as it existed on that date, must be succeeded by a member appointed pursuant to subsection 1 of NRS 286.130, as amended by section 1 of this act.''.

Assemblyman Thompson moved that the Assembly do not concur in the Senate amendment to Assembly Bill No. 390.

Remarks by Assemblyman Thompson.

Motion carried.

Bill ordered transmitted to the Senate.

Assembly Bill No. 374.

The following Senate amendment was read:

Amendment No. 936.

Amend sec. 5, page 1, by deleting lines 11 and 12 and inserting: "*writing when planned repairs of a utility or a service which the mobile home park provides will be interrupted.*".

Amend sec. 10, page 4, by deleting lines 22, 23 and 24 and inserting: "the park if it is deemed by the [landlord] *park's written rules or regulations in the possession of the tenants* to be in a run-down condition or in disrepair [.] *or does not meet the safety standards set forth in NRS 461A.120. If the mobile home*".

Assemblyman Jeffrey moved that the Assembly concur in the Senate amendment to Assembly Bill No. 374.

Remarks by Assemblyman Jeffrey.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 41.

The following Senate amendment was read:

Amendment No. 776.

Amend sec. 2, page 1, line 5, by deleting "the county" and inserting: "a county or city".

Amend sec. 5, page 2, line 41, after "county" by inserting "or city".

Amend sec. 5, page 3, line 1, by deleting "[shall] *must*" and inserting "must".

Amend sec. 5, page 3, by deleting lines 2 and 3 and inserting: "be appointed by the county or city clerk for all mailing precincts within the county or city, and must be designated the central election board. The county or city clerk".

Amend sec. 5, page 3, line 4, by deleting "[such] *that*" and inserting "that".

Amend sec. 5, page 3, line 5, by deleting "[such] *those*" and inserting "those".

Amend sec. 6, page 3, line 9, after "county" by inserting "or city".

Amend sec. 6, page 3, line 15, by deleting "[their] *its*" and inserting "its".

Amend sec. 6, page 3, line 16, by deleting "[their] *its*" and inserting "its".

Amend sec. 6, page 3, line 17, by deleting "[shall] *must*" and inserting "must".

Amend sec. 6, page 3, line 18, after "county" by inserting "or city".

Amend sec. 7, page 3, line 22, after "all" by inserting "cities and".

Amend sec. 7, page 3, line 23, by deleting: "[Such regulations shall] *The regulations must*" and inserting: "The regulations must".

Amend sec. 7, page 4, line 5, by deleting "county clerks" and inserting: "each county and city clerk".

Amend sec. 11, page 5, line 28, by deleting "[such] *the*" and inserting "the".

Amend sec. 11, page 5, lines 30 and 31, by deleting "[such] *the*" and inserting "the".

Amend sec. 11, page 5, line 33, by deleting "[shall] *must*" and inserting "must".

Amend sec. 11, page 5, by deleting line 36 and inserting: "*4.* A record must be made of those canceled ballots at the".

Amend sec. 11, page 5, line 37, by deleting: "[Such ballots shall] *The ballots*" and inserting "The ballots".

Amend sec. 11, page 5, by deleting line 38 and inserting: "must be placed in a separate envelope and returned to the appropriate county or city clerk with".

Amend sec. 13, page 6, line 30, after "county" by inserting "or city".

Amend sec. 13, page 6, line 34, after "clerk" by inserting: "and city clerk".

Amend sec. 14, page 7, line 4, after "county" by inserting "or city".

Amend sec. 14, page 7, line 6, by deleting "county".

Amend sec. 15, page 7, line 10, after "county" by inserting "or city".

Amend sec. 15, page 7, line 13, by deleting "[shall] *must*" and inserting "must".

Amend sec. 15, page 7, line 15, by deleting "[shall] *must*" and inserting "must".

Amend sec. 15, page 7, line 18, by deleting "[shall] *must*" and inserting "must".

Amend sec. 16, page 7, line 40, by deleting: "[35 days prior" and inserting: "[35] *60* days before".

Amend sec. 16, page 7, by deleting line 41 and inserting: "the election.

(d) At any city election at which the city clerk gives notice of the election or otherwise performs duties in connection therewith, shall provide a copy of the question to the city clerk at least 35 days before the election.".

Amend sec. 17, page 8, line 24, by deleting "election," and inserting: "election or general city election,".

Amend sec. 20, pages 9 and 10, by deleting lines 23 through 42 on page 9 and lines 1 through 19 on page 10 and inserting:

"Sec. 20. (Deleted by amendment.)".

Amend sec. 23, page 11, line 16, by deleting: "*proportion of the area*" and inserting "*population*".

Amend the bill as a whole by adding a new section designated sec. 25, following sec. 24, to read as follows:

"Sec. 25. Sections 2, 5, 6, 7, 11, 13, 14, 15, 16 and 17 become effective at 12:01 a.m. on July 1, 1987.".

Assemblyman Swain moved that the Assembly concur in the Senate amendment to Assembly Bill No. 41.

Remarks by Assemblyman Swain.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 290.

The following Senate amendment was read:

Amendment No. 939.

Amend sec. 18, page 7, by deleting lines 32 and 33 and inserting:

"361A.170 1. The governing body of each city or county shall, from time to time, specify by resolution the designations or".

Amend sec. 18, page 7, line 35, after "space" by inserting: ", the maintenance of natural features for control of floods".

Amend sec. 18, page 7, by deleting lines 37 and 38 and inserting:

"2. The board of county commissioners shall, from time to time, adopt by ordinance procedures and criteria which must be used".

Amend sec. 23, page 10, by deleting line 19 and inserting:

"[2.] *5. For any year in which the value of the parcel is affected by a factor which may not have an equally proportionate effect on similar nearby parcels, such as a change in zoning ordinances, variances from those ordinances or natural disasters, the taxable value of the property must be determined pursuant to NRS 361.227.*

6. The deferred tax and penalty are a perpetual lien until paid as".

Amend sec. 23, page 10, line 26, by deleting "*6.*" and inserting "*7.*".

Amend sec. 23, page 10, line 34, by deleting "*7.*" and inserting "*8.*".

Amend sec. 23, page 10, line 36, by deleting "*5*" and inserting "*6*".

Assemblyman May moved that the Assembly concur in the Senate amendment to Assembly Bill No. 290.

Remarks by Assemblyman May.

Motion carried.

Bill ordered enrolled.

REPORTS OF CONFERENCE COMMITTEES

Mr. Speaker:

The first Committee on Conference concerning Assembly Bill No. 128, consisting of the undersigned members, has met, and reports that:

It has agreed to recommend that the amendment of the Senate be concurred in.

BOB PRICE	CHARLES W. JOERG
TERRY TEBBS	ANN O'CONNELL
VINCENT L. TRIGGS	NICHOLAS J. HORN
Assembly Committee on Conference	*Senate Committee on Conference*

Assemblyman Price moved that the Assembly adopt the report of the first Committee on Conference concerning Assembly Bill No. 128.

Remarks by Assemblyman Price.

Motion carried.

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker appointed Assemblymen Bergevin, Wisdom and Wendell Williams as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Assembly Bill No. 320.

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bills Nos. 180, 253, 275, 311, 312, 313, 377, 559, 640, 727, 747, 748; Senate Bills Nos. 127, 340, 376, 393, 416, 449, 463, 481, 502; Assembly Concurrent Resolution No. 66; Senate Concurrent Resolutions Nos. 19, 26.

REMARKS FROM THE FLOOR

Assemblyman Price requested that his remarks be entered in the Journal.

Constitutional Moments—Week of May 31, 1787

Activities of the Constitutional Convention in Philadelphia

Resolved into a committee of the whole, the Convention resumed discussion on Charles Pinckney's motion for a single chief executive. James Wilson supported the motion. Roger Sherman agreed, if the executive would have council of advice. The Convention agreed on a single chief executive—7 Ayes, 3 Nays. The committee then agreed to give him a veto, subject to an override by two-thirds of the States' Legislatures. At the end of the day, the committee also agreed that there should be a national judiciary with a supreme tribunal and one or more inferior courts.

The Convention in committee of the whole, considered the proposal that the judiciary be appointed by the national legislature. James Wilson (PA) favored their appointment by the executive. He argued intrigue, partiality and concealment would be the consequence of selection by the legislature. Ben Franklin suggested they let the lawyers choose; they would, he reasoned, choose the best of the bar so that they could share the largest possible vacated practices.

On motion of Charles Pinckney and John Rutledge of South Carolina, the Convention in committee of the whole, considered having the State Legislature, instead of the people, elect the lower house. Elbridge Gerry (MASS) didn't like popular election. He opposed the motion saying, "In Massachusetts, the worst men get into the legislature." But one house had to be so elected. He hoped the other would be so structured as to be filled with men of merit. The motion lost by a vote of 3 Ayes to 8 Nays.

Congress, having failed to achieve a quorum, did not convene on any day this week.

The New Jersey general assembly considered a petition from its delegates for permission to draw on the state treasurer to help pay the convention staff and stationery bill. It authorized them to draw on the treasurer for a sum not to exceed 30 pounds for this purpose.

A letter from a Westchester farmer called for the creation of a consolidated republic and the reduction of the states to the status of "Civil Corporations" whose laws would be void if contrary to the laws and ordinance of the supreme power.

Assemblyman Humke requested that his remarks be entered in the Journal.

Thank you, Mr. Speaker. Speaking of mistakes, for the record I'd like to comment on my vote on Assembly Bill 424 this legislative day. My vote was based on a misreading of the bill. After the vote, another member drew my attention to the bill and I discovered information my quick reading did not reveal the first time. I would have voted the other way as this issue is important to me. I just wanted to state that for the record. Thank you.

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. Dick Brophy.

Assemblyman Jeffrey moved that the Assembly adjourn until Thursday, June 4, 1987 at 10 a.m.

Motion carried.

Assembly adjourned at 1:50 p.m.

Approved: JOSEPH E. DINI, JR.
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE ONE HUNDRED AND THIRTY-SEVENTH DAY

CARSON CITY (Thursday), June 4, 1987

Assembly called to order at 10:12 a.m.

Mr. Speaker presiding.

Roll called.

All present except Assemblyman Callister, 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 Jeffrey moved that further reading of the Journal be dispensed with, and the Speaker and Chief Clerk be authorized to make the necessary corrections and additions.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Legislative Functions, to which was referred Assembly Concurrent Resolution No. 65, has had the same under consideration, and begs leave to report the same back with the recommendation: Be adopted.

MYRNA WILLIAMS, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, 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.

DANNY L. THOMPSON, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which were referred Assembly Bills Nos. 859, 864; Senate Bills Nos. 143, 276, 492, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

DANNY L. THOMPSON, *Chairman*

Mr. Speaker:

Your Committee on Transportation, to which was referred Assembly Bill No. 761, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

LEONARD V. NEVIN, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, June 3, 1987

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 271, 339, 340, 342, 413, 525, 531, 567, 570, 603, 673, 677, 751.

Also, I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bills Nos. 90, 327, 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. 173.

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. 485.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Assembly Concurrent Resolution No. 65.

Assemblyman Price moved the adoption of the resolution.

Remarks by Assemblyman Price.

Resolution adopted.

By the Committee on Legislative Functions:

Assembly Resolution No. 14—Providing for the appointment of additional attachés.

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, That Valerie Perkins and Julene Smith are elected as additional attachés of the Assembly for the 64th session of the Legislature of the State of Nevada.

Assemblyman Myrna Williams moved the adoption of the resolution.

Remarks by Assemblyman Myrna Williams.

Resolution adopted.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Economic Development, Small Business and Tourism, to which was referred Assembly Bill No. 869, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

BOB PRICE, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which were referred Assembly Bills Nos. 854, 856; Senate Bill No. 568, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

MARVIN M. SEDWAY, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Ways and Means, to which was referred Assembly Bill No. 166, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass, as amended.

MARVIN M. SEDWAY, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Assembly Bills Nos. 308, 360, 698, 737, 806, 808, 809 and 828 be placed on the General File immediately following Assembly Bill No. 813.

Motion carried.

Assemblyman Bergevin moved that all rules be suspended, reading so far had considered second reading, rules further suspended, Assembly Bill No. 859 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 Bergevin moved that Assembly Bill No. 859 be taken from its position on the General File and placed at the top of the General File.

Motion carried.

Assemblyman Sedway moved that all rules be suspended, reading so far had considered second reading, rules further suspended, Senate Bill No. 568 declared an emergency measure under the Constitution and placed on third reading and final passage.

Motion carried unanimously.

Assemblyman Sedway moved that Senate Bill No. 568 be taken from its position on the General File and placed at the top of the General File.

Motion carried.

Assemblyman Evans moved that Senate Bill No. 234 be taken from the Chief Clerk's desk and placed on the Second Reading File.

Remarks by Assemblyman Evans.

Motion carried.

Assemblyman Sader moved that the vote whereby Assembly Bill No. 413 was passed be rescinded.

Remarks by Assemblyman Sader.

Motion carried.

Assemblyman Nevin moved that the Assembly recess subject to the call of the Chair.

Motion carried.

Assembly in recess at 10:24 a.m.

ASSEMBLY IN SESSION

At 10:32 a.m.

Mr. Speaker presiding.

Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Concurrent Committee on Transportation, to which was referred Assembly Bill No. 352, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and re-refer to the Committee on Ways and Means.

LEONARD V. NEVIN, *Chairman*

Mr. Speaker:

Your Committee on Legislative Functions, to which was referred Assembly Concurrent Resolution No. 68, has had the same under consideration, and begs leave to report the same back with the recommendation: Re-refer to the Committee on Government Affairs.

MYRNA WILLIAMS, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Myrna Williams moved that Assembly Concurrent Resolution No. 68 be re-referred to the Committee on Government Affairs.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Health and Welfare:

Assembly Bill No. 871—An Act relating to franchises by local governments; eliminating the requirement that certain public utilities file a petition signed by a majority of resident taxpayers to obtain a franchise or the extension of a franchise; and providing other matters properly relating thereto.

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

Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 568.

Bill read third time.

Remarks by Assemblyman Sedway.

Roll call on Senate Bill No. 568:

YEAS—41.

NAYS—None.

Absent—Callister.

Senate Bill No. 568 having received a constitutional majority, Mr. Speaker declared it passed.

Assemblyman Sedway moved that all rules be suspended and that Senate Bill No. 568 be immediately transmitted to the Senate.

Motion carried unanimously.

Assembly Bill No. 859.

Bill read third time.

Remarks by Assemblyman Bergevin.

Roll call on Assembly Bill No. 859:

YEAS—41.

NAYS—None.

Absent—Callister.

Assembly Bill No. 859 having received a constitutional majority, Mr. Speaker declared it passed.

Assemblyman Bergevin moved that all rules be suspended and that Assembly Bill No. 859 be immediately transmitted to the Senate.

Motion carried unanimously.

Assembly Bill No. 121.

Bill read third time.

Remarks by Assemblymen Price, Thomas and Fay.

Roll call on Assembly Bill No. 121:

YEAS—41.
NAYS—None.
Absent—Callister.

Assembly Bill No. 121 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 143.

Bill read third time.

Remarks by Assemblyman Tebbs.

Roll call on Assembly Bill No. 143:

YEAS—40.
NAYS—Arberry.
Absent—Callister.

Assembly Bill No. 143 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 244.

Bill read third time.

Remarks by Assemblyman Sedway.

Roll call on Assembly Bill No. 244:

YEAS—41.
NAYS—None.
Absent—Callister.

Assembly Bill No. 244 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 Assemblymen DuBois, Wendell Williams, Fay, Sader and Getto.

Roll call on Assembly Bill No. 516:

YEAS—39.
NAYS—Arberry, Wendell Williams—2.
Absent—Callister.

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. 813.

Bill read third time.

Remarks by Assemblymen Brookman and Nicholas.

Roll call on Assembly Bill No. 813:

YEAS—41.
NAYS—None.
Absent—Callister.

Assembly Bill No. 813 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 Porter.

Roll call on Assembly Bill No. 308:

YEAS—41.

NAYS—None.

Absent—Callister.

Assembly Bill No. 308 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 Sader.

Roll call on Assembly Bill No. 360:

YEAS—40

NAYS—None.

Absent—Callister.

Not voting—Mr. Speaker.

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. 698.

Bill read third time.

The following amendment was proposed by the Committee on Taxation:

Amendment No. 1240.

Amend sec. 3, page 2, line 30, after "fire" by inserting "protection".

Amend sec. 4, page 4, line 22, by deleting "*protection*" and inserting "protection".

Assemblyman May moved the adoption of the amendment.

Remarks by Assemblyman May.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 737.

Bill read third time.

Remarks by Assemblyman Sedway.

Roll call on Assembly Bill No. 737:

YEAS—41.

NAYS—None.

Absent—Callister.

Assembly Bill No. 737 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 806.
Bill read third time.
Remarks by Assemblyman Sader.
Roll call on Assembly Bill No. 806:
YEAS—41.
NAYS—None.
Absent—Callister.

Assembly Bill No. 806 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 808.
Bill read third time.
Remarks by Assemblymen Sader and Schofield.
Roll call on Assembly Bill No. 808:
YEAS—41.
NAYS—None.
Absent—Callister.

Assembly Bill No. 808 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 809.
Bill read third time.
Remarks by Assemblyman Carpenter.
Roll call on Assembly Bill No. 809:
YEAS—41.
NAYS—None.
Absent—Callister.

Assembly Bill No. 809 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 828.
Bill read third time.
Remarks by Assemblyman Schofield.
Roll call on Assembly Bill No. 828:
YEAS—38.
NAYS—Spriggs, Tebbs, Thomas—3.
Absent—Callister.

Assembly Bill No. 828 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Joint Resolution No. 42.
Resolution read third time.
The following amendment was proposed by the Committee on Legislative Functions:

Amendment No. 1238.

Amend the resolution, page 2, line 2, by deleting: "Secretary of the Senate" and inserting: "Chief Clerk of the Assembly".

Assemblyman Myrna Williams moved the adoption of the amendment.

Remarks by Assemblyman Myrna Williams.

Amendment adopted.

Resolution ordered reprinted, re-engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that all rules be suspended and that Assembly Bills Nos. 121, 143, 244, 308, 360, 516, 737, 806, 808, 809, 813, 828 and Assembly Concurrent Resolution No. 65 be immediately transmitted to the Senate.

Motion carried unanimously.

GENERAL FILE AND THIRD READING

Senate Bill No. 10.

Bill read third time.

Remarks by Assemblyman Spinello.

Roll call on Senate Bill No. 10:

YEAS—41.

NAYS—None.

Absent—Callister.

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. 334.

Bill read third time.

Remarks by Assemblyman Fay.

Roll call on Senate Bill No. 334:

YEAS—41.

NAYS—None.

Absent—Callister.

Senate Bill No. 334 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 338.

Bill read third time.

Remarks by Assemblyman McGaughey.

Roll call on Senate Bill No. 338:

YEAS—40.

NAYS—Arberry.

Absent—Callister.

Senate Bill No. 338 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 412.
Bill read third time.
Remarks by Assemblyman Freeman.
Roll call on Senate Bill No. 412:

YEAS—41.
NAYS—None.
Absent—Callister.

Senate Bill No. 412 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 478.
Bill read third time.
Remarks by Assemblyman Porter.
Roll call on Senate Bill No. 478:

YEAS—41.
NAYS—None.
Absent—Callister.

Senate Bill No. 478 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 413.
Bill read third time.
The following amendment was proposed by the Committee on Judiciary:
Amendment No. 1239.
Amend sec. 5, page 4, line 19, by deleting "state".
Assemblyman Sader moved the adoption of the amendment.
Remarks by Assemblyman Sader.
Amendment adopted.
Bill ordered reprinted, re-engrossed and to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, June 4, 1987

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. 43.

MARY JO MONGELLI
Assistant Secretary of the Senate

REPORTS OF COMMITTEES

Mr. Speaker:

Your Concurrent Committee on Ways and Means, to which was referred Assembly Bill No. 637, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

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MARVIN M. SEDWAY, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which was referred Assembly Bill No. 144, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

MARVIN M. SEDWAY, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Senate Concurrent Resolution No. 43.

Assemblyman Sader moved the adoption of the resolution.

Remarks by Assemblyman Sader.

Resolution adopted unanimously.

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

Assembly in recess at 11:28 a.m.

ASSEMBLY IN SESSION

At 11:45 a.m.

Mr. Speaker presiding.

Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Concurrent Committee on Health and Welfare, 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 do pass as amended.

MORSE ARBERRY, JR., *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

By the Committee on Government Affairs:

Assembly Concurrent Resolution No. 70—Urging the board of directors of the Carson Water Subconservancy District to conduct a study of the upstream storage of water on the upper Carson River System and the proposed Comstock Dam.

Assemblyman Thompson moved that the resolution be referred to the Committee on Government Affairs.

Motion carried.

Assemblyman Sedway moved that Senate Bill No. 230 be taken from the Second Reading File and placed on the Chief Clerk's desk.

Motion carried.

Assemblyman Jeffrey moved that Assembly Bills Nos. 144, 400, 495, 761, 854, 856, 864, 869; Senate Bills Nos. 143, 276 and 492 be placed on the Second Reading File.

Motion carried.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 327.

The following Senate amendment was read:

Amendment No. 1010.

Amend sec. 12, page 9, by inserting between lines 12 and 13:

"*(e) Any valid claims filed pursuant to this chapter.*".

Amend sec. 12, page 9, line 15, before "claims" by inserting "*valid*".

Amend sec. 12, page 9, line 16, by deleting "NRS 120A.340." and inserting: "NRS 120A.340 [.] *or owners pursuant to NRS 120A.380.*".

Assemblyman Jeffrey moved that the Assembly concur in the Senate amendment to Assembly Bill No. 327.

Remarks by Assemblyman Jeffrey.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 90.

The following Senate amendment was read:

Amendment No. 1078.

Amend the bill as a whole by adding a new section designated sec. 2, following section 1, to read as follows:

"Sec. 2. This act becomes effective upon passage and approval and applies retroactively from May 27, 1987.".

Assemblyman Price moved that the Assembly concur in the Senate amendment to Assembly Bill No. 90.

Remarks by Assemblyman Price.

Motion carried.

Bill ordered enrolled.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Assembly Bills Nos. 352 and 637 be placed on the General File.

Remarks by Assemblyman Jeffrey.

Motion carried.

SECOND READING AND AMENDMENT

Senate Bill No. 45.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1175.

Amend section 1, page 1, by deleting lines 13 and 14 and inserting: "*Nevada as ascertained by the commissioner of financial institutions on January 1 or July 1, as the case may be, immediately preceding the date of judgment, plus 2 percent. The rate must be adjusted accordingly on each January 1 and July 1 thereafter until the judgment is satisfied.*".

Amend the bill as a whole by renumbering sec. 2 as sec. 8 and adding new sections designated sections 2 through 7, following section 1, to read as follows:

"Sec. 2. NRS 37.175 is hereby amended to read as follows:

37.175 1. The plaintiff shall pay interest on the final judgment at [the rate of 12 percent per annum,] *a rate equal to the prime rate at the largest*

bank in Nevada, as ascertained by the commissioner of financial institutions, on January 1 or July 1, as the case may be, immediately preceding the date of judgment, plus 2 percent, but shall not pay interest on any sum deposited pursuant to the provisions of NRS 37.100 or 37.170.. *The rate must be adjusted accordingly on each January 1 and July 1 thereafter until the judgment is satisfied.*

2. The interest runs from the date of entry of judgment or, if the plaintiff has occupied the property of the defendant pursuant to the provisions of NRS 37.100, from the date fixed by order on which the plaintiff was entitled to occupancy, until the final judgment is satisfied.

Sec. 3. NRS 99.040 is hereby amended to read as follows:

99.040 When there is no express contract in writing fixing a different rate of interest, interest must be allowed at [the rate of 12 percent per annum] *a rate equal to the prime rate at the largest bank in Nevada, as ascertained by the commissioner of financial institutions, on January 1 or July 1, as the case may be, immediately preceding the date of the transaction, plus 2 percent,* upon all money from the time it becomes due, in the following cases:

1. Upon contracts, express or implied, other than book accounts.
2. Upon the settlement of book or store accounts from the day on which the balance is ascertained.
3. Upon money received to the use and benefit of another and detained without his consent.
4. Upon wages or salary, if it is unpaid when due, after demand therefor has been made.

The rate must be adjusted accordingly on each January 1 and July 1 thereafter until the judgment is satisfied. The provisions of this section do not apply to money owed for the construction or remodeling of a building pursuant to NRS 624.325.

Sec. 4. NRS 108.237 is hereby amended to read as follows:

108.237 1. Any number of persons claiming liens may join in the same action. When separate actions are commenced the court may consolidate them.

2. The court may also allow interest at [the rate of 12 percent per annum] *a rate equal to the prime rate at the largest bank in Nevada, as ascertained by the commissioner of financial institutions, on January 1 or July 1, as the case may be, immediately preceding the date of judgment, plus 2 percent,* on the amount of the lien found payable . [, such interest to accrue and be] *The interest is* payable from the date that the payment is found to have been due, and *the court* may allow, as part of the costs, the money paid for recording the lien. *The rate of interest must be adjusted accordingly on each January 1 and July 1 thereafter until the amount of the lien is paid.*

3. The court shall also allow to the prevailing party reasonable attorney's fees for the preparation of the lien and for representation of the lien claimant in the action.

Sec. 5. NRS 147.220 is hereby amended to read as follows:

147.220 All claims paid bear interest from date of filing at [the rate of 12 percent per annum] *a rate equal to the prime rate at the largest bank in Nevada, as ascertained by the commissioner of financial institutions, on January 1 or July 1, as the case may be, immediately preceding the date of filing, plus 2 percent,* unless a different rate is applicable by contract or otherwise. *The rate of interest must be adjusted accordingly on each January 1 and July 1 thereafter until the amount of the lien is paid.*

Sec. 6. NRS 233.170 is hereby amended to read as follows:

233.170 1. When a complaint is filed whose allegations if true would support a finding of unlawful practice, the commission shall hold an informal meeting to attempt a settlement of the dispute. To prepare for the informal meeting, the executive director may request from each party any information which is reasonably relevant to the complaint. No further action may be taken if the parties agree to a settlement.

2. If an agreement is not reached, the executive director of the commission shall conduct an investigation into the alleged unlawful practice. After the investigation, if the executive director determines that an unlawful practice has occurred, he shall attempt to mediate between or reconcile the parties. The party against whom a complaint was filed may agree to cease the unlawful practice. If an agreement is reached, no further action may be taken by the complainant or by the commission.

3. If the attempts at mediation or conciliation fail, the commission may hold a public hearing on the matter. After the hearing, if the commission determines that an unlawful practice has occurred, it may:

(a) Serve a copy of its findings of fact within 10 calendar days upon any person found to have engaged in the unlawful practice; and

(b) Order the person to:

(1) Cease and desist from the unlawful practice.

(2) In cases involving an unlawful employment practice, restore all benefits and rights to which the aggrieved person is entitled, including but not limited to rehiring, back pay for a period not to exceed 2 years after the date of the most recent unlawful practice, annual leave time, sick leave time or pay, other fringe benefits and seniority, with interest thereon [at the rate of 12 percent per annum] from the date of the commission's decision [.] *a rate equal to the prime rate at the largest bank in Nevada, as ascertained by the commissioner of financial institutions, on January 1 or July 1, as the case may be, immediately preceding the date of the commission's decision, plus 2 percent. The rate of interest must be adjusted accordingly on each January 1 and July 1 thereafter until the judgment is satisfied.*

4. The order of the commission is a final decision in a contested case for the purpose of judicial review. If the person fails to comply with the commission's order, the commission shall apply to the district court for an order compelling such compliance, but failure or delay on the part of the commission does not prejudice the right of an aggrieved party to judicial review. The court shall issue the order unless it finds that the commission's findings or order are not supported by substantial evidence or are otherwise arbitrary or capricious. If the court upholds the commission's order and

finds that the person has violated the order by failing to cease and desist from the unlawful practice or to make the payment ordered, the court shall award the aggrieved party actual damages for any economic loss and no more.

5. After the commission has held a public hearing and rendered a decision, the complainant is barred from proceeding on the same facts and legal theory before any other administrative body or officer.

Sec. 7. NRS 645.847 is hereby amended to read as follows:

645.847 If the administrator pays from the fund any amount in settlement of a claim or towards satisfaction of a judgment against a licensee, his license issued pursuant to chapter 119 of NRS and this chapter must be automatically suspended upon the effective date of an order by the court authorizing payment from the fund. The license of the broker, broker-salesman or salesman may not be reinstated and no other license may be granted to him pursuant to this chapter until he has repaid in full, plus interest at [the rate of 12 percent per annum,] *a rate equal to the prime rate at the largest bank in Nevada, as ascertained by the commissioner of financial institutions, on January 1 or July 1, as the case may be, immediately preceding the date of judgment, plus 2 percent,* the amount paid from the fund on his account. Interest is computed from the date payment from the fund was made by the administrator [.] *and the rate must be adjusted accordingly on each January 1 and July 1 thereafter until the judgment is satisfied.*".

Amend the title of the bill by deleting the first line and inserting:

"An Act relating to interest; revising the rate of interest to be paid on certain judgments and liens and in certain cases involving unlawful employment practices; and".

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. 57.

Bill read second time.

The following amendment was proposed by the Committee on Elections:

Amendment No. 1040.

Amend sec. 6, page 4, line 22, by deleting the brackets.

Amend sec. 6, page 4, line 27, by deleting the open bracket.

Amend sec. 6, page 5, line 40, by deleting "Any" and inserting "[Any] *A*".

Amend sec. 6, page 5, line 42, by deleting "NRS.]" and inserting: "NRS [.] *, except that any meeting held pursuant to subsection 1 must be open and public at the request of the public officer or employee who requested the opinion.*".

Amend sec. 9, page 7, line 1, by deleting: "Within 6 months" and inserting: "[Within 6 months] *During the sixth month*".

Amend sec. 9, page 7, line 2, by deleting: "within 6 months" and inserting: "[within 6 months] *during the sixth month*".

Amend sec. 9, page 7, by deleting lines 6 through 11.

Amend sec. 11, page 7, line 20, after "as" by inserting "otherwise".

Amend sec. 11, page 7, line 23, by deleting "authorized" and inserting: "paid for in whole or in part by money appropriated".

Amend sec. 11, page 7, line 26, by deleting "authorized." and inserting "paid.".

Amend sec. 11, page 7, by deleting lines 30 through 35 and inserting:

"2. Any member of the legislature may:

(a) Sell or enter into a contract to sell, to the state or any of its departments any item [or] , commodity , *service or capital improvement,* if [he is the only source of supply of that item or commodity within the state.] *:*

(1) The sources of supply for the item, commodity, service or capital improvement are limited;

(2) The contracting process is controlled by rules of open competitive bidding;

(3) He has not taken part in developing the plans or specifications for the sale or contract; and

(4) He will not be personally involved in opening, considering or accepting any bids for the sale or contract.

(b) Receive, as direct salary or wages, compensation for which the original source was a legislative appropriation to any governmental entity or a private entity not owned or controlled by the legislator.

(c) Receive, for services as an instructor or teacher from any county school district or the University of Nevada System, compensation for which the original source was a legislative appropriation to any governmental entity or a private entity not owned or controlled by the legislator.".

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. 262.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 1146.

Amend sec. 5, page 2, by deleting lines 33 through 37 and inserting:

"Sec. 5. NRS 640.024 is hereby amended to read as follows:

640.024 "Practice of physical therapy":

1. Includes:

(a) The performing and interpreting of tests and measurements as an aid to evaluation and treatment;

(b) The planning of initial and subsequent programs of treatment on the basis of the results of tests; [and]

(c) The administering of treatment through the use of therapeutic exercise and massage, the mobilization of joints by the use of therapeutic exercise

without chiropractic adjustment, mechanical devices, and therapeutic agents which employ the properties of air, water, electricity, sound and radiant energy [.] *; and*

(d) The use of physiotherapy.

2. Does not include:

(a) The diagnosis of physical disabilities;

(b) The use of roentgenic rays or radium;

(c) The use of electricity for cauterization or surgery; [or]

(d) The occupation of a masseur who massages only the superficial soft tissues of the body [.] *; or*

(e) The direct manipulation or adjustment of the spine, because such manipulation and adjustment are techniques of chiropractic and osteopathic physicians.".

Amend sec. 14, page 6, line 18, by deleting "*currently*".

Amend sec. 27, page 11, by deleting lines 5 through 11 and inserting:

"Sec. 27. (Deleted by amendment.)".

Amend sec. 29, page 11, line 33, by deleting: "*while he is an employee and*".

Amend the title of the bill to read as follows:

"An Act relating to physical therapists; clarifying the confidentiality of certain proceedings and records of the state board of physical therapy; revising the definition of the practice of physical therapy; requiring completion of a program of continuing education for the renewal of a license; increasing certain fees; revising the requirements for the issuance of a license; and providing other matters properly relating thereto.".

Assemblyman Wisdom moved the adoption of the amendment.

Remarks by Assemblyman Wisdom.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 268.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1117.

Amend section 1, pages 1 and 2, by deleting lines 9 through 16 on page 1 and lines 1 and 2 on page 2 and inserting:

"3. No person may be detained longer than is reasonably necessary to effect the purposes of this section . [, and in no event longer than 30 minutes. Such detention shall] *The detention may* not extend beyond the place or the immediate vicinity of the place where the detention was first effected [.] , *unless movement of the person is reasonably justified under the circumstances and the person, if he is not arrested, is returned to the place where the detention was first effected.*".

Amend the title of the bill, second line, after "duration" by inserting "and place".

Assemblyman Sader moved the adoption of the amendment.

Remarks by Assemblyman Sader.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, June 4, 1987

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. 431, which was returned from enrollment for the purpose of effecting a technical amendment.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Sader moved that the vote whereby Senate Bill No. 431 was passed be rescinded.

Remarks by Assemblyman Sader.

Motion carried.

Assemblyman Sader moved that Senate Bill No. 431 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. 431.

Bill read third time.

Remarks by Assemblyman Sader.

Roll call on Senate Bill No. 431:

YEAS—40.

NAYS—None.

Absent—Callister, Craddock—2.

Senate Bill No. 431 having received a constitutional majority, Mr. Speaker declared it passed.

Assemblyman Sader moved that all rules be suspended and that Senate Bill No. 431 be immediately transmitted to the Senate.

Motion carried unanimously.

SECOND READING AND AMENDMENT

Senate Bill No. 378.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 1166.

Amend section 1, page 1, line 5, by deleting "*$1,000,*" and inserting "*$50,*".

Assemblyman Thompson moved the adoption of the amendment.

Remarks by Assemblyman Thompson.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 396.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1096.

Amend section 1, page 2, by deleting line 3 and inserting:

"2. *Defray the costs paid by the department for medical care for the offender.*".

Amend the bill as a whole by deleting sec. 4 and renumbering sections 5, 6 and 7 as sections 4, 5 and 6.

Amend the title of the bill, third, fourth and fifth lines, by deleting: "increasing the number of days of credit allowable to an offender for exceptional meritorious service;".

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. 467.

Bill read second time and ordered to third reading.

Senate Bill No. 491.

Bill read second time and ordered to third reading.

Senate Bill No. 531.

Bill read second time and ordered to third reading.

Senate Bill No. 532.

Bill read second time and ordered to third reading.

Senate Bill No. 544.

Bill read second time and ordered to third reading.

Senate Joint Resolution No. 19.

Resolution read second time.

The following amendment was proposed by the Committee on Legislative Functions:

Amendment No. 1151.

Amend the resolution, page 1, line 12, after "provisions" by inserting: "submitted by Congressman Bilbray".

Assemblyman Schofield moved the adoption of the amendment.

Remarks by Assemblyman Schofield.

Amendment adopted.

Resolution ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 234.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 1088.

Amend sec. 4, page 2, line 13, before "*but*" by inserting: "*in his regular governmental employment*".

Amend sec. 12, page 3, by deleting line 21.

Amend sec. 12, page 3, line 22, by deleting "*3.*" and inserting "*2.*".

Amend sec. 13, page 3, line 29, by deleting "*1987.*" and inserting "*1988.*".

Amend sec. 13, page 3, line 32, by deleting "*1987,*" and inserting "*1988,*".

Amend sec. 13, page 3, by deleting lines 34 and 35 and inserting: "*being promoted to any position for which he would qualify but for the provisions of this chapter.*".

Amend sec. 38, pages 8 and 9, by deleting line 40 on page 8 and lines 1 through 5 on page 9, and inserting:

"433.265 Any person employed by the division as a psychiatrist, psychologist , [or] registered nurse *or social worker* must be licensed or certified by the appropriate state licensing board for his respective profession.".

Amend sec. 45, page 10, by deleting line 16 and inserting:

"Sec. 45. (Deleted by amendment.)".

Amend sec. 52, page 11, by deleting line 39 and inserting:

"2. Section 46 of this act becomes effective at 12:01 a.m. on July 1, 1987.".

Amend the bill as a whole by deleting the text of the repealed section.

Assemblyman Jeffrey moved the adoption of the amendment.

Remarks by Assemblyman Jeffrey.

Amendment adopted.

The following amendment was proposed by Assemblyman Evans:

Amendment No. 1161.

Amend sec. 29, page 7, line 25, by deleting "*It*" and inserting:

"*1. Except as otherwise provided in subsection 2, it*".

Amend sec. 29, page 7, by inserting between lines 27 and 28:

"2. *The board of county commissioners of any county may:*

(a) By ordinance exempt from the provisions of this section employees of any agency of the county government; and

(b) Employ persons in those agencies as social workers regardless of whether they are licensed pursuant to the provisions of this chapter.

Any person so employed may represent himself as a social worker regardless of whether he is licensed pursuant to the provisions of this chapter.".

Assemblyman Evans moved the adoption of the amendment.

Remarks by Assemblymen Evans, Myrna Williams, Jeffrey, Wisdom, Nicholas, Freeman, Gaston and DuBois.

Amendment lost.

Bill ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 144.

Bill read second time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1227.

Amend section 1, page 1, line 2, by deleting "$176,780" and inserting "$146,033".

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. 400.

Bill read second time.

The following amendment was proposed by the Committee on Health and Welfare:

Amendment No. 1016.

Amend sec. 2, page 1, by deleting lines 3 and 4 and inserting:

"Sec. 2. *1. The board of county commissioners shall adopt an ordinance and any related policies*".

Amend sec. 2, page 1, by deleting lines 9 and 10 and inserting: "*the ordinance and policies with the secretary of state within 30 days after adoption, but not later than July 1, 1988. Any amendment to the ordinance or policies must be filed with the secretary of state within 30 days after adoption.*".

Amend sec. 2, page 2, by deleting lines 15 and 16 and inserting:

"*(b) All other medically necessary care rendered in a medical facility designated by the county.*

4. As used in this section, "emergency medical care" means any care for an urgent medical condition which is likely to result in serious and permanent bodily disability or death if the patient is transported to a medical facility designated by the county.".

Amend sec. 3, page 2, by deleting lines 17 through 31 and inserting:

"Sec. 3. *1. A person who is denied by a county medical or financial assistance pursuant to this chapter may appeal that denial in accordance with procedures adopted by the county. Each county shall adopt procedures for appeals which comply with the requirements of this section.*

2. The procedures must provide for adequate notice to the person denied assistance and the opportunity for a hearing. Any employee or other representative of the county who investigated or made the initial decision to deny assistance shall not participate in any decision made pursuant to the hearing.

3. A decision adverse to the person denied assistance must be in writing and set forth the factual basis for the decision and the applicable regulation. A copy of the decision must be served personally or by certified mail upon each party and his representative.

4. A person aggrieved by the final decision of the county may, within 30 days after the date on which the written notice of the decision is served or mailed, petition the district court where he resides to review the decision.

The court shall review the decision on the record of the case before the county, a copy of which must be certified as correct by the county and filed with the court as part of its answer to the petition.

5. Before the date set by the court for a hearing, an application may be made to the court by motion, with notice to the opposing party and an opportunity for that party to respond, for leave to present additional evidence. If it is shown to the satisfaction of the court that the additional evidence is material and that there were good reasons for failure to present it in the proceeding before the county, the court may order that the additional evidence be taken before the county upon conditions determined by the court. The county may modify its findings and decisions by reason of the additional evidence and shall file that evidence and any modifications, new findings or decisions with the reviewing court.

6. The review must be conducted by the court without a jury and must be confined to the record. The court, at the request of a party, may hear oral arguments and receive written briefs.

7. The court shall not substitute its judgment for that of the county as to the weight of the evidence on questions of fact. The court may affirm the decision of the county or remand the case for further proceedings. The court may reverse the decision and remand the case to the county for further proceedings if it determines that substantial rights of the appellant have been prejudiced because the county's findings, inferences, conclusions or decisions are:

(a) In violation of constitutional, statutory or regulatory provisions;

(b) In excess of the statutory authority of the county;

(c) Made in accordance with an unlawful procedure;

(d) Affected by other errors of law;

(e) Clearly erroneous in view of the reliable, probative and substantial evidence on the whole record; or

(f) Arbitrary and capricious.

8. An aggrieved party may appeal any final judgment of the district court to the supreme court in the same manner as a civil case.".

Amend sec. 4, pages 2 and 3, by deleting lines 33 through 41 on page 2 and lines 1 through 5 on page 3, and inserting:

"428.010 1. To the extent that money may be lawfully appropriated by the board of county commissioners for this purpose pursuant to NRS 428.050, 428.265, 428.275 and 428.285, every county shall provide care, support and relief to the poor, indigent, incompetent and those incapacitated by age, disease or accident, lawfully resident therein, when [such] *those* persons are not supported or relieved by their relatives or guardians, by their own means, or by state hospitals, or other state, federal or private institutions or agencies.

2. The boards of county commissioners of the several counties [are vested with the authority to] *shall* establish and approve policies and standards, prescribe a uniform standard of eligibility, appropriate money for this purpose and appoint agents who will develop regulations and administer

these programs [for the purpose of providing] *to provide* care, support and relief to the poor, indigent, incompetent and those incapacitated by age, disease or accident.".

Amend sec. 5, page 3, by deleting lines 7 through 15 and inserting:

"428.030 1. When any [poor] person meets the uniform standards of eligibility established by the board of county commissioners [and does not have relatives of sufficient ability to care for and maintain him, or when such relatives refuse or neglect to care for and maintain him, then he must] , *then he is entitled to* receive such relief as is in accordance with the policies and standards established and approved by the board of county commissioners and within the limits of the money which may be lawfully appropriated pursuant to NRS 428.050, 428.265, 428.275 or 428.285, for this purpose.".

Assemblyman Arberry moved the adoption of the amendment.

Remarks by Assemblymen Arberry and Sedway.

Amendment adopted.

Bill ordered reprinted, engrossed and to the Concurrent Committee on Ways and Means.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Nevin moved that Assembly Bill No. 495 be taken from the Second Reading File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Nevin.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 761.

Bill read second time.

The following amendment was proposed by the Committee on Transportation:

Amendment No. 1095.

Amend the bill as a whole by deleting sec. 9 and renumbering sections 10 and 11 as sections 9 and 10.

Amend the bill as a whole by deleting sec. 12.

Amend the title of the bill, second line, by deleting: "requiring competitive bidding" and inserting: "revising the requirements concerning bonds of contractors".

Assemblyman Nevin moved the adoption of the amendment.

Remarks by Assemblyman Nevin.

Amendment adopted.

Assemblyman Jeffrey moved that Assembly Bill No. 761 be re-referred to the Committee on Ways and Means.

Remarks by Assemblyman Jeffrey.

Motion carried.

Bill ordered reprinted, engrossed and to the Committee on Ways and Means.

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

Assembly in recess at 12:23 p.m.

ASSEMBLY IN SESSION

At 12:34 p.m.
Mr. Speaker presiding.
Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Commerce, to which was referred Assembly Bill No. 736, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN E. JEFFREY, *Chairman*

Mr. Speaker:

Your Committee on Natural Resources, Agriculture and Mining, to which was referred Assembly Bill No. 870, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JAMES W. SCHOFIELD, *Chairman*

SECOND READING AND AMENDMENT

Assembly Bill No. 854.
Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 856.
Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 864.
Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 869.
Bill read second time, ordered engrossed and to third reading.

Senate Bill No. 143.
Bill read second time and ordered to third reading.

Senate Bill No. 276.
Bill read second time and ordered to third reading.

Senate Bill No. 492.
Bill read second time and ordered to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, June 4, 1987

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Senate Bill No. 497.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 23, 168, 209, 251, 382, 460, 470, 520.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Joint Resolution No. 21.

MARY JO MONGELLI
Assistant Secretary of the Senate

GENERAL FILE AND THIRD READING

Assembly Bill No. 352.

Bill read third time.

The following amendment was proposed by the Committee on Transportation:

Amendment No. 1195.

Amend sec. 4, page 2, line 39, after "*regulation.*" by inserting: "*All such fees adopted must be set to approximate the cost of providing the service for which the fee is charged.*".

Amend sec. 4, page 3, line 1, by deleting "*general fund.*" and inserting "*highway fund.*".

Amend sec. 23, pages 8 and 9, by deleting lines 35 through 41 on page 8 and lines 1 through 23 on page 9 and inserting:

"481.180 The duties of the personnel of the Nevada highway patrol are:

1. To police the public highways of this state, and to enforce and to aid in enforcing thereon all the traffic laws of the State of Nevada. They have the powers of peace officers:

(a) When enforcing traffic laws; and

(b) With respect to all other laws of this state when:

(1) In the apprehension or pursuit of an offender or suspected offender;

(2) Making arrests for crimes committed in their presence or upon or adjacent to the highways of this state; or

(3) Making arrests pursuant to a warrant in the officer's possession or communicated to him.

2. To investigate accidents on all primary and secondary highways within the State of Nevada resulting in personal injury, property damage or death, and to gather evidence to prosecute any person guilty of any violation of the law contributing to the happening of such an accident.

3. To enforce the provisions of chapters 365, 366, 408, 482, 483, 484, 485, 486, 487 and 706 of NRS.

4. To maintain the central repository for Nevada records of criminal history and to carry out the provisions of chapter 179A of NRS.

5. To enforce the provisions of laws and regulations relating to motor carriers, the safety of their vehicles and equipment and their transportation of hazardous materials and other cargo.

6. *To maintain the repository for information concerning hazardous materials in Nevada and to carry out its duties pursuant to chapter 459 of NRS concerning the transportation of hazardous materials.*

7. To perform such other duties in connection with those specified in this section, as may be imposed by the director.".

Amend sec. 30, page 12, line 2, after "20" by inserting: ", 21 and 22, 24".

Amend sec. 30, page 12, by inserting between lines 2 and 3:

"2. Section 23 of this act becomes effective at 12:01 a.m. on July 1, 1987.".

Amend sec. 30, page 12, line 3, by deleting "2." and inserting "3.".

Amend sec. 30, page 12, line 4, by deleting "3." and inserting "4.".

Assemblyman Schofield moved the adoption of the amendment.

Remarks by Assemblyman Schofield.

Amendment adopted.

Assemblyman Schofield moved that Assembly Bill No. 352 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. 637.

Bill read third time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1184.

Amend section 1, page 1, line 2, by deleting "11" and inserting "12".

Amend section 1, page 2, line 4, by deleting "and".

Amend section 1, page 2, line 6, by deleting the period and inserting: "; and

(i) One member who is the superintendent of public instruction or a person who is designated by him.".

Amend section 1, page 2, between lines 10 and 11, by inserting:

"4. The legislative commission shall appoint a member of the committee to serve as chairman.".

Amend sec. 4, page 2, line 28, by deleting "$25,000" and inserting "$15,000".

Assemblyman Humke moved the adoption of the amendment.

Remarks by Assemblyman Humke.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Assembly Bills Nos. 736 and 870 be placed on the Second Reading File.

Motion carried.

Senate Joint Resolution No. 21.

Assemblyman Jeffrey moved that the resolution be referred to the Committee on Taxation.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

Senate Bill No. 23.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Taxation.

Motion carried.

Senate Bill No. 168.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Education.

Motion carried.

Senate Bill No. 209.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

Senate Bill No. 251.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

Senate Bill No. 382.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Natural Resources, Agriculture and Mining.

Motion carried.

Senate Bill No. 460.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

Senate Bill No. 470.

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

Motion carried.

Senate Bill No. 497.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Legislative Functions.

Motion carried.

Senate Bill No. 520.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, June 4, 1987

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. 390 and requests a conference, and appointed Senators Rawson, Horn and Rhoads as a first Committee on Conference to meet with a like committee of the Assembly.

MARY JO MONGELLI
Assistant Secretary of the Senate

UNFINISHED BUSINESS

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker appointed Assemblymen Thompson, Bergevin and Adler as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Assembly Bill No. 390.

SECOND READING AND AMENDMENT

Assembly Bill No. 736.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 1131.

Amend section 1, page 1, line 5, by deleting the period and inserting: "*or discriminate against a tenant for receiving such a company's service.*".

Amend section 1, page 1, line 6, by deleting "2," and inserting "*3,*".

Amend section 1, page 1, by deleting lines 11 through 15 and inserting:

"2. *A community antenna television company which desires to provide such services to a tenant shall give written notice of that desire to the landlord before the company takes any action to provide that service. Before authorizing the receipt of such service a landlord may:*

(a) Take such reasonable steps as are necessary to ensure that the safety, function and appearance of the premises and the convenience and safety of persons on the property are not adversely affected by the installation, construction, operation or maintenance of the facilities necessary to provide the service;

(b) Require that the cost of the installation, construction, operation, maintenance or removal of the necessary facilities be borne by the community antenna television company, the tenants who subscribe to the service or both the company and the tenants; and

(c) Require the community antenna television company to provide evidence that the company will indemnify the landlord for any damage caused by the installation, construction, operation, maintenance or removal of the facilities.

3. A landlord is entitled to receive reasonable compensation for any direct adverse economic effect resulting from granting access to a community antenna television company. There is a disputable presumption that the direct adverse economic effect resulting from granting access to each dwelling unit is $1. If a landlord intends to require the payment of such compensation in an amount exceeding $1, the landlord shall notify the community

antenna television company in writing of that intention. If the company does not receive such a notice within 10 days after the landlord is notified by the company that a tenant has requested the company to provide its services to the tenant on the landlord's premises, the landlord may not require compensation for access to that tenant's dwelling unit in an amount exceeding $1. If within 30 days after receiving a landlord's request for compensation in an amount exceeding $1, the company has not agreed to pay the requested amount or an amount mutually acceptable to the company and the landlord, the landlord may petition a court of competent jurisdiction to set a reasonable amount of compensation for the damage of or taking of his real property. Such an action must be filed within 6 months after the date the company notified the landlord that the tenant requested the company's service.

4. In establishing the amount which will constitute reasonable compensation for any damage or taking by a landlord in excess of $1, the court shall consider:

(a) The extent to which the community antenna television company's facilities physically occupy the premises;

(b) The actual long-term damage which the company's facilities may cause to the premises;

(c) The extent to which the company's facilities would interfere with the normal use and enjoyment of the premises; and

(d) The diminution or enhancement in value of the premises resulting from the availability of the service.

5. The company's right to construct, install or repair its facilities and maintain its services within and upon the landlord's premises is not affected or impaired because the landlord requests compensation in an amount exceeding $1 or files an action to assert a specific claim against the company.

6. A community antenna television company shall not offer a special discount or other benefit to a particular group of tenants as an incentive to request the company's services, unless the same discount or benefit is offered in the same manner to all of the company's customers in the county.".

Amend section 1, page 2, line 1, by deleting "*3.*" and inserting "*7.*".

Amend section 1, page 2, line 3, by deleting "*4.*" and inserting "*8.*".

Amend the title of the bill, third line, after "circumstances;" by inserting: "prohibiting the offering of certain incentives;".

Assemblyman Porter moved the adoption of the amendment.

Remarks by Assemblyman Porter.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 870.

Bill read second time, ordered engrossed and to third reading.

UNFINISHED BUSINESS

RECEDE FROM ASSEMBLY AMENDMENTS

Assemblyman Sader moved that the Assembly do not recede from its action on Senate Bill No. 485, 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 Sader.

Motion carried.

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker appointed Assemblymen Nicholas, Triggs and Haller as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Senate Bill No. 485.

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bills Nos. 41, 214, 290, 298, 374, 447, 601, 779; Senate Bills Nos. 173, 181, 248, 260, 288, 297; Assembly Joint Resolution No. 34; Senate Joint Resolutions Nos. 18, 20.

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. Philip G. Satre and Robert A. Ring.

On request of Assemblyman Banner, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Joseph Louis Bauman.

On request of Assemblyman Freeman, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Jane Lamb.

On request of Assemblyman Price, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Barry West.

On request of Assemblyman Spriggs, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Gwen Brewer and Mr. Jim Brewer.

On request of Assemblyman Wisdom, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Bobby L. Baxter.

Assemblyman Jeffrey moved that the Assembly adjourn until Friday, June 5, 1987 at 10 a.m.

Motion carried.

Assembly adjourned at 12:55 p.m.

Approved:

JOSEPH E. DINI, JR.
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE ONE HUNDRED AND THIRTY-EIGHTH DAY

CARSON CITY (Friday), June 5, 1987

Assembly called to order at 10:11 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. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Nevin 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. 229, 287, 307, 510, 526, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

PAUL W. MAY, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which were referred Senate Bills Nos. 76, 404, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ROBERT M. SADER, *Chairman*

Mr. Speaker:

Your Committee on Elections, to which was referred Assembly Concurrent Resolution No. 67, has had the same under consideration, and begs leave to report the same back with the recommendation: Be adopted.

COURTENAY C. SWAIN, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was re-referred Assembly Concurrent Resolution No. 68, has had the same under consideration, and begs leave to report the same back with the recommendation: Be adopted.

DANNY L. THOMPSON, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Assembly Bill No. 837, 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.

DANNY L. THOMPSON, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, 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: Amend, and do pass as amended.

DANNY L. THOMPSON, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Senate Bill No. 456, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

DANNY L. THOMPSON, *Chairman*

Mr. Speaker:

Your Committee Ways and Means, to which was referred Assembly Bill No. 679, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

MARVIN M. SEDWAY, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which was referred Senate Bill No. 553, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

ROBERT M. SADER, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, June 4, 1987

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 256, 258, 609, 710, 740.

Also, I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bills Nos. 510, 558, and respectfully requests your honorable body to concur in said amendments.

Also, I have the honor to inform your honorable body that the Senate on this day respectfully refused to recede from its action on Assembly Bill No. 205 and requests a conference, and appointed Senators Beyer, Malone 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. 288 and requests a conference, and appointed Senators Malone, Gibson 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 adopted the report of the first Committee on Conference concerning Assembly Bill No. 128.

Also, I have the honor to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 69.

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. 138, 320.

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. 190.

MARY JO MONGELLI
Assistant Secretary of the Senate

UNFINISHED BUSINESS

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker appointed Assemblymen Sader, Thomas and Kissam as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Assembly Bill No. 205.

Mr. Speaker appointed Assemblymen Adler, Bergevin and Garner as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Assembly Bill No. 288.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Assembly Bills Nos. 144, 413, 637, 698, 736 and Assembly Joint Resolution No. 42 be placed on the General File immediately following Assembly Bill No. 870.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 166.

Bill read third time.

Remarks by Assemblyman Tebbs.

Roll call on Assembly Bill No. 166:

YEAS—42.

NAYS—None.

Assembly Bill No. 166 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 854.

Bill read third time.

Remarks by Assemblyman Sedway.

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

Assembly in recess at 10:20 a.m.

ASSEMBLY IN SESSION

At 10:21 a.m.

Mr. Speaker pro Tempore presiding.

Quorum present.

Remarks by Assemblymen Getto, Dini, Sedway and Spinello.

Assemblymen Jeffrey, Nevin and Thompson moved the previous question.

Motion carried.

The question being on the passage of Assembly Bill No. 854.

Roll call on Assembly Bill No. 854:

YEAS—36.

NAYS—Carpenter, Getto, Humke, Lambert, Nicholas, Spriggs—6.

Assembly Bill No. 854 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 856.

Bill read third time.

Remarks by Assemblyman Dini.

Roll call on Assembly Bill No. 856:

YEAS—41.

NAYS—Spriggs.

Assembly Bill No. 856 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 864.

Bill read third time.

Remarks by Assemblymen Brookman and DuBois.

Roll call on Assembly Bill No. 864:

YEAS—42.

NAYS—None.

Assembly Bill No. 864 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 869.

Bill read third time.

Remarks by Assemblyman Price.

Roll call on Assembly Bill No. 869:

YEAS—42.

NAYS—None.

Assembly Bill No. 869 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 10:35 a.m.

ASSEMBLY IN SESSION

At 10:36 a.m.

Mr. Speaker presiding.

Quorum present.

GENERAL FILE AND THIRD READING

Assembly Bill No. 870.

Bill read third time.

Remarks by Assemblymen Brookman, Jeffrey, Getto, Carpenter, Humke and Adler.

Roll call on Assembly Bill No. 870:

YEAS—42.

NAYS—None.

Assembly Bill No. 870 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 144.
Bill read third time.
Remarks by Assemblyman Spinello.
Roll call on Assembly Bill No. 144:

YEAS—42.
NAYS—None.

Assembly Bill No. 144 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 413.
Bill read third time.
Remarks by Assemblyman Callister.
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.

Assembly Bill No. 637.
Bill read third time.
Remarks by Assemblymen Humke, Myrna Williams, Thomas, Brookman and Sedway.
Roll call on Assembly Bill No. 637:

YEAS—42.
NAYS—None.

Assembly Bill No. 637 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 698.
Bill read third time.
Remarks by Assemblyman Marvel.
Roll call on Assembly Bill No. 698:

YEAS—42.
NAYS—None.

Assembly Bill No. 698 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 736.
Bill read third time.
Remarks by Assemblymen Porter, Thomas, Haller, Fay, Jeffrey, Nicholas and Gaston.

Roll call on Assembly Bill No. 736:

YEAS—31.

NAYS—Evans, Haller, Humke, Marvel, Nevin, Spriggs, Swain, Thomas, Mr. Speaker—9.

Not voting—Carpenter, Sader—2.

Assembly Bill No. 736 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Carpenter moved that Senate Bill No. 491 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Carpenter.

Motion carried.

Assemblyman Sedway moved that Senate Bill No. 230 be taken from the Chief Clerk's desk and placed on the Second Reading File.

Motion carried.

Assemblyman Arberry moved that Senate Bill No. 35 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Arberry.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Joint Resolution No. 42.

Resolution read third time.

Remarks by Assemblymen Price and Fay.

Roll call on Assembly Joint Resolution No. 42:

YEAS—42.

NAYS—None.

Assembly Joint Resolution No. 42 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Resolution ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that all rules be suspended and that Assembly Bills Nos. 144, 166, 413, 637, 698, 736, 854, 856, 864, 869, 870 and Assembly Joint Resolution No. 42 be immediately transmitted to the Senate.

Motion carried unanimously.

Assemblyman Jeffrey moved that the Assembly recess until 11:26 a.m.

Motion carried.

Assembly in recess at 11:21 a.m.

ASSEMBLY IN SESSION

At 11:41 a.m.

Mr. Speaker presiding.

Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Transportation, to which were referred Senate Bills Nos. 303, 495, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

LEONARD V. NEVIN, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Transportation, to which was referred Assembly Bill No. 47, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass, as amended.

LEONARD V. NEVIN, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Senate Bill No. 369, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

DANNY L. THOMPSON, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which were referred Senate Bills Nos. 267, 559, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

MARVIN M. SEDWAY, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which were referred Assembly Bills Nos. 186, 248, 849, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

MARVIN M. SEDWAY, *Chairman*

Mr. Speaker:

Your Committee on Taxation, 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: Do pass.

PAUL W. MAY, *Chairman*

Mr. Speaker:

Your Committee on Elections, 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: Amend, and do pass as amended.

COURTENAY C. SWAIN, *Chairman*

Mr. Speaker:

Your Committee on Elections, to which was referred Assembly Bill No. 796, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

COURTENAY C. SWAIN, *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which were referred Assembly Bill No. 569; Senate Bills Nos. 256, 319, 371, 428, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN E. JEFFREY, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen Wisdom, Adler, Myrna Williams, Carpenter, Freeman, Getto, Bergevin, Nicholas, DuBois, Thomas, Humke, Wendell Williams, Triggs, Haller, Evans, Lambert, Sader, Swain, Spriggs, Arberry, Garner,

Banner, Jeffrey, Nevin, Porter, McGaughey, Tebbs, Kissam, Gaston, Dini, Marvel, Kerns, Brookman, Spinello, Fay, Craddock, May, Sedway, Schofield, Price, Thompson and Callister:

Assembly Concurrent Resolution No. 71—Expressing appreciation to those students from the Western Nevada Community College who served as legislative interns for the 64th Session of the Legislature.

WHEREAS, The caretaking functions for the Legislature are what allows this noble body to carry on the business of making laws and shaping the future of our wonderful state; and

WHEREAS, The caretakers responsible for these activities are rarely given the recognition they deserve unless, of course, there is a mishap; and

WHEREAS, One may wonder what it is that these caretakers do that makes them the hub of all legislative activities without stopping to realize that these are our young interns who attend hours of meetings, take voluminous notes, track illusive bills, answer the ringing telephones, present to the legislators they serve well researched information to assist them in focusing on the tasks at hand, and keep track of minute details for which only they have time; and

WHEREAS, These interns perform their tasks while attending the Western Nevada Community College; and

WHEREAS, These caretakers, who act as the oil for the machinery of the legislative process, are: Dorris Beckie, Mark A. de la Torre, Brian Kale, Brian Lockhart, Andrea Moss, Irving Nielsen, Barbra Oliveria, Todd Spiech and Sandi Wright; and

WHEREAS, These special caretakers are with us today and have been throughout this 64th Session of the Legislature as volunteers, eager for the knowledge they can glean from this intricate democratic process; now, therefore, be it

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, THE SENATE CONCURRING, That the members of the Legislature graciously thank these young, eager members of the 64th Session of the Legislature for their tireless, creative and enthusiastic efforts in support of our political way of life; and be it further

RESOLVED, That copies of this resolution be prepared and transmitted forthwith by the Chief Clerk of the Assembly to the legislative interns mentioned in this resolution.

Assemblyman Wisdom moved the adoption of the resolution.

Remarks by Assemblymen Wisdom, Brookman, Myrna Williams, Spinello, Adler and Callister.

Assemblyman Brookman requested that the following remarks be entered in the Journal.

ASSEMBLYMAN WISDOM:

Mr. Speaker, I think all of us here are aware of the great value of the interns' service during our session while we are here. Also, I think that it is very important that we understand that this is not only good for us, it is good for them. It is an integral part of their education that they cannot receive from their book learning.

A great many of our present political leaders of the State and Nation today started out as interns in this Assembly house. They perform all the tasks that we have mentioned in this resolution and many, many more. They perform errands for us, they perform all kinds of things that we have no time to do.

And at this point, Mr. Chairman, I would like to cut this short because I think each one of the people here who has an intern from Western Nevada Community College would like to say something about their intern and I would like to say that my particular intern was a lifesaver.

ASSEMBLYMAN BROOKMAN:

Yes, Mr. Speaker, thank you. Members of the Assembly, my legislative intern is Brian Kale. He is the president of the student body of Western Nevada Community College. He is a very articulate, bright, young man and I appreciate everything that he has done for

me. The end of the session is when the session begins, and he came just like a blessing from Heaven. He is doing all good work for me. I thank you, and thank you and thank you, Brian.

ASSEMBLYMAN MYRNA WILLIAMS:

Thank you, Mr. Speaker. I'm sorry that my intern, Barbra Olavaria, could not be with us today due to an illness in her family. She has been an outstanding intern. I learned a lot from her, I hope she has learned something from the members of this body and I would like to thank Dr. Dixon very much for directing her to us.

ASSEMBLYMAN SPINELLO:

Thank you, Mr. Speaker. Todd Spiech is my intern and he is extremely hard working. He is from Gardnerville and a constituent of Mr. Bergevin. He really applies himself—he gets in there and digs and seems to enjoy it. Unfortunately, he is not here today.

I really think this program, particularly from a Community College—we know we have programs from UNR and will bring some UNLV students up next time—but this is really an exciting program.

ASSEMBLYMAN ADLER:

Thank you, Mr. Speaker. I had a number of these interns working for me off and on. Mark de la Torre did an exceptional job for me answering some 200 pieces of correspondence at one point and time. I think that this whole program bodes well for the quality of the students at the Western Nevada Community College. I think it makes us all feel grateful for our own support of the Community College System in Nevada, yet it verifies the fact that this system does work and it produces a very high quality student who is of great service to our society. I would like to thank all the interns.

ASSEMBLYMAN CALLISTER:

Thank you, Mr. Speaker. I just wanted to rise in support of this resolution.

Certainly it has been advantageous to have my intern at the end of the session. I know that many of the members here were granted the privilege of having interns towards the earlier portion of the session and I was lucky enough to obtain one in the closing weeks when we needed them much more. I urge your support of this resolution.

Resolution adopted unanimously.

Assemblyman Wisdom moved that all rules be suspended and that Assembly Concurrent Resolution No. 71 be immediately transmitted to the Senate.

Motion carried unanimously.

Assemblyman Thompson moved that Assembly Bill No. 495 be taken from the Chief Clerk's desk and placed on the Second Reading File.

Remarks by Assemblyman Thompson.

Motion carried.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 289.

The following Senate amendment was read:

Amendment No. 1033.

Amend the bill as a whole by inserting a preamble, between the title and the enacting clause, to read as follows:

"WHEREAS, Limitations upon competition in the field of health care have artificially increased prices to a level which makes such care unaffordable for the average Nevadan; and

WHEREAS, The high price of health care has created a public health emergency requiring immediate and pervasive legislative action; and

WHEREAS, Legislative action to counteract the monopolistic advantage of providers of health care will allow the natural economic forces to surface and control future increases in the costs of health care; and

WHEREAS, If the reductions in prices and revenues required by this act sufficiently stimulate competition in the field of health care, future economic regulation of health care by the legislature will be unnecessary; now, therefore,".

Amend the bill as a whole by deleting sections 1 through 50 and adding new sections designated sections 1 through 61, following the enacting clause, to read as follows:

"Section 1. Title 40 of NRS is hereby amended by adding thereto a new chapter to consist of the provisions set forth as sections 2 to 33, 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 16, inclusive, of this act, have the meanings ascribed to them in those sections.

Sec. 3. "Administrator" means the administrator of the division for review of health resources and costs of the department of human resources.

Sec. 4. "Billed charge" means the total amount charged by a hospital for medical care provided, regardless of the anticipated amount of net revenue to be received or the anticipated source of payment.

Sec. 5. "Committee" means the legislative committee on health care.

Sec. 6. "Department" means the department of human resources.

Sec. 7. "Director" means the director of the department of human resources.

Sec. 8. "Discharge form" means the form hospitals are required to use to report information concerning the discharge of patients.

Sec. 9. "Division" means the division for review of health resources and costs of the department of human resources.

Sec. 10. 1. Except as otherwise provided in subsection 2, "fiscal year" means a period beginning on July 1 and ending on June 30 of the following year.

2. A hospital's "fiscal year" is the period of 12 months used by a hospital for the purposes of accounting and the preparation of annual budgets and financial statements.

Sec. 11. "Health facility" has the meaning ascribed to it in NRS 439A.015.

Sec. 12. "Hospital" means any facility licensed as a medical, surgical or obstetrical hospital, or as any combination of medical, surgical or obstetrical hospital, by the health division of the department of human resources.

Sec. 13. "Medicaid" means the program established pursuant to Title XIX of the Social Security Act (42 U.S.C. §§ 1396 et seq.) to provide assistance for part or all of the cost of medical care rendered on behalf of indigent persons.

Sec. 14. "Medicare" means the program of health insurance for aged and disabled persons established pursuant to Title XVIII of the Social Security Act (42 U.S.C. §§ 1395 et seq.).

Sec. 15. "Net revenue" means all revenues earned from inpatient medical care provided to patients by a hospital.

Sec. 16. "Practitioner" has the meaning ascribed to it in NRS 439A.0195.

Sec. 17. The purposes of this chapter are to:

1. Promote equal access to quality medical care at an affordable cost for all residents of this state.

2. Reduce excessive billed charges and revenues generated by some hospitals in this state in order to provide relief from excessively high costs of medical care.

3. Provide the regulatory mechanisms necessary to ensure that the forces of a competitive market will be able to function effectively in the business of providing medical care in this state.

Sec. 18. 1. There is hereby established a legislative committee on health care consisting of three members of the senate and three members of the assembly. The members must be appointed with appropriate regard for their experience with and knowledge of matters relating to health care. The members must be appointed as follows:

(a) Two members must be appointed by the majority leader of the senate;

(b) One member must be appointed by the minority leader of the senate;

(c) Two members must be appointed by the speaker of the assembly; and

(d) One member must be appointed by the minority leader of the assembly.

2. No member of the committee may:

(a) Have a financial interest in a health facility in this state;

(b) Be a member of a board of directors or trustees of a health facility in this state;

(c) Hold a position with a health facility in this state in which the legislator exercises control over any policies established for the health facility; or

(d) Receive a salary or other compensation from a health facility in this state.

This subsection does not prohibit a member of the committee from selling goods which are not unique to the provision of health care to a health facility if the member primarily sells such goods to persons who are not involved in the provision of health care.

3. The majority leader of the senate shall select the chairman of the committee and the speaker of the assembly shall select the vice chairman of the committee. Each such officer shall hold office for a term of 2 years commencing on July 1 of each odd-numbered year. If a vacancy occurs in the chairmanship or vice chairmanship, the majority leader of the senate or the speaker of the assembly, as appropriate, shall appoint a replacement for the remainder of the unexpired term.

4. Any member of the committee who does not return to the legislature continues to serve until the next session of the legislature convenes.

5. Vacancies on the committee must be filled in the same manner as original appointments.

Sec. 19. 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 powers conferred on the committee.

2. Except during a regular or special session of the legislature, members of the committee are 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 meeting of the committee or is otherwise engaged in the business of the committee plus the per diem allowance and travel expenses provided for state officers and employees generally.

3. The salaries and expenses of the committee must be paid from the legislative fund.

Sec. 20. The committee may:

1. Review and evaluate the quality and effectiveness of programs for the prevention of illness.

2. Review and compare the costs of medical care among communities in Nevada with similar communities in other states.

3. Analyze the overall system of medical care in the state to determine ways to coordinate the providing of services to all members of society, avoid the duplication of services and achieve the most efficient use of all available resources.

4. Examine the business of providing insurance, including the development of cooperation with health maintenance organizations and organizations which restrict the performance of medical services to certain physicians and hospitals, and procedures to contain the costs of these services.

5. Examine hospitals to:

(a) Increase cooperation among hospitals;

(b) Increase the use of regional medical centers; and

(c) Encourage hospitals to use medical procedures which do not require the patient to be admitted to the hospital and to use the resulting extra space in alternative ways.

6. Examine medical malpractice.

7. Examine the system of education to coordinate:

(a) Programs in health education, including those for the prevention of illness and those which teach the best use of available medical services; and

(b) The education of those who provide medical care.

8. Review competitive mechanisms to aid in the reduction of the costs of medical care.

9. Examine the problem of providing and paying for medical care for indigent and medically indigent persons, including medical care provided by physicians.

10. Examine the effectiveness of any legislation enacted to accomplish the purpose of restraining the costs of health care while ensuring the quality of services, and its effect on the subjects listed in subsections 1 to 9, inclusive.

11. Determine whether regulation by the state will be necessary in the future by examining hospitals for evidence of:

(a) Degradation or discontinuation of services previously offered, including without limitation, neonatal care, pulmonary services and pathology services; or

(b) A change in the policy of the hospital concerning contracts,

as a result of any legislation enacted to accomplish the purpose of restraining the costs of health care while ensuring the quality of services.

12. Study the effect of the acuity of the care provided by a hospital upon the revenues of hospital and upon limitations upon that revenue.

13. Review the actions of the director in administering the provisions of this chapter and adopting regulations pursuant to those provisions. The director shall report to the committee concerning any regulations proposed or adopted pursuant to this chapter.

14. Conduct investigations and hold hearings in connection with its review and analysis.

15. Apply for any available grants and accept any gifts, grants or donations to aid the committee in carrying out its duties pursuant to this chapter.

16. Direct the legislative counsel bureau to assist in its research, investigations, review and analysis.

17. Recommend to the legislature as a result of its review any appropriate legislation.

Sec. 21. 1. In conducting the investigations and hearings of the committee:

(a) The secretary of the committee, or in his absence any member of the committee, may administer oaths.

(b) The secretary or chairman of the committee may cause the deposition of witnesses, residing either within or outside of the state, to be taken in the manner prescribed by rule of court for taking depositions in civil actions in the district courts.

(c) The secretary or chairman of the committee may issue subpenas to compel the attendance of witnesses and the production of books and papers.

2. If any witness refuses to attend or testify or produce any books and papers as required by the subpena, the secretary or chairman of the committee may report to the district court by petition, setting forth that:

(a) Due notice has been given of the time and place of attendance of the witness or the production of the books and papers;

(b) The witness has been subpenaed by the committee pursuant to this section; and

(c) The witness has failed or refused to attend or produce the books and papers required by the subpena before the committee which is named in the subpena, or has refused to answer questions propounded to him,

and asking for an order of the court compelling the witness to attend and testify or produce the books and papers before the committee.

3. Upon such petition, the court shall enter an order directing the witness to appear before the court at a time and place to be fixed by the court in its order, the time to be not more than 10 days from the date of the order, and to show cause why he has not attended or testified or produced the books or papers before the committee. A certified copy of the order must be served upon the witness.

4. If it appears to the court that the subpena was regularly issued by the committee, the court shall enter an order that the witness appear before the committee at the time and place fixed in the order and testify or produce the required books or papers. Failure to obey the order constitutes contempt of court.

Sec. 22. Each witness who appears before the committee by its order, except a state officer or employee, is entitled to receive for his attendance the fees and mileage provided for witnesses in civil cases in the courts of record of this state. The fees and mileage must be audited and paid upon the presentation of proper claims sworn to by the witness and approved by the secretary and chairman of the committee.

Sec. 23. Each hospital in this state shall maintain and use a uniform list of billed charges for that hospital for units of service or goods provided to all inpatients. A hospital may not use a billed charge for an inpatient that is different than the billed charge used for another inpatient for the same service or goods provided. This section does not restrict the ability of a hospital or other person to negotiate a discounted rate from the hospital's billed charges or to contract for a different rate or mechanism for payment of the hospital.

Sec. 24. 1. Except as otherwise provided in subsection 4, each hospital in this state has an obligation to provide emergency medical care, including care provided by physicians and nurses, and to admit the patient where appropriate, regardless of the financial status of the patient.

2. Except as otherwise provided in subsection 4, it is unlawful for a hospital to refuse to accept a patient in need of emergency medical care or to transfer a patient to another hospital or health facility because of the financial status of the patient.

3. A hospital or other health facility which treats a patient as a result of a hospital's violation of subsection 2 is entitled to recover from that hospital an amount equal to three times the billed charges of the hospital which provided the treatment for the treatment provided, plus reasonable attorney's fees and costs.

4. This section does not prohibit the transfer of a patient from one hospital to another:

(a) When the patient is covered by an insurance policy or other contractual arrangement which provides for payment at the receiving hospital; or

(b) After the county responsible for payment for the care of an indigent patient has exhausted the money which may be appropriated for that purpose pursuant to NRS 428.050 and 428.285 and section 42 of this act.

No transfer may be made pursuant to this subsection until the patient's condition has been stabilized to a degree that allows the transfer without an additional risk to the patient.

Sec. 25. 1. The legislature finds and declares that:

(a) The practice of refusing to treat an indigent patient if another hospital can provide the treatment endangers the health and well-being of such patients.

(b) Counties in which more than one hospital is located may lack available resources to compensate for all indigent care provided at their hospitals. Refusal by a hospital to treat indigent patients in such counties results in a burden upon hospitals which treat large numbers of indigent patients.

(c) A requirement that hospitals in such counties provide a designated amount of uncompensated care for indigent patients would:

(1) Equalize the burden on such hospitals of treating indigent patients; and

(2) Aid the counties in meeting their obligation to compensate hospitals for such care.

(d) Hospitals with 100 or fewer beds have been meeting the needs of their communities with regard to care of indigents, and have a minimal effect on the provision of such care.

2. Except as otherwise provided in this subsection, the provisions of sections 25 to 29, inclusive, of this act, apply to each hospital in this state which is located in a county in which there are two or more licensed hospitals. The provisions of sections 25 to 29, inclusive, of this act, do not apply to a hospital which has 100 or fewer beds.

3. The provisions of sections 25 to 29, inclusive, of this act, do not prohibit a county from:

(a) Entering into an agreement for medical care or otherwise contracting with any hospital located within that county; or

(b) Using a definition of "indigent" which would include more persons than the definition in section 26 of this act.

Sec. 26. For the purposes of sections 25 to 29, inclusive, of this act, "indigent" means those persons:

1. Who are not covered by any policy of health insurance;

2. Who are ineligible for Medicare, Medicaid, the benefits provided pursuant to NRS 428.115 to 428.255, inclusive, or any other federal or state program of public assistance covering the provision of health care;

3. Who meet the limitations imposed by the county upon assets and other resources or potential resources; and

4. Whose income is less than:

(a) For one person living without another member of a household, $438.

(b) For two persons, $588.

(c) For three or more persons, $588 plus $150 for each person in the family in excess of two.

For the purposes of this subsection, "income" includes the entire income of a household and the amount which the county projects a person or household is able to earn. "Household" is limited to a person and his spouse, parents, children, brothers and sisters residing with him.

Sec. 27. 1. A hospital shall provide, without charge, in each fiscal year, care for indigent inpatients in an amount which represents 0.6 percent of its net revenue for the hospital's preceding fiscal year.

2. The division shall compute the obligation of each hospital for care of indigent inpatients for each fiscal year based upon the net revenue of the hospital in its preceding fiscal year and shall provide this information to the board of county commissioners of the county in which the hospital is located.

3. The board of county commissioners shall maintain a record of discharge forms submitted by each hospital located within the county, together with the amount accruing to the hospital. The amount accruing to the hospital for the care, until the hospital has met its obligation pursuant to this section, is the highest amount the county is paying to any hospital in the county for that care. Except as otherwise provided in subsection 2 of section 28 of this act, no payment for indigent care may be made to the hospital until the total amount so accruing to the hospital exceeds the minimum obligation of the hospital for the fiscal year, and a hospital may only receive payment from the county for indigent care provided in excess of its obligation pursuant to this section. After a hospital has met its obligation pursuant to this section, the county may reimburse the hospital for care of indigent inpatients at any rate otherwise authorized by law.

Sec. 28. 1. Except as otherwise provided in section 25 of this act and subsection 2 of this section, each county shall use the definition of "indigent" in section 26 of this act to determine a person's eligibility for medical assistance pursuant to chapter 428 of NRS, other than assistance provided pursuant to NRS 428.115 to 425.255, inclusive.

2. A board of county commissioners may, if it determines that a hospital within the county is serving a disproportionately large share of low-income patients:

(a) Pay a higher rate to the hospital for treatment of indigent inpatients;

(b) Pay the hospital for treatment of indigent inpatients whom the hospital would otherwise be required to treat without receiving compensation from the county; or

(c) Both pay at a higher rate and pay for inpatients for whom the hospital would otherwise be uncompensated.

3. Each hospital which treats an indigent inpatient shall submit to the board of county commissioners of the county in which the patient resides a discharge form identifying the patient as a possible indigent and containing the information required by the department and the county to be included in all such forms.

4. The county which receives a discharge form from a hospital for an indigent inpatient shall verify the status of the patient and the amount which the hospital is entitled to receive.

5. Except as otherwise provided in subsection 2 of this section and subsection 3 of section 27 of this act, if the patient is a resident of the county and is indigent, the county shall pay to the hospital the amount required, within the limits of money which may lawfully be appropriated for this purpose pursuant to NRS 428.050 and 428.285 and section 42 of this act.

Sec. 29. 1. Before September 30 of each year, each county in which hospitals subject to the provisions of sections 25 to 29, inclusive, of this act, are located shall provide to the division a report showing:

(a) The total number of indigent inpatients treated by each such hospital;

(b) The number of such patients for whom no reimbursement was provided by the county because of the limitation imposed by subsection 3 of section 27 of this act;

(c) The total amount paid to each such hospital for treatment of such patients; and

(d) The amount the hospital would have received for patients for whom no reimbursement was provided.

2. The administrator shall verify the amount of treatment provided to indigent inpatients by each hospital to which no reimbursement was provided by:

(a) Multiplying the number of indigent inpatients who received each type of treatment by the highest amount paid by the county for that treatment; and

(b) Adding the products of the calculations made pursuant to paragraph (a) for all treatment provided.

If the total amount of treatment provided to indigent inpatients in the previous fiscal year by the hospital was less than its minimum obligation for the year, the director shall assess the hospital for the amount of the difference between the minimum obligation and the actual amount of treatment provided by the hospital to indigent inpatients.

3. If the administrator determines that a hospital has met its obligation to provide treatment to indigent inpatients but has not been compensated by the county for such treatment, he shall notify the county of the amount of treatment provided in excess of the hospital's obligation. The county shall pay the hospital for such treatment within 30 days after receipt of the notice.

4. The director shall determine the amount of the assessment which a hospital must pay pursuant to this section and shall notify the hospital in writing of that amount on or before November 1 of each year. Payment is due 30 days after receipt of the notice. If a hospital fails to pay the assessment when it is due the hospital shall pay, in addition to the assessment:

(a) Interest at a rate of 1 percent per month for each month after the assessment is due in which it remains unpaid; and

(b) Any court costs and fees required by the director to obtain payment of the assessment and interest from the hospital.

5. Any money collected pursuant to this section must be paid to the county in which the hospital paying the assessment is located for use in paying other hospitals in the county for the treatment of indigent inpatients by those hospitals. The money received by a county from assessments made

pursuant to this section does not constitute revenue from taxes ad valorem for the purposes of NRS 428.050, 428.285, 354.59805, 354.58911 and 354.59816, and section 42 of this act, and must be excluded in determining the maximum rate of tax authorized by those sections.

Sec. 30. 1. A hospital or related entity shall not establish a rental agreement with a physician or entity that employs physicians that requires any portion of his medical practice to be referred to the hospital or related entity.

2. No rent required of a physician or entity which employs physicians by a hospital or related entity may be less than 75 percent of the rent for comparable office space leased to another physician or other lessee in the building, or in a comparable building owned by the hospital or entity.

3. A hospital or related entity shall not pay any portion of the rent of a physician or entity which employs physicians within facilities not owned or operated by the hospital or related entity, unless the resulting rent is no lower than the highest rent for which the hospital or related entity rents comparable office space to other physicians.

4. No health facility may offer any provider of medical care any financial inducement, excluding rental agreements subject to the provisions of subsection 2 or 3, whether in the form of immediate, delayed, direct or indirect payment to induce the referral of a patient or group of patients to the health facility. This subsection does not prohibit bona fide gifts under $100, or reasonable promotional food or entertainment.

5. The provisions of subsections 1 to 4, inclusive, do not apply to hospitals in a county whose population is less than 30,000.

6. A hospital, if acting as a billing agent for a medical practitioner performing services in the hospital, shall not add any charges to the practitioner's bill for services other than a charge related to the cost of processing the billing.

7. No hospital or related entity may offer any financial inducement to an officer, employee or agent of an insurer, a person acting as an insurer or self-insurer or a related entity. A person shall not accept such offers. This subsection does not prohibit bona fide gifts of under $100 in value, or reasonable promotional food or entertainment.

8. A hospital or related entity shall not sell goods or services to a physician unless the costs for such goods and services are at least equal to the cost for which the hospital or related entity pays for the goods and services.

9. A practitioner or health facility shall not refer a patient to a health facility or service in which the referring party has a financial interest unless the practitioner or health facility first discloses the interest.

10. The director may, at reasonable intervals, require a hospital or related entity or other party to an agreement to submit copies of operative contracts subject to the provisions of this section after notification by registered mail. The contracts must be submitted within 30 days after receipt of the notice. Contracts submitted pursuant to this subsection are confidential, except in cases in which an action is brought pursuant to subsection 11.

11. A person who willfully violates any provision of this section is liable to the State of Nevada for:

(a) A civil penalty in an amount of not more than $5,000 per occurrence, or 100 percent of the value of the illegal transaction, whichever is greater.

(b) Any reasonable expenses incurred by the state in enforcing this section.

Any money recovered pursuant to this subsection as a civil penalty must be deposited in a separate account in the state general fund and used for projects intended to benefit the residents of this state with regard to health care. Money in the account may only be withdrawn by act of the legislature.

12. As used in this section, "related entity" means an affiliated person or subsidiary as those terms are defined in section 31 of this act.

Sec. 31. 1. For the purposes of this section:

(a) An "affiliated person" is a person controlled by any combination of the hospital, the parent corporation, a subsidiary or the principal stockholders or officers or directors of any of the foregoing.

(b) A "subsidiary" is a person of which either the hospital and the parent corporation or the hospital or the parent corporation holds practical control.

2. No hospital may engage in any transaction or agreement with its parent corporation, or with any subsidiary or affiliated person which will result or has resulted in:

(a) Substitution contrary to the interest of the hospital and through any method of any asset of the hospital with an asset or assets of inferior quality or lower fair market value;

(b) Deception as to the true operating results of the hospital;

(c) Deception as to the true financial condition of the hospital;

(d) Allocation to the hospital of a proportion of the expense of combined facilities or operations which is unfavorable to the hospital;

(e) Unfair or excessive charges against the hospital for services, facilities or supplies;

(f) Unfair and inadequate charges by the hospital for services, facilities or supplies furnished by the hospital to others; or

(g) Payment by the hospital for services, facilities or supplies not reasonably needed by the hospital.

3. If the director has reasonable cause to believe that a violation of subsection 2 has occurred, he may conduct an examination of any books and records of the hospital, parent corporation, subsidiary or affiliated person which he deems pertinent to the examination. The director has the same authority to examine the parent corporation, subsidiary or affiliated person and recover the cost of the examination as he has with regard to the hospital. A parent corporation, subsidiary or affiliated person which refuses to permit the examination of its books and records is subject to the fine provided for in subsection 4 for each day that access to the books or records is restricted.

4. If a hospital, parent corporation, subsidiary or affiliated person is found, after notice and a hearing, to have violated the provisions of this

section, the director may impose an administrative fine of not more than $20,000 for each violation or the actual amount of damage caused by the violation, whichever is greater.

5. Upon a second or subsequent violation of the provisions of this section, the director may commence a legal action in the district court of any county to secure an injunction against further violations of this section.

Sec. 32. 1. The director may by regulation require hospitals, other health facilities and providers of health services to submit such information as is reasonably necessary for the director and the division to carry out the provisions of this chapter.

2. Except as otherwise provided in subsection 3, the director shall by regulation require an examination of a hospital by an independent auditor appointed by the director to ensure compliance with this chapter. The audits must be scheduled on a regular basis but not more often than once each year. The hospital shall pay the costs of the audit. A hospital may contract with the auditor to conduct other work for the hospital in connection with the audit.

3. The director shall not require an audit of a hospital which has less than 200 beds or is subject to the provisions of chapter 450 of NRS. The director shall by regulation require such a hospital to submit audits of the hospital on a regular basis but not more often than once each year.

4. If a hospital fails to comply with any regulation adopted pursuant to this section or the director has reason to believe the hospital has violated any provision of this chapter, the director may conduct an examination or contract for an independent examination of the hospital to determine whether it is in compliance with those provisions. The hospital which is the subject of such an examination is responsible for payment of the costs of the examination if the director determines that the hospital did violate a provision of this chapter.

5. Any person who fails to submit information as required by any regulation adopted pursuant to this chapter to the department or the division or fails to submit to an audit or examination pursuant to this section is subject to an administrative fine of not more than $1,000 per violation per day until the required information is submitted or the person submits to the audit or examination.

Sec. 33. 1. The director:

(a) May adopt such regulations as are necessary to carry out the provisions of this chapter.

(b) Shall ensure that the administration of this chapter does not cause the state to fail to comply with the requirements of the Federal Government concerning Medicare and Medicaid.

2. In addition to any civil or administrative penalty specifically provided in this chapter, any person who violates a provision of this chapter shall be punished by a fine of not more than $5,000 for each violation.

Sec. 34. Chapter 439A of NRS is hereby amended by adding thereto a new section to read as follows:

The division shall prepare quarterly and release for publication or other dissemination a listing of every hospital in the state and its charges for representative services. The division shall report annually to the legislative committee on health care on or before December 1 regarding the effects of legislation on the costs of health care and on the manner of its provision.

Sec. 35. NRS 439A.100 is hereby amended to read as follows:

439A.100 1. Except as provided in NRS 439A.103, no person may undertake any project described in subsection 2 without first applying for and obtaining the written approval of the director. The health division of the department of human resources shall not issue a new license or alter an existing license for any project described in subsection 2 unless the director has issued such an approval.

2. The projects for which this approval is required are [as follows:

(a) Any] *:*

(a) Except as otherwise provided in subsection 3, any proposed expenditure by or on behalf of a [health facility] *hospital* in excess of the greater of [$714,000] *$1,500,000* or such an amount as the department may specify by regulation, *or by or on behalf of any other health facility in excess of the greater of $1,000,000 or such an amount as the department may specify by regulation,* which under generally accepted accounting principles consistently applied is a capital expenditure;

(b) A proposal which increases the number of licensed or approved beds in a health facility *other than a hospital above the total of the number of licensed beds and the number of additional beds which have been approved pursuant to this subsection;*

(c) A proposal which increases the number of licensed and approved beds in a hospital through the addition of 10 or more beds or a number of beds equal to 10 percent of the licensed or approved capacity of that facility, whichever is less, over a period of 2 years;

[(c) The proposed addition, expansion or consolidation of any health service to be offered in or through a health facility which was not offered on a regular basis in the previous 12 months if the addition, expansion or consolidation:

(1) Involves a capital expenditure in excess of $100,000, or such an amount as the department may specify by regulation; or

(2) Would entail an annual operating expense for providing the service in excess of $297,500, or such an amount as the department may specify by regulation, whichever is greater;

(d) The]

(d) Except as otherwise provided in subsection 4, the proposed acquisition *by or on behalf of a hospital* of any *new or used* medical equipment which [would cost] *has a market value of* more than [$400,000,] *$1,500,000* or such an amount as the department may specify by regulation, whichever is greater [;] *, or the proposed acquisition by any other person of any new or used medical equipment which has a market value of more than $1,000,000 or such an amount as the department may specify by regulation, whichever is greater;*

(e) The acquisition of an existing health facility if:

(1) The purchaser does not, within a period specified by a regulation of the department, notify it of his intention to acquire the facility; or

(2) The department finds, within 30 days after it receives the notice, that in acquiring the facility the purchaser will change the number of beds *;* [or the health services offered;] and

(f) The conversion of an existing office of a practitioner to a health facility, regardless of the cost of the conversion, if the establishment of the office would have met the threshold for review of costs pursuant to paragraph [(c).] *(a) or (d).*

3. *The provisions of paragraph (a) of subsection 2 do not include any capital expenditure for:*

(a) The acquisition of land;

(b) The construction of a facility for parking;

(c) The maintenance of a health facility;

(d) The renovation of a health facility to comply with standards for safety, licensure, certification or accreditation;

(e) The installation of a system to conserve energy;

(f) The installation of a system for data processing or communication; or

(g) Any other project which, in the opinion of the director, does not relate directly to the provision of any health service.

4. The provisions of paragraph (d) of subsection 2 do not include acquisitions of medical equipment proposed primarily to replace existing equipment. The department shall by regulation develop standards to determine whether the primary purpose of a proposed acquisition is to replace existing equipment.

5. In reviewing an application for approval, the director shall:

(a) Comparatively assess applications for similar projects affecting the same geographic area; *and*

(b) [Consider any recommendation of a health systems agency; and

(c)] Base his decision on criteria established by the director by regulation. The criteria must include:

(1) The need for and the appropriateness of the project in the area to be served;

(2) The extent to which the project is consistent with the state health plan;

(3) The financial feasibility of the project;

(4) The effect of the project on the cost of health care; and

(5) The extent to which the project is consistent with the purposes set forth in NRS 439A.020 and the priorities set forth in NRS 439A.081.

[4.] *6.* The department may by regulation require additional approval for a proposed change to a project which has previously been approved if the proposal would result in a change in the number of existing beds or a change in the health services which are to be provided, a change in the location of the project or a substantial increase in the cost of the project.

[5.] *7.* The decision of the director is a final decision for the purposes of judicial review.

Sec. 36. Chapter 449 of NRS is hereby amended by adding thereto the provisions set forth as sections 36, 37 and 38 of this act.

Sec. 37. *1. Each hospital in this state shall use for all patients discharged the form commonly referred to as the "UB-82," or a different form prescribed by the director with the approval of a majority of the hospitals licensed in this state, and shall include in the form all information required by the department.*

2. The department shall by regulation:

(a) Specify the information required to be included in the form for each patient; and

(b) Require each hospital to provide specified information from the form to the department.

3. Each insurance company or other payer shall accept the form as the bill for services provided by hospitals in this state.

4. Each hospital with more than 200 beds shall provide the information required pursuant to paragraph (b) of subsection 2 on magnetic tape or by other means specified by the department, or shall provide copies of the forms and pay the costs of entering the information manually from the copies.

Sec. 38. *1. A licensee must obtain the approval of the health division before the addition of any of the following services:*

(a) The intensive care of newborn babies.

(b) The treatment of burns.

(c) The transplant of organs.

(d) The performance of open-heart surgery.

(e) A center for the treatment of trauma.

2. The health division shall approve an application to provide any of the services described in subsection 1 unless it determines that the licensee has inadequate personnel or equipment for the provision of the services. The health division may deny approval or revoke its approval if the licensee fails to comply with standards approved by the board for the provision of such services.

3. The board shall consider standards adopted by appropriate national organizations as a guide for adopting standards for the approval of the provision of services pursuant to this section.

Sec. 39. *1. The director shall by regulation create in each county whose population is 100,000 or more a commission for the advocacy of maintaining the quality of care provided by hospitals. Each hospital in such a county with more than 200 beds shall create a committee for the advocacy of maintaining the quality of care provided by the hospital. The director shall prescribe the powers and duties of such commissions and committees.*

2. Each committee must be composed of at least five physicians on the medical staff of the hospital who do not have a pecuniary interest in the hospital, who must be elected by a vote of all such physicians at the hospital.

3. The state health officer is ex officio a voting member of each commission. Except as otherwise provided in this subsection, each hospital in such a county shall have one representative on the commission. The representative must be elected by the physicians on the medical staff of the hospital who

do not have a pecuniary interest in the hospital. If there are an odd number of hospitals in the county, the largest hospital, based upon the number of licensed beds, shall elect two representatives in accordance with the provisions of this subsection.

4. Each committee and commission shall represent the interests of patients of hospitals in the county to ensure that the quality of care provided by hospitals is not compromised in the interest of economic considerations. A commission may require hospitals in the county to submit information concerning the patterns of staffing at the hospitals, and may compile that information for publication with similar information from other states. A committee may require such information from its hospital.

5. If a committee determines that its hospital's quality of care is being compromised in the interest of economic considerations, it shall inform the commission for its county. If a commission determines, either on its own or as the result of information provided by a committee, that a hospital is so compromising its quality of care, the commission shall inform the director of the department of human resources of its determination in writing. Upon receipt of such a determination, the director may require the hospital to submit to an evaluation conducted by the health division or by another appropriate accrediting body. The hospital which is subject to such an evaluation shall pay the costs of the evaluation.

6. The committees, the commissions, the legislative committee on health care and the director of the department of human resources may exchange the information each acquires.

Sec. 40. NRS 449.465 is hereby amended to read as follows:

449.465 *1.* The director may, by regulation, impose fees upon admitted health insurers to cover the costs of carrying out the provisions of NRS 449.450 to 449.530, inclusive [.] *, and section 37 of this act.* The maximum amount of fees collected must not exceed the amount authorized by the legislature in each biennial budget.

2. The director shall impose a fee of $50 each year upon admitted health insurers for the support of the legislative committee on health care. The fee imposed pursuant to this subsection is in addition to any fee imposed pursuant to subsection 1. The fee collected for the support of the legislative committee on health care must be deposited in the legislative fund.

Sec. 41. NRS 449.490 is hereby amended to read as follows:

449.490 1. Every institution which is subject to the provisions of NRS 449.450 to 449.530, inclusive, *and section 37 of this act,* shall file with the department the following financial statements or reports in a form and at intervals specified by the director but at least annually:

(a) A balance sheet detailing the assets, liabilities and net worth of the institution for its fiscal year; and

(b) A statement of income and expenses for the fiscal year.

Each such institution shall file with the department a proposed operating budget for the following fiscal year at least 30 days before the start of that fiscal year.

2. The director shall require the certification of specified financial reports by [the institution's] *an independent* certified public accountant and may require attestations from responsible officers of the institution that the reports are, to the best of their knowledge and belief, accurate and complete.

3. The director shall require the filing of all reports by specified dates, and may adopt regulations which assess penalties for failure to file as required, but he shall not require the submission of a final annual report sooner than 6 months after the close of the fiscal year, and may grant extensions to institutions which can show that the required information is not available on the required reporting date.

4. All reports, except privileged medical information, filed under any provisions of NRS 449.450 to 449.530, inclusive, *and section 37 of this act,* are open to public inspection and must be available for examination at the office of the department during regular business hours.

Sec. 42. Chapter 450 of NRS is hereby amended by adding thereto a new section to read as follows:

1. The board of county commissioners of a county in which a public hospital is located may, upon approval by a majority of the voters voting on the question in an election held throughout the county, levy an ad valorem tax of not more than 2.5 cents on each $100 of assessed valuation upon all taxable property in the county, to pay the cost of services rendered by the hospital pursuant to subsection 3 of NRS 450.420. The approval required by this subsection may be requested at any general or special election.

2. Any tax imposed pursuant to this section is in addition to the taxes imposed pursuant to NRS 428.050 and 428.285. The proceeds of any tax levied pursuant to this section are exempt from the limitations imposed by NRS 428.050, 428.285, 354.59805, 354.59811 and 354.59816, and must be excluded in determining the maximum rate of tax authorized by those sections.

Sec. 43. NRS 450.420 is hereby amended to read as follows:

450.420 1. The board of county commissioners of the county in which a public hospital is located may determine whether patients presented to the public hospital for treatment are subjects of charity. [The] *Except as otherwise provided in section 28 of this act, the* board of county commissioners shall establish by ordinance criteria and procedures to be used in the determination of eligibility for medical care as medical indigents or subjects of charity.

2. The board of hospital trustees shall fix the charges for treatment of those persons able to pay for the charges, as the board deems just and proper. The board of hospital trustees may impose an interest charge of not more than 12 percent per annum on unpaid accounts. The receipts must be paid to the county treasurer and credited by him to the hospital fund. In fixing charges pursuant to this subsection the board of hospital trustees shall not include, or seek to recover from paying patients, any portion of the expense of the hospital which is properly attributable to the care of indigent patients.

3. Except as provided in subsection 4 [,] *of this section and subsection 3 of section 27 of this act,* the county is chargeable with the entire cost of services rendered by the hospital and any salaried staff physician or employee to any person admitted for emergency treatment, including all reasonably necessary recovery, convalescent and follow-up inpatient care required for any such person as determined by the board of trustees of the hospital, but the hospital shall use reasonable diligence to collect the charges from the emergency patient or any other person responsible for his support. Any amount collected must be reimbursed or credited to the county.

4. The county is not chargeable with the cost of services rendered by the hospital or any attending staff physician or surgeon to the extent the hospital is reimbursed for those services pursuant to NRS 428.115 to 428.255, inclusive.

Sec. 44. NRS 450.490 is hereby amended to read as follows:

450.490 1. The board of county commissioners of any county for which a public hospital has been established or is administered pursuant to NRS 450.010 to 450.510, inclusive, and whose public hospital is the only hospital in the county, may convey the hospital for an amount not less than its appraised value or lease it for a term of not more than 50 years to any corporation if all of the following conditions are met:

(a) The corporation must provide in its articles of incorporation for an advisory board for the hospital. The advisory board must consist of persons who represent a broad section of the people to be served by the hospital.

(b) The corporation must contract to [care] *:*

(1) Care for indigent patients at a charge to the county which does not exceed the actual cost of providing that care, [and to receive] *or in accordance with sections 25 to 29, inclusive, of this act, if applicable; and*

(2) Receive any person falling sick or maimed within the county.

(c) The corporation must agree to accept all the current assets, including accounts receivable, to assume all the current liabilities, and to take over and maintain the records of the existing public hospital.

(d) The agreement must provide for the transfer of patients, staff and employees, and for the continuing administration of any trusts or bequests pertaining to the existing public hospital.

(e) The agreement must provide for the assumption by the corporation of all indebtedness of the county which is attributable to the hospital, and:

(1) If the hospital is conveyed, for payment to the county of an amount which is not less than the appraised value of the hospital, after deducting any indebtedness so assumed, immediately or by deferred installments over a period of not more than 30 years.

(2) If the hospital is leased, for a rental which will, over the term of the lease, reimburse the county for its actual capital investment in the hospital, after deducting depreciation and any indebtedness so assumed. The lease may provide a credit against the rental so required for the value of any capital improvements made by the corporation.

2. If any hospital which has been conveyed pursuant to this section ceases to be used as a hospital, unless the premises so conveyed are sold and

the proceeds used to erect or enlarge another hospital for the county, the hospital so conveyed reverts to the ownership of the county. If any hospital which has been leased pursuant to this section ceases to be used as a hospital, the lease is terminated.

Sec. 45. NRS 450.500 is hereby amended to read as follows:

450.500 1. Except as otherwise provided in NRS 450.490, the board of county commissioners of any county for which a public hospital has been established pursuant to NRS 450.010 to 450.510, inclusive, or established otherwise but administered pursuant to NRS 450.010 to 450.510, inclusive, may convey the hospital, or lease it for a term of not more than 50 years, to a nonprofit corporation if all of the following conditions are met:

(a) The governing body of the nonprofit corporation must be composed initially of the incumbent members of the board of hospital trustees, as individuals. The articles of incorporation must provide for:

(1) A membership of the corporation which is broadly representative of the public and includes residents of each incorporated city in the county and of the unincorporated area of the county or a single member which is a nonprofit corporation whose articles of incorporation provide for a membership which is broadly representative of the public and includes residents of each incorporated city in the county and of the unincorporated area of the county;

(2) The selection of the governing body by the membership of the corporation or, if the corporation has a single member, by the single member;

(3) The governing body to select its members only to fill a vacancy for an unexpired term; and

(4) The terms of office of members of the governing body, not to exceed 6 years.

(b) The nonprofit corporation [shall] *must* contract to [care] *:*

(1) Care for indigent patients at a charge to the county which does not exceed the actual cost of providing such care, [and to receive] *or in accordance with sections 25 to 29, inclusive, of this act, if applicable; and*

(2) Receive any person falling sick or maimed within the county.

(c) The nonprofit corporation [shall] *must* agree to accept all the current assets, including accounts receivable, to assume all the current liabilities, and to take over and maintain the records of the existing public hospital.

(d) The agreement must provide for the transfer of patients, staff and employees, and for the continuing administration of any trusts or bequests pertaining to the existing public hospital.

(e) The agreement must provide for the assumption by the corporation of all indebtedness of the county which is attributable to the hospital, and:

(1) If the hospital is conveyed, for payment to the county of its actual capital investment in the hospital, after deducting depreciation and any indebtedness so assumed, immediately or by deferred installments over a period of not more than 30 years.

(2) If the hospital is leased, for a rental which will over the term of the lease reimburse the county for its actual capital investment in the hospital,

after deducting depreciation and any indebtedness so assumed. The lease may provide a credit against the rental so required for the value of any capital improvements made by the corporation.

2. Boards of county commissioners which have joint responsibility for a public hospital may jointly exercise the power conferred by subsection 1, and are subject jointly to the related duties.

3. If any hospital which has been conveyed pursuant to this section ceases to be used as a nonprofit hospital, unless the premises so conveyed are sold and the proceeds used to erect or enlarge another nonprofit hospital for the county, the hospital so conveyed reverts to the ownership of the county. If any hospital which has been leased pursuant to this section ceases to be used as a nonprofit hospital, the lease is terminated.

Sec. 46. NRS 450.510 is hereby amended to read as follows:

450.510 1. The board of county commissioners of any county whose population is less than 100,000 may contract with any nonprofit corporation to which a public hospital has been conveyed or leased, for the care of indigent patients from the contracting county and the receiving of other persons falling sick or being maimed or injured within the contracting county. *The contract must be consistent with the provisions of sections 25 to 29, inclusive, of this act, if applicable.*

2. The contracting county may participate, from its county hospital construction fund or otherwise, in the enlargement or alteration of the hospital.

Sec. 47. NRS 450.700 is hereby amended to read as follows:

450.700 1. The board of county commissioners of the county in which a district hospital is located may determine whether patients presented to the district hospital for treatment are subjects of charity. [The] *Except as otherwise provided in section 28 of this act, the* board of county commissioners shall establish by ordinance criteria and procedures to be used in the determination of eligibility for medical care as medical indigents or subjects of charity.

2. The board of trustees shall fix the charges for treatment of those persons able to pay for it, as the board deems just and proper. The receipts therefor must be paid to the county treasurer and credited by him to the [district fund.] *fund for the district.*

Sec. 48. NRS 232.320 is hereby amended to read as follows:

232.320 1. [The] *Except as otherwise provided in subsection 2, the* director:

(a) Shall appoint, with the consent of the governor, chiefs of the divisions of the department, who are respectively designated as follows:

(1) The administrator of the aging services division;

(2) The administrator of the division for review of health resources and costs;

(3) The administrator of the health division;

(4) The administrator of the rehabilitation division;

(5) The state welfare administrator; and

(6) The administrator of the youth services division.

(b) Shall administer, through the divisions of the department, the provisions of chapters 210, 422 to 427A, inclusive, 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, *sections 2 to 33, inclusive, of this act,* 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.

(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. 49. NRS 422.234 is hereby amended to read as follows:

422.234 1. The administrator shall establish a state plan for assistance to the medically indigent. The state plan is subject to the approval of the board. The state plan must set forth the requirements for eligibility of indigent persons, the types of medical and remedial care for which assistance may be provided, the conditions imposed and such other provisions relating to the development and administration of the program for assistance to the medically indigent as the administrator and the board deem necessary. *The state plan must include a system of prospective payments to hospitals for treatment of eligible patients. The payments must equal the actual cost of treatment by the most efficient and economical hospital in its category. Costs must be determined in accordance with the annual reports filed by hospitals for the purposes of Medicare.*

2. In developing and revising the plan, the administrator and the board shall consider, among other things, the amount of money available from the Federal Government for assistance to the medically indigent and the conditions attached to the acceptance of such money, and the limitations of legislative appropriations for assistance to the medically indigent.

Sec. 50. NRS 428.010 is hereby amended to read as follows:

428.010 1. To the extent that money may be lawfully appropriated by the board of county commissioners for this purpose pursuant to NRS 428.050 [, 428.265, 428.275] and 428.285, *and section 42 of this act,* every county shall provide care, support and relief to the poor, indigent, incompetent and those incapacitated by age, disease or accident, lawfully resident therein, when such persons are not supported or relieved by their relatives or guardians, by their own means, or by state hospitals, or other state, federal or private institutions or agencies.

2. [The] *Except as otherwise provided in section 28 of this act, the* boards of county commissioners of the several counties [are vested with the authority to] *may* establish and approve policies and standards, prescribe a uniform standard of eligibility, appropriate money for this purpose and appoint agents who will develop regulations and administer these programs [for the purpose of providing] *to provide* care, support and relief to the poor, indigent, incompetent and those incapacitated by age, disease or accident.

Sec. 51. NRS 428.030 is hereby amended to read as follows:

428.030 1. When any poor person meets the uniform standards of eligibility established by the board of county commissioners *or by section 26 of this act, if applicable,* and does not have relatives of sufficient ability to care for and maintain him, or when such relatives refuse or neglect to care for and maintain him, then he [must] *is entitled to* receive such relief as is in accordance with the policies and standards established and approved by the board of county commissioners and within the limits of the money which may be lawfully appropriated pursuant to NRS 428.050 [, 428.265, 428.275 or 428.285,] *and 428.285, and section 42 of this act,* for this purpose.

2. *The board of county commissioners shall pay hospitals for the costs of treating indigent inpatients who reside in the county an amount which is not less than 85 percent of the prospective payment required for providing the same treatment to patients pursuant to the state plan for assistance to the medically indigent, within the limits of money which may be lawfully appropriated pursuant to NRS 428.050 and 428.285, and section 42 of this act, for this purpose.*

3. The board of county commissioners may:

(a) Make contracts for the necessary maintenance of poor persons;

(b) Appoint such agents as the board [may deem] *deems* necessary to oversee and provide the necessary maintenance of poor persons;

(c) Authorize the payment of cash grants [direct] *directly* to poor persons for their necessary maintenance; or

(d) Provide for the necessary maintenance of poor persons by the exercise of the combination of one or more of the powers specified in paragraphs (a), (b) and (c) . [of this subsection.]

Sec. 52. NRS 428.060 is hereby amended to read as follows:

428.060 1. If it appears to the satisfaction of the board of county commissioners that a pauper applying for relief has not established his residence and came to the county for some other purpose, but before coming to the county was a resident of some other county of this state, the board shall provide temporary relief for the pauper in accordance with the policies and standards established and approved by the board of county commissioners and within the limits of money which may be lawfully appropriated thereby for this purpose pursuant to NRS 428.050 [, 428.265, 428.275 or 428.285,] *and 428.285, and section 42 of this act,* and shall notify immediately the board of county commissioners of the county where the pauper last had a residence.

2. The notice must be in writing, duly attested by the clerk of the board of county commissioners, and deposited in the post office, addressed to the board of county commissioners of the other county.

3. The board of county commissioners receiving the notice may cause the pauper to be removed immediately to that county, and shall pay a reasonable compensation for the temporary relief afforded. If the board of county commissioners chooses not to remove the pauper, the county affording relief has a legal claim against any money lawfully available in that county for the relief necessarily furnished, and may recover it in a suit at law.

Sec. 53. NRS 428.090 is hereby amended to read as follows:

428.090 1. When any nonresident or any other person who meets the uniform standards of eligibility prescribed by the board of county commissioners *or by section 26 of this act, if applicable,* falls sick in the county, not having money or property to pay his board, nursing or medical aid, the board of county commissioners of the proper county shall, on complaint being made, give or order to be given such assistance to the poor person as is in accordance with the policies and standards established and approved by the board of county commissioners and within the limits of money which may be lawfully appropriated for this purpose pursuant to NRS 428.050 [, 428.265, 428.275 or 428.285.] *and 428.285 and section 42 of this act.*

2. If the sick person dies, the board of county commissioners shall give or order to be given to the person a decent burial or cremation.

3. The board of county commissioners shall make such allowance for the person's board, nursing, medical aid, burial or cremation as the board deems just and equitable, and order it paid out of the county treasury.

4. The responsibility of the board of county commissioners to provide medical aid or any other type of remedial aid under this section is relieved to the extent of the amount of money or the value of services provided by:

(a) The welfare division of the department of human resources to or for such persons for medical care or any type of remedial care under the state plan for assistance to the medically indigent; and

(b) The fund for hospital care to indigent persons under the provisions of NRS 428.115 to 428.255, inclusive.

Sec. 54. NRS 680A.320 is hereby amended to read as follows:

680A.320 1. For the purposes of this section:

(a) [A "subsidiary" is a person of which either the insurer and the parent corporation or the insurer or the parent corporation holds practical control.

(b)] An "affiliated person" is a person controlled by any combination of the insurer, the parent corporation, a subsidiary or the principal stockholders or officers or directors of any of the foregoing.

(b) "Health facility" has the meaning ascribed to it in NRS 439A.015.

(c) A "subsidiary" is a person of which either the insurer and the parent corporation or the insurer or the parent corporation holds practical control.

2. No insurer [shall] *may* engage directly or indirectly in any transaction or agreement with its parent corporation, or with any subsidiary or affiliated person which will result or tend to result in:

(a) Substitution contrary to the interest of the insurer and through any method of any asset of the insurer with an asset or assets of inferior quality or lower fair market value;

(b) Deception as to the true operating results of the insurer;

(c) Deception as to the true financial condition of the insurer;

(d) Allocation to the insurer of a proportion of the expense of combined facilities or operations which is unfair and unfavorable to the insurer;

(e) Unfair or excessive charges against the insurer for services, facilities, supplies or reinsurance;

(f) Unfair and inadequate charges by the insurer for reinsurance, services, facilities or supplies furnished by the insurer to others;

(g) Payment by the insurer for services, facilities, supplies or reinsurance not reasonably needed by the insurer; [or]

(h) Depletion of the insurer's surplus, through payment of dividends or other distribution or withdrawal, below the amount thereof reasonably required for conduct of the insurer's business and maintenance of growth with safety to policyholders [.] *; or*

(i) Payment by the insurer for services or products for which the health facility has charged less than fair market value, unless the reduced charge is reflected in the form of reduced premiums. In determining what constitutes fair market value, consideration must be given to reasonable agreements for the preferential provision of health care, in accordance with regulations adopted by the commissioner. An insurer which charges less than fair market value for services or products in a transaction which is subject to the provisions of this paragraph shall annually file a certification with the commissioner that the reduced charge has been reflected in the form of reduced premiums, together with documentation supporting the certification.

3. In all transactions between the insurer and its parent corporation, or involving the insurer and any subsidiary or affiliated person, full recognition [shall] *must* be given to the paramount duty and obligation of the insurer to protect the interests of policyholders, both existing and future.

4. If a health facility is a parent, subsidiary or affiliate of an insurer or of a parent or facility of an insurer, and the insurer purchases medical or any other services or products from the health facility, the health facility may not:

(a) Attempt artificially to reduce or increase its margin of profit by altering the charges to the insurer.

(b) Alter its true operating results or financial condition through charges to the insurer for services or products.

This subsection does not prohibit activities authorized pursuant to paragraph (i) of subsection 2.

5. If a health facility is found, after notice and a hearing, to have violated the provisions of subsection 4, the commissioner may impose an administrative fine of not more than $5,000 for each violation.

Sec. 55. 1. Each hospital whose percentage of income to operating expenses for the calendar year 1986 exceeded 17 percent shall:

(a) For the fiscal year 1987-1988, reduce its billed charges for inpatients by at least 25 percent below its billed charges in effect on March 31, 1987 and reduce its net revenue per inpatient admission by an average of 15 percent below its net revenue per inpatient admission in the fiscal year 1986-1987; and

(b) Except as otherwise provided in subsections 5 and 8, for the fiscal year 1988-1989, maintain its billed charges for inpatients and net revenue per inpatient admission at a level which is not higher than that required for the fiscal year 1987-1988.

2. Each hospital whose percentage of income to operating expenses for the calendar year 1986 exceeded 12 percent but did not exceed 17 percent shall:

(a) For the fiscal year 1987-1988, reduce its billed charges for inpatients by at least 12 percent below its billed charges in effect on March 31, 1987 and reduce its net revenue per inpatient admission by an average of 7.5 percent below its net revenue per inpatient admission in the fiscal year 1986-1987; and

(b) Except as otherwise provided in subsections 5 and 8, for the fiscal year 1988-1989, maintain its billed charges for inpatients and net revenue per inpatient admission at a level which is not higher than that required for the fiscal year 1987-1988.

3. Each hospital whose percentage of income to operating expenses for the calendar year 1986 exceeded 7 percent but did not exceed 12 percent shall reduce its billed charges by an amount which is sufficient to result in a percentage of income to operating expenses of not more than 7 percent for the fiscal years 1987-1988, 1988-1989, 1989-1990 and 1990-1991.

4. A hospital which:

(a) Is not subject to the requirements of subsection 1, 2 or 3 in the fiscal year 1987-1988; and

(b) Exceeds in the calendar year 1987 one of the respective percentages of income to operating expenses specified in those subsections,

shall in the fiscal year 1988-1989 comply with the requirements of the applicable subsection for the fiscal year 1987-1988.

5. A hospital which is subject to the requirements of subsection 1 or 2 in the fiscal year 1987-1988 may increase its billed charges and its net revenue per inpatient admission in the fiscal year 1988-1989 to the extent authorized by this subsection. A hospital may increase its net revenue in the fiscal year 1988-1989 to the extent that the following costs increase in the fiscal year 1987-1988 over the corresponding amounts for the fiscal year 1986-1987:

(a) Salaries of employees of the hospital, excluding administrative employees;

(b) Malpractice insurance;

(c) Fees for licensing;

(d) Utilities; and

(e) Any other increases in costs which the director determines were beyond the control of the hospital.

A hospital must apply to the director for an increase pursuant to this subsection on or before September 30, 1988, by submitting information verifying increases specifically allowed or proposed for consideration pursuant to this subsection. The director shall, on or before November 15, 1988, determine the amount by which the hospital will be allowed to increase its net revenue in the fiscal year 1988-1989. The decision of the director is a final decision for the purposes of judicial review. The hospital may increase its net revenue per inpatient admission in the fiscal year 1988-1989 by an amount which will result in the increase in net revenue authorized pursuant

to this subsection. The hospital may increase its billed charges in the fiscal year 1988-1989 by 1 percent for each percent that it is authorized to increase its net revenue per inpatient admission.

6. Except as otherwise provided in subsection 8, each hospital which is required to comply with the requirements of subsection 1, 2 or 4 shall not increase its billed charges for inpatients in the fiscal year 1989-1990 or in the fiscal year 1990-1991 by more than 4 percent above the percentage increase in the Consumer Price Index (Medical Care Component for all Urban Consumers), published by the Bureau of Labor Statistics of the Department of Labor, in the preceding calendar year.

7. A hospital which fails to reduce its billed charges or net revenue per inpatient admission or to maintain its billed charges or net revenue at the levels required by subsections 1, 2, 4, 5 and 6, shall, except as otherwise provided in subsection 8, pay a penalty of twice the amount of the difference between its total billed charges and its total authorized billed charges or twice the amount of the difference between its total net revenue and its total authorized net revenue, whichever is greater. A hospital which fails to reduce its percentage of income to operating expenses to the levels required by subsection 3 shall pay a penalty of twice the amount of the difference between its total income and its total authorized income. The director shall determine the amount of the penalty which a hospital must pay pursuant to this section and shall notify the hospital in writing of that amount on or before November 1 of each year. The director shall include in the penalty any amounts by which the hospital failed to meet its obligation in a preceding year which were not discovered at the time of the failure. Payment is due within 30 days after receipt of the notice. If a hospital fails to pay the penalty when it is due the hospital shall pay, in addition to the penalty:

(a) Interest at a rate of 1 percent per month for each month after the penalty is due in which it remains unpaid; and

(b) Any court costs and fees required by the director to obtain payment of the penalty and interest from the hospital.

8. The legislature has determined that the requirements of subsection 1 would result in the following reductions in net revenue if the amount of care provided in the fiscal year 1987-1988 were the same as was provided in the calendar year 1986:

Humana Hospital Sunrise	$9,878,425
Valley Hospital Medical Center	5,103,931
Desert Springs Hospital	3,494,151

If the difference between a hospital's net revenue for the fiscal year 1987-1988 or 1988-1989 and the amount its net revenue would have been based upon its net revenue per inpatient admission in the fiscal year 1986-1987 exceeds the amount specified in this subsection, reduced by any credit approved pursuant to subsection 12, the hospital is exempt from any penalty which would otherwise be imposed pursuant to subsection 7. A hospital which increases its billed charges based upon a determination that the provisions of this subsection will exempt the hospital from any penalty for such action shall notify the director in writing of the increase and submit

documentation in support of the hospital's determination. The director shall determine the amount by which a hospital's reduction in net revenue for the fiscal years 1987-1988 and 1988-1989 exceeded the amounts specified in this subsection, after deducting any applicable credit, and shall authorize the hospital to increase its net revenue per inpatient admission by an amount which is sufficient to allow the recovery of the excess in the fiscal year 1988-1989 or 1989-1990, as appropriate. The hospital may increase its billed charges in the fiscal years 1988-1989 and 1989-1990 by 1 percent for each percent that it is authorized to increase its net revenue per inpatient admission pursuant to this subsection for that fiscal year. Any increase authorized pursuant to this subsection is in addition to the increases authorized pursuant to subsections 5 and 6.

9. One-half of the money collected pursuant to this section must be deposited in the legislative fund and used for the support of the legislative committee on health care. The other half of the money must be deposited in the supplemental fund for assistance to indigent persons. The board of trustees of the fund for hospital care to indigent persons shall distribute to each county before May 1 from money deposited in the supplemental fund pursuant to this subsection an amount proportionate to the amount paid into the supplemental fund by the county in the previous fiscal year.

10. The division shall, on or before July 1, 1987:

(a) Determine the percentage of income to operating expenses for the calendar year 1986 for each hospital in this state based upon reports submitted by the hospitals to the division;

(b) Determine whether that percentage exceeds the amount specified in subsection 1, 2 or 3; and

(c) Notify each hospital which will be required to comply with the provisions of subsection 1, 2 or 3 and of subsection 6. Each hospital so notified, except a hospital which is subject to the provisions of subsection 3, shall within 30 days provide to the director a copy of its list of billed charges in effect on March 31, 1987.

The division shall make such other determinations as are necessary to carry out the provisions of this section.

11. The provisions of subsections 1, 2, 3 and 4 do not require a hospital to reduce the amount it receives pursuant to a contract in effect on the effective date of this section.

12. A hospital which is required pursuant to subsection 1, 2 or 4 to reduce or limit its net revenue per inpatient admission in a fiscal year is entitled to a credit against its net revenue used to compute its revenue per inpatient admission of $2 for each $1 spent by the hospital in the preceding calendar year to increase its ratio of nursing hours to patient days. The credit authorized pursuant to this subsection must not exceed 5.5 percent of the amount by which the net revenue of the hospital would otherwise be required to be reduced in the fiscal year 1987-1988. The credit applies only to nurses licensed pursuant to chapter 632 of NRS. To receive the credit, a hospital must:

(a) Increase its percentage of nurses who work at least 40 hours per week above the percentage for the preceding calendar year;

(b) Increase its ratio of nursing hours to patient days above the ratio for the calendar year 1986;

(c) Maintain its level of expenditures for medical education in Nevada at the level provided in the calendar year 1986, including education of allied health students, education of students in medical school, postgraduate residency programs and continuing medical education for the hospital's staff; and

(d) Submit to the director on or before January 31 of the fiscal year in which the credit is claimed evidence of compliance with the requirements of paragraphs (a), (b) and (c).

The director may disallow all or any portion of the claimed credit which he determines is not supported by the evidence. The decision of the director is a final decision for the purpose of judicial review.

13. The director may adopt such regulations as he deems necessary to carry out the provisions of this section.

14. As used in this section:

(a) "Director" means the director of the department of human resources.

(b) "Division" means the division for review of health resources and costs of the department of human resources.

(c) "Fiscal year" means a period beginning on July 1 and ending on June 30 of the following year.

(d) "Income" means all revenues earned from the care of inpatients, as determined by the division from reports submitted to the division by a hospital, minus operating expenses, before the payment of income taxes.

(e) "Net revenue per inpatient admission" means all revenues earned from medical care provided to inpatients by a hospital, excluding income from inpatients covered by Medicare or Medicaid, divided by the number of inpatients admitted, excluding inpatients covered by Medicare or Medicaid.

(f) "Operating expenses" means expenses of operation of a hospital which the division determines to be an allowable operating expense including:

(1) All operating expenses allowed by the Health Care Financing Administration for hospitals which receive payments for Medicare;

(2) Expenses for capital expenditures approved pursuant to NRS 439A.100; and

(3) Other operating expenses which the division determines to be directly related to the provision of care to inpatients.

(g) "Percentage of income to operating expenses" means income divided by operating expenses and then multiplied by 100.

Sec. 56. 1. The legislature intends that the reductions in revenue required of hospitals by section 55 of this act be carried out without affecting the service provided by such hospitals. The legislature hereby finds that any reduction in the number or quality of the employees of such hospitals would be contrary to the interests of the people of this state, and would endanger

public health. The legislature further finds that any reduction in the salaries or benefits of the employees of such a hospital is likely to result in a reduction in the number and quality of the employees of the hospital.

2. A hospital which is required pursuant to subsection 1, 2 or 4 of section 55 of this act to reduce its net revenue per inpatient admission shall not:

(a) Reduce the wages, hours or benefits of any employee, except in the case of legitimate disciplinary action or at the request of the employee;

(b) Reduce the number of employees employed to perform any service; or

(c) Reduce the quantity or quality of service provided by the hospital, except to the extent that a reduction in quantity corresponds to a reduction in the level of occupancy of the hospital,

unless the hospital's action is approved by the director of the department of human resources.

3. For the purposes of this section, a reduction in the quality of service provided by a hospital includes:

(a) Reducing the number of hours employees are assigned to provide or assist in the provision of a service;

(b) Discontinuing any service which is provided to more than 50 persons in a year; and

(c) Any other action which reduces the quality of care received by patients in the hospital.

4. The director of the department of human resources may:

(a) Impose an administrative fine of not more than $5,000 per occurrence for each violation of this section; and

(b) Adopt regulations necessary to carry out the provisions of this section.

Sec. 57. 1. The legislature hereby finds and declares that:

(a) Rates charged by hospitals in this state are excessive and in need of control;

(b) The provisions of section 55 of this act would provide needed relief to the residents of this state from those rates;

(c) It is essential that the provisions of that section remain in force for the entire period prescribed by that section for the residents of this state to receive the full benefit of its requirements; and

(d) If those provisions are not in effect for the period prescribed by that section, it will be necessary for those provisions to take effect as soon as possible and for the amount of time required by that section.

2. If any of the provisions of section 55 of this act is enjoined, restrained or otherwise prevented by a court from taking effect, those provisions become effective on the date that those provisions are upheld by the Supreme Court of the United States or of Nevada, or on the date that the time for appealing the ruling of a lower court upholding those provisions expires. The times and amounts used to measure the obligation of a hospital and against which compliance is measured must be as stated in that section. The periods in which a hospital is required to comply must be measured from the date on which the provisions become effective pursuant to this subsection, with that date being the equivalent of July 1, 1987.

3. If any of the provisions of this act are found by a court to be unconstitutional, the legislature intends that the remaining provisions take effect with respect to the hospitals that would otherwise be subject to those provisions, and to this end the provisions of this act are hereby declared to be severable.

Sec. 58. 1. Each insurer, nonprofit corporation for hospital or medical service and health maintenance organization shall identify reductions in payments of claims which result from the provisions of this act and pass those savings on to their policyholders in the form of reduced premiums.

2. If an entity described in subsection 1 is found, after notice and hearing, to have failed to identify or pass on savings as required by subsection 1, the commissioner of insurance may impose an administrative fine of not more than $5,000 and impose other sanctions authorized by law.

Sec. 59. The legislative committee on health care shall:

1. Review the actions of the director of the department of human resources in administering the provisions of this act, except section 35 of this act, and adopting regulations pursuant to those provisions. The director shall report to the committee concerning any regulations proposed or adopted pursuant to those provisions.

2. Report to the legislature on December 1, 1988, and December 1, 1990, concerning the effect of this act and the need for continued controls over the costs of health care.

Sec. 60. If a contract was in effect for the fiscal year 1986-1987 between a county and a hospital for the treatment of a majority of the indigent patients in the county, the total amount of reimbursement paid to the hospital by the county in the fiscal year 1987-1988 for the treatment of indigent patients must not be less than the amount paid to the hospital in the fiscal year 1986-1987 if the hospital treats at least as many indigent patients.

Sec. 61. 1. This section and sections 55, 56, 57 and 58 of this act become effective upon passage and approval.

2. Sections 1 to 42, inclusive, 44, 45, 46, 48 to 54, inclusive, 59 and 60 of this act become effective on July 1, 1987.

3. Sections 43 and 47 of this act become effective at 12:01 a.m. on July 1, 1987.".

Amend the title of the bill to read as follows:

"An Act relating to health facilities; requiring certain hospitals to reduce charges and maintain those charges at the reduced level; requiring certain hospitals to reduce their revenue per inpatient; requiring certain hospitals to reduce their percentage of income to operating expenses; creating a legislative committee on health care; requiring certain hospitals to provide an established amount of treatment for indigent patients or to pay an assessment; prohibiting certain transactions between affiliated health facilities and insurers and between hospitals and their affiliates; requiring hospitals to provide emergency medical care; revising the criteria for determining whether certain projects require the approval of the director of the department of human resources and providing other matters properly relating thereto.".

Assemblyman Arberry moved that the Assembly concur in the Senate amendment to Assembly Bill No. 289.

Remarks by Assemblyman Arberry.

Assemblymen Bergevin, Jeffrey and Nevin requested a roll call on Assemblyman Arberry's motion.

Roll call on Assemblyman Arberry's motion:

YEAS—41.

NAYS—None.

Absent—Thomas.

The motion having received a majority, Mr. Speaker declared the amendment concurred in.

Bill ordered enrolled.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Senate Bill No. 319 be placed on the Chief Clerk's desk.

Remarks by Assemblyman Jeffrey.

Motion carried.

Assemblyman Sedway moved that Assembly Bill No. 142 be taken from the Chief Clerk's desk and placed on the Second Reading File.

Motion carried.

UNFINISHED BUSINESS

REPORTS OF CONFERENCE COMMITTEES

Mr. Speaker:

The first Committee on Conference concerning Assembly Bill No. 320, 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.

LOUIS W. BERGEVIN	JOHN M. VERGIELS
JANE WISDOM	WILLIAM R. O'DONNELL
WENDELL P. WILLIAMS	RAY SHAFFER
Assembly Committee on Conference	*Senate Committee on Conference*

Amendment No. C8.

Amend sec. 4, page 3, line 5, by deleting "*10-day*" and inserting "*20-day*".

Amend sec. 4, page 3, line 7, by deleting "*10-day*" and inserting "*20-day*".

Amend sec. 7, page 3, line 28, by deleting "*10-day*" and inserting "*20-day*".

Amend sec. 7, page 3, line 30, by deleting "*10-day*" and inserting "*20-day*".

Assemblyman Bergevin moved that the Assembly adopt the report of the first Committee on Conference concerning Assembly Bill No. 320.

Remarks by Assemblyman Bergevin.

Motion carried.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, June 5, 1987

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Senate Bills Nos. 571, 572, 573, 574.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 40, 88, 120, 130, 333, 402, 429, 450, 522, 524.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bill No. 253, which was returned from enrollment for the purpose of effecting a technical amendment.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Joint Resolution No. 24.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Assembly Concurrent Resolution No. 67.

Assemblyman Swain moved the adoption of the resolution.

Remarks by Assemblyman Swain.

Resolution adopted.

Assembly Concurrent Resolution No. 68.

Assemblyman Craddock moved the adoption of the resolution.

Remarks by Assemblyman Craddock.

Resolution adopted.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Sedway, Myrna Williams, May, Gaston, Price and Craddock:

Assembly Bill No. 872—An Act relating to taxation; authorizing the department of taxation to accept payment of contemplated taxes on the net proceeds of mines before the tax becomes effective; and providing other matters properly relating thereto.

Assemblyman Sedway moved that the bill be referred to the Committee on Taxation.

Motion carried.

By the Committee on Taxation:

Assembly Bill No. 873—An Act relating to local government finance; exempting certain districts from limitations on adopting or increasing fees for licenses and permits; and providing other matters properly relating thereto.

Assemblyman May moved that the bill be referred to the Committee on Taxation.

Motion carried.

Senate Bill No. 40.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

Senate Bill No. 88.

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

Motion carried.

Senate Bill No. 120.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

Senate Bill No. 130.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 333.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 402.

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

Motion carried.

Senate Bill No. 429.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 450.

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

Motion carried.

Senate Bill No. 522.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

Senate Bill No. 524.

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

Motion carried.

Senate Bill No. 571.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Natural Resources, Agriculture and Mining.

Motion carried.

Senate Bill No. 572.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Natural Resources, Agriculture and Mining.

Motion carried.

Senate Bill No. 573.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Natural Resources, Agriculture and Mining.

Motion carried.

Senate Bill No. 574.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Natural Resources, Agriculture and Mining.

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

Senate Joint Resolution No. 24.

Assemblyman Jeffrey moved that the resolution be referred to the Committee on Judiciary.

Motion carried.

Assemblyman Jeffrey moved that Assembly Bills Nos. 186, 248, 569, 679, 796, 837, 849; Senate Bills Nos. 56, 76, 228, 229, 256, 267, 287, 303, 307, 369, 371, 404, 428, 456, 495, 510, 526, 553 and 559 be placed on the Second Reading File.

Motion carried.

Assemblyman Jeffrey moved that the vote whereby Senate Bill No. 253 was passed be rescinded.

Remarks by Assemblyman Jeffrey.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Health and Welfare, 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.

MORSE ARBERRY, JR., *Chairman*

GENERAL FILE AND THIRD READING

Senate Bill No. 143.

Bill read third time.

Remarks by Assemblymen Nevin, Arberry, Thompson and May.

Assemblyman May moved that Senate Bill No. 143 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman May.

Motion carried.

Senate Bill No. 194.

Bill read third time.

Remarks by Assemblyman Nicholas.

Roll call on Senate Bill No. 194:

YEAS—42.

NAYS—None.

Senate Bill No. 194 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 276.

Bill read third time.

Remarks by Assemblyman Craddock.

Roll call on Senate Bill No. 276:

YEAS—42.

NAYS—None.

Senate Bill No. 276 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 298.

Bill read third time.

Remarks by Assemblyman Jeffrey.

Roll call on Senate Bill No. 298:

YEAS—42.

NAYS—None.

Senate Bill No. 298 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 Jeffrey and Bergevin.

Roll call on Senate Bill No. 332:

YEAS—42.

NAYS—None.

Senate Bill No. 332 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 467.

Bill read third time.

Remarks by Assemblymen Craddock, Wendell Williams, Carpenter, Haller, Gaston, Getto, Bergevin and Thomas.

Roll call on Senate Bill No. 467:

YEAS—41.

NAYS—Carpenter.

Senate Bill No. 467 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 492.

Bill read third time.
Remarks by Assemblyman Freeman.
Roll call on Senate Bill No. 492:
YEAS—42.
NAYS—None.

Senate Bill No. 492 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 531.
Bill read third time.
Remarks by Assemblyman Sedway.
Roll call on Senate Bill No. 531:
YEAS—40.
NAYS—Arberry, Spriggs—2.

Senate Bill No. 531 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 532.
Bill read third time.
Remarks by Assemblyman Marvel.
Roll call on Senate Bill No. 532:
YEAS—41.
NAYS—Thomas.

Senate Bill No. 532 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 544.
Bill read third time.
Remarks by Assemblyman Adler.
Roll call on Senate Bill No. 544:
YEAS—42.
NAYS—None.

Senate Bill No. 544 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 Assemblyman Jeffrey.
Roll call on Senate Bill No. 253:
YEAS—42.
NAYS—None.

Senate Bill No. 253 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assemblyman Nevin moved that the Assembly recess subject to the call of the Chair.

Motion carried.

Assembly in recess at 12:53 p.m.

ASSEMBLY IN SESSION

At 1:03 p.m.

Mr. Speaker presiding.

Quorum present.

SECOND READING AND AMENDMENT

Senate Bill No. 230.

Bill read second time and ordered to third reading.

Assembly Bill No. 495.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 1272.

Amend sec. 2, page 1, line 5, after "*domain*" by inserting: "*, if the city or county which has jurisdiction over the property approves,*".

Amend sec. 2, page 1, line 7, after "*public*" by inserting "*mass*".

Amend sec. 2, page 1, line 13, by deleting "*systems,*" and inserting: "*systems by a private contractor,*".

Amend sec. 5, page 2, by deleting lines 32 through 36.

Amend sec. 7, page 3, by deleting lines 5 through 13 and inserting: "Sec. 7. (Deleted by amendment.)".

Amend sec. 9, page 4, line 6, after "fire" by inserting "protection".

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. 142.

Bill read second time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1203.

Amend section 1, page 1, by deleting lines 3 and 4 and inserting: "Natural Resources the sums of $263,876 and $1,198,584, respectively, for the equipment and furnishing of conservation camp facilities.".

Amend the title of the bill by deleting the second and third lines and inserting: "Conservation and Natural Resources for equipment and furnishing of conservation camp facilities; and providing other matters properly relating thereto.".

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. 186.

Bill read second time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1228.

Amend the bill as a whole by renumbering sections 2 and 3 as sections 3 and 4 and adding a new section designated sec. 2, following section 1, to read as follows:

"Sec. 2. There is hereby appropriated from the State General Fund to the Tahoe Regional Planning Agency the sum of $80,000 for costs related to the South Lake Tahoe Airport Master Plan.".

Amend sec. 2, page 1, line 13, by deleting "section 1" and inserting: "sections 1 and 2".

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. 248.

Bill read second time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1229.

Amend section 1, page 1, line 2, by deleting "$952,711" and inserting "$317,281".

Amend section 1, page 1, line 5, by deleting "$749,943;" and inserting "$67,695;".

Amend section 1, page 1, line 6, by deleting "$147,778." and inserting "$194,596.".

Amend the bill as a whole by renumbering sections 2 and 3 as sections 3 and 4 and adding a new section designated sec. 2, following section 1, to read as follows:

"Sec. 2. There is hereby appropriated from the state general fund to the Department of Prisons the sum of $235,035 to purchase equipment and materials associated with the modular housing units at the Nevada State Prison and the Southern Desert Correctional Center and to employ correctional officers for security during the construction of those units.".

Amend sec. 2, page 1, line 7, by deleting: "appropriation made by section 1" and inserting: "appropriations made by sections 1 and 2".

Amend the title of the bill to read as follows:

"An Act making appropriations to the Department of Prisons for equipment, materials and personnel for law libraries and the construction of certain modular housing units; and providing other matters properly relating thereto.".

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. 569.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 1154.

Amend section 1, page 1, by deleting lines 1, 2 and 3 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. Notwithstanding the provisions of any franchise, no supplier may*".

Amend section 1, page 2, by deleting lines 14 through 19.

Amend the bill as a whole by renumbering sections 2 and 3 as sections 5 and 6 and adding new sections designated sections 3 and 4, following section 1, to read as follows:

"Sec. 3. *For the purposes of NRS 598.290 to 598.350, inclusive, and sections 2 and 3 of this act, "good cause" exists:*

1. Upon the occurrence of any of the events described in subsection 2 of section 2 of this act;

2. Whether or not there is any default by the wholesale dealer or wholesaler, if the supplier terminates or refuses to renew any franchise based upon legitimate business reasons which are not arbitrary, capricious or unreasonable and a demonstrated inability of the wholesale dealer or wholesaler to meet those requirements; or

3. If the wholesale dealer or wholesaler fails to:

(a) Act in good faith in performing under the franchise; or

(b) Comply with any reasonable, lawful and nondiscriminatory requirement of the franchise.

Sec. 4. NRS 598.290 is hereby amended to read as follows:

598.290 As used in NRS 598.290 to 598.350, inclusive, *and sections 2 and 3 of this act,* unless the context otherwise requires, the words and terms defined in NRS 598.300 to 598.320, inclusive, have the meanings ascribed to them in [such] *those* sections.".

Amend sec. 2, page 2, line 24, by deleting "*section 1*" and inserting: "*sections 2 and 3*".

Amend sec. 3, page 2, line 37, by deleting "*section 1*" and inserting: "*sections 2 and 3*".

Amend the bill as a whole by deleting sec. 4.

Assemblyman Myrna Williams moved the adoption of the amendment.

Remarks by Assemblyman Myrna Williams.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 679.

Bill read second time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1243.

Amend section 1, page 1, lines 8 and 9, by deleting: "and renovate existing facilities".

Amend section 1, page 1, lines 12 and 13, by deleting: "facilities, and the renovation of existing facilities," and inserting "facilities".

Amend sec. 2, pages 1 and 2, by deleting lines 14 through 17 on page 1 and lines 1 through 10 on page 2 and inserting:

"Sec. 2. 1. The state public works board shall let a single contract for the design and construction of modular housing units at the Nevada State Prison and the Southern Desert Correctional Center.".

Amend sec. 2, page 2, line 11, by deleting "projects" and inserting "project".

Amend the bill as a whole by renumbering sec. 4 as sec. 6 and adding new sections designated sections 4 and 5, following sec. 3, to read as follows:

"Sec. 4. 1. The state board of examiners shall issue general obligation bonds of the State of Nevada to provide the money necessary for the design and construction of modular housing units at the Nevada State Prison and the Southern Desert Correctional Center, in a face amount of not more than $9,813,422.

2. There is hereby appropriated from the state general fund to the state board of examiners the sum of $100,000 for expenses incurred in the issuance of general obligation bonds pursuant to this section.

3. Any remaining balance of the appropriation made by subsection 2 must not be committed for expenditure after July 1, 1988, and reverts to the state general fund as soon as all payments of money committed have been made.

Sec. 5. The state controller may advance temporarily from the state general fund to the state public works board, until the date on which bonds authorized by subsection 1 of section 4 of this act are sold, amounts necessary to facilitate the design and construction of modular housing units at the Nevada State Prison and the Southern Desert Correctional Center. The state controller shall not advance more than the face amount of the bonds authorized to be issued. The advanced amounts must be repaid immediately to the state general fund upon the sale of the bonds.".

Amend the title of the bill to read as follows:

"An Act relating to public works; requiring the state public works board to let a contract for the design and construction of housing units for the department of prisons; exempting that contract from certain competitive bidding requirements; providing for the issuance of general obligation bonds of the state; making an appropriation; authorizing certain advances; and providing other matters properly relating thereto.".

Amend the summary of the bill to read as follows: "Requires letting of contract for public work project for department of prisons. (BDR S-2160)".

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. 796.

Bill read second time.

The following amendment was proposed by the Committee on Elections:

Amendment No. 1036.

Amend sec. 2, pages 1 and 2, by deleting lines 4 through 16 on page 1 and lines 1 through 11 on page 2, and inserting:

"*1. Any registered voter of this state who resides outside the United States, its territories or possessions may use the form provided by the Federal Government as a special absent ballot for a general election if the voter:*

(a) Requests an absent ballot and the request is received by the county clerk not later than 30 days before the election; and

(b) Does not receive the absent ballot.

2. The special absent ballot must be used only for the offices of President and Vice President of the United States, United States Senator and Representative in Congress. The ballot must allow the registered voter to vote by writing in his choice of a political party for each office, the name of a candidate for each office, or the name of the person whom the voter prefers for each office.

3. The special absent ballot must not be counted if:

(a) It is submitted from any location within the United States, its territories or possessions;

(b) The county clerk receives the request for an absent ballot less than 30 days before the general election; or

(c) The county clerk receives the absent ballot on or before the date of the general election.".

Amend sec. 3, page 2, by deleting lines 13 through 27, and inserting:

"*1. Any elector of this state who resides outside the United States, its territories or possessions may use the form provided by the Federal Government to register to vote in this state.*

2. The county clerk shall not register a voter who submits the form provided by the Federal Government from any location within the United States, its territories or possessions.".

Amend sec. 4, page 2, line 30, after "*declaration*" by inserting "*or affidavit*".

Amend sec. 4, page 2, line 34, after "*declaration*" by inserting "*or affidavit*".

Amend sec. 4, page 2, line 36, by deleting "*election.*" and inserting: "*election or general city election.*".

Amend sec. 9, page 4, line 40, after "293.293" by inserting: "Where paper ballots are used for voting:".

Amend sec. 10, page 5, by deleting lines 30 and 31, and inserting:

"293.330 1. When an absent voter receives his ballot, he must [stamp and fold it, if it is a paper ballot, or punch it, if the ballot is voted by punching a card,] *complete it* in accordance with the instructions, deposit it in the".

Amend sec. 10, page 5, line 35, by deleting "[stamp]" and inserting: "[stamp or punch]".

Amend the bill as a whole by renumbering sec. 15 as sec. 17, and adding new sections designated sections 15 and 16, following sec. 14, to read as follows:

"Sec. 15. Section 2 of chapter 152, Statutes of Nevada 1987, is hereby amended to read as follows:

Sec. 2. In any city 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, *and no person has filed an affidavit or declaration of candidacy pursuant to section 4 of this act,* that candidate must be declared elected and [no election need] *an election must not* be held for that office.

Sec. 16. NRS 293B.103 is hereby repealed.".

Amend sec. 15, page 7, line 35, by deleting "10, 11, 12 and 13" and inserting "9, 11, 12, 13 and 15".

Amend sec. 15, page 7, line 37, by deleting: "Section 5 of this act becomes" and inserting: "Sections 5 and 10 of this act become".

Amend the bill as a whole by inserting the text of the repealed section, following sec. 15, to read as follows:

TEXT OF REPEALED SECTION

293B.103 Detachable stubs on cards.

1. If a mechanical voting system is used whereby votes are cast by punching a card, the cards to be used must have two detachable stubs. Each of the stubs attached to a particular card must bear the number of that card.

2. One of the stubs must be detached and given to the voter when he returns his voted ballot, and the other stub must be retained by the election board.

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. 837.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 1221.

Amend section 1, page 1, line 1, by deleting "1.".

Amend section 1, page 1, by deleting lines 4, 5 and 6.

Amend the title of the bill, third and fourth lines, by deleting: "declaring this day a holiday in lieu of the day after Thanksgiving in 1987;".

Assemblyman Thompson moved the adoption of the amendment.

Remarks by Assemblyman Thompson.

Amendment adopted.

Assemblyman Thompson moved that Assembly Bill No. 837 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 Bill No. 849.

Bill read second time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1233.

Amend section 1, page 1, by deleting lines 3 and 4 and inserting: "of Nevada 1987, to the Department of Education for transfer to the University of Nevada System for scholarships to increase the number of qualified students pursuing degrees in teaching:".

Amend section 1, page 1, by deleting lines 7 and 8.

Amend section 1, pages 1 and 2, by deleting lines 16, 17 and 18 on page 1 and lines 1, 2 and 3 on page 2.

Amend sec. 2, page 2, line 6, after "the" by inserting: "estate tax account in the".

Amend the title of the bill to read as follows:

"An Act making an appropriation from the estate tax account to the Department of Education for transfer to the University of Nevada System for scholarships in the field of teaching; and providing other matters properly relating thereto.".

Amend the summary of the bill to read as follows: "Makes appropriation from estate tax account to Department of Education. (BDR S-2221)".

Assemblyman Sedway moved the adoption of the amendment.

Remarks by Assemblyman Sedway.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 56.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 1268.

Amend sec. 8, page 4, line 34, after "fire" by inserting "protection".

Amend sec. 9, page 5, line 18, after "must" by inserting "then".

Amend sec. 18, page 12, line 27, after "fire" by inserting "protection".

Assemblyman Thompson moved the adoption of the amendment.

Remarks by Assemblyman Thompson.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 76.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1174.

Amend the bill as a whole by deleting sections 1 and 2, renumbering sec. 3 as sec. 5 and adding new sections designated sections 1 through 4, following the enacting clause, to read as follows:

"Section 1. NRS 3.013 is hereby amended to read as follows:

3.013 For the third judicial district there must be [one district judge.] *two district judges.*

Sec. 2. NRS 3.014 is hereby amended to read as follows:

3.014 For the fourth judicial district there must be [one district judge.] *two district judges.*

Sec. 3. 1. The legislature declares that by increasing the number of judges provided for the third and fourth judicial districts it creates a vacancy in each of those districts within the meaning of section 5 of article 6 of the constitution of the State of Nevada.

2. The governor shall appoint a person to fill each of these vacancies until successors are elected at the general election in 1988. The terms of the persons so elected expire on the first Monday of January 1991.

Sec. 4. There is hereby appropriated from the state general fund to the district judges salary and the board of law library trustees budget accounts:

For the fiscal year 1987-1988 ..... $82,155

For the fiscal year 1988-1989 ..... 164,619".

Amend the title of the bill to read as follows:

"An Act relating to district courts; requiring additional district judges in the third and fourth judicial districts; making an appropriation; and providing other matters properly relating thereto.".

Amend the summary of the bill to read as follows: "Requires additional district judges in third and fourth judicial districts. (BDR 1-606)".

Assemblyman Sader moved the adoption of the amendment.

Remarks by Assemblyman Sader.

Amendment adopted.

Assemblyman Sader moved that Senate Bill No. 76 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.

Senate Bill No. 228.

Bill read second time and ordered to third reading.

Senate Bill No. 229.

Bill read second time and ordered to third reading.

Senate Bill No. 256.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 1128.

Amend section 1, page 2, by inserting between lines 6 and 7:

"*4. A pharmacy or hospital pharmacy that supplies the initial stock for an ambulance or other emergency vehicle shall comply with the applicable regulations adopted by the state board of health pursuant to NRS 450B.120.*".

Amend section 1, page 2, line 7, by deleting "*4.*" and inserting "*5.*".

Amend the title of the bill, second line, after "sales;" by inserting: "requiring certain pharmacies which supply ambulances to comply with applicable regulations of the state board of health;".

Amend the summary of the bill to read as follows: "Makes various changes relating to drugs. (BDR 40-743)".

Assemblyman Nicholas moved the adoption of the amendment.

Remarks by Assemblyman Nicholas.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 267.

Bill read second time and ordered to third reading.

Senate Bill No. 287.

Bill read second time and ordered to third reading.

Senate Bill No. 303.

Bill read second time and ordered to third reading.

Senate Bill No. 307.

Bill read second time and ordered to third reading.

Senate Bill No. 369.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 1200.

Amend section 1, page 1, by deleting line 4 and inserting: "*every:*

(a) Apartment complex place the number of its street address on the".

Amend section 1, page 1, between lines 7 and 8 by inserting:

"*(b) Commercial shopping center place on the back door of each business in the shopping center, in numerals at least 3 inches high, a number identifying that business.*".

Amend sec. 2, page 1, line 13, by deleting "[:]" and inserting: ", [and] section 9 of [this act:] *Senate Bill No. 248 of this session*".

Amend sec. 2, page 2, line 13, after "inclusive," by inserting: "[and] section 9 of [this act,] *Senate Bill No. 248 of this session,*".

Amend sec. 2, page 2, line 26, after "inclusive," by inserting: "[and] section 9 of [this act,] *Senate Bill No. 248 of this session,*".

Amend the bill as a whole by adding a new section designated sec. 3, following sec. 2, to read as follows:

"Sec. 3. Section 2 of this act becomes effective at 12:01 on July 1, 1987.".

Amend the title of the bill, first line, after "attached;" by inserting: "requiring each business in a commercial shopping center to have an identifying number on its back door;".

Amend the summary of the bill to read as follows: "Requires certain structures and businesses to have identifying numbers. (BDR 22-1229)".

Assemblyman Thompson moved the adoption of the amendment.

Remarks by Assemblyman Thompson.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 371.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 1185.

Amend sec. 47, page 20, by deleting lines 31 through 33 and inserting: "adequate [claim files.] *files on all reported claims.* All claims [shall] *must* be settled as soon as possible and in accordance with the terms of the insurance contract.".

Assemblyman Jeffrey moved the adoption of the amendment.

Remarks by Assemblyman Jeffrey.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 404.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1224.

Amend section 1, page 3, by deleting line 8 and inserting: "*premises by the tenant, or within 20 days after:*".

Amend section 1, page 3, by deleting line 11 and inserting: "*tenant, whichever is later.*".

Amend sec. 2, page 4, line 7, by deleting "*must*" and inserting "*may*".

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. 428.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 1186.

Amend sec. 2, page 1, by deleting lines 15 through 18 and inserting: "Sec. 2. (Deleted by amendment.)".

Amend sec. 12, page 5, line 41, by deleting "junior" and inserting "cosmetologist's apprentices".

Amend sec. 12, page 6, line 1, by deleting "operators".

Amend sec. 15, page 7, line 21, by deleting: "and 644.473 are" and inserting "is".

Amend the bill as a whole by deleting NRS 644.473 from the text of repealed sections.

Assemblyman Porter moved the adoption of the amendment.

Remarks by Assemblyman Porter.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 456.

Bill read second time and ordered to third reading.

Senate Bill No. 495.

Bill read second time and ordered to third reading.

Senate Bill No. 510.

Bill read second time and ordered to third reading.

Senate Bill No. 526.

Bill read second time and ordered to third reading.

Senate Bill No. 553.

Bill read second time and ordered to third reading.

Senate Bill No. 559.

Bill read second time and ordered to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Thompson moved that Senate Bill No. 143 be taken from the Chief Clerk's desk and re-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. 90, 271, 327, 339, 340, 342, 525, 531, 567, 570, 603, 673, 677, 751; Senate Bills Nos. 8, 9, 12, 15, 138, 149, 317, 320, 330, 373, 394, 431, 445, 477, 515, 568; Senate Joint Resolution No. 15.

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. Karolyn Oetjen.

On request of Assemblyman Wisdom, the privilege of the floor of the Assembly Chamber for this day was extended to Drs. Tony Calabro, Fawn Dixon, Messrs. Tony Calabro, Sr., Mark A. de la Torre, Todd Spiech, Brian Kale, Irving Nielsen, Mss. Sandi Wright, Doris Beckie and Andrea S. Moss.

Assemblyman Jeffrey moved that the Assembly adjourn until Saturday, June 6, 1987 at 10 a.m.

Motion carried.

Assembly adjourned at 1:31 p.m.

Approved: JOSEPH E. DINI, JR.
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE ONE HUNDRED AND THIRTY-NINTH DAY

CARSON CITY (Saturday), June 6, 1987

Assembly called to order at 10:07 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, The Reverend Doctor Gregg Townsley.

Heavenly Father, this is the weekend, and we don't particularly want to be here. But there is work to do. So, we pray that You'll quicken us, making us strong, keeping us keen, deepening our devotion to the affairs of this state. And then, give us rest. In the name of our Lord we pray. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Nevin 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. 49, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and be adopted as amended.

ROBERT G. CRADDOCK, *Chairman*

Mr. Speaker:

Your Committee on Legislative Functions, to which was referred Assembly Concurrent Resolution No. 55, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and be adopted as amended.

MYRNA WILLIAMS, *Chairman*

Mr. Speaker:

Your Committee on Legislative Functions, to which were referred Assembly Concurrent Resolutions Nos. 22, 24, 47, 59, has had the same under consideration, and begs leave to report the same back with the recommendation: Be adopted.

MYRNA WILLIAMS, *Chairman*

Mr. Speaker:

Your Committee on Legislative Functions, to which was referred Assembly Bill No. 648, 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.

MYRNA WILLIAMS, *Chairman*

Mr. Speaker:

Your Committee on Labor and Management, to which was referred Senate Bill No. 555, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JAMES J. BANNER, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which was referred Senate Bill No. 88, has had the same under consideration, and begs leave to report the same back with the recommendation: Re-refer to the Select Committee on Corrections.

ROBERT M. SADER, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, 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.

MARVIN M. SEDWAY, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which was referred Senate Bill No. 101, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

MARVIN M. SEDWAY, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, June 5, 1987

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 9, 29, 75, 208, 223, 286, 308, 437, 446, 453, 540, 580, 675, 695, 730, 742.

Also, I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bills Nos. 515, 517, 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. 320.

Also, I have the honor to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 71.

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. 289.

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. 167, 226.

Also, I have the honor to inform your honorable body that the Senate on this day appointed Senators Beyer, Malone and Neal as a first Committee on Conference concerning Senate Bill No. 485.

Also, I have the honor to inform your honorable body that the Senate on this day adopted, as amended, Senate Concurrent Resolution No. 29.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

By the Committee on Legislative Functions:

Assembly Concurrent Resolution No. 72—Providing for the compensation of the clergy for services rendered to the Assembly and Senate in the 64th Session of the Nevada Legislature.

Assemblyman Myrna Williams moved the adoption of the resolution.

Remarks by Assemblyman Myrna Williams.

Resolution adopted unanimously.

Assembly Concurrent Resolution No. 22.

Assemblyman Myrna Williams moved the adoption of the resolution.

Remarks by Assemblyman Myrna Williams.
Resolution adopted.

Assembly Concurrent Resolution No. 24.
Assemblyman Myrna Williams moved the adoption of the resolution.
Remarks by Assemblyman Myrna Williams.
Resolution adopted.

Assemblyman Jeffrey moved that Senate Bill No. 307 be taken from the General File and placed on the Chief Clerk's desk.
Remarks by Assemblyman Jeffrey.
Motion carried.

Assemblyman Jeffrey moved that Senate Bill No. 428 be placed on the Chief Clerk's desk.
Remarks by Assemblyman Jeffrey.
Motion carried.

Assembly Concurrent Resolution No. 47.
Assemblyman Thompson moved the adoption of the resolution.
Remarks by Assemblyman Thompson.
Resolution adopted.

Assembly Concurrent Resolution No. 49.
Resolution read.
The following amendment was proposed by the Committee on Education:
Amendment No. 1226.
Amend the resolution, page 1, by deleting lines 1 through 9 and inserting:
"WHEREAS, The Clark County School District was under a federal court order to establish equal educational opportunity for all of its pupils; and
WHEREAS, The Clark County School District was ordered to develop an educational program to desegregate its schools; and
WHEREAS, The "6th grade center" approach was established to desegregate those schools and has been in place since 1972; and
WHEREAS, In metropolitan Las Vegas, pupils in schools on the west side in grades 1 to 5, inclusive, who normally would attend schools in their neighborhood, are bussed for 5 years to other metropolitan elementary schools because schools in their neighborhood are used as "6th grade centers"; and
WHEREAS, Pupils in the sixth grade are bussed to the "6th grade centers" for only 1 year; and
WHEREAS, The "6th grade center" approach causes some pupils to be bussed for a total of 6 years while others are bussed for only 1 year; now, therefore, be it".
Amend the resolution, page 1, line 11, by deleting "directed" and inserting "urged".
Amend the resolution, page 1, by deleting lines 12, 13 and 14 and inserting: "to engage in a study for 1 year of the "6th grade center" approach to determine if it is still the best method to desegregate the Clark County School District; and be it further

RESOLVED, That the results of the study must be presented to the Board of Trustees of the Clark County School District; and be it further".

Amend the title of the resolution to read as follows: "Urging the Clark County School District to conduct a study of 6th grade centers.".

Amend the summary of the resolution to read as follows: "Urges Clark County School District to conduct study of 6th grade centers. (BDR R-1679)".

Assemblyman Arberry moved the adoption of the amendment.

Remarks by Assemblyman Arberry.

Amendment adopted.

Resolution ordered reprinted and engrossed.

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

Assembly in recess at 10:21 a.m.

ASSEMBLY IN SESSION

At 10:39 a.m.

Mr. Speaker presiding.

Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Thompson moved that Senate Bill No. 378 be taken from the General File and re-referred to the Committee on Ways and Means.

Motion carried.

Assemblyman Sader moved that Senate Bill No. 88 be re-referred to the Select Committee on Corrections.

Motion carried.

Assemblyman Sader moved that Assembly Bill No. 537 be taken from the Chief Clerk's desk and placed on the General File immediately following Assembly Bill No. 549.

Remarks by Assemblyman Sader.

Motion carried.

Assemblyman Jeffrey moved that Assembly Bills Nos. 142, 186, 248, 495, 569, 679, 796 and 849 be placed on the General File immediately following Assembly Bill No. 537.

Motion carried.

Assemblyman Swain moved that Assembly Bill No. 495 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Swain.

Motion carried.

Assembly Concurrent Resolution No. 55.

Resolution read.

The following amendment was proposed by the Committee on Legislative Functions:

Amendment No. 1132.

Amend the resolution, page 1, by deleting line 8 and inserting: "a comprehensive study of the relationship of premiums and related income to the actual costs and expenses of providing insurance; and be it further

RESOLVED, That the Legislative Commission may consider the following kinds of insurance during its study:

1. Liability insurance provided to:

(a) Governmental agencies and political subdivisions of this state, including:

(1) Cities and towns;

(2) School districts; and

(3) Other political subdivisions;

(b) Public officers;

(c) Establishments where alcoholic beverages are sold;

(d) Facilities for the care of children;

(e) Labor, fraternal or religious organizations; and

(f) Officers or directors of organizations formed pursuant to Title 7 of NRS;

2. Liability insurance for:

(a) Defective products;

(b) Medical malpractice;

(c) Malpractice of attorneys;

(d) Malpractice of architects and engineers; and

(e) Errors and omissions by other professionally qualified persons; and

3. Vehicle insurance, for:

(a) Private vehicles;

(b) Commercial vehicles;

(c) Liability insurance; and

(d) Insurance for related property damage;

and be it further

RESOLVED, That the Legislative Commission may require that insurers submit reports which include, without limitation, information specifically pertaining to this state or to an insurer in its entirety, in the aggregate or by type of insurance, and for a previous or current year, regarding:

1. Premiums directly written;

2. Premiums directly earned;

3. Number of policies issued;

4. Net investment income, using appropriate estimates when necessary;

5. Losses paid;

6. Losses incurred;

7. Loss reserves, including:

(a) Losses unpaid on reported claims; and

(b) Losses unpaid on incurred but not reported claims;

8. Number of claims, including:

(a) Claims paid; and

(b) Claims that have arisen but are unpaid;

9. Expenses for adjustment of losses, including allocated and unallocated losses;

10. Net underwriting gain or loss;

11. Net operation gain or loss, including net investment income; and

12. Any other information requested by the Legislative Commission; and be it further

RESOLVED, That the Legislative Commission may also obtain, based upon an insurer in its entirety, information regarding:

1. Recoverable federal income tax;

2. Net unrealized capital gain or loss; and

3. All other expenses not specifically listed;".

Amend the title of the resolution by deleting second line and inserting: "conduct an interim study of the relationship between premiums and the actual cost to provide insurance.".

Amend the summary of the resolution, to read as follows: "Directs Legislative Commission to conduct interim study of relationship between premiums and actual costs of providing insurance. (BDR R-2203)".

Assemblyman Porter moved the adoption of the amendment.

Remarks by Assemblyman Porter.

Amendment adopted.

Resolution ordered reprinted and engrossed.

Assembly Concurrent Resolution No. 59.

Assemblyman Spinello moved the adoption of the resolution.

Remarks by Assemblyman Spinello.

Resolution adopted.

Senate Concurrent Resolution No. 29.

Assemblyman Nevin moved that the resolution be referred to the Committee on Transportation.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Ways and Means, to which was re-referred Assembly Bill No. 352, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass, as amended.

MARVIN M. SEDWAY, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which was re-referred Assembly Bill No. 743, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

MARVIN M. SEDWAY, *Chairman*

Mr. Speaker:

Your Committee on Taxation, to which was referred Senate Bill No. 23, 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 Government Affairs.

PAUL W. MAY, *Chairman*

Mr. Speaker:

Your Committee on Transportation, to which was referred Assembly Bill No. 213, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

LEONARD V. NEVIN, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Assembly Bill No. 756, 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 Taxation.

DANNY L. THOMPSON, *Chairman*

Mr. Speaker:

Your Committee on Transportation, to which was referred Senate Bill No. 152, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

LEONARD V. NEVIN, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Thompson moved that Assembly Bill No. 756 be re-referred to the Committee on Taxation.

Motion carried.

Assemblyman May moved that Senate Bill No. 23 be re-referred to the Committee on Government Affairs.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Judiciary:

Assembly Bill No. 874—An Act relating to custody of children; prescribing the procedure for a parent to acquire permission to remove the child from the state; authorizing a person to proceed without an attorney upon an application for the modification or termination of an order for custody; and providing other matters properly relating thereto.

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

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 47.

Bill read third time.

Remarks by Assemblyman Schofield.

Roll call on Assembly Bill No. 47:

YEAS—42.

NAYS—None.

Assembly Bill No. 47 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 549.

Bill read third time.

The following amendment was proposed by the Committee on Elections:

Amendment No. 1277.

Amend section 1, page 1, by deleting lines 8 through 11 and inserting:

"2. *The money must not be used for personal expenditures.*".

Assemblyman Swain moved the adoption of the amendment.

Remarks by Assemblymen Swain, Fay, Thomas, Sader, Getto and Jeffrey.

Assemblyman Jeffrey moved that Assembly Bill No. 549 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblymen Swain, Nevin and Thomas.

Assemblymen Thompson, Schofield and DuBois moved the previous question.

Motion carried.

The question being on the motion to take Assembly Bill No. 549 from the General File and place it on the Chief Clerk's desk.

Motion carried.

Assembly Bill No. 537.

Bill read third time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1219.

Amend the bill as a whole by renumbering sections 1, 2 and 3 as sections 4, 5 and 6 and adding new sections designated sections 1, 2 and 3, following the enacting clause, to read as follows:

"Section 1. NRS 78.090 is hereby amended to read as follows:

78.090 1. Every corporation shall have a resident agent, who may be either [an individual] *a natural person* or a corporation, resident or located in this state, in charge of its principal office.

2. Every [such] resident agent shall, within 10 days after acceptance of an initial appointment as such, file a certificate thereof in the office of the secretary of state, and a copy of [such] *that* certificate in the office of the county clerk of the county in which the principal office of the corporation in this state [shall be] *is* located.

3. The resident agent may be any bank or banking corporation, or other corporation, located and doing business in this state, and any [such] bank or [any such] corporation acting as resident agent may:

(a) Act as the fiscal or transfer agent of any state, municipality, body politic [,] or corporation and in [such] *that* capacity may receive and disburse money.

(b) Transfer, register and countersign certificates of stock, bonds or other evidences of indebtedness and act as agent of any corporation, foreign or domestic, for any purpose now or hereafter required by statute [,] or otherwise.

(c) Act as trustee under any mortgage or bond issued by any municipality, body politic [,] or corporation and accept and execute any other municipal or corporate trust not inconsistent with the laws of this state.

(d) Receive and manage any sinking fund of any corporation, upon such terms as may be agreed upon between the corporation and those dealing with it.

4. Every corporation organized under this chapter that fails or refuses to comply with the requirements of this section, for a period of 30 days, [shall be] *is* subject to a fine of not less than $100 nor more than $500, to be recovered with costs by the state, before any court of competent jurisdiction, by action at law to be prosecuted by the attorney general or by the district attorney of the county in which [such] *an* action or proceeding to recover [such] *the* fine is prosecuted.

5. All legal process and any demand or notice authorized by law to be served upon a corporation may be served upon the resident agent of the corporation in the manner provided in subsection 2 of NRS 14.020. This manner and mode of service is in addition to any other service authorized by law.

6. For the purposes of any requirement that a person doing business in a locality must obtain a local business license, every corporation organized under this chapter which has not obtained a business license elsewhere in this state shall be deemed to be doing business at the address of its resident agent, as shown by the designation of the resident agent filed with the secretary of state. The fee charged by a local government for doing business at the address of the resident agent must not exceed $30.

Sec. 2. NRS 78.150 is hereby amended to read as follows:

78.150 1. Each corporation organized under the laws of this state shall, on or before the last day of the month in which the anniversary date of incorporation occurs in each year, file with the secretary of state [a] *:*

(a) A list of its officers and directors [and a] *;*

(b) A designation of its resident agent in this state, *setting forth the name and complete address of the agent; and*

(c) Except for nonprofit corporations, certification by an officer of the corporation that the corporation has obtained any business license required by the local government at the place where the corporation does business, containing the name of the local government that issued the license.

The list and designation required by paragraphs (a) and (b) must be certified by the president, secretary or other officer of the corporation.

2. Upon filing the [list of officers and directors and designation of resident agent,] *documents required by subsection 1,* the corporation shall pay to the secretary of state a fee of $30.

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 corporation required to comply with the provisions of NRS 78.150 to 78.185, inclusive, and which has not become delinquent, the blank forms to be completed and filed with the secretary of state. Failure of any corporation to receive the forms does not excuse it from the penalty imposed by law.

Sec. 3. NRS 78.160 is hereby amended to read as follows:

78.160 Each corporation organized under the laws of this state shall, within 60 days after the filing of its articles of incorporation with the secretary of state:

1. File [a list of its officers and directors, a designation of its resident agent, and] *the documents required by NRS 78.150, together with* a certificate of acceptance signed by [the] *its* resident agent. The address of the resident agent must be the same as that of the principal office.

2. Pay to the secretary of state a fee of $30.

3. File a copy of the designation of *its* resident agent in the office of the county clerk of the county in which the principal office of the corporation in this state is located.".

Amend section 1, page 1, line 10, after the period, by inserting: "*The fee charged by a local government for doing business at the address of the resident agent must not exceed $30.*".

Amend sec. 2, page 2, by deleting lines 4 through 7 and inserting:

"*(c) Except for nonprofit foreign corporations, certification by an officer of the corporation that the corporation has obtained any business license required by the local government at the place where the corporation does business, containing the name of the local government that issued the license.*".

Amend sec. 2, page 2, lines 11 and 12, by deleting: "*not more than*".

Amend the bill as a whole by adding a new section designated sec. 7, following sec. 3, to read as follows:

"Sec. 7. This act becomes effective on January 1, 1988.".

Amend the title of the bill by deleting the first line and inserting:

"An Act relating to corporations; requiring every domestic corporation or foreign corporation doing business in".

Amend the summary of the bill, first line, by deleting "foreign".

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. 142.

Bill read third time.

Remarks by Assemblyman Marvel.

Roll call on Assembly Bill No. 142:

YEAS—42.

NAYS—None.

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. 186.

Bill read third time.

Remarks by Assemblymen Spinello, Bergevin and Nicholas.

Roll call on Assembly Bill No. 186:

YEAS—27.

NAYS—Banner, Bergevin, Carpenter, DuBois, Fay, Garner, Getto, Humke, Kerns, Lambert, McGaughey, Marvel, Spriggs, Tebbs, Thomas—15.

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. 248.

Bill read third time.

Remarks by Assemblymen Tebbs, Gaston, Adler, Humke and DuBois.

Roll call on Assembly Bill No. 248:

YEAS—42.

NAYS—None.

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. 569.

Bill read third time.

Remarks by Assemblymen Porter and Fay.

Roll call on Assembly Bill No. 569:

YEAS—42.

NAYS—None.

Assembly Bill No. 569 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Assembly Bill No. 352 be placed on the General File immediately following Assembly Bill No. 849.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 679.

Bill read third time.

Remarks by Assemblyman Sedway.

Roll call on Assembly Bill No. 679:

YEAS—40.

NAYS—Nevin, Sader—2.

Assembly Bill No. 679 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 796.

Bill read third time.

Remarks by Assemblymen Swain, DuBois, Evans and Adler.

Roll call on Assembly Bill No. 796:

YEAS—41.

NAYS—DuBois.

Assembly Bill No. 796 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 849.

Bill read third time.

Remarks by Assemblyman Sedway.

Roll call on Assembly Bill No. 849:

YEAS—42.

NAYS—None.

Assembly Bill No. 849 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 352.

Bill read third time.

Remarks by Assemblyman Schofield.

Roll call on Assembly Bill No. 352:

YEAS—42.

NAYS—None.

Assembly Bill No. 352 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that all rules be suspended and that Assembly Bills Nos. 47, 142, 186, 248, 352, 569, 679, 796, 849; Assembly Concurrent Resolutions Nos. 22, 24, 47 and 59 be immediately transmitted to the Senate.

Motion carried unanimously.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Ways and Means, to which were referred Assembly Bills Nos. 848, 850, 861, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

MARVIN M. SEDWAY, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which was referred Assembly Bill No. 853, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

MARVIN M. SEDWAY, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, June 6, 1987

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. 111, 359, 401, 494, 498, 529, 534.

MARY JO MONGELLI
Assistant Secretary of the Senate

GENERAL FILE AND THIRD READING

Senate Bill No. 45.

Bill read third time.

Remarks by Assemblymen DuBois, Callister, Gaston, Sader, Price, Carpenter and Thomas.

Assemblymen Nevin, May and Schofield moved the previous question.

Motion carried.

The question being on the passage of Senate Bill No. 45.

Roll call on Senate Bill No. 45:

YEAS—37.

NAYS—Callister, Fay, Gaston, Porter, Spinello—5.

Senate Bill No. 45 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 11:39 a.m.

ASSEMBLY IN SESSION

At 11:52 a.m.

Mr. Speaker presiding.

Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Labor and Management, to which were referred Assembly Bills Nos. 544, 838, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JAMES J. BANNER, *Chairman*

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Ways and Means:

Assembly Bill No. 875—An Act making an appropriation to the Motor Pool Fund to purchase additional vehicles for the motor pool fleet for use by the Department of Parole and Probation; and providing other matters properly relating thereto.

Assemblyman Sedway moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

Senate Bill No. 111.

Assemblyman Nevin moved that the bill be referred to the Committee on Education.

Motion carried.

Senate Bill No. 359.

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

Motion carried.

Senate Bill No. 401.

Assemblyman Nevin moved that the bill be referred to the Committee on Taxation.

Motion carried.

Senate Bill No. 494.

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

Motion carried.

Senate Bill No. 498.

Assemblyman Nevin moved that the bill be referred to the Committee on Taxation.

Motion carried.

Senate Bill No. 529.

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

Motion carried.

Senate Bill No. 534.

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

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

By the Committee on Legislative Functions:

Assembly Joint Resolution No. 45—Proposing to amend section 2 of article 4 of the constitution of the State of Nevada to require annual sessions of the legislature.

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,] *annual,* and shall commence on the [3rd Monday of January next ensuing the election of members of the Assembly, unless the] *1st Monday in March. The* Governor of the State [shall,] *may,* in the interim, convene the Legislature by proclamation.

Assemblyman Myrna Williams moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 57.

Bill read third time.

Remarks by Assemblyman Swain.

Roll call on Senate Bill No. 57:

YEAS—42.

NAYS—None.

Senate Bill No. 57 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 228.
Bill read third time.
Remarks by Assemblyman Bergevin.
Roll call on Senate Bill No. 228:
YEAS—42.
NAYS—None.

Senate Bill No. 228 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 229.
Bill read third time.
Remarks by Assemblyman Bergevin.
Roll call on Senate Bill No. 229:
YEAS—42.
NAYS—None.

Senate Bill No. 229 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 230.
Bill read third time.
Remarks by Assemblymen Spriggs, Carpenter and May.
Roll call on Senate Bill No. 230:
YEAS—37.
NAYS—Banner, Carpenter, Evans, Freeman, Haller—5.

Senate Bill No. 230 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 234.
Bill read third time.
Remarks by Assemblyman Myrna Williams.
Conflict of interest declared by Assemblyman Humke.
Roll call on Senate Bill No. 234:
YEAS—37.
NAYS—Arberry, Evans, Spriggs—3.
Not voting—Humke, Kissam—2.

Senate Bill No. 234 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Senate Bill No. 262.
Bill read third time.
The following amendment was proposed by the Committee on Commerce:
Amendment No. 1304.
Amend sec. 2, pages 1 and 2, by deleting lines 8 through 12 on page 1 and lines 1 through 23 on page 2 and inserting:
"Sec. 2. (Deleted by amendment.)".

Amend the title of the bill, first and second lines, by deleting: "clarifying the confidentiality of certain proceedings and records of the state board of physical therapy;".

Assemblyman Jeffrey moved the adoption of the amendment.

Remarks by Assemblyman Jeffrey.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 267.

Bill read third time.

Remarks by Assemblyman Schofield.

Roll call on Senate Bill No. 267:

YEAS—42.

NAYS—None.

Senate Bill No. 267 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 268.

Bill read third time.

Remarks by Assemblymen Sader, Wendell Williams, Nevin, Sedway and Gaston.

Assemblyman Wendell Williams moved that Senate Bill No. 268 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblymen Wendell Williams and Sader.

Motion carried.

Senate Bill No. 287.

Bill read third time.

Remarks by Assemblyman Myrna Williams.

Roll call on Senate Bill No. 287:

YEAS—42.

NAYS—None.

Senate Bill No. 287 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 303.

Bill read third time.

Remarks by Assemblyman Evans.

Roll call on Senate Bill No. 303:

YEAS—42.

NAYS—None.

Senate Bill No. 303 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 396.

Bill read third time.

Remarks by Assemblyman Thomas.
Roll call on Senate Bill No. 396:
YEAS—42.
NAYS—None.

Senate Bill No. 396 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Senate Bill No. 456.
Bill read third time.
Remarks by Assemblyman Adler.
Roll call on Senate Bill No. 456:
YEAS—41.
NAYS—Carpenter.

Senate Bill No. 456 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 495.
Bill read third time.
Remarks by Assemblyman Thomas.
Roll call on Senate Bill No. 495:
YEAS—42.
NAYS—None.

Senate Bill No. 495 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 510.
Bill read third time.
Remarks by Assemblyman Spriggs.
Roll call on Senate Bill No. 510:
YEAS—42.
NAYS—None.

Senate Bill No. 510 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Assembly Bills Nos. 213, 544, 648, 684, 743, 838, 848, 850, 853, 861; Senate Bills Nos. 101, 152 and 555 be placed on the Second Reading File.
Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 526.
Bill read third time.
Remarks by Assemblyman Triggs.

Roll call on Senate Bill No. 526:
YEAS—42.
NAYS—None.

Senate Bill No. 526 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 553.
Bill read third time.
Remarks by Assemblyman Kissam.
Roll call on Senate Bill No. 553:
YEAS—42.
NAYS—None.

Senate Bill No. 553 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 559.
Bill read third time.
Remarks by Assemblyman Evans.
Roll call on Senate Bill No. 559:
YEAS—42.
NAYS—None.

Senate Bill No. 559 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Senate Bill No. 319 be taken from the Chief Clerk's desk and placed on the Second Reading File.
Remarks by Assemblyman Jeffrey.
Motion carried.

GENERAL FILE AND THIRD READING

Senate Joint Resolution No. 19.
Resolution read third time.
Remarks by Assemblyman Myrna Williams.
Roll call on Senate Joint Resolution No. 19:
YEAS—42.
NAYS—None.

Senate Joint Resolution No. 19 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Resolution ordered transmitted to the Senate.

SECOND READING AND AMENDMENT

Assembly Bill No. 411.
Bill read second time.
The following amendment was proposed by the Committee on Health and Welfare:

Amendment No. 1031.

Amend section 1, page 2, line 27, after "*academic*" by inserting "*or cumulative*".

Amend sec. 2, page 3, line 29, after "*academic*" by inserting "*or cumulative*".

Amend sec. 3, page 4, by deleting lines 29 and 30.

Assemblyman Haller moved the adoption of the amendment.

Remarks by Assemblyman Haller.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 213.

Bill read second time.

The following amendment was proposed by the Committee on Transportation:

Amendment No. 1194.

Amend the bill as a whole by deleting sections 1 and 2 and adding new sections designated sections 1 through 4, following the enacting clause, to read as follows:

"Section 1. NRS 484.287 is hereby amended to read as follows:

484.287 1. It is unlawful for any person to place, maintain or display upon or in view of any highway any unauthorized sign, signal, marking or device which purports to be or is an imitation of or resembles an official traffic-control device or railroad sign or signal, or which attempts to direct the movement of traffic, or which hides from view or interferes with the effectiveness of any such device, sign or signal . [, and no person shall]

2. A person shall not place or maintain [nor shall any] *, and a* public authority *shall not* permit , upon any highway any sign, signal or marking bearing thereon any commercial advertising [.

2. Every such prohibited] *, except that a public authority may authorize the placing and maintenance of such a sign, signal or marking within the confines of a bus stand.*

3. Every sign, signal or marking *prohibited by this section* is hereby declared to be a public nuisance, and the proper public authority may remove the same or cause it to be removed without notice.

[3.] *4.* This section does not prohibit the erection upon private property adjacent to highways of signs giving useful directional information and of a type that cannot be mistaken for official traffic-control devices.

Sec. 2. NRS 405.030 is hereby amended to read as follows:

405.030 1. Except within the limits of any city or town through which the highway may run, *or as authorized pursuant to NRS 484.287,* it is unlawful for any person [, firm or corporation] to paste, paint, print or in any manner whatever place or attach to any building, fence, gate, bridge, rock, tree, board, structure, or anything whatever, any written, printed, painted or other outdoor advertisement, bill, notice, sign, picture, card or poster:

(a) Within any right of way of any state highway or road which is owned or controlled by the department of transportation *;* [.]

(b) Within 20 feet of the main traveled way of any unimproved highway [.] *; or*

(c) On the property of another within view of any such highway, without [such] *the* owner's written consent.

2. Nothing in this section prevents the posting or maintaining of any notices required by law to be posted or maintained, or the placing or maintaining of highway signs giving directions and distances for the information of the traveling public when such highway signs are approved by the department of transportation.

Sec. 3. NRS 405.110 is hereby amended to read as follows:

405.110 1. No advertising signs, signboards, boards or other materials containing advertising matter may:

(a) Be placed upon or over any state highway [.] *, unless authorized pursuant to NRS 484.287;*

(b) Be placed within the highway right of way [.] *, unless authorized pursuant to NRS 484.287;*

(c) Be placed upon any bridge or other structure thereon [.] *; or*

(d) Be so situated with respect to any public highway as to obstruct clear vision of an intersecting highway or highways or otherwise so situated as to constitute a hazard upon or prevent the safe use of the state highway.

2. With the permission of the department of transportation, counties, towns or cities of the State of Nevada may place at such points as may be designated by the director of the department of transportation suitable signboards advertising the counties, towns or municipalities.

3. If any such sign is placed in violation of this section it is thereby declared a public nuisance and may be removed forthwith by the department of transportation or its employees.

4. Any person placing any such sign in violation of the provisions of this section shall be punished by a fine of not more than $250, and is also liable in damages for any injury or injuries incurred or for injury to or loss of property sustained by any person by reason of the violation.

Sec. 4. This act becomes effective upon passage and approval.".

Amend the title of the bill to read as follows:

"An Act relating to traffic laws; allowing a public authority to authorize commercial advertising in a bus stand; and providing other matters properly relating thereto.".

Amend the summary of the bill to read as follows: "Allows public authority to authorize commercial advertising in bus stand. (BDR 43-452)".

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. 544.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 648.

Bill read second time.

Assemblyman Myrna Williams moved that Assembly Bill No. 648 be re-referred to the Committee on Ways and Means.

Motion carried.

Bill ordered engrossed and to the Committee on Ways and Means.

Assembly Bill No. 684.

Bill read second time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1020.

Amend section 1, pages 1 and 2, by deleting lines 3 through 14 on page 1 and lines 1 through 6 on page 2 and inserting:

"*1. The legislature hereby declares that in order to ensure that each Nevada child is afforded an adequate educational opportunity it is necessary to reduce the size of each class from kindergarten through third grade to a maximum ratio of one teacher for every 22 pupils in a classroom. The legislature recognizes that such a goal is unachievable without substantial continuing increases in state financial aid for public education. The legislature hereby dedicates a significant portion of the money in the estate tax account in the state general fund to the continuing process of creating smaller classes for Nevada's children. The money must be used exclusively to reduce the size of classes, not to maintain those reductions once achieved.*

2. The superintendent of public instruction shall allocate the money set aside pursuant to section 4 of chapter 21, Statutes of Nevada 1987, on July 1, 1987, July 1, 1988, July 1, 1989, and July 1, 1990, in the manner set forth in this section, except that the amount so disbursed in each year for this purpose may not exceed $5,000,000.

3. The superintendent shall apportion the money among the several school districts in a manner which will allow the school districts with the highest ratio of teachers to pupils in kindergarten and first grade to reduce the size of those classes first. The apportionment must continue with specific effort made to reduce the largest classes in the lower grades first and then continuing until a maximum ratio of one teacher for every 22 pupils per classroom has been achieved.

4. The money apportioned to a school district pursuant to this section must be used to reduce the size of each class from kindergarten through third grade to a ratio of one teacher for every 22 pupils per classroom. The money may be used to pay any costs incurred for materials and labor required to subdivide, remodel or provide additional classrooms to achieve the reductions.

5. If no school in a district exceeds the desired ratio, the board of trustees of the district may, after developing a plan with teachers and representatives of parents, apply to the state board of education for a grant of money for the support of programs to supplement the district's usual

educational programs. If a district obtains such a grant and any school in the district subsequently exceeds the ratio required in subsection 4, the money must be used to reduce that ratio.".

Amend sec. 3, page 2, by deleting line 25 and inserting: "*the several school districts of the state and be distributed by the superintendent of public instruction pursuant to section 1 of Assembly Bill No. 975 of this session. The remaining*".

Amend the bill as a whole by deleting sec. 4 and inserting:

"Sec. 4. 1. Each school district which contains any school in which the ratio of teachers to pupils exceeds 1:22 shall:

(a) Develop a plan to achieve the desired ratio.

(b) Evaluate programs and existing priorities to determine whether any existing revenue may be used to achieve the desired ratio.

(c) On or before November 1, 1988, prepare and submit a report to the department of education of a plan to achieve the desired ratio before the beginning of the school year in the year 2000.

2. The department of education shall compile the reports submitted by the respective school districts and any additional information necessary to determine the extent to which the money provided pursuant to this act was able to achieve the desired ratio. The department shall, on or before January 15, 1989, submit to the director of the legislative counsel bureau a report of its findings and any related recommendations to achieve the stated goal. The director shall transmit the report to the 65th session of the Nevada legislature.

Sec. 5. Notwithstanding the provisions of subsection 2 of section 1 of this act and section 4 of chapter 21, Statutes of Nevada 1987, as amended by section 3 of this act, for the biennium beginning on July 1, 1987, after deducting the amount determined by the department as necessary to pay the costs of administration and to refund any overpayments of tax, the first $10,000,000 of the revenue received from the tax imposed by section 2 of chapter 21, Statutes of Nevada 1987, must be transferred to the state general fund for allocation pursuant to the budget of the governor. Any amount by which the proceeds of the tax in the 1987-1989 biennium fail to meet the $10,000,000 for the budget of the governor must not be subtracted from any future revenue received.

Sec. 6. This act expires by limitation on July 1, 1991.".

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. 743.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 838.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 848.

Bill read second time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1300.

Amend section 1, page 1, by deleting line 2 and inserting: "from any money that would otherwise revert".

Amend section 1, page 1, line 3, by deleting "general fund".

Amend section 1, page 1, line 4, by deleting "public" and inserting "state".

Amend section 1, page 1, line 5, by deleting "public" and inserting "state".

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. 850.

Bill read second time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1298.

Amend section 1, pages 1 and 2, by deleting lines 7 through 19 on page 1 and lines 1 and 2 on page 2 and inserting:

"CARSON CITY	$138,207	$137,666
CHURCHILL COUNTY	42,717	42,549
DOUGLAS COUNTY	115,086	114,635
ESMERALDA COUNTY	8,035	8,003
EUREKA COUNTY	5,144	5,124
HUMBOLDT COUNTY	39,826	39,670
LANDER COUNTY	16,705	16,640
LINCOLN COUNTY	5,144	5,124
LYON COUNTY	77,398	77,095
MINERAL COUNTY	31,156	31,034
NYE COUNTY	36,936	36,791
PERSHING COUNTY	13,815	13,761
STOREY COUNTY	8,035	8,003
WHITE PINE COUNTY	39,826	39,670
TOTALS	$578,030	$575,765".

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. 853.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 861.

Bill read second time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1266.

Amend the bill as a whole by renumbering sec. 6 as sec. 7 and adding a new section designated sec. 6, following sec. 5, to read as follows:

"Sec. 6. Any employee of the department of human resources whose job is eliminated as a result of the amendatory provisions of this act is entitled to remain employed with the department. Any such employee must be appointed to a position in the department with the same or comparable classification, in the same location and without a reduction in salary. The department shall not, as a result of the appointment, displace any other employee in the department not otherwise affected by the appointment.".

Assemblyman Sedway moved the adoption of the amendment.

Remarks by Assemblyman Sedway.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 101.

Bill read second time and ordered to third reading.

Senate Bill No. 152.

Bill read second time and ordered to third reading.

Senate Bill No. 555.

Bill read second time and ordered to third reading.

Senate Bill No. 319.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 1320.

Amend section 1, page 1, line 7, by deleting: "of the State of Nevada".

Amend section 1, page 1, by deleting lines 8 through 10 and inserting: "conducted pursuant to NRS 630.311, upon the request of any of them.] *which issued the license to the provider of health care, during the course of any authorized investigation of that person.*

The records must be made available at a".

Assemblyman Porter moved the adoption of the amendment.

Remarks by Assemblyman Porter.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

UNFINISHED BUSINESS

RECEDE FROM ASSEMBLY AMENDMENTS

Assemblyman Nevin moved that the Assembly do not recede from its action on Senate Bill No. 167, 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 Nevin.

Motion carried.

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker appointed Assemblymen May, Thomas and Garner as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Senate Bill No. 167.

RECEDE FROM ASSEMBLY AMENDMENTS

Assemblyman May moved that the Assembly do not recede from its action on Senate Bill No. 226, 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, Price and Triggs as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Senate Bill No. 226.

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 1:30 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 Bill No. 302, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JAMES W. SCHOFIELD, *Chairman*

Mr. Speaker:

Your Committee on Natural Resources, Agriculture and Mining, to which was referred Senate Bill No. 179, 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.

JAMES W. SCHOFIELD, *Chairman*

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bills Nos. 128, 256, 258, 289, 609, 710, 740; Senate Bills Nos. 289, 334, 338, 412, 478; Assembly Concurrent Resolution No. 69; Senate Concurrent Resolution No. 43; Assembly Resolution No. 14.

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. Vivian Pickett and Mr. Norton Pickett.

On request of Assemblymen May and Price, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Pearl Currier and Mr. John Currier.

On request of Assemblyman Spinello, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Natasha Matkin-Hayes.

Assemblyman Jeffrey moved that the Assembly adjourn until Sunday, June 7, 1987 at 11 a.m.

Motion carried.

Assembly adjourned at 1:33 p.m.

Approved: JOSEPH E. DINI, JR.
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE ONE HUNDRED AND FORTIETH DAY

CARSON CITY (Sunday), June 7, 1987

Assembly called to order at 11:05 a.m.

Mr. Speaker presiding.

Roll called.

All present except Assemblyman Carpenter, who was excused.

Prayer by the Chaplain, Assemblyman Val Z. Garner.

Father in Heaven, as we humbly bow our heads before Thee on this Sabbath Day, we pray that Thou will bless us as we attend to the affairs of government. We especially ask that Thy blessings will be with members of our individual families while we are away from them that they will be protected and watched over. We pray, Father in Heaven, too, as we come to the closing days of this session that we will have patience and consideration and kindness—one for another—and that we will be able to bring to a close this session in a timely manner. We are grateful, Father in Heaven, for all the blessings that Thou has given us and pray that Thou will especially bless us on this day. We do this humbly in the name of Jesus Christ. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Nevin 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. 804, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JAMES J. BANNER, *Chairman*

Mr. Speaker:

Your Committee on Transportation, to which were referred Senate Bills Nos. 336, 418, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

LEONARD V. NEVIN, *Chairman*

Mr. Speaker:

Your Committee on Legislative Functions, to which was referred Assembly Concurrent Resolution No. 36, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and be adopted as amended.

MYRNA WILLIAMS, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, June 6, 1987

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 413, 536, 546, 612, 643, 732, 759.

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. 10.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Nevin moved that Assembly Bills Nos. 213, 411, 537, 684, 848, 850 and 861 be placed on the General File immediately following Assembly Bill No. 853.

Motion carried.

SECOND READING AND AMENDMENT

Senate Bill No. 179.

Bill read second time.

The following amendment was proposed by the Committee on Natural Resources, Agriculture and Mining:

Amendment No. 1133.

Amend section 1, page 1, line 1, by deleting "513" and inserting "235".

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 2 through 6 as sections 3 through 7, and adding a new section designated sec. 2, following section 1, to read as follows:

"Sec. 2. *As used in sections 3 to 6, inclusive, of this act, unless the context otherwise requires, "director" means the director of the department of general services.*".

Amend sec. 2, page 1, line 3, by deleting: "*executive director of the department of minerals,*" and inserting "*director,*".

Amend sec. 2, page 1, lines 5 and 6, by deleting: "*chairman of the commission on mineral resources,*" and inserting: "*executive director of the department of minerals,*".

Amend sec. 2, page 1, line 9, by deleting: "*to contract with*" and inserting: "*of the director to award a contract to*".

Amend sec. 2, page 1, line 12, by deleting "*properly; and*" and inserting: "*properly, including the promotion of museums and tourism in this state; and*".

Amend sec. 2, page 1, by deleting line 13, and inserting:

"*(c) Comply with the requirements of the contract.*

3. The director shall award the contract to the lowest responsible bidder, except that if in his judgment no satisfactory bid has been received, he may reject all bids.

4. All bids for the contract must be solicited in the manner prescribed in NRS 333.310 and comply with the provisions of NRS 333.330.".

Amend sec. 3, page 2, by deleting line 4 and inserting: "*may be approved by the director*".

Amend sec. 3, page 2, line 18, by deleting "*executive*".

Amend sec. 3, page 2, by deleting line 21 and inserting: "*executive director of the department of minerals.*".

Amend sec. 4, page 2, line 22, by deleting "*executive*".

Amend sec. 4, page 2, line 29, by deleting "*executive*".

Amend sec. 4, page 2, by deleting line 36 and inserting: "*state general fund.*".

Amend sec. 5, page 3, line 22, by deleting "*executive*".

Amend sec. 5, page 3, by deleting line 23 and inserting "*director; or*".

Amend sec. 6, page 3, line 30, by deleting: "executive director of the department of minerals," and inserting: "director of the department of general services,".

Amend sec. 6, page 3, lines 32 and 33, by deleting: "chairman of the commission on mineral resources," and inserting: "executive director of the department of minerals,".

Amend sec. 6, page 3, line 35, by deleting "2" and inserting "3".

Amend sec. 6, page 3, line 37, after "director" by inserting: "of the department of general services".

Amend the summary of the bill by deleting the second line and inserting: "state seal. (BDR 19-57)".

Assemblyman Adler moved the adoption of the amendment.

Remarks by Assemblyman Adler.

Amendment adopted.

Assemblyman Schofield moved that Senate Bill No. 179 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.

Senate Bill No. 302.

Bill read second time.

The following amendment was proposed by the Committee on Natural Resources, Agriculture and Mining:

Amendment No. 1202.

Amend section 1, page 1, line 4, by deleting "*treasurer*" and inserting "*recorder*".

Amend sec. 3, page 2, lines 36 and 37, by deleting: "any justice of the peace or municipal judge therein" and inserting: "[any justice of the peace or municipal judge therein] *the sheriff or the constable of the township where the hole, excavation or shaft exists*".

Amend sec. 4, page 3, lines 15 and 16, by deleting: "*a justice of the peace or municipal judge in the county.*" and inserting: "*the sheriff or the constable of the township where the condition exists.*".

Amend sec. 4, page 3, line 18, by inserting an open bracket before "justice".

Amend sec. 4, page 3, line 23, by deleting "notice." and inserting: "notice.] *sheriff or constable shall serve a notice, in the same manner and form as a summons, upon each person identified as owner or otherwise responsible.*".

Amend sec. 5, page 3, line 26, by deleting: "or judge issuing the [same,] *notice,*" and inserting: "[or judge issuing the same,] *of the peace of the township where the hole, excavation, shaft or other condition exists, or any municipal judge who may be acting in his place,*".

Amend sec. 6, page 4, lines 2 and 3, by deleting: "justice of the peace or municipal judge" and inserting: "[justice of the peace or municipal judge] *sheriff or constable*".

Amend sec. 6, page 4, lines 9 and 10, by deleting: "cause it to" and inserting: "[cause it to] *decide whether it should*".

Amend sec. 6, page 4, line 15, by inserting an open bracket before "3.".

Amend sec. 6, page 4, line 17, by inserting a closed bracket after "animals.".

Assemblyman Adler moved the adoption of the amendment.

Remarks by Assemblyman Adler.

Amendment adopted.

Assemblyman Schofield moved that Senate Bill No. 302 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.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Thompson moved that Senate Bill No. 56 be taken from the General File and re-referred to the Committee on Government Affairs.

Motion carried.

Assemblyman Thompson moved that Senate Bill No. 369 be taken from the General File and re-referred to the Committee on Government Affairs.

Motion carried.

Assembly Concurrent Resolution No. 36.

Resolution read.

The following amendment was proposed by the Committee on Legislative Functions:

Amendment No. 1318.

Amend the resolution, page 1, between lines 11 and 12, by inserting:

"RESOLVED, That the Legislative Commission may accept and use any gift or grant of money to aid it in carrying out the study; and be it further".

Assemblyman Myrna Williams moved the adoption of the amendment.

Remarks by Assemblyman Myrna Williams.

Amendment adopted.

Resolution ordered reprinted and engrossed.

Assembly Concurrent Resolution No. 49.

Assemblyman Arberry moved the adoption of the resolution.

Remarks by Assemblyman Arberry.
Resolution adopted, as amended.

Assembly Concurrent Resolution No. 55.
Assemblyman Myrna Williams moved the adoption of the resolution.
Remarks by Assemblyman Myrna Williams.
Resolution adopted, as amended.

Mr. Speaker announced that if there were no objections, the Assembly would recess until 12:15 p.m..

Assembly in recess at 11:20 a.m.

ASSEMBLY IN SESSION

At 12:20 p.m.
Mr. Speaker presiding.
Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Concurrent Committee on Legislative Functions, 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: Amend, and be adopted as amended.

MYRNA WILLIAMS, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Senate Bill No. 152 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. 544.
Bill read third time.
Remarks by Assemblyman Jeffrey.
Roll call on Assembly Bill No. 544:

YEAS—35.
NAYS—Bergevin, Getto, Lambert, Marvel, Spriggs—5.
Absent—Carpenter, Tebbs—2.

Assembly Bill No. 544 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 743.
Bill read third time.
Remarks by Assemblyman Sader.
Roll call on Assembly Bill No. 743:

YEAS—41.
NAYS—None.
Absent—Carpenter.

Assembly Bill No. 743 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 838.

Bill read third time.

Remarks by Assemblymen Jeffrey and Fay.

Roll call on Assembly Bill No. 838:

YEAS—36.

NAYS—Bergevin, Getto, Lambert, Marvel, Spriggs—5.

Absent—Carpenter.

Assembly Bill No. 838 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 853.

Bill read third time.

Remarks by Assemblyman Spinello.

Roll call on Assembly Bill No. 853:

YEAS—41.

NAYS—None.

Absent—Carpenter.

Assembly Bill No. 853 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 213.

Bill read third time.

Remarks by Assemblyman Garner.

Roll call on Assembly Bill No. 213:

YEAS—41.

NAYS—None.

Absent—Carpenter.

Assembly Bill No. 213 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 411.

Bill read third time.

Remarks by Assemblymen Haller and Lambert.

Roll call on Assembly Bill No. 411:

YEAS—38.

NAYS—Bergevin, Lambert, Spriggs—3.

Absent—Carpenter.

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. 537.

Bill read third time.

Remarks by Assemblyman Thomas.

Roll call on Assembly Bill No. 537:

YEAS—32.

NAYS—Bergevin, DuBois, Humke, McGaughey, Marvel, Nicholas, Porter, Tebbs, Myrna Williams—9.

Absent—Carpenter.

Assembly Bill No. 537 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 Callister.

Roll call on Assembly Bill No. 864:

YEAS—41.

NAYS—None.

Absent—Carpenter.

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. 848.

Bill read third time.

Remarks by Assemblyman Sedway.

Roll call on Assembly Bill No. 848:

YEAS—41.

NAYS—None.

Absent—Carpenter.

Assembly Bill No. 848 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 850.

Bill read third time.

Remarks by Assemblyman Schofield.

Roll call on Assembly Bill No. 850:

YEAS—41.

NAYS—None.

Absent—Carpenter.

Assembly Bill No. 850 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 861.

Bill read third time.

Remarks by Assemblyman Swain.

Roll call on Assembly Bill No. 861:

YEAS—41.

NAYS—None.

Absent—Carpenter.

Assembly Bill No. 861 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that all rules be suspended and that Assembly Bills Nos. 213, 411, 537, 544, 684, 743, 838, 848, 850, 853, 861; Assembly Concurrent Resolutions Nos. 49 and 55 be immediately transmitted to the Senate.

Motion carried unanimously.

GENERAL FILE AND THIRD READING

Senate Bill No. 101.

Bill read third time.

Remarks by Assemblyman Evans.

Roll call on Senate Bill No. 101:

YEAS—41.

NAYS—None.

Absent—Carpenter.

Senate Bill No. 101 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 256.

Bill read third time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 1350.

Amend section 1, page 1, by deleting lines 3 and 4 and inserting: "drugs and devices from a pharmacy . [by:

(a) Making an oral order or transmitting an oral order through his agent; or

(b) Presenting to the pharmacy a written order signed by him or transmitting such an order through his agent.]".

Amend section 1, page 1, line 9, by deleting "and" and inserting "or".

Amend section 1, page 1, line 10, by deleting "The] *the*" and inserting: "An oral order is made by the holder of the permit or transmitted through his agent,

and] the".

Amend the bill as a whole by adding a new section designated sec. 3, following sec. 2, to read as follows:

"Sec. 3. Section 1 of this act becomes effective at 12:01 a.m. on July 1, 1987.".

Assemblyman Jeffrey moved the adoption of the amendment.

Remarks by Assemblyman Jeffrey.
Amendment adopted.
Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 371.
Bill read third time.
Assemblyman Jeffrey moved that Senate Bill No. 371 be taken from the General File and placed on the Chief Clerk's desk.
Remarks by Assemblyman Jeffrey.
Motion carried.

Senate Bill No. 404.
Bill read third time.
Remarks by Assemblyman Sader.
Roll call on Senate Bill No. 404:
YEAS—41.
NAYS—None.
Absent—Carpenter.

Senate Bill No. 404 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Senate Bill No. 555.
Bill read third time.
Remarks by Assemblyman Banner.
Roll call on Senate Bill No. 555:
YEAS—39.
NAYS—Fay, Jeffrey—2.
Absent—Carpenter.

Senate Bill No. 555 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 Assembly Bill No. 776, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

MARVIN M. SEDWAY, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Ways and Means, to which was referred Assembly Bill No. 541, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

MARVIN M. SEDWAY, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assembly Concurrent Resolution No. 43.
Resolution read.
The following amendment was proposed by the Committee on Legislative Functions:

Amendment No. 1196.

Amend the resolution, page 1, by deleting lines 15 through 19.

Amend the resolution, page 2, line 7, by deleting "a 2-year" and inserting "an".

Amend the resolution, page 2, after line 9, by inserting:

"RESOLVED, That all state agencies whose responsibilities or interests affect the Las Vegas Wash shall assist the Legislative Commission in the study of issues relating to the Las Vegas Wash, including without limitation the:

1. Division of Environmental Protection and the Division of Water Resources of the Department of Conservation and Natural Resources;
2. Department of Wildlife; and
3. Colorado River Commission;

and be it further

RESOLVED, That the Legislative Commission shall also seek the advice and input of those local organizations and federal agencies with interest or jurisdiction in the Las Vegas Wash, including without limitation the:

1. City of Henderson;
2. City of Las Vegas;
3. Clark County;
4. Clark County Flood Control District;
5. Clark County Sanitation District;
6. Clark County Health District;
7. Las Vegas Wash Development Committee;
8. National Park Service;
9. United States Bureau of Land Management;
10. United States Bureau of Reclamation;
11. United States Environmental Protection Agency;
12. United States Soil Conservation District;
13. United States Corps of Engineers; and
14. United States Fish and Wildlife;

and be it further

RESOLVED, That the Legislative Commission may accept and use any grants, gifts or donations offered or solicited to undertake the study of issues relating to the Las Vegas Wash; and be it further".

Assemblyman Myrna Williams moved the adoption of the amendment.

Remarks by Assemblyman Myrna Williams.

Amendment adopted.

Resolution ordered reprinted and re-engrossed.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 558.

The following Senate amendment was read:

Amendment No. 996.

Amend the bill as a whole by deleting sec. 2 and renumbering sec. 3 as sec. 2.

Amend sec. 3, page 2, line 15, by deleting the brackets.

Amend sec. 3, page 2, by deleting line 19 and inserting:

"(b) If the act is [malicious but] *not malicious and another person suffers death or substantial bodily harm as a result, or if* no death or substantial bodily harm".

Amend the title to read as follows:

"An Act relating to crimes against property; clarifying the status of mobile homes in connection with the crime of arson; revising the penalty for giving a false alarm of fire; and providing other matters properly relating thereto.".

Assemblyman Sader moved that the Assembly do not concur in the Senate amendment to Assembly Bill No. 558.

Remarks by Assemblyman Sader.

Motion carried.

Bill ordered transmitted to the Senate.

RECEDE FROM ASSEMBLY AMENDMENTS

Assemblyman Sader moved that the Assembly do not recede from its action on Senate Bill No. 190, 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 Sader.

Motion carried.

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker appointed Assemblymen Sader, Spriggs and Triggs as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Senate Bill No. 190.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Assembly Bills Nos. 776, 804; Senate Bills Nos. 336 and 418 be placed on the Second Reading File.

Motion carried.

Assemblyman Jeffrey moved that Assembly Bill No. 541 and Senate Bill No. 319 be placed on the General File.

Remarks by Assemblyman Jeffrey.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 776.

Bill read second time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1341.

Amend section 1, page 1, by deleting lines 2 and 3 and inserting: "to the department of education for apprenticeship training programs:

For the fiscal year 1987-88	$81,251
For the fiscal year 1988-89	81,251".

Amend section 1, page 1, line 4, after "another" by inserting "public".

Amend section 1, page 1, by deleting lines 8 and 9 and inserting:

"3. 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".

Amend the title of the bill to read as follows:

"An Act making an appropriation to the department of education for apprenticeship training programs; and providing other matters properly relating thereto.".

Assemblyman Evans moved the adoption of the amendment.

Remarks by Assemblyman Evans.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 804.

Bill read second time.

The following amendment was proposed by the Committee on Labor and Management:

Amendment No. 1265.

Amend section 1, page 1, by deleting lines 1, 2 and 3 and inserting:

"Section 1. Chapter 616 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 and 3 of this act.

Sec. 2. *A member of the Nevada legislature shall be deemed for the purposes of*".

Amend the bill as a whole by renumbering sec. 2 as sec. 4 and adding a new section designated sec. 3, following section 1, to read as follows:

Sec. 3. *An employee of a sole proprietor who, or partnership which, is licensed pursuant to the provisions of chapter 624 of NRS and elects to reject the terms, conditions and provisions of this chapter shall be deemed for the purposes of this chapter to be an employee of that sole proprietor or partnership at the wage of $500 per month and is entitled to the benefits of this chapter.*".

Amend sec. 2, page 1, line 9, by deleting "*section 1*" and inserting: "*sections 2 and 3*".

Amend the title of the bill, second line, after "legislature" by inserting: "and for employees of certain sole proprietors and partnerships".

Amend the summary of the bill by deleting "legislators" and inserting "certain persons".

Assemblyman Banner moved the adoption of the amendment.

Remarks by Assemblyman Banner.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 336.

Bill read second time and ordered to third reading.

Senate Bill No. 418.

Bill read second time and ordered to third reading.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Natural Resources, Agriculture and Mining, to which were referred Senate Bills Nos. 324, 439, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JAMES W. SCHOFIELD, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Schofield moved that Senate Bills Nos. 324 and 439 be placed on the Second Reading File.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 541.

Bill read third time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1094.

Amend sec. 3, page 2, lines 3 and 4, by deleting: "office of community services." and inserting: "department of human resources.".

Amend sec. 3, page 2, line 5, by deleting "seven" and inserting "five".

Amend sec. 3, page 2, line 7, by deleting "One member" and inserting "Two members".

Amend sec. 3, page 2, line 8, by deleting the period and inserting: ", one member from the southern district and one member from the northern district of Nevada.".

Amend sec. 3, page 2, by deleting lines 9 through 12.

Amend sec. 3, page 2, line 13, by deleting "(d)" and inserting "(b)".

Amend sec. 3, page 2, by deleting lines 15 and 16.

Amend sec. 3, page 2, line 17, by deleting "(f)" and inserting "(c)".

Amend sec. 5, page 2, line 32, by deleting: "office of community services" and inserting: "department of human resources or his designee".

Amend sec. 7, page 3, line 2, by deleting: "office of community services" and inserting: "department of human resources".

Amend sec. 7, page 3, by deleting lines 6 through 8.

Amend sec. 8, page 3, by deleting lines 9 through 27 and inserting:

"Sec. 8. 1. The director of the department of human resources shall administer the account to provide shelter for homeless Nevadans. He may delegate to the administrator of the welfare division any of the duties involved in administering the account.

2. The administrator of the welfare division shall administer any money received from the federal government by the state to aid homeless Nevadans.".

Amend sec. 11, page 4, line 30, by deleting "30" and inserting "15".

Amend sec. 12, page 4, line 32, by deleting "1.".

Amend sec. 12, page 4, line 34, by deleting:

"(a) Two members" and inserting:

"1. One member".

Amend sec. 12, page 4, line 35, by deleting "(b)" and inserting "2.".

Amend sec. 12, page 4, line 36, by deleting:

"(c) Two members" and inserting:

"3. One member".

Amend sec. 12, page 4, line 37, by deleting "(d)" and inserting "4.".

Amend sec. 12, page 4, by deleting lines 38 through 42.

Amend sec. 13, page 5, line 3, by deleting "$300,000" and inserting "$50,000".

Amend sec. 13, page 5, line 4, by deleting "300,000" and inserting "50,000".

Assemblyman Wisdom moved the adoption of the amendment.

Remarks by Assemblyman Wisdom.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Arberry moved that Senate Bill No. 35 be taken from the Chief Clerk's desk and placed on the General File.

Remarks by Assemblyman Arberry.

Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 319.

Bill read third time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 1348.

Amend sec. 3, page 3, by deleting lines 11 and 12 and inserting:

"2. Willful or repeated violations of the regulations of the *state* board of health, the state board of pharmacy or the board of dental examiners [; or] *of Nevada;*".

Amend the bill as a whole by adding a new section designated sec. 4, following sec. 3, to read as follows:

"Sec. 4. Section 3 of this act becomes effective at 12:01 a.m. on July 1, 1987.".

Assemblyman Jeffrey moved the adoption of the amendment.

Remarks by Assemblyman Jeffrey.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 35.

Bill read third time.

The following amendment was proposed by the Committee on Health and Welfare:

Amendment No. 1294.

Amend sec. 2, page 1, line 5, by deleting: "*a major disease.*" and inserting: "*complications or disabilities.*".

Assemblyman Arberry moved the adoption of the amendment.

Remarks by Assemblyman Arberry.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, June 7, 1987

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Senate Bills Nos. 560, 565, 567.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 259, 286, 301, 437, 452, 479, 519, 577.

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

SECOND READING AND AMENDMENT

Senate Bill No. 324.

Bill read second time and ordered to third reading.

Senate Bill No. 439.

Bill read second time and ordered to third reading.

INTRODUCTION, FIRST READING AND REFERENCE

Senate Bill No. 259.

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

Motion carried.

Senate Bill No. 286.

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

Motion carried.

Senate Bill No. 301.

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

Motion carried.

Senate Bill No. 437.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

Senate Bill No. 452.

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

Motion carried.

Senate Bill No. 479.

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

Motion carried.

Senate Bill No. 519.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 560.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

Senate Bill No. 565.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 567.

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

Motion carried.

Senate Bill No. 577.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

Senate Concurrent Resolution No. 28.

Assemblyman Jeffrey 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. 9, 29, 75, 208, 223, 286, 308, 437, 446, 453, 540, 580, 675, 695, 730, 742; Senate Bills Nos. 10, 253, 276, 492, 531, 532, 544; Assembly Concurrent Resolution No. 71.

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. Pat Fladager, Mrs. Mabel Mayes and Mr. Earl Mayes.

Assemblyman Jeffrey moved that the Assembly adjourn until Monday, June 8, 1987 at 10:30 a.m.

Motion carried.

Assembly adjourned at 1:22 p.m.

Approved: JOSEPH E. DINI, JR.
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE ONE HUNDRED AND FORTY-FIRST DAY

CARSON CITY (Monday), June 8, 1987

Assembly called to order at 10:40 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, Father John McShane.

Father in Heaven, watch over and protect our legislators. Pour out Your spirit upon them to guide them in all matters of this day. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Jeffrey moved that further reading of the Journal be dispensed with, and the Speaker and Chief Clerk be authorized to make the necessary corrections and additions.

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Assembly Bills Nos. 541, 776 and 804 be placed at the top of the General File.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Commerce, to which were referred Assembly Bill No. 802; Senate Bills Nos. 155, 221, 313, 508, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN E. JEFFREY, *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which were referred Senate Bills Nos. 241, 347, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN E. JEFFREY, *Chairman*

Mr. Speaker:

Your Committee on Transportation, to which were referred Assembly Bill No. 240; Senate Bill No. 406, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

LEONARD V. NEVIN, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Assembly Bill No. 241, 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.

DANNY L. THOMPSON, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Assembly Bill No. 858, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

DANNY L. THOMPSON, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Assembly Concurrent Resolution No. 70, has had the same under consideration, and begs leave to report the same back with the recommendation: Be adopted.

DANNY L. THOMPSON, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which were referred Assembly Bill No. 871; Senate Bill No. 450, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

DANNY L. THOMPSON, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Judiciary, to which was referred Assembly Bill No. 550, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ROBERT M. SADER, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which were referred Senate Bills Nos. 460, 566, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

MARVIN M. SEDWAY, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which was referred Senate 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.

ROBERT M. SADER, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, June 7, 1987

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 102, 143, 187, 244, 321, 459, 467, 578, 660, 737, 750, 771, 780, 792, 797, 812, 823.

Also, I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bills Nos. 354, 375, 584, 616, 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 Resolutions Nos. 3, 16, 23.

Also, I have the honor to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 72.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Bill No. 583.

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. 234.

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. 298.

Also, I have the honor to inform your honorable body that the Senate on this day appointed Senators Rhoads, Jacobsen and Mello as a first Committee on Conference concerning Senate Bill No. 167.

Also, I have the honor to inform your honorable body that the Senate on this day appointed Senators Joerg, Shaffer and Redelsperger as a first Committee on Conference concerning Senate Bill No. 226.

Also, I have the honor to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolutions Nos. 40, 44, 45.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Assembly Concurrent Resolution No. 36.

Assemblyman Myrna Williams moved the adoption of the resolution.

Remarks by Assemblyman Myrna Williams.

Resolution adopted, as amended.

Assembly Concurrent Resolution No. 43.

Assemblyman Schofield moved the adoption of the resolution.

Remarks by Assemblyman Schofield.

Resolution adopted, as amended.

Assembly Concurrent Resolution No. 70.

Assemblyman Bergevin moved the adoption of the resolution.

Remarks by Assemblyman Bergevin.

Resolution adopted.

Senate Concurrent Resolution No. 40.

Assemblyman Jeffrey moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

Senate Concurrent Resolution No. 44.

Assemblyman Jeffrey moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

Senate Concurrent Resolution No. 45.

Assemblyman Jeffrey moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Spinello, Sedway, Jeffrey, Myrna Williams, Wisdom, Porter, Brookman, May, Garner, Bergevin, McGaughey, Thompson, Triggs, Wendell Williams, Arberry, Tebbs, Banner, Fay, Dini and Gaston:

Assembly Bill No. 876—An Act making an appropriation to the University of Nevada at Las Vegas to provide grants for living expenses for students to participate as interns during the 65th Session of the Nevada Legislature; and providing other matters properly relating thereto.

Assemblyman Spinello moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By the Committee on Ways and Means:

Assembly Bill No. 877—An Act relating to the state personnel system; abolishing the requirement for an index of occupational subclasses; and providing other matters properly relating thereto.

Assemblyman Sedway moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By the Committee on Ways and Means:

Assembly Bill No. 878—An Act relating to state financial administration; simplifying the procedures for the preparation of the state budget; reducing the necessity for review of changes in allotments for work programs by the interim finance committee; and providing other matters properly relating thereto.

Assemblyman Sedway moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

Senate Bill No. 583.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Taxation.

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Nevin moved that Senate Bill No. 152 be taken from the General File and re-referred to the Committee on Transportation.

Remarks by Assemblymen Nevin, Sader, Kerns, Thomas, Banner, Getto, May, McGaughey and Swain.

Assemblymen Thompson, Schofield and Swain moved the previous question.

Motion carried.

The question being on the motion to take Senate Bill No. 152 from the General File and re-refer it to the Committee on Transportation.

Assemblymen Humke, Sader and Bergevin requested a roll call on Assemblyman Nevin's motion.

Roll call on Assemblyman Nevin's motion:

YEAS—21.

NAYS—Arberry, Bergevin, Brookman, Callister, Evans, Freeman, Garner, Gaston, Getto, Haller, Humke, Kerns, Kissam, Nicholas, Sader, Spinello, Swain, Triggs, Myrna Williams, Wendell Williams, Wisdom—21.

The motion having failed to receive a majority, Mr. Speaker declared it lost.

Assemblyman Nevin moved that Senate Bill No. 152 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Nevin.

Motion carried.

Assemblyman Jeffrey moved that Senate Bill No. 371 be taken from the Chief Clerk's desk and placed on the General File.

Motion carried.

Assemblyman Jeffrey moved that Senate Bill No. 428 be taken from the Chief Clerk's desk and placed on the General File.

Remarks by Assemblyman Jeffrey.

Motion carried.

Assemblyman Sader moved that Senate Bill No. 268 be taken from the Chief Clerk's desk and placed on the General File.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Ways and Means, to which were referred Assembly Bill No. 133; Senate Bills Nos. 102, 109, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

MARVIN M. SEDWAY, *Chairman*

Mr. Speaker:

Your Committee on Health and Welfare, to which were referred Assembly Bill No. 500; Senate Bills Nos. 31, 34, 112, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

MORSE ARBERRY, JR., *Chairman*

GENERAL FILE AND THIRD READING

Assembly Bill No. 541.

Bill read third time.

Remarks by Assemblymen Wisdom, Brookman, Freeman and Kerns.

Roll call on Assembly Bill No. 541:

YEAS—42.

NAYS—None.

Assembly Bill No. 541 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 776.

Bill read third time.

Remarks by Assemblyman Evans.

Roll call on Assembly Bill No. 776:

YEAS—42.

NAYS—None.

Assembly Bill No. 776 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 804.

Bill read third time.

Remarks by Assemblyman Kerns.

Roll call on Assembly Bill No. 804:

YEAS—42.

NAYS—None.

Assembly Bill No. 804 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that all rules be suspended and that Assembly Bills Nos. 541, 776, 804; Assembly Concurrent Resolutions Nos. 36, 43 and 70 be immediately transmitted to the Senate.

Motion carried unanimously.

GENERAL FILE AND THIRD READING

Senate Bill No. 262.

Bill read third time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 1349.

Amend sec. 12, page 5, after line 8, by inserting:

"4. The board may charge a fee, not to exceed $25, to replace a lost [certificate] *license* or to change a name on a [certificate.] *license.*".

Amend sec. 26, page 10, by deleting line 29 and inserting:

"4. The board may charge a fee, not to exceed $25, to replace a lost license or to change a name on a license.

5. The board may adopt such regulations as it deems necessary".

Amend sec. 28, page 10, by deleting line 38 and inserting: "all past unpaid extension fees not to exceed $100.

3.] *A license to practice as a*".

Amend sec. 28, page 11, by deleting lines 5 through 9 and inserting:

"2. The board shall require each physical therapist's assistant to complete a program of continuing education as a prerequisite for the renewal of his license. The board shall *by regulation* prescribe the curriculum , [and] approve the courses of study or training *and set the fees* for that program. *The fees must not exceed the actual cost of the program.*".

Amend sec. 37, page 14, by deleting line 11 and inserting:

"Sec. 37. 1. This section and sections 1 to 11, inclusive, 13 to 25, inclusive, 27, 29, 30, 31 and 33 to 36,".

Amend sec. 37, page 14, by deleting line 13 and inserting:

"2. Sections 12, 26 and 28 of this act become effective at 12:01 a.m. on July 1, 1987.

3. Section 32 of this act becomes effective at 12:01 a.m. on June 30,".

Amend sec. 37, page 14, line 15, by deleting "3." and inserting "4.".

Assemblyman Jeffrey moved the adoption of the amendment.

Remarks by Assemblyman Jeffrey.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 324.

Bill read third time.

Remarks by Assemblyman Schofield.

Roll call on Senate Bill No. 324:

YEAS—42.

NAYS—None.

Senate Bill No. 324 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 336.

Bill read third time.

Remarks by Assemblyman DuBois.

Roll call on Senate Bill No. 336:

YEAS—42.

NAYS—None.

Senate Bill No. 336 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 418.

Bill read third time.

Remarks by Assemblyman Nevin.

Roll call on Senate Bill No. 418:

YEAS—42.

NAYS—None.

Senate Bill No. 418 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 439.

Bill read third time.

Remarks by Assemblyman Spriggs.

Roll call on Senate Bill No. 439:

YEAS—42.

NAYS—None.

Senate Bill No. 439 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 Jeffrey.

Roll call on Senate Bill No. 371:

YEAS—42.

NAYS—None.

Senate Bill No. 371 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 428.

Bill read third time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 1310.

Amend sec. 7, page 3, line 30, after "644.200" by inserting "1.".

Amend sec. 7, page 3, line 34, by deleting "1." and inserting "(a)".

Amend sec. 7, page 3, line 35, by deleting "2." and inserting "(b)".

Amend sec. 7, page 3, line 36, by deleting "3." and inserting "(c)".

Amend sec. 7, page 3, line 39, by deleting "4." and inserting "(d)".

Amend sec. 7, page 3, line 40, by deleting "(a)" and inserting "(1)".

Amend sec. 7, page 4, line 1, by deleting "(b)" and inserting "(2)".

Amend sec. 7, page 4, line 3, by deleting "[(c) Service" and inserting "(3) [Service".

Amend sec. 7, page 4, line 5, by deleting the bracket.

Amend sec. 7, page 4, between lines 5 and 6, by inserting:

"(4)] If the applicant is a barber registered pursuant to chapter 643 of NRS, 400 hours of specialized training approved by the board.

2. A registered barber who fails the examination for a license as a cosmetologist must complete further study as prescribed by the board, not exceeding 250 hours, in a school of cosmetology approved by the board before he is again entitled to take the examination.".

Amend the bill as a whole by adding a new section designated sec. 16, following sec. 15, to read as follows:

"Sec. 16. Section 7 of this act becomes effective at 12:01 a.m. on July 1, 1987.

Assemblyman Jeffrey moved the adoption of the amendment.

Remarks by Assemblyman Jeffrey.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 268.

Bill read third time.

The following amendment was proposed by Assemblyman Wendell Williams:

Amendment No. 1345.

Amend section 1, page 1, by deleting lines 10 through 15 and inserting: "effect the purposes of this section, and in no event longer than [30 minutes. Such detention shall] *60 minutes. The detention may* not extend beyond the place or the immediate vicinity of the place where the detention was first effected [.] , *unless the person is arrested.*".

Assemblyman Wendell Williams moved the adoption of the amendment.

Remarks by Assemblymen Wendell Williams, Sader, Nevin, Thompson, Porter, DuBois, Sedway and Craddock.

Assemblymen Jeffrey, Nevin and Schofield moved the previous question.

Motion carried.

The question being on the motion to adopt Amendment No. 1345 to Senate Bill No. 268.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Health and Welfare, 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.

MORSE ARBERRY, JR., *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, June 8, 1987

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. 467, which was returned from enrollment for the purpose of effecting a technical amendment.

Also, I have the honor to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 46.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Senate Concurrent Resolution No. 46.

Assemblyman Sader moved the adoption of the resolution.

Remarks by Assemblyman Sader.

Resolution adopted unanimously.

Assemblyman Jeffrey moved that Assembly Bills Nos. 133, 240, 241, 500, 550, 802, 858, 871; Senate Bills Nos. 26, 31, 34, 102, 109, 112, 155, 221, 241, 313, 347, 406, 450, 460, 476, 508 and 566 be placed on the Second Reading File.

Motion carried.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 517.

The following Senate amendment was read:

Amendment No. 845.

Amend section 1, page 1, by deleting lines 3, 4 and 5 and inserting:

"*1. Upon the request of the head of a state agency, the board may delegate to that agency any of the authority granted the board pursuant to NRS 341.141*".

Amend sec. 2, page 2, by deleting line 6 and inserting:

"*(c) Buildings on property controlled by other state agencies if*".

Amend the title of the bill to read as follows:

"An Act relating to the state public works board; allowing the board to delegate its authority to another state agency concerning property of that agency; and providing other mattters properly relating thereto.".

Amend the summary of the bill to read as follows:

"Authorizes state public works board to delegate authority to another state agency concerning property of that agency. (BDR 28-750)".

Assemblyman Thompson moved that the Assembly concur in the Senate amendment to Assembly Bill No. 517.

Remarks by Assemblyman Thompson.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 354.

The following Senate amendment was read:

Amendment No. 1177.

Amend the bill as a whole by renumbering sections 1, 2 and 3 as sections 3, 4 and 5 and adding new sections designated sections 1 and 2, following the enacting clause, to read as follows:

"Section 1. Chapter 236 of NRS is hereby amended by adding thereto a new section to read as follows:

1. There is hereby created the commission for the bicentennial of the United States Constitution, consisting of the members appointed to the Nevada commission of the bicentennial of the United States Constitution by executive order of the governor.

2. The commission may accept gifts and grants of money and property and use those gifts and grants to recognize and celebrate the 200th anniversary of the United States Constitution.

3. NRS 353.335 does not apply to the provisions of this section.

Sec. 2. NRS 353.335 is hereby amended to read as follows:

353.335 1. Except as *otherwise* provided in subsections 4 and 5, *and section 1 of this act,* a state agency may accept any gift or grant of property or services from any source only if it is included in an act of the legislature authorizing expenditures of nonappropriated money or, when it is not so included, if it is approved as provided in subsection 2.

2. If:

(a) Any proposed gift or grant is necessary for the protection or preservation of life or property, the governor shall take reasonable and proper action to accept it and shall report the action, and his reasons for determining that immediate action was necessary, to the interim finance committee at its first meeting after the action is taken. Action by the governor pursuant to this paragraph constitutes acceptance of the gift or grant, and other provisions of this chapter requiring approval before acceptance do not apply.

(b) The governor determines that any proposed gift or grant would be forfeited if the state failed to accept it before the expiration of the [time] period prescribed in paragraph (c), he may declare that the proposed acceptance requires expeditious action by the interim finance committee. Whenever the governor so declares, the interim finance committee has 15 days after the proposal is submitted to its secretary within which to approve or deny the acceptance. Any proposed acceptance which is not considered within the 15-day period shall be deemed approved.

(c) The proposed acceptance of any gift or grant which does not qualify under paragraph (a) or (b) must be submitted to the interim finance committee. The interim finance committee has 45 days after the proposal is

submitted to its secretary within which to consider acceptance. Any proposed acceptance which is not considered within the 45-day period shall be deemed approved.

3. The secretary shall place each request submitted to him pursuant to paragraph (b) or (c) of subsection 2 on the agenda of the next meeting of the interim finance committee.

4. In acting upon a proposed gift or grant, the interim finance committee shall consider, among other things:

(a) The need for the facility or service to be provided or improved;

(b) Any present or future commitment required of the state;

(c) The extent of the program proposed; and

(d) The condition of the national economy, and any related fiscal or monetary policies.

5. A state agency may accept:

(a) Gifts not exceeding $10,000 each in value; and

(b) Governmental grants not exceeding $50,000 each in value,

if the gifts or grants are used for purposes which do not involve the hiring of new employees and if the agency has the specific approval of the governor or, if the governor delegates this power of approval to the chief of the budget division of the department of administration, the specific approval of the chief.

6. This section does not apply to:

(a) The state industrial insurance system;

(b) The University of Nevada System; or

(c) The department of human resources while acting as the state health planning and development agency pursuant to paragraph (c) of subsection 1 of NRS 439A.081.".

Amend section 1, page 1, by deleting line 2 and inserting: "account for the support of the commission for the bicentennial of the".

Amend sec. 2, page 1, line 4, by deleting "1" and inserting "3".

Amend the title of the bill to read as follows:

"An Act creating the commission for the bicentennial of the United States Constitution; making an appropriation for its support; and providing other matters properly relating thereto.".

Amend the summary of the bill to read as follows: "Creates commission for bicentennial of United States Constitution. (BDR 19-1345)".

Assemblyman Sedway moved that the Assembly concur in the Senate amendment to Assembly Bill No. 354.

Remarks by Assemblyman Sedway.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 510.

The following Senate amendment was read:

Amendment No. 1122.

Amend section 1, page 1, line 9, by deleting: "the fee is" and inserting: "a fee of".

Amend section 1, page 1, line 16, by deleting: "the fee is" and inserting: "a fee of".

Amend section 1, page 2, by deleting lines 1, 2 and 3 and inserting:

"6. For every travel trailer, a registration fee of $15.".

Amend the bill as a whole by adding new sections designated sections 2 and 3, following section 1, to read as follows:

"Sec. 2. Notwithstanding the provisions of NRS 482.480, for the fiscal years 1987-1988 and 1988-1989, a portion of each fee collected pursuant to subsection 4 of NRS 482.480, as specified in the budget of the highway patrol special fund, may be used to purchase not more than 246 portable belt radios for personnel of the Nevada highway patrol. The remainder of the fee must be deposited with the state treasurer to the credit of the highway patrol special fund and used for the purposes specified in NRS 481.145.

Sec. 3. Section 1 of this act becomes effective at 12:01 a.m. on July 1, 1987.".

Amend the title of the bill, first line, after "registration;" by inserting: "authorizing for a limited period the use of a portion of the fee to purchase portable belt radios for personnel of the Nevada highway patrol;".

Assemblyman Sedway moved that the Assembly concur in the Senate amendment to Assembly Bill No. 510.

Remarks by Assemblyman Sedway.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 515.

The following Senate amendment was read:

Amendment No. 1047.

Amend the bill as a whole by renumbering sections 2 and 3 as sections 3 and 4 and adding a new section designated sec. 2, following section 1, to read as follows:

"Sec. 2. There is hereby appropriated from the state general fund to the Miss Rodeo Nevada Pageant, Inc., the sum of $2,500 for the Miss Rodeo Nevada Pageant.".

Amend sec. 2, page 1, line 4, after "1" by inserting "or 2".

Amend the title of the bill, second line, by deleting "Rodeo;" and inserting: "Rodeo and to the Miss Rodeo Nevada Pageant, Inc. for the Miss Rodeo Nevada Pageant;".

Amend the summary of the bill, first line, by deleting the period and inserting: "and for Miss Rodeo Nevada Pageant.".

Assemblyman Sedway moved that the Assembly do not concur in the Senate amendment to Assembly Bill No. 515.

Remarks by Assemblyman Sedway.

Motion carried.

Bill ordered transmitted to the Senate.

Assembly Bill No. 584.

The following Senate amendment was read:

Amendment No. 1232.

Amend sec. 5, page 2, by deleting lines 34 through 38 and inserting: "otherwise eligible for parole under NRS 213.107 to 213.160, inclusive. In determining whether to release a prisoner on parole, the board shall consider whether:

(a) There is a reasonable probability that the prisoner will live and remain at liberty without violating the laws; and

(b) The release is incompatible with the welfare of society.".

Amend sec. 5, page 3, line 2, by deleting "such" and inserting "the".

Amend the bill as a whole by adding a new section designated sec. 9, following sec. 8, to read as follows:

"Sec. 9. Section 5 of this act becomes effective at 12:01 a.m. on July 1, 1987.".

Assemblyman Sader moved that the Assembly concur in the Senate amendment to Assembly Bill No. 584.

Remarks by Assemblyman Sader.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 616.

The following Senate amendment was read:

Amendment No. 1210.

Amend sec. 4, page 4, by deleting lines 20 and 21 and inserting: "excise tax, penalty or interest must be refunded to the person [paying it.] *who paid the tax, penalty or interest.* Except as otherwise provided in NRS".

Amend sec. 4, page 4, line 27, by deleting "[such]" and inserting "[such a]".

Amend sec. 4, page 4, by deleting lines 29 and 30 and inserting: "refunded or credited to any amounts then due from the special fuel dealer.".

Amend sec. 4, page 4, by deleting lines 37 through 41 and inserting: "exceed their use over the highways of this state for a certain quarter must apply credit to any excise taxes, penalties or interest required by this chapter or fees, taxes, penalties or interest applicable pursuant to chapter 706 of NRS and any balance may be refunded or credited to succeeding reports.".

Amend sec. 8, page 7, line 35, after "department" by inserting "*in writing*".

Amend the bill as a whole by adding a new section designated sec. 9, following sec. 8, to read as follows:

"Sec. 9. Section 4 of this act becomes effective at 12:01 a.m. on July 1, 1987.".

Assemblyman Nevin moved that the Assembly concur in the Senate amendment to Assembly Bill No. 616.

Remarks by Assemblyman Nevin.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 375.

The following Senate amendments were read:

Amendment No. 1071.

Amend sec. 2, page 2, by deleting lines 31 through 38 and inserting:

"Sec. 2. (Deleted by amendment.)".

Amend sec. 3, page 3, by inserting between lines 11 and 12:

"*3. As used in this section, "repairs" means only repairs to the property of the owner of the mobile home park.*".

Amend sec. 5, page 4, by deleting lines 20 through 23 and inserting: "the lease [,] *; or*

6. Agrees to pay any additional charge for children or pets, unless the".

Amendment No. 1271.

Amend sec. 11, page 7, line 6, by deleting: "at least once a year" and inserting: ", chosen by the tenants,".

Amend sec. 11, page 7, line 7, by deleting "if" and inserting: "within 45 days after".

Amend sec. 11, page 7, line 10, after the period, by inserting: "The representative group of tenants must consist of no more than five persons.".

Amend the bill as a whole by adding a new section designated sec. 12, following sec. 11, to read as follows:

"Sec. 12. Section 11 of this act becomes effective at 12:01 a.m. on July 1, 1987.".

Assemblyman Jeffrey moved that the Assembly concur in the Senate amendments to Assembly Bill No. 375.

Remarks by Assemblyman Jeffrey.

Motion carried.

Bill ordered enrolled.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Economic Development, Small Business and Tourism, to which was referred Assembly Joint Resolution No. 26, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

BOB PRICE, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that the action whereby Amendment No. 1310 to Senate Bill No. 428 was adopted be rescinded.

Motion carried.

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

Assembly in recess at 11:57 a.m.

ASSEMBLY IN SESSION

At 12:17 p.m.

Mr. Speaker presiding.

Quorum present.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, June 8, 1987

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Senate Bill No. 580.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bill No. 435.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, 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. 3.

MARY JO MONGELLI
Assistant Secretary of the Senate

SECOND READING AND AMENDMENT

Assembly Bill No. 133.

Bill read second time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1339.

Amend section 1, page 2, line 6, by deleting "*employee of*" and inserting: "*person employed by the department of prisons or the division of forestry of the state department of conservation and natural resources at*".

Amend the bill as a whole by adding a new section designated sec. 2, following section 1, to read as follows:

"Sec. 2. 1. There is hereby appropriated from the state general fund to the department of prisons for the purpose of carrying out the provisions of section 1 of this act:

For the fiscal year 1987-88 ..... $511,650
For the fiscal year 1988-89 511,650

2. There is hereby appropriated from the state general fund to the division of forestry of the state department of conservation and natural resources for the purpose of carrying out the provisions of section 1 of this act:

For the fiscal year 1987-88 ..... $20,160
For the fiscal year 1988-89 20,790

3. Any balance of the sums appropriated by subsections 1 and 2 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 by deleting the first and second lines and inserting:

"An Act relating to state employees; entitling certain employees at certain correctional facilities to receive compensation for the cost of commuting to work; making appropriations;".

Amend the summary of the bill, first line, after "prisons" by inserting: "and division of forestry".

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. 240.

Bill read second time.

The following amendment was proposed by the Committee on Transportation:

Amendment No. 1303.

Amend sec. 2, page 2, by deleting lines 21 and 22 and inserting:

"[2. All] *Except as otherwise provided in subsection 2, all such* fees must be used by that department as needed to carry out the".

Amend sec. 2, page 2, by deleting lines 24 through 29 and inserting:

"*2. The department of motor vehicles and public safety shall remit monthly to the appropriate local air pollution control agencies $1 of each fee collected in the respective counties pursuant to paragraph (c) of subsection 1. The local agencies shall use*".

Amend the title of the bill by deleting the second and third lines and inserting: "allocating a portion of a certain fee paid to the department of motor vehicles and public safety to local air pollution control agencies; and providing other matters properly relating thereto.".

Amend the summary of the bill to read as follows: "Makes various changes relating to control of air pollution. (BDR 40-557)".

Assemblyman Nevin moved the adoption of the amendment.

Remarks by Assemblymen Nevin and Sedway.

Assemblyman Sedway moved that Assembly Bill No. 240 be taken from the Second Reading File and placed on the Chief Clerk's desk.

Motion carried.

Assembly Bill No. 241.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 1273.

Amend section 1, page 1, by deleting lines 3, 4 and 5 and inserting:

"*1. If so requested by a client, any county or city which has formed a department or division for the purpose of economic development and is engaged in activities aimed at attracting new businesses or assisting existing businesses to locate in the county or city shall keep confidential any record or other document in its possession concerning the initial contact with and research and planning for that client. If such a request is made, the chief executive officer of the department or division shall attach to the file containing the record or document a certificate signed by him stating that a request for confidentiality was made by the client and the date of the request.*

2. Records and documents that are confidential pursuant to subsection 1 remain confidential until the client:

(a) Initiates any process regarding the location of his business in Nevada which is within the jurisdiction of the county or city or a state agency; or

(b) Decides to locate his business in Nevada.".

Amend the bill as a whole by adding a new section designated sec. 2, following section 1, to read as follows:

"Sec. 2. This act expires by limitation on July 1, 1989.".

Amend the title of the bill to read as follows:

"An Act relating to public records; providing that certain records of a county or city relating to economic development are confidential; and providing other matters properly relating thereto.".

Amend the summary of the bill to read as follows: "Provides for confidentiality of certain records of county or city relating to economic development. (BDR 19-925)".

Assemblyman Thompson moved the adoption of the amendment.

Remarks by Assemblyman Thompson.

Amendment adopted.

Assemblyman Thompson moved that Assembly Bill No. 241 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 Jeffrey moved that Senate Bill No. 313 be taken from the Second Reading File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Jeffrey.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 500.

Bill read second time.

The following amendment was proposed by the Committee on Health and Welfare:

Amendment No. 1267.

Amend sec. 4, page 2, line 37, by deleting the period and inserting: ", *and is secondary to a lien of a hospital pursuant to chapter 108 of NRS.*".

Amend the bill as a whole by adding new sections designated sections 5 through 12, following sec. 4, to read as follows:

"Sec. 5. Chapter 108 of NRS is hereby amended by adding thereto a new section to read as follows:

1. When a patient of a hospital has received medical services for an injury or illness and the injury or illness occurred under circumstances creating a legal liability in some person other than the patient to pay all or a part of the costs of those services, the patient shall be deemed to assign to the hospital the rights of the patient against the other person to the extent of all such costs, and the hospital may join or intervene in any action by the patient or his successors in interest to enforce that legal liability.

2. The patient or his successors in interest shall notify the hospital in writing before entering into any settlement or commencing any action to

enforce the legal liability referred to in subsection 1. No settlement made by or on behalf of a patient after notice of the assignment has been given to the person against whom the lien provided by NRS 108.590 is asserted is binding upon the hospital without the written authorization of the hospital.

Sec. 6. NRS 108.590 is hereby amended to read as follows:

108.590 1. [Whenever any person receives hospitalization on account of any injury, and he, or his personal representative after his death, claims damages from the person responsible for causing the injury, the hospital has a lien upon any sum awarded the injured person or his personal representative by judgment or obtained by a settlement or compromise to the extent of the amount due the hospital for the reasonable value of the hospitalization rendered before the date of judgment, settlement or compromise.] *If a hospital is assigned the rights of a patient or his successors in interest pursuant to section 5 of this act, the hospital has a lien upon the proceeds of any recovery from the person liable, whether the proceeds of the recovery are pursuant to a contract of insurance or as the result of a judgment, settlement or otherwise.*

2. The lien provided by this section is:

(a) Not valid against anyone coming under the provisions of chapter 616 of NRS.

(b) In addition to the lien provided by NRS 108.662.

(c) Enforceable only upon written notice to the person against whom the lien is asserted.

Sec. 7. NRS 108.600 is hereby amended to read as follows:

108.600 1. No rights or claims for liens under NRS 108.590 to 108.660, inclusive, [shall be allowed for hospitalization rendered an injured person] *and section 5 of this act, may be asserted for medical services rendered to a patient* after a settlement has been effected by or on behalf of the party [causing the injury.] *legally liable.*

2. No lien [shall apply or be allowed] *may be asserted* against any sum [incurred] *received* by the [injured party] *patient* for necessary attorney fees, costs and expenses incurred by the [injured party] *patient* in securing a settlement, compromise or recovering damages by an action at law.

Sec. 8. NRS 108.610 is hereby amended to read as follows:

108.610 In order to perfect the lien, the hospital or the owner or operator thereof shall:

1. [Prior to] *Before* the payment of any [moneys] *money* to the [injured person or to his legal representative] *patient, his successors in interest or their legal representatives* as compensation for [injuries received,] *the illness or injury,* file a notice of lien, substantially in the form prescribed in NRS 108.620, containing an itemized statement of the amount claimed. The notice of lien [shall] *must* be filed with:

(a) The county recorder of the county [wherein] *where* the hospital is located; and

(b) The county recorder of the county [wherein the injury was suffered, if the injury was suffered in a county] *where the legal liability arose, if* other than that [wherein] *where* the hospital is located.

2. [Prior to] *Before* the date of judgment, settlement or compromise, serve a certified copy of the notice of lien by registered or certified mail upon the person [, firm or corporation] alleged to be [responsible for causing the injury and alleged to be] liable for [damages on account thereof and from which damages are claimed.

3. Prior to] *the illness or injury.*

3. Before the date of judgment, settlement or compromise, serve a certified copy of the notice of lien by registered or certified mail upon the [insurance carrier,] *insurer,* if known, [which] *who* has insured against liability of the person [, firm or corporation] alleged to be [responsible for causing the injury and alleged to be] liable for [damages on account thereof and from which damages are claimed.] *the illness or injury.*

Sec. 9. NRS 108.620 is hereby amended to read as follows:

108.620 The form of the notice required by NRS 108.610 must be substantially as follows:

Notice is hereby given that.....has rendered *medical* services [in hospitalization] for....., a person who *became ill or* was injured on the.....day of....., 19....., in the city of....., county of....., on or about the.....day of....., 19.....; and that.....(name of claimant) hereby claims a lien upon any money due or owing or any claim for compensation, damages, contribution, settlement or judgment from....., alleged to have caused the *illness or* injuries, or any other person [, corporation or association] liable for the *illness or* injury. The [hospitalization was] *medical services were* rendered to the [injured] person between the .....day of....., 19....., and the.....day of....., 19.....

Itemized Statement

.....	.....	.....
.....	.....	.....
.....	.....	.....

That 90 days have not elapsed since the termination of [hospitalization;] *medical services;* that the claimant's demands for such care or service is in the sum of $..... and that no part thereof has been paid except $.....; and that there is now due and owing and remaining unpaid of such sum, after deducting all credits and offsets, the sum of $....., in which amount lien is hereby claimed.

....., Claimant.

State of Nevada }
} ss.
County of.....}

I, ..., being first duly sworn, on oath say:

That I am....., named in the foregoing claim of lien; that I have read the same and know the contents thereof and believe the same to be true.

.....

Subscribed and sworn to before me
this.....day of....., 19.....

.....

Notary Public in and for the above-
named county and state.

Sec. 10. NRS 108.630 is hereby amended to read as follows:

108.630 1. Each county recorder shall maintain a [hospital lien] docket *of hospital liens* in which, upon the filing of [any such] *a* notice of lien, he shall enter the name of the [injured person,] *patient,* the approximate date of the *illness or* injury [,] *and* the name and address of the hospital filing the notice and the amount claimed . [; and he] *The county recorder* shall make an index thereto in the names of the [injured persons.] *patients.*

2. Each county recorder shall charge and collect the fees provided in NRS 247.305 for the filing of each notice of lien and for making certified copies upon request.

Sec. 11. NRS 108.640 is hereby amended to read as follows:

108.640 Any party legally liable or against whom a claim [shall be] *is* asserted for compensation or damages for *illness or* injuries [shall have a right to] *may* examine and make copies of all records of any hospital in reference to and connected with the [hospitalization of such injured person.] *medical services rendered.*

Sec. 12. NRS 108.650 is hereby amended to read as follows:

108.650 Any person [, firm or corporation, or his, their or its insurance carrier,] *or his insurer* who, after the receipt of a certified copy of notice of lien in compliance with NRS 108.610, [shall make] *makes* any payment to the [injured person, his heirs, personal representatives or the attorney for any of them,] *claimant or his successors in interest, or an attorney for the claimant or his successors in interest,* as compensation for the *illness or* injury suffered, without paying the hospital the reasonable value of [hospitalization rendered such injured person] *the medical services rendered* and claimed in its notice of lien or so much thereof as can be satisfied out of the [moneys] *money* due under any final judgment, settlement or compromise, after paying the [attorney] *attorney's* fees, costs and expenses incurred in connection therewith and any prior liens, shall, for a period of 180 days after the date of [such] *the* payment, be liable to the hospital for the amount or part thereof which the hospital was entitled to receive. The hospital shall, within [such] *that* period, have a cause of action or other claim for relief against the person [, firm or corporation making any such] *making the* payment, which may be prosecuted and maintained in any county [wherein] *where a* notice of lien has been filed.".

Amend the title of the bill to read as follows:

"An Act relating to medical care; assigning to the welfare division of the department of human resources the rights of an applicant for assistance against a third party; making certain information confidential; authorizing the appointment of a hearing officer; requiring the welfare division to adopt

regulations prescribing the procedures for the appeal by providers of services from its decisions; assigning to a hospital the rights of any patient against a third party; and providing other matters properly relating thereto.".

Amend the summary of the bill to read as follows: "Makes various changes concerning payment for medical care. (BDR 38-820)".

Assemblyman Humke moved the adoption of the amendment.

Remarks by Assemblymen Humke and Sader.

Assemblyman Sader moved that Assembly Bill No. 500 be taken from the Second Reading File and placed on the Chief Clerk's desk.

Motion carried.

Assembly Bill No. 550.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1023.

Amend sec. 2, page 1, line 3, by deleting "*prostitution,*" and inserting: "*prostitution or solicitation therefor,*".

Amend sec. 3, page 1, by deleting line 6 and inserting:

"Sec. 3. *1. Any person who is arrested for a violation of section 2 of this act must submit to a*".

Amend sec. 3, page 1, line 8, after "*virus.*" by inserting: "*If the person is convicted of a violation of section 2 of this act, he shall pay the sum of $100 for the cost of the test.*

2. If the results of the test are positive, the person performing the test shall immediately transmit the results of the test to the arresting law enforcement agency. That agency shall:

(a) Mail the results by certified mail to the person arrested, at his last known address; or

(b) If the person arrested is in the custody of the agency, personally deliver the results to him.

3. Receipt of the results mailed pursuant to paragraph (a) of subsection 2 shall be deemed to have occurred when the results are so mailed.".

Amend sec. 4, pages 1 and 2, by deleting lines 9 and 10 on page 1 and lines 1 through 11 on page 2, and inserting:

"Sec. 4. *Any person who:*

1. Violates section 2 of this act; or

2. Works as a prostitute in a licensed house of prostitution,

after testing positive in a test approved by the state board of health and receiving written notice of that fact is guilty of a felony and shall be punished by imprisonment in the state prison for not less than 1 year nor more than 20 years, or by fine of not more than $10,000, or by both fine and imprisonment.".

Amend sec. 6, page 2, line 23, by deleting "*1.*".

Amend sec. 6, page 2, line 24, after "*prostitution*" by inserting ", *the person who operates the house or his agent*".

Amend sec. 6, page 2, by deleting lines 29 through 34.

Amend sec. 7, page 2, by deleting lines 38 through 40 and inserting: "*to detect exposure to the human immunodeficiency virus. The board shall not approve any series of tests, the results of which are not considered by the medical community to be reliable at least 95 percent of the time.*".

Amend the bill as a whole by deleting sec. 8.

Amend the title of the bill by deleting the fourth and fifth lines and inserting: "prostitution guilty of a felony; making certain owners of houses of prostitution and their agents liable for damages if they employ as a prostitute a person who has".

Assemblyman Sader moved the adoption of the amendment.

Remarks by Assemblymen Sader and Swain.

Assemblyman Sader moved that Assembly Bill No. 550 be taken from the Second Reading File and placed on the Chief Clerk's desk.

Motion carried.

Assembly Bill No. 802.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 1369.

Amend sec. 2, page 2, by deleting lines 1, 2 and 3 and inserting: "*is guilty of a misdemeanor.*".

Amend the title of the bill, fourth line, by deleting "increasing" and inserting "revising".

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. 858.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 1279.

Amend section 1, page 1, by deleting lines 11 through 16 and inserting:

"*4. The fund must only be used for the greatest good and highest benefit of the majority of the residents of this state. Any interest earned on money in the fund must be credited to the fund. The money which represents the principal of the fund must not be spent and only the interest earned on the principal may be used to carry out the provisions of this section.*".

Amend section 1, page 2, line 1, by deleting "*6.*" and inserting "*5.*".

Assemblyman May moved the adoption of the amendment.

Remarks by Assemblyman May.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 871.

Bill read second time, ordered engrossed and to third reading.

Senate Bill No. 26.

Bill read second time.

The following amendment was proposed by the Committee on Health and Welfare:

Amendment No. 1347.

Amend section 1, page 1, line 6, by deleting "This" and inserting: "[This] *In a county whose population is 250,000 or more, this*".

Amend section 1, page 1, lines 8 and 9, by deleting: "*Except in a county whose population is 250,000 or more,*" and inserting: "*In a county whose population is less than 250,000*".

Amend section 1, page 2, line 9, by deleting "*shall*" and inserting "*may*".

Assemblyman Arberry moved the adoption of the amendment.

Remarks by Assemblyman Arberry.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 31.

Bill read second time.

The following amendment was proposed by the Committee on Health and Welfare:

Amendment No. 1281.

Amend sec. 3, page 1, by deleting lines 6 through 11 and inserting:

"Sec. 3. (Deleted by amendment.)".

Assemblyman Arberry moved the adoption of the amendment.

Remarks by Assemblyman Arberry.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 34.

Bill read second time.

The following amendment was proposed by the Committee on Health and Welfare:

Amendment No. 1312.

Amend section 1, page 1, line 5, after "*medicine*" by inserting: "*and school of nursing*".

Assemblyman Arberry moved the adoption of the amendment.

Remarks by Assemblyman Arberry.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 102.

Bill read second time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1340.

Amend section 1, page 1, by deleting lines 6 through 10 and inserting: "independent adults the sum of $42,500 for fiscal year 1988-89.".

Amend sec. 2, page 1, line 11, after "money" by inserting: "during fiscal year 1988-89".

Amend sec. 2, page 1, lines 13 and 14, by deleting: "for the fiscal year in which the federal money is received".

Amend sec. 3, page 2, by deleting lines 1 through 4 and inserting:

"Sec. 3. Any remaining balance of the appropriation made by section 1 of this act must not be committed for expenditure after June 30, 1989, and reverts to the state general fund as soon as all payments of money committed have been made.".

Assemblyman Sedway moved the adoption of the amendment.

Remarks by Assemblyman Sedway.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 109.

Bill read second time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1299.

Amend section 1, page 1, line 2, by deleting "$11,750" and inserting "$8,750".

Assemblyman Sedway moved the adoption of the amendment.

Remarks by Assemblyman Sedway.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 112.

Bill read second time.

The following amendment was proposed by the Committee on Health and Welfare:

Amendment No. 1259.

Amend section 1, page 2, line 29, by deleting "*negligent*".

Amend sec. 2, page 2, line 38, by deleting "[shall] *must*" and inserting "must".

Amend sec. 2, page 2, line 40, by deleting "[shall] *must*" and inserting "must".

Amend sec. 2, page 3, line 1, by deleting "[shall not be]".

Amend sec. 2, page 3, by deleting line 2 and inserting: "is not a public record and no part of it may be released, except:".

Amend sec. 2, page 3, line 3, by deleting "may" and inserting "[may] *must*".

Amend sec. 2, page 3, by deleting lines 6 and 7 and inserting:

"[2.] *(b)* The record must be [produced in response to a subpena, unless it has been sealed pursuant to section 6 of this act, or] released to persons authorized by *the* order of a court [.".

Amend sec. 2, page 3, line 15, by deleting "[evaluation]" and inserting "[evaluational]".

Amend the bill as a whole by adding a new section designated sec. 3, following sec. 2, to read as follows:

"Sec. 3. Section 2 of this act becomes effective at 12:01 a.m. on July 1, 1987.".

Assemblyman Arberry moved the adoption of the amendment.

Remarks by Assemblymen Arberry and Nevin.

Assemblyman Arberry moved that Senate Bill No. 112 be taken from the Second Reading File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Arberry.

Motion carried.

Senate Bill No. 155.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 1263.

Amend sec. 2, page 1, line 6, after "*continue*" by inserting "*identical*".

Amend sec. 2, page 2, line 14, by deleting "*24*" and inserting "*12*".

Amend sec. 4, page 2, line 30, by deleting "*125*" and inserting "*112*".

Amend sec. 4, page 2, line 35, by deleting "*125*" and inserting "*112*".

Assemblyman Jeffrey moved the adoption of the amendment.

Remarks by Assemblyman Jeffrey.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

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

Assembly in recess at 12:41 p.m.

ASSEMBLY IN SESSION

At 12:42 p.m.

Mr. Speaker pro Tempore presiding.

Quorum present.

SECOND READING AND AMENDMENT

Senate Bill No. 221.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 1134.

Amend sec. 7, page 3, line 37, by deleting "be" and inserting: "be] *is brought by the purchaser, he is entitled*".

Amend sec. 7, page 3, by deleting line 40 and inserting:

"(a) The value thereof as of the time [such] *the* suit was brought; [or]".

Amend sec. 7, page 3, line 41, by deleting "such" and inserting "[such] *the*".

Amend sec. 7, page 4, line 1, by deleting "such" and inserting "[such] *the*".

Amend sec. 7, page 4, line 2, by deleting "judgment.]" and inserting: "judgment [.] ,

or to rescission of the contract of sale and the refund of any consideration paid by him.

4. *If a suit authorized under subsection 1 or 2*".

Amend sec. 7, page 4, line 5, by deleting "*A*".

Amend sec. 7, page 4, by deleting lines 6 through 11.

Amend sec. 7, page 4, line 12, by deleting "4." and inserting "*5.*".

Amend sec. 7, page 4, line 15, by deleting "5. [In" and inserting "[5. In".

Amend sec. 7, page 4, line 18, by deleting "fees.] *Reasonable*" and inserting: "fees.]

6. Reasonable".

Amend sec. 7, page 4, line 23, by deleting "*6.*" and inserting "*7.*".

Amend sec. 10, page 6, line 1, after "*3.*" by inserting: "*If a suit authorized under subsection 1 or 2 is brought by the purchaser, he is entitled to recover such damages as represent the difference between the amount paid for the time share and the reasonable cost of any permanent improvements thereto, and the lesser of:*

(a) The value thereof as of the time the suit was brought;

(b) The price at which the time share has been disposed of in a bona fide market transaction before suit; or

(c) The price at which the time share has been disposed of after suit in a bona fide market transaction but before judgment,

or to rescission of the contract of sale and the refund of any consideration paid by him.

4.".

Amend sec. 10, page 6, line 4, by deleting "*A*".

Amend sec. 10, page 6, by deleting lines 5 through 10.

Amend sec. 10, page 6, line 11, by deleting "*4.*" and inserting "*5.*".

Amend sec. 10, page 6, line 14, by deleting "*5.*" and inserting "*6.*".

Amend sec. 10, page 6, line 19, by deleting "*6.*" and inserting "*7.*".

Amend sec. 10, page 6, line 23, by deleting "*7.*" and inserting "*8.*".

Amend sec. 19, page 10, line 4, after "*3.*" by inserting: "*If a suit authorized under subsection 1 or 2 is brought by the purchaser, he is entitled to recover such damages as represent the difference between the amount paid for the membership and the reasonable cost of any permanent improvements thereto, and the lesser of:*

(a) The value thereof as of the time the suit was brought;

(b) The price at which the membership has been disposed of in a bona fide market transaction before suit; or

(c) The price at which the membership has been disposed of after suit in a bona fide market transaction but before judgment,

or to rescission of the contract of sale and the refund of any consideration paid by him.

4.".

Amend sec. 19, page 10, line 7, by deleting "*A*".

Amend sec. 19, page 10, by deleting lines 8 through 13.

Amend sec. 19, page 10, line 14, by deleting "*4.*" and inserting "*5.*".

Amend sec. 19, page 10, line 17, by deleting "*5.*" and inserting "*6.*".
Amend sec. 19, page 10, line 22, by deleting "*6.*" and inserting "*7.*".
Amend sec. 19, page 10, line 26, by deleting "*7.*" and inserting "*8.*".
Assemblyman Porter moved the adoption of the amendment.
Remarks by Assemblyman Porter.
Amendment adopted.
Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 241.
Bill read second time and ordered to third reading.

Senate Bill No. 347.
Bill read second time and ordered to third reading.

Senate Bill No. 406.
Bill read second time.
The following amendment was proposed by the Committee on Transportation:
Amendment No. 1354.
Amend sec. 6, page 3, by deleting lines 22, 23 and 24 and inserting:
"Sec. 6. *1. The commission may incorporate under the general incorporation laws of either this state or the State of California, whichever the commission determines to be in its best interests.*".
Amend sec. 6, page 3, between lines 27 and 28, by inserting:
"*2. The members of the commission and its agents and employees are not liable for any damages that result from any act or omission in the performance of their duties or the exercise of their powers pursuant to sections 2 to 6, inclusive, of this act.*".
Assemblyman May moved the adoption of the amendment.
Remarks by Assemblyman May.
Amendment adopted.
Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 450.
Bill read second time and ordered to third reading.

Senate Bill No. 460.
Bill read second time and ordered to third reading.

Senate Bill No. 476.
Bill read second time.
The following amendment was proposed by the Committee on Judiciary:
Amendment No. 1282.
Amend sec. 1, page 1, line 8, after "*when*" by inserting: "*he knows or should have known*".
Amend sec. 1, page 2, line 9, by deleting "*refused,*" and inserting: "*refused by the issuer,*".
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. 508.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 1295.

Amend section 1, page 1, line 6, by deleting "*in Nevada*".

Amend sec. 2, page 1, line 16, by deleting "*in Nevada*".

Amend sec. 3, page 2, line 6, by deleting "*in Nevada*".

Amend sec. 4, page 2, line 15, by deleting "*in Nevada*".

Amend sec. 5, page 2, line 24, by deleting "*in Nevada*".

Assemblyman Porter moved the adoption of the amendment.

Remarks by Assemblyman Porter.

Amendment adopted.

The following amendment was proposed by Assemblyman Porter:

Amendment No. 1296.

Amend section 1, page 1, line 3, before "*If*" by inserting "*1.*".

Amend section 1, page 1, by inserting between lines 9 and 10:

"*2. The independent evaluation must include an examination of the patient, unless he is deceased, and an examination of all X-rays and reports prepared by the primary treating physician or chiropractor. The physician or chiropractor conducting the independent evaluation may only report what he would have done if he had been the primary treating physician or chiropractor and may not evaluate the fees charged for the care provided by the primary treating physician or chiropractor or determine whether excessive medical care was provided. An insurer may not use an independent medical evaluation to reduce the fees submitted for payment by any physician or chiropractor.*".

Amend sec. 2, page 1, line 12, before "*If*" by inserting "*1.*".

Amend sec. 2, page 1, after line 18, by inserting:

"*2. The independent evaluation must include an examination of the patient, unless he is deceased, and an examination of all X-rays and reports prepared by the primary treating physician or chiropractor. The physician or chiropractor conducting the independent evaluation may only report what he would have done if he had been the primary treating physician or chiropractor and may not evaluate the fees charged for the care provided by the primary treating physician or chiropractor or determine whether excessive medical care was provided. An insurer may not use an independent medical evaluation to reduce the fees submitted for payment by any physician or chiropractor.*".

Amend sec. 3, page 2, line 3, before "*If*" by inserting "*1.*".

Amend sec. 3, page 2, by inserting between lines 8 and 9:

"*2. The independent evaluation must include an examination of the patient, unless he is deceased, and an examination of all X-rays and reports prepared by the primary treating physician or chiropractor. The physician or chiropractor conducting the independent evaluation may only report what he*

would have done if he had been the primary treating physician or chiropractor and may not evaluate the fees charged for the care provided by the primary treating physician or chiropractor or determine whether excessive medical care was provided. An insurer may not use an independent medical evaluation to reduce the fees submitted for payment by any physician or chiropractor.".

Amend sec. 4, page 2, line 11, before "*If*" by inserting "*1.*".

Amend sec. 4, page 2, by inserting between lines 17 and 18:

"2. *The independent evaluation must include an examination of the patient, unless he is deceased, and an examination of all X-rays and reports prepared by the primary treating physician or chiropractor. The physician or chiropractor conducting the independent evaluation may only report what he would have done if he had been the primary treating physician or chiropractor and may not evaluate the fees charged for the care provided by the primary treating physician or chiropractor or determine whether excessive medical care was provided. An insurer may not use an independent medical evaluation to reduce the fees submitted for payment by any physician or chiropractor.*".

Amend sec. 5, page 2, line 20, before "*If*" by inserting "*1.*".

Amend sec. 5, page 2, after line 26, by inserting:

"2. *The independent evaluation must include an examination of the patient, unless he is deceased, and an examination of all X-rays and reports prepared by the primary treating physician or chiropractor. The physician or chiropractor conducting the independent evaluation may only report what he would have done if he had been the primary treating physician or chiropractor and may not evaluate the fees charged for the care provided by the primary treating physician or chiropractor or determine whether excessive medical care was provided. An insurer may not use an independent medical evaluation to reduce the fees submitted for payment by any physician or chiropractor.*".

Assemblyman Porter moved the adoption of the amendment.

Remarks by Assemblyman Porter.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 566.

Bill read second time and ordered to third reading.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Concurrent Committee on Ways and Means, to which was referred Assembly Bill No. 136, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

MARVIN M. SEDWAY, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Senate Joint Resolution No. 22.

Assemblyman Jeffrey moved that the resolution be referred to the Committee on Taxation.

Motion carried.

Senate Concurrent Resolution No. 3.

Assemblyman Jeffrey moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

Senate Bill No. 435.

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

Motion carried.

Senate Bill No. 580.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Taxation.

Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 428.

Bill read third time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 1392.

Amend sec. 3, page 2, by deleting lines 7 through 11 and inserting:

"3. The members of the board are entitled to receive a salary of [not more than $60] *$80* per day [, as fixed by the board,] while engaged in the business of the board.".

Amend sec. 7, page 3, line 30, after "644.200" by inserting "1.".

Amend sec. 7, page 3, line 34, by deleting "1." and inserting "(a)".

Amend sec. 7, page 3, line 35, by deleting "2." and inserting "(b)".

Amend sec. 7, page 3, line 36, by deleting "3." and inserting "(c)".

Amend sec. 7, page 3, line 39, by deleting "4." and inserting "(d)".

Amend sec. 7, page 3, line 40, by deleting "(a)" and inserting "(1)".

Amend sec. 7, page 4, line 1, by deleting "(b)" and inserting "(2)".

Amend sec. 7, page 4, line 3, by deleting "[(c) Service" and inserting "(3) [Service".

Amend sec. 7, page 4, line 5, by deleting the bracket.

Amend sec. 7, page 4, between lines 5 and 6 by inserting:

"(4)] If the applicant is a barber registered pursuant to chapter 643 of NRS, 400 hours of specialized training approved by the board.

2. A registered barber who fails the examination for a license as a cosmetologist must complete further study as prescribed by the board, not exceeding 250 hours, in a school of cosmetology approved by the board before he is again entitled to take the examination.".

Amend the bill as a whole by adding a new section designated sec. 16, following sec. 15, to read as follows:

"Sec. 16. Section 7 of this act becomes effective at 12:01 a.m. on July 1, 1987.".

Assemblyman Jeffrey moved the adoption of the amendment.

Remarks by Assemblyman Jeffrey.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

UNFINISHED BUSINESS

REPORTS OF CONFERENCE COMMITTEES

Mr. Speaker:

The first Committee on Conference concerning Assembly Bill No. 205, 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. C7, which is attached to and hereby made a part of this report.

ROBERT M. SADER	ERIK BEYER
BOB THOMAS	MIKE MALONE
BILL KISSAM	THOMAS J. HICKEY
Assembly Committee on Conference	*Senate Committee on Conference*

Amendment No. C7.

Amend section 1, page 2, by deleting line 5 and inserting: "2. The name of the county, and the city or town, and the place".

Amend section 1, page 2, line 20, by deleting "such".

Amend section 1, page 2, line 22, by deleting "such".

Amend section 1, page 2, line 32, by deleting "otherwise," and inserting "other variations,".

Amend section 1, page 2, line 34, by deleting "upon".

Amend section 1, page 2, line 36, by deleting "by" and inserting "in".

Amend section 1, page 2, by deleting lines 39 through 42 and inserting: "addresses of the first board of directors or trustees, together with any desired provisions relative to the right to change the number of directors as provided in NRS 78.115.".

Amend the bill as a whole by adding a new section, designated sec. 15, following sec. 14, to read as follows:

"Sec. 15. Section 1 of this act becomes effective at 12:01 a.m. on July 1, 1987.".

Assemblyman Sader moved that the Assembly adopt the report of the first Committee on Conference concerning Assembly Bill No. 205.

Remarks by Assemblyman Sader.

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Arberry moved that Assembly Bill No. 500 be taken from the Chief Clerk's desk and re-referred to the Committee on Health and Welfare.

Motion carried.

Assemblyman Price moved that Assembly Joint Resolution No. 26 be placed on the Second Reading File.

Remarks by Assemblyman Price.

Motion carried.

Assemblyman Craddock moved that the vote whereby Senate Bill No. 467 was passed be rescinded.

Remarks by Assemblyman Craddock.

Motion carried.

Assemblyman Jeffrey moved that Assembly Bill No. 136 be placed on the General File.

Remarks by Assemblyman Jeffrey.

Motion carried.

Assemblyman Sader moved that the Assembly recess subject to the call of the Chair.

Motion carried.

Assembly in recess at 12:59 p.m.

ASSEMBLY IN SESSION

At 1:04 p.m.

Mr. Speaker presiding.

Quorum present.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Taxation:

Assembly Bill No. 879—An Act relating to local financial administration; authorizing a local government to increase its ad valorem taxes in the year after a decline in revenue from the supplemental city-county relief tax to compensate for the loss of revenue; and providing other matters properly relating thereto.

Assemblyman May moved that the bill be referred to the Committee on Taxation.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Joint Resolution No. 26.

Resolution read second time.

The following amendment was proposed by the Committee on Economic Development, Small Business and Tourism:

Amendment No. 1262.

Amend the resolution, page 1, by deleting line 3 and inserting: "Nevada be amended to read as follows:

Sec. 9. [The] *1. Except as otherwise provided in subsection 2, the* State shall not donate or loan money, or its credit, subscribe to or be, interested in the Stock *or equity* of any company, association, or corporation, except corporations formed for educational or charitable purposes.

2. *The State may be interested in the equity of a private company, association or corportion, if the legislature determines that to do so would further the economic development of the State and would be of economic benefit to the people of the State of Nevada.*".

Amend the resolution by deleting the text of the repealed section.

Amend the title of the resolution to read as follows:

"ASSEMBLY JOINT RESOLUTION—Proposing to amend section 9 of article 8 of the Nevada constitution to expand the provisions authorizing the state to lend its money and credit.".

Amend the summary of the resolution, first line, by deleting "repeal" and inserting "amend".

Assemblyman Price moved the adoption of the amendment.

Remarks by Assemblyman Price.

Amendment adopted.

Resolution ordered reprinted, engrossed and to third reading.

GENERAL FILE AND THIRD READING

Senate Bill No. 467.

Bill read third time.

Remarks by Assemblyman Craddock.

Roll call on Senate Bill No. 467:

YEAS—41.

NAYS—Carpenter.

Senate Bill No. 467 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 136.

Bill read third time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1338.

Amend sec 3, page 2, line 6, after "*singers*" by inserting: ", *other performing artists*".

Amend sec. 4, page 2, by deleting lines 17 through 28 and inserting:

"Sec. 4. 1. There is hereby appropriated from the state general fund to the fund for local cultural activities created pursuant to section 2 of this act the sum of $100,000.

2. Any remaining balance of the appropriation made by subsection 1 must not be committed for expenditure after June 30, 1989, and reverts to the state general fund as soon as all payments of money committed have been made.".

Amend sec. 5, page 2, line 29, before "This" by inserting:

"1. This act becomes effective upon passage and approval.

2.".

Amend sec. 5, page 2, line 32, by deleting "1." and inserting "(a)".

Amend sec. 5, page 2, line 34, by deleting "2." and inserting "(b)".

Amend the title of the bill to read as follows:

"An Act relating to cultural activities; creating a fund for local cultural activities; making an appropriation; and providing other matters properly relating thereto.".

Amend the summary of the bill to read as follows: "Creates fund for local cultural activities. (BDR 18-243)".

Assemblyman Thomas moved the adoption of the amendment.

Remarks by Assemblyman Thomas.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

UNFINISHED BUSINESS

REPORTS OF CONFERENCE COMMITTEES

Mr. Speaker:

The first Committee on Conference concerning Assembly Bill No. 288, 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.

ERNEST E. ADLER
LOUIS W. BERGEVIN
VAL Z. GARNER
Assembly Committee on Conference

MIKE MALONE
JAMES I. GIBSON
THOMAS J. HICKEY
Senate Committee on Conference

Assemblyman Adler moved that the Assembly adopt the report of the first Committee on Conference concerning Assembly Bill No. 288.

Remarks by Assemblyman Adler.

Motion carried.

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker appointed Assemblymen Thompson, Nevin and McGaughey as a second Committee on Conference to meet with a like committee of the Senate for the further consideration of Assembly Bill No. 288.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Health and Welfare, to which was referred Assembly Bill No. 632, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

MORSE ARBERRY, JR., *Chairman*

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bills Nos. 320, 413, 536, 546, 612, 643, 732, 759; Senate Bills Nos. 228, 230, 234, 267, 287, 303, 456, 495, 526, 553, 559.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Craddock, the privilege of the floor of the Assembly Chamber for this day was extended to Kolbe Klindt.

Assemblyman Jeffrey moved that the Assembly adjourn until Tuesday, June 9, 1987 at 10 a.m.

Motion carried.

Assembly adjourned at 1:21 p.m.

Approved: JOSEPH E. DINI, JR.
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE ONE HUNDRED AND FORTY-SECOND DAY

CARSON CITY (Tuesday), June 9, 1987

Assembly called to order at 10:14 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, Assemblyman Val Z. Garner.

Father in Heaven, as we humbly bow our heads before Thee at the beginning of this legislative session, we pray that Thou will bless us individually and collectively as a body, that we will be able to accomplish the tasks today and that we will be able to put into place those provisions and those laws that are in the best interests of the state. We are grateful, Father in Heaven, for all the blessings that Thou hast bestowed upon us and pray that Thou will continue to bless us as we serve in these important positions. We pray that Thou will be with our families and especially during these closing days of the session, that we will be willing to work with each other and come to reasonable conclusions over those things that we deal with. We ask this prayer humbly in the name of Jesus Christ.

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Nevin 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. 10, 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 E. JEFFREY, *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which were referred Senate Bills Nos. 130, 333, 429, 487, 527, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN E. JEFFREY, *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which were referred Assembly Bill No. 639; Senate Bills Nos. 156, 252, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN E. JEFFREY, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was re-referred Senate Bill No. 56, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass, as amended.

DANNY L. THOMPSON, *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.

DANNY L. THOMPSON, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which was re-referred Senate Bill No. 76, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass, as amended.

MARVIN M. SEDWAY, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which was referred Assembly Bill No. 877, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

MARVIN M. SEDWAY, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Legislative Functions, to which was referred Assembly Bill No. 53, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

MYRNA WILLIAMS, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Ways and Means, to which was referred Assembly Bill No. 53, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

MARVIN M. SEDWAY, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which was referred Assembly Bill No. 829, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

MARVIN M. SEDWAY, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, June 8, 1987

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 300, 302, 526, 674, 749, 791.

Also, I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bills Nos. 460, 461, 592, 775, 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 amendments to Senate Bills Nos. 45, 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. 194.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Thompson moved that Assembly Bill No. 495 be taken from the Chief Clerk's desk and placed on the General File immediately following Assembly Bill No. 871.

Remarks by Assemblyman Thompson.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 632.

Bill read second time.

The following amendment was proposed by Assemblyman DuBois:

Amendment No. 1307.

Amend section 1, page 1, line 3, by deleting: "*Before an autopsy may be*" and inserting: "*When an autopsy is*".

Amend section 1, page 1, line 4, after "*shall*" by inserting: "*make a diligent effort to*".

Amend section 1, page 1, by deleting lines 5 through 9 and inserting: "*guardian of the minor notice of the autopsy in person, by telephone or by mail.*

2. The internal organs must, if feasible, be kept with the body after such an autopsy is completed.".

Amend the title of the bill by deleting the second and third lines and inserting: "the parents or guardian of the minor; requiring that the internal organs be kept with the body after such an".

Assemblyman DuBois moved the adoption of the amendment.

Remarks by Assemblyman DuBois.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

UNFINISHED BUSINESS

REPORTS OF CONFERENCE COMMITTEES

Mr. Speaker:

The first Committee on Conference concerning Assembly Bill No. 399, 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.

MORSE ARBERRY, JR.	DEAN A. RHOADS
JAN EVANS	RAYMOND D. RAWSON
DAVID E. HUMKE	DONALD R. MELLO
Assembly Committee on Conference	*Senate Committee on Conference*

Assemblyman Arberry moved that the Assembly adopt the report of the first Committee on Conference concerning Assembly Bill No. 399.

Remarks by Assemblyman Arberry.

Motion carried.

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker appointed Assemblymen Sedway, Dini and Tebbs as a second Committee on Conference to meet with a like committee of the Senate for the further consideration of Assembly Bill No. 399.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Judiciary, to which were referred Assembly Bill No. 874; Senate Joint Resolution No. 24, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

ROBERT M. SADER, *Chairman*

Mr. Speaker:

Your Committee on Natural Resources, Agriculture and Mining, to which were referred Senate Bills Nos. 535, 571, 572, 573, 574, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JAMES W. SCHOFIELD, *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which was referred Assembly Bill No. 865, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN E. JEFFREY, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Assembly Bills Nos. 133, 136, 802, 858 and Assembly Joint Resolution No. 26 be placed on the General File immediately following Assembly Bill No. 495.

Motion carried.

Assemblyman Jeffrey moved that the Assembly recess subject to the call of the Chair.

Motion carried.

Assembly in recess at 10:24 a.m.

ASSEMBLY IN SESSION

At 10:41 a.m.

Mr. Speaker presiding.

Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Taxation, to which was referred Assembly Bill No. 825, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

PAUL W. MAY, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Assembly Bill No. 10 be re-referred to the Committee on Taxation.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 871.

Bill read third time.

Remarks by Assemblyman McGaughey.

Roll call on Assembly Bill No. 871:

YEAS—42.

NAYS—None.

Assembly Bill No. 871 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 495.
Bill read third time.
The following amendment was proposed by Assemblyman Swain:
Amendment No. 1404.
Amend sec. 8, page 3, line 21, by deleting "[and]" and inserting "and".
Amend sec. 8, page 3, by deleting lines 24 through 27 and inserting: "*fares for the system.*".
Assemblyman Swain moved the adoption of the amendment.
Remarks by Assemblymen Swain and Thompson.
Amendment adopted.
Bill ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 133.
Bill read third time.
Remarks by Assemblyman Sedway.
Roll call on Assembly Bill No. 133:
YEAS—35.
NAYS—Bergevin, Carpenter, Getto, Lambert, Marvel, 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.

Assembly Bill No. 136.
Bill read third time.
Remarks by Assemblyman Thomas.
Roll call on Assembly Bill No. 136:
YEAS—42.
NAYS—None.

Assembly Bill No. 136 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 802.
Bill read third time.
Remarks by Assemblyman Wisdom.
Roll call on Assembly Bill No. 802:
YEAS—42.
NAYS—None.

Assembly Bill No. 802 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 858.
Bill read third time.
Remarks by Assemblyman May.
Roll call on Assembly Bill No. 858:
YEAS—42.
NAYS—None.

Assembly Bill No. 858 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 Assemblymen Triggs, Thomas, Schofield, Spinello, Porter, Price, Jeffrey, Humke and Evans.

Assemblymen Nevin, Wisdom and Jeffrey moved the previous question.

Motion carried.

The question being on the passage of Assembly Joint Resolution No. 26.

Roll call on Assembly Joint Resolution No. 26:

YEAS—32.

NAYS—Bergevin, DuBois, Jeffrey, McGaughey, Nevin, Nicholas, Porter, Sedway, Tebbs, Wisdom—10.

Assembly Joint Resolution No. 26 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Resolution ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that all rules be suspended and that Assembly Bills Nos. 133, 136, 802, 858, 871 and Assembly Joint Resolution No. 26 be immediately transmitted to the Senate.

Motion carried unanimously.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Select Committee on Corrections, to which was re-referred Senate Bill No. 88, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ROBERT M. SADER, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which was referred Assembly Bill No. 876, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

MARVIN M. SEDWAY, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Assembly Bills Nos. 53, 639, 825, 829, 865, 874, 876, 877; Senate Bills Nos. 88, 130, 156, 252, 333, 429, 487, 494, 527, 535, 571, 572, 573, 574 and Senate Joint Resolution No. 24 be placed on the Second Reading File.

Motion carried.

Assemblyman Carpenter moved that Assembly Bill No. 159 be taken from the Chief Clerk's desk and placed on the Second Reading File.

Remarks by Assemblyman Carpenter.

Motion carried.

Assemblyman Nevin moved that Assembly Bill No. 272 be taken from the Chief Clerk's desk and re-referred to the Committee on Transportation.
Remarks by Assemblyman Nevin.
Motion carried.

Assemblyman Carpenter moved that Senate Bill No. 491 be taken from the Chief Clerk's desk and placed on the General File.
Remarks by Assemblyman Carpenter.
Motion carried.

Assemblyman Nevin moved that Assembly Bill No. 240 be taken from the Chief Clerk's desk and re-referred to the Committee on Transportation.
Remarks by Assemblyman Nevin.
Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 35.
Bill read third time.
Remarks by Assemblyman Freeman.
Roll call on Senate Bill No. 35:
YEAS—42.
NAYS—None.

Senate Bill No. 35 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Senate Bill No. 241.
Bill read third time.
Remarks by Assemblyman Kerns.
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.
Bill ordered transmitted to the Senate.

Senate Bill No. 256.
Bill read third time.
Remarks by Assemblyman Nicholas.
Roll call on Senate Bill No. 256:
YEAS—42.
NAYS—None.

Senate Bill No. 256 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Senate Bill No. 319.
Bill read third time.
Remarks by Assemblyman Porter.

Roll call on Senate Bill No. 319:

YEAS—42.

NAYS—None.

Senate Bill No. 319 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 347.

Bill read third time.

Remarks by Assemblyman Fay.

Roll call on Senate Bill No. 347:

YEAS—42.

NAYS—None.

Senate Bill No. 347 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 450.

Bill read third time.

Remarks by Assemblyman Thompson.

Roll call on Senate Bill No. 450:

YEAS—42.

NAYS—None.

Senate Bill No. 450 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 460.

Bill read third time.

Remarks by Assemblyman Arberry.

Roll call on Senate Bill No. 460:

YEAS—41.

NAYS—None.

Not voting—Kissam.

Senate Bill No. 460 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 566.

Bill read third time.

Remarks by Assemblymen Getto, Bergevin and Nicholas.

Conflicts of interest declared by Assemblymen Getto and Swain.

Roll call on Senate Bill No. 566:

YEAS—40.

NAYS—None.

Not voting—Getto, Swain—2.

Senate Bill No. 566 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 491.

Bill read third time.

The following amendment was proposed by Assemblyman Carpenter:

Amendment No. 1418.

Amend sec. 7, page 3, by deleting lines 1 through 6 and inserting:

"Sec. 7. *Any person who substantially complies with the provisions of section 3 of this act is not liable for the cost of repairing any damage to an underground utility which results from his excavation or demolition.*".

Assemblyman Carpenter moved the adoption of the amendment.

Remarks by Assemblymen Carpenter, Thompson, Adler, McGaughey, Jeffrey and Lambert.

Amendment adopted on a division of the house.

Bill ordered reprinted, re-engrossed and to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, June 9, 1987

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. 47.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Senate Concurrent Resolution No. 47.

Assemblyman Bergevin moved the adoption of the resolution.

Remarks by Assemblymen Bergevin and Getto.

Assemblyman Getto requested that the following remarks be entered in the Journal.

ASSEMBLYMAN BERGEVIN:

Thank you, Mr. Speaker. I was privileged to know Harvey Gross for a good number of years. He, indeed, was one of the premium pioneer gaming persons in the State of Nevada.

I can remember his establishment at Lake Tahoe back in the 1940s when that was one of the few places in the winter time that remained open at Lake Tahoe. Everything else boarded up and closed up and that was one of the few places where you could go get something to eat if you were hungry.

He started in a one-story building at Lake Tahoe, which I recall had slabbed lumber for its siding. He was next door to Harrah's, which was then a one-story establishment and across the street, where Harrah's now stands was the Sahati's Country Club, which was another one-story establishment. This was one of the favorite places that we used to go as children.

Harvey Gross was a very foresighted man and he gave freely of his time and of his wealth to all of the citizens of the State of Nevada in many projects that today bear his name. You can go up to the Lawlor Events Center at the University of Nevada and see some of the things he has done. He was responsible, mainly, for the pavilion that you see behind the Governor's mansion today. The contributions that he made to the betterment of the State of Nevada are legend.

It is my privilege today to introduce some of his family: his grandson and his wife, Mr. Kirk Ledbetter and Debbie, his granddaughter, Jessica and his granddaughter, Erica.

Certainly he was one of the great people in the gaming industry in the State of Nevada and today the establishment of Harvey's at Lake Tahoe has to be one of the finest hotels and casinos in the world.

ASSEMBLYMAN GETTO:

Yes, just very briefly, too, I would add my words along with my colleague from Gardnerville.

As a young man I remember driving up around Lake Tahoe. It was unimproved and there was a man there who was starting in a little building that looked almost like a chicken house, but there was tremendous good food. He parlayed that to one of the finest gambling casinos in the State of Nevada and there are very few men in this nation that achieve the accomplishments that Harvey Gross did. I certainly feel that it is a tremendous loss to the State of Nevada, but we will long remember him.

Resolution adopted unanimously.

Assemblyman Jeffrey moved that Senate Bill No. 313 be taken from the Chief Clerk's desk and placed on the Second Reading File.

Remarks by Assemblyman Jeffrey.

Motion carried.

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

Assembly in recess at 11:52 a.m.

ASSEMBLY IN SESSION

At 12:30 p.m.

Mr. Speaker presiding.

Quorum present.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, June 9, 1987

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. 42, 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. 205.

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. 288.

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. 399.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Assembly Bill No. 865 be taken from the Second Reading File and placed on the Chief Clerk's desk.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Taxation:

Assembly Bill No. 880—An Act relating to motor vehicles; increasing the fees for registration; increasing the motor vehicle fuel tax and special fuel tax; limiting the use of revenue from the increased fees and taxes; and providing other matters relating thereto.

Assemblyman May moved that the bill be referred to the Committee on Taxation.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 53.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 639.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 1306.

Amend section 1, page 1, line 4, by deleting the comma and inserting "*;* [,".

Amend section 1, page 1, line 5, after "witness;" by inserting a closed bracket.

Amend section 1, page 1, line 6, by deleting the open bracket.

Amend section 1, page 1, line 7, by deleting "by] *By*" and inserting "by".

Amend section 1, page 1, line 10, by deleting the open bracket.

Amend section 1, page 1, line 11, by deleting "by] *By*" and inserting "by".

Amend section 1, page 1, line 19, by inserting an open bracket before the colon.

Amend section 1, page 1, line 21, by deleting "date;" and inserting: "date;] *any one of the following:*

(a) A notarized affidavit, signed by the person who served the notice, stating the time and manner of service;".

Amend section 1, page 2, line 1, by deleting "Post Office;" and inserting: "Postal Service [;] *, or a receipt of registered or certified mail signed by the addressee;*".

Assemblyman Porter moved the adoption of the amendment.

Remarks by Assemblyman Porter.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 825.

Bill read second time.

The following amendment was proposed by the Committee on Taxation:

Amendment No. 1029.

Amend section 1, page 1, line 2, after "the" by inserting: "*sample ballot required to be mailed pursuant to NRS 293.565 and the*".

Amend section 1, page 1, by deleting lines 8 and 9 and inserting:

"(d) *A disclosure of any:*

(1) Future increase or decrease in costs which can reasonably be anticipated in relation to the purposes for which the obligations are to be issued and its probable effect on the tax rate; and

(2) Requirement relating to the bond question which is imposed pursuant to a court order or state or federal statute and the probable consequences which will result if the bond question is not approved by the voters.".

Amend sec. 2, page 2, line 1, after "the" by inserting: "*sample ballot required to be mailed pursuant to NRS 293.565 and the*".

Amend sec. 2, page 2, by deleting lines 7 through 9 and inserting:

"(d) *A disclosure of any:*

(1) Future increase or decrease in costs which can reasonably be anticipated in relation to the purposes for which the obligations are to be issued or incurred and its probable effect on the tax rate; and

(2) Requirement relating to the proposal which is imposed pursuant to a court order or state or federal statute and the probable consequences which will result if the bond question is not approved by the voters.".

Amend the title of the bill to read as follows:

"An Act relating to public obligations; revising the provisions governing information which must be included in the sample ballot and notice of election for certain proposals to issue bonds; and providing other matters properly relating thereto.".

Amend the summary of the bill to read as follows: "Revises provisions governing sample ballot and notice of election for certain proposals to issue bonds. (BDR 30-2084)".

Assemblyman May moved the adoption of the amendment.

Remarks by Assemblyman May.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 829.

Bill read second time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1401.

Amend section 1, page 1, by deleting lines 2 through 5 and inserting: "to the State Board of Education to match a grant received from the Federal Government pursuant to the State Student Incentive Grant Program the sum of:

For the fiscal year 1987-1988 ..... $225,000
For the fiscal year 1988-1989 225,000

2. A sum of not more than $21,000 per year must be allocated to the department of education from the amounts appropriated by subsection 1 for administration of the program.

3. The balance of the amounts appropriated by subsection 1 must be used to provide grants.".

Amend section 1, page 1, line 8, before "institutions" by inserting "public".

Amend section 1, page 1, between lines 8 and 9, by inserting:

"4. 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.".

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. 874.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 876.

Bill read second time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1422.

Amend the bill as a whole by adding a new section designated sec. 3, following sec. 2, to read as follows:

"Sec. 3. This act becomes effective upon passage and approval.".

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. 877.

Bill read second time, ordered engrossed and to third reading.

Senate Bill No. 88.

Bill read second time.

The following amendment was proposed by the Select Committee on Corrections:

Amendment No. 1394.

Amend sec. 2, page 2, by deleting line 2 and inserting: "*is away from his employment, public service or other activity authorized by the department of parole and probation; and*".

Amend sec. 2, page 2, by deleting lines 8 through 14.

Amend sec. 2, page 2, line 15, by deleting "*5.*" and inserting "*4.*".

Amend sec. 3, page 2, line 18, by deleting ", *including,*" and inserting a period.

Amend sec. 3, page 2, by deleting lines 19 through 28.

Amend sec. 5, page 2, line 37, by deleting "*adopt regulations*" and inserting "*establish procedures*".

Amend sec. 10, page 3, by deleting line 26 and inserting:

"Sec. 10. *1. In lieu of imposing any punishment other than a minimum sentence mandated by statute, a*".

Amend sec. 10, page 3, by deleting line 34 and inserting: "*he is away from his employment, public service or other activity authorized by the justice of the peace; and*".

Amend sec. 10, page 3, line 35, after "*including*" by inserting: "*electronic surveillance and*".

Amend sec. 10, page 4, by deleting lines 1 and 2, and inserting:

"*4. A term of residential confinement, together with the term of any minimum sentence mandated by statute, may not exceed the maximum sentence which otherwise could have been imposed*".

Amend sec. 11, page 4, by deleting line 6 and inserting "*confinement.*".

Amend sec. 11, page 4, by deleting lines 7 through 16.

Amend the bill as a whole by renumbering sections 14 through 19 as sections 20 through 25, and adding new sections designated sections 14 through 19, following sec. 13, to read as follows:

"Sec. 14. Chapter 5 of NRS is hereby amended by adding thereto the provisions set forth as sections 15 to 19, inclusive, of this act.

Sec. 15. *As used in sections 16 to 19, inclusive, of this act, "residential confinement" means the confinement of a person convicted of a misdemeanor to his place of residence under the terms and conditions established by the sentencing court.*

Sec. 16. *1. In lieu of imposing any punishment other than a minimum sentence mandated by statute, a municipal judge may sentence a person convicted of a misdemeanor to a term of residential confinement. In making this determination, the municipal judge shall consider the criminal record of the defendant and the seriousness of the crime committed.*

2. In sentencing a convicted person to a term of residential confinement, the municipal judge shall:

(a) Require the defendant to be confined to his residence during the time he is away from his employment, public service or other activity authorized by the municipal judge; and

(b) Require intensive supervision of the convicted person, including electronic surveillance and unannounced visits to his residence or other locations where he is expected to be in order to determine whether he is complying with the terms of his sentence.

3. The municipal judge shall not sentence a convicted person to a term of residential confinement unless he agrees to the sentence.

4. A term of residential confinement, together with the term of any minimum sentence mandated by statute, may not exceed the maximum sentence which otherwise could have been imposed for the offense.

Sec. 17. *1. In sentencing a person to a term of residential confinement, a municipal judge may establish the terms and conditions of that confinement.*

2. The municipal judge may, at any time, modify the terms and conditions of the residential confinement.

3. The municipal judge shall cause a copy of his order to be delivered to the convicted person and the local law enforcement agency.

Sec. 18. *If it is determined that the convicted person violated any term or condition of his residential confinement, the sentence may be rescinded, modified or continued. If it is rescinded, another punishment authorized by law must be imposed.*

Sec. 19. *The municipal court may contract with a qualified person to administer a program of supervision for persons who are sentenced to a term of residential confinement pursuant to section 16 of this act.*".

Amend sec. 14, page 4, line 29, by deleting: "15 to 18," and inserting: "21 to 24,".

Amend sec. 18, page 5, line 14, by deleting "*adopt*" and inserting "*establish*".

Amend sec. 18, page 5, line 16, by deleting "*15*" and inserting "*21*".

Amend sec. 19, page 5, by deleting lines 18 and 19 and inserting:

"213.107 As used in NRS 213.107 to 213.160, inclusive, [and] section 2 of [this act:] *Assembly Bill No. 584 of this session and sections 21 to 24, inclusive, of this act:*".

Amend the bill as a whole by adding a new section designated sec. 26, following sec. 19, to read as follows:

Sec. 26. Section 25 of this act becomes effective at 12:01 a.m. on July 1, 1987.".

Amend the title of the bill by deleting the fourth through sixth lines, and inserting: "peace or municipal judge to sentence a person convicted of a misdemeanor to a term of residential confinement in lieu of certain other punishment; and providing other matters properly relating thereto.".

Assemblyman Sader moved the adoption of the amendment.

Remarks by Assemblyman Sader.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 130.

Bill read second time and ordered to third reading.

Senate Bill No. 156.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 1382.

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 630 of NRS is hereby amended by adding thereto a new section to read as follows:

1. The form for any prescription which is issued for an ophthalmic lens by an ophthalmologist in this state must contain lines or boxes in substantially the following form:

Approved for contact lenses..... _____

Not approved for contact lenses..... _____

2. The prescribing ophthalmologist shall mark or check one of the lines or boxes required by subsection 1 each time such a prescription is issued by him.

Sec. 2. Chapter 636 of NRS is hereby amended by adding thereto a new section to read as follows:

1. The form for any prescription which is issued for an ophthalmic lens by an optometrist in this state must contain lines or boxes in substantially the following form:

Approved for contact lenses _____

Not approved for contact lenses _____

2. The prescribing optometrist shall mark or check one of the lines or boxes required by subsection 1 each time such a prescription is issued by him.".

Amend the title of the bill to read as follows:

"An Act relating to the healing arts; requiring a prescription issued by an ophthalmologist or optometrist for an ophthalmic lens to be in a certain form; and providing other matters properly relating thereto.".

Amend the summary of the bill to read as follows: "Requires prescription issued by ophthalmologist or optometrist for ophthalmic lens to be in certain form. (BDR 54-1408)".

Assemblyman Jeffrey moved the adoption of the amendment.

Remarks by Assemblyman Jeffrey.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 252.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 1419.

Amend sec. 5, page 2, line 40, by deleting "*broker, and*" and inserting: "*broker. The rent paid for the space must be a designated amount per day, month or year, and that amount must not be changed more than once in any year. A bank shall not*".

Amend sec. 5, page 3, line 21, by deleting "*7*" and inserting "*10*".

Amend sec. 5, page 3, line 24, after the period, by inserting: "*A parent corporation, subsidiary or affiliate which is licensed as an insurer may sell insurance in this state only through independent insurance agents, whose compensation must be in the form of commissions for insurance placed through the agent.*".

Amend sec. 6, page 4, line 4, by deleting "*may*" and inserting "*shall not*".

Amend the bill as a whole by renumbering sections 7 through 12 as sections 10 through 15 and adding new sections designated sections 7, 8 and 9, following sec. 6, to read as follows:

"Sec. 7. Chapter 673 of NRS is hereby amended by adding thereto a new section to read as follows:

A savings and loan association and its parent corporations, subsidiaries and affiliates may exercise the same powers as banks and their parent corporations, subsidiaries and affiliates with regard to acting as an insurer, transacting insurance and leasing space to an insurance company, agent or broker, and are subject to the same restrictions and penalties in connection with such powers.

Sec. 8. Chapter 677 of NRS is hereby amended by adding thereto a new section to read as follows:

A thrift company and its parent corporations, subsidiaries and affiliates may exercise the same powers as banks and their parent corporations, subsidiaries and affiliates with regard to acting as an insurer, transacting insurance and leasing space to an insurance company, agent or broker, and are subject to the same restrictions and penalties in connection with such powers.

Sec. 9. Chapter 678 of NRS is hereby amended by adding thereto a new section to read as follows:

A credit union and its parent corporations, subsidiaries and affiliates may exercise the same powers as banks and their parent corporations, subsidiaries and affiliates with regard to acting as an insurer, transacting insurance and leasing space to an insurance company, agent or broker, and are subject to the same restrictions and penalties in connection with such powers.".

Amend sec. 7, page 4, line 18, by deleting "*662.015,*" and inserting: "*662.015 and sections 7, 8 and 9 of this act,*".

Amend sec. 7, page 4, by deleting lines 19 and 20 and inserting: "*affiliate of a bank, savings and loan association, thrift company or credit union to transact insurance or act as an insurer pursuant to those provisions.*".

Amend sec. 8, page 5, line 18, by deleting "*bank.*" and inserting: "*bank, savings and loan association, thrift company or credit union.*".

Amend sec. 9, page 5, line 20, by deleting "section, [the" and inserting "section [, the".

Amend sec. 9, page 5, line 22, by deleting: "(a) "Bank"] *"bank"* means" and inserting: "(a) "Bank" means".

Amend sec. 9, page 5, by deleting lines 24, 25 and 26 and inserting:

"(b) "Bank holding company," "company," "parent," "subsidiary," "affiliate"] *and NRS 683A.410 and 683A.440, "financial institution" means a bank, savings and loan association, thrift company or credit union.*

2. The commissioner shall define "holding company for a financial institution" and related terms [shall".

Amend sec. 9, page 5, by deleting lines 31 and 32 and inserting:

"2. No bank or bank] , *subsection 4 of NRS 662.015, and sections 7, 8 and 9 of this act.*

3. No holding company *for a financial institution* or its parent, subsidiaries or".

Amend sec. 9, page 5, line 37, by deleting "*bank*" and inserting "*financial institution*".

Amend sec. 9, page 5, line 38, by deleting "*bank may*" and inserting: "*financial institution shall not*".

Amend sec. 9, page 5, line 40, by deleting "*bank*" and inserting "*financial institution*".

Amend sec. 10, page 6, line 19, by deleting "*may*" and inserting "*must not*".

Amend sec. 11, page 7, line 1, by deleting "*may*" and inserting "*must not*".

Amend sec. 12, page 7, line 4, by deleting "bank" and inserting: "bank, savings and loan association, thrift company or credit union".

Amend sec. 12, page 7, line 5, by deleting "7" and inserting "10".

Assemblyman Porter moved the adoption of the amendment.

Remarks by Assemblyman Porter.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 333.

Bill read second time and ordered to third reading.

Senate Bill No. 429.

Bill read second time and ordered to third reading.

Senate Bill No. 487.

Bill read second time and ordered to third reading.

Senate Bill No. 494.

Bill read second time and ordered to third reading.

Senate Bill No. 527.

Bill read second time and ordered to third reading.

Senate Bill No. 535.

Bill read second time and ordered to third reading.

Senate Bill No. 571.

Bill read second time and ordered to third reading.

Senate Bill No. 572.

Bill read second time and ordered to third reading.

Senate Bill No. 573.

Bill read second time and ordered to third reading.

Senate Bill No. 574.

Bill read second time and ordered to third reading.

Senate Joint Resolution No. 24.

Resolution 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 Health and Welfare:

Amendment No. 1206.

Amend section 1, page 1, by deleting lines 2 through 7 and inserting:

"444.100 [Any] *1. Except as otherwise provided in subsection 2, any* permit granted by the health authority pursuant to NRS 444.080 is [revocable or] subject to suspension at any time by [formal action of the state board of health or local board of health if the board] *the health authority if it* determines that the swimming or bathing place is being [conducted] *operated* in a manner insanitary, unclean or dangerous to public health, or in violation of section 1 of chapter 109, Statutes of Nevada 1987.".

Amend section 1, page 1, line 8, after "2." by inserting: "*Except in the case of a violation of section 1 of chapter 109, Statutes of Nevada 1987 or an imminent health hazard, before suspending such a permit, the health authority shall give the permittee:*

(a) A written notice of the determination that the place is being operated in such a manner;

(b) A written statement of the facts upon which the determination was made; and

(c) A list of actions necessary to correct the insanitary, unclean or dangerous conditions.

The permittee must be allowed, from the time he receives the notice of the suspension, a reasonable time not less than 48 hours to correct the offensive conditions. If the required corrections are not made within the time allowed, the health authority may revoke the permit.

3.".

Amend the bill as a whole by adding a new section designated sec. 2, following section 1, to read as follows:

"Sec. 2. This act becomes effective at 12:01 a.m. on July 1, 1987.".

Amend the title of the bill, first and second lines, by deleting: "expanding the power of the health authority to include suspension and revocation of certain permits;" and inserting: "authorizing the health authority to suspend and revoke permits to operate swimming and bathing places under certain circumstances;".

Assemblyman Carpenter moved the adoption of the amendment.

Remarks by Assemblyman Carpenter.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 313.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 1397.

Amend sec. 3, page 2, line 5, by deleting "the" and inserting "a".

Amend sec. 3, page 2, by deleting line 6 and inserting: "new section to read as follows:

The board shall issue a license to an applicant who meets the requirements imposed pursuant to this chapter. A license expires on January 1, 2 years after the date on which it is issued or renewed.".

Amend the bill as a whole by deleting sections 4 and 5 and inserting:

"Secs. 4 and 5. (Deleted by amendment.)".

Amend sec. 32, page 8, by deleting lines 19, 20 and 21 and inserting:

"641A.350 The hearing of a complaint [shall] *must* be conducted in private by the board. [The defendant".

Amend sec. 33, page 8, by deleting lines 26 through 33 and inserting:

"Sec. 33. (Deleted by amendment.)".

Amend sec. 36, page 9, line 33, by deleting "*or*" and inserting "*and*".

Amend sec. 44, pages 13 and 14, by deleting lines 37 through 41 on page 13 and lines 1 through 10 on page 14, and inserting:

"Sec. 44. (Deleted by amendment.)".

Amend sec. 45, page 14, line 12, by deleting the colon.

Amend sec. 45, page 14, line 13, by deleting "1. Psychiatrist," and inserting "psychiatrist,".

Amend sec. 45, page 14, by deleting lines 16 and 17.

Amend the bill as a whole by renumbering sections 51 through 53 as sections 54 through 56, and adding new sections designated sections 51, 52 and 53, following sec. 50, to read as follows:

"Sec. 51. Section 38 of Senate Bill No. 234 of this session is hereby amended to read as follows:

Sec. 38. NRS 433.265 is hereby amended to read as follows:

433.265 Any person employed by the division as a psychiatrist, psychologist, marriage and family therapist , [or] registered nurse *or social worker* must be licensed or certified by the appropriate state licensing board for his respective profession.

Sec. 52. Section 39 of Senate Bill No. 234 of this session is hereby amended to read as follows:

Sec. 39. NRS 641.029 is hereby amended to read as follows:

641.029 This chapter does not apply to:

1. A physician licensed to practice in this state.
2. A person licensed to practice dentistry in this state.
3. A person licensed as a marriage and family therapist under chapter 641A of NRS.
4. *A person licensed to engage in social work pursuant to chapter 641B of NRS.*
5. A person certified as a counselor by the bureau of alcohol and drug abuse of the rehabilitation division of the department of human resources.

[5.] *6.* Any clergyman.

Sec. 53. Section 46 of Senate Bill No. 234 of this session is hereby amended to read as follows:

Sec. 46. Section 5 of chapter 634, Statutes of Nevada 1985, at page 2044, is hereby amended to read as follows:

Sec. 5. NRS 433.209 is hereby amended to read as follows:

433.209 "Person professionally qualified in the field of psychiatric mental health" means:

1. A psychiatrist licensed to practice medicine in the State of Nevada [;] *and certified by the American Board of Psychiatry and Neurology;*

2. A psychologist certified to practice in this state *;* [or employed as such by the division;]

3. A social worker who holds a master's degree in social work, [or is a candidate for that degree] *is licensed by the state as a clinical social worker* and is employed by the division; [or]

4. *A marriage and family therapist licensed pursuant to chapter 641A of NRS; or*

5. A registered nurse who [holds a master's degree in the field of psychiatric nursing and is] *:*

(a) Is licensed to practice professional nursing in this state;

(b) Holds a master's degree in the field of psychiatric nursing; and

(c) Is employed by the division.

Amend the bill as a whole by adding a new section designated sec. 57, following sec. 53, to read as follows:

"Sec. 57. 1. Sections 45, 51 and 52 of this act become effective at 12:01 a.m. on July 1, 1987.

2. Section 53 of this act becomes effective at 12:02 a.m. on July 1, 1987.".

Assemblyman Jeffrey moved the adoption of the amendment.

Remarks by Assemblyman Jeffrey.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, June 9, 1987

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Senate Bill No. 558.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 310, 372, 475, 537, 576.

MARY JO MONGELLI
Assistant Secretary of the Senate

INTRODUCTION, FIRST READING AND REFERENCE

Senate Bill No. 310.

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

Motion carried.

Senate Bill No. 372.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 475.

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

Motion carried.

Senate Bill No. 537.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

Senate Bill No. 558.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 576.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

UNFINISHED BUSINESS

REPORTS OF CONFERENCE COMMITTEES

Mr. Speaker:

The first Committee on Conference concerning Assembly Bill No. 390, consisting of the undersigned members, has met, and reports that:

It has agreed to recommend that the amendment of the Senate be concurred in.

DANNY L. THOMPSON
LOUIS W. BERGEVIN
Assembly Committee on Conference

RAYMOND D. RAWSON
NICHOLAS J. HORN
DEAN A. RHOADS
Senate Committee on Conference

Assemblyman Thompson moved that the Assembly adopt the report of the first Committee on Conference concerning Assembly Bill No. 390.

Remarks by Assemblymen Thompson and Adler.

Motion carried.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, June 9, 1987

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. 510, which was returned from enrollment for the purpose of effecting a technical amendment.

MARY JO MONGELLI
Assistant Secretary of the Senate

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 42.

The following Senate amendment was read:

Amendment No. 1315.

Amend section 1, page 1, by deleting line 2 and inserting: "provisions set forth as sections 2 to 6, inclusive, of this act.".

Amend sec. 2, page 1, line 9, after "*commissioner*" by inserting: "*for the cemetery in northern Nevada or to the deputy commissioner for the cemetery in southern Nevada,*".

Amend sec. 2, page 1, line 10, after "*commissioner*" by inserting: "*or the deputy commissioner*".

Amend sec. 2, page 2, line 1, by deleting "*He*" and inserting: "*The commissioner or deputy commissioner*".

Amend sec. 3, page 2, by deleting lines 5 and 6 and inserting: "*that section existed on January 1, 1987, is eligible for interment in a*".

Amend sec. 4, page 2, by deleting line 30 and inserting: "*a veterans' cemetery in northern Nevada or the account for a veterans' cemetery in southern Nevada, whichever is appropriate, in the state general fund.*".

Amend sec. 4, page 2, lines 31 and 32, by deleting: "*account for veterans' cemeteries,*" and inserting "*accounts,*".

Amend sec. 4, page 2, line 33, by deleting "*account.*" and inserting "*accounts.*".

Amend sec. 4, page 2, by deleting lines 34 and 35 and inserting:

"*3. The money in each account must only be used for the operation and maintenance of the cemetery for which the account was created.*".

Amend the bill as a whole by renumbering sections 5, 6 and 7 as sections 6, 7 and 8 and adding a new section designated sec. 5, following sec. 4, to read as follows:

"Sec. 5. *1. There are hereby created the advisory committee for a veterans' cemetery in northern Nevada and the advisory committee for a veterans' cemetery in southern Nevada, each consisting of seven members as follows:*

(a) One member of the senate, appointed by the majority leader of the senate.

(b) One member of the assembly, appointed by the speaker of the assembly.

(c) Five members of veterans' organizations in this state, appointed by the governor.

2. The members of the committees shall serve terms of 2 years and each committee shall annually elect a chairman and a vice chairman from among its members. The committees shall meet at least 4 times a year. Any legislative member of a committee who is not a candidate for reelection or who is defeated for reelection continues to serve until the convening of the next session of the legislature. The members of the committees are not entitled to compensation or the payment of per diem allowances and travel expenses while engaged in the work of the committee.

3. The commissioner and deputy commissioner shall each consult with the committee regarding the establishment, maintenance and operation of the veterans' cemetery for which the committee was created.".

Amend sec. 5, page 2, line 40, by deleting "$149,500" and inserting "$139,500".

Amend sec. 5, page 3, by deleting lines 5, 6 and 7 and inserting:

"3. The Nevada commissioner and deputy commissioner for veteran affairs shall not expend, or allocate to another agency for expenditure, money from the appropriations made by subsections 1 and 2 unless at least an equal amount is committed for".

Amend sec. 6, page 3, line 9, by deleting "5" and inserting "6".

Amend the title of the bill, third line, after "cemeteries;" by inserting: "creating advisory committees for veterans' cemeteries in northern and southern Nevada;".

Assemblyman Sedway moved that the Assembly concur in the Senate amendment to Assembly Bill No. 42.

Remarks by Assemblyman Sedway.

Motion carried.

Bill ordered enrolled.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman May moved that the vote whereby Senate Bill No. 510 was passed be rescinded.

Remarks by Assemblyman May.

Motion carried.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 460.

The following Senate amendment was read:

Amendment No. 1179.

Amend section 1, page 1, by deleting lines 6 and 7 and inserting: "*with a copy of the accident report and all statements by witnesses and photographs in the possession or under the control of the sheriff's office that concern the accident, unless the materials*".

Amend sec. 2, page 1, by deleting lines 14 and 15 and inserting: "*with a copy of the accident report and all statements by witnesses and photographs in the possession or under the control of the constable's office that concern the accident, unless the*".

Amend sec. 3, page 2, by deleting line 7 and inserting: "*the accident report and all statements by witnesses and photographs in the possession or under the control of the*".

Amend sec. 4, page 2, by deleting lines 16 and 17 and inserting: "*the accident report and all statements by witnesses and photographs in the possession or under the control of the department or agency that concern the accident, unless the materials are*".

Amend sec. 5, page 2, by deleting lines 24 and 25 and inserting: "*person or his legal representative with a copy of the accident report and all statements by witnesses and photographs in the possession or under the control of the department that*".

Amend sec. 6, page 2, by deleting line 34 and inserting: "*the accident report and all statements by witnesses and photographs in the possession or under the control of the*".

Amend sec. 7, page 3, by deleting line 2 and inserting: "*the accident report and all statements by witnesses and photographs in the possession or under the control of the*".

Assemblyman Sader moved that the Assembly concur in the Senate amendment to Assembly Bill No. 460.

Remarks by Assemblyman Sader.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 461.

The following Senate amendment was read:

Amendment No. 1278.

Amend section 1, page 1, line 3, by deleting "intoxicated;" and inserting: "under the influence of alcohol or a controlled substance;".

Amend sec. 2, page 1, line 7, by deleting "intoxicated," and inserting: "under the influence of alcohol or a controlled substance,".

Amend the title of the bill, second line, by deleting "intoxicated;" and inserting: "under the influence of alcohol or a controlled substance;".

Amend the summary of the bill, second line, by deleting "intoxicated" and inserting: "under influence of alcohol or controlled substance".

Assemblyman Sader moved that the Assembly concur in the Senate amendment to Assembly Bill No. 461.

Remarks by Assemblyman Sader.

Motion carried.

Bill ordered enrolled.

RECEDE FROM ASSEMBLY AMENDMENTS

Assemblyman Sader moved that the Assembly do not recede from its action on Senate Bill No. 194, 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 Sader.

Motion carried.

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker appointed Assemblymen Sader, Carpenter and Kissam as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Senate Bill No. 194.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Getto moved that Assembly Bill No. 549 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

Senate Bill No. 510.

Bill read third time.

Remarks by Assemblyman May.

Roll call on Senate Bill No. 510:

YEAS—42.

NAYS—None.

Senate Bill No. 510 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 549.

Bill read third time.

The following amendment was proposed by Assemblyman Jeffrey:

Amendment No. 1396.

Amend section 1, page 1, by deleting lines 8 through 11 and inserting:

"2. *The money in the account must not be used for personal expenditures, except to the extent necessary to replace wages or salary lost as a result of the campaign.*".

Assemblyman Jeffrey moved the adoption of the amendment.

Remarks by Assemblymen Jeffrey, Fay, DuBois, Thomas, Swain, Humke and Sader.

Assemblyman Sader moved that Assembly Bill No. 549 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. 102, 143, 187, 244, 321, 354, 375, 459, 467, 510, 517, 578, 584, 616, 660, 737, 750, 771, 780, 792, 797, 812, 823; Senate Bills Nos. 45, 101, 332, 555; Assembly Joint Resolutions Nos. 3, 16, 23; Assembly Concurrent Resolution No. 72.

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 Mrs. Debbie Ledbetter, Mr. Kirk Ledbetter, Misses Jessica Ledbetter and Erica Ledbetter.

On request of Assemblyman Porter, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Fran Fine.

On request of Assemblyman Evans, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Rosemary M. Peacock.

On request of Assemblyman Price, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Erik Lauritzen.

Assemblyman Nevin moved that the Assembly adjourn until Wednesday, June 10, 1987 at 10 a.m.

Motion carried.

Assembly adjourned at 1:17 p.m.

Approved:

JOSEPH E. DINI, JR.
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE ONE HUNDRED AND FORTY-THIRD DAY

CARSON CITY (Wednesday), June 10, 1987

Assembly called to order at 10:12 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, Father Jerry Hanley.

Our heavenly Father, thank You for this new day of life, for health and all we have from You. May we begin anew today in any way You see necessary for us. Let each moment be seen as precious, never to come again. Bless those who have little compared to us and may we carry them as Your command to love one another. God bless this assembly and those they serve. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Nevin 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 Senate Concurrent Resolution No. 28, has had the same under consideration, and begs leave to report the same back with the recommendation: Be adopted.

MYRNA WILLIAMS, *Chairman*

Mr. Speaker:

Your Committee on Legislative Functions, to which were referred Senate Bill No. 497; Assembly Joint Resolution No. 45, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

MYRNA WILLIAMS, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which was referred Assembly Bill No. 565, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ROBERT M. SADER, *Chairman*

Mr. Speaker:

Your Committee on Taxation, to which were referred Senate Bills Nos. 401, 471, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

PAUL W. MAY, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which was referred Senate Bill No. 520, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

MARVIN M. SEDWAY, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which was re-referred Senate Bill No. 89, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

MARVIN M. SEDWAY, *Chairman*

Mr. Speaker:

Your Committee on Transportation, 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.

LEONARD V. NEVIN, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Senate Bill No. 534, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

DANNY L. THOMPSON, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Assembly Bill No. 571, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

DANNY L. THOMPSON, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, June 9, 1987

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 212, 698, 772, 806, 809, 835.

Also, I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bills Nos. 118, 184, 421, 626, 778, 811, 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. 515 and requests a conference, and appointed Senators Jacobsen, Rhoads and Rawson 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. 558 and requests a conference, and appointed Senators Neal, Malone and Beyer 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 appointed Senators Horn, O'Donnell and Vergiels as a second Committee on Conference concerning Assembly Bill No. 288.

Also, I have the honor to inform your honorable body that the Senate on this day appointed Senators Jacobsen, Gibson and Horn as a second Committee on Conference concerning Assembly Bill No. 399.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bill No. 229, upon which action of passage was rescinded for the purpose of effecting a technical amendment.

Also, I have the honor to inform your honorable body that the Senate on this day concurred in the Assembly amendment to Senate Bill No. 182.

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. 396.

Also, I have the honor to inform your honorable body that the Senate on this day appointed Senators Wagner, Joerg and Hickey as a first Committee on Conference concerning Senate Bill No. 190.

MARY JO MONGELLI
Assistant Secretary of the Senate

UNFINISHED BUSINESS

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker appointed Assemblymen Spinello, Swain 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. 515.

MOTIONS, RESOLUTIONS AND NOTICES

Senate Concurrent Resolution No. 28.

Assemblyman Myrna Williams moved the adoption of the resolution.

Remarks by Assemblyman Myrna Williams.

Resolution adopted.

By Assemblymen Dini, Adler, Arberry, Banner, Bergevin, Brookman, Callister, Carpenter, Craddock, DuBois, Evans, Fay, Freeman, Garner, Gaston, Getto, Haller, Humke, Jeffrey, Kerns, Kissam, Lambert, McGaughey, Marvel, May, Nevin, Nicholas, Porter, Price, Sader, Schofield, Sedway, Spinello, Spriggs, Swain, Tebbs, Thomas, Thompson, Triggs, Myrna Williams, Wendell Williams and Wisdom:

Assembly Concurrent Resolution No. 73—Commending the Superintendent and the staff of the State Printing and Micrographics Division of the Department of General Services for their services this session.

WHEREAS, During the 64th Session of the Nevada Legislature, the Superintendent of the State Printing and Micrographics Division of the Department of General Services and his outstanding staff have demonstrated their competency and dedication by working many hours to complete all assignments; and

WHEREAS, The quality of the work produced continues to reflect the high standards required and expected by the Superintendent of the State Printing and Micrographics Division; and

WHEREAS, Without the courteous cooperation of the Superintendent and his staff, this Legislature could not continue to operate as efficiently and smoothly as it has this session; now, therefore, be it

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, THE SENATE CONCURRING, That the members of the 64th Session of the Nevada Legislature hereby express their gratitude and commend all members of the staff of the State Printing and Micrographics Division for their diligence and dedication during this session; and be it further

RESOLVED, That a copy of this resolution be prepared and transmitted forthwith by the Chief Clerk of the Assembly to Mr. Donald L. Bailey, the Superintendent of the State Printing and Micrographics Division of the Department of General Services.

Assemblyman Jeffrey moved the adoption of the resolution.

Remarks by Assemblymen Jeffrey, Haller, Humke, Schofield and Price.

Resolution adopted unanimously.

Assemblyman Jeffrey moved that all rules be suspended and that Assembly Concurrent Resolution No. 73 be immediately transmitted to the Senate.

Motion carried unanimously.

Assemblyman Jeffrey moved that Assembly Bills Nos. 159, 495, 632, 639, 825, 829 and 876 be placed on the General File immediately following Assembly Bill No. 877.

Motion carried.

Assemblyman Nevin moved that Senate Bill No. 152 be taken from the Chief Clerk's desk and placed at the top of the General File.

Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 152.

Bill read third time.

The following amendment was proposed by the Committee on Transportation:

Amendment No. 1405.

Amend the bill as a whole by renumbering sections 4 and 5 as sections 5 and 6 and adding a new section designated sec. 4, following sec. 3, to read as follows:

"Sec. 4. The department of transportation shall:

1. Conduct a study of:

(a) The effectiveness of the enforcement of the provisions of section 1 of this act;

(b) Any reduction in injuries per accident resulting from the provisions of section 1 of this act; and

(c) Any reduction in the cost of insurance for motor vehicles resulting from the provisions of section 1 of this act.

2. Prepare a report containing its findings and recommendations.

3. Submit the report required by subsection 2 and any recommended legislation to the 65th session of the Nevada legislature no later than January 30, 1989.".

Amend sec. 5, page 3, line 38, by deleting: "2, 3 and 4" and inserting: "2 to 5, inclusive,".

Amend sec. 5, page 3, after line 40, by inserting:

"3. The provisions of section 5 of this act notwithstanding, this act expires by limitation on June 30, 1989.".

Amend the title of the bill, third line, after "buses;" by inserting: "requiring the department of transportation to conduct a study to determine the effectiveness of requiring the use of safety belts;".

Assemblyman Nevin moved the adoption of the amendment.

Remarks by Assemblymen Nevin, Sedway, Kerns, Thomas, Myrna Williams, McGaughey and Swain.

Assemblymen Getto, Nevin and Jeffrey moved the previous question.

Motion carried.

The question being on the motion to adopt Amendment No. 1405 to Senate Bill No. 152.

Assemblymen Thomas, Sader and Lambert requested a roll call on Assemblyman Nevin's motion.

Roll call on Assemblyman Nevin's motion:

YEAS—19.

NAYS—Adler, Arberry, Bergevin, Brookman, DuBois, Evans, Freeman, Garner, Gaston, Getto, Haller, Humke, Kerns, Kissam, Nicholas, Sader, Sedway, Spinello, Swain, Triggs, Myrna Williams, Wendell Williams, Wisdom—23.

The motion having failed to receive a majority, Mr. Speaker declared the amendment lost.

Remarks by Assemblymen Evans, Nicholas, Sader, Porter, Freeman, Thomas and Getto.

Assemblymen Jeffrey, Nevin and Thompson moved the previous question.

Motion carried.

The question being on the passage of Senate Bill No. 152.

Roll call on Senate Bill No. 152:

YEAS—26.

NAYS—Banner, Fay, Jeffrey, Lambert, McGaughey, Marvel, May, Nevin, Porter, Price, Schofield, Spriggs, Tebbs, Thomas, Thompson, Mr. Speaker—16.

Senate Bill No. 152 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Assembly Bill No. 865 be taken from the Chief Clerk's desk and placed on the Second Reading File.

Remarks by Assemblyman Jeffrey.

Motion carried.

Assemblyman Jeffrey moved that Senate Bill No. 178 be taken from the Chief Clerk's desk and placed on the General File.

Remarks by Assemblyman Jeffrey.

Motion carried.

Assemblyman Arberry moved that Senate Bill No. 112 be taken from the Chief Clerk's desk and placed on the Second Reading File.

Remarks by Assemblyman Arberry.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 53.

Bill read third time.

Remarks by Assemblyman Marvel.

Roll call on Assembly Bill No. 53:

YEAS—42.

NAYS—None.

Assembly Bill No. 53 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 874.

Bill read third time.

Remarks by Assemblyman Callister.

Roll call on Assembly Bill No. 874:

YEAS—39.

NAYS—Lambert, Spriggs, Triggs—3.

Assembly Bill No. 874 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 877.

Bill read third time.

Remarks by Assemblyman Evans.

Roll call on Assembly Bill No. 877:

YEAS—42.

NAYS—None.

Assembly Bill No. 877 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 159.

Bill read third time.

Remarks by Assemblyman Carpenter.

Roll call on Assembly Bill No. 159:

YEAS—42.

NAYS—None.

Assembly Bill No. 159 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Sedway moved that Assembly Bill No. 829 be taken from the General File and placed on the Chief Clerk's desk.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 495.

Bill read third time.

Remarks by Assemblyman Nevin.

Roll call on Assembly Bill No. 495:

YEAS—36.

NAYS—Evans, Freeman, Haller, Humke, Sader, Swain—6.

Assembly Bill No. 495 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 632.

Bill read third time.

Remarks by Assemblyman Wendell Williams.

Roll call on Assembly Bill No. 632:

YEAS—41.

NAYS—Haller.

Assembly Bill No. 632 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 639.
Bill read third time.
Remarks by Assemblyman Jeffrey.
Roll call on Assembly Bill No. 639:
YEAS—42.
NAYS—None.

Assembly Bill No. 639 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 825.
Bill read third time.
Remarks by Assemblyman Lambert.
Roll call on Assembly Bill No. 825:
YEAS—42.
NAYS—None.

Assembly Bill No. 825 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 876.
Bill read third time.
Remarks by Assemblymen Spinello, Nicholas and Adler.
Roll call on Assembly Bill No. 876:
YEAS—42.
NAYS—None.

Assembly Bill No. 876 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 Kerns, DuBois, May and Arberry.
Assemblyman Porter moved that Senate Bill No. 26 be taken from the General File and placed on the Chief Clerk's desk.
Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that all rules be suspended and that Assembly Bills Nos. 53, 159, 495, 632, 639, 825, 874, 876, 877 and Senate Concurrent Resolution No. 28 be immediately transmitted to the Senate.
Motion carried unanimously.

GENERAL FILE AND THIRD READING

Senate Bill No. 31.
Bill read third time.
Remarks by Assemblyman Wisdom.

Roll call on Senate Bill No. 31:

YEAS—42.

NAYS—None.

Senate Bill No. 31 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 11:24 a.m.

ASSEMBLY IN SESSION

At 11:38 a.m.

Mr. Speaker presiding.

Quorum present.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, June 10, 1987

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolutions Nos. 49, 50.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

By the Committee on Government Affairs:

Assembly Concurrent Resolution No. 74—Urging Mt. Wheeler Power, Inc., to conduct an independent management audit and independent study of its costs in providing services and its rates and temporarily reduce its rates for certain classes of members.

Assemblyman Bergevin moved the adoption of the resolution.

Remarks by Assemblyman Bergevin.

Resolution adopted.

Senate Concurrent Resolution No. 49.

Assemblyman Adler moved the adoption of the resolution.

Remarks by Assemblyman Adler.

Assemblyman Thompson requested that Assemblyman Adler's remarks be entered in the Journal.

Thank you, Mr. Speaker. To you and through you, when I worked for the Attorney General's office, I worked with Bill Berning for some six years and Bill Berning was an amazing man. A lot of times we talked about state employees and the hours that they put in, but seriously, Bill Berning was the kind of guy who would put in 16-hour days, 12-hour days, and extended periods of time just to keep the Department of Prisons operating.

I remember one instance where they had a riot at the Department of Prisons where the inmates, I believe, broke some 100 toilets—if you don't think that was ever a mess. But, Bill and his maintenance crew went out there and solved that situation—solved the problems.

I believe that Bill's efforts through maintaining those buildings, keeping the heating systems going, planning new buildings and the like over the years at the Department of

Prisons probably prevented more riots and civil disturbances than any other action taken by any other person within the Department of Prisons. He, under some very trying circumstances, kept the Medium Security Prison operational, the Men's Prison operational, the Women's Prison operational, and all the other prisons in good working order and that is a difficult task.

He was one of those people who was just an exceptional employee of the Department of Prisons. I can't say enough about him. I would imagine they are going to have to hire at least two or three men to replace Bill for all the things that he did. He was a good friend of mine. He was someone I worked with for six or seven years—someone you could always depend upon.

In appreciation of his efforts, I know that many persons from the Department of Prisons are here. If they could stand to be recognized, too. And all these people worked with Bill and appreciated his efforts.

I know that his wife, Dixie, will sorely miss him as well, and we are all going to miss Bill a great deal. Thank you.

Resolution adopted unanimously.

Assemblyman Arberry moved that Senate Bill No. 26 be taken from the Chief Clerk's desk and placed at the top of the General File.

Motion carried.

Assemblyman Jeffrey moved that Senate Bill No. 235 be taken from the Chief Clerk's desk and placed on the Second Reading File.

Remarks by Assemblyman Jeffrey.

Motion carried.

Assemblyman Swain moved that Assembly Bill No. 549 be taken from the Chief Clerk's desk and placed on the General File.

Remarks by Assemblyman Swain.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Ways and Means, to which was referred Assembly Bill No. 878, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

MARVIN M. SEDWAY, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Senate Concurrent Resolution No. 50.

Assemblyman Adler moved the adoption of the resolution.

Remarks by Assemblymen Adler and Banner.

Resolution adopted unanimously.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Taxation:

Assembly Bill No. 881—An Act relating to property tax; requiring that the itemization of property tax by the county auditor include an estimate of the percentage of the revenue from the tax used for the incarceration of prisoners; and providing other matters properly relating thereto.

Assemblyman May moved that the bill be referred to the Committee on Taxation.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 865.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 1367.

Amend section 1, page 1, line 2, by deleting: "2, 3 and 4" and inserting: "2 to 4.5, inclusive,".

Amend sec. 3, page 2, line 17, by deleting "*shall*" and inserting "*must*".

Amend sec. 3, page 2, line 18, by deleting "*services.*" and inserting: "*services before the county may terminate the business license or operating permit of the provider to achieve an exclusive franchise for the provider granted the franchise. This subsection does not prohibit a county from terminating a license or permit for any reason unrelated to the granting of an exclusive franchise. For the purposes of this subsection, any revocation or rescission of or failure to renew a license or permit constitutes a termination of the license or permit.*".

Amend sec. 3, page 2, line 19, by deleting "*The*" and inserting: "*If a county is required pursuant to subsection 1 to compensate a provider of ambulance service for the elimination of its business, the*".

Amend the bill as a whole by adding a new section designated sec. 4.5, following sec. 4, to read as follows:

"Sec. 4.5. *The provisions of sections 2, 3 and 4 of this act apply only to a county whose population is less than 250,000.*".

Amend sec. 6, page 3, line 10, by deleting: "7, 8 and 9" and inserting: "7 to 9.5, inclusive,".

Amend sec. 8, page 3, line 39, by deleting "*shall*" and inserting "*must*".

Amend sec. 8, page 3, line 40, by deleting "*services.*" and inserting: "*services before the city may terminate the business license or operating permit of the provider to achieve an exclusive franchise for the provider granted the franchise. This subsection does not prohibit a city from terminating a license or permit for any reason unrelated to the granting of an exclusive franchise. For the purposes of this subsection, any revocation or rescission of or failure to renew a license or permit constitutes a termination of the license or permit.*".

Amend sec. 8, page 4, line 1, by deleting "*The*" and inserting: "*If a city is required pursuant to subsection 1 to compensate a provider of ambulance service for the elimination of its business, the*".

Amend the bill as a whole by adding a new section designated sec. 9.5, following sec. 9, to read as follows:

"Sec. 9.5. *The provisions of sections 7, 8 and 9 of this act apply only to a city located in a county whose population is less than 250,000.*".

Amend the bill as a whole by adding a new section designated sec. 11, following sec. 10, to read as follows:

"Sec. 11. This act becomes effective upon passage and approval.".

Assemblyman Jeffrey moved the adoption of the amendment.

Remarks by Assemblymen Jeffrey, Swain, Sedway, Kerns, Freeman, Myrna Williams, Lambert, Sader, Nevin and Adler.

Assemblyman Schofield moved that the Assembly recess subject to the call of the Chair.

Motion carried.

Assembly in recess at 12:07 p.m.

ASSEMBLY IN SESSION

At 12:19 p.m.

Mr. Speaker presiding.

Quorum present.

Amendment lost.

Assemblyman Jeffrey moved that Assembly Bill No. 865 be taken from the Second Reading File and placed on the Chief Clerk's desk.

Motion carried.

Senate Bill No. 112.

Bill read second time.

The following amendment was proposed by the Committee on Health and Welfare:

Amendment No. 1406.

Amend section 1, page 2, line 29, by deleting "*negligent*".

Amend sec. 2, page 2, line 38, by deleting "[shall] *must*" and inserting "must".

Amend sec. 2, page 2, line 40, by deleting "[shall] *must*" and inserting "must".

Amend sec. 2, page 3, line 1, by deleting "[shall not be]".

Amend sec. 2, page 3, by deleting line 2 and inserting: "is not a public record and no part of it may be released, except:".

Amend sec. 2, page 3, line 3, by deleting "may" and inserting "[may] *must*".

Amend sec. 2, page 3, by deleting lines 6 and 7 and inserting:

"[2.] *(b)* The record must be [produced in response to a subpena, unless it has been sealed pursuant to section 6 of this act, or] released to persons authorized by *the* order of a court [.".

Amend sec. 2, page 3, by deleting lines 11 and 12 and inserting: "*or a member of the staff of an agency in Nevada which has been established pursuant to the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. §§ 6041 et seq.) or the Protection and Advocacy for Mentally Ill Individuals Act of 1986 (42 U.S.C. §§ 10801 et seq.)* when the administrator deems it".

Amend sec. 2, page 3, line 15, by deleting "[evaluation]" and inserting "[evaluational]".

Amend sec. 2, page 3, by deleting lines 22 and 23 and inserting: "*of an agency in Nevada which has been established pursuant to 42 U.S.C. §§ 6041 et seq. or 42 U.S.C. §§ 10801 et seq. if:*".

Amend the bill as a whole by adding a new section designated sec. 3, following sec. 2, to read as follows:

"Sec. 3. Section 2 of this act becomes effective at 12:01 a.m. on July 1, 1987.".

Assemblyman Arberry moved the adoption of the amendment.

Remarks by Assemblyman Arberry.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 235.

Bill read second time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1223.

Amend section 1, page 1, by inserting between lines 10 and 11:

"(3) For a reinsurer..... 250".

Amend section 1, pages 2, 3 and 4, by deleting lines 2 through 41 on page 2, lines 1 through 41 on page 3 and lines 1 through 39 on page 4 and inserting:

"2. Charter documents, other than those filed with application for certificate of authority. Filing amendments to articles of incorporation, charter, bylaws, power of attorney and other constituent documents of the insurer, each document..... $10

3. Annual statement or report. For filing annual statement or report..... $25

4. Service of process:

(a) Filing of power of attorney..... $5

(b) Acceptance of service of process..... 5

5. Agents' licenses, appointments and renewals:

(a) Resident agents and nonresident agents qualifying under subsection 3 of NRS 683A.340:

(1) Application and license..... $45

(2) Appointment by each insurer..... 5

(3) Triennial renewal of each license.....[45] *78*

(4) Temporary license..... 10

(b) Other nonresident agents:

(1) Application and license..... 105

(2) Appointment by each insurer..... 25

(3) Triennial renewal of each license..... 105

6. Brokers' licenses and renewals:

(a) Resident brokers and nonresident brokers qualifying under subsection 4 of NRS 683A.340:

(1) Application and license..... $45

(2) Triennial renewal of each license..... 45

(b) Other nonresident brokers:

(1) Application and license..... 225

(2) Triennial renewal of each license..... 225

(c) Surplus lines brokers:

(1) Application and license..... 45

(2) Triennial renewal of each license 45
7. Solicitors' licenses, appointments and renewals:
(a) Application and license $45
(b) Triennial renewal of each license 45
(c) Initial appointment 5
8. Managing general agents' licenses, appointments and renewals:
(a) Resident managing general agents:
(1) Application and license $45
(2) Initial appointment, each insurer 5
(3) Triennial renewal of each license 45
(b) Nonresident managing general agents:
(1) Application and license 105
(2) Initial appointment, each insurer 25
(3) Triennial renewal of each license 105
9. Adjusters' licenses and renewals:
(a) Independent and public adjusters:
(1) Application and license $45
(2) Triennial renewal of each license 45
(b) Associate adjusters:
(1) Application and license 45
(2) Initial appointment 5
(3) Triennial renewal of each license 45
10. Licenses and renewals for appraisers of physical damage to motor vehicles:
(a) Application and license $45
(b) Triennial renewal of each license 45
11. Additional title and property insurers pursuant to NRS 680A.240:
(a) Original registration $25
(b) Annual renewal 25
12. Insurance vending machines:
(a) Application and license, for each machine $45
(b) Triennial renewal of each license 45
13. Permit for solicitation for securities:
(a) Application for permit $100
(b) Extension of permit 50
14. Securities salesmen for domestic insurers:
(a) Application and license $25
(b) Annual renewal of license 15
15. Rating organizations:
(a) Application and license $100
(b) Annual renewal 100
16. Certificates and renewals for administrators licensed pursuant to chapter 683A of NRS:
(a) Resident administrators:
(1) Application and certificate of registration $45

(2) Triennial renewal $45
(b) Nonresident administrators:
(1) Application and certificate of registration 105
(2) Triennial renewal 105

17. For copies of the insurance laws of Nevada, a fee which is not less than the cost of producing the copies.

18. Certified copies of certificates of authority and licenses issued pursuant to the insurance code $10

19. For copies and amendments of documents on file in the division, a reasonable charge fixed by the commissioner, including charges for duplicating or amending the forms and for certifying the copies and affixing the official seal.

20. Letter of clearance for an agent or broker $5
21. Certificate of status as a licensed agent or broker $5
22. Licenses, appointments and renewals for bail agents:
(a) Application and license $45
(b) Initial appointment by each surety insurer 5
(c) Triennial renewal of each license 45
23. Licenses and renewals for property bondsmen:
(a) Application and license $45
(b) Triennial renewal of each license 45
24. Licenses, appointments and renewals for general bail agents:
(a) Application and license $45
(b) Initial appointment by each insurer 5
(c) Triennial renewal of each license 45
25. Licenses and renewals for bail solicitors:
(a) Application and license $45
(b) Triennial renewal of each license 45
26. Licenses and renewals for title agents and escrow officers:
(a) Resident title agents and escrow officers:
(1) Application and license $45
(2) Triennial renewal of each license 45
(b) Nonresident title agents and escrow officers:
(1) Application and license 105
(2) Triennial renewal of each license 105
(c) Change in name or location of business or in association 10

27. Certificate of authority for a seller of prepaid funeral contracts, for issuance and each annual renewal $45

28. Licenses and renewals for agents for prepaid funeral contracts:
(a) Resident agents:
(1) Application and license $45
(2) Triennial renewal of each license 45
(b) Nonresident agents:
(1) Application and license 105
(2) Triennial renewal of each license 105

29. Licenses, appointments and renewals for agents for fraternal benefit societies:

(a) Resident agents:

(1) Application and license $45

(2) Appointment 5

(3) Triennial renewal of each license 45

(b) Nonresident agents:

(1) Application and license 105

(2) Triennial renewal of each license 105

30. Surplus lines:

(a) Filing of affidavit pursuant to NRS 685A.050 ..... $25

(b) Filing of memorandum pursuant to NRS 685A.060 25

(c) Filing of amendment to the memorandum when additional premium is reported 10

31. Cemetery merchandise sellers and cemetery merchandise agents:

(a) Resident agents and sellers:

(1) Application and certificate or license $45

(2) Triennial renewal 45

(b) Nonresident agents and sellers:

(1) Application and certificate or license 105

(2) Triennial renewal 105

32. Required filing of forms:

(a) For rates and policies $25

(b) For riders and endorsements ..... 10".

Amend the bill as a whole by adding a new section designated sec. 2, following section 1, to read as follows:

"Sec. 2. This act becomes effective at 12:02 a.m. on July 1, 1987.".

Assemblyman Jeffrey moved the adoption of the amendment.

Remarks by Assemblyman Jeffrey.

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. 873, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

PAUL W. MAY, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, June 10, 1987

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Senate Bill No. 212.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 125, 195, 327, 536, 554.

MARY JO MONGELLI
Assistant Secretary of the Senate

INTRODUCTION, FIRST READING AND REFERENCE

Senate Bill No. 125.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 195.

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

Motion carried.

Senate Bill No. 212.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

Senate Bill No. 327.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Natural Resources, Agriculture and Mining.

Motion carried.

Senate Bill No. 536.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Taxation.

Motion carried.

Senate Bill No. 554.

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

Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 26.

Bill read third time.

Remarks by Assemblymen Sedway and May.

Roll call on Senate Bill No. 26:

YEAS—42.

NAYS—None.

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. 34.

Bill read third time.

Remarks by Assemblyman Garner.

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. 56.
Bill read third time.
Remarks by Assemblyman Bergevin.
Roll call on Senate Bill No. 56:
YEAS—42.
NAYS—None.

Senate Bill No. 56 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Senate Bill No. 76.
Bill read third time.
Remarks by Assemblymen Getto and Carpenter.
Roll call on Senate Bill No. 76:
YEAS—42.
NAYS—None.

Senate Bill No. 76 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Senate Bill No. 102.
Bill read third time.
Remarks by Assemblyman Swain.
Roll call on Senate Bill No. 102:
YEAS—42.
NAYS—None.

Senate Bill No. 102 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Senate Bill No. 109.
Bill read third time.
Remarks by Assemblyman Humke.
Roll call on Senate Bill No. 109:
YEAS—42.
NAYS—None.

Senate Bill No. 109 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 Nicholas.
Roll call on Senate Bill No. 130:
YEAS—42.
NAYS—None.

Senate Bill No. 130 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 155.
Bill read third time.
Remarks by Assemblyman Jeffrey.
Roll call on Senate Bill No. 155:
YEAS—42.
NAYS—None.

Senate Bill No. 155 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 Porter.
Roll call on Senate Bill No. 221:
YEAS—40.
NAYS—None.
Not voting—Kissam, May—2.

Senate Bill No. 221 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Senate Bill No. 262.
Bill read third time.
Remarks by Assemblyman Kerns.
Roll call on Senate Bill No. 262:
YEAS—42.
NAYS—None.

Senate Bill No. 262 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Senate Bill No. 268.
Bill read third time.
Remarks by Assemblyman Sader.
Roll call on Senate Bill No. 268:
YEAS—42.
NAYS—None.

Senate Bill No. 268 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 Assemblymen McGaughey and Arberry.
Assemblyman Jeffrey moved that Senate Bill No. 333 be taken from the General File and placed on the Chief Clerk's desk.
Motion carried.

Senate Bill No. 406.

Bill read third time.
Remarks by Assemblyman May.
Roll call on Senate Bill No. 406:
YEAS—42.
NAYS—None.

Senate Bill No. 406 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Senate Bill No. 428.
Bill read third time.
Remarks by Assemblymen Myrna Williams, Freeman, Triggs, Callister and Fay.
Roll call on Senate Bill No. 428:
YEAS—40.
NAYS—Arberry, Carpenter—2.

Senate Bill No. 428 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Senate Bill No. 429.
Bill read third time.
Remarks by Assemblyman Wisdom.
Roll call on Senate Bill No. 429:
YEAS—42.
NAYS—None.

Senate Bill No. 429 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 476.
Bill read third time.
Remarks by Assemblymen DuBois, Thompson and Spinello.
Assemblyman Spinello moved that Senate Bill No. 476 be taken from the General File and placed on the Chief Clerk's desk.
Motion carried.

Senate Bill No. 487.
Bill read third time.
Remarks by Assemblymen Porter, Price and Jeffrey.
Roll call on Senate Bill No. 487:
YEAS—39.
NAYS—Banner, Garner, Haller—3.

Senate Bill No. 487 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 494.
Bill read third time.

Remarks by Assemblyman Thompson.

Roll call on Senate Bill No. 494:

YEAS—42.

NAYS—None.

Senate Bill No. 494 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Senate Bills Nos. 508, 527, 535, 571, 572, 573, 574 and Senate Joint Resolution No. 24 be taken from the General File and placed on the General File for the next legislative day.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Health and Welfare, to which was re-referred Assembly Bill No. 500, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

MORSE ARBERRY, JR., *Chairman*

Mr. Speaker:

Your Committee on Natural Resources, Agriculture and Mining, to which was referred Assembly Bill No. 820, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JAMES W. SCHOFIELD, *Chairman*

GENERAL FILE AND THIRD READING

Senate Bill No. 178.

Bill read third time.

The following amendment was proposed by Assemblymen Arberry:

Amendment No. 1432.

Amend sec. 13, page 6, after line 40, by inserting:

"[13.] *(m)* Willful violation of the regulations adopted by the state board of pharmacy.".

Amend sec. 15, page 7, line 5, by deleting "635.080,".

Amend the bill as a whole by adding a new section designated sec. 16, following sec. 15, to read as follows:

"Sec. 16. Section 13 of this act becomes effective at 12:01 a.m. on July 1, 1987.".

Amend the bill as a whole by removing NRS 635.080 from the text of repealed sections.

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. 549.

Bill read third time.

The following amendment was proposed by Assemblymen Swain and Jeffrey:

Amendment No. 1448.

Amend section 1, page 1, line 11, by deleting "*expenditures.*" and inserting: "*expenditures, except to the extent necessary to replace wages or salary lost as a result of the campaign.*".

Assemblyman Swain moved the adoption of the amendment.

Remarks by Assemblyman Swain.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 118.

The following Senate amendment was read:

Amendment No. 1250.

Amend sec. 8, page 6, line 16, by deleting "*damages incurred*" and inserting: "*liability incurred by the insured*".

Amend sec. 8, page 6, line 17, by deleting "*vehicle;*" and inserting: "*vehicle or while a motor vehicle owned by the insured is not being operated by any person;*".

Amend sec. 8, page 6, line 36, after "5." by inserting: "*An operator's policy of liability insurance must provide coverage for liability incurred by the insured while a motor vehicle owned by the insured is not being operated by any person.*

6.".

Amend sec. 24, page 15, line 20, by deleting "send" and inserting "mail".

Amend sec. 24, page 15, by deleting lines 24 and 25 and inserting: "*liability insurance,* and return the completed form within 15 days after the date on which the form was mailed by the department.".

Amend sec. 24, page 15, line 27, by deleting "send" and inserting "mail".

Amend sec. 24, page 15, line 30, by deleting: "does not have a current" and inserting: "did not have a".

Amend sec. 24, page 15, by deleting line 31 and inserting: "insurance [covering the vehicle on the date the vehicle was selected pursuant to subsection 1.] *as indicated on the form by the registered*".

Amend sec. 24, page 15, by deleting lines 35 through 38 and inserting: "which a form for verification is:

(a) Not returned to the department by the *registered* owner within 15 days;

(b) Returned by the insurer with a denial of coverage; or

(c) Returned by the owner with an admission of no coverage or without indicating an insurer or the number of a policy.

6. If an owner who did not return a completed form for verification within the specified period:

(a) Proves to the satisfaction of the department that there was a justifiable cause for his failure to do so;

(b) Submits a completed form regarding his insurance on the date [the vehicle] *he* was selected pursuant to subsection 1; and

(c) Presents evidence of current insurance,

the department shall rescind its suspension of the registration and mail the completed form to the named insurer. Upon receipt of the form from the department, the insurer shall verify the information on the form and return it to the department only if the insurer did not have a contract of insurance [covering the vehicle] on the date [the vehicle] *he* was selected pursuant to subsection 1. If the form is returned by the insurer with a denial of such coverage, the department shall suspend the registration and require the return of the license plates.

7. Except as otherwise provided in subsection 11, the department shall reinstate the".

Amend sec. 24, page 15, line 41, by deleting "7." and inserting "8.".

Amend sec. 24, page 16, line 1, by deleting "8." and inserting "9.".

Amend sec. 24, page 16, line 4, by deleting "9." and inserting "10.".

Amend sec. 24, page 16, line 7, by deleting "10." and inserting "11.".

Amend the bill as a whole by adding a new section designated sec. 30, following sec. 29, to read as follows:

"Sec. 30. 1. Section 29 of this act becomes effective at 12:01 a.m. on July 1, 1987.

2. Section 24 of this act becomes effective at 12:02 a.m. on July 1, 1987.".

Assemblyman Nevin moved that the Assembly concur in the Senate amendment to Assembly Bill No. 118.

Remarks by Assemblyman Nevin.

Motion carried.

Bill ordered enrolled.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Assembly Bills Nos. 565, 571, 820, 873, 878; Assembly Joint Resolution No. 45; Senate Bills Nos. 363, 401, 471, 497, 520 and 534 be placed on the Second Reading File.

Motion carried.

UNFINISHED BUSINESS

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker appointed Assemblymen Sader, Thomas and Haller as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Assembly Bill No. 558.

REPORTS OF CONFERENCE COMMITTEES

Mr. Speaker:

The second Committee on Conference concerning Assembly Bill No. 288, consisting of the undersigned members, has met, and reports that:

No decision was reached.

DANNY L. THOMPSON	NICHOLAS J. HORN
LEONARD V. NEVIN	WILLIAM R. O'DONNELL
JAMES W. MCGAUGHEY	JOHN M. VERGIELS
Assembly Committee on Conference	*Senate Committee on Conference*

Assemblyman Thompson moved that the Assembly adopt the report of the second Committee on Conference concerning Assembly Bill No. 288.

Remarks by Assemblyman Thompson.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 565.

Bill read second time.

The following amendment was proposed by Assemblyman Sader:

Amendment No. 1395.

Amend the bill as a whole by renumbering sec. 7 as sec. 6, deleting sections 2 through 6 and adding new sections designated sections 2 through 5, following section 1, to read as follows:

"Sec. 2. *The legislature hereby declares that:*

1. Some corporate acquisitions opposed by management, repurchases of securities and corporate defense tactics affecting corporate gaming licensees and publicly traded corporations that are affiliated companies can constitute business practices which may be injurious to stable and productive corporate gaming.

2. A regulatory scheme established to ameliorate the potential adverse effects of these business practices upon the gaming industry must be properly developed to balance the interests of Nevada gaming, interstate commerce and federal regulation of securities.

3. A regulatory scheme established to ameliorate the potential adverse effects of these business practices upon the gaming industry may best be accomplished by the adoption and enforcement of regulations by the Nevada gaming commission.

Sec. 3. *The policy of the State of Nevada with respect to corporate acquisitions, repurchases of securities and corporate recapitalizations affecting corporate licensees and publicly traded corporations that are affiliated companies is to:*

1. Assure the financial stability of corporate licensees and affiliated companies;

2. Preserve the beneficial aspects of conducting business in the corporate form; and

3. Promote a neutral environment for the orderly governance of corporate affairs that is consistent with the public policy of this state concerning gaming.

Sec. 4. *The commission may adopt regulations providing for the review and approval of corporate acquisitions opposed by management, repurchases of securities and corporate defense tactics affecting corporate gaming licensees and publicly traded corporations that are affiliated companies. The regulations must be consistent with:*

1. The policy of this state as expressed in this chapter;

2. The provisions of this chapter;

3. The requirements of the Constitution of the United States; and

4. Federal regulation of securities.

Sec. 5. NRS 463.482 is hereby amended to read as follows:

463.482 As used in NRS 463.160 to 463.170, inclusive, 463.386 and 463.482 to 463.645, inclusive, *and sections 2, 3 and 4 of this act,* unless the context otherwise requires, the words and terms defined in NRS 463.4825 to 463.488, inclusive, have the meanings ascribed to them in those sections.".

Amend the title of the bill to read as follows:

"An Act relating to gaming; authorizing the Nevada gaming commission to adopt regulations requiring the approval of the commission for certain transactions affecting corporate gaming licensees or publicly traded corporations that are affiliated with such licensees; and providing other matters properly relating thereto.".

Amend the summary of the bill to read as follows: "Authorizes Nevada gaming commission to adopt regulations concerning certain transactions affecting corporate licensees. (BDR 41-1732)".

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. 571.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 1399.

Amend section 1, page 1, by deleting lines 3 and 4 and inserting:

"*1. In a county whose population is more than 100,000 but less than 250,000, on or before June 30 of each year after the levy of an assessment within an improvement district located in a redevelopment area selected pursuant to NRS 279.524 to pay, in whole or in part, the costs and*".

Amend section 1, page 1, line 7, before "*maintenance,*" by inserting "*extraordinary*".

Amend section 1, page 1, by deleting lines 13, 14 and 15 and inserting: "*for the extraordinary maintenance, repair and improvement of the project. Notice of the hearing must be given, and the hearing conducted, in the manner specified in NRS 271.305.*".

Amend section 1, page 2, line 5, before "*maintenance,*" by inserting "*extraordinary*".

Amend section 1, page 2, by deleting line 7 and inserting:

"*4. As used in this section, "extraordinary maintenance, repair and improvement*" ".

Amend section 1, page 2, line 10, after "*included*" by inserting "*only*".

Amend section 1, page 2, line 11, after "*body*" by inserting "*expressly*".

Amend section 1, page 2, line 14, by deleting the period and inserting: ", *including its use, location or operation and other circumstances. If the governing body makes such a finding, a statement of that finding must be included in the notice given pursuant to subsection 2.*".

Amend the title of the bill, second line, by deleting "a project" and inserting "certain projects".

Amend the summary of the bill, first line, by deleting "project" and inserting "certain projects".

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. 820.

Bill read second time.

The following amendment was proposed by the Committee on Natural Resources, Agriculture and Mining:

Amendment No. 1456.

Amend section 1, page 1, line 8, after "*legislature;*" by inserting "*and*".

Amend section 1, page 1, by deleting lines 9 and 10 and inserting:

"*(c) Affected Indian tribes.*".

Amend section 1, page 1, by deleting line 16 and inserting: "*3. If the governor, the legislature or affected Indian tribes*".

Amend section 1, page 1, line 17, by deleting "*of Indians of the state*".

Amend section 1, page 2, line 8, by deleting: "*(c) Obtain and provide money*" and inserting:

"*(c) Take all steps necessary to obtain any money available pursuant to the Nuclear Waste Policy Act of 1983, or any related federal law,*".

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. 873.

Bill read second time.

The following amendment was proposed by the Committee on Taxation:

Amendment No. 1455.

Amend section 1, page 1, line 2, by deleting "A" and inserting: "Except as otherwise provided in section 1 of [this act,] *Assembly Bill No. 75 of this session,* a".

Amend section 1, page 2, line 14, after "4." by inserting: "If the executive director of the department of taxation excludes fees for building permits from the maximum allowable revenue from fees of a local government pursuant to section 1 of [this act,] *Assembly Bill No. 75 of this session,*

he shall decrease the maximum allowable revenue from fees established pursuant to this section for that local government by an amount equal to the portion of the total fees otherwise allowable which was attributable to fees for building permits.

5.".

Amend section 1, page 2, line 20, by deleting "5." and inserting "6.".

Amend the bill as a whole by adding a new section, designated sec. 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, 1987.".

Assemblyman May moved the adoption of the amendment.

Remarks by Assemblyman May.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 878.

Bill read second time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1443.

Amend sec. 2, page 2, line 33, by deleting "*not less*" and inserting "*more*".

Amend sec. 2, page 2, line 36, by deleting the brackets.

Assemblyman Sedway moved the adoption of the amendment.

Remarks by Assemblyman Sedway.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Joint Resolution No. 45.

Resolution read second time, ordered engrossed and to third reading.

Senate Bill No. 363.

Bill read second time.

The following amendment was proposed by the Committee on Transportation:

Amendment No. 1336.

Amend section 1, page 1, line 3, by deleting "*a person*" and inserting: "*the driver of a vehicle*".

Amend section 1, page 1, line 6, by deleting: "*to the person if he*" and inserting: "*if the officer has probable cause to believe that the owner of the vehicle*".

Amend section 1, page 1, line 7, after "*484.263.*" by inserting: "*If the driver of the vehicle is not the owner, the citation may be issued to the owner instead of the driver, and in such a case the driver:*

1. Is authorized to sign the citation on behalf of the owner; and

2. Shall notify the owner of the citation within 3 days after it is issued.

The agency which employs the peace officer shall immediately forward a copy of the citation to the registered owner of the vehicle, by certified mail, at his address as it appears on the certificate of registration.".

Amend sec. 2, page 1, by deleting lines 9, 10 and 11 and inserting:

"484.263 1. Except as otherwise provided in subsection 5, [a person] *the owner of a motor vehicle* shall not:

(a) Operate [a] *the* motor vehicle , *if it is* registered or required to be registered in this".

Amend sec. 2, page 1, line 12, by deleting "state" and inserting "state ,".

Amend sec. 2, page 2, line 1, by deleting "a" and inserting "[a] *the*".

Amend sec. 2, page 2, by deleting lines 18 through 24.

Amend sec. 4, page 2, by deleting lines 32 and 33, and inserting: "485.326 *1.* The department shall".

Amend sec. 4, page 2, by deleting lines 40 and 41.

Amend sec. 4, page 3, by deleting line 1 and inserting: "*2. Any license or registration suspended pursuant to subsection 1*".

Amend sec. 4, page 3, line 7, by deleting: "*1 or 2.*" and inserting "*1.*".

Amend the title of the bill, fourth line, by deleting "certain persons" and inserting: "persons who do not own the vehicle".

Assemblyman Nevin moved the adoption of the amendment.

Remarks by Assemblyman Nevin.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 401.

Bill read second time and ordered to third reading.

Senate Bill No. 471.

Bill read second time and ordered to third reading.

Senate Bill No. 497.

Bill read second time and ordered to third reading.

Senate Bill No. 520.

Bill read second time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1400.

Amend the bill as a whole by renumbering sec. 7 as sec. 8 and adding a new section designated sec. 7, following sec. 6, to read as follows:

"Sec. 7. There is hereby appropriated from the state general fund to the Department of Prisons the sum of $474,249 for the cost of uniform allowances and "remote area differentials" ordered pursuant to *State, Employees Ass'n v. State, Dep't of Prisons*, 102 Nev. 356, 724 P.2d 732 (1986). This appropriation is supplemental to that made by section 33 of chapter 702, Statutes of Nevada 1981, at page 1725.".

Assemblyman Sedway moved the adoption of the amendment.

Remarks by Assemblyman Sedway.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 534.

Bill read second time and ordered to third reading.

UNFINISHED BUSINESS

RECEDE FROM ASSEMBLY AMENDMENTS

Assemblyman Sader moved that the Assembly do not recede from its action on Senate Bill No. 396, 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 Sader.

Motion carried.

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker appointed Assemblymen Sader, Porter and Nicholas as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Senate Bill No. 396.

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bills Nos. 42, 300, 302, 460, 461, 526, 674, 749, 791; Senate Bills Nos. 182, 324, 336, 418, 439, 467.

REMARKS FROM THE FLOOR

Assemblyman Price requested that his remarks be entered in the Journal.

Constitutional Moments—Week of June 7, 1787

Activities of the Convention this week

June 7—The clause providing for the appointment of the 2nd branch of the national legislature, having lain blank since the last vote on the mode of electing it, to wit, by the first branch, Mr. Dickinson now moved that the members of the second branch ought to be chosen by the state legislatures; Sherman then seconded. James Wilson, seconded by Morris, moved that the people elect the Senate. A motion to consider Wilson's motion lost, 10 against, one for. Dickinson's motion was then approved unanimously.

June 8—The convention, in committee of the whole, reconsidered the provision giving the national legislature a veto over state laws "contrary to the Articles of Union or treaties with foreign nations". Charles Pinckney, seconded by James Madison, moved to strike the qualifying clause and thus give the legislature power to veto any state law. After a lively debate the motion was defeated—7 nay, 3 aye, 1 divided.

June 9—Elbridge Gerry (Mass.) moved to reconsider the method of electing the executive, and to have the executive elected by the governors of the states, with their votes weighted in proportion to the vote of their state in the Senate. (This was before the decision for an equal vote in this body.) Edmund Randolph argued strongly against this motion and it lost—10 states no, Delaware divided. The convention recessed until Monday.

June 11—The committee of the whole reconsidered the Rule of Sufferage in the legislature. Roger Sherman moved that it be proportional in the first house and by state (each state one vote) in the Senate. John Rutledge and Pierce Butler, both of South Carolina, wanted representation based on how much money each state contributed. After

extensive and heated debate, the committee decided that representation should be based on the free population plus three-fifths of all others. Sherman's motion that each state have an equal vote in the Senate was defeated.

June 12—The convention meeting in committee of the whole had a busy day. Today it approved having the conventions to ratify the Constitution elected by the people; agreed on three-year terms for members of the House; agreed to pay legislators a fixed salary from the Federal treasury and agreed that Senators should be at least 30 years old.

June 13—Today, the convention meeting as a committee of the whole gave the Federal Judiciary jurisdiction in cases concerning the national revenue, impeachment of Federal officers and questions involving the national peace and harmony. The convention decided that the Senate would appoint Federal judges, defeated a proposal to prohibit the Senate from originating money bills, and rose to report to the Convention.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman May, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Wally Cudworth.

On request of Assemblyman Adler, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Dixie Berning.

Assemblyman Jeffrey moved that the Assembly adjourn until Thursday, June 11, 1987 at 10 a.m.

Motion carried.

Assembly adjourned at 1:29 p.m.

Approved: JOSEPH E. DINI, JR.
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE ONE HUNDRED AND FORTY-FOURTH DAY

CARSON CITY (Thursday), June 11, 1987

Assembly called to order at 10:20 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, Assemblyman Val Z. Garner.

Father in Heaven, as we humbly bow our heads before Thee on this day, we pray especially that Thou will bless us as we deliberate the affairs of government. We pray, too, especially that in these closing days of the session that we will be considerate of each other. We are grateful of those who are here visiting the Assembly. We pray, Father in Heaven, that Thou will bless us with continued help and that while we are away from our families that they, too, will be protected and watched over. We pray that Thou will bless the citizens of this state, that they will be able to help us in keeping the objectives that we are here for. We are grateful, Father in Heaven, for all the blessings that Thou has given to us on a daily basis. We pray that Thou will bless us as we work this day. We say this in the name of Jesus Christ. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Nevin 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. 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 E. JEFFREY, *Chairman*

Mr. Speaker:

Your Committee on Taxation, 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.

PAUL W. MAY, *Chairman*

Mr. Speaker:

Your Committee on Taxation, to which was referred Assembly Bill No. 872, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

PAUL W. MAY, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which was re-referred Senate Bill No. 144, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ROBERT M. SADER, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which was referred Senate Bill No. 270, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ROBERT M. SADER, *Chairman*

Mr. Speaker:

Your Committee on Education, to which was referred Senate 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.

ROBERT G. CRADDOCK, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which were referred Senate Bills Nos. 286, 511, 554, 567, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

ROBERT M. SADER, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, June 10, 1987

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 47, 166, 349, 454, 535, 760.

Also, I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bills Nos. 456, 708, 738, 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. 390.

Also, I have the honor to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 73.

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. 404.

MARY JO MONGELLI
Assistant Secretary of the Senate

SECOND READING AND AMENDMENT

Assembly Bill No. 500.

Bill read second time.

The following amendment was proposed by the Committee on Health and Welfare:

Amendment No. 1451.

Amend the bill as a whole by deleting sec. 4.

Amend the title of the bill by deleting the first, second and third lines and inserting:

"An Act relating to assistance to the medically indigent; making certain information confidential; authorizing the appointment of".

Assemblyman Humke moved the adoption of the amendment.

Remarks by Assemblyman Humke.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Thompson moved that Senate Bill No. 534 be taken from the General File and placed on the Chief Clerk's desk.

Motion carried.

Assemblyman May moved that the vote whereby Senate Bill No. 229 was passed be rescinded.

Remarks by Assemblyman May.

Motion carried.

Assemblyman Sader moved that Assembly Bill No. 550 be taken from the Chief Clerk's desk and placed on the Second Reading File.

Remarks by Assemblyman Sader.

Motion carried.

Assemblyman Jeffrey moved that the vote whereby Assembly Bill No. 454 was passed be rescinded.

Remarks by Assemblyman Jeffrey.

Motion carried.

Assemblyman Sader moved that Senate Bill No. 476 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. 738.

The following Senate amendment was read:

Amendment No. 1316.

Amend the bill as a whole by deleting sections 2 and 3.

Amend the title of the bill, second and third lines, by deleting: "expanding the provisions governing rehabilitation of youthful offenders to include certain other children;".

Amend the summary of the bill to read as follows: "Authorizes programs during day for supervision of youthful offenders who are paroled. (BDR 16-2157)".

Assemblyman Sedway moved that the Assembly concur in the Senate amendment to Assembly Bill No. 738.

Remarks by Assemblyman Sedway.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 592.

The following Senate amendment was read:

Amendment No. 1305.

Amend section 1, page 1, lines 6 and 7, by deleting: "examiners of the State of Nevada," and inserting "examiners,".

Assemblyman Arberry moved that the Assembly concur in the Senate amendment to Assembly Bill No. 592.

Remarks by Assemblyman Arberry.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 184.

The following Senate amendment was read:

Amendment No. 1270.

Amend sec. 8, page 3, line 35, after "inclusive," by inserting: "[and] sections 11 and 12 of [this act,] *chapter 152, Statutes of Nevada 1987,*".

Amend sec. 10, page 4, by deleting lines 1 through 4 and inserting:

"Sec. 10. (Deleted by amendment.)".

Amend sec. 18, page 9, by deleting lines 11 through 25 and inserting: "political party by the several county conventions of that party shall convene on such respective dates as the state central committees of the parties designate [, or if an earlier date is not designated then on the 2nd Tuesday in May] in each year in which the general election is to be held, at the state capital, or at such other place in the state as the state central committee of that party designates. The delegates shall there organize, adopt a state party platform, and elect a state central committee for that party for the ensuing term and the chairman thereof.

2. The state central committee of [the parties] *each party* may convene additional state conventions of [their respective parties] *its party* at such times and places as [they designate] *it designates* during the period between the state conventions, as provided in subsection 1, and the next ensuing precinct meetings, as provided in NRS 293.135. The [delegate] composition *of the delegates* at those conventions must be the same as".

Amend sec. 22, page 11, line 40, by deleting "*last*" and inserting "*first*".

Amend sec. 22.3, page 12, line 3, after "all" by inserting "cities and".

Amend sec. 22.3, page 12, by deleting line 7 and inserting:

"2. The regulations must prescribe:".

Amend sec. 22.3, page 12, by deleting line 21 and inserting:

"(l) The procedures to be used to ensure the security and accuracy of computer programs used for elections; and".

Amend sec. 22.3, page 12, line 22, by deleting "(l)" and inserting "(m)".

Amend sec. 22.3, page 12, line 27, by deleting "county clerks" and inserting: "each county and city clerk".

Amend sec. 23, page 13, line 12, by deleting "[judges] *board*" and inserting "board".

Amend sec. 23, page 13, by deleting line 18 and inserting:

"(d) The signatures of the members of the election board who".

Amend sec. 25, page 14, line 3, by deleting "county" and inserting: "appropriate county or city".

Amend sec. 25, page 14, line 4, by deleting: "general or primary election," and inserting: "election regulated by this chapter,".

Amend sec. 25, page 14, line 12, by deleting "such" and inserting "that".

Amend sec. 25, page 14, line 13, by deleting "such" and inserting "that".

Amend sec. 27, page 14, by deleting lines 23 through 38 and inserting: "any county or city have been received by the board of county commissioners or city council, the board or council shall meet and [proceed to] canvass the returns. The canvass must be completed on or before the [10th] *5th* day following the election.

2. In making its canvass, the board or council shall:

(a) Note separately any clerical errors discovered; and

(b) Take account of the changes resulting from the discovery, so that the result declared represents the true vote cast.

3. The county or city clerk shall, as soon as the result is declared, enter upon the records of the board or council an abstract of the result, which must contain the number of votes cast for each candidate. The board , after making the abstract, shall cause the county clerk, by an order made and entered in the minutes of its proceedings, to make a copy of the abstract and transmit it to the secretary of state within [10] *5* days after the day of election.

4. The secretary of state shall, immediately after any primary election, compile".

Amend sec. 27, page 14, after line 42, by inserting:

"5. The city clerk shall, immediately after any primary city election, compile the returns for all candidates voted for in the city. He shall make out and file in his office an abstract thereof, and shall certify the name of each person nominated, and the name of the office for which he is nominated.".

Amend sec. 30, page 16, by deleting lines 6 through 27 and inserting:

"Sec. 30. (Deleted by amendment.)".

Amend sec. 31, page 16, by deleting lines 32 and 33 and inserting:

"2. The county clerk shall appoint at least one registered voter to serve as a deputy registrar, who shall register voters within the county for which he is appointed.".

Amend sec. 31, page 17, line 6, by deleting the comma and inserting: "or general city election,".

Amend sec. 31, page 17, by deleting lines 25 and 26 and inserting: "*while he is registering an elector.*".

Amend sec. 33, page 17, by deleting lines 32 through 42 and inserting: "[funds, fees, dues or other] money for any organization the title of which incorporates the name, or any form of the name, of any political party *or minor political party* in [the State of Nevada, as defined in NRS 293.073,] *this state* without first having obtained written approval therefor, or a charter for that organization, from the central *or executive* committee of [the] *that* political party the name of which is being used or incorporated in the title of that organization for the county in which the [funds are] *money is* being solicited.

2. [Nothing in this section requires] *This section does not require* any person or organization to obtain [such] a charter or written approval if [the] *that* person or organization is:".

Amend sec. 34, page 18, by deleting line 13 and inserting: "2. The member of the election board shall".

Amend sec. 35, page 18, by deleting lines 31, 32 and 33 and inserting:

"*(b) An acceptance of candidacy; or*

(c) An affidavit of candidacy,".

Amend sec. 41, page 21, by deleting lines 11, 12 and 13 and inserting: "all but criminal matters.

2. If the officer against whom the petition is filed is a:

(a) State officer [,] *who is elected statewide,* the hearing on the petition must be held by the first judicial district court.

(b) District officer whose district includes area in more than one county, the hearing on the petition must be held in the district court for the county in which the largest population of the district is located.

The notice must be published once in".

Amend sec. 41, page 21, line 21, by deleting "2." and inserting "3.".

Amend sec. 43, pages 22 and 23, by deleting lines 33 through 40 on page 22 and lines 1 through 4 on page 23, and inserting:

"Sec. 43. (Deleted by amendment.)".

Amend the bill as a whole by adding a new section designated sec. 45, following sec. 44, to read as follows:

"Sec. 45. 1. Sections 8, 10, 18, 23, 25, 27, 30, 31, 34 and 41 of this act become effective at 12:01 a.m. on July 1, 1987.

2. Sections 17, 22.3 and 33 of this act become effective at 12:02 a.m. on July 1, 1987.".

Assemblyman Swain moved that the Assembly concur in the Senate amendment to Assembly Bill No. 184.

Remarks by Assemblyman Swain.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 456.

The following Senate amendment was read:

Amendment No. 1326.

Amend section 1, page 1, by deleting line 5 and inserting: "*a spouse, enter a decree equally dividing the community assets, excluding income, and*".

Assemblyman Kissam moved that the Assembly concur in the Senate amendment to Assembly Bill No. 456.

Remarks by Assemblyman Kissam.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 421.

The following Senate amendment was read:

Amendment No. 1331.

Amend section 1, page 2, line 15, by deleting "[391.3194,] *391.3193,*" and inserting "391.3194,".

Assemblyman Craddock moved that the Assembly concur in the Senate amendment to Assembly Bill No. 421.

Remarks by Assemblyman Craddock.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 626.

The following Senate amendment was read:

Amendment No. 1321.

Amend sec. 4, page 3, line 39, by deleting "$5" and inserting "[$5] *$7*".

Amend the title of the bill, third line, after "marriage;" by inserting: "increasing the fee imposed for the account for aid for victims of domestic violence;".

Assemblyman Adler moved that the Assembly concur in the Senate amendment to Assembly Bill No. 626.

Remarks by Assemblyman Adler.

Motion carried.

Bill ordered enrolled.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Assembly Bills Nos. 549, 565, 571, 820, 873 and 878 be placed on the General File immediately following Assembly Joint Resolution No. 45.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 550.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1403.

Amend sec. 2, page 1, line 3, by deleting "*prostitution,*" and inserting: "*prostitution or solicitation therefor,*".

Amend sec. 3, page 1, by deleting line 6 and inserting:

"Sec. 3. *1. Any person who is arrested for a violation of section 2 of this act must submit to a*".

Amend sec. 3, page 1, line 8, after "*virus.*" by inserting: "*If the person is convicted of a violation of section 2 of this act, he shall pay the sum of $100 for the cost of the test.*

2. If the results of the test are positive, the person performing the test shall immediately transmit the results of the test to the arresting law enforcement agency. That agency shall:

(a) Mail the results by certified mail to the person arrested, at his last known address; or

(b) If the person arrested is in the custody of the agency, personally deliver the results to him.".

Amend sec. 4, pages 1 and 2, by deleting lines 9 and 10 on page 1 and lines 1 through 11 on page 2, and inserting:

"Sec. 4. *Any person who:*

1. Violates section 2 of this act; or

2. Works as a prostitute in a licensed house of prostitution,

after testing positive in a test approved by the state board of health and receiving written notice of that fact is guilty of a felony and shall be punished by imprisonment in the state prison for not less than 1 year nor more than 20 years, or by fine of not more than $10,000, or by both fine and imprisonment.".

Amend sec. 6, page 2, line 23, by deleting "*1.*".

Amend sec. 6, page 2, line 24, after "*prostitution*" by inserting: ", *the person who operates the house or his agent*".

Amend sec. 6, page 2, by deleting lines 29 through 34.

Amend sec. 7, page 2, by deleting lines 38 through 40 and inserting: "*to detect exposure to the human immunodeficiency virus. The board shall not approve any series of tests, the results of which are not considered by the medical community to be reliable at least 95 percent of the time.*".

Amend the bill as a whole by deleting sec. 8.

Amend the title of the bill by deleting the fourth and fifth lines and inserting: "prostitution guilty of a felony; making certain owners of houses of prostitution and their agents liable for damages if they employ as a prostitute a person who has".

Assemblyman Sader moved the adoption of the amendment.

Remarks by Assemblyman Sader.

Amendment adopted.

Bill ordered reprinted, engrossed and to the Concurrent Committee on Ways and Means.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 775.

The following Senate amendment was read:

Amendment No. 1255.

Amend sec. 2, page 1, line 4, after "*institution*" by inserting: "*which is not licensed by the state or Federal Government*".

Assemblyman Jeffrey moved that the Assembly do not concur in the Senate amendment to Assembly Bill No. 775.

Remarks by Assemblyman Jeffrey.

Motion carried.

Bill ordered transmitted to the Senate.

GENERAL FILE AND THIRD READING

Assembly Joint Resolution No. 45.
Resolution read third time.
Remarks by Assemblymen Myrna Williams and Carpenter.
Roll call on Assembly Joint Resolution No. 45:

YEAS—34.
NAYS—Bergevin, Carpenter, DuBois, Getto, Lambert, Marvel, Tebbs, Thomas—8.

Assembly Joint Resolution No. 45 having received a constitutional majority, Mr. Speaker declared it passed.
Resolution ordered transmitted to the Senate.

Assembly Bill No. 549.
Bill read third time.
Remarks by Assemblyman Swain.
Assemblyman Swain moved that Assembly Bill No. 549 be taken from the General File and placed on the Chief Clerk's desk.
Remarks by Assemblyman Swain.
Motion carried.

Assembly Bill No. 565.
Bill read third time.
Remarks by Assemblymen Sader and Carpenter.
Roll call on Assembly Bill No. 565:

YEAS—36.
NAYS—Banner, Carpenter, Getto, Nicholas, Porter, Spriggs—6.

Assembly Bill No. 565 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 571.
Bill read third time.
Remarks by Assemblyman Kerns.
Roll call on Assembly Bill No. 571:

YEAS—42.
NAYS—None.

Assembly Bill No. 571 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 820.
Bill read third time.
Remarks by Assemblymen Schofield, Porter, Myrna Williams, DuBois, Thompson, May, Adler and Brookman.
Assemblymen Jeffrey, Nevin and Thompson moved the previous question.
Motion carried.
The question being on the passage of Assembly Bill No. 820.

Roll call on Assembly Bill No. 820:

YEAS—27.

NAYS—Banner, Craddock, DuBois, Evans, Gaston, Humke, Lambert, Marvel, Nicholas, Porter, Tebbs, Thomas, Myrna Williams, Wendell Williams, Wisdom—15.

Assembly Bill No. 820 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 873.

Bill read third time.

Remarks by Assemblyman May.

Roll call on Assembly Bill No. 873:

YEAS—42.

NAYS—None.

Assembly Bill No. 873 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 878.

Bill read third time.

Remarks by Assemblyman Evans.

Roll call on Assembly Bill No. 878:

YEAS—42.

NAYS—None.

Assembly Bill No. 878 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Swain moved that Assembly Bill No. 549 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. 549.

Bill read third time.

Remarks by Assemblymen Getto, Bergevin, Thomas, Swain, Kerns, Fay, DuBois and Thompson.

Assemblyman Thompson moved that Assembly Bill No. 549 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblymen Getto, Swain, Myrna Williams, Fay, Price and Thomas.

Motion carried.

Senate Bill No. 88.

Bill read third time.

Remarks by Assemblyman Sader.

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, as amended.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that all rules be suspended and that Assembly Bills Nos. 565, 571, 820, 873, 878 and Assembly Joint Resolution No. 45 be immediately transmitted to the Senate.

Motion carried unanimously.

GENERAL FILE AND THIRD READING

Senate Bill No. 89.

Bill read third time.

Remarks by Assemblyman Sedway.

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. 156.

Bill read third time.

Remarks by Assemblyman Nevin.

Roll call on Senate Bill No. 156:

YEAS—41.
NAYS—None.
Not voting—Sedway.

Senate Bill No. 156 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assemblyman Nevin moved that the Assembly recess subject to the call of the Chair.

Motion carried.

Assembly in recess at 11:28 a.m.

ASSEMBLY IN SESSION

At 11:38 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. 400, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

MARVIN M. SEDWAY, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which was re-referred Assembly Bill No. 765, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

MARVIN M. SEDWAY, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Government Affairs, to which was referred Assembly Bill No. 423, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

DANNY L. THOMPSON, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Ways and Means, to which was referred Assembly Bill No. 423, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

MARVIN M. SEDWAY, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which were referred Senate Bills Nos. 212, 509, 537, 576, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

MARVIN M. SEDWAY, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which was re-referred Senate Bill No. 104, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

MARVIN M. SEDWAY, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which was referred Senate 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.

ROBERT M. SADER, *Chairman*

Mr. Speaker:

Your Committee on Economic Development, Small Business and Tourism, 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.

BOB PRICE, *Chairman*

Mr. Speaker:

Your Committee on Legislative Functions, to which was referred Senate Concurrent Resolution No. 16, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and be adopted as amended.

MYRNA WILLIAMS, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, June 11, 1987

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. 51.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Senate Concurrent Resolution No. 51.

Assemblyman Nicholas moved the adoption of the resolution.

Remarks by Assemblymen Nicholas, Getto, Kerns and Freeman.

Assemblyman Nicholas requested that the following remarks be entered in the Journal.

ASSEMBLYMAN NICHOLAS:

Thank you, Mr. Speaker. The lady in question passed away a short time ago at the advanced age of 96 after spending a full 69 years as a Sister in the Dominican Order. Her main directions in life had to do with a hospital in Washoe County called St. Mary's and it essentially exists today because of her efforts as the director/administrator of that hospital—as the person who did everything from washing the floors and the windows to the most important decision making that the facility had to make.

I first met her when she was in her 80s and was still involved in the growth of that hospital. Picture, if you may, a Certificate of Need hearing with a grizzled committee of some 12 people sitting in a court-like atmosphere gazing down at those who would request, even beg, for assistance in expansion, new rooms, new anything. The issue in doubt, and then the person to come to the stand, a diminutive little, iron-willed, 85-year-old nun. And the issue changed. And every time that I watched that situation occur, I knew that the catalyst was always Sister Seraphine.

She's gone now, but she left a legacy that is really an amazing one in consideration of her size to the size of what she put together.

With me today is the chairperson of the St. Mary's Board, Sister Peter Damien, and the present CEO of the organization, Bill Van Ry, who joined me in acknowledging to you that this was a person with not only a long life span, but an accomplishment list that matched it. She was a marvelous lady. I would like to have had more of her time. We appreciate the consideration of this body today to this resolution.

ASSEMBLYMAN GETTO:

Thank you, Mr. Speaker. Very briefly, I had several encounters with Sister Seraphine, mainly as a patient at St. Mary's hospital. I will always remember the spiritual uplifting that this person gave me when she came in. She was a wonderful person.

As my colleague has stated, the accomplishments that she has given to humanity, I think, are almost unmatchable.

ASSEMBLYMAN KERNS:

Thank you, Mr. Speaker. During my 27 years on the fire department with the City of Reno I had a lot of meetings with Sister Seraphine. I always felt that the firefighters were part of her family. She treated all of us like we were her own sons, and it was just absolutely fantastic—it couldn't have been better. In the meantime, if we needed any help at all, we knew where we could go to get it. She really looked out for all of us.

ASSEMBLYMAN FREEMAN:

Thank you, Mr. Speaker. I first met Sister Seraphine some 25 years ago when I was working as a nurse at St. Mary's Hospital. This was a woman who had been a nurse at one time and, I felt, really understood the true meaning of nursing. She was a highly unusual woman and as Mr. Nicholas has said, she was a catalyst for the entire institution. She was a very fine woman and a loss to the community.

Resolution adopted unanimously.

Assemblyman Jeffrey moved that Assembly Bills Nos. 423, 514, 598, 765, 872; Senate Bills Nos. 144, 212, 270, 285, 286, 509, 511, 524, 537, 554, 567, 576 and Senate Joint Resolution No. 22 be placed on the Second Reading File.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Taxation:

Assembly Bill No. 882—An Act relating to property taxes; delaying the setting of tax rates by the Nevada tax commission and the payment of the first quarterly installments for fiscal year 1987-1988; and providing other matters properly relating thereto.

Assemblyman May moved that the bill be referred to the Committee on Taxation.

Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 252.

Bill read third time.

Remarks by Assemblymen Porter, Jeffrey, Myrna Williams, Adler, Schofield, Thomas, Evans, Marvel, Callister, Tebbs, Fay, Price, Brookman, Nicholas, Spinello, Humke and Thompson.

Assemblymen Nevin, Bergevin and DuBois moved the previous question.

Motion carried.

The question being on the passage of Senate Bill No. 252.

Conflicts of interest declared by Assemblymen Marvel, Humke and Tebbs.

Roll call on Senate Bill No. 252:

YEAS—26.

NAYS—Adler, Banner, Brookman, Evans, Freeman, Gaston, Getto, Jeffrey, Kerns, Lambert, May, Schofield, Spriggs, Swain, Myrna Williams—15.

Not voting—Nevin.

Senate Bill No. 252 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Senate Concurrent Resolution No. 16.

Resolution read.

The following amendment was proposed by the Committee on Legislative Functions:

Amendment No. 1458.

Amend the resolution, page 2, by inserting between lines 22 and 23:

"RESOLVED, That the subcommittee submit a quarterly report of its activities to the Interim Finance Committee; and be it further".

Assemblyman Myrna Williams moved the adoption of the amendment.

Remarks by Assemblyman Myrna Williams.

Amendment adopted.

Resolution ordered reprinted and engrossed.

SECOND READING AND AMENDMENT

Assembly Bill No. 423.

Bill read second time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1466.

Amend the bill as a whole by deleting sections 1 through 11 and inserting:

"Section 1. There is hereby appropriated from the state general fund to the fund for art in public works created pursuant to section 3 of this act the sum of $4,260.

Sec. 2. Notwithstanding the provisions of NRS 341.145, 341.153 and 353.255, the Nevada state council on the arts shall develop and administer a program for the preliminary actions necessary for the acquisition of works of art for inclusion with the new Supreme Court building and the new building to house the State Library and Archives. The works of art may be:

1. Installed as an integral part of one of the new buildings or attached to it;

2. Placed in the immediate vicinity of the building; or

3. Used for a portable exhibit either in or near the building for which it was acquired.

Sec. 3. 1. In preparing to acquire the works of art, the council may:

(a) Select and commission any artist for the creation of a concept for a work of art;

(b) Review the artist's plans and designs;

(c) Supervise the artist's execution of a model of the work; and

(d) Accept the concept and model for the work of art.

2. The fund for art in public works is hereby created as a special revenue fund under the administration of the council. Claims against the fund must be paid out as other claims against the state are paid.

3. The council may use the money in the fund for art in public works for:

(a) Employing artists to create concepts for works of art;

(b) Materials and services required to produce a model of the proposed works of art; and

(c) Expenses necessarily incurred in the administration of the program for the acquisition of works of art for the new buildings.

4. The council shall use at least one-half of the money allocated to the fund for art in public works to acquire models of works of art for the new buildings.

5. Any contract concerning the acquisition of a model of a work of art must be negotiated and entered into separately from any other contract relating to the project.

Sec. 4. 1. Except as otherwise provided in subsection 2, the state has exclusive rights of ownership and public display of all models of works of art prepared pursuant to section 3 of this act.

2. The artist of each such model may:

(a) Claim authorship of the model.

(b) Reproduce the work of art, including all rights to which the work of art may be subject under the copyright laws, unless otherwise limited by contract.

(c) Bequeath to his heirs, assigns or personal representatives any property rights retained in the work of art.

(e) Associate his name with the model.".

Amend the title of the bill to read as follows:

"An Act relating to art in public places; making an appropriation to support a program for the preliminary actions necessary for the acquisition of works of art for inclusion with certain proposed state buildings; requiring the Nevada state council on the arts to develop and administer the program; and providing other matters properly relating thereto.".

Amend the summary of the bill to read as follows: "Requires Nevada state council on the arts to develop and administer program for preliminary actions related to acquisition of works of art for inclusion with certain proposed state buildings. (BDR S-1023)".

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. 514.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 1260.

Amend the bill as a whole by renumbering section 1 as sec. 2 and adding a new section designated section 1, following the enacting clause, to read as follows:

"Section 1. NRS 489.305 is hereby amended to read as follows:

489.305 To open a branch office, a dealer, installer, rebuilder or serviceman, as the case may be, must:

1. Obtain a license from the division to operate the branch office; *and*

2. [File a $1,000 surety bond with the division for each branch office; and

3.] Provide for direct supervision of the branch office, either by himself or by employing a responsible managing employee.".

Amend section 1, page 2, by deleting lines 8 and 9 and inserting:

"(f) [If the application is for a license as a manufacturer, dealer or rebuilder, a".

Amend section 1, page 2, line 11, by deleting the brackets.

Amend section 1, page 2, line 32, by inserting a closed bracket after "(h)".

Amend section 1, page 2, line 33, by deleting "(i)" and inserting "[(i)] *(g)*".

Amend section 1, page 2, line 35, by deleting "(j)" and inserting "[(j)] *(h)*".

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 489.421 is hereby amended to read as follows:

489.421 The following grounds, among others, constitute grounds for disciplinary action under NRS 489.381:

1. Revocation or denial of a license issued pursuant to this chapter or an equivalent license in any other state, territory or country.

2. Failure of the licensee to maintain any other license [or bond] required by any political subdivision of this state.

3. Failure to respond to a notice served by the division as provided by law within the time specified in the notice.

4. Failure or refusing to permit access by the administrator to documentary materials set forth in NRS 489.231.

5. Disregarding or violating any provision of this chapter or any regulation adopted under it.

6. Conviction of a misdemeanor for violation of any of the provisions of this chapter.

7. Conviction of or entering a plea of guilty or nolo contendere to a felony or a crime of moral turpitude in this state or any other state, territory or country.

Sec. 4. NRS 489.4971 is hereby amended to read as follows:

489.4971 1. The fund for education and recovery relating to manufactured housing is hereby created as a special revenue fund for the purpose of satisfying claims against persons licensed under this chapter. Any balance in the fund over [$300,000] *$500,000* at the end of any fiscal year must be set aside and used by the administrator for education respecting manufactured homes, mobile homes, travel trailers or commercial coaches.

2. Upon issuance or renewal of the following licenses by the division, the licensee must pay in addition to the original or renewal license fee, a fee:

(a) For a dealer's or manufacturer's original license, of [$300.] *$1,000.*

(b) For a dealer's or manufacturer's renewal license, of [$150.] *$800.*

(c) For an original or renewal license for:

(1) A serviceman, rebuilder or installer, of $50.

(2) A salesman, of $25.

(3) A responsible managing employee, of $50.

Fees collected pursuant to this section must be deposited in the state treasury for credit to the fund.

3. Payments from the fund must be made only upon an appropriate court order.".

Amend the title of the bill, first line, by deleting: "bond required of dealers;" and inserting: "fee for issuance of a dealer's or manufacturer's license; eliminating the requirement for the furnishing of a bond as a condition for licensing;".

Amend the summary of the bill to read as follows: "Increases fee for issuance of license for dealers and manufacturers of mobile homes and eliminates requirement for furnishing of bond as condition for licensing. (BDR 43-1332)".

Assemblyman Callister moved the adoption of the amendment.

Remarks by Assemblyman Callister.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 598.

Bill read second time.

The following amendment was proposed by Assemblyman Price:

Amendment No. 1501.

Amend sec. 10, page 4, by deleting lines 9 through 12.

Amend sec. 10, page 4, line 13, by deleting "*2.*" and inserting "*1.*".

Amend sec. 10, page 4, line 16, by deleting "*3.*" and inserting "*2.*".

Amend sec. 10, page 4, line 20, by deleting "*4.*" and inserting "*3.*".

Amend sec. 11, page 4, by deleting lines 25, 26 and 27 and inserting: "*years for the projects authorized by sections 6 to 11, inclusive, of this act:*".

Amend sec. 11, page 4, by deleting lines 38 and 39.

Amend sec. 11, page 4, line 40, by deleting "*3.*" and inserting "*2.*".

Amend the title of the bill, fourth, fifth and sixth lines, by deleting: "authorizing the authority to issue revenue bonds for the purpose of construction or improving projects connected with the superconducting super collider;".

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. 765.

Bill read second time.

The following amendment was proposed by the Committee on Health and Welfare:

Amendment No. 856.

Amend sec. 2, page 1, by deleting line 4, and inserting: "*context otherwise requires:*

1. "Displaced homemaker" means any person who:".

Amend sec. 2, page 1, line 5, by deleting "*1.*" and inserting "*(a)*".

Amend sec. 2, page 1, line 7, by deleting "*2.*" and inserting "*(b)*".

Amend sec. 2, page 1, line 9, by deleting "*3.*" and inserting "*(c)*".

Amend sec. 2, page 1, line 11, by deleting "*4.*" and inserting "*(d)*".

Amend sec. 2, page 1, line 12, by deleting "*(a)*" and inserting "*(1)*".

Amend sec. 2, page 1, line 14, by deleting "*(b)*" and inserting "*(2)*".

Amend sec. 2, page 2, line 1, by deleting "*(c)*" and inserting "*(3)*".

Amend sec. 2, page 2, by inserting between lines 2 and 3:

"*2. "Board" means the state board for occupational education.*".

Amend sec. 3, page 2, line 3, by deleting: "*state board for vocational education*" and inserting "*board*".

Amend sec. 4, page 3, line 2, by deleting "*vocational*" and inserting "*occupational*".

Amend sec. 5, page 3, line 4, by deleting: "*state board for vocational education*" and inserting "*board*".

Amend sec. 7, page 3, line 19, by deleting: "*state board for vocational education*" and inserting "*board*".

Amend sec. 8, page 3, line 27, by deleting: "*state board of vocational education*" and inserting "*board*".

Amend sec. 8, page 3, lines 29 and 30, by deleting: "*state board for vocational education*" and inserting "*board*".

Amend sec. 9, page 3, line 36, by deleting "*of vocational*" and inserting "*for occupational*".

Assemblyman Arberry moved the adoption of the amendment.

Remarks by Assemblyman Arberry.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 872.

Bill read second time.

The following amendment was proposed by the Committee on Taxation:

Amendment No. 1453.

Amend the bill as a whole by renumbering sections 1 through 4 as sections 4 through 7 and adding new sections designated sections 1 through 3, following the enacting clause, to read as follows:

"Section 1. Chapter 362 of NRS is hereby amended by adding thereto a new section to read as follows:

1. A mine is affected by this section only if the ratio of its net proceeds to its gross yield, calculated from the actual results of its operation for the calendar year preceding the year in which an estimated payment may be required under this section, exceeds 25 percent. This calculation must be made separately for each geographically separate mine.

2. In addition to the statement required by subsection 1 of NRS 362.110, each person who is required to file that statement and who owns, works or operates a mine affected by this section shall, on or before the date when the tax for the preceding calendar year is due, file with the department a statement showing the estimated gross yield and estimated net proceeds from each such mine for the entire current calendar year, and shall pay the tax upon the net proceeds so estimated with his payment of the tax payable for the preceding calendar year. The Nevada tax commission shall, in its certificate required by NRS 362.130, identify each person required by this section to file an estimate. If an estimate is filed, the amount due under the final assessment pursuant to NRS 362.130 is the difference between the total tax established upon the assessment and the sum of the estimated payments made or credited, if any, for that calendar year. If the sum of the estimated payments exceeds the total tax, the taxpayer is entitled to credit the excess against the ensuing estimates or final taxes due until it is exhausted.

Sec. 2. NRS 362.130 is hereby amended to read as follows:

362.130 1. When the department determines the net proceeds of any mine or mines, the Nevada tax commission shall prepare its certificate of the

amount of the net proceeds of the mine or mines in triplicate and shall file one copy of the certificate with the department, one copy with the county assessor of the county in which the mine or mines are located, and shall send the third copy to the person, corporation or association which is the owner of the mine, operator of the mine, or recipient of the royalty payment, as the case may be.

2. Upon the filing of the copy of the certificate with the county assessor and with the department, the assessment must be made in the amount fixed by the certificate of the Nevada tax commission. The certificate of assessment must be filed and mailed not later than June 25 immediately following the month of February during which the statement was filed.

3. The taxes due must be established on June 25 and the assessment must be mailed on or before the first Monday in July. [The] *Except as otherwise provided in section 1 of this act, the* taxes are due on the date on which the first installment of taxes paid pursuant to NRS 361.483 are due. If [a person's] *an* appeal of the certification is pending, [he] *the person assessed* must pay the tax under protest in a timely manner.

Sec. 3. Each county treasurer who receives an estimated payment for the calendar year 1987 shall remit to the state controller for deposit in the state general fund the entire amount of the estimated payments made for that year.".

Amend sec. 2, page 2, line 6, by deleting "1" and inserting "4".

Amend sec. 2, page 2, by deleting line 8 and inserting: "adopted is $10,500,000 or more for the fiscal year".

Amend sec. 2, page 2, line 11, by deleting "$100,000,000;" and inserting "$50,000,000;".

Amend sec. 3, page 2, line 16, by deleting "1" and inserting "4".

Amend sec. 4, page 2, line 20, by deleting "This act becomes" and inserting:

"1. This section and sections 1, 2 and 3 of this act become effective on July 1, 1987.

2. Sections 4, 5 and 6 of this act become".

Amend sec. 4, page 2, line 23, by deleting: "This act expires" and inserting: "Sections 4, 5 and 6 of this act expire".

Amend sec. 4, page 2, line 24, by deleting "1." and inserting "(a)".

Amend sec. 4, page 2, line 26, by deleting "2." and inserting "(b)".

Amend the title of the bill, first line, after "taxation;" by inserting: "accelerating the collection of the tax upon the net proceeds of mines; providing for the use by the state of the first accelerated payment as general revenue;".

Amend the summary of the bill to read as follows: "Revises provisions regarding payment of taxes on net proceeds of mines. (BDR S-2291)".

Assemblyman May moved the adoption of the amendment.

Remarks by Assemblyman May.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 144.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 954.

Amend sec. 8, page 2, line 18, by deleting "ounce" and inserting "gram".

Amend sec. 8, page 2, line 19, by deleting "ounce" and inserting "gram".

Amend sec. 8, page 2, line 25, by deleting the period and inserting: ", including the weight of any material, compound, mixture or preparation that is added to the controlled substance.

3. The department shall not require a registered dealer to give his name, address, social security number or other identifying information on any return submitted with the tax.".

Amend sec. 8, page 2, line 26, by deleting "3." and inserting "4.".

Amend sec. 8, page 2, by deleting lines 27 through 33, and inserting: "100 percent of the tax in addition to the tax imposed by subsection 1. Any civil penalty imposed pursuant to this subsection must be collected as part of the tax.

4. The district attorney of any county in which a dealer resides may institute and conduct the prosecution of any action for violation of subsection 1.".

Amend sec. 9, page 2, by deleting lines 38 and 39 and inserting:

"2. No criminal prosecution may be initiated on the basis of:".

Amend sec. 9, page 3, lines 2 and 3, by deleting: "other than one for a violation of this chapter,".

Amend sec. 9, page 3, by inserting between lines 6 and 7:

"4. This section does not prohibit the department from publishing statistics that do not disclose the identity of a dealer or the contents of a particular return or report submitted to the department by a dealer.

5. Any person who releases or reveals confidential information in violation of this section is guilty of a gross misdemeanor.".

Amend sec. 12, page 3, line 18, by deleting: "taxes and fees" and inserting: "taxes, fees and civil penalties".

Amend sec. 12, page 3, by inserting between lines 24 and 25:

"3. One-half of any civil penalty collected by a district attorney pursuant to section 8 of this act must be deposited in the county treasury for the purposes of law enforcement and conducting criminal prosecutions. The remainder must be deposited with the state treasurer for credit to the state general fund.

4. One-half of the money deposited in the state general fund pursuant to subsection 3 must be accounted for separately and used only for the enforcement of chapter 453 of NRS.".

Amend sec. 14, page 3, line 34, after "or" by inserting "civil".

Amend the bill as a whole by deleting sec. 16 and renumbering sec. 17 as sec. 16.

Amend the title of the bill, third line, after "substances;" by inserting: "providing for the confidentiality of certain information submitted by dealers;".

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. 212.

Bill read second time and ordered to third reading.

Senate Bill No. 270.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1468.

Amend section 1, page 1, line 2, by deleting "13," and inserting "12,".

Amend sec. 2, page 1, line 5, by deleting "*13,*" and inserting "*12,*".

Amend sec. 3, page 1, line 8, by deleting "*13,*" and inserting "*12,*".

Amend sec. 9, page 2, by deleting lines 20 through 25 and inserting:

"*(a) Any proceeds attributable to the commission or attempted commission of any felony.*

(b) Any property or proceeds otherwise subject to forfeiture pursuant to NRS 179.121, 200.760 or 453.301.".

Amend sec. 11, page 3, line 9, by deleting "*13,*" and inserting "*12,*".

Amend sec. 11, page 3, line 34, by deleting "*may appear*" and inserting: "*is a proper party*".

Amend sec. 12, page 4, line 14, after "*person*" by inserting: ", *other than a witness,*".

Amend the bill as a whole by deleting sec. 13 and inserting:

"Sec. 13. (Deleted by amendment.)".

Amend sec. 16, page 5, lines 32 and 33, by deleting: "*then, if no order has been entered pursuant to section 13 of this act,*" and inserting "*then*".

Amend sec. 18, page 6, line 30, by deleting "*13,*" and inserting "*12,*".

Amend sec. 18, page 6, line 34, by deleting the period and inserting: "*except as money to match money from the Federal Government.*".

Amend sec. 20, page 7, line 6, by deleting "*13,*" and inserting "*12,*".

Amend sec. 21, page 7, line 9, by deleting "*13,*" and inserting "*12,*".

Amend sec. 21, page 8, by deleting lines 13 and 14 and inserting: "inclusive, all proceeds traceable to such an exchange, and all [money, negotiable instruments and securities] *property*".

Amend sec. 21, page 8, line 15, by deleting "inclusive. [No" and inserting "inclusive [. No".

Amend sec. 21, page 8, line 18, after the bracket, by inserting: ", *except NRS 453.336.*".

Amend sec. 22, page 8, line 23, by deleting: ", 179.1195 and 179.121" and inserting "and 179.1195".

Amend the bill as a whole by removing NRS 179.121 from the text of the repealed sections.

Assemblyman Gaston moved the adoption of the amendment.

Remarks by Assemblyman Gaston.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 285.

Bill read second time.

The following amendment was proposed by the Committee on Education:

Amendment No. 1457.

Amend section 1, page 1, line 2, after "as" by inserting "otherwise".

Amend section 1, page 2, by deleting line 6 and inserting:

"(a) Licensed by the superintendent of public instruction;".

Amend sec. 2, page 2, line 12, by deleting "12:01" and inserting "12:02".

Assemblyman Gaston moved the adoption of the amendment.

Remarks by Assemblyman Gaston.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 286.

Bill read second time and ordered to third reading.

Senate Bill No. 509.

Bill read second time and ordered to third reading.

Senate Bill No. 511.

Bill read second time and ordered to third reading.

Senate Bill No. 524.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1449.

Amend section 1, page 1, line 9, after the semicolon, by inserting "*and*".

Amend section 1, page 1, by deleting lines 11 and 12 and inserting "affidavit.".

Amend sec. 2, page 2, line 1, by deleting the bracket.

Amend sec. 2, page 2, line 3, before the period by inserting an open bracket.

Amend sec. 2, page 2, line 4, after "The]" by inserting: ", *or the parties have executed an agreement as to the custody of any children and setting forth the amount and manner of their support.*

4.".

Amend sec. 2, page 2, by deleting line 9 and inserting:

"5. The parties waive any rights to spousal support [.] *or the parties have executed an agreement setting forth the amount and manner of spousal support.*".

Amend sec. 2, page 2, line 10, by deleting "6.] *4.*" and inserting "6.".

Amend sec. 2, page 2, line 13, by deleting "[7.] *5.*" and inserting "7.".

Amend sec. 3, page 2, line 32 after "*provisions*" by inserting: "*of subsections 1, 2 and 4*".

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. 537.
Bill read second time and ordered to third reading.

Senate Bill No. 554.
Bill read second time and ordered to third reading.

Senate Bill No. 567.
Bill read second time and ordered to third reading.

Senate Bill No. 576.
Bill read second time and ordered to third reading.

Senate Joint Resolution No. 22.
Resolution read second time and ordered to third reading.

Mr. Speaker announced that if there were no objections, the Assembly would recess until 1:55 p.m.

Assembly in recess at 12:51 p.m.

ASSEMBLY IN SESSION

At 2:13 p.m.
Mr. Speaker presiding.
Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Ways and Means, to which were referred Assembly Bill No. 875; Senate Bill No. 120, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

MARVIN M. SEDWAY, *Chairman*

Mr. Speaker:

Your Committee on Labor and Management, to which was referred Senate Bill No. 328, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JAMES J. BANNER, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Senate 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.

DANNY L. THOMPSON, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which was referred Senate Bill No. 251, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

MARVIN M. SEDWAY, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, June 11, 1987

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Senate Bills Nos. 582, 584, 586.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 29, 261, 410, 430, 539, 561.

MARY JO MONGELLI
Assistant Secretary of the Senate

INTRODUCTION, FIRST READING AND REFERENCE

Senate Bill No. 29.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

Senate Bill No. 261.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

Senate Bill No. 410.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 430.

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

Motion carried.

Senate Bill No. 539.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Natural Resources, Agriculture and Mining.

Motion carried.

Senate Bill No. 561.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Taxation.

Motion carried.

Senate Bill No. 582.

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

Motion carried.

Senate Bill No. 584.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

Senate Bill No. 586.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By the Committee on Transportation:

Assembly Bill No. 883—An Act relating to motor vehicles; revising the provisions governing the licensing and regulation of automobile wreckers, salvage pools and body shops; requiring certain documentation relating to the dismantling and reconstruction of motor vehicles; and providing other matters properly relating thereto.

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

Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 313.

Bill read third time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 1467.

Amend the bill as a whole by deleting secs. 32 and 33 and inserting:

"Secs. 32 and 33. (Deleted by amendment.)".

Amend sec. 54, page 15, line 3, after "NRS 641A.250" by inserting ", 641A.350".

Amend the bill as a whole by inserting within the text of repealed sections:

"641A.350 Hearing. The hearing of a complaint shall be conducted in private by the board. The defendant certificatee shall be accorded the right to appear in person and by legal counsel, and shall be given adequate opportunity to confront the witnesses against him, to testify and introduce the testimony of witnesses in his behalf, and to submit argument and brief in person or by his counsel.".

Assemblyman Jeffrey moved the adoption of the amendment.

Remarks by Assemblyman Jeffrey.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 401.

Bill read third time.

Remarks by Assemblyman May.

Roll call on Senate Bill No. 401:

YEAS—42.

NAYS—None.

Senate Bill No. 401 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 471.

Bill read third time.

Remarks by Assemblymen Triggs and May.

Assemblyman May requested that the following be entered in the Journal.

Legislative Intent

S.B. 471 liberalizes and amends the current home office and regional home office premium tax credit found in NRS 608B.050. During the course of receiving testimony on this legislation, we were made aware of the fact that credits which are arguably similar to this one are being challenged in other states. The Supreme Court has held that the Alabama domestic tax preference statute is unconstitutional.

The basis for the challenge is the violation of the "equal protection" clause of the United States Constitution, because foreign insurers are taxed differently than domestic insurers.

Because this issue is under review by state and federal courts and because premium tax payments have been made under protest to the Insurance Division, we thought it appropriate to restate our intentions when reviewing the original legislation and considering this amendment.

If this premium tax credit is challenged and stricken by a court of competent jurisdiction, we intend that the tax remain at three percent for all insurers. Those persons who may have been eligible for a tax credit would no longer have their taxes reduced by the credit and would have to pay the full three percent tax. Further, we specifically reject the proposition that if the credit is stricken, all previously ineligible insurers would only have to pay taxes at the lesser rate and that refunds should be made.

This legislation was adopted to reduce taxes as a result of a recognition of the positive economic impact these insurers have on our community. If that is found to be improper, then all insurers should be taxed at the three percent rate.

Roll call on Senate Bill No. 471:

YEAS—42.

NAYS—None.

Senate Bill No. 471 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 491.

Bill read third time.

Remarks by Assemblyman McGaughey.

Roll call on Senate Bill No. 491:

YEAS—41.

NAYS—May.

Senate Bill No. 491 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 497.

Bill read third time.

Remarks by Assemblyman Nicholas.

Roll call on Senate Bill No. 497:

YEAS—42.

NAYS—None.

Senate Bill No. 497 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 508.

Bill read third time.
Remarks by Assemblymen DuBois, Price and Jeffrey.
Roll call on Senate Bill No. 508:
YEAS—42.
NAYS—None.

Senate Bill No. 508 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Senate Bill No. 527.
Bill read third time.
Remarks by Assemblyman Callister.
Roll call on Senate Bill No. 527:
YEAS—42.
NAYS—None.

Senate Bill No. 527 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 535.
Bill read third time.
Remarks by Assemblyman Nicholas.
Roll call on Senate Bill No. 535:
YEAS—42.
NAYS—None.

Senate Bill No. 535 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. 62 be placed on the Second Reading File.
Remarks by Assemblyman Thompson.
Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 571.
Bill read third time.
Remarks by Assemblyman Nicholas.
Roll call on Senate Bill No. 571:
YEAS—42.
NAYS—None.

Senate Bill No. 571 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 572.
Bill read third time.

Remarks by Assemblyman Adler.
Roll call on Senate Bill No. 572:
YEAS—42.
NAYS—None.

Senate Bill No. 572 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 573.
Bill read third time.
Remarks by Assemblyman Marvel.
Roll call on Senate Bill No. 573:
YEAS—42.
NAYS—None.

Senate Bill No. 573 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 574.
Bill read third time.
Remarks by Assemblymen Getto and Nevin.
Roll call on Senate Bill No. 574:
YEAS—42.
NAYS—None.

Senate Bill No. 574 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Assembly Bill No. 875; Senate Bills Nos. 120, 251 and 328 be placed on the Second Reading File.
Motion carried.

Assemblyman Jeffrey moved that Assembly Bill No. 400 and Senate Bill No. 363 be placed on the General File.
Motion carried.

GENERAL FILE AND THIRD READING

Senate Joint Resolution No. 24.
Resolution read third time.
Remarks by Assemblyman Sader.
Roll call on Senate Joint Resolution No. 24:
YEAS—42.
NAYS—None.

Senate Joint Resolution No. 24 having received a constitutional majority, Mr. Speaker declared it passed.
Resolution ordered transmitted to the Senate.

Senate Bill No. 229.

Bill read third time.

The following amendment was proposed by the Committee on Taxation:

Amendment No. 1511.

Amend sec. 3, page 3, line 12, by deleting: "subsections 3, 4 and 5" and inserting "subsection 3".

Amend sec. 3, page 3, line 13, by deleting "Nevada tax".

Amend sec. 3, page 3, line 17, by deleting "Nevada tax".

Amend sec. 3, page 3, line 22, by deleting "Nevada tax".

Amend sec. 3, page 3, line 24, by deleting "Nevada tax".

Amend sec. 3, page 3, line 25, by deleting "all projects" and inserting "any project".

Amend sec. 3, pages 3, 4 and 5, by deleting lines 26 through 41 on page 3, 1 through 40 on page 4 and 1 through 4 on page 5 and inserting: "generation of electricity which is not yet put to use. This value must be assessed in the county where the project is located and must be taxed at the same rate as other property.".

Amend sec. 3, page 5, line 5, by deleting "6." and inserting "4.".

Amend sec. 3, page 5, line 11, by deleting "Nevada tax".

Amend sec. 3, page 5, line 15, by deleting "7." and inserting "5.".

Amend sec. 3, page 5, by deleting line 17 and inserting: "6. [In case of an omission by the commission to establish a".

Amend sec. 3, page 5, line 21, by deleting "9.]" and inserting "7.]".

Amend sec. 3, page 5, line 25, by deleting "[10." and inserting "[8.".

Amend sec. 3, page 5, line 31, by deleting "11.] *9.*" and inserting "9.] *7.*".

Assemblyman May moved the adoption of the amendment.

Remarks by Assemblyman May.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 454.

Bill read third time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 1510.

Amend sec. 3, page 2, by deleting lines 2 and 3 and inserting: "order to cease and desist to any person:

(a) Acting as a contractor; or

(b) Submitting a bid on a job situated in this state,

without a license as a contractor issued pursuant to this chapter. The order must be served personally or by certified mail and is".

Amend sec. 3, page 2, line 13, by deleting "any such" and inserting "the".

Amend the bill as a whole by adding a new section designated sec. 9, following sec. 8, to read as follows:

"Sec. 9. Section 3 of this act becomes effective at 12:01 a.m. on July 1, 1987.".

Assemblyman Jeffrey moved the adoption of the amendment.

Remarks by Assemblyman Jeffrey.
Amendment adopted.
Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 476.
Bill read third time.
Remarks by Assemblymen Sader and Thompson.
Roll call on Senate Bill No. 476:
YEAS—42.
NAYS—None.

Senate Bill No. 476 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 400.
Bill read third time.
The following amendment was proposed by the Committee on Ways and Means:
Amendment No. 1459.
Amend sec. 4, page 3, by deleting line 33 and inserting: "428.050 and 428.285, and section 42 of [this act,] *Assembly Bill No. 289 of this session,* every county shall provide care,".
Amend sec. 4, page 3, by deleting lines 39 and 40 and inserting:
"2. Except as otherwise provided in section 28 of [this act,] *Assembly Bill No. 289 of this session,* the boards of county commissioners of the several counties [may] *shall* establish and approve policies and".
Amend sec. 4, page 4, by deleting line 2 and inserting: "these programs to provide care, support and".
Amend sec. 5, page 4, line 7, after "commissioners" by inserting: "or by section 26 of [this act,] *Assembly Bill No. 289 of this session,* if applicable,".
Amend sec. 5, page 4, by deleting lines 9 and 10 and inserting: "such relatives refuse or neglect to care for and maintain him,] then he is entitled to receive such relief as is in accordance with the policies".
Amend sec. 5, page 4, by deleting line 13 and inserting: "appropriated pursuant to NRS 428.050 and 428.285, and section 42 of [this act,] *Assembly Bill No. 289 of this session,* for".
Amend sec. 5, page 4, by deleting line 15 and inserting:
"2. The board of county commissioners shall pay hospitals for the costs of treating indigent inpatients who reside in the county an amount which is not less than 85 percent of the prospective payment required for providing the same treatment to patients pursuant to the state plan for assistance to the medically indigent, within the limits of money which may be lawfully appropriated pursuant to NRS 428.050 and 428.285, and section 42 of [this act,] Assembly Bill No. 289 of this session, for this purpose.
3. The board of county commissioners may:".
Amend sec. 5, page 4, line 17, by deleting "may deem" and inserting "deems".

Amend sec. 5, page 4, line 19, by deleting "direct" and inserting "directly".

Amend sec. 5, page 4, by deleting line 23 and inserting: "(b) and (c).".

Amend the bill as a whole by adding a new section designated sec. 6, following sec. 5, to read as follows:

"Sec. 6. Sections 4 and 5 of this act become effective at 12:01 a.m. on July 1, 1987.".

Assemblyman Sedway moved the adoption of the amendment.

Remarks by Assemblyman Sedway.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 363.

Bill read third time.

The following amendment was proposed by the Committee on Transportation:

Amendment No. 1487.

Amend section 1, page 1, line 8, by deleting "*NRS 484.263.*" and inserting: "*section 9 of Assembly Bill No. 118 of this session.*".

Amend the bill as a whole by deleting sec. 2 and renumbering sections 3 and 4 as sections 2 and 3.

Amend sec. 4, page 2, by deleting lines 35 and 36 and inserting:

"*(a) License* of any person convicted of violating section 9 of [this act and the registration] *Assembly Bill No. 118 of this session; and*".

Amend the bill as a whole by adding a new section designated sec. 4, following sec. 4, to read as follows:

"Sec. 4. Section 9 of Assembly Bill No. 118 of this session is hereby amended to read as follows:

Sec. 9. 1. Except as otherwise provided in subsection 5, [a person] *the owner of a motor vehicle* shall not:

(a) Operate [a] *the* motor vehicle , *if it is* registered or required to be registered in this state , without having security for payment of liabilities arising from maintenance or use of the vehicle as required by NRS 485.185.

(b) Operate or knowingly permit the operation of [a] *the* motor vehicle without having evidence of current insurance of the operator or the vehicle 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.

(d) Knowingly permit the operation of [a] *the* motor vehicle in violation of subsection 3 of section 8 of this act.

2. Except as otherwise provided in subsection 3, any person who violates subsection 1 shall be fined not less than $300 nor more than $500.

3. A person may not be fined for a violation of paragraph (a), (b) or (c) of subsection 1 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 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 time.".

Amend sec. 5, page 3, line 6, by deleting: "Section 2 of this act becomes" and inserting: "Sections 3 and 4 of this act become".

Assemblyman Nevin moved the adoption of the amendment.

Remarks by Assemblyman Nevin.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

SECOND READING AND AMENDMENT

Senate Bill No. 62.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 1502.

Amend section 1, page 2, line 10, by deleting "[100,000,] *25,000,*" and inserting "100,000,".

Amend section 1, page 2, line 30, by deleting "[100,000,] *25,000,*" and inserting "100,000,".

Amend section 1, page 2, line 33, by deleting "*25,000*" and inserting "*100,000*".

Amend section 1, page 3, by deleting line 7 and inserting:

"9. [The] *Except as otherwise provided in this subsection, the* state fire marshal shall:".

Amend section 1, page 3, line 11, after "necessary." by inserting: "*In a county whose population is more than 25,000 but less than 100,000, the state fire marshal shall assist in checking plans and specifications for construction only upon request.*".

Amend the bill as a whole by deleting sections 2, 3 and 4 and renumbering sec. 5 as sec. 2.

Amend the title of the bill to read as follows:

"An Act relating to the state fire marshal; limiting his authority to check plans and specifications for construction in certain counties; and providing other matters properly relating thereto.".

Amend the summary of the bill to read as follows: "Limits authority of state fire marshal to check plans and specifications for construction in certain counties. (BDR 42-654)".

Assemblyman Kerns moved the adoption of the amendment.

Remarks by Assemblyman Kerns.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 875.

Bill read second time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1430.

Amend the bill as a whole by renumbering sections 2 and 3 as sections 3 and 4 and adding a new section designated sec. 2, following section 1, to read as follows:

"Sec. 2. There is hereby appropriated from the state general fund to the Department of Parole and Probation the sum of $5,873 for seven hand-held radios.".

Amend sec. 2, page 1, line 5, by deleting "section 1" and inserting: "sections 1 and 2 of".

Amend the title of the bill to read as follows:

"An Act making appropriations to the Motor Pool Fund to purchase additional vehicles for the motor pool fleet for use by the Department of Parole and Probation and to the Department of Parole and Probation for hand-held radios; and providing other matters properly relating thereto.".

Amend the summary of the bill to read as follows: "Makes appropriations to Motor Pool Fund and Department of Parole and Probation. (BDR S-2308)".

Assemblyman Sedway moved the adoption of the amendment.

Remarks by Assemblyman Sedway.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 120.

Bill read second time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1402.

Amend the bill as a whole by renumbering sec. 2 as sec. 3 and adding a new section designated sec. 2, following section 1, to read as follows:

"Sec. 2. 1. There is hereby appropriated from the state general fund to the state board of examiners for distribution to state agencies which apply for reimbursement of the additional costs caused by the amendatory provisions of this bill:

For the fiscal year 1987-88 ..... $89,323

For the fiscal year 1988-89 110,391

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.".

Amend sec. 2, page 2, line 1, after "provisions" by inserting: "of section 1".

Amend the title of the bill, second line, after "service;" by inserting: "making an appropriation;".

Assemblyman Sedway moved the adoption of the amendment.

Remarks by Assemblyman Sedway.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 251.

Bill read second time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1431.

Amend section 1, page 2, by deleting lines 3, 4 and 5 and inserting: "allocated to the "Help Them Walk Again Foundation, Inc.," the sum of $200,000.".

Amend sec. 2, page 2, by deleting line 6 and inserting: "Sec. 2. The sum appropriated by section 1 of this act is contingent".

Amend sec. 2, page 2, line 7, after "Inc." by inserting a comma.

Amend sec. 2, page 2, line 9, after the period, by inserting: "The money must be distributed in allocations of no less than $10,000 upon submission by the foundation of proof to the Rehabilitation Division of the Department of Human Resources of the foundation's receipt of an equal amount of money from the other sources.".

Amend sec. 3, page 2, by deleting lines 10, 11 and 12 and inserting:

"Sec. 3. Any remaining balance of the appropriation made by section 1 of this act must not be committed for expenditure after June 30, 1989, and reverts to".

Amend the bill as a whole by adding a new section designated sec. 4, following sec. 3, to read as follows:

"Sec. 4. This act becomes effective upon passage and approval.".

Assemblyman Sedway moved the adoption of the amendment.

Remarks by Assemblyman Sedway.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 328.

Bill read second time and ordered to third reading.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 811.

The following Senate amendment was read:

Amendment No. 1213.

Amend section 1, page 2, line 32, by inserting "*insured's*" before "*claim*".

Amend section 1, page 2, line 33, by deleting "*a*" and inserting "*his*".

Amend section 1, page 2, line 34, by deleting "*a*" and inserting "*his*".

Assemblyman Jeffrey moved that the Assembly concur in the Senate amendment to Assembly Bill No. 811.

Remarks by Assemblyman Jeffrey.

Motion carried.

Bill ordered enrolled.

RECEDE FROM ASSEMBLY AMENDMENTS

Assemblyman Jeffrey moved that the Assembly do not recede from its action on Senate Bill No. 298, 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 Porter, Fay and DuBois as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Senate Bill No. 298.

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

Assembly in recess at 3:12 p.m.

ASSEMBLY IN SESSION

At 3:23 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. 586, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

MARVIN M. SEDWAY, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Senate Bills Nos. 104, 112, 178 and 520 be placed on the General File.

Motion carried.

Assemblyman Sedway moved that all rules be suspended, reading so far had considered second reading, rules further suspended, Senate Bill No. 586 be declared an emergency measure under the Constitution and placed on third reading and final passage.

Motion carried unanimously.

GENERAL FILE AND THIRD READING

Senate Bill No. 104.

Bill read third time.

Remarks by Assemblyman Swain.

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.

Bill ordered transmitted to the Senate.

Senate Bill No. 112.

Bill read third time.
Remarks by Assemblymen Arberry and Sader.
Roll call on Senate Bill No. 112:
YEAS—42.
NAYS—None.

Senate Bill No. 112 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Senate Bill No. 178.
Bill read third time.
Remarks by Assemblyman Kerns.
Roll call on Senate Bill No. 178:
YEAS—42.
NAYS—None.

Senate Bill No. 178 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Senate Bill No. 520.
Bill read third time.
Remarks by Assemblyman Tebbs.
Roll call on Senate Bill No. 520:
YEAS—42.
NAYS—None.

Senate Bill No. 520 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Senate Bill No. 586.
Bill read third time.
Remarks by Assemblymen Sedway, Kerns, Jeffrey, Humke, Haller and Craddock.
Roll call on Senate Bill No. 586:
YEAS—37.
NAYS—Freeman, Kerns, Nevin, Swain—4.
Not voting—Adler.

Senate Bill No. 586 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Taxation:
Assembly Bill No. 884—An Act relating to taxation; providing in skeleton form for the imposition of a tax on financial institutions; and providing other matters properly relating thereto.
Assemblyman May 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. 118, 205, 212, 698, 772, 806, 809, 835; Senate Bills Nos. 241, 347, 404, 450, 460, 510, 566; Senate Concurrent Resolutions Nos. 28, 47.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Fay, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Bob Fay.

On request of Assemblyman Kissam, the privilege of the floor of the Assembly Chamber for this day was extended to Mesdames Lois Ann Larson and Pat Hines.

On request of Assemblyman Humke, the privilege of the floor of the Assembly Chamber for this day was extended to Mss. Olive K. McCarty and Penny T. McCarty.

On request of Assemblyman Nicholas, the privilege of the floor of the Assembly Chamber for this day was extended to Sister Peter Damian and Mr. William Van Ry.

Assemblyman Nevin moved that the Assembly adjourn until Friday, June 12, 1987 at 10 a.m.

Motion carried.

Assembly adjourned at 3:50 p.m.

Approved: JOSEPH E. DINI, JR.
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE ONE HUNDRED AND FORTY-FIFTH DAY

CARSON CITY (Friday), June 12, 1987

Assembly called to order at 10:15 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, Father John McShane.

Dear Father, As the days grow shorter, help us to continue to show wisdom in our decisions and patience in our conduct. Guide our thoughts and actions in our stewardship over the people of Nevada. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Nevin 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. 881, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

PAUL W. MAY, *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which were referred Senate Bills Nos. 558, 565, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN E. JEFFREY, *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which was re-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 E. JEFFREY, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which were referred Senate Bills Nos. 27, 163, 552, 560, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

MARVIN M. SEDWAY, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which was referred Senate Bill No. 187, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

MARVIN M. SEDWAY, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Senate Bill No. 435, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

DANNY L. THOMPSON, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was re-referred Senate Bill No. 369, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass, as amended.

DANNY L. THOMPSON, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, 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: Amend, and do pass as amended.

DANNY L. THOMPSON, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was re-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.

DANNY L. THOMPSON, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, June 10, 1987

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. 579, and respectfully requests your honorable body to concur in said amendment.

MARY JO MONGELLI
Assistant Secretary of the Senate

SENATE CHAMBER, Carson City, June 11, 1987

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, 142, 144, 248, 263, 590, 599, 619, 789, 848, 850, 851, 864, 869, 870.

Also, I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bills Nos. 119, 129, 351, 385, 522, 636, 836, and respectfully requests your honorable body to concur in said amendments.

Also, I have the honor to inform your honorable body that the Senate on this day adopted the report of the second Committee on Conference concerning Assembly Bill No. 288.

Also, I have the honor to inform your honorable body that the Senate amended, and on this day adopted, as amended, Assembly Concurrent Resolution No. 60, and respectfully requests your honorable body to concur in said amendment.

Also, I have the honor to inform your honorable body that the Senate on this day concurred in the Assembly amendments to Senate Bills Nos. 35, 221, 256, 319.

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. 56, 57, 102, 155; Senate Joint Resolution No. 19.

Also, I have the honor to inform your honorable body that the Senate on this day appointed Senators Wagner, Joerg and Neal as a first Committee on Conference concerning Senate Bill No. 194.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Assembly Bills Nos. 400, 423, 454, 500, 514, 598, 765, 872, 875; Senate Bills Nos. 62, 120, 144, 229, 251, 270, 285, 313, 363 and 524 be placed at the top of the General File.

Motion carried.

Assemblyman Jeffrey moved that for the balance of the session the reading of the history on all bills and resolutions on General File be dispensed with.

Motion carried.

By Assemblymen Adler, Haller, Bergevin, Myrna Williams, Spriggs, Gaston, Kissam, Spinello, May, Triggs, Dini, Freeman, Getto, Porter, Banner, Thompson, Kerns, Evans, Brookman, McGaughey, Nevin, Wisdom, Nicholas, Garner, DuBois, Carpenter, Sader, Swain, Thomas, Humke, Craddock, Wendell Williams, Arberry, Lambert, Price, Schofield, Fay, Callister, Marvel, Sedway, Jeffrey and Tebbs:

Assembly Concurrent Resolution No. 75—Memorializing Jim Frank, Carson City teacher.

WHEREAS, On June 4, 1987, the residents of Carson City, especially the students of Carson City High School, lost a friend who never gave up on them; and

WHEREAS, James "Jim" Harley Frank was born in Fallon, Nevada, on January 12, 1947, to a pioneer mining family; and

WHEREAS, He grew up in Tonopah, Nevada, where he was graduated from Tonopah High School in 1965; and

WHEREAS, He continued his education at the American River Community College from 1966-67 and earned his Bachelor of Science degree in Education from the University of Nevada, Reno, in 1970, as well as a Master of Education degree in 1975; and

WHEREAS, Jim began his coaching career in Tonopah in 1970 and moved to Carson City in 1972 where he taught physical education at Carson City Junior High School until 1977 when he transferred to Carson City High School where he taught physical science, biology and health, and coached a winning track team and the cross-country running team which he organized; and

WHEREAS, Jim Frank loved life and instilled hope, courage and pride in every one with whom he came in contact; and

WHEREAS, He loved to teach and had a special love for any pupil who had given up on himself; and

WHEREAS, Because of his attitude toward life and his skill as a motivator of people he was a positive influence in the lives of many people; and

WHEREAS, Jim will always be remembered for imparting to his pupils a sense of responsibility and self-confidence; and

WHEREAS, He is survived by his wife, Daria Elges Frank and his two daughters, Terra and Rachel; now, therefore, be it

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, THE SENATE CONCURRING, That the members of this legislative body express their sincere condolences to the family of the late Jim Frank; and be it further

RESOLVED, That a copy of this resolution be prepared and transmitted by the Chief Clerk of the Assembly to Daria, Terra and Rachel Frank.

Assemblyman Adler moved the adoption of the resolution.

Remarks by Assemblyman Adler.

Assemblyman Adler requested that his remarks be entered in the Journal.

Thank you, Mr. Speaker. Jim Frank was a very special person to Carson City. He moved here as a teacher and was very involved in the community. He coached many championship track teams. All of his students dearly loved him and looked up to him as a coach. But he did, in the later portion of his life acquire a very severe form of cancer. As a result, he had a long struggle with that disease. We had a fund raiser here in Carson City where, I would swear, probably a third of the community attended to provide money for his medical bills. He was a very, very special person. He was the type of person that exemplified the finest in teaching in the State of Nevada. He was a true Nevadan—he was from Tonopah and had roots going back to Fallon and spent a lot of time here in Carson City. He will always be missed by the persons of Carson City including myself.

With me today are his wife, Daria Frank, and his mother-in-law, Ralphia Elges. Thank you, Mr. Speaker.

Resolution adopted unanimously.

Assemblyman Adler moved that all rules be suspended and that Assembly Concurrent Resolution No. 75 be immediately transmitted to the Senate.

Motion carried unanimously.

By Assemblymen Dini, Adler, Haller, Nevin, Lambert, Wendell Williams, Brookman, Sedway, Arberry, Getto, Bergevin, Sader, Swain, Thomas, Nicholas, Wisdom, Myrna Williams, Marvel, Porter, Carpenter, Kissam, Fay, McGaughey, Tebbs, Banner, Jeffrey, Thompson, Garner, Freeman, DuBois, Spinello, Kerns, Price, May, Callister, Triggs, Schofield, Craddock, Evans, Gaston, Spriggs and Humke:

Assembly Concurrent Resolution No. 76—Commending the members of the Nevada National Guard for their exemplary record and enthusiastically wishing them a Happy 125th Birthday.

WHEREAS, In 1862, Nevada's first Territorial Governor James W. Nye appointed H. B. Russell as the first Adjutant General of Nevada, thus officially establishing the Nevada National Guard; and

WHEREAS, This year marks the 125th anniversary of the Nevada National Guard; and

WHEREAS, The Nevada National Guard, consisting of the Nevada Army National Guard, Nevada Air National Guard and the Nevada National Guard Reserve, has served the residents of Nevada with dedication and pride during disasters such as floods, forest fires and other statewide emergencies; and

WHEREAS, The Nevada National Guard has served the nation overseas with patriotism and bravery during the Spanish-American War, World Wars I and II, the Korean Conflict and the Pueblo Crisis; and

WHEREAS, The Nevada National Guard is comprised of approximately 3,000 men and women serving in 11 Nevada armories and installations throughout the state from Ely to Stead and from Elko to Henderson; and

WHEREAS, Nevada National Guardsmen have won countless regional and national awards for excellence in events which have tested and proven their skills, mettle and proficiency; now, therefore, be it

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, THE SENATE CONCURRING, That the Legislature commends the members of the Nevada National Guard for their exemplary record and enthusiastically wishes them a "Happy 125th Birthday"; and be it further

RESOLVED, That a copy of this resolution be transmitted by the Chief Clerk of the Assembly to Brigadier General Drennan A. Clark, the Adjutant General of Nevada.

Assemblyman Price moved the adoption of the resolution.

Remarks by Assemblymen Price, Humke, Brookman, Getto and Kerns.

Assemblyman Brookman requested that the following remarks be entered in the Journal.

ASSEMBLYMAN PRICE:

Thank you, Mr. Speaker. I could probably talk all day on the high points and how proud I am of our National Guard. I, like many citizens, probably did not pay too much attention to the Guard until I ended up marrying a guard member. Since then I have become quite aware and I would like to tell you a few things.

Our National Guard, as I suppose most states are, but particularly ours is a very professional group of people. They are in continuous readiness. They train anywhere from one, two or three weekends a month from time to time. This month, for example, my wife

will be spending two weekends with the Guard. They have competed throughout the world against each other, not only Guard units, but regular units of the armed forces, and continually walk away with all the honors.

The Guard unit, as it indicates in our resolution, is actually older than the state. They fought many battles in the early history of Nevada, including Pyramid Lake. They helped establish Fort Churchill out in Speaker Dini's area. And, as the resolution indicates, they have worked on floods, national disasters and all types of things on behalf of not only our state, but our country over the years.

We have sitting with Mrs. Brookman some people who will be introduced. Mrs. Brookman, herself, has been a strong supporter of the Guard. I can remember in past years since I have been here in the legislature, she has, from time to time had resolutions and has also participated and been a great supporter of the National Guard over the years. I'm very proud that today we are taking this moment on their behalf. We would certainly urge unanimous concurrence with this resolution.

ASSEMBLYMAN HUMKE:

Thank you, Mr. Speaker. As a former Nevada Army National Guard officer, I would like to echo those remarks. The days that I spent in the Nevada Army National Guard are some of the proudest days in any service that I have given to the State of Nevada. I would just remind the members how important this organization is to this state and to our country because of the readiness of our active duty regular forces. If we get into a shooting war, some of our men and women would be the first to be pressed into service. I cannot emphasize this enough, we have a group of men and women of whom we can be abundantly proud. Thank you.

ASSEMBLYMAN BROOKMAN:

I want to remind this august body that the Guard existed two years before Governor Nye, when Nevada was still a territory, before we even became a state. They are the first ones to be called in a disaster. It was my pleasure in 1967, along with Paul May, Getto, and Mr. Dini, our Speaker, to revive all the Guard bills, make it non-sexist—let me tell you—give them all their pay, and their license plates and all the good things for the Guard. We appreciate what they have done for the State of Nevada. They shall continue to do it. Thank you.

ASSEMBLYMAN GETTO:

Thank you, Mr. Speaker. It brings back fond memories.

I, too, would like to congratulate the National Guard on their 125th Birthday. My son is a former member of the National Guard and I would like to point out that the National Guard persuaded and persevered in getting the legislature to provide scholarships for the members of the National Guard. That is a real fine benefit for our young people and the wonderful things that the National Guard does, especially. I am a firm believer of discipline, and the National Guard, same as the military, teaches discipline. It is just a great organization and I am glad and pleased that we have been able to keep the National Guard at a rate or level where they are functioning. As my cohort from Reno stated, they are on the line in the case of an emergency and will be the first ones out there. We are proud of that. It is a real good feeling to know that they are there.

Congratulations to the members of the National Guard.

ASSEMBLYMAN KERNS:

I probably shouldn't say this because it will tell my age a little bit, but I have a few fond memories of the National Guard myself and they start about 40 years ago when I joined the 116th Armored Cavalry in Idaho, which is kind of an off-branch of what we have here. I can't remember too much of the fun about the weekly meetings, but I sure do remember the summer camps.

Resolution adopted unanimously.

Assemblyman Jeffrey moved that all rules be suspended and that Assembly Concurrent Resolution No. 76 be immediately transmitted to the Senate.

Motion carried unanimously.

REMARKS FROM THE FLOOR

Assemblyman Brookman requested that Mr. Speaker's remarks be entered in the Journal.

You know, some of us old timers around here call her Mother Brookman because, I think she probably nurtured the National Guard back in the 1970s to what it is today in the little bills when she was chairman of the Federal Indian and Military Affairs Committee in 1971, 1973 or what was it 1969. It is so far back, Brookie, I can't remember.

MOTIONS, RESOLUTIONS AND NOTICES

Senate Concurrent Resolution No. 16.

Resolution read.

Assemblyman Myrna Williams moved that Senate Concurrent Resolution No. 16 be placed on the Chief Clerk's desk.

Remarks by Assemblyman Myrna Williams.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Health and Welfare, to which was referred Senate Bill No. 272, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

MORSE ARBERRY, JR., *Chairman*

Mr. Speaker:

Your Committee on Education, to which was referred Senate 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.

ROBERT G. CRADDOCK, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Mr. Speaker instructed the Chief Clerk to read the following communication:

June 11, 1987

Dear Members of the Nevada Assembly,

Your beautiful flowers in memory of Hank were a most kind and thoughtful way of expressing your care and regard for him and your sympathy to us.

He loved being with all of you. Your kindness will be gratefully remembered and deeply appreciated.

Most sincerely,

ELEANOR GARDNER, HANK GARDNER, JR.

GENERAL FILE AND THIRD READING

Assembly Bill No. 400.

Bill read third time.

Remarks by Assemblyman Arberry.

Roll call on Assembly Bill No. 400:

YEAS—42.

NAYS—None.

Assembly Bill No. 400 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 423.

Bill read third time.
Remarks by Assemblyman Swain.
Roll call on Assembly Bill No. 423:
YEAS—37.
NAYS—DuBois, Fay, Jeffrey, Sedway, Tebbs—5.

Assembly Bill No. 423 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 454.
Bill read third time.
Remarks by Assemblyman Kerns.
Roll call on Assembly Bill No. 454:
YEAS—42.
NAYS—None.

Assembly Bill No. 454 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 500.
Bill read third time.
Remarks by Assemblyman Humke.
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, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 514.
Bill read third time.
Remarks by Assemblyman Callister.
Roll call on Assembly Bill No. 514:
YEAS—42.
NAYS—None.

Assembly Bill No. 514 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 Price.
Roll call on Assembly Bill No. 598:
YEAS—35.
NAYS—Banner, DuBois, McGaughey, Sedway, Myrna Williams, Wisdom, Mr. Speaker—7.

Assembly Bill No. 598 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 765.
Bill read third time.
Remarks by Assemblyman Myrna Williams.
Roll call on Assembly Bill No. 765:
YEAS—42.
NAYS—None.

Assembly Bill No. 765 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 872.
Bill read third time.
Remarks by Assemblymen May and DuBois.
Roll call on Assembly Bill No. 872:
YEAS—41.
NAYS—Spriggs.

Assembly Bill No. 872 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 875.
Bill read third time.
Remarks by Assemblyman Arberry.
Roll call on Assembly Bill No. 875:
YEAS—42.
NAYS—None.

Assembly Bill No. 875 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that all rules be suspended and that Assembly Bills Nos. 400, 423, 454, 500, 514, 598, 765, 872 and 875 be immediately transmitted to the Senate.
Motion carried unanimously.

Assemblyman Bergevin moved that Senate Bill No. 328 be taken from the General File and placed on the Chief Clerk's desk.
Remarks by Assemblyman Bergevin.
Motion carried.

Assemblyman Thomas moved that Senate Bill No. 62 be taken from the General File and placed on the Chief Clerk's desk.
Remarks by Assemblymen Thomas and Kerns.
Motion lost.

GENERAL FILE AND THIRD READING

Senate Bill No. 62.
Bill read third time.
Remarks by Assemblymen Kerns, Price and Bergevin.

Roll call on Senate Bill No. 62:
YEAS—42.
NAYS—None.

Senate Bill No. 62 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Senate Bill No. 120.
Bill read third time.
Remarks by Assemblyman Marvel.
Roll call on Senate Bill No. 120:
YEAS—42.
NAYS—None.

Senate Bill No. 120 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Senate Bill No. 144.
Bill read third time.
Remarks by Assemblymen Triggs, Arberry, May, Adler and Swain.
Assemblymen Jeffrey, Nevin and Thompson moved the previous question.
Motion carried.
The question being on the passage of Senate Bill No. 144.
Roll call on Senate Bill No. 144:
YEAS—36.
NAYS—Arberry, Banner, Porter, Myrna Williams, Wendell Williams, Wisdom—6.

Senate Bill No. 144 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 May.
Roll call on Senate Bill No. 229:
YEAS—42.
NAYS—None.

Senate Bill No. 229 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Senate Bill No. 251.
Bill read third time.
Remarks by Assemblymen Schofield, Adler and Sedway.
Roll call on Senate Bill No. 251:
YEAS—42.
NAYS—None.

Senate Bill No. 251 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Senate Bill No. 270.

Bill read third time.

Remarks by Assemblymen Gaston, Swain, Myrna Williams and Sader.

Roll call on Senate Bill No. 270:

YEAS—35.

NAYS—Arberry, Evans, Porter, Thomas, Myrna Williams, Wendell Williams, Wisdom—7.

Senate Bill No. 270 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 285.

Bill read third time.

Remarks by Assemblyman Gaston.

Roll call on Senate Bill No. 285:

YEAS—42.

NAYS—None.

Senate Bill No. 285 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 313.

Bill read third time.

Remarks by Assemblyman Myrna Williams.

Roll call on Senate Bill No. 313:

YEAS—42.

NAYS—None.

Senate Bill No. 313 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 363.

Bill read third time.

Remarks by Assemblymen Nevin and Arberry.

Roll call on Senate Bill No. 363:

YEAS—42.

NAYS—None.

Senate Bill No. 363 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 524.

Bill read third time.

Remarks by Assemblyman Sader.

Roll call on Senate Bill No. 524:

YEAS—41.

NAYS—Myrna Williams.

Senate Bill No. 524 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Judiciary, to which was referred Senate Bill No. 479, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ROBERT M. SADER, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Assembly Bill No. 881; Senate Bills Nos. 27, 111, 163, 187, 272, 310, 397, 435, 479, 552, 558, 560 and 565 be placed on the Second Reading File.

Motion carried.

Assemblyman Jeffrey moved that Senate Bill No. 369 be placed on the General File.

Remarks by Assemblyman Jeffrey.

Motion carried.

Assemblyman Jeffrey moved that Senate Bill No. 143 be placed at the top of the General File.

Motion carried.

Mr. Speaker announced that if there were no objections, the Assembly would recess until 11:50 a.m.

Assembly in recess at 11:35 a.m.

ASSEMBLY IN SESSION

At 12:08 p.m.

Mr. Speaker presiding.

Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Senate Bill No. 582, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

DANNY L. THOMPSON, *Chairman*

SECOND READING AND AMENDMENT

Assembly Bill No. 881.

Bill read second time, ordered engrossed and to third reading.

Senate Bill No. 27.

Bill read second time and ordered to third reading.

Senate Bill No. 111.

Bill read second time.

The following amendment was proposed by the Committee on Education:

Amendment No. 1521.

Amend section 1, page 1, line 4, by deleting "*noncertificated*" and inserting "*unlicensed*".

Amend section 1, page 1, line 5, by deleting "*certificated*" and inserting "*licensed*".

Amend section 1, page 1, line 6, by deleting "*Noncertificated*" and inserting "*Unlicensed*".

Amend section 1, page 1, line 9, by deleting "*Noncertificated*" and inserting "*Unlicensed*".

Amend section 1, page 2, by deleting line 8 and inserting: "*licensed employee or prevent the employment of a licensed person*".

Amend section 1, page 2, line 12, by deleting "*certificated*" and inserting "*licensed*".

Amend section 1, page 2, line 13, by deleting "*noncertificated*" and inserting "*unlicensed*".

Amend sec. 2, page 2, line 34, by deleting "certificated" and inserting "licensed".

Amend sec. 2, page 2, by deleting lines 36 through 39 and inserting: "grounds thereof [. The personnel who are not licensed must be directly supervised by licensed personnel in all duties which are instructional in nature but may perform duties which are not primarily instructional in nature without a licensed person in attendance.] *; and*".

Amend sec. 2, page 3, by deleting line 2 and inserting: "teacher or other person licensed by the superintendent of public instruction, must, as a condition to".

Amend the bill as a whole by adding a new section designated sec. 3, following sec. 2, to read as follows:

"Sec. 3. This act becomes effective at 12:01 a.m. on July 1, 1987.".

Amend the title of the bill to read as follows:

"An Act relating to education; authorizing the superintendent of public instruction to grant certain exemptions from the requirement that unlicensed personnel of school districts be directly supervised by licensed personnel; requiring unlicensed personnel who perform instructional duties to submit their fingerprints for investigation; requiring administrative supervision of noninstructional duties performed by unlicensed personnel; and providing other matters properly relating thereto.".

Amend the summary of the bill, second line, to read as follows: "requirement that licensed personnel directly supervise unlicensed".

Assemblyman Craddock moved the adoption of the amendment.

Remarks by Assemblyman Craddock.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 163.

Bill read second time and ordered to third reading.

Senate Bill No. 187.

Bill read second time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1520.

Amend section 1, page 1, line 7, by deleting "$120,000" and inserting "$100,000".

Amend section 1, page 1, line 8, by deleting "120,000" and inserting "100,000".

Assemblyman Sedway moved the adoption of the amendment.

Remarks by Assemblyman Sedway.

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 Health and Welfare:

Amendment No. 1542.

Amend sec. 9, page 3, by deleting lines 6 through 10 and inserting:

"[4.] *5.* Is attested by at least two competent, disinterested witnesses who subscribe their names to the consent in the presence of the person".

Amend sec. 11, page 3, line 31, by deleting "*48*" and inserting "*72*".

Amend the title of the bill, fifth line, by deleting "48" and inserting "72".

Assemblyman Arberry moved the adoption of the amendment.

Remarks by Assemblyman Arberry.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 310.

Bill read second time.

Assemblyman Thomas moved that Senate Bill No. 310 be taken from the Second Reading File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Thomas.

Motion carried.

Senate Bill No. 397.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 1473.

Amend section 1, page 1, by deleting line 8 and inserting: "*applicant:*

(a) Is a graduate of a medical school in the United States or Canada approved by the Liaison Committee for Medical Education of the American Medical Association or the Committee for Accreditation of Canadian Medical Schools of the Canadian Medical Association, respectively;

(b) Has completed at least 1 year of training as a resident in the United States or Canada in a program approved by the Accreditation Council for Graduate Medical Education of the American Medical Association or the Coordinating Council of Medical Education of the Canadian Medical Association, respectively; and

(c) Meets all other conditions and requirements for a license to".

Assemblyman Jeffrey moved the adoption of the amendment.

Remarks by Assemblyman Jeffrey.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 435.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 1517.

Amend the bill as a whole by adding a new section designated sec. 2, following section 1, to read as follows:

"Sec. 2. This act becomes effective on July 1, 1987 at 12:01 a.m.".

Assemblyman Bergevin moved the adoption of the amendment.

Remarks by Assemblyman Bergevin.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Thompson moved that Senate Bill No. 310 be taken from the Chief Clerk's desk and placed on the Second Reading File.

Motion carried.

SECOND READING AND AMENDMENT

Senate Bill No. 479.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1541.

Amend sec. 12, page 5, line 34, by deleting "*actual*".

Amend sec. 12, page 5, line 36, after "*if*" by inserting a comma.

Amend sec. 12, pages 5 and 6, by deleting lines 37 through 42 on page 5 and line 1 on page 6 and inserting: "*hired the employee, the employee was the subject of information relating to sexual offenses for which notice was available for dissemination to the employer and the employer:*

(a) Failed, without good cause, to request notice of the information pursuant to sections 8 to 13, inclusive, of this act; or

(b) Was unable to obtain the information because the employee refused to consent to the search and release of the information, and the employer hired or retained the employee despite this refusal.

The amount of damages".

Amend sec. 12, page 6, line 3, by deleting "*awarded to*" and inserting "*recovered by*".

Amend sec. 12, page 6, by deleting lines 11 and 12 and inserting:

"*4. This section does not limit or affect any other rights, claims or causes of action arising by statute or common law.*".

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. 552.

Bill read second time and ordered to third reading.

Senate Bill No. 558.

Bill read second time and ordered to third reading.

Senate Bill No. 560.

Bill read second time and ordered to third reading.

Senate Bill No. 565.

Bill read second time and ordered to third reading.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Health and Welfare, to which was referred Senate Bill No. 464, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

MORSE ARBERRY, JR., *Chairman*

UNFINISHED BUSINESS

RECEDE FROM ASSEMBLY AMENDMENTS

Assemblyman Myrna Williams moved that the Assembly do not recede from its action on Senate Joint Resolution No. 19, that a conference be requested, and that Mr. Speaker appoint a first Committee on Conference consisting of three members to meet with a like committee of the Senate.

Motion carried.

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker appointed Assemblymen Dini, Jeffrey and Humke as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Senate Joint Resolution No. 19.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 579.

The following Senate amendment was read:

Amendment No. 1285.

Amend section 1, page 3, by deleting line 24 and inserting:

"*(b) Based upon the availability of money from the assessment and to the extent of legislative authorization, not more than $1 for the peace officers'*

standards and training committee of the department of motor vehicles and public safety for the continuing education of persons whose primary duties are law enforcement.

(c) The remainder of any amount so deposited must be used to the extent".

Amend section 1, page 3, by deleting lines 26, 27 and 28 and inserting:

"*(1) The central repository for Nevada records of criminal history;*".

Amend section 1, page 3, line 29, by deleting "*(3)*" and inserting "*(2)*".

Amend section 1, page 3, line 31, by deleting "*(4)*" and inserting "*(3)*".

Amend section 1, page 3, line 33, by deleting "*(5)*" and inserting "*(4)*".

Assemblyman Sedway moved that the Assembly concur in the Senate amendment to Assembly Bill No. 579.

Remarks by Assemblyman Sedway.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 836.

The following Senate amendment was read:

Amendment No. 1286.

Amend sec. 18, pages 6 and 7, by deleting lines 38 through 40 on page 6 and lines 1 through 7 on page 7, and inserting:

"Sec. 18. Upon the request of the board, the state public works board may delegate to the board any authority concerning the project that is granted to the state public works board pursuant to chapter 341 of NRS.".

Assemblyman Sedway moved that the Assembly concur in the Senate amendment to Assembly Bill No. 836.

Remarks by Assemblyman Sedway.

Motion carried.

Bill ordered enrolled.

RECEDE FROM ASSEMBLY AMENDMENTS

Assemblyman Sedway moved that the Assembly do not recede from its action on Senate Bill No. 102, 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 Evans, Humke and Arberry as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Senate Bill No. 102.

RECEDE FROM ASSEMBLY AMENDMENTS

Assemblyman Swain moved that the Assembly do not recede from its action on Senate Bill No. 57, 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 Swain, Evans and Nicholas as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Senate Bill No. 57.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Concurrent Resolution No. 60.

The following Senate amendment was read:

Amendment No. 1251.

Amend the resolution, page 2, by inserting between lines 8 and 9:

"RESOLVED, That the executive director of the state department of agriculture is directed to distribute a copy of this resolution and a brochure identifying the agricultural products of Nevada and their producers to the wholesalers, retailers, schools and other institutions in this state who sell, distribute or consume agricultural products; and be it further".

Amend the resolution, page 2, line 10, after "to" by inserting: "the executive director of the department of agriculture and to".

Assemblyman Schofield moved that the Assembly concur in the Senate amendment to Assembly Concurrent Resolution No. 60.

Remarks by Assemblyman Schofield.

Motion carried.

Resolution ordered enrolled.

Assembly Bill No. 522.

The following Senate amendment was read:

Amendment No. 1371.

Amend section 1, pages 1 and 2 by deleting lines 12, 13 and 14 on page 1 and lines 1 through 8 on page 2, and inserting:

"3. This section does not prohibit a definition which permits more persons to reside in the house, nor does it prohibit regulation of homes which are operated on a commercial basis.

4. For the purposes of subsection 1, a residence for mentally retarded persons is not a commercial activity.".

Amend the title of the bill, third line, after "land;" by inserting: "providing that a residence for mentally retarded persons is not a commercial activity for the purposes of zoning ordinances;".

Amend the summary of the bill to read as follows: "Makes various changes in provision prohibiting zoning ordinance from discriminating against certain homes for mentally retarded persons. (BDR 22-859)".

Assemblyman Adler moved that the Assembly concur in the Senate amendment to Assembly Bill No. 522.

Remarks by Assemblyman Adler.

Motion carried.

Bill ordered enrolled.

RECEDE FROM ASSEMBLY AMENDMENTS

Assemblyman Thompson moved that the Assembly do not recede from its action on Senate Bill No. 56, 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 Freeman, Garner 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. 56.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 351.

The following Senate amendment was read:

Amendment No. 1380.

Amend section 1, page 1, line 3, by deleting "*or services*".

Amend section 1, page 1, by deleting lines 4 through 8 and inserting: "*refunds or exchanges shall inform its customers of that policy by:*

1. Printing a statement on the face of the sales receipt;

2. Printing a statement on the face of the price tag; or

3. Posting in an open and conspicuous place a sign at least 8 by 10 inches in size with boldface letters,

specifying that no refunds or exchanges are allowed.".

Amend the title of the bill, second line, by deleting "post" and inserting: "inform their customers of".

Amend the summary of the bill, first line, by deleting "post" and inserting: "inform customers of".

Assemblyman Jeffrey moved that the Assembly concur in the Senate amendment to Assembly Bill No. 351.

Remarks by Assemblyman Jeffrey.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 129.

The following Senate amendment was read:

Amendment No. 1247.

Amend section 1, page 1, line 14, by inserting after the period: "*If the offense is punishable by imprisonment and the defendant gives his written consent to permit arraignment, plea, trial and imposition of sentence in his absence, the defendant must be represented by counsel at each of those proceedings.*".

Amend the title of the bill, second line, after the semicolon, by inserting: "requiring the presence of counsel at certain judicial proceedings;".

Amend the summary of the bill, first line, by deleting "for" and inserting: "and requires presence of counsel at".

Assemblyman Sader moved that the Assembly do not concur in the Senate amendment to Assembly Bill No. 129.

Remarks by Assemblyman Sader.

Motion carried.

Bill ordered transmitted to the Senate.

Assembly Bill No. 385.

The following Senate amendment was read:

Amendment No. 1365.

Amend section 1, page 1, line 15, after "*appropriate*" by inserting "*medical*".

Assemblyman Sader moved that the Assembly concur in the Senate amendment to Assembly Bill No. 385.

Remarks by Assemblyman Sader.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 636.

The following Senate amendment was read:

Amendment No. 1327.

Amend section 1, page 1, line 11, by deleting the period and inserting: ", *if the assault was committed by force or by the threat of force.*".

Amend the title of the bill, second line, by deleting "assault;" and inserting: "assault if the assault was committed by force or by the threat of force;".

Assemblyman Sader moved that the Assembly concur in the Senate amendment to Assembly Bill No. 636.

Remarks by Assemblyman Sader.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 708.

The following Senate amendment was read:

Amendment No. 1328.

Amend section 1, page 1, lines 4 and 5, by deleting: "*whether or not:*" and inserting "*if:*".

Amend sec. 2, page 2, by deleting line 8 and inserting: "who does not have custody of the child,] the court shall consider [the amount".

Amend sec. 2, page 2, line 10, after the period, by inserting: "] *:*

(a) The love, affection and other emotional ties existing between the party seeking visitation and the child.

(b) The capacity and disposition of the party seeking visitation to:

(1) Give the child love, affection and guidance;

(2) Cooperate in providing the child with food, clothing and other material needs during visitation; and

(3) Cooperate in providing the child with health care or alternative care recognized and permitted under the laws of this state in lieu of health care.

(c) The prior relationship between the child and the party seeking visitation.

(d) The moral fitness of the party seeking visitation.

(e) The mental and physical health of the party seeking visitation.

(f) The reasonable preference of the child, if the child has a preference, and if the child is determined to be of sufficient maturity to express a preference.

(g) The willingness and ability of the party seeking visitation to facilitate and encourage a close and continuing relationship between the child and the parent or parents.

(h) The medical and other needs of the child related to health as affected by the visitation.

(i) Any other factor considered relevant by the court to a particular dispute.".

Amend the title of the bill by deleting the first and second lines and inserting:

"An Act relating to children; authorizing the visitation of a minor child by his grandparents in certain circumstances; providing factors for consideration when a person other than a parent seeks visitation of a minor child; authorizing the award of".

Assemblyman Sader moved that the Assembly concur in the Senate amendment to Assembly Bill No. 708.

Remarks by Assemblyman Sader.

Motion carried.

Bill ordered enrolled.

RECEDE FROM ASSEMBLY AMENDMENTS

Assemblyman Jeffrey moved that the Assembly do not recede from its action on Senate Bill No. 155, 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 Callister, Fay and Nicholas as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Senate Bill No. 155.

SECOND READING AND AMENDMENT

Senate Bill No. 310.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 1509.

Amend sec. 7, page 2, line 23, by deleting "*100,000*" and inserting "*250,000*".

Amend sec. 7, page 2, line 24, by deleting "*may:*" and inserting "*shall:*".

Assemblyman Freeman moved the adoption of the amendment.

Remarks by Assemblyman Freeman.

Amendment adopted.

The following amendment was proposed by Assemblyman Thomas:

Amendment No. 1515.

Amend sec. 8, page 3, line 31, by deleting: "[, physicians' assistants]" and inserting: ", physicians' assistants".

Assemblyman Thomas moved the adoption of the amendment.

Remarks by Assemblymen Thomas, Thompson, Sader, Nevin and Freeman.

Amendment lost.

Bill ordered reprinted, re-engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Senate Bills Nos. 464 and 582 be placed on the Second Reading File.

Motion carried.

SECOND READING AND AMENDMENT

Senate Bill No. 464.

Bill read second time.

The following amendment was proposed by Assemblyman Arberry:

Amendment No. 1554.

Amend section 1, page 1, line 3, after "*not*" by inserting: ", *without a court order to do so,*".

Amend section 1, page 1, line 9, after "*child*" by inserting: "*without a court order*".

Amend the title of the bill, first line, after "release" by inserting: "without a court order".

Amend the summary of the bill, first line, after "release" by inserting: "without court order".

Assemblyman Arberry moved the adoption of the amendment.

Remarks by Assemblyman Arberry.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 582.

Bill read second time and ordered to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Nevin moved that Senate Bill No. 235 be taken from its position on the General File and placed on the General File immediately following Senate Bill No. 143.

Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 143.

Bill read third time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 1301.

Amend section 1, page 2, by deleting lines 16, 17 and 18.

Assemblyman Bergevin moved the adoption of the amendment.

Remarks by Assemblymen Bergevin and Arberry.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 235.

Bill read third time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 1534.

Amend section 1, page 4, line 37, after "authority" by inserting "and renewal".

Amend section 1, page 4, line 38, by deleting: ", for issuance and each annual renewal".

Amend section 1, page 5, by deleting lines 20 and 21 and inserting: "Agents for and sellers of prepaid burial contracts:".

Amend sec. 2, page 5, line 31, by deleting "12:02" and inserting "12:03".

Assemblyman Fay moved the adoption of the amendment.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Assemblyman Jeffrey moved that the Assembly recess until 2:30 p.m.

Motion carried.

Assembly in recess at 12:57 p.m.

ASSEMBLY IN SESSION

At 3:14 p.m.

Mr. Speaker presiding.

Quorum present.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, June 12, 1987

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. 775 and requests a conference, and appointed Senators Townsend, O'Donnell and Vergiels 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. 585.

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, 31, 34, 109, 268, 406, 428.

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

Senate Concurrent Resolution No. 48.

Assemblyman Jeffrey moved that the resolution be referred to the Committee on Education.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Transportation, to which was referred Senate Bill No. 432, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

LEONARD V. NEVIN, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey announced that Assemblyman Nicholas would be excused for the remainder of this legislative day.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Taxation:

Assembly Bill No. 885—An Act relating to taxes on liquor; increasing the rate of the excise tax levied on liquor containing more than 22 percent of alcohol by volume; and providing other matters properly relating thereto.

Assemblyman May moved that the bill be referred to the Committee on Taxation.

Motion carried.

Senate Bill No. 585.

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

Motion carried.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 119.

The following Senate amendment was read:

Amendment No. 1212.

Amend section 1, page 1, by deleting lines 9 through 11 and inserting: "*order that he received the requests. Except as otherwise provided in subsection 4, the list must only contain the name of each requester, the date and a brief summary of the request.*".

Amend section 1, page 2, lines 4 and 5, by deleting: "*the summary of*" and inserting: "*any information concerning*".

Amend section 1, page 2, by deleting line 6 and inserting: "*is introduced in the legislature.*".

Assemblyman Myrna Williams moved that the Assembly concur in the Senate amendment to Assembly Bill No. 119.

Remarks by Assemblyman Myrna Williams.

Motion carried.

Bill ordered enrolled.

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker appointed Assemblymen Porter, Thompson and DuBois as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Assembly Bill No. 775.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, June 12, 1987

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Senate Bill No. 587.

MARY JO MONGELLI
Assistant Secretary of the Senate

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Transportation, to which was referred Senate Bill No. 529, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

LEONARD V. NEVIN, *Chairman*

INTRODUCTION, FIRST READING AND REFERENCE

Senate Bill No. 587.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Swain moved that Assembly Bill No. 549 be taken from the Chief Clerk's desk and placed at the top of the General File.

Remarks by Assemblyman Swain.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 549.

Bill read third time.

The following amendment was proposed by Assemblyman Swain:

Amendment No. 1540.

Amend section 1, page 1, by deleting lines 8 through 13.

Amend section 1, page 2, line 1, by deleting "*3.*" and inserting "*2.*".

Amend the title of the bill, second and third lines, by deleting: "prohibiting commingling of money in that account with other money;".

Assemblyman Swain moved the adoption of the amendment.

Remarks by Assemblymen Swain, Jeffrey, Fay and Thomas.

Amendment adopted.
Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 212.
Bill read third time.
Remarks by Assemblymen Spinello, Gaston and Brookman.
Roll call on Senate Bill No. 212:
YEAS—40.
NAYS—Evans.
Absent—Nicholas.

Senate Bill No. 212 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 286.
Bill read third time.
Remarks by Assemblyman Spriggs.
Roll call on Senate Bill No. 286:
YEAS—41.
NAYS—None.
Absent—Nicholas.

Senate Bill No. 286 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 509.
Bill read third time.
Remarks by Assemblymen Arberry, Fay and Sedway.
Roll call on Senate Bill No. 509:
YEAS—41.
NAYS—None.
Absent—Nicholas.

Senate Bill No. 509 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 511.
Bill read third time.
Remarks by Assemblymen Sader, DuBois, Getto, Thomas and Adler.
Roll call on Senate Bill No. 511:
YEAS—41.
NAYS—None.
Absent—Nicholas.

Senate Bill No. 511 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 537.
Bill read third time.
Remarks by Assemblymen Humke and Jeffrey.

Roll call on Senate Bill No. 537:

YEAS—40.
NAYS—Bergevin.
Absent—Nicholas.

Senate Bill No. 537 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 554.

Bill read third time.

Remarks by Assemblyman Kissam.

Roll call on Senate Bill No. 554:

YEAS—41.
NAYS—None.
Absent—Nicholas.

Senate Bill No. 554 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 567.

Bill read third time.

Remarks by Assemblyman Haller.

Roll call on Senate Bill No. 567:

YEAS—41.
NAYS—None.
Absent—Nicholas.

Senate Bill No. 567 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 576.

Bill read third time.

Remarks by Assemblymen Marvel, Humke, Sedway, Kissam and Thomas.

Conflict of interest declared by Assemblyman Kissam.

Roll call on Senate Bill No. 576:

YEAS—40.
NAYS—None.
Absent—Nicholas.
Not voting—Kissam.

Senate Bill No. 576 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Joint Resolution No. 22.

Resolution read third time.

Remarks by Assemblymen May, Carpenter and Adler.

Roll call on Senate Joint Resolution No. 22:
YEAS—41.
NAYS—None.
Absent—Nicholas.

Senate Joint Resolution No. 22 having received a constitutional majority, Mr. Speaker declared it passed.
Resolution ordered transmitted to the Senate.

Senate Bill No. 369.
Bill read third time.
Remarks by Assemblyman Thompson.
Roll call on Senate Bill No. 369:
YEAS—41.
NAYS—None.
Absent—Nicholas.

Senate Bill No. 369 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 Transportation, to which were referred Senate Bills Nos. 195, 452, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

LEONARD V. NEVIN, *Chairman*

Mr. Speaker:

Your Committee on Transportation, to which was referred Senate Concurrent Resolution No. 29, has had the same under consideration, and begs leave to report the same back with the recommendation: Be adopted.

LEONARD V. NEVIN, *Chairman*

Mr. Speaker:

Your Committee on Natural Resources, Agriculture and Mining, to which was referred Senate Bill No. 327, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JAMES W. SCHOFIELD, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Senate Concurrent Resolution No. 29.
Assemblyman Nevin moved the adoption of the resolution.
Remarks by Assemblyman Nevin.
Resolution adopted.

Assemblyman Jeffrey moved that Senate Bills Nos. 195, 327, 432, 452 and 529 be placed on the Second Reading File.
Motion carried.

SECOND READING AND AMENDMENT

Senate Bill No. 195.
Bill read second time and ordered to third reading.

Senate Bill No. 327.
Bill read second time and ordered to third reading.

Senate Bill No. 432.

Bill read second time.

The following amendment was proposed by the Committee on Transportation:

Amendment No. 969.

Amend the bill as a whole by renumbering sec. 3 as sec. 4 and adding a new section designated sec. 3, following sec. 2, to read as follows:

"Sec. 3. Section 5 of Assembly Bill No. 273 of this session is hereby amended to read as follows:

Sec. 5. NRS 366.221 is hereby amended to read as follows:

366.221 1. No special fuel user's license may be required of the following classes of special fuel users:

(a) Operators of motor vehicles who make occasional trips into this state for service or repair.

(b) Operators of house coaches as defined in NRS 484.067.

(c) Operators of motor vehicles having a declared gross weight of [less than 10,000 pounds.] *26,000 pounds or less.*

(d) Operators of unladened motor vehicles purchased in this state for the trip from the point of delivery to the state boundary.

(e) Operators of motor vehicles who make occasional trips into or across this state for nonprofit or eleemosynary purposes.

(f) Operators of motor vehicles used in the production of motion pictures, including films to be shown in theaters and on television, industrial, training and educational films, commercials for television and video discs and tapes.

(g) Private motor carriers of property which is used for any convention, show, exhibition, sporting event, carnival, circus or organized recreational activity.

(h) A private motor carrier of property which is used to attend livestock shows or sales.

2. Any special fuel purchased in this state by any person exempt from licensing under subsection 1 must be purchased from a licensed special fuel dealer, who shall collect the tax on any special fuel delivered into the vehicle's fuel supply tank.

3. [The department may adopt regulations concerning the application and administration of this section.

4.] As used in this section, "private motor carrier of property" has the meaning ascribed to it in NRS 706.111.".

Assemblyman Nevin moved the adoption of the amendment.

Remarks by Assemblyman Nevin.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 452.

Bill read second time and ordered to third reading.

Senate Bill No. 529.

Bill read second time.

The following amendment was proposed by the Committee on Transportation:

Amendment No. 1407.

Amend the bill as a whole by renumbering sections 2 through 5 as sections 3 through 6, and adding a new section designated sec. 2, following section 1, to read as follows:

"Sec. 2. *For the purposes of sections 3 and 4 of this act, "vehicle" has the meaning ascribed to it in NRS 482.135.*".

Amend sec. 2, page 1, line 5, by deleting "*motor*".

Amend sec. 2, page 1, line 6, by deleting "*motor*".

Amend sec. 2, page 1, line 11, by deleting "*motor*".

Amend sec. 2, page 2, line 13, by deleting "motor".

Amend sec. 3, page 2, line 16, by deleting "*motor*".

Amend sec. 3, page 2, line 17, by deleting "*motor*".

Amend sec. 3, page 2, line 19, by deleting "*2*" and inserting "*3*".

Amend sec. 4, page 2, line 23, by deleting "*3*" and inserting "*4*".

Amend sec. 5, page 2, line 31, by deleting "1 and 2" and inserting "1, 2 and 3".

Amend sec. 5, page 2, line 33, by deleting "3 and 4" and inserting "4 and 5".

Amend the title of the bill by deleting the first and second lines and inserting:

"An Act relating to vehicles; requiring the administrator of financial institutions to adopt forms for use in the sale of vehicles; requiring certain persons to use".

Amend the summary of the bill, first line, by deleting "motor".

Assemblyman Nevin moved the adoption of the amendment.

Remarks by Assemblyman Nevin.

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. 47, 166, 184, 349, 390, 421, 456, 535, 592, 626, 738, 760, 811; Senate Bills Nos. 35, 130, 152, 221, 256, 319, 429, 487, 494; Assembly Concurrent Resolution No. 73; Senate Concurrent Resolutions Nos. 49, 50.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Adler, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Daria Frank and Ms. Ralphia Elges.

On request of Assemblyman Brookman, the privilege of the floor of the Assembly Chamber for this day was extended to Brigadier General Tony Clark.

On request of Assemblymen Brookman and Getto, the privilege of the floor of the Assembly Chamber for this day was extended to Brigadier General David Henley.

On request of Assemblyman Callister, the privilege of the floor of the Assembly Chamber for this day was extended to Misses Camille, Emily and Kari Keller.

On request of Assemblyman Price, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Joe DeCristofaro.

On request of Assemblyman Spriggs, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Gwen Click and Mr. Gary Click.

On request of Assemblyman Thompson, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Jason Boatwright.

Assemblyman Jeffrey moved that the Assembly adjourn until Saturday, June 13, 1987 at 11 a.m.

Motion carried.

Assembly adjourned at 4:01 p.m.

Approved: JOSEPH E. DINI, JR.
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE ONE HUNDRED AND FORTY-SIXTH DAY

CARSON CITY (Saturday), June 13, 1987

Assembly called to order at 11:16 a.m.

Mr. Speaker pro Tempore presiding.

Roll called.

All present.

Prayer by the Chaplain, Assemblyman Matthew Q. Callister.

Our Father in Heaven, we humbly bow our heads before Thee this morning in gratitude for our many, many blessings—for our lives, our health, our strength, our families and for the privilege of serving here in the Assembly. We ask that this day will have Thy spirit to be with us to assist us in our deliberations and our decision-making process. We ask for patience and temperance as we struggle through these final days. We ask for these many blessings in the name of Thy son. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Nevin moved that further reading of the Journal be dispensed with, and the Speaker and Chief Clerk be authorized to make the necessary corrections and additions.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Taxation, to which was referred Senate Joint Resolution No. 21, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

PAUL W. MAY, *Chairman*

Mr. Speaker:

Your Committee on Natural Resources, Agriculture and Mining, 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.

JAMES W. SCHOFIELD, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which were referred Assembly Bill No. 821; Senate 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.

MARVIN M. SEDWAY, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which were referred Senate Bills Nos. 29, 208, 501, 587, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

MARVIN M. SEDWAY, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Senate Bill No. 426, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

DANNY L. THOMPSON, *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which were referred Assembly Bill No. 763; Senate Bills Nos. 236, 519 has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN E. JEFFREY, *Chairman*

Mr. Speaker:

Your Committee on Transportation, to which was referred Senate 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.

LEONARD V. NEVIN, *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which was referred Senate Bill No. 125, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN E. JEFFREY, *Chairman*

Mr. Speaker:

Your Committee on Education, to which was referred Senate Bill No. 168, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ROBERT G. CRADDOCK, *Chairman*

Mr. Speaker:

Your Committee on Taxation, to which were referred Assembly Bills Nos. 76, 86; Senate Bill No. 498, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

PAUL W. MAY, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, June 12, 1987

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 360, 395, 438, 454, 518, 541, 693, 807.

Also, I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bills Nos. 104, 105, 162, 183, 203, 206, 264, 295, 322, 344, 415, 671, 746, 782, 790, 803, 808, and respectfully requests your honorable body to concur in said amendments.

Also, I have the honor to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolutions Nos. 49, 70, 75, 76.

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. 476, 491, 520.

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. 76, 88, 156, 178, 252, 262.

Also, I have the honor to inform your honorable body that the Senate on this day appointed Senators Rawson, Rhoads and Gibson as a first Committee on Conference concerning Senate Bill No. 102.

Also, I have the honor to inform your honorable body that the Senate on this day appointed Senators Redelsperger, O'Donnell and Coffin as a first Committee on Conference concerning Senate Bill No. 298.

Also, I have the honor to inform your honorable body that the Senate on this day appointed Senators Jacobsen, Horn and Rhoads as a first Committee on Conference concerning Senate Bill No. 396.

Also, I have the honor to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 52.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Senate Concurrent Resolution No. 52.

Assemblyman Bergevin moved the adoption of the resolution.

Remarks by Assemblyman Bergevin.

Resolution adopted unanimously.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Transportation, to which was referred Assembly Bill No. 657, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

LEONARD V. NEVIN, *Chairman*

UNFINISHED BUSINESS

REPORTS OF CONFERENCE COMMITTEES

Mr. Speaker:

The first Committee on Conference concerning Assembly Bill No. 558, 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. C9, which is attached to and hereby made a part of this report.

ROBERT M. SADER
BOB THOMAS
KEN HALLER
Assembly Committee on Conference

JOE NEAL
MIKE MALONE
ERIK BEYER
Senate Committee on Conference

Amendment No. C9.

Amend sec. 2, page 2, by deleting lines 5 through 8 and inserting: "(b) [If the act is malicious but no death or substantial bodily harm results, for a gross misdemeanor.

(c)] Otherwise, for a *gross* misdemeanor.".

Assemblyman Sader moved that the Assembly adopt the report of the first Committee on Conference concerning Assembly Bill No. 558.

Remarks by Assemblyman Sader.

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Thompson moved that Senate Bill No. 534 be taken from the Chief Clerk's desk and placed on the General File.

Motion carried.

Assemblyman Sader moved that Senate Bill No. 480 be taken from the Chief Clerk's desk and placed on the Second Reading File.

Remarks by Assemblyman Sader.

Motion carried.

Assemblyman Jeffrey moved that Assembly Bill No. 549; Senate Bills Nos. 111, 143, 187, 235, 272, 310, 397, 432, 435, 464, 479 and 529 be placed on the General File immediately following Assembly Bill No. 881.

Motion carried.

Assemblyman Sedway moved that Assembly Bill No. 829 be taken from the Chief Clerk's desk and placed at the top of the General File.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Taxation, to which was referred Senate Bill No. 583, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

PAUL W. MAY, *Chairman*

SECOND READING AND AMENDMENT

Senate Bill No. 480.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1309.

Amend sec. 3, page 3, line 25, after "or" by inserting "preliminary".

Amend sec. 3, page 3, line 28, after "or" by inserting "preliminary".

Amend sec. 3, page 3, line 32, by deleting "or hearing" and inserting: "or preliminary hearing".

Amend sec. 3, page 3, line 36, after "or" by inserting "preliminary".

Amend sec. 3, page 3, line 38, by deleting "or hearing" and inserting: "or preliminary hearing".

Amend sec. 3, page 3, by deleting line 41 and inserting: "judge or justice of the peace may adjourn the trial or".

Amend sec. 3, page 4, line 3, by deleting "examination" and inserting "hearing".

Amend sec. 62, page 35, line 20, after "1987," by inserting: "as amended by section 2 of Senate Bill No. 481 of this session,".

Amend sec. 62, page 35, line 31, after "or" by inserting "preliminary".

Amend sec. 62, page 35, line 33, after "or" by inserting "preliminary".

Amend sec. 62, page 35, line 38, by deleting "or hearing" and inserting: "or preliminary hearing".

Amend sec. 62, page 36, line 2, after "or" by inserting "preliminary".

Amend sec. 62, page 36, line 3, by deleting "or hearing" and inserting: "or preliminary hearing".

Amend sec. 62, page 36, by deleting line 6 and inserting: "examined in person, the judge or justice of the peace".

Amend sec. 62, page 36, line 13, by deleting "examination" and inserting "hearing".

Amend the bill as a whole by renumbering sections 64 and 65 as sections 68 and 69 and adding new sections designated sections 64 through 67, following sec. 63, to read as follows:

"Sec. 64. Sections 4, 5 and 6 of chapter 210, Statutes of Nevada 1987, are hereby amended to read respectively as follows:

Sec. 4. NRS 392.464 is hereby amended to read as follows:

392.464 1. The board of trustees of each school district shall adopt and enforce measures for disciplining any pupil who is found in possession of an [intoxicating liquor] *alcoholic beverage* or a controlled substance, while on the premises of any public school in its district.

2. As used in this section, ["intoxicating liquor" has the meaning ascribed to it in NRS 202.055.] *"alcoholic beverage" has the meaning ascribed to it in section 1 of this act.*

Sec. 5. NRS 641.023 is hereby amended to read as follows:

641.023 "Gross malpractice" means malpractice where the failure to exercise the requisite degree of care, diligence or skill consists of:

1. Practicing psychology or psychotherapy with a patient while the psychologist is under the influence of [intoxicating liquor] *an alcoholic beverage* as defined in [NRS 202.055] *section 1 of this act* or any controlled substance;

2. Gross negligence;

3. Willful disregard of established methods and procedures in the practice of psychology; or

4. Willful and consistent use of methods and procedures considered by psychologists in the community to be inappropriate or unnecessary in the cases where used.

Sec. 6. NRS 641.026 is hereby amended to read as follows:

641.026 "Professional incompetence" means lack of ability to practice psychology safely and skillfully arising from:

1. Lack of knowledge or training;

2. Impaired physical or mental ability; or

3. Dependence upon [intoxicating liquor] *an alcoholic beverage* as defined in [NRS 202.055] *section 1 of this act* or any controlled substance.

Sec. 65. Section 22 of chapter 276, Statutes of Nevada 1987, is hereby amended to read as follows:

Sec. 22. NRS 637.150 is hereby amended to read as follows:

637.150 Upon proof to the satisfaction of the board that an applicant or holder of a license:

1. Has been adjudicated insane;

2. Habitually uses any controlled substance or intoxicant;

3. Has been convicted of a crime involving moral turpitude;

4. Has advertised [fraudulently;] *in any manner which would tend to deceive, defraud or mislead the public;*

5. Has presented to the board any diploma, license or certificate that has been signed or issued unlawfully or under fraudulent representations, or obtains or has obtained a license to practice in the state through fraud of any kind;

6. Has been convicted of a violation of any federal or state law relating to a controlled substance;

7. Has violated any regulation of the board;

8. Has violated any provision of this chapter;

9. Is incompetent; [or

10. Has repeatedly been negligent, as]

10. Is guilty of unethical or unprofessional conduct as determined by the board; or

11. Is guilty of repeated malpractice, which may be evidenced by claims of malpractice settled against a practitioner,

the board may, in the case of an applicant, refuse to grant him a license, or may, in the case of a holder of a license, place him on probation, reprimand him privately or publicly, require him to pay an administrative fine of not more than $2,500, suspend or revoke his license, or take any combination of these disciplinary actions.

Sec. 66. Section 1 of Senate Bill No. 297 of this session is hereby amended to read as follows:

Section 1. NRS 639.210 is hereby amended to read as follows:

639.210 The board may suspend or revoke any certificate, license, registration or permit issued pursuant to this chapter, and deny the application of any person for a certificate, license, registration or permit, if the holder or applicant:

1. Is not of good moral character;

2. Is guilty of habitual intemperance;

3. Becomes or is intoxicated or under the influence of liquor, any depressant drug or a controlled substance, unless taken pursuant to a physician's prescription, while on duty in any establishment licensed by the board;

4. Is guilty of unprofessional conduct or conduct contrary to the public interest;

5. Is addicted to the use of any controlled substance;

6. Has been convicted of a violation of any law related to controlled substances of the Federal Government or of this or any other state;

7. Has been convicted of a felony or other crime involving moral turpitude, dishonesty or corruption;

8. Has willfully made to the board or its authorized representative any false statement which is material to the administration or enforcement of any of the provisions of this chapter;

9. Has obtained any certificate, certification, license or permit by the filing of an application, or any record, affidavit or other information in support thereof, which is false or fraudulent;

10. Has violated any provision of the Federal Food, Drug and Cosmetic Act or any other federal law or regulation relating to prescription drugs;

11. Has violated, attempted to violate, assisted or abetted in the violation of or conspired to violate any of the provisions of this chapter or any law or regulation relating to the practice of pharmacy , or has *knowingly* permitted, allowed, condoned or failed to report a violation of any of the provisions of this chapter or any law or regulation relating to the practice of pharmacy committed by a registered pharmacist in his employ;

12. Has failed to renew his certificate, license or permit by failing to pay the renewal fee therefor;

13. Has had his certificate, license or permit suspended or revoked in another state on grounds which would cause suspension or revocation of a certificate, license or permit in this state;

14. Has, as a managing pharmacist, violated any [provisions] *provision* of law or regulation concerning recordkeeping or inventory requirements in a store over which he presides , or has *knowingly* allowed a violation of any provision of this chapter or other state or federal laws or regulations relating to the practice of pharmacy by personnel of the pharmacy under his supervision; or

15. Has repeatedly been negligent, [as] *which* may be evidenced by claims of malpractice settled against him.

Sec. 67. Section 1 of Assembly Bill No. 609 of this session is hereby amended to read as follows:

Section 1. 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 to testify regarding the presence in the blood or urine of a person of alcohol, a controlled substance, 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 an administrative proceeding or* 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; *and*

(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 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.''.

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. 829.

Bill read third time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1519.

Amend section 1, page 1, line 1, by deleting: "state general fund" and inserting: "estate tax account in the state general fund created pursuant to section 4 of chapter 21, Statutes of Nevada 1987,".

Amend section 1, page 2, line 1, after "reverts to" by inserting: "the estate tax account in".

Amend the bill as a whole by deleting sec. 2.

Amend the title of the bill, first line, after "appropriation", by inserting: "from the estate tax account".

Amend the summary of the bill, after "appropriation", by inserting: "from estate tax account".

Assemblyman Sedway moved the adoption of the amendment.

Remarks by Assemblyman Sedway.

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 until 11:41 a.m.

Assembly in recess at 11:36 a.m.

ASSEMBLY IN SESSION

At 12:01 p.m.

Mr. Speaker presiding.

Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Assembly Bills Nos. 76, 86, 657, 763, 821; Senate Bills Nos. 29, 125, 168, 208, 209, 236, 382, 426, 475, 498, 501, 519, 583, 587 and Senate Joint Resolution No. 21 be placed on the Second Reading File.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 881.

Bill read third time.

Remarks by Assemblyman May.

Roll call on Assembly Bill No. 881:

YEAS—41.

NAYS—Banner.

Assembly Bill No. 881 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 Assemblymen Swain and Price.

Roll call on Assembly Bill No. 549:

YEAS—38.

NAYS—Banner, DuBois, Spriggs, Thomas—4.

Assembly Bill No. 549 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 111.

Bill read third time.

Remarks by Assemblyman Craddock.

Roll call on Senate Bill No. 111:

YEAS—42.

NAYS—None.

Senate Bill No. 111 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that all rules be suspended and that Assembly Bills Nos. 549, 881 and Senate Concurrent Resolution No. 52 be immediately transmitted to the Senate.

Motion carried unanimously.

GENERAL FILE AND THIRD READING

Senate Bill No. 143.

Bill read third time.

Remarks by Assemblyman Nevin.

Roll call on Senate Bill No. 143:

YEAS—41.

NAYS—Haller.

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. 187.

Bill read third time.

Remarks by Assemblymen Getto, Garner and Fay.

Roll call on Senate Bill No. 187:

YEAS—42.

NAYS—None.

Senate Bill No. 187 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 235.

Bill read third time.

Remarks by Assemblyman Fay.

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, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 272.

Bill read third time.

Remarks by Assemblyman Porter.

Roll call on Senate Bill No. 272:

YEAS—42.

NAYS—None.

Senate Bill No. 272 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 310.

Bill read third time.

Remarks by Assemblyman Freeman.

Roll call on Senate Bill No. 310:

YEAS—42.

NAYS—None.

Senate Bill No. 310 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 397.

Bill read third time.

Remarks by Assemblyman Kerns.

Roll call on Senate Bill No. 397:

YEAS—41.

NAYS—Humke.

Senate Bill No. 397 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 432.

Bill read third time.

Remarks by Assemblyman Thomas.

Roll call on Senate Bill No. 432:

YEAS—42.

NAYS—None.

Senate Bill No. 432 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 435.

Bill read third time.

Remarks by Assemblyman Craddock.
Roll call on Senate Bill No. 435:
YEAS—42.
NAYS—None.

Senate Bill No. 435 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Senate Bill No. 464.
Bill read third time.
Remarks by Assemblyman Kerns.
Roll call on Senate Bill No. 464:
YEAS—42.
NAYS—None.

Senate Bill No. 464 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Senate Bill No. 479.
Bill read third time.
Remarks by Assemblyman Carpenter.
Roll call on Senate Bill No. 479:
YEAS—42.
NAYS—None.

Senate Bill No. 479 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Senate Bill No. 529.
Bill read third time.
Remarks by Assemblyman May.
Roll call on Senate Bill No. 42:
YEAS—42.
NAYS—None.

Senate Bill No. 529 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.
Remarks by Assemblymen Evans, Freeman, Sedway and Nicholas.
Roll call on Senate Bill No. 27:
YEAS—42.
NAYS—None.

Senate Bill No. 27 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 163.

Bill read third time.
Remarks by Assemblyman Marvel.
Roll call on Senate Bill No. 163:

YEAS—42.
NAYS—None.

Senate Bill No. 163 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 195.
Bill read third time.
Remarks by Assemblyman Evans.
Roll call on Senate Bill No. 195:

YEAS—41.
NAYS—Thomas.

Senate Bill No. 195 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 327.
Bill read third time.
Remarks by Assemblymen Marvel, Carpenter and Schofield.
Assemblyman Schofield moved that Senate Bill No. 327 be taken from the General File and placed on the Chief Clerk's desk.
Motion carried.

Senate Bill No. 452.
Bill read third time.
Remarks by Assemblymen May and Nevin.
Roll call on Senate Bill No. 452:

YEAS—42.
NAYS—None.

Senate Bill No. 452 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 552.
Bill read third time.
Remarks by Assemblymen Marvel and Garner.
Roll call on Senate Bill No. 552:

YEAS—33.
NAYS—Banner, DuBois, Garner, McGaughey, May, Porter, Sedway, Myrna Williams, Wisdom—9.

Senate Bill No. 552 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. 327 be taken from the Chief Clerk's desk and placed on the General File.

Motion carried.

Assemblyman May moved that Assembly Bill No. 76 be taken from its position on the Second Reading File and placed at the bottom of the Second Reading File.

Remarks by Assemblyman May.

Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 558.

Bill read third time.

Remarks by Assemblyman Porter.

Roll call on Senate Bill No. 558:

YEAS—42.

NAYS—None.

Senate Bill No. 558 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 560.

Bill read third time.

Remarks by Assemblyman Spinello.

Roll call on Senate Bill No. 560:

YEAS—41.

NAYS—Sedway.

Senate Bill No. 560 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 565.

Bill read third time.

Remarks by Assemblyman Callister.

Roll call on Senate Bill No. 565:

YEAS—42.

NAYS—None.

Senate Bill No. 565 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 582.

Bill read third time.

Remarks by Assemblyman Lambert.

Roll call on Senate Bill No. 582:

YEAS—42.

NAYS—None.

Senate Bill No. 582 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 534.

Bill read third time.

Remarks by Assemblyman Adler.

Roll call on Senate Bill No. 534:

YEAS—42.

NAYS—None.

Senate Bill No. 534 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 327.

Bill read third time.

Remarks by Assemblymen Thompson, Carpenter and Haller.

Roll call on Senate Bill No. 327:

YEAS—42.

NAYS—None.

Senate Bill No. 327 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Senate Bill No. 470, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

DANNY L. THOMPSON, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which was referred Senate Bill No. 359, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ROBERT M. SADER, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, June 13, 1987

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. 53.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Senate Concurrent Resolution No. 53.

Assemblyman Sedway moved the adoption of the resolution.

Remarks by Assemblyman Sedway.

Mr. Speaker requested that Assemblyman Sedway's remarks be entered in the Journal.

Mr. Speaker, the ultimate gift that anyone can have for his fellowman is his life. Richard Rundle, who in years was only 12 years old, performed a task which very few of us, placed in the same situation, would do. In a split instant, he saw the car out of control bearing down on his best friend on their way to school. Without hesitation, he stepped in to save the life of that other boy. In so doing, he gave up his own life. How many of us would do the same thing? And that this young boy, whose age had not left him with any cynicism or guile, gave of himself without any thought for himself.

For myself and for others in this room I wish to convey to his parents, William and Shirley Rundle, our sincere condolences for the loss of their son with the hope that his act will hold out to the rest of us a symbol that we, too, can hold ourselves to in the hope that we can somehow make someone else's life better while we mourn his. You have our deepest and sincerest condolences.

Resolution adopted unanimously.

SECOND READING AND AMENDMENT

Assembly Bill No. 86.

Bill read second time.

The following amendment was proposed by the Committee on Taxation:

Amendment No. 1549.

Amend the bill as a whole by deleting sections 1 through 8 and renumbering sections 9 and 10 as sections 1 and 2.

Amend sec. 10, page 5, by deleting line 30, and inserting:

"(d) *Any ophthalmic or ocular device or appliance prescribed by a physician or optometrist.*".

Amend sec. 10, page 6, by deleting line 7 and inserting:

"(a) Any auditory [, ophthalmic or ocular] device or appliance.".

Amend sec. 10, page 6, line 8, by deleting the closed bracket.

Amend sec. 10, page 6, line 11, by deleting "[(c)] *(b)*" and inserting "(c)".

Amend the bill as a whole by deleting sec. 11 and adding new sections designated sections 3 through 8, following sec. 10, to read as follows:

"Sec. 3. Chapter 377 of NRS is hereby amended by adding thereto the provisions set forth as sections 4 and 5 of this act.

Sec. 4. *The gross receipts from the sales and the storage, use or other consumption of any ophthalmic or ocular device or appliance prescribed by a physician or optometrist are exempt from the basic city-county relief tax.*

Sec. 5. *The gross receipts from the sales and the storage, use or other consumption of any ophthalmic or ocular device or appliance prescribed by a physician or optometrist are exempt from the tax imposed pursuant to this chapter.*

Sec. 6. Chapter 377A of NRS is hereby amended by adding thereto a new section to read as follows:

The gross receipts from the sales and the storage, use or other consumption of any ophthalmic or ocular device or appliance prescribed by a physician or optometrist are exempt from any tax imposed pursuant to this chapter.

Sec. 7. Chapter 543 of NRS is hereby amended by adding thereto a new section to read as follows:

The gross receipts from the sales and the storage, use or other consumption of any ophthalmic or ocular device or appliance prescribed by a physician or optometrist are exempt from any tax imposed pursuant to subsection 3 of NRS 543.600.

Sec. 8. 1. This section and sections 6 and 7 of this act become effective on July 1, 1987.

2. Sections 3 and 4 of this act become effective on July 1, 1988.

3. Section 4 of this act expires by limitation on July 1, 1989.

4. Section 5 of this act becomes effective on July 1, 1989.

5. Sections 5, 6 and 7 of this act expire by limitation on July 1, 1990.

6. Sections 1 and 2 of this act become effective on July 1, 1990.".

Amend the title of the bill to read as follows:

"An Act relating to taxes on retail sales; providing for a progressive exemption from certain taxes for ophthalmic and ocular devices and appliances prescribed by a physician or optometrist; and providing other matters properly relating thereto.".

Amend the summary of the bill to read as follows: "Provides for progressive exemption of eyeglasses from certain taxes on retail sales. (BDR 32-80)".

Assemblyman May moved the adoption of the amendment.

Remarks by Assemblymen May, Brookman and Kerns.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 657.

Bill read second time.

The following amendment was proposed by the Committee on Transportation:

Amendment No. 1199.

Amend section 1, page 1, by deleting lines 1, 2 and 3 and inserting:

"Section 1. Chapter 482 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 and 3 of this act.

Sec. 2. *1. Upon the termination or refusal to continue a franchise, the*".

Amend section 1, page 1, line 15, by deleting the period and inserting: ", *less a reasonable allowance for depreciation.*".

Amend section 1, page 1, line 17, by deleting the period and inserting: ", *less a reasonable allowance for depreciation.*".

Amend section 1, page 2, line 1, after "*value*" by inserting: "*for 90 days after the effective date of the termination or refusal to continue*".

Amend section 1, page 2, by deleting lines 2 and 3, and inserting: "*the portion of the dealer's place of business that was used by the dealer to sell or service motor vehicles or other products of the manufacturer or distributor.*".

Amend the bill as a whole by renumbering sec. 2 as sec. 4 and adding a new section designated sec. 3, following section 1, to read as follows:

"Sec. 3. *Upon the termination or refusal to continue a franchise, the dealer:*

1. May not require reimbursement by the manufacturer or distributor for any parts or services furnished by the dealer, after the effective date of the termination or refusal to continue, to customers pursuant to any warranties of the manufacturer or distributor;

2. Shall deliver to the manufacturer or distributor any invoices and money deposited by customers for motor vehicles or other products of the manufacturer or distributor that were not delivered to the customers before the effective date of the termination or refusal to continue; and

3. Shall furnish the manufacturer or distributor with copies of all of his records concerning the servicing of any motor vehicle or other product of the manufacturer or distributor. The manufacturer or distributor shall reimburse the dealer for the reasonable cost of compiling and copying the records and delivering the copies.".

Amend sec. 2, page 2, line 21, by deleting "*section 1*" and inserting: "*sections 2 and 3*".

Amend the title of the bill to read as follows:

"An Act relating to franchises for the sale of motor vehicles; imposing certain duties on the manufacturer or distributor and on the dealer upon the termination of or refusal to continue such a franchise; and providing other matters properly relating thereto.".

Amend the summary of the bill by deleting the first line and inserting: "Imposes certain duties on manufacturer or distributor and on dealer upon termination of or refusal to".

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. 763.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 1172.

Amend the bill as a whole by deleting sections 1 and 2 and adding a new section designated section 1, following the enacting clause, to read as follows:

"Section 1. NRS 482.516 is hereby amended to read as follows:

482.516 1. Any provision in any security agreement for the sale of a vehicle to the contrary notwithstanding, at least 10 days' written notice of intent to sell a repossessed vehicle must be given to all persons liable on the security agreement. The notice [shall] *must* be given in person or [shall be] sent by mail directed to the address of the persons shown on the security agreement, unless such persons have notified the holder in writing of a different address.

2. The notice:

(a) [Shall] *Must* set forth that there is a right to redeem the vehicle and the total amount required as of the date of the notice to redeem;

(b) May inform such persons of their privilege of reinstatement of the security agreement, if the holder extends such *a* privilege;

(c) [Shall] *Must* give notice of the holder's intent to resell the vehicle at the expiration of 10 days from the date of giving or mailing the notice;

(d) [Shall] *Must* disclose the place at which the vehicle will be returned to the buyer upon redemption or reinstatement; and

(e) [Shall] *Must* designate the name and address of the person to whom payment [shall] *must* be made.

3. During the period provided under the notice, the person or persons liable on the security agreement may pay in full the indebtedness evidenced by the security agreement. Such persons [shall be] *are* liable for any deficiency after sale of the repossessed vehicle only if the notice prescribed by this section is given within 60 days [of] *after* repossession and includes [the following:

(a) A notice, in at least eight-point bold type if the notice is printed, reading as follows: "Notice: You are subject to suit and liability if the amount obtained upon sale of the vehicle is insufficient to pay the balance and any other amounts due."

(b) An] *an* itemization of the balance and of any *costs or fees for* delinquency, collection or repossession . [costs and fees.] In addition, the notice [shall] *must* either set forth the computation or estimate of the amount of any credit for unearned finance charges or canceled insurance as of the date of the notice or [shall] state that such a credit may be available against the amount due.".

Amend the title of the bill to read as follows:

"An Act relating to repossession; removing the requirement that the notice of intent to sell a vehicle or construction equipment include a specific statement concerning the potential liability of the debtor; and providing other matters properly relating thereto.".

Amend the summary of the bill to read as follows: "Removes certain requirement concerning notice of intent to sell repossessed vehicle or construction equipment. (BDR 43-1592)".

Assemblyman Callister moved the adoption of the amendment.

Remarks by Assemblyman Callister.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 821.

Bill read second time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1574.

Amend the preamble of the bill, page 1, line 2, by deleting "water and".

Amend the preamble of the bill, page 1, line 4, after "the" by inserting "state".

Amend the preamble of the bill, page 1, line 6, by deleting "water and".

Amend the preamble of the bill, page 1, by deleting lines 8 through 11 and inserting:

"WHEREAS, Future responsibility concerning the operation of the sewer system is presently unclear; and".

Amend the preamble of the bill, page 1, line 13, by deleting: "without a water supply and".

Amend the preamble of the bill, page 1, line 17, by deleting: "an adequate water supply and".

Amend the preamble of the bill, page 2, line 6, by deleting "water and".

Amend the preamble of the bill, page 2, line 7, by deleting "$700,000;" and inserting "$150,000;".

Amend section 1, page 2, line 17, by deleting "$700,000" and inserting "$150,000".

Amend section 1, page 2, line 18, by deleting "water and".

Amend the title of the bill, second line, by deleting "water and".

Amend the summary of the bill, second line, by deleting "water and".

Assemblyman Sedway moved the adoption of the amendment.

Remarks by Assemblyman Sedway.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 29.

Bill read second time and ordered to third reading.

Senate Bill No. 125.

Bill read second time and ordered to third reading.

Senate Bill No. 168.

Bill read second time.

The following amendment was proposed by the Committee on Education:

Amendment No. 1522.

Amend section 1, pages 1 and 2, by deleting lines 2 through 13 on page 1 and lines 1 through 7 on page 2 and inserting:

"385.080 *1.* The state board may adopt regulations for its own government and as necessary for the execution of the powers and duties conferred upon it by law.

2. *The state board may adopt regulations for the approval of programs for the education of teachers which are accredited by the National Council of Accreditation of Teacher Education.*".

Amend the bill as a whole by adding new sections designated sections 2 and 3, following section 1, to read as follows:

"Sec. 2. Senate Bill No. 467 of this session is hereby amended by adding thereto a new section, designated sec. 11.3, following sec. 11, to read as follows:

Sec. 11.3. The commission may adopt regulations which provide relief from the strict application of the terms of its regulations relating to the

licensure of teachers and other educational personnel for the resolution of medical or administrative conflicts. The conflicts must be resolved within 6 months after the date the relief is granted.

Sec. 3. This act becomes effective at 12:01 a.m. on July 1, 1987.".

Amend the title of the bill to read as follows:

"An Act relating to education; authorizing the state board of education to approve certain programs for the education of teachers; authorizing the commission on professional standards in education to grant relief from its regulations regarding the licensure of educational personnel; and providing other matters properly relating thereto.".

Amend the summary of the bill, first line, by deleting "certification" and inserting "licensure".

Assemblyman Kissam moved the adoption of the amendment.

Remarks by Assemblyman Kissam.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 208.

Bill read second time and ordered to third reading.

Senate Bill No. 209.

Bill read second time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1576.

Amend section 1, page 1, line 2, by deleting "$600,000" and inserting "$400,000".

Assemblyman Sedway moved the adoption of the amendment.

Remarks by Assemblyman Sedway.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 236.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 1370.

Amend the bill as a whole by deleting sections 1 through 11 and adding new sections designated sections 1 through 8, following the enacting clause, to read as follows:

"Section 1. 1. The legislature finds and declares that:

(a) Stabilizing the cost of insurance is of vital concern to the residents of this state; and

(b) It is necessary to establish a comprehensive system to collect, analyze and distribute information concerning the cost of insurance in order to stabilize that cost effectively.

2. The purposes of sections 1 to 7, inclusive, of this act, are to:

(a) Promote the public welfare by studying the relationship of premiums and related income of insurers to costs and expenses of insurers;

(b) Develop measures to stabilize prices for insurance while continuing to provide insurance of high quality to the residents of this state;

(c) Permit and encourage competition between insurers on a sound financial basis to the fullest extent possible; and

(d) Establish a mechanism to ensure the provision of adequate insurance at reasonable rates to the residents of this state.

Sec. 2. The commissioner of insurance shall:

1. Determine the relationship of premiums and related income of insurers to costs and expenses of insurers, provide this information to the legislature and make this information available to the general public.

2. Respond to requests by governmental agencies of this state and by the legislature for special studies and analysis of information collected pursuant to sections 1 to 7, inclusive, of this act.

3. Cooperate with any interim legislative study on alternative ways to reduce the cost of insurance.

4. Evaluate the market for commercial liability insurance in this state and determine, to the extent possible, the causes for the recent unavailability of affordable liability insurance.

5. Recommend to the legislature methods to detect and deter conditions in the market which caused the unavailability of that insurance.

6. Report to the 65th session of the legislature concerning his duties and findings pursuant to this section no later than February 1, 1989.

Sec. 3. The commissioner of insurance may employ and fix the compensation of, and enter into agreements with, such technical and professional consultants as he deems necessary to accomplish the purposes of sections 1 to 7, inclusive, of this act.

Sec. 4. 1. The commissioner of insurance may issue such orders as are necessary to require compliance with the provisions of sections 1 to 7, inclusive, of this act.

2. The commissioner shall adopt regulations requiring each insurer authorized to transact casualty or property insurance in this state to record and report its losses, expenses and other information necessary to assess the relationship of premiums and related income to costs and expenses of insurers. The commissioner may designate one or more rate service organizations or other advisory organizations to gather and compile this information. The commissioner shall require each insurer authorized to transact casualty or property insurance in this state to submit reports, on forms furnished by the commissioner, of its transactions in insurance in this state and elsewhere.

3. If a rate service organization or other advisory organization designated pursuant to subsection 2 imposes a fee for the filing, processing or review of information required to be filed by this section, the insurer shall pay that fee and file the information.

Sec. 5. 1. The commissioner of insurance may require that reports submitted pursuant to section 4 of this act include, without limitation, information regarding:

(a) Liability insurance provided to:

(1) Governmental agencies and political subdivisions of this state, reported separately for:

(I) Cities and towns;

(II) School districts; and

(III) Other political subdivisions;

(2) Public officers;

(3) Establishments where alcoholic beverages are sold;

(4) Facilities for the care of children;

(5) Labor, fraternal or religious organizations; and

(6) Officers or directors of organizations formed pursuant to Title 7 of NRS, reported separately for nonprofit entities and entities organized for profit;

(b) Liability insurance for:

(1) Defective products;

(2) Medical malpractice;

(3) Malpractice of attorneys;

(4) Malpractice of architects and engineers; and

(5) Errors and omissions by other professionally qualified persons; and

(c) Vehicle insurance, reported separately for:

(1) Private vehicles;

(2) Commercial vehicles;

(3) Liability insurance; and

(4) Insurance for property damage.

2. The commissioner may require that the report include, without limitation, information specifically pertaining to this state or to an insurer in its entirety, in the aggregate or by type of insurance, and for a previous or current year, regarding:

(a) Premiums directly written;

(b) Premiums directly earned;

(c) Number of policies issued;

(d) Net investment income, using appropriate estimates when necessary;

(e) Losses paid;

(f) Losses incurred;

(g) Loss reserves, including:

(1) Losses unpaid on reported claims; and

(2) Losses unpaid on incurred but not reported claims;

(h) Number of claims, including:

(1) Claims paid; and

(2) Claims that have arisen but are unpaid;

(i) Expenses for adjustment of losses, including allocated and unallocated losses;

(j) Net underwriting gain or loss;

(k) Net operation gain or loss, including net investment income; and

(l) Any other information requested by the commissioner.

3. The commissioner may also obtain, based upon an insurer in its entirety, information regarding:

(a) Recoverable federal income tax;

(b) Net unrealized capital gain or loss; and

(c) All other expenses not included in subsection 2.

Sec. 6. 1. Insurers required to file reports pursuant to section 4 of this act shall pay to the insurance division of the department of commerce a reasonable fee established by the commissioner of insurance of not more than $500 to cover the costs to the division of the administration and enforcement of sections 1 to 7, inclusive, of this act, including any expenses incident or associated with the requirements of those sections.

2. The cost of furnishing a report, unless furnished to a legislator, must be paid by the party requesting the report.

3. The commissioner may establish a schedule of fees for the purposes of this section.

Sec. 7. 1. An insurer who willfully or repeatedly violates or fails to comply with a provision of sections 1 to 6, inclusive, of this act, or a regulation adopted pursuant to section 4 of this act is subject, after notice and hearing held pursuant to NRS 679B.310 to 679B.370, inclusive, to payment of an administrative fine of not more than $1,000 for each day of the violation or failure to comply, up to a maximum fine of $50,000.

2. An insurer who fails or refuses to comply with an order issued by the commissioner of insurance pursuant to section 4 of this act is subject, after notice and hearing held pursuant to NRS 679B.310 to 679B.370, inclusive, to suspension or revocation of his certificate of authority to transact insurance in this state.

3. The imposition of an administrative fine pursuant to this section must not be considered by the commissioner in any other administrative proceeding unless the fine has been paid or a court order for payment of the fine has become final.

Sec. 8. This act expires by limitation on June 30, 1989.".

Amend the title of the bill, first line, by deleting: "adopting provisions to require the" and inserting: "requiring the commissioner of insurance to conduct a".

Amend the summary of the bill, first line, by deleting: "Adopts provisions to require" and inserting: "Requires commissioner of insurance to conduct".

Assemblyman Porter moved the adoption of the amendment.

Remarks by Assemblyman Porter.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 382.

Bill read second time.

The following amendment was proposed by Assemblyman Schofield:

Amendment No. 1584.

Amend sec. 4, page 3, by deleting lines 38 and 39 and inserting:

"Sec. 4. This act becomes effective on March 1, 1988.".

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. 426.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 1559.

Amend the bill as a whole by deleting sections 1 through 7 and adding new sections designated sections 1, 2 and 3, following the enacting clause, to read as follows:

"Section 1. NRS 428.235 is hereby amended to read as follows:

428.235 1. If the hospital receives a certification that the person is an indigent person and it has complied with the procedures for collection established by the board of trustees of the fund, it may apply to the board for reimbursement or partial reimbursement of the unpaid charges [in excess of $1,000] for hospital care furnished to him.

2. The application must be in such form and contain such information as the board requires.

3. If such an indigent patient is transferred, within 3 days after his first admission, from one hospital to another, both hospitals are entitled to reimbursement in full for their unpaid charges.

Sec. 2. NRS 428.245 is hereby amended to read as follows:

428.245 1. The board shall review the application and approve or disapprove reimbursement of all or part of the unpaid charges . [, in excess of $1,000.] If reimbursement or partial reimbursement is approved, payment to the hospital must be made from the fund, to the extent money is available in the fund for this purpose, and the hospital must reimburse pro rata any private physician whose charges were included in the application.

2. Upon payment to the hospital:

(a) The board is subrogated to the right of the hospital or physician to recover the unpaid charges from the patient or other person responsible for his support, to the extent of the reimbursement or partial reimbursement paid , [in excess of $1,000,] and may maintain an independent action therefor; and

(b) The board has a lien upon the proceeds of any recovery by the hospital or physician from the patient or other person responsible for his support, to the extent of the reimbursement or partial reimbursement paid . [in excess of $1,000.]

Sec. 3. NRS 428.255 is hereby amended to read as follows:

428.255 Any reimbursement or partial reimbursement made from the fund for unpaid charges for hospital care furnished to a person which are [greater than $1,000, but] not greater than [$4,000,] *$3,000,* is a charge upon the county in which:

1. The accident occurred, if the person is not a resident of this state; or

2. The person resides, if the person is a resident of this state,

and must be paid upon a claim presented by the board as other claims against the county are paid.".

Amend the bill as a whole by deleting the text of the repealed section.

Amend the title of the bill to read as follows: "An Act relating to indigent persons; removing the limit on the minimum amount subject to reimbursement from the fund for hospital care to indigent persons; and providing other matters properly relating thereto.".

Amend the summary of the bill to read as follows: "Removes limit on minimum amount subject to reimbursement from fund for hospital care to indigent persons. (BDR 38-549)".

Assemblyman Thompson moved the adoption of the amendment.

Remarks by Assemblyman Thompson.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 475.

Bill read second time.

The following amendment was proposed by the Committee on Transportation:

Amendment No. 1578.

Amend section 1, page 1, line 8, by deleting the semicolon and inserting: ", if applicable;".

Amend sec. 3, pages 2, 3 and 4, by deleting lines 27 through 40 on page 2, lines 1 through 41 on page 3 and lines 1, 2 and 3 on page 4 and inserting:

"485.383 1. The department shall annually select a sample of not less than 10 percent of all registered owners [in] :

(a) For which a contract of insurance as security was previously terminated pursuant to NRS 690B.023; or

(b) In this state, except registered owners of motorcycles and motor homes, on which the security is a contract of insurance ,

for a verification of liability insurance.

2. The department shall mail a form for verification to the registered owner selected for verification of insurance. The owner shall complete the form with all the information which is requested by the department, including whether he carries an owner's or operator's policy of liability insurance, and return the completed form within 15 days after the date on which the form was mailed by the department.

3. When the department receives a completed form for verification it shall mail the form to the named insurer.

4. Upon receipt of a form for verification of insurance from the department, the insurer shall verify the information on the form and return it to the department only if the insurer did not have a contract of insurance as indicated on the form by the registered owner.

5. The department shall suspend the registration of the vehicle and require the return to the department of the license plates of any vehicle for which a form for verification is:

(a) Not returned to the department by the registered owner within 15 days;

(b) Returned by the insurer with a denial of coverage; or

(c) Returned by the owner with an admission of no coverage or without indicating an insurer or the number of a policy.

6. If an owner who did not return a completed form for verification within the specified period:

(a) Proves to the satisfaction of the department that there was a justifiable cause for his failure to do so;

(b) Submits a completed form regarding his insurance on the date he was selected pursuant to subsection 1; and

(c) Presents evidence of current insurance,

the department shall rescind its suspension of the registration and mail the completed form to the named insurer. Upon receipt of the form from the department, the insurer shall verify the information on the form and return it to the department only if the insurer did not have a contract of insurance on the date he was selected pursuant to subsection 1. If the form is returned by the insurer with a denial of such coverage, the department shall suspend the registration and require the return of the license plates.

7. Except as otherwise provided in subsection 11, the department shall reinstate the registration of a vehicle and reissue the license plates only upon filing by the registered owner of proof of financial responsibility for a period of 3 years.

8. A denial of coverage, signed by an officer or agent of an insurer, is prima facie evidence of a false certification.

9. 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.

10. 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.

11. If a registered 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 4, line 4, after "effective" by inserting: "at 12:01 a.m.".

Amend sec. 4, page 4, line 6, by deleting "12:02" and inserting "12:03".

Assemblyman Nevin moved the adoption of the amendment.

Remarks by Assemblyman Nevin.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 498.

Bill read second time.

The following amendment was proposed by the Committee on Taxation:

Amendment No. 1551.

Amend section 1, page 1, line 2, by deleting the comma and inserting: "and section 1 of [this act,] *Assembly Bill No. 698 of this session,*".

Amend sec. 3, page 5, between lines 7 and 8, by inserting:

"(c) Of a local government listed in subsection 1 of section 1 of [this act] *Assembly Bill No. 698 of this session* does not include any increase in the basic ad valorem revenue pursuant to that section.".

Amend sec. 3, page 5, by deleting lines 11 through 18 and inserting: "*assessed valuation of a fire protection district includes property which was transferred from private ownership to public ownership after July 1, 1986, pursuant to:*

(a) The Santini-Burton Act, Public Law 96-586; or

(b) Chapter 585, Statutes of Nevada 1985, at page 1866, approved by the voters on November 4, 1986.".

Assemblyman May moved the adoption of the amendment.

Remarks by Assemblyman May.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 501.

Bill read second time and ordered to third reading.

Senate Bill No. 519.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 1556.

Amend section 1, page 1, by deleting line 15 and inserting: "*673 of NRS may use the words "savings bank" or "bank" as part of its name and title if the use of those words is permitted by the Federal Home Loan Bank Board.*".

Amend the title of the bill by deleting the second line and inserting: "words "savings bank" or "bank" in its name under certain circumstances; and providing other matters properly relating".

Amend the summary of the bill to read as follows: "Allows savings and loan association to use "savings bank" or "bank" in its name under certain circumstances. (BDR 55-2138)".

Assemblyman Jeffrey moved the adoption of the amendment.

Remarks by Assemblyman Jeffrey.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 583.

Bill read second time.

The following amendment was proposed by Assemblyman Adler:

Amendment No. 1552.

Amend sec. 2, page 1, line 16, after "lodging" by inserting a period.

Amend sec. 2, page 1, by deleting lines 17 and 18 and inserting: "The board of supervisors of Carson City may by resolution, in addition to any other tax levied, levy a tax at a rate of not more than 2 percent of the gross".

Amend sec. 2, page 2, by deleting lines 2 and 3 and inserting: "in the business of providing lodging.".

Amend sec. 2, page 2, by deleting lines 6 and 7 and inserting: "obligation bonds issued for:

1. The golf course known as the Eagle Valley II golf course in Carson City; or

2. Any other recreational facilities.".

Amend the title of the bill, first line, by deleting: "fair and recreation board" and inserting: "board of supervisors".

Amend the summary of the bill, first line, by deleting: "fair and recreation board" and inserting: "board of supervisors".

Assemblyman Adler moved the adoption of the amendment.

Remarks by Assemblyman Adler.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 587.

Bill read second time and ordered to third reading.

Senate Joint Resolution No. 21.

Resolution read second time and ordered to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman May moved that Assembly Bill No. 76 be taken from the Second Reading File and placed on the Chief Clerk's desk.

Remarks by Assemblyman May.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Health and Welfare, to which were referred Senate Bills Nos. 522, 577; Assembly Joint Resolution No. 43, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

MORSE ARBERRY, JR., *Chairman*

Mr. Speaker:

Your Committee on Health and Welfare, to which was referred Senate Concurrent Resolution No. 14, has had the same under consideration, and begs leave to report the same back with the recommendation: Be adopted.

MORSE ARBERRY, JR., *Chairman*

Mr. Speaker:

Your Committee on Commerce, 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.

JOHN E. JEFFREY, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Senate Concurrent Resolution No. 14.

Assemblyman Arberry moved the adoption of the resolution.

Remarks by Assemblyman Arberry.

Resolution adopted.

UNFINISHED BUSINESS

REPORTS OF CONFERENCE COMMITTEES

Mr. Speaker:

The first Committee on Conference concerning Assembly Bill No. 278, 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. C6, which is attached to and hereby made a part of this report.

ROBERT W. FAY
MATTHEW Q. CALLISTER
JAMES W. MCGAUGHEY
Assembly Committee on Conference

WILLIAM R. O'DONNELL
RAY SHAFFER
ANN O'CONNELL
Senate Committee on Conference

Amendment No. C6.

Amend section 1, pages 1 and 2, by deleting lines 6 through 15 on page 1 and lines 1 through 10 on page 2 and inserting: "*1. May not require a deductible of more than $600 difference per admission to a facility for inpatient treatment which is not a preferred provider of health care.*

2. May not require a deductible of more than $500 difference per treatment, other than inpatient treatment at a hospital, by a provider which is not preferred.

3. May not provide for more than a 30 percent difference between the payment for coinsurance required to be paid by the insured to a preferred provider of health care and the payment for coinsurance required to be paid by the insured to a provider of health care who is not preferred.

4. Must require that the deductible and payment for coinsurance paid by the insured to a preferred provider of health care be applied to the negotiated reduced rates of that provider.

5. Must use for both the preferred providers of health care and the providers of health care who are not preferred, a common dollar amount to determine the point at which an insured's payment for coinsurance is no longer required to be paid, based on a calendar year.

6. Must provide that if there is a particular service which a preferred provider of health care does not provide and the provider of health care who is treating the insured requests the service and the insurer determines that the use of the service is necessary for the health of the insured, the service shall be deemed to be provided by the preferred provider of health care.

7. Must require the insurer to pay a claim to a provider of health care".

Amend the bill as a whole by renumbering sec. 4 as sec. 6 and adding new sections designated sections 4 and 5, following sec. 3, to read as follows:

"Sec. 4. Chapter 449 of NRS is hereby amended by adding thereto a new section to read as follows:

A hospital shall not waive a deductible or copayment if:

1. The hospital is not a preferred provider of health care; and

2. The waiver would reduce the financial effect of a preferred provider's incentive or disincentive to its insureds.

Sec. 5. NRS 449.160 is hereby amended to read as follows:

449.160 The health division may deny an application for a license or may suspend or revoke any license issued under the provisions of NRS 449.001 to 449.240, inclusive, *and section 4 of this act,* upon any of the following grounds:

1. Violation by the applicant or the licensee of any of the provisions of NRS 449.001 to 449.245, inclusive, or of any other law of this state or of the standards, rules and regulations [promulgated] *adopted* thereunder.

2. Aiding, abetting or permitting the commission of any illegal act.

3. Conduct inimical to the public health, morals, welfare and safety of the people of the State of Nevada in the maintenance and operation of the premises for which a license is issued.

4. Conduct or practice detrimental to the health or safety of the occupants or employees of the facility.

5. Failure of the applicant to obtain written approval from the director of the department of human resources as required by NRS 439A.100 or as provided in any regulation adopted pursuant to this chapter.''.

Assemblyman Fay moved that the Assembly adopt the report of the first Committee on Conference concerning Assembly Bill No. 278.

Remarks by Assemblyman Fay.

Motion carried.

Mr. Speaker:

The first Committee on Conference concerning Assembly Bill No. 515, consisting of the undersigned members, has met, and reports that:

It has agreed to recommend that the amendment of the Senate be concurred in.

JAMES J. SPINELLO	LAWRENCE E. JACOBSEN
COURTENAY C. SWAIN	DEAN A. RHOADS
VIRGIL M. GETTO	RAYMOND D. RAWSON
Assembly Committee on Conference	*Senate Committee on Conference*

Assemblyman Spinello moved that the Assembly adopt the report of the first Committee on Conference concerning Assembly Bill No. 515.

Remarks by Assemblymen Spinello and Sedway.

Motion carried.

Mr. Speaker:

The first Committee on Conference concerning Senate Bill No. 190, 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
GAYLYN J. SPRIGGS	CHARLES W. JOERG
VINCENT L. TRIGGS	THOMAS J. HICKEY
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. 190.

Remarks by Assemblyman Sader.

Motion carried.

Mr. Speaker:

The first Committee on Conference concerning Senate Bill No. 194, 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	SUE WAGNER
JOHN C. CARPENTER	CHARLES W. JOERG
BILL KISSAM	JOE NEAL
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. 194.

Remarks by Assemblyman Sader.

Motion carried.

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker appointed Assemblymen Myrna Williams, DuBois and Carpenter as a second Committee on Conference to meet with a like committee of the Senate for the further consideration of Senate Bill No. 190.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 671.

The following Senate amendment was read:

Amendment No. 1049.

Amend the bill as a whole by deleting section 1, and adding new sections designated sections 1 and 2, following the enacting clause, to read as follows:

"Section 1. The legislature finds that:

1. A substantial number of the residents of Carson City are elderly persons.

2. Carson City is limited in its ability to provide vital services to its residents, especially its elderly residents, because of its relatively small population and tax base.

3. The provisions of NRS 354.440 governing short-term financing which require that notes or bonds issued for certain projects must mature within 5 years after the notes or bonds are issued severely limit Carson City's ability to provide vital services to its residents.

4. The unique problems of Carson City require special provisons for which a general law cannot be made applicable.

Sec. 2. Notwithstanding the provisions of NRS 354.440, the board of supervisors of Carson City may issue negotiable notes or short-time negotiable bonds which must mature not later than 10 years after the date of issuance if issued in connection with the financing of any project related to the Carson City Senior Citizens' Center.".

Amend the title of the bill to read as follows:

"An Act relating to Carson City; extending the permitted length of maturity of short-term negotiable notes and bonds issued by Carson City to finance a project related to the Carson City Senior Citizens' Center; and providing other matters properly relating thereto.".

Amend the summary of the bill by deleting the second line and inserting: "bonds issued by Carson City for project related to Carson City Senior Citizens' Center. (BDR S-1524).".

Assemblyman Adler moved that the Assembly concur in the Senate amendment to Assembly Bill No. 671.

Remarks by Assemblyman Adler.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 803.

The following Senate amendment was read:

Amendment No. 1189.

Amend section 1, page 2, line 11, by deleting "Each" and inserting: "[Each] *Except as otherwise provided in subsection 4, each*".

Amend section 1, page 2, after "4." by inserting: "*A physical examination is not required for a volunteer fireman more than once every 3 years after an initial examination.*

5.".

Amend section 1, page 2, line 18, by deleting "5." and inserting "[5.] *6.*".

Amend section 1, page 2, line 22, by deleting "6." and inserting "[6.] *7.*".

Amend section 1, page 2, line 29, by deleting "7." and inserting "[7.] *8.*".

Assemblyman Banner moved that the Assembly concur in the Senate amendment to Assembly Bill No. 803.

Remarks by Assemblyman Banner.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 264.

The following Senate amendment was read:

Amendment No. 1387.

Amend section 1, page 1, line 2, by deleting "A" and inserting: "[A] *Except as otherwise provided in subsection 3, a*".

Amend section 1, page 2, by deleting lines 1 and 2 and inserting:

"(f) [Within 100] *Inside a polling place or within 300* feet of the [polling place,] *exterior of the building in which a polling place is located,* ask another person for whom he intends to".

Amend section 1, page 2, by deleting lines 6 and 7 and inserting: "*inside a polling place or within 300 feet of the exterior of the building in which a polling place is located, ask another person his name, address or political affiliation.*".

Amend section 1, page 2, by deleting line 14 and inserting:

"3. *Paragraphs (f) and (h) of subsection 1 do not apply to any person in a private residence that is within 300 feet of the exterior of a building in which a polling place is located.*

4. Any person who violates any provision of this section is guilty of a".

Amend sec. 2, page 2, line 17, by deleting "It" and inserting: "[It] *Except as otherwise provided in subsection 2, it*".

Amend sec. 2, page 2, by deleting line 19 and inserting: "*within 300 feet of the exterior of the building in which a polling place is located:*".

Amend sec. 2, page 2, by deleting line 24 and inserting:

"2. *Subsection 1 does not apply to any person in a privte residence that is within 300 feet of the exterior of a building in which a polling place is located.*

3. Any person who violates any provision of this section is guilty of a".

Assemblyman Wendell Williams moved that the Assembly concur in the Senate amendment to Assembly Bill No. 264.

Remarks by Assemblyman Wendell Williams.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 162.

The following Senate amendment was read:

Amendment No. 1364.

Amend the bill as a whole by deleting sections 3 through 6 and inserting:

"Secs. 3-6. (Deleted by amendment.)".

Amend the title of the bill, third and fourth lines, by deleting: "providing for the collection and deposit of an additional fee for the reinstatement of a driver's license;".

Assemblyman Sader moved that the Assembly do not concur in the Senate amendment to Assembly Bill No. 162.

Remarks by Assemblyman Sader.

Motion carried.

Bill ordered transmitted to the Senate.

Assembly Bill No. 206.

The following Senate amendment was read:

Amendment No. 930.

Amend sec. 2, page 2, by inserting between lines 32 and 33:

"*(d) May charge a reasonable fee, not to exceed $50, for providing special services including, but not limited to, providing service on the day it is requested or within 24 hours.*

3. All fees collected pursuant to paragraph (d) of subsection 2 must be deposited with the state treasurer for credit to the account for special services of the secretary of state in the state general fund. Any amount remaining in the account at the end of a fiscal year must be carried forward into the next fiscal year. Money in the account may be transferred to the secretary of state's operating general fund budget account and must only be used to create and maintain the capability of the office of the secretary of state to provide special services, including, but not limited to, providing service on the day it is requested or within 24 hours. Any transfer of money from the account for expenditure by the secretary of state must be approved by the interim finance committee.".

Assemblyman Sader moved that the Assembly concur in the Senate amendment to Assembly Bill No. 206.

Remarks by Assemblyman Sader.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 344.

The following Senate amendment was read:

Amendment No. 1358.

Amend sec. 3, page 1, line 6, by deleting "4" and inserting "5".

Amend sec. 4, page 1, by deleting lines 8 and 9 and inserting:

"Sec. 4. (Deleted by amendment.)".

Amend sec. 6, page 1, by deleting lines 12, 13 and 14 and inserting:

"Sec. 6. (Deleted by amendment.)".

Amend sec. 13, page 2, by deleting line 34 and inserting:

"8. Ski in an area within the ski area which is posted, as provided in NRS 207.200, as closed.".

Amend sec. 14, page 2, line 35, by deleting the colon and inserting: ", to the extent that the matter is within his control:".

Amend sec. 14, page 3, line 2, by deleting the semicolon and inserting: "to the best of his ability;".

Amend sec. 19, page 4, by deleting lines 20 and 21.

Amend sec. 21, page 4, by deleting lines 23 through 27 and inserting:

"Sec. 21. 1. A skier shall not ski, or embark on a ski lift that is proceeding predominantly uphill,".

Amend sec. 21, page 4, line 28, by deleting "intoxicated or".

Amend sec. 22, page 4, line 39, by deleting "An" and inserting: "1. A skiing".

Amend sec. 22, page 4, by inserting after line 41:

"2. A skiing operator, or an agent or employee thereof, who has probable cause to believe that a person has violated a provision of section 21 of this act may take that person into custody and detain him, in a reasonable manner and for a reasonable length of time, for questioning. The taking into custody and detention does not render the skiing operator, or any agent or employee thereof, criminally or civilly liable for false arrest, false imprisonment, slander or unlawful detention unless the taking into custody and detention are unreasonable under all the circumstances.

3. A skiing operator, and his agents and employees, are not entitled to the immunity from liability provided in subsection 2 unless there is displayed in a conspicuous place in the ski area a notice in boldface type clearly legible and in substantially the following form:

Any skiing operator, or any of his agents or employees, who has probable cause to believe that any person has violated a provision of section 21 of this act may detain that person for questioning.".

Amend the title of the bill, second line, after the first semicolon, by inserting: "authorizing such an operator to detain persons suspected of certain offenses;".

Assemblyman Sader moved that the Assembly do not concur in the Senate amendment to Assembly Bill No. 344.

Remarks by Assemblyman Sader.

Motion carried.

Bill ordered transmitted to the Senate.

Assembly Bill No. 746.

The following Senate amendment was read:

Amendment No. 1361.

Amend section 1, page 2, line 22, by deleting "or" and inserting "[or]".

Amend section 1, page 2, by deleting line 23 and inserting:

"(c) Retain a patron's business for the future [.] *; or*

(d) Obtain a patron's business if:

(1) An agreement is entered into to discount the face amount of a credit instrument before it is issued to induce timely payment of the credit instrument; and

(2) The percentage of discount of the instrument is reasonable as compared to the prevailing practice in the industry.".

Amend sec. 2, page 3, by deleting line 28 and inserting:

"(c) Retain a patron's business for the future; or

(d) Obtain a patron's business if:

(1) An agreement is entered into to discount the face amount of a credit instrument before it is issued to induce timely payment of the credit instrument; and

(2) The percentage of discount of the instrument is reasonable as compared to the prevailing practice in the industry.".

Assemblyman Sader moved that the Assembly concur in the Senate amendment to Assembly Bill No. 746.

Remarks by Assemblyman Sader.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 790.

The following Senate amendments were read:

Amendment No. 1366.

Amend sec. 17, page 10, by deleting lines 8 through 37 and inserting:

"Sec. 17. (Deleted by amendment.)".

Amend sec. 22, page 12, line 14, after "body" by inserting: ", or the planning commission if it has been authorized to act finally,".

Amend sec. 23, page 12, line 20, after "body" by inserting: ", or planning commission if it has been authorized to act finally,".

Amend sec. 23, page 12, line 24, by deleting: "map by the governing body." and inserting "map.".

Amend sec. 23, page 12, lines 26 and 27, by deleting: "map by the governing body," and inserting "map,".

Amend sec. 23, page 12, lines 27 and 28, by deleting: "by the governing body".

Amend sec. 23, page 12, line 30, after "body" by inserting: "or planning commission".

Amend the bill as a whole by deleting sections 33 and 34 and inserting: "Secs. 33 and 34. (Deleted by amendment.)".

Amend the bill as a whole by deleting sections 36 and 37 and inserting: "Secs. 36 and 37. (Deleted by amendment.)".

Amend sec. 40, page 19, by deleting lines 15 through 38 and inserting: "Sec. 40. (Deleted by amendment.)".

Amend the bill as a whole by adding a new section designated as sec. 65.5, following sec. 65, to read as follows:

"Sec. 65.5. Section 11 of A.B. No. 327 of this session is hereby amended to read as follows:

Sec. 11. NRS 120A.360 is hereby amended to read as follows:

120A.360 1. Except as *otherwise* provided in [subsection 4,] *subsections 4 and 5,* all abandoned property other than money delivered to the division under this chapter must, within 1 year after the delivery, be sold by the administrator to the highest bidder at public sale in whatever city in the state affords in his judgment the most favorable market for the property involved. The administrator may decline the highest bid and reoffer the property for sale if he considers the price bid insufficient.

2. Any sale held under this section must be preceded by a single publication of notice thereof at least 2 weeks in advance of sale in a newspaper of general circulation in the county where the property is to be sold.

3. The purchaser at any sale conducted by the administrator pursuant to this chapter is vested with title to the property purchased, free from all claims of the owner or prior holder and of all persons claiming through or under them. The administrator shall execute all documents necessary to complete the transfer of title.

4. The administrator need not offer any property for sale if in his opinion the probable cost of sale exceeds the value of the property. The administrator may destroy or otherwise dispose of such property or may transfer [such property] *it* to:

(a) The Nevada museum and historical society, the Nevada state museum or the Nevada historical society, upon its written request, if the property has, in the opinion of the requesting institution, historical, artistic or literary value and is worthy of preservation; or

(b) A genealogical library, upon its written request, if the property has genealogical value and is not wanted by the Nevada museum and historical society, the Nevada state museum or the Nevada historical society.

An action may not be maintained by any person against the holder of the property because of that transfer, disposal or destruction.

5. Securities listed on an established stock exchange must be sold at the prevailing price for that security on the exchange at the time of sale. Other securities not listed on an established stock exchange may be sold:

(a) Over the counter at the prevailing price for that security at the time of sale; or

(b) By any other method the administrator deems acceptable.".

Amendment No. 1429.

Amend the bill as a whole by adding a new section designated as sec. 65.7, following sec. 65.5, to read as follows:

"Sec. 65.7. Section 5 of Assembly Bill No. 616 of this session is hereby amended to read as follows:

Sec. 5. NRS 706.196 is hereby amended to read as follows:

706.196 1. The department may require such reports and the maintenance of such books, papers and records as it determines necessary for the administration and enforcement of this chapter and NRS 484.739.

2. These books, papers and records must be preserved intact for [a period of 28] *36* months.

3. Any common, contract or private motor carrier who:

(a) Fails to file the returns required pursuant to this chapter; or

(b) Files the returns required pursuant to this chapter and indicates that he conducted no operations,

shall keep the records required by this section for 7 years after their making or until the department gives him written authorization to destroy the records.".

Assemblyman Sader moved that the Assembly concur in the Senate amendments to Assembly Bill No. 790.

Remarks by Assemblyman Sader.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 808.

The following Senate amendment was read:

Amendment No. 1469.

Amend sec. 4, page 3, line 4, by deleting "(1) Order" and inserting:

"(1) Except as otherwise provided in subsection 6, order".

Amend sec. 4, page 4, by inserting between lines 17 and 18:

"6. If the person who violated the provisions of NRS 484.379 possesses a driver's license issued by a state other than Nevada and does not reside in Nevada, in carrying out the provisions of subparagraph (1) of paragraph (a) of subsection 1, the court shall:

(a) Order the person to pay tuition for and submit evidence of completion of an educational course on the abuse of alcohol and controlled substances approved by a governmental agency of the state of his residence within the time specified in the order; or

(b) Order him to complete an educational course by correspondence on the abuse of alcohol and controlled substances approved by the department within the time specified in the order,

and the court shall notify the department if the person fails to complete the assigned course within the specified time.".

Amend sec. 4, page 4, line 18, by deleting "6." and inserting "7.".

Amend the bill as a whole by adding a new section designated sec. 5, following sec. 4, to read as follows:

"Sec. 5. Section 4 of this act becomes effective at 12:01 a.m. on July 1, 1987.".

Assemblyman Sader moved that the Assembly concur in the Senate amendment to Assembly Bill No. 808.

Remarks by Assemblyman Sader.

Motion carried.

Bill ordered enrolled.

RECEDE FROM ASSEMBLY AMENDMENTS

Assemblyman Sader moved that the Assembly do not recede from its action on Senate Bill No. 88, 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, Callister 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. 88.

RECEDE FROM ASSEMBLY AMENDMENTS

Assemblyman Sader moved that the Assembly do not recede from its action on Senate Bill No. 76, 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 Sader.

Motion carried.

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker appointed Assemblymen Sader, Thomas and Haller as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Senate Bill No. 76.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 183.

The following Senate amendment was read:

Amendment No. 1435.

Amend section 1, page 1, line 7, by deleting: "a recall, special, primary or general" and inserting: "any election including any recall or special".

Amend section 1, page 1, line 11, by deleting: "the primary election," and inserting: "a primary election or primary city election,".

Amend section 1, page 1, line 12, by deleting "the primary" and inserting "that".

Amend section 1, page 2, line 1, by deleting: "the general election," and inserting: "a general election or general city election,".

Amend section 1, page 2, by deleting line 2 and inserting: "won the primary election or primary city election, for the period from 20 days before that".

Amend section 1, page 2, line 3, after "general" by inserting: "election or general city".

Amend section 1, page 2, line 4, by deleting: "the general election," and inserting: "a general election or general city election,".

Amend section 1, page 2, line 5, after "general" by inserting: "election or general city".

Amend the bill as a whole by adding new sections designated sections 4 and 5, following sec. 3, to read as follows:

"Sec. 4. 1. There is hereby appropriated from the state general fund to the secretary of state to enable him to carry out his duties under the provisions of this act:

For the fiscal year 1987-1988 ..... $4,276.00
For the fiscal year 1988-1989 ..... 2,400.00

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.

Sec. 5. Section 1 of this act becomes effective at 12:01 a.m. on July 1, 1987.".

Amend the title of the bill, fourth line, after "inspection;" by inserting: "making an appropriation;".

Assemblyman Swain moved that the Assembly concur in the Senate amendment to Assembly Bill No. 183.

Remarks by Assemblyman Swain.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 782.

The following Senate amendment was read:

Amendment No. 1441.

Amend section 1, page 1, line 5, by deleting "*money.*" and inserting: "*money, except that a reasonable fee may be charged to attend a county or state convention.*".

Amend sec. 2, page 1, by deleting lines 13 through 16 and inserting: "*terminated only for cause by a vote of a majority of the membership present at a regular meeting of the committee.*".

Amend sec. 2, page 2, line 4, by deleting: "*meeting of the central*" and inserting: "*or special meeting of the*".

Amend sec. 2, page 2, by deleting lines 6 and 7 and inserting: "*committee, the vacancy must be filled by the membership present by ballot at a regular or special meeting of the committee.*".

Amend the title of the bill, second line, by deleting: "participate or vote as a delegate or" and inserting: "be a delegate to a convention or a".

Assemblyman Swain moved that the Assembly concur in the Senate amendment to Assembly Bill No. 782.

Remarks by Assemblymen Swain, Jeffrey and Sedway.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 295.

The following Senate amendment was read:

Amendment No. 1516.

Amend the bill as a whole by renumbering sec. 2 as sec. 3 and adding a new section designated sec. 2, following section 1, to read as follows:

"Sec. 2. NRS 706.431 is hereby amended to read as follows:

706.431 1. A permit may be issued to any applicant therefor, authorizing in whole or in part the operation covered by the application, if it appears from the application or from any hearing held thereon that:

(a) The applicant is fit, willing and able properly to perform the service of a contract motor carrier and to conform to all provisions of NRS 706.011 to 706.791, inclusive, and the [lawful requirements and] regulations *adopted* thereunder; and

(b) The proposed operation will be consistent with the public interest and will not operate to defeat the legislative policy set forth in NRS 706.151.

2. An application must be denied if the provisions of subsection 1 are not met.

3. The commission shall revoke or suspend pursuant to the provisions of chapter 703 of NRS the permit of a contract motor carrier who has failed to file the annual report required in NRS 703.191 within 60 days after the report is due.

4. The commission shall adopt regulations providing for a procedure by which any contract entered into by a contract motor carrier after he has been issued a permit pursuant to this section may be approved by the commission without giving notice required by statute or by a regulation of the commission.".

Amend the bill as a whole by adding a new section designated as sec. 4, following sec. 2, to read as follows:

"Sec. 4. This act becomes effective on January 1, 1988.".

Assemblyman Nevin moved that the Assembly concur in the Senate amendment to Assembly Bill No. 295.

Remarks by Assemblyman Nevin.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 415.

The following Senate amendment was read:

Amendment No. 1359.

Amend section 1, page 1, line 4, before "*seniority*" by inserting "*assignment and*".

Amend section 1, page 1, by deleting lines 5 through 8 and inserting: "*and may not be made as a form of discipline.*

2. A noncertificated employee may be reassigned for less than 30 days in response to temporary requirements for work.

3. If a noncertificated employee believes an involuntary transfer or reassignment was made as a form of discipline, he is entitled to a hearing on that issue.".

Amend the title of the bill to read as follows:

"An Act relating to personnel of school districts; prohibiting the involuntary transfer or reassignment of a noncertificated employee as a form of discipline; authorizing certain temporary reassignments; providing for a hearing under certain circumstances; and providing other matter properly relating thereto.".

Amend the summary of the bill, first line, by deleting: "Requires hearing before" and inserting "Prohibits".

Assemblyman Craddock moved that the Assembly concur in the Senate amendment to Assembly Bill No. 415.

Remarks by Assemblyman Craddock.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 203.

The following Senate amendment was read:

Amendment No. 1464.

Amend sec. 38, page 15, by deleting lines 7, 8 and 9 and inserting:

"2. The department of education, the committee on group insurance and the commission on professional standards in education are subject to the provisions of this chapter for the purpose of adopting regulations but not with respect to any contested case.".

Assemblyman Jeffrey moved that the Assembly concur in the Senate amendment to Assembly Bill No. 203.

Remarks by Assemblyman Jeffrey.

Motion carried.

Bill ordered enrolled.

RECEDE FROM ASSEMBLY AMENDMENTS

Assemblyman Jeffrey moved that the Assembly do not recede from its action on Senate Bill No. 156, 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 Wisdom, Porter and McGaughey as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Senate Bill No. 156.

RECEDE FROM ASSEMBLY AMENDMENTS

Assemblyman Jeffrey moved that the Assembly do not recede from its action on Senate Bill No. 178, 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 Myrna Williams, Nevin and Nicholas as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Senate Bill No. 178.

RECEDE FROM ASSEMBLY AMENDMENTS

Assemblyman Jeffrey moved that the Assembly do not recede from its action on Senate Bill No. 252, 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 Porter, Fay and DuBois as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Senate Bill No. 252.

RECEDE FROM ASSEMBLY AMENDMENTS

Assemblyman Jeffrey moved that the Assembly do not recede from its action on Senate Bill No. 262, 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 Wisdom, Myrna Williams and McGaughey as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Senate Bill No. 262.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Assembly Joint Resolution No. 43; Senate Bills Nos. 134, 359, 470, 522 and 577 be placed on the Second Reading File.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Joint Resolution No. 43.

Resolution read second time, ordered engrossed and to third reading.

Senate Bill No. 134.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:
Amendment No. 1557.

Amend section 1, pages 1 and 2, by deleting lines 1 through 16 on page 1 and lines 1 through 22 on page 2, and inserting:

"Section 1. (Deleted by amendment.)".

Amend sec. 41, pages 17 and 18, by deleting lines 31 through 42 on page 17 and lines 1 through 20 on page 18 and inserting:

"Sec. 41. (Deleted by amendment.)".

Amend sec. 44, page 19, by deleting lines 18 and 19 and inserting: "*not bound by formal rules of evidence.*".

Amend the bill as a whole by adding a new section designated sec. 51, following sec. 50, to read as follows:

"Sec. 51. NRS 630A.470 is hereby repealed.".

Amend the bill as a whole by adding the text of the repealed section, following the new section 51, to read as follows:

TEXT OF REPEALED SECTION

630A.470 Confidentiality of proceedings. All proceedings subsequent to the filing of a complaint are confidential, except to the extent necessary for the conduct of an investigation, until the board determines to proceed with disciplinary action. If the board dismisses the complaint, the proceedings remain confidential. If the board proceeds with disciplinary action, confidentiality concerning the proceedings is no longer required.

Assemblyman Jeffrey moved the adoption of the amendment.

Remarks by Assemblyman Jeffrey.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 359.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:
Amendment No. 1452.

Amend section 1, page 1, line 2, by deleting "and 3" and inserting: "to 5, inclusive,".

Amend sec. 2, page 1, by deleting lines 3 through 11 and inserting:

"Sec. 2. *Upon full satisfaction by a guarantor, surety or other obligor, other than the mortgagor or grantor of a deed of trust, of the indebtedness secured by a mortgage or lien upon real property, the paying guarantor, surety or other obligor is entitled to enforce every remedy which the creditor then has against the mortgagor or grantor of the mortgage or lien upon real property, and is entitled to an assignment from the creditor of all of the rights which the creditor then has by way of security for the performance of the indebtedness.*".

Amend sec. 3, pages 1 and 2, by deleting lines 12 through 15 on page 1 and lines 1 through 22 on page 2 and inserting:

"Sec. 3. *Immediately upon partial satisfaction by a guarantor, surety or other obligor, other than the mortgagor or grantor of a deed of trust, of the indebtedness secured by a mortgage or lien upon real property, the paying*

guarantor, surety or other obligor automatically, by operation of law and without further action, receives an interest in the proceeds of the indebtedness secured by the mortgage or lien to the extent of the partial satisfaction, subject only to the creditor's prior right to recover the balance of the indebtedness owed by the mortgagor or grantor.".

Amend the bill as a whole by renumbering sections 4, 5 and 6 as sections 8, 9 and 10 and adding new sections, designated sections 4 through 7, following sec. 3, to read as follows:

"Sec. 4. *The provisions of sections 2 and 3 of this act may be waived by the guarantor, surety or other obligor only after default.*

Sec. 5. *As used in sections 2 and 3 of this act, "indebtedness" means the principal balance of the obligation, together with all accrued and unpaid interest, and those costs, fees, advances and other amounts secured by the mortgage or lien upon real property.*

Sec. 6. NRS 40.453 is hereby amended to read as follows:

40.453 1. It is hereby declared by the legislature to be against public policy for any document relating to the sale of real property to contain any provision whereby a mortgagor or the grantor of a deed of trust *or, except as otherwise provided in section 4 of this act, a guarantor or surety of the indebtedness secured thereby,* waives any right secured to him by the laws of this state.

2. [No] *A* court shall *not* enforce any such provision.

Sec. 7. NRS 40.459 is hereby amended to read as follows:

40.459 After the hearing, the court shall award a money judgment against the *debtor, guarantor, surety or other* defendant or defendants personally liable for the debt. The court shall not render judgment for more than:

1. The amount by which the amount of the indebtedness which was secured exceeds the fair market value of the property sold at the time of the sale, with interest from the date of the sale; or

2. The amount which is the difference between the amount for which the property was actually sold and the amount of the indebtedness which was secured,

whichever is the lesser amount.".

Amend sec. 4, page 3, line 28, after "*mail*", by inserting: ", *return receipt requested,*".

Amend sec. 4, page 3, by deleting lines 29 and 30 and inserting: "*other than the grantor at the address of each such guarantor, surety or other obligor, if known, otherwise to the address of the trust property. Failure* to".

Amend sec. 4, page 3, line 33, after "*4.*", by inserting: "*Failure to give notice pursuant to this subsection does not affect the validity of any sale conducted pursuant to this section if notice is otherwise given in accordance with subsections 3 and 4.*

6. If enforcement of the power of sale conferred upon the trustee is automatically stayed pursuant to 11 U.S.C. § 362 or pursuant to an order of a federal bankruptcy court under any other provision of the United States

Bankruptcy Code, the beneficiary may commence an action against a guarantor, surety or other obligor other than the grantor after 120 days have elapsed from the date notice of default was mailed to the guarantor, surety or other obligor. The provisions of NRS 40.430, 40.455, 40.457 and 40.459 do not apply to an action commenced pursuant to this subsection. The guarantor, surety or obligor against whom such action is taken is entitled to assert against the beneficiary all legal and equitable defenses available to the debtor arising out of the transaction.".

Amend sec. 4, page 3, line 34, by deleting "*6.*" and inserting "*7.*".

Amend sec. 5, page 3, line 39, by deleting "Section 1" and inserting: "Subsection 6 of section 8".

Amend the title of the bill to read as follows:

"An Act relating to actions concerning real property; revising certain provisions concerning guarantors, sureties and certain other obligors; and providing other matters properly relating thereto.".

Amend the summary of the bill to read as follows: "Makes various changes relating to actions concerning real property. (BDR 3-909)".

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. 470.

Bill read second time and ordered to third reading.

Senate Bill No. 522.

Bill read second time and ordered to third reading.

Senate Bill No. 577.

Bill read second time and ordered to third reading.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Ways and Means:

Assembly Bill No. 886—An Act relating to education; declaring the intent of the legislature concerning the size of classes in the lower grades; requiring the school districts to submit plans to achieve the desired size of classes; and providing other matters properly relating thereto.

Assemblyman Callister moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bills Nos. 107, 119, 142, 144, 248, 263, 351, 385, 522, 579, 590, 599, 619, 636, 708, 789, 836, 848, 850, 851, 864, 869, 870; Senate Bills Nos. 26, 31, 34, 89, 104, 109, 268, 401, 406, 428, 471, 476, 491, 497, 520,

527, 535, 571, 572, 573, 574, 586; Senate Joint Resolution No. 24; Assembly Concurrent Resolution No. 60; Senate Concurrent Resolution No. 51.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Brookman, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Christopher David Swabb.

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 Nevin, the privilege of the floor of the Assembly Chamber for this day was extended to Misses Kristina Steinbach and Stephanie Nevin.

On request of Assemblyman Price, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Mary Avance.

On request of Assemblyman Schofield, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Brian Brain and Don Bailey.

On request of Assemblyman Sedway, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Shirley Rundle and Mr. William Rundle.

Assemblyman Jeffrey moved that the Assembly adjourn until Sunday, June 14, 1987 at 10 a.m.

Motion carried.

Assembly adjourned at 2:12 p.m.

Approved: JOSEPH E. DINI, JR.
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE ONE HUNDRED AND FORTY-SEVENTH DAY

CARSON CITY (Sunday), June 14, 1987

Assembly called to order at 10:30 a.m.
Mr. Speaker presiding.
Roll called.
All present except Assemblyman Carpenter, who was excused.
Mr. Speaker announced that there would be a moment of silent prayer.
Pledge of allegiance to the Flag.

Assemblyman Nevin 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 Bills Nos. 10, 882, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

PAUL W. MAY, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was re-referred Senate Bill No. 23, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

DANNY L. THOMPSON, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Senate Bill No. 585, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

DANNY L. THOMPSON, *Chairman*

Mr. Speaker:

Your Committee on Transportation, to which was referred Assembly Bill No. 883, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

LEONARD V. NEVIN, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Senate Bill No. 407, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

DANNY L. THOMPSON, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which was referred Senate Bill No. 165, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

MARVIN M. SEDWAY, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, June 13, 1987

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 46, 130, 136, 270, 332, 411, 425, 495, 565, 582, 637, 689, 722, 773, 776, 781, 813, 822, 826, 849, 861, 874, 877, 878.

Also, I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bills Nos. 186, 251, 493, 516, 561, 614, 615, 679, 785, 853, 856, 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. 278.

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. 515.

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. 558.

Also, I have the honor to inform your honorable body that the Senate on this day passed Assembly Joint Resolution No. 42.

Also, I have the honor to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 74.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Bills Nos. 513, 589.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 331, 351, 353, 383, 458, 506, 569.

Also, I have the honor to inform your honorable body that the Senate on this day concurred in the Assembly amendments to Senate Bills Nos. 112, 270, 524.

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. 62.

Also, I have the honor to inform your honorable body that the Senate on this day appointed Senators Beyer, Horn and Gibson as a first Committee on Conference concerning Senate Bill No. 56.

Also, I have the honor to inform your honorable body that the Senate on this day appointed Senators Joerg, Horn and Gibson as a first Committee on Conference concerning Senate Bill No. 57.

Also, I have the honor to inform your honorable body that the Senate on this day appointed Senators O'Donnell, Shaffer and Redelsperger as a first Committee on Conference concerning Senate Bill No. 155.

Also, I have the honor to inform your honorable body that the Senate on this day appointed Senators Redelsperger, Rhoads and Shaffer as a first Committee on Conference concerning Senate Joint Resolution 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. 190.

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. 194.

MARY JO MONGELLI
Assistant Secretary of the Senate

INTRODUCTION, FIRST READING AND REFERENCE

Senate Bill No. 331.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

Senate Bill No. 351.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

Senate Bill No. 353.

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

Motion carried.

Senate Bill No. 383.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Taxation.

Motion carried.

Senate Bill No. 458.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

Senate Bill No. 506.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

Senate Bill No. 513.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Taxation.

Motion carried.

Senate Bill No. 569.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Natural Resources, Agriculture and Mining.

Motion carried.

Senate Bill No. 589.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Myrna Williams moved that Senate Bill No. 307 be taken from the Chief Clerk's desk and placed on the General File.

Remarks by Assemblyman Myrna Williams.

Motion carried.

Assemblyman Jeffrey moved that Assembly Bills Nos. 86, 657, 763, 821, 829; Senate Bills Nos. 134, 168, 209, 236, 359, 382, 426, 475, 480, 498, 519 and 583 be placed on the General File immediately following Assembly Joint Resolution No. 43.

Motion carried.

Assemblyman Bergevin moved that Senate Bill No. 328 be taken from the Chief Clerk's desk and placed on the General File.

Remarks by Assemblyman Bergevin.

Motion carried.

Assemblyman Jeffrey moved that Senate Bill No. 333 be taken from the Chief Clerk's desk and placed on the General File.

Remarks by Assemblyman Jeffrey.

Motion carried.

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

Assembly in recess at 10:42 a.m.

ASSEMBLY IN SESSION

At 10:59 a.m.

Mr. Speaker presiding.

Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Commerce, to which was referred Assembly Bill No. 866, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN E. JEFFREY, *Chairman*

Mr. Speaker:

Your Committee on Taxation, to which was referred Assembly Bill No. 884, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

PAUL W. MAY, *Chairman*

Mr. Speaker:

Your Committee on Health and Welfare, to which was referred Senate Bill No. 468, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

MORSE ARBERRY, JR., *Chairman*

Mr. Speaker:

Your Committee on Legislative Functions, to which were referred Senate Concurrent Resolutions Nos. 3, 40, 44, 45, has had the same under consideration, and begs leave to report the same back with the recommendation: Be adopted.

MYRNA WILLIAMS, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Senate Concurrent Resolution No. 3.

Assemblyman Myrna Williams moved the adoption of the resolution.

Remarks by Assemblyman Myrna Williams.

Resolution adopted.

Senate Concurrent Resolution No. 40.

Assemblyman Myrna Williams moved the adoption of the resolution.

Remarks by Assemblyman Myrna Williams.

Resolution adopted.

Senate Concurrent Resolution No. 44.

Assemblyman Myrna Williams moved the adoption of the resolution.

Remarks by Assemblyman Myrna Williams.

Resolution adopted.

Senate Concurrent Resolution No. 45.

Assemblyman Myrna Williams moved the adoption of the resolution.

Remarks by Assemblyman Myrna Williams.

Resolution adopted.

Assemblyman Myrna Williams moved that Senate Concurrent Resolution No. 16 be taken from the Chief Clerk's desk.

Motion carried.

Senate Concurrent Resolution No. 16.

Assemblyman Myrna Williams moved the adoption of the resolution.

Remarks by Assemblyman Myrna Williams.

Resolution adopted, as amended.

UNFINISHED BUSINESS

REPORTS OF CONFERENCE COMMITTEES

Mr. Speaker:

The first Committee on Conference concerning Assembly Joint Resolution No. 1, 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	SUE WAGNER
KEN HALLER	ERIK BEYER
JOHN DUBOIS	JOE NEAL
Assembly Committee on Conference	*Senate Committee on Conference*

Assemblyman Haller moved that the Assembly adopt the report of the first Committee on Conference concerning Assembly Joint Resolution No. 1.

Remarks by Assemblyman Haller.

Motion carried.

Mr. Speaker:

The first Committee on Conference concerning Senate Bill No. 167, consisting of the undersigned members, has met, and reports that:

It has agreed to recommend that the amendment of the Assembly be concurred in.

PAUL W. MAY, JR.	DEAN A. RHOADS
BOB THOMAS	LAWRENCE E. JACOBSEN
VAL Z. GARNER	DONALD R. MELLO
Assembly Committee on Conference	*Senate Committee on Conference*

Assemblyman May moved that the Assembly adopt the report of the first Committee on Conference concerning Senate Bill No. 167.

Remarks by Assemblyman May.

Motion carried.

Mr. Speaker:

The first Committee on Conference concerning Senate Bill No. 485, 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.

DAVID D. NICHOLAS	ERIK BEYER
VINCENT L. TRIGGS	MIKE MALONE
KEN HALLER	JOE NEAL
Assembly Committee on Conference	*Senate Committee on Conference*

Amendment No. C10.

Amend section 1, page 1, line 3, by deleting "*lease,*".

Amend the title of the bill, first line, by deleting "sale, lease" and inserting "sale".

Amend the summary of the bill, first line, by deleting "sale, lease" and inserting "sale".

Assemblyman Nicholas moved that the Assembly adopt the report of the first Committee on Conference concerning Senate Bill No. 485.

Remarks by Assemblyman Nicholas.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Joint Resolution No. 43.

Resolution read third time.

Remarks by Assemblymen Brookman, Haller and Humke.

Roll call on Assembly Joint Resolution No. 43:

YEAS—39.

NAYS—Haller, Thomas—2.

Absent—Carpenter.

Assembly Joint Resolution No. 43 having received a constitutional majority, Mr. Speaker declared it passed.

Resolution ordered transmitted to the Senate.

Assembly Bill No. 86.

Bill read third time.

Remarks by Assemblyman May.

Roll call on Assembly Bill No. 86:

YEAS—36.

NAYS—Bergevin, Getto, Lambert, Marvel, Spriggs—5.

Absent—Carpenter.

Assembly Bill No. 86 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 657.

Bill read third time.

Remarks by Assemblyman Garner.

Roll call on Assembly Bill No. 657:

YEAS—41.

NAYS—None.

Absent—Carpenter.

Assembly Bill No. 657 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 763.

Bill read third time.

Remarks by Assemblyman Callister.

Roll call on Assembly Bill No. 763:

YEAS—41.

NAYS—None.

Absent—Carpenter.

Assembly Bill No. 763 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 821.

Bill read third time.

Remarks by Assemblyman Sedway.

Roll call on Assembly Bill No. 821:

YEAS—41.

NAYS—None.

Absent—Carpenter.

Assembly Bill No. 821 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 829.

Bill read third time.

Remarks by Assemblyman Sedway.

Roll call on Assembly Bill No. 829:

YEAS—41.

NAYS—None.

Absent—Carpenter.

Assembly Bill No. 829 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 McGaughey.

Roll call on Senate Bill No. 134:

YEAS—41.

NAYS—None.

Absent—Carpenter.

Senate Bill No. 134 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that all rules be suspended and that Assembly Bills Nos. 86, 657, 763, 821, 829; Assembly Joint Resolution No. 43; Senate Concurrent Resolutions Nos. 3, 16, 40, 44 and 45 be immediately transmitted to the Senate.

Motion carried unanimously.

GENERAL FILE AND THIRD READING

Senate Bill No. 168.

Bill read third time.

Remarks by Assemblyman Craddock.

Roll call on Senate Bill No. 168:

YEAS—41.

NAYS—None.

Absent—Carpenter.

Senate Bill No. 168 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 209.

Bill read third time.

Remarks by Assemblymen Tebbs, Thomas, Sedway, Adler and Getto.

Roll call on Senate Bill No. 209:

YEAS—41.

NAYS—None.

Absent—Carpenter.

Senate Bill No. 209 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 236.

Bill read third time.

Remarks by Assemblyman Porter.

Roll call on Senate Bill No. 236:

YEAS—41.

NAYS—None.

Absent—Carpenter.

Senate Bill No. 236 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 359.

Bill read third time.

Remarks by Assemblyman Sader.

Roll call on Senate Bill No. 359:

YEAS—38.

NAYS—May.

Absent—Carpenter.

Not voting—Marvel, Price—2.

Senate Bill No. 359 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 382.

Bill read third time.

Remarks by Assemblymen Schofield and Haller.

Assemblyman Haller moved that Senate Bill No. 382 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Haller.

Motion carried.

Senate Bill No. 426.

Bill read third time.

Remarks by Assemblyman Thompson.

Roll call on Senate Bill No. 426:

YEAS—41.

NAYS—None.

Absent—Carpenter.

Senate Bill No. 426 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 475.

Bill read third time.

Remarks by Assemblyman Thomas.

Roll call on Senate Bill No. 475:

YEAS—40.

NAYS—Spriggs.

Absent—Carpenter.

Senate Bill No. 475 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 480.

Bill read third time.

Remarks by Assemblyman Gaston.

Roll call on Senate Bill No. 480:

YEAS—41.

NAYS—None.

Absent—Carpenter.

Senate Bill No. 480 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 498.

Bill read third time.

Remarks by Assemblyman May.

Roll call on Senate Bill No. 498:

YEAS—41.
NAYS—None.
Absent—Carpenter.

Senate Bill No. 498 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 Assemblyman Fay.

Roll call on Senate Bill No. 519:

YEAS—41.
NAYS—None.
Absent—Carpenter.

Senate Bill No. 519 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 583.

Bill read third time.

Remarks by Assemblymen Adler, Thomas and Nevin.

Roll call on Senate Bill No. 583:

YEAS—41.
NAYS—None.
Absent—Carpenter.

Senate Bill No. 583 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 29.

Bill read third time.

Remarks by Assemblymen Spinello, Nicholas, Sedway and DuBois.

Roll call on Senate Bill No. 29:

YEAS—40.
NAYS—None.
Absent—Carpenter.
Not voting—Garner.

Senate Bill No. 29 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 DuBois.

Roll call on Senate Bill No. 125:

YEAS—41.
NAYS—None.
Absent—Carpenter.

Senate Bill No. 125 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 11:47 a.m.

ASSEMBLY IN SESSION

At 12 noon.

Mr. Speaker presiding.

Quorum present.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, June 14, 1987

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Senate Bills Nos. 83, 575, 588, 591, 592.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 186, 357.

MARY JO MONGELLI
Assistant Secretary of the Senate

INTRODUCTION, FIRST READING AND REFERENCE

Senate Bill No. 83.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 186.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

Senate Bill No. 357.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

Senate Bill No. 575.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Natural Resources, Agriculture and Mining.

Motion carried.

Senate Bill No. 588.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Natural Resources, Agriculture and Mining.

Motion carried.

Senate Bill No. 591.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

Senate Bill No. 592.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Assembly Bills Nos. 10, 866, 882, 883, 884; Senate Bills Nos. 23, 165, 407, 468 and 585 be placed on the Second Reading File.

Motion carried.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 785.

The following Senate amendment was read:

Amendment No. 1411.

Amend sec. 3, page 2, line 16, by deleting "*25*" and inserting "*50*".

Amend sec. 3, page 2, line 19, by deleting "*conviction.*" and inserting: "*conviction and the payment in full of the penalty.*".

Amend sec. 4, page 2, by deleting line 28 and inserting: "*444.630 or section 5 of this act, whichever is appropriate.*".

Amend sec. 5, page 2, by deleting line 34 and inserting: "*disposal of solid waste by:*

(a) The residents of the municipality; or

(b) Tourists in the area for noncommercial reasons.

Any person".

Assemblyman Schofield moved that the Assembly concur in the Senate amendment to Assembly Bill No. 785.

Remarks by Assemblyman Schofield.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 251.

The following Senate amendments were read:

Amendment No. 1254.

Amend sec. 4, page 1, by deleting line 8 and inserting: "*cost of any water project, including any incidental cost pertaining to the water project.*".

Amend sec. 4, page 1, line 9, before "*project*" by inserting "*water*".

Amend sec. 4, page 2, line 2, after "*exceed*" by inserting: "*the estimated period of construction plus*".

Amend sec. 4, page 2, line 6, before "*project;*" by inserting "*water*".

Amend sec. 4, page 2, line 8, before "*project.*" by inserting "*water*".

Amend sec. 6, page 2, line 14, before "*project*" by inserting "*water*".

Amend sec. 6, page 2, line 15, before "*project.*" by inserting "*water*".

Amend sec. 6, page 2, line 18, before "*projects.*" by inserting "*water*".

Amend sec. 6, page 2, line 20, before "*projects,*" by inserting "*water*".

Amend sec. 6, page 2, line 31, before "*project,*" by inserting "*water*".

Amend sec. 9, page 3, line 2, before "*project*" by inserting "*water*".

Amend sec. 15, page 3, line 21, before "*project*" by inserting "*water*".

Amend sec. 15, page 3, line 42, before "*project*" by inserting "*water*".

Amend sec. 16, page 4, line 23, after the period, by inserting:

"*3. State securities must be authorized by resolution of the board of examiners at the request of the director.*

4.".

Amend sec. 16, page 4, line 28, before "*project*" by inserting "*water*".

Amend sec. 16, page 4, line 29, by deleting "*3.*" and inserting "*5.*".

Amend sec. 17, page 5, line 12, by deleting "*bonds*" and inserting "*state securities.*".

Amend sec. 18, page 5, line 25, before "*project*" by inserting "*water*".

Amend sec. 19, page 5, lines 29 and 30, by deleting: "*revenues from water projects*" and inserting: "*amounts received by the director from an obligor in connection with any financing undertaken pursuant to sections 2 to 28, inclusive, of this act,*".

Amend sec. 21, page 6, line 33, before "*project*" by inserting "*water*".

Amend sec. 22, page 6, line 40, before "*project*" by inserting "*water*".

Amend sec. 23, page 7, line 5, before "*project*" by inserting "*water*".

Amend sec. 25, page 7, line 25, by deleting the period and inserting: "*for their services while actually engaged in the performance of their duties as members of the board.*".

Amend sec. 29, page 8, line 28, after "fire" by inserting "protection".

Amend the bill as a whole by adding a new section designated sec. 31, following sec. 30, to read as follows:

"Sec. 31. 1. There is hereby appropriated from the state general fund to the board for financing water projects the sum of $8,000 for the salaries and travel expenses of members of the board.

2. Any remaining balance of the appropriation made by subsection 1 must not be committed for expenditure after June 30, 1989, 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, by deleting "bonds;" and inserting: "state securities; making an appropriation;".

Amendment No. 1481.

Amend sec. 29, page 8, line 18, by deleting the comma and inserting: "and section 1 of [this act,] *Assembly Bill No. 698 of this session,*".

Assemblyman Schofield moved that the Assembly concur in the Senate amendments to Assembly Bill No. 251.

Remarks by Assemblyman Schofield.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 561.

The following Senate amendment was read:

Amendment No. 1545.

Amend sec. 2, page 1, line 13, by deleting: "inclusive [:] , *and*" and inserting: "inclusive, [and] section 9 of [this act] *Senate Bill No. 248 of this session, and*".

Amend sec. 2, page 2, line 15, after "inclusive," by inserting: "[and] section 9 of [this act,] *Senate Bill No. 248 of this session,*".

Amend sec. 2, page 2, line 28, after "inclusive," by inserting: "[and] section 9 of [this act] *Senate Bill No. 248 of this session,*".

Amend the bill as a whole by adding a new section designated sec. 4, following sec. 3, to read as follows:

"Sec. 4. Section 2 of this act becomes effective at 12:01 a.m. on July 1, 1987.".

Assemblyman Thompson moved that the Assembly concur in the Senate amendment to Assembly Bill No. 561.

Remarks by Assemblyman Thompson.

Motion carried.

Bill ordered enrolled.

RECEDE FROM ASSEMBLY AMENDMENTS

Assemblyman Thompson moved that the Assembly do not recede from its action on Senate Bill No. 62, 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 Nevin, McGaughey and Garner as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Senate Bill No. 62.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 679.

The following Senate amendment was read:

Amendment No. 1436.

Amend section 1, page 1, line 3, by deleting "dangerously".

Amend section 1, page 1, by deleting lines 4 through 7.

Amend section 1, page 1, line 8, by deleting "3." and inserting "2.".

Amend section 1, page 1, line 10, by deleting "4." and inserting "3.".

Amend sec. 4, page 2, line 11, by deleting "$9,813,422." and inserting "$9,815,000.".

Assemblyman Sedway moved that the Assembly concur in the Senate amendment to Assembly Bill No. 679.

Remarks by Assemblyman Sedway.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 853.

The following Senate amendment was read:

Amendment No. 1529.

Amend section 1, page 1, line 5, by deleting: "*by a physician*" and inserting: "*at a county hospital or hospital designated by the county*".

Amend section 1, page 1, by deleting line 10 and inserting:

"*2. The cost of the examination must be paid by*".

Amend section 1, page 1, line 12, by deleting the period and inserting: ", *by his insurer or by a state or federal program of medical assistance.*".

Amend section 1, page 2, by inserting between lines 2 and 3:

"*4. The cost of treatment, including hospitalization, for an indigent must be paid pursuant to NRS 428.010 by the county in which the allegedly mentally ill person resides.*".

Amend sec. 4, page 2, line 24, by deleting the second "for" and inserting "beginning with".

Amend sec. 4, page 2, line 30, by deleting "for" and inserting "beginning with".

Amend the title of the bill to read as follows:

"An Act relating to mentally ill persons; requiring that a person be examined at a county hospital or hospital designated by a county before emergency commitment to a public or private mental health facility; requiring the county to pay the cost of the examination; requiring the county of residence of a medically indigent person to pay the cost of hospitalization; transferring to the state financial responsibility for certain care; temporarily adjusting limits on spending by a county for the care of medically indigent persons; and providing other matters properly relating thereto.".

Assemblyman Sedway moved that the Assembly concur in the Senate amendment to Assembly Bill No. 853.

Remarks by Assemblyman Sedway.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 614.

The following Senate amendment was read:

Amendment No. 1539.

Amend the bill as a whole by deleting sec. 6 and renumbering sections 7 through 10 as sections 6 through 9.

Assemblyman Sedway moved that the Assembly concur in the Senate amendment to Assembly Bill No. 614.

Remarks by Assemblyman Sedway.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 186.

The following Senate amendment was read:

Amendment No. 1533.

Amend the bill as a whole by renumbering sections 3 and 4 as sections 4 and 5 and adding a new section designated sec. 3, following sec. 2, to read as follows:

"Sec. 3. The amounts appropriated by sections 1 and 2 of this act may be expended for a project only to the extent that the State of California provides, for that project, twice the amount appropriated pursuant to this act.".

Assemblyman Sedway moved that the Assembly concur in the Senate amendment to Assembly Bill No. 186.

Remarks by Assemblyman Sedway.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 856.

The following Senate amendments were read:

Amendment No. 1424.

Amend the bill as a whole by deleting sections 1 and 2, and adding new sections designated as sections 1 and 2, following the enacting clause, to read as follows:

"Section 1. The legislature finds that:

1. Many historic buildings are located in Storey County;

2. The restoration of these buildings is extremely important to the economy of Storey County;

3. Because of its small population and tax base, Storey County is unable to provide adequately for the restoration of many of its historic buildings; and

4. The unique problems of Storey County require special provisions for which a general law cannot be applicable.

Sec. 2. 1. Notwithstanding the provisions of NRS 354.5989, the license board of Storey County may increase the fee for a license to operate a house of ill fame or repute in that county. The increase in those fees must not exceed $100,000 per year. The money derived from the additional fees imposed pursuant to this subsection must not be included in the computation of the maximum allowable revenue pursuant to NRS 354.5989.

2. The money derived from the increase in the fees imposed pursuant to subsection 1 must be used for the restoration of the Fourth Ward School in Virginia City and any other historic building in the Comstock historic district.

3. Any building which is restored with money derived from the fees imposed pursuant to this section may not be leased to any private business or organization.".

Amend the title of the bill to read as follows: "An Act relating to Storey County; authorizing an increase in the fee for a license to operate a house of ill fame or repute; requiring the money derived therefrom to be used for the

restoration of the Fourth Ward School in Virginia City and any other historic building in the Comstock historic district; and providing other matters properly relating thereto.".

Amend the summary of the bill to read as follows: "Authorizes increase in fee for license to operate house of ill fame or repute in Storey County for restoration of historic buildings. (BDR S-2276)".

Amendment No. 1580.

Amend sec. 2, page 1, by deleting lines 12 and 13 and inserting: "a house of ill fame or repute in that county. The total amount of revenue generated by the increase in those fees authorized by this subsection must not exceed in any fiscal year the amount generated in the fiscal year 1986-1987 by more than $100,000. This subsection does not limit any increase in fees authorized pursuant to NRS 354.5989, but the money derived from the additional fees".

Amend sec. 2, page 1, line 15, by deleting "NRS 354.5989." and inserting "that section.".

Amend sec. 2, page 2, line 6, by deleting "may not" and inserting: "must be kept under public control, but rooms in the building may".

Assemblyman Sedway moved that the Assembly do not concur in the Senate amendments to Assembly Bill No. 856.

Motion carried.

Bill ordered transmitted to the Senate.

Assembly Bill No. 104.

The following Senate amendment was read:

Amendment No. 1325.

Amend the bill as a whole by renumbering sections 1 and 2 as sections 5 and 6 and adding new sections designated sections 1 to 4, inclusive, following the enacting clause, to read as follows:

"Section 1. Chapter 484 of NRS is hereby amended by adding thereto the provisions set forth as sections 2, 3 and 4 of this act.

Sec. 2. *1. If a highway in this state is marked or posted with signs requiring the use of tire chains or snow tires, a motor vehicle or combination of vehicles must be equipped with:*

(a) Either tire chains or snow tires if it has a gross weight or combined gross weight of 10,000 pounds or less.

(b) Tire chains if it has a gross weight or combined gross weight of more than 10,000 pounds.

2. If a highway in this state is marked or posted with signs requiring the use of tire chains on all motor vehicles except vehicles with 4-wheel drive and snow tires on all wheels, all such motor vehicles must be equipped with tire chains.

Sec. 3. *If a motor vehicle is required to be equipped with tire chains or snow tires, the chains must be installed or the tires must be mounted on at least two:*

1. Driving wheels of the motor vehicle; and

2. Braking wheels of any trailing vehicle in a combination of vehicles if that trailing vehicle is equipped or required to be equipped with brakes.

Sec. 4. *If mechanical devices are mounted on both sides of a motor vehicle which, when activated by the driver, provide traction by deploying a chain of metal cross members under a tire while the vehicle is in motion, the:*

1. Cross members must extend across at least 85 percent of the width of the tire; and

2. Devices may be used only upon the drive axles of the vehicle.".

Amend the bill as a whole by adding a new section designated sec. 7, following sec. 2, to read as follows:

"Sec. 7. 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 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.

3. As used in this section, "tire chain" means a device consisting of two metal or plastic circular loops, one on each side of a tire, which are connected across the tread of the tire by not less than nine evenly spaced chains, cables or straps.".

Amend the title of the bill to read as follows:

"An Act relating to equipment for vehicles; making various changes concerning stop lamps, theft alarms and tire chains; providing requirements for certain devices used to stop a vehicle while it is in motion; and providing other matters properly relating thereto.".

Assemblyman Nevin moved that the Assembly concur in the Senate amendment to Assembly Bill No. 104.

Remarks by Assemblyman Nevin.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 516.

The following Senate amendment was read:

Amendment No. 1410.

Amend section 1, page 1, by deleting lines 3 through 7 and inserting: "substance which was sold , *given, traded or otherwise made available* to him by another person in violation of this chapter, the [seller] *person who sold, gave or traded or otherwise made the substance available to him* is guilty of murder. If convicted of".

Amend the title of the bill by deleting the second and third lines and inserting: "gives, trades or otherwise makes available a controlled substance that causes the death of a person; and providing other matters properly".

Amend the summary of the bill to read as follows: "Expands provision concerning punishment for providing controlled substance which causes death of another person. (BDR 40-938)".

Assemblyman Sader moved that the Assembly concur in the Senate amendment to Assembly Bill No. 516.

Remarks by Assemblyman Sader.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 322.

The following Senate amendment was read:

Amendment No. 1426.

Amend section 1, page 2, by deleting lines 6 through 15 and inserting:

"*3. If a county takes over the functions previously performed by a local government other than a city which no longer exists, the executive director of the department of taxation shall add to the maximum allowable revenue from taxes ad valorem, the maximum combined allowable revenue and the basic ad valorem revenue, respectively, otherwise allowable to that county pursuant to NRS 354.59805, 354.59811, 354.59816 and 377.057, an amount equal to the maximum allowable revenue from taxes ad valorem, the maximum combined allowable revenue and the basic ad valorem revenue,*".

Amend the title of the bill, second and third lines, by deleting: "a local government which no longer exists;" and inserting: "certain local governments which no longer exist;".

Amend the summary of the bill by deleting the second line and inserting: "previously performed by certain local governments which no longer exist.".

Assemblyman May moved that the Assembly concur in the Senate amendment to Assembly Bill No. 322.

Remarks by Assemblyman May.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 105.

The following Senate amendment was read:

Amendment No. 1357.

Amend section 1, page 1, line 3, by deleting the comma and inserting: "*or liquefied petroleum gas,*".

Amend section 1, page 1, line 4, after "*gas*" by inserting: "*or liquefied petroleum gas*".

Amend sec. 3, page 2, by deleting lines 7 and 8 and inserting:

"2. *The rate of tax on compressed natural gas or liquefied petroleum gas as a special fuel is the same rate provided in subparagraph (3) of paragraph (b) of subsection 1 of NRS 365.170 per gallon of all other motor vehicle fuel.*".

Amend the bill as a whole by adding thereto new sections designated sections 4, 5 and 6, following sec. 3, to read as follows:

"Sec. 4. NRS 704.030 is hereby amended to read as follows:

704.030 "Public utility," does not include:

1. Persons insofar as they own, control, operate or manage motor vehicles operated as hearses, ambulances or hotel buses engaged in the transportation of persons for hire exclusively within the limits of a city of this state.

2. Persons engaged in the production and sale of natural gas, other than sales to the public, or engaged in the transmission of natural gas other than as a common carrier transmission or distribution line or system.

3. Persons engaged in the business of furnishing, for compensation, water or services for the disposal of sewage, or both, to persons within this state if:

(a) They serve 25 persons or less; and

(b) Their gross sales for water or services for the disposal of sewage, or both, amounted to $5,000 or less during the immediately preceding 12 months.

4. Any common motor carrier, contract motor carrier of passengers or property, or private motor carrier subject to the provisions of chapter 706 of NRS.

5. Persons not normally engaged in the production and sale of water but which sell or furnish water as an accommodation in an area where water is not available from a public utility, cooperative corporations and associations or political subdivisions engaged in the business of furnishing water, for compensation, to persons within the political subdivision.

6. Persons who are engaged in the production and sale of energy, including electricity, to public utilities, cities, counties or other entities which are reselling the energy to the public.

7. Persons who are engaged in the sale or use of special fuel as defined in NRS 366.060.

Sec. 5. Section 3 of this act expires by limitation on June 30, 1989.

Sec. 6. Section 4 of this act becomes effective at 12:01 a.m. on July 1, 1987.".

Amend the title of the bill to read as follows:

"An Act relating to the tax on special fuel; establishing a factor for converting gas to liquid for taxing compressed natural gas or liquefied petroleum gas as a special fuel; providing a rate for taxing compressed natural gas or liquefied petroleum gas as a special fuel; exempting the sale or use of special fuel from regulation by the public service commission of Nevada; and providing other matters properly relating thereto.".

Amend the summary of the bill, second line, before "as" by inserting: "and liquefied petroleum gas".

Assemblyman May moved that the Assembly concur in the Senate amendment to Assembly Bill No. 105.

Remarks by Assemblyman May.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 493.

The following Senate amendment was read:

Amendment No. 1496.

Amend section 1, page 1, line 3, by deleting "[may] *shall*" and inserting "may".

Amend section 1, page 1, line 7, by deleting: "employment,] *must not be less than*" and inserting "employment,".

Amend section 1, page 1, by deleting line 8 and inserting: "except that the] *must not exceed $3.35 per hour. The* amount prescribed for a minor [shall] *must*".

Amend section 1, page 1, by deleting lines 10 through 13 and inserting "older.".

Amend the title of the bill, first line, after "the" by inserting "maximum".

Assemblyman Jeffrey moved that the Assembly concur in the Senate amendment to Assembly Bill No. 493.

Remarks by Assemblyman Jeffrey.

Motion carried.

Bill ordered enrolled.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Taxation, to which was referred Senate Bill No. 536, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

PAUL W. MAY, *Chairman*

GENERAL FILE AND THIRD READING

Senate Bill No. 208.

Bill read third time.

Remarks by Assemblyman Evans.

Roll call on Senate Bill No. 208:

YEAS—41.

NAYS—None.

Absent—Carpenter.

Senate Bill No. 208 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 Assemblyman Thompson.

Assemblyman Thompson moved that Senate Bill No. 470 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Thompson.

Motion carried.

Senate Bill No. 501.

Bill read third time.

Remarks by Assemblyman Sedway.

Roll call on Senate Bill No. 501:

YEAS—41.

NAYS—None.

Absent—Carpenter.

Senate Bill No. 501 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 522.

Bill read third time.

Remarks by Assemblymen Kissam and Thomas.

Assemblyman Arberry moved that Senate Bill No. 522 be taken from the General File and placed on the Chief Clerk's desk.

Motion carried.

Senate Bill No. 577.

Bill read third time.

Assemblyman Jeffrey moved that Senate Bill No. 577 be taken from the General File and placed on the General File for the next legislative day.

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Senate Bills Nos. 307, 333, 587 and Senate Joint Resolution No. 21 be taken from the General File and placed on the General File for the next legislative day.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 10.

Bill read second time.

The following amendment was proposed by the Committee on Taxation:

Amendment No. 1523.

Amend section 1, page 1, line 3, by deleting: "*an hourly rate*" and inserting: "*by regulation rates*".

Amend section 1, page 1, line 4, after "*for*" by inserting "*supervision and*".

Amend sec. 2, page 1, line 16, by deleting "examination" and inserting "[examination] *licensing*".

Amend sec. 2, page 2, line 1, by deleting "$100" and inserting "[$100] *$200*".

Amend sec. 2, page 2, line 3, by deleting "$25" and inserting "[$25] *$100*".

Amend sec. 2, page 2, line 5, before "(3)" by inserting an open bracket.

Amend sec. 2, page 2, line 9, after "$1,000,000,000." by inserting a closed bracket.

Amend sec. 2, page 2, line 10, by deleting "$250" and inserting "[$250] *$200*".

Amend sec. 2, page 2, line 16, by deleting "special [bank]" and inserting "[special bank]".

Amend sec. 2, page 2, line 17, before "each" by inserting an open bracket.

Amend sec. 2, page 2, line 18, by deleting "in conducting" and inserting "in] conducting".

Amend sec. 3, page 2, line 25, before "each" by inserting an open bracket.

Amend sec. 3, page 2, line 26, by deleting "in conducting" and inserting "in] conducting".

Amend sec. 3, page 2, between lines 30 and 31 by inserting:

"*3. The administrator shall examine a licensee as often as he deems necessary.*".

Amend sec. 4, page 2, line 40, by deleting "cost] *fee*" and inserting "cost".

Amend sec. 4, page 2, line 41, by deleting "in" and inserting: "in] *fee for*".

Amend sec. 5, page 3, line 15, by deleting "cost] *fee*" and inserting "cost".

Amend sec. 5, page 3, line 16, by deleting "in" and inserting: "in] *fee for*".

Amend sec. 6, page 3, line 32, by deleting: "each man-hour expended in" and inserting: "[each man-hour expended in]".

Amend sec. 7, page 4, line 19, after "*special*" by inserting: "*audit, investigation or*".

Amend sec. 7, page 4, line 20, by deleting "*hourly*".

Amend sec. 8, page 5, line 6, by deleting: "each man-hour expended in" and inserting: "[each man-hour expended in]".

Amend sec. 9, page 5, by deleting line 32 and inserting "examination [:".

Amend sec. 9, page 5, by deleting lines 37 and 38.

Amend sec. 9, page 6, line 3, by deleting "6." and inserting:

"6.] *a fee based on the rate established pursuant to section 1 of this act.*

5.".

Amend sec. 10, page 6, line 11, by deleting: "each man-hour expended in" and inserting: "[each man-hour expended in]".

Amend the bill as a whole by renumbering sections 11, 12 and 13 as sections 12, 13 and 14 and adding a new section designated sec. 11, following sec. 10, to read as follows:

"Sec. 11. NRS 673.260 is hereby amended to read as follows:

673.260 1. The license mentioned in NRS 673.250 authorizes the company, association or corporation to whom it is issued to sell its approved securities and contracts within this state for the remainder of the fiscal year ending on June 30 next succeeding. Each license is renewable, under like restrictions, annually thereafter.

2. For the issuing of any license provided for in NRS 673.250 and for any renewal thereof, the fee of the administrator is:

(a) For each home office, $200 . [plus 15 cents for each $1,000 of total assets of the company, association or corporation as of December 31 of each year.]

(b) For each branch office, $100.

3. The fees must accompany the license renewal application. A penalty of 10 percent of the fee payable must be charged for each month or part thereof that the fees are not paid after June 30 of each year.

4. All sums so received by the administrator must be forthwith delivered to the state treasurer and must be paid into the state general fund.".

Amend sec. 11, page 6, line 26, by deleting: "each man-hour expended in" and inserting: "[each man-hour expended in]".

Amend sec. 12, page 6, line 35, by deleting: "each man-hour expended in" and inserting: "[each man-hour expended in]".

Amend sec. 13, page 7, line 14, by deleting "*hourly*".

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. 866.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 1601.

Amend section 1, page 1, line 1, by deleting "119" and inserting "113".

Amend section 1, page 1, by deleting lines 3 and 4 and inserting:

"*1. In a county whose population is 100,000 or more, before the first purchaser of a residence signs any sales agreement, the developer, his agents or assigns shall disclose to the purchaser in writing by a*".

Amend section 1, page 1, by deleting lines 6 and 7 and inserting: "*adopted pursuant to chapter 278 of NRS for other parcels in the area immediately adjoining the lot containing the residence being sold,*".

Amend section 1, page 1, by deleting lines 9 and 10 and inserting:

"*2. The zoning information contained on the form required by subsection 1 must:*

(a) Be updated at least once every 6 months, if the information is available from the local government;".

Amend section 1, page 1, line 11, by deleting "*buyer*" and inserting "*purchaser*".

Amend section 1, page 1, line 13, by deleting "*buyer*" and inserting "*purchaser*".

Amend the title of the bill by deleting the second line and inserting: "disclose to initial purchasers of residences in certain counties information concerning zoning;".

Assemblyman Callister moved the adoption of the amendment.

Remarks by Assemblyman Callister.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 882.

Bill read second time.

The following amendment was proposed by the Committee on Taxation:

Amendment No. 1591.

Amend section 1, page 1, line 2, after "meet" by inserting: "on or before July 2, 1987,".

Amend section 1, page 1, line 10, by deleting "19," and inserting "10,".

Amend the title of the bill, second line, by deleting "payment of" and inserting: "due date of the taxes and".

Assemblyman May moved the adoption of the amendment.

Remarks by Assemblyman May.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 883.

Bill read second time.

The following amendment was proposed by the Committee on Transportation:

Amendment No. 1599.

Amend section 1, page 1, by deleting lines 1 and 2 and inserting:

"Section 1. Chapter 482 of NRS is hereby amended by adding thereto the provisions set forth as sections 1.3 and 1.5 of this act.

Sec. 1.3. *"Rebuilt vehicle" means a vehicle, one or more major components of which have been replaced. For the purposes of this section, the major components of a vehicle are the cowl, frame, rear clip, roof and floor pan.*".

Amend section 1, page 1, line 3, before "*The*" by inserting "Sec. 1.5.".

Amend the bill as a whole by adding a new section designated sec. 1.7, following section 1, to read as follows:

"Sec. 1.7. NRS 482.010 is hereby amended to read as follows:

482.010 As used in this chapter unless the context otherwise requires, the words and terms defined in NRS 482.011 to 482.135, inclusive, *and section 1.3 of this act,* have the meanings ascribed to them in those sections.".

Amend sec. 4, page 3, by deleting lines 19, 20 and 21.

Amend sec. 8, page 4, line 13, after "*first*" by inserting: "*applying for and*".

Amend sec. 8, page 4, by deleting line 17 and inserting: "*the applicant meets the statutory requirements to be an operator of a salvage pool.*".

Amend sec. 9, page 4, by deleting line 18 and inserting:

"Sec. 9. *1. No applicant may be granted a license to operate a salvage pool*".

Amend sec. 9, page 4, by deleting line 20 and inserting: "*bond in the amount of $50,000,*".

Amend sec. 9, page 4, line 21, by deleting "*department,*".

Amend sec. 9, page 4, line 27, by deleting "*in business*" and inserting: "*licensed by the department*".

Amend sec. 11, page 5, line 39, by deleting "*conducts*" and inserting "*will conduct*".

Amend sec. 11, page 5, line 41, by deleting "*is*" and inserting "*will be*".

Amend sec. 11, page 6, line 1, by deleting "*is*" and inserting "*will be*".

Amend sec. 12, page 6, line 3, by deleting "*$150*" and inserting "*$300*".

Amend sec. 12, page 6, line 6, by deleting: "*motor vehicle fund.*" and inserting: "*fund for regulation of salvage pools, automobile wreckers and body shops, which is hereby created as a special revenue fund. Money in the fund may be used only for the administration of NRS 487.050 to 487.200, inclusive, and sections 7 to 30, inclusive, of this act.*".

Amend sec. 20, page 8, line 4, by deleting: "*unless he obtains*" and inserting: "*without first applying for and obtaining*".

Amend sec. 22, page 8, by deleting lines 17 and 18 and inserting: "*applicant meets the statutory requirements to become an operator of a body shop.*

(b) A fee of $300. Fees collected by the department pursuant to this paragraph must be deposited with the state treasurer to the credit of the fund for regulation of salvage pools, automobile wreckers and body shops.".

Amend sec. 23, page 8, by deleting line 25 and inserting: "*the amount of $10,000, with a*".

Amend sec. 23, page 8, line 32, by deleting "*in business*" and inserting: "*licensed by the department*".

Amend sec. 28, page 10, line 36, by deleting "*conducts*" and inserting "*will conduct*".

Amend sec. 28, page 10, line 38, by deleting "*is*" and inserting "*will be*".

Amend sec. 28, page 10, line 39, by deleting "*is*" and inserting "*will be*".

Amend sec. 30, page 11, line 6, by deleting "*shall*" and inserting "*may*".

Amend sec. 30, page 11, line 7, after "*licensing*" by inserting: "*and for the issuance of certificates of ownership*".

Amend sec. 31, page 11, line 15, after "first" by inserting: "*applying for and*".

Amend sec. 32, page 11, line 26, before "an" by inserting an open bracket.

Amend sec. 32, page 11, by deleting line 27 and inserting: "amount of from $1,000 to $10,000, as determined".

Amend sec. 32, page 11, line 28, by deleting "department," and inserting: "department,] *the amount of $50,000,*".

Amend sec. 32, page 11, line 34, by deleting "in business" and inserting: "[in business] *licensed by the department*".

Amend sec. 33, page 13, line 15, after "*issued.*" by inserting: "*Fees collected by the department pursuant to this subsection must be deposited with the state treasurer to the credit of the fund for regulation of salvage pools, automobile wreckers and body shops.*".

Amend sec. 34, page 13, line 18, by deleting "*$150*" and inserting "*$300*".

Amend sec. 34, page 13, by deleting line 20 and inserting: "credit of the [motor vehicle fund.] *fund for regulation of salvage pools, automobile wreckers and body shops.*".

Amend sec. 46, page 16, by deleting lines 37 and 38 and inserting:

"Sec. 46. This act becomes effective on January 1, 1988.".

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. 884.

Bill read second time.

The following amendment was proposed by the Committee on Taxation:

Amendment No. 1569.

Amend the bill as a whole by deleting sections 1, 2 and 3 and adding new sections designated sections 1 through 7, following the enacting clause, to read as follows:

"Section 1. 1. The administrator of financial institutions shall collect a fee in the fiscal years 1987-1988 and 1988-1989 for the privilege of doing business in this state from each depository institution doing business in this state on or before July 1 of the calendar years 1987 and 1988, respectively. The fee must be imposed at a rate calculated by the administrator to generate $1,000,000, plus or minus $10,000, in each fiscal year. Each institution's fee must be the same portion of $1,000,000 as its total assets in the state bears to the total assets of all depository institutions doing business in this state.

2. Each depository institution subject to the fee imposed pursuant to subsection 1 shall, on or before October 1, 1987, and October 1, 1988, submit to the administrator a statement of the dollar value of its total assets in this state as of July 1, 1987, and July 1, 1988, respectively. The administrator shall determine each institution's fee and notify the institution in writing of the fee on or before November 1 of the respective years. One-half of the fee is due on January 1 of the following year and the remainder is due on July 1 of the following year.

3. If a depository institution fails to submit the statement required by subsection 2, the administrator shall require an audit of the institution by an independent accountant. The auditor shall determine:

(a) The dollar value of the total assets of the institution in this state on July 1 of the appropriate year; and

(b) The fee the institution would have been required to pay had it submitted the statement as required.

The institution shall pay the cost of the audit, the fee that the auditor determined the institution should have paid, a penalty of 10 percent of that fee, and interest at the rate of 1 percent per month from the date the fee should have been paid until the date the fee is actually paid.

4. If the administrator has reasonable grounds for believing that a statement submitted pursuant to subsection 2 is inaccurate, he may require an audit of the depository institution by an independent accountant. If the auditor determines that the institution should have paid a larger fee, the institution shall pay the additional fee and the penalty and interest required pursuant to subsection 3 on the additional amount. If the auditor determines that the amount indicated in the statement was less than the actual total assets of the institution in this state by more than 10 percent, the institution shall pay the cost of the audit. If the auditor determines that the institution paid more than it should have, the institution is entitled to a refund of the excess payment.

5. If an additional payment is made pursuant to subsection 3 or 4, the administrator shall refund the amount by which the total fees paid in the year exceeds $1,000,000, excluding amounts paid to pay the cost of an audit or as a penalty or interest, to the other depository institutions which have paid the fee imposed pursuant to subsection 1, in proportion to the amounts they have actually paid. The administrator is not required to make a refund pursuant to this subsection if the excess is less than $10,000.

6. If a depository institution is delinquent in the payment of the fee imposed pursuant to subsection 1, it shall pay a penalty of 10 percent of the fee and interest on the fee at the rate of 1 percent per month until the fee is paid. Any fee remaining unpaid 30 days after it is due constitutes a lien against the assets upon which the fee is based.

7. The administrator shall deposit all payments received pursuant to this section in the state treasury for credit to the state general fund.

8. The administrator may adopt such regulations as he deems necessary to carry out the provisions of this section.

9. As used in this section:

(a) "Administrator" means the administrator or financial institutions.

(b) "Depository institution" has the meaning ascribed to it in NRS 657.037.

Sec. 2. The legislative commission shall contract with consultants to conduct an interim study of the fiscal affairs of the state and local governments in Nevada.

Sec. 3. 1. The study must include an analysis of existing revenues and possible new revenue sources.

2. The legislative commission shall:

(a) Define the scope of the study.

(b) Establish a schedule for completion of the study.

(c) Select the consultants and negotiate the terms of the contract.

(d) Require scheduled progress reports from the consultants to ensure that the consultants are adhering to the scope of the study as established by the legislative commission.

3. The study must be completed and submitted to the governor and legislative commission on or before September 1, 1988.

Sec. 4. The governor shall appoint a broad-based committee of no more than 15 persons composed of representatives of business, industry, gaming, mining, agriculture, education, labor, local governments and the general public. The committee shall review the report submitted by the consultants and, before November 30, 1988, submit findings and recommendations to the legislative commission.

Sec. 5. The legislative commission shall submit a report, including the findings and recommendations of the governor's review committee, of the study and any recommended legislation to the 65th session of the legislature.

Sec. 6. 1. There is hereby appropriated from the state general fund to the legislative fund the sum of $500,000 for the support of the interim study conducted pursuant to section 2 of this act.

2. Any remaining balance of the appropriation made by subsection 1 must not be committed for expenditure after June 30, 1989, 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 to read as follows:

"An Act relating to governmental finances; imposing a fee upon depository institutions; requiring an interim study of the fiscal affairs of the state and local governments in Nevada; making an appropriation; and providing other matters properly relating thereto.".

Amend the summary of the bill to read as follows: "Imposes fee upon depository institutions and requires study of fiscal affairs of state and local governments. (BDR 32-2318)".

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. 23.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 1553.

Amend sec. 91, page 15, by deleting line 24 and inserting:

"*(a) Pay the salaries of personnel.*".

Amend sec. 91, page 15, between lines 26 and 27 by inserting:

"*(c) Reduce the amount of money which would otherwise be made available for elementary and secondary education in the absence of this act.*".

Amend sec. 93, page 16, between lines 21 and 22 by inserting:

"*3. The recommendations of the committee must include a plan for the establishment of an endowment made up from a portion of the money deposited in the trust fund for the education of pupils. The plan must provide for an endowment in an amount which will be sufficient to yield an annual income which is approximately equal to the estimated annual amount deposited in the trust fund for the education of pupils.*

4. The committee may recommend that all or any part of the money in the trust fund for the education of pupils, including the endowment, be invested with the money in the University of Nevada System Endowment Fund. Any money so invested must be accounted for separately.".

Amend sec. 96, page 17, by deleting lines 1 through 11 and inserting:

"Sec. 96. 1. For the biennium beginning on July 1, 1987, the amount of money which the board of regents is authorized to spend pursuant to section 90 of this act is in addition to any other money they are authorized by the legislature to spend as a part of the executive budget approved by the legislature.

2. No money in the trust fund for the education of pupils may be spent before July 1, 1989.".

Assemblyman Adler moved the adoption of the amendment.

Remarks by Assemblymen Adler and Swain.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 165.

Bill read second time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1598.

Amend sec. 2, page 2, line 23, by deleting "$20,000" and inserting "$12,000".

Assemblyman Sedway moved the adoption of the amendment.

Remarks by Assemblyman Sedway.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 407.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 1573.

Amend section 1, page 1, line 2, by deleting "11," and inserting "12,".

Amend the bill as a whole by renumbering sections 2 through 11 as sections 3 through 12 and adding a new section designated sec. 2, following section 1, to read as follows:

"Sec. 2. The legislature hereby finds and declares that:

1. There exists within the urban areas of this state a large number of deteriorated, substandard and unsanitary residential properties because of the inability of their owners, for whatever reason, to pay for their repair and maintenance;

2. These properties are a threat not only to the health, safety and well being of the persons who occupy them but also to neighboring persons and property;

3. There is also a shortage of decent, safe and affordable housing for persons of low or moderate income and the counties and cities of this state have an obligation to encourage persons who own residential property to maintain that property in a decent, safe and sanitary condition; and

4. It is in the public interest to encourage the preservation and maintenance of housing in this state for persons of low or moderate income, in order to improve their living conditions and, in doing so, to benefit the health, safety and welfare of the people of this state.".

Amend sec. 4, page 2, by deleting line 23 and inserting:

"(a) Be a resident of or an owner of residential property in the city or an unincorporated area of the county, as".

Amend sec. 4, page 2, line 27, by deleting the period and inserting: "or rent residential property to such households.".

Amend sec. 4, page 2, line 28, after "on" by inserting: "or rent for residential purposes only".

Amend sec. 5, page 3, by deleting lines 3, 4 and 5.

Amend sec. 5, page 3, line 6, by deleting "(c)" and inserting "(b)".

Amend sec. 6, page 3, by deleting lines 22 and 23 and inserting: "residential use; and".

Amend sec. 7, page 3, line 26, by deleting: "Except as otherwise provided in subsection 3, a" and inserting "A".

Amend sec. 7, page 3, line 29, by deleting "property," and inserting "property.".

Amend sec. 7, page 3, by deleting lines 30 through 34 and inserting:

"2. If the person to whom a loan is made is unable to repay in accordance with the established schedule, the governing body may defer, upon good cause shown, repayment of the amount of the loan until the sale of the rehabilitated property.".

Amend sec. 8, page 3, by deleting lines 37, 38 and 39.

Assemblyman Thompson moved the adoption of the amendment.

Remarks by Assemblyman Thompson.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 468.

Bill read second time.

The following amendment was proposed by the Committee on Health and Welfare:

Amendment No. 1606.

Amend section 1, page 1, by deleting lines 8 through 13 and inserting: "*adopted pursuant to it, and he has entered into a written agreement with his spouse dividing their assets into equal shares of separate assets.*".

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. 585.

Bill read second time and ordered to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Senate Bill No. 536 be placed on the Second Reading File.

Motion carried.

SECOND READING AND AMENDMENT

Senate Bill No. 536.

Bill read second time.

The following amendment was proposed by the Committee on Taxation:

Amendment No. 1607.

Amend section 1, page 1, line 1, by deleting "361" and inserting "353".

Amend section 1, page 1, by deleting lines 3 through 15 and inserting:

"*1. All money received by the state as a grant or gift from a county must be deposited in the account for county grants in the state general fund.*

2. The Nevada tax commission shall distribute the money in the account for county grants at least annually and at such other times as it deems appropriate, in the following manner:

(a) Twenty percent must be distributed to Nye County.".

Amend section 1, page 2, line 1, after "*(b)*" by inserting: "*Five percent must be distributed to Lincoln County.*

(c)".

Amend section 1 by deleting line 5 and inserting: "*(d) Sixty-five percent must be distributed to each county in the same*".

Amend section 1, by deleting lines 7 through 41 on page 2 and lines 1 through 30 on page 3 and inserting "*this state.*".

Amend section 1, page 3, line 31, by deleting "*7.*" and inserting "*3.*".

Amend section 1, page 3, line 32, by deleting "*revenues*" and inserting "*money*".

Amend section 1, page 3, by deleting lines 34, 35 and 36.

Amend the bill as a whole by deleting sec. 2.

Amend the title of the bill to read as follows:

"An Act relating to state financial administration; providing for the distribution of gifts and grants received by the state from counties; and providing other matters properly relating thereto.".

Amend the summary of the bill to read as follows: "Provides for distribution of gifts and grants received by state from counties. (BDR 32-1530)".

Assemblyman Gaston moved the adoption of the amendment.

Remarks by Assemblymen Gaston and Spriggs.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

GENERAL FILE AND THIRD READING

Senate Bill No. 328.

Bill read third time.

The following amendment was proposed by the Committee on Labor and Management:

Amendment No. 1613.

Amend section 1, page 1, by deleting lines 3 through 8 and inserting: "*If an employer grants leave with pay, leave without pay, or leave without loss of seniority to his employees for sickness or disability because of a medical condition, he shall extend the same benefits to any female employee who is pregnant. The female employee who is pregnant may use the leave before and after childbirth, miscarriage or other natural resolution of her pregnancy, if the leave is granted, accrued or allowed to accumulate as a part of her employment benefits.*".

Amend the bill as a whole by deleting sec. 4.

Amend the title of the bill to read as follows:

"An Act relating to labor; requiring employers to extend certain benefits to pregnant employees if those benefits are granted to other employees; and providing other matters properly relating thereto.".

Amend the summary of the bill to read as follows: "Requires employers to extend certain benefits to pregnant employees under certain circumstances. (BDR 53-1110)".

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. 183, 203, 206, 264, 295, 360, 395, 415, 438, 454, 518, 541, 671, 693, 746, 782, 790, 803, 807, 808; Senate Bills Nos. 112, 194, 212, 270, 286, 509, 511, 524, 537, 554, 567, 576; Senate Joint Resolution No. 22; Assembly Concurrent Resolutions Nos. 49, 70, 75, 76; Senate Concurrent Resolutions Nos. 29, 52.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Tebbs, the privilege of the floor of the Assembly Chamber for this day was extended to Miss Tara Denise Tebbs.

Assemblyman Jeffrey moved that the Assembly adjourn until Monday, June 15, 1987 at 10 a.m.

Motion carried.

Assembly adjourned at 1 p.m.

Approved: JOSEPH E. DINI, JR.
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE ONE HUNDRED AND FORTY-EIGHTH DAY

CARSON CITY (Monday), June 15, 1987

Assembly called to order at 10:11 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, Father John McShane.

Father, bless all those associated with the Nevada State Legislature. As the rains fall to the earth, may Your help descend upon us to refresh and renew us today. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Nevin 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. 580, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

PAUL W. MAY, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which were referred Assembly Bill No. 886; Senate Bills Nos. 186, 331, 351, 357, 589, 591, 592, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

MARVIN M. SEDWAY, *Chairman*

Mr. Speaker:

Your Committee on Taxation, to which were referred Senate Bills Nos. 383, 513, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

PAUL W. MAY, *Chairman*

Mr. Speaker:

Your Committee on Taxation, to which was re-referred Assembly Bill No. 756, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

PAUL W. MAY, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, June 14, 1987

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 159, 227, 400, 468, 631, 801, 825, 846, 859, 875.

Also, I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bills Nos. 7, 81, 103, 106, 151, 255, 265, 291, 294, 394, 397, 424, 548, 552, 613, 757, 802, 828, 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. 129 and requests a conference, and appointed Senators Wagner, Joerg and Neal as a first Committee on Conference to meet with a like committee of the Assembly.

Also, I have the honor to inform your honorable body that the Senate on this day passed Assembly Joint Resolution No. 26.

Also, I have the honor to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 68.

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. 120, 144, 229, 251, 285, 363.

Also, I have the honor to inform your honorable body that the Senate on this day appointed Senators O'Donnell, Redelsperger and Shaffer as a first Committee on Conference concerning Senate Bill No. 156.

Also, I have the honor to inform your honorable body that the Senate on this day appointed Senators Beyer, Malone and Jones as a second Committee on Conference concerning Senate Bill No. 190.

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. 167.

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. 485.

MARY JO MONGELLI
Assistant Secretary of the Senate

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Ways and Means:

Assembly Bill No. 887—An Act relating to sentencing of offenders; requiring the commission to establish suggested sentences for felonies to continue its work and to report to the 65th session of the legislature; making an appropriation; and providing other matters properly relating thereto.

Assemblyman Sedway moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By the Committee on Ways and Means:

Assembly Bill No. 888—An Act relating to legislators; revising the provisions governing their compensation; and providing other matters properly relating thereto.

Assemblyman Sedway moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By the Committee on Ways and Means:

Assembly Bill No. 889—An Act making an appropriation to the Commission on Economic Development for costs of operating the International Trade Office; and providing other matters properly relating thereto.

Assemblyman Sedway moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Transportation, 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: Amend, and do pass as amended.

LEONARD V. NEVIN, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Assembly Bills Nos. 10, 866, 882, 883, 884; Senate Bills Nos. 23, 165, 328, 407, 468 and 536 be 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 10:18 a.m.

ASSEMBLY IN SESSION

At 10:50 a.m.

Mr. Speaker presiding.

Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Commerce, to which was referred Senate 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.

JOHN E. JEFFREY, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Assembly Bill No. 756 be placed on the Second Reading File.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 756.

Bill read second time.

The following amendment was proposed by the Committee on Taxation:

Amendment No. 1608.

Amend section 1, page 1, line 2, by deleting: "2 and 3" and inserting: "2, 3 and 4".

Amend sec. 2, page 1, by deleting lines 3, 4 and 5 and inserting:

"Sec. 2. *There shall be a county, to be known as Bullfrog County, to include all that part of the State of Nevada within the boundaries described as follows: Beginning at the northwest corner of unsurveyed section 6, unsurveyed T. 12 S., unsurveyed R. 49 E., M.D.B. & M.; thence easterly along a line common to the protracted corner of unsurveyed section 1, unsurveyed T. 12 S., unsurveyed R. 50 E., M.D.B. & M.; thence southerly along a line common to the protracted range line between R. 50 E. and R. 51*

E., to the southeast corner of unsurveyed section 36, unsurveyed T. 12 S., unsurveyed R. 50 E., M.D.B. & M.; thence westerly along the south line of unsurveyed section 36 to a point along the south line of unsurveyed section 36, unsurveyed T. 12 S., unsurveyed R. 50 E., M.D.B. & M.; thence southerly along the east line of unsurveyed sections 9, 16, 21, 28 and 33 to the southeast corner of unsurveyed section 33, unsurveyed T. 13 S., unsurveyed R. 50 E., M.D.B. & M.; thence continuing southerly along the east line of unsurveyed section 4 to the southeast corner of unsurveyed section 4, unsurveyed T. 14 S., unsurveyed R. 50 E., M.D.B. & M.; thence westerly along the south line of unsurveyed sections 4, 5 and 6 to the southwest corner of unsurveyed section 6, unsurveyed T. 14 S., unsurveyed R. 50 E., M.D.B. & M.; thence continuing westerly along the south; line of unsurveyed sections 1, 2, 3, 4, 5 and 6 to the southwest corner of unsurveyed section 6, T. 14 S., R. 49 E., M.D.B. & M.; thence continuing westerly along the south line of sections 1, 2 and 3 to the southwest corner of unsurveyed section 3, unsurveyed T. 14 S., R. 48 E., M.D.B. & M.; thence northerly along the west line of unsurveyed sections 3, 24, 27, 22, 15 and 10 to the northwest corner of unsurveyed section 10, unsurveyed T. 13 S., unsurveyed R. 48 E., M.D.B. & M.; thence easterly along the north line of unsurveyed section 10, unsurveyed T. 13 S., unsurveyed R. 48 E., to the southwest corner of unsurveyed section 31, unsurveyed T. 12 S., unsurveyed R. 49 E., M.D.B & M.; thence northerly along a line common to the protracted range line between R. 48 E. and R. 49 E., to the northwest corner of unsurveyed section 6, unsurveyed T. 12 S., unsurveyed R. 48 E., M.D.B. & M.; and the point of beginning.".

Amend the bill as a whole by renumbering sections 4 through 12 as sections 5 through 13 and adding a new section designated sec. 4, following sec. 3, to read as follows:

"Sec. 4. *The territory described in section 1 of this act is detached and set aside from Nye County and Bullfrog County erected therefrom.*".

Amend sec. 4, page 1, line 8, by deleting: "5, 6 and 7" and inserting: "6, 7 and 8".

Amend sec. 5, page 1, line 11, by deleting "*legislative commission*" and inserting "*governor*".

Amend sec. 5, page 1, line 12, after "*clerk,*" by inserting "*county assessor,*".

Amend sec. 6, page 2, line 9, by deleting "5" and inserting "6".

Amend sec. 6, page 2, line 10, by deleting "*legislative commission*" and inserting "*governor*".

Amend sec. 6, page 2, line 15, by deleting "5" and inserting "6".

Amend sec. 7, page 2, line 16, by deleting "*legislative commission*" and inserting "*governor*".

Amend sec. 8, page 2, line 21, by deleting "*5*" and inserting "*6*".

Amend sec. 9, page 2, line 28, by deleting "*5*" and inserting "*6*".

Amend sec. 12, page 3, line 18, by deleting "*subsection*" and inserting "*subsections*".

Amend the bill as a whole by renumbering sec. 13 as sec. 17 and adding new sections designated sections 14, 15 and 16, following sec. 12, to read as follows:

"Sec. 14. NRS 245.040 is hereby amended to read as follows:

245.040 1. Sheriffs, county recorders and county auditors, county clerks, county assessors and county treasurers shall keep an office at the county seat of their county which shall be kept open on all days except Sundays and nonjudicial days from 9 a.m. to 12 m., and on all days except Sundays, nonjudicial days and Saturdays from 1 p.m. to 5 p.m. for the transaction of public business, but nothing contained herein shall be construed so as to interfere with any duty now required of any public official under any of the election laws of this state. County clerks shall keep their offices open on all election days during the hours when the polls are open for voting but may, with the consent of the district judge of the county, close their offices for all purposes except election business and the issuance of marriage licenses on any day on which the primary or general election is held.

2. Notwithstanding the provisions of subsection 1, the board of county commissioners of any county may, by an order regularly made and entered in the records of its proceedings, designate the days and hours during which the offices of the sheriff, county recorder and county auditor, county clerk, county assessor and county treasurer shall be kept open for the transaction of public business. [Any] *Except in a county whose officers are appointed pursuant to section 6 of this act, any* order so made and entered [shall] *must* require each office to be kept open for not less than 40 hours during each week, and [shall] *must* not prevent the county clerk from closing his office for all purposes except election business and the issuance of marriage licenses on primary and general election days as provided in subsection 1.

3. Any officer violating the provisions of this section [shall be deemed] *is* guilty of a misdemeanor, and if any officer mentioned in subsection 1 [shall absent] *absents* himself from his office except:

(a) When called away from his office by official duties;

(b) When expressly permitted so to do by the board of county commissioners or a majority of the members thereof in writing; or

(c) When he first makes provision to leave his office open for the transaction of public business on the days and during the hours prescribed by this section and in charge of a deputy [duly] qualified to act in his absence,

there [shall] *must* be withheld from his monthly salary that proportion thereof as the number of days of absence bears to the number of days of the month in which such absence occurs. [Such sum shall] *The money must* be withheld from payment of salary to the officer for the next succeeding month by order of the board of county commissioners; but no order in the premises [shall] *may* be made without first giving the officer affected reasonable notice and an opportunity to appear before the board and defend the charge against him.

Sec. 15. NRS 245.043 is hereby amended to read as follows:

245.043 1. As used in this section:

(a) "County" includes Carson City.

(b) "County commissioner" includes the mayor and supervisors of Carson City.

2. Except as *otherwise* provided by any special law, the elected officers of the counties of this state , *or the persons appointed to those offices,* are entitled to receive annual salaries in the base amounts specified in the following table. The annual salaries are in full payment for all services required by law to be performed by such officers. Except as otherwise provided by law, all fees and commissions collected by such officers in the performance of their duties must be paid into the county treasury each month without deduction of any nature.

ANNUAL SALARIES

Class	County	County Commissioner	District Attorney	Sheriff	County Clerk	County Assessor	County Recorder	County Treasurer
1	Clark	$29,800	$63,900	$60,200	$44,000	$44,000	$44,000	$44,000
2	Washoe	20,200	55,900	51,000	42,800	42,800	42,800	42,800
3	Carson City	13,100	45,200	39,900	35,700	35,700	35,700	.....
	Churchill	10,700	42,800	32,700	28,600	28,600	28,600	.....
	Douglas	11,900	45,200	39,900	35,700	35,700	35,700	.....
	Elko	11,900	45,200	32,900	32,100	32,100	32,100	32,100
	Humboldt	10,700	42,800	32,700	28,600	28,600	28,600	28,600
	Lyon	10,700	42,800	32,700	28,600	28,600	28,600	.....
	Nye	10,700	42,800	32,700	28,600	28,600	28,600	28,600
	White Pine	10,700	42,800	32,700	28,600	28,600	28,600	28,600
4	Lander	10,000	39,900	28,600	25,000	25,000	25,000	25,000
	Lincoln	10,000	39,900	28,600	25,000	25,000	25,000	25,000
	Mineral	10,000	39,900	28,600	25,000	25,000	25,000	.....
	Pershing	10,000	39,900	29,800	25,000	25,000	25,000	.....
5	Esmeralda	8,600	30,000	23,800	21,400	21,400	21,400	.....
	Eureka	8,600	30,000	23,800	21,400	21,400	21,400	.....
	Storey	8,600	30,000	23,800	21,400	21,400	21,400	.....
	Bullfrog	*1*	*1*	*1*	*1*	*1*	*1*	.....

Sec. 16. NRS 245.050 is hereby amended to read as follows:

245.050 [All] *Except in counties whose officers are appointed pursuant to section 6 of this act, all* county officers and regular and temporary employees of the counties [shall] *are entitled to* be paid their salaries as fixed by law, ordinance or resolution either at regular 2-week intervals or in two equal semimonthly payments. If salaries are paid semimonthly, the first semimonthly payment for each month [shall] *must* be for the first half of that particular month, and the second semimonthly payment [shall] *must* be for the last half of the month.".

Amend the bill as a whole by renumbering sections 14 and 15 as sections 19 and 20 and adding a new section designated sec. 18, following sec. 13, to read as follows:

Sec. 18. The sections, townships and ranges used in the description of Bullfrog County are as represented on the map entitled "Beatty Quadrangle, Nevada-California, 1:100 000 Scale Series (Planimetric), 1978 Surface Management Status," edited and published by the United States Bureau of Land Management.

Amend sec. 14, page 5, by deleting line 5 and inserting: "governor shall appoint:".

Amend sec. 14, page 5, line 7, by deleting "5" and inserting "6".

Amend sec. 14, page 5, line 9, by deleting "5" and inserting "6".

Amend sec. 14, page 5, by deleting line 12 and inserting: "sections 6 and 8 of this act.".

Assemblyman May moved the adoption of the amendment.

Remarks by Assemblyman May.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

GENERAL FILE AND THIRD READING

Assembly Bill No. 10.

Bill read third time.

Remarks by Assemblyman Bergevin.

Roll call on Assembly Bill No. 10:

YEAS—42.

NAYS—None.

Assembly Bill No. 10 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 866.

Bill read third time.

Remarks by Assemblyman Callister.

Roll call on Assembly Bill No. 866:

YEAS—42.

NAYS—None.

Assembly Bill No. 866 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 882.

Bill read third time.

Remarks by Assemblyman Marvel.

Roll call on Assembly Bill No. 882:

YEAS—42.

NAYS—None.

Assembly Bill No. 882 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 883.

Bill read third time.

Remarks by Assemblymen Nevin, Carpenter, Fay and Jeffrey.

Roll call on Assembly Bill No. 883:

YEAS—41.

NAYS—Carpenter.

Assembly Bill No. 883 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 884.

Bill read third time.

Remarks by Assemblyman Bergevin.

Roll call on Assembly Bill No. 884:

YEAS—40.

NAYS—Carpenter.

Not voting—Marvel.

Assembly Bill No. 884 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that all rules be suspended and that Assembly Bills Nos. 10, 866, 882, 883 and 884 be immediately transmitted to the Senate.

Motion carried unanimously.

GENERAL FILE AND THIRD READING

Senate Bill No. 23.

Bill read third time.

Remarks by Assemblyman Adler.

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, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 165.

Bill read third time.

Remarks by Assemblyman Evans.

Roll call on Senate Bill No. 165:

YEAS—42.

NAYS—None.

Senate Bill No. 165 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 328.

Bill read third time.

Remarks by Assemblyman Bergevin.

Roll call on Senate Bill No. 328:

YEAS—40.

NAYS—DuBois, Thomas—2.

Senate Bill No. 328 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 407.

Bill read third time.

Remarks by Assemblyman Thompson.

Roll call on Senate Bill No. 407:

YEAS—42.

NAYS—None.

Senate Bill No. 407 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 468.

Bill read third time.

Remarks by Assemblyman McGaughey.

Roll call on Senate Bill No. 468:

YEAS—41.

NAYS—Carpenter.

Senate Bill No. 468 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assemblyman Brookman 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 11:56 a.m.

Mr. Speaker presiding.

Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Taxation, to which was referred Senate Bill No. 561, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

PAUL W. MAY, *Chairman*

UNFINISHED BUSINESS

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker appointed Assemblymen Sader, Callister and DuBois as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Assembly Bill No. 129.

REPORTS OF CONFERENCE COMMITTEES

Mr. Speaker:

The first Committee on Conference concerning Senate Bill No. 102, consisting of the undersigned members, has met, and reports that:

It has agreed to recommend that the amendment of the Assembly be concurred in.

JAN EVANS	RAYMOND D. RAWSON
DAVID E. HUMKE	DEAN A. RHOADS
MORSE ARBERRY, JR.	JAMES I. GIBSON
Assembly Committee on Conference	*Senate Committee on Conference*

Assemblyman Evans moved that the Assembly adopt the report of the first Committee on Conference concerning Senate Bill No. 102.

Remarks by Assemblyman Evans.

Motion carried.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 151.

The following Senate amendment was read:

Amendment No. 1384.

Amend the bill as a whole by deleting sections 1, 2 and 3 and inserting new sections designated sections 1, 2 and 3, following the enacting clause, to read as follows:

"Section 1. The board of county commissioners of Clark County may convey to Boys Clubs of Clark County, Inc., doing business as Boys and Girls Clubs of Las Vegas, a corporation not for profit, that certain parcel of land located at the corner of Lindell Road and Edna Avenue in Clark County now leased to that corporation, more particularly described as:

That portion of the west one-half of the southwest quarter of the northeast quarter of section 12, Township 21 South, Range 60 East, M.D.B.& M., being government lot No. 49, save and except the south 40 feet, the east 10 feet and the west 40 feet thereof.

Any mistake or informality in the foregoing description does not impair the authority of the board of county commissioners to convey the property actually now so leased.

Sec. 2. The board of county commissioners may impose conditions or provide in the conveyance for the reversion of the property to the county if it ceases to be used for charitable or civic purposes.

Sec. 3. The legislature finds that:

1. It is undesirable to confer upon boards of county commissioners generally the power to convey real property for a civic or charitable purpose, as opposed to their present power to lease for a term of years;

2. In the case of Clark County, a substantial gift to the same donee for its civic and charitable purposes depends upon its receiving the fee rather than a leasehold in the land described in this act; and

3. Therefore, this situation is one to which a general law cannot be made applicable.".

Amend the title of the bill to read as follows:

"An Act authorizing the conveyance of certain real property by Clark County to a corporation not for profit; and providing other matters properly relating thereto.".

Amend the summary of the bill to read as follows: "Authorizes conveyance of real property by Clark County for civic purpose. (BDR 20-543)".

Assemblyman Arberry moved that the Assembly concur in the Senate amendment to Assembly Bill No. 151.

Remarks by Assemblyman Arberry.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 294.

The following Senate amendments were read:

Amendment No. 1356.

Amend section 1, page 1, line 6, by deleting "*less than $10*" and inserting "*more than $15*"

Amendment No. 1525.

Amend the bill as a whole by adding a new section designated sec. 2, following section 1, to read as follows:

"Sec. 2. There is hereby appropriated from the state highway fund to the registration division of the department of motor vehicles and public safety the sum of $14,000 to purchase equipment to carry out the purposes of this act.".

Amend the title of the bill, second line, after "plates;" by inserting: "making an appropriation;".

Assemblyman Nevin moved that the Assembly concur in the Senate amendments to Assembly Bill No. 294.

Remarks by Assemblyman Nevin.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 265.

The following Senate amendment was read:

Amendment No. 1564.

Amend section 1, page 1, by deleting line 9 and inserting:

"*(c) Of 7,501 pounds but less than 10,001 pounds, 32 inches.*".

Amend section 1, page 2, line 5, by deleting "*10,000*" and inserting "*10,001*".

Amend the bill as a whole by adding a new section designated as sec. 2, following section 1, to read as follows:

"Sec. 2. This act becomes effective on January 1, 1988.".

Assemblyman Nevin moved that the Assembly concur in the Senate amendment to Assembly Bill No. 265.

Remarks by Assemblyman Nevin.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 552.

The following Senate amendments were read:

Amendment No. 1211.

Amend the bill as a whole by deleting sections 1 through 5 and renumbering sections 6, 7 and 8 as sections 1, 2 and 3.

Amend sec. 6, page 3, by deleting lines 10, 11 and 12 and inserting:

"369.065 1. The board of trustees of a school district [may]:

(a) Shall establish a course or unit of a course of factual instruction concerning acquired immune deficiency syndrome; and

(b) May establish a course or unit of a course of".

Amend sec. 6, page 3, by deleting line 15 and inserting:

"2. [If a school board establishes such a course, it] *Each board of trustees* shall appoint an".

Amend sec. 6, page 3, by deleting lines 22 and 23 and inserting:

"(3) Religion; [or]

(4) Pupils who attend schools in the district [.] *; or*

(5) Teaching.".

Amend sec. 6, page 3, by deleting line 25 and inserting: "materials to be used in [the] *a* course of instruction [,] *established pursuant to this section,* and the recommended ages".

Amend sec. 6, page 3, line 28, by deleting "course" and inserting "[course] *courses*".

Amend sec. 6, page 3, line 31, by deleting "the course" and inserting: "[the] *a* course".

Amend sec. 6, page 4, line 1, by deleting "the" and inserting "[the] *a*".

Amend sec. 7, page 4, by deleting lines 6 through 11 and inserting:

"Sec. 2. 1. The state board of education shall collect and compile the material and statistics developed by each school district for the instruction concerning".

Amend sec. 7, page 4, line 14, by deleting "courses" and inserting "instruction".

Amend the title of the bill to read as follows:

"An Act relating to education; requiring each county school district to establish a course of instruction for pupils in public schools concerning acquired immune deficiency syndrome; requiring a notice of the course to a parent or guardian and a form for consent to be included in the registration material for each pupil; requiring the state board of education to present certain information to the next session of the legislature; and providing other matters properly relating thereto.".

Amend the summary of the bill, second line, by deleting: "molestation of children and".

Amendment No. 1346.

Amend section 1, page 1, by deleting lines 2 through 5 and inserting:

"389.065 1. The board of trustees of a school district [may] *shall* establish a course or unit of a course of [instruction] *:*

(a) Factual instruction concerning acquired immune deficiency syndrome; and

(b) Instruction on the human".

Amend the title of the bill, third line, by deleting "syndrome;" and inserting: "syndrome and the human reproductive system;".

Amend the summary of the bill, second line, by deleting the period and inserting: "and human reproductive system.".

Amendment No. 1388.

Amend section 1, page 2, line 1, by deleting "Four" and inserting "[Four] *Five*".

Amend section 1, page 2, by deleting line 2 and inserting: "(b) [Three] *Four* representatives, one from each of [three] *four* of the following".

Amendment No. 1544.

Amend section 1, page 1, by deleting lines 2 through 6 and inserting:

"389.065 1. The board of trustees of a school district [may] *:*

(a) Shall establish a course or unit of a course of factual instruction concerning acquired immune deficiency syndrome; and

(b) May establish a course or unit of a course of instruction on the human reproductive system, related communicable".

Amend the title of the bill, third line, by deleting: "syndrome and the human reproductive system;" and inserting "syndrome;".

Amend the summary of the bill, second and third lines, by deleting: "syndrome and human reproductive system." and inserting "syndrome.".

Amendment No. 1586.

Amend section 1, page 1, by deleting lines 2 through 5 and inserting:

"389.065 1. The board of trustees of a school district [may] *shall* establish a course or unit of a course of [instruction] *:*

(a) Factual instruction concerning acquired immune deficiency syndrome; and

(b) Instruction on the human".

Amend the title of the bill, third line, by deleting "syndrome;" and inserting: "syndrome and the human reproductive system;".

Amend the summary of the bill, second line, by deleting "syndrome." and inserting: "and human reproductive system.".

Assemblyman Craddock moved that the Assembly concur in the Senate amendments to Assembly Bill No. 552.

Remarks by Assemblymen Craddock and Sedway.

Motion carried.

Bill ordered enrolled.

REMARKS FROM THE FLOOR

Assemblyman Spriggs requested that her remarks be entered in the Journal.

Thank you, Mr. Speaker. With your indulgence, I'd really like to have it on the record today that I am opposed to A.B. 552. I voted for it on this side, but I cannot concur with the amendments on the other side and I would like to have it in the record that I do not approve of this bill.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 103.

The following Senate amendment was read:

Amendment No. 351.

Amend section 1, page 1, line 2, by deleting "The" and inserting: "[The] *Except as otherwise provided in NRS 218.605, the*".

Assemblyman Sader moved that the Assembly concur in the Senate amendment to Assembly Bill No. 103.

Remarks by Assemblyman Sader.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 106.

The following Senate amendments were read:

Amendment No. 1188.

Amend section 1, page 3, line 3, after "a" by inserting "*gross*".

Amend the title of the bill, second line, after "agency;" by inserting: "increasing the penalty for unlawful disclosure or use of certain information;".

Amendment No. 1587.

Amend section 1, page 2, line 25, by deleting "*a*" and inserting "*any*".

Amend section 1, page 2, by deleting lines 26 and 27 and inserting: "*person listed in the records of employment of the department. The request must set forth the social security number of the person about whom the request is made and contain a statement signed*".

Assemblyman Sader moved that the Assembly concur in the Senate amendments to Assembly Bill No. 106.

Remarks by Assemblyman Sader.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 394.

The following Senate amendment was read:

Amendment No. 1563.

Amend sec. 7, page 2, lines 7 and 8, by deleting: "*broadcast, which is verified independently by the disseminator,*" and inserting "*broadcast*".

Assemblyman Sader moved that the Assembly concur in the Senate amendment to Assembly Bill No. 394.

Remarks by Assemblyman Sader.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 424.

The following Senate amendment was read:

Amendment No. 1537.

Amend sec. 2, page 2, by deleting lines 6, 7 and 8 and inserting: "of a parent's gross monthly income.".

Amend sec. 3, page 2, line 20, after "any" by inserting "subsequent".

Amend sec. 3, page 2, line 41, after "unemployed," by inserting: "for the purpose of avoiding an obligation for support of a child,".

Amend sec. 3, page 3, line 15, by deleting "and".

Amend sec. 3, page 3, line 16, by deleting the period and inserting: "; and

(l) The relative income of both spouses.".

Amend sec. 4, page 3, between lines 23 and 24 by inserting:

"3. This section does not impair or otherwise affect the eligibility of a handicapped person to receive benefits from a source other than his parents.".

Amend sec. 5, page 3, line 26, before "and" by inserting an open bracket.

Amend sec. 5, page 3, line 27, after "granted" by inserting a closed bracket.

Assemblyman Sader moved that the Assembly do not concur in the Senate amendment to Assembly Bill No. 424.

Remarks by Assemblyman Sader.

Motion carried.

Bill ordered transmitted to the Senate.

Assembly Bill No. 613.

The following Senate amendment was read:

Amendment No. 1538.

Amend sec. 3, page 5, by deleting lines 13 through 32 and inserting:

"Sec. 3. Section 17 of chapter 188, Statutes of Nevada 1987, is hereby amended to read as follows:

Sec. 17. NRS 463.385 is hereby amended to read as follows:

463.385 1. In addition to any other license fees and taxes imposed by this chapter, there is hereby imposed upon each slot machine operated in this state an annual tax of $250. If a slot machine is replaced by another, the replacement is not considered a different slot machine for the purpose of imposing this tax.

2. The commission shall:

(a) Collect the tax annually on or before June 20, as a condition precedent to the issuance of a state gaming license to operate any slot machine for the ensuing fiscal year beginning July 1, from a licensee whose operation is continuing.

(b) Collect the tax in advance from a licensee who begins operation or puts additional slot machines into play during the fiscal year, prorated monthly after July 31.

(c) Include the proceeds of the tax in its reports of state gaming taxes collected.

3. The commission shall pay over the tax as collected to the state treasurer to be deposited to the credit of the state distributive school *account in the state general* fund, the capital construction fund for higher education and the special capital construction fund for higher education, hereby created in the state treasury, in the amounts and to be expended only for the purposes specified in this section.

4. During each fiscal year the state treasurer shall deposit the tax paid over to him by the commission as follows:

(a) The first $5,000,000 of the tax in the capital construction fund for higher education;

(b) Twenty percent of the tax in the special capital construction fund for higher education; and

(c) The remainder of the tax in the state distributive school *account in the state general* fund.

5. There is hereby appropriated from the balance in the special capital construction fund for higher education on July 31 of each year the amount necessary to pay the principal and interest due in that fiscal year on the bonds issued pursuant to section 5 of chapter 679, Statutes of Nevada 1979, as amended by chapter 585, Statutes of Nevada 1981, at page 1251 and on the bonds authorized to be issued by section 2 of [this act.] *Assembly Bill No. 613 of this session.* If in any year the balance in that fund is not sufficient for this purpose, the remainder necessary is hereby appropriated on July 31 from the capital construction fund for higher education. The balance remaining unappropriated in the capital construction fund for higher education on August 1 of each year and all amounts received thereafter during the fiscal year must be transferred to the state general fund for the support of higher education. If bonds described in this subsection are refunded and if the amount required to pay the principal of and interest on the refunding bonds in any fiscal year during the term of the bonds is less than the amount that would have been required in the same fiscal year to pay the principal of and the interest on the original bonds if they had not been refunded, there is appropriated to the University of Nevada an amount sufficient to pay the principal of and interest on the original bonds, as if they had not been refunded. The amount required to pay the principal of and interest on the refunding bonds must be used for that purpose from the amount appropriated, and the amount equal to the saving realized in that

fiscal year from the refunding must be used by the University of Nevada to defray wholly or in part the expenses of operation and maintenance of the facilities acquired in part with the proceeds of the original bonds.

6. After the requirements of subsection 5 for each fiscal year, when specific projects are authorized by the legislature, money in the capital construction fund for higher education and the special capital construction fund for higher education must be transferred by the state controller and the state treasurer to the state public works board for the construction of capital improvement projects for the University of Nevada System, including but not limited to capital improvement projects for the community colleges of the University of Nevada System. As used in this subsection, "construction" includes but is not limited to planning, design, acquiring and developing a site, construction, reconstruction, furnishing, equipping, replacing, repairing, rehabilitating, expanding and remodeling. Any money remaining in either fund at the end of a fiscal year does not revert to the general fund in the state treasury but remains in those funds for authorized expenditure.

7. The money deposited in the state distributive school *account in the state general* fund under this section must be apportioned as provided in NRS 387.030 among the several school districts of the state at the times and in the manner provided by law.

8. The board of regents of the University of Nevada may use any money in the capital construction fund for higher education and the special capital construction fund for higher education for the payment of interest and amortization of principal on bonds and other securities, whether issued before, on or after July 1, 1979, to defray in whole or in part the costs of any capital project authorized by the legislature.".

Assemblyman Sedway moved that the Assembly concur in the Senate amendment to Assembly Bill No. 613.

Remarks by Assemblyman Sedway.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 828.

The following Senate amendment was read:

Amendment No. 1530.

Amend section 1, page 1, line 2, by deleting "$150,000" and inserting "$50,000".

Assemblyman Sedway moved that the Assembly concur in the Senate amendment to Assembly Bill No. 828.

Remarks by Assemblyman Sedway.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 548.

The following Senate amendment was read:

Amendment No. 1490.

Amend sec. 17, page 3, line 15, by deleting "*unreasonable*".

Amend sec. 17, page 3, line 28, after "*monitoring*" by inserting "*program*".

Amend sec. 17, page 3, line 33, by deleting "*may*" and inserting "*shall*".

Amend sec. 18, page 4, line 24, by deleting "*unreasonable*".

Amend sec. 24, page 7, line 39, after "*constructing*" by inserting "*or operating*".

Amend sec. 24, page 8, line 1, by deleting "*5.*" and inserting "*4.*".

Assemblyman Schofield moved that the Assembly concur in the Senate amendment to Assembly Bill No. 548.

Remarks by Assemblyman Schofield.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 397.

The following Senate amendment was read:

Amendment No. 1531.

Amend sec. 5, page 2, line 16, by deleting "$500,000" and inserting "$100,000".

Assemblyman Myrna Williams moved that the Assembly do not concur in the Senate amendment to Assembly Bill No. 397.

Remarks by Assemblyman Myrna Williams.

Motion carried.

Bill ordered transmitted to the Senate.

Assembly Bill No. 81.

The following Senate amendment was read:

Amendment No. 1485.

Amend section 1, page 1, by deleting lines 10 through 16 and inserting: "compatible with existing equipment;

(e) [For any insurance; and

(f)] Purchases of perishable goods by a county or district hospital [,] ;

(f) Any insurance;

(g) Software for computers; and

(h) Books, library materials and subscriptions,

may not be subject to the requirements of this chapter for competitive bidding as determined by the governing body".

Amend section 1, page 2, line 1, by deleting: "[prior to] *before*" and inserting "before".

Amend section 1, page 2, line 5, by deleting "such]" and inserting "the]".

Amend the bill as a whole by adding a new section designated sec. 3, following sec. 2, to read as follows:

"Sec. 3. This act becomes effective at 12:01 a.m. on July 1, 1987.".

Assemblyman Thompson moved that the Assembly concur in the Senate amendment to Assembly Bill No. 81.

Remarks by Assemblyman Thompson.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 7.

The following Senate amendment was read:

Amendment No. 1579.

Amend section 1, page 2, line 1, by deleting "*$750,*" and inserting: "*$1,000 per residential dwelling unit or mobile home lot,*".

Assemblyman Thompson moved that the Assembly concur in the Senate amendment to Assembly Bill No. 7.

Remarks by Assemblyman Thompson.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 255.

The following Senate amendment was read:

Amendment No. 1427.

Amend section 1, page 1, by deleting lines 2 and 3 and inserting:

"341.020 The state public works board, consisting of the [chief of the budget division] *director* of the department of administration and [nine] *six* members".

Amend sec. 2, page 1, by deleting lines 6 and 7 and inserting:

"341.100 1. The board may appoint a manager and such other technical and clerical assistants as may be necessary to carry into".

Amend sec. 4, page 2, by deleting lines 31 through 38 and inserting:

"Sec. 4. (Deleted by amendment.)".

Amend sec. 5, page 3, line 5, by deleting: "*appoint a manager*" and inserting: "*serve as chairman*".

Amend sec. 6, page 4, by deleting lines 3 and 4 and inserting: "waive the requirements of this subsection in the case of contracts which are for amounts less than $750.".

Amend sec. 6, page 4, by deleting lines 9, 10 and 11 and inserting: "board of examiners, but the state board of examiners may authorize its clerk to approve contracts which are for amounts less than $2,000 or in contracts necessary to preserve life and property, for amounts less than $5,000. The state board of examiners shall adopt".

Amend sec. 7, page 4, line 27, by deleting "five" and inserting "six".

Amend sec. 7, page 4, by deleting line 29 and inserting:

"(a) Two members to terms ending June 30, 1988;".

Amend the bill as a whole by adding a new section designated sec. 8, following sec. 7, to read as follows:

"Sec. 8. Section 6 of this act becomes effective at 12:01 a.m. on July 1, 1987.".

Amend the title of the bill by deleting the first, second and third lines and inserting:

"An Act relating to the state public works board; reducing its membership; making various changes regarding the manager of the board; designating the director of the department of administration as the chairman of the board; providing for the filing and approval of certain contracts;".

Amend the summary of the bill to read as follows: "Makes various changes relating to state public works board. (BDR 28-1884)".

Assemblyman Thompson moved that the Assembly concur in the Senate amendment to Assembly Bill No. 255.

Remarks by Assemblyman Thompson.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 757.

The following Senate amendment was read:

Amendment No. 1461.

Amend section 1, page 1, by deleting lines 4 and 5 and inserting:

"(a) A claimant injured on or after July 1, 1973, and before July 1, 1981, who incurs a disability that does not exceed 12 percent".

Amend section 1, page 1, line 6, by deleting the open bracket.

Amend section 1, page 1, line 8, by deleting the closed bracket.

Amend section 1, page 2, line 18, by deleting "[1973,] *1987,*" and inserting "1973,".

Assemblyman Banner moved that the Assembly concur in the Senate amendment to Assembly Bill No. 757.

Remarks by Assemblyman Banner.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 802.

The following Senate amendment was read:

Amendment No. 1588.

Amend sec. 2, page 2, line 4, by deleting: "*paragraph (a) of subsection 3 or*".

Amend sec. 2, page 2, by deleting lines 23 through 32.

Assemblyman Jeffrey moved that the Assembly concur in the Senate amendment to Assembly Bill No. 802.

Remarks by Assemblyman Jeffrey.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 778.

The following Senate amendment was read:

Amendment No. 1330.

Amend section 1, page 1, line 6, by deleting "*A*" and inserting: "*Unless a psychiatrist has made a specific entry to the contrary in a client's records, a*".

Assemblyman Arberry moved that the Assembly do not concur in the Senate amendment to Assembly Bill No. 778.

Remarks by Assemblyman Arberry.

Motion carried.

Bill ordered transmitted to the Senate.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Health and Welfare, 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: Amend, and do pass as amended.

MORSE ARBERRY, JR., *Chairman*

Mr. Speaker:

Your Committee on Health and Welfare, to which was referred Senate Bill No. 214, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

MORSE ARBERRY, JR., *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, June 15, 1987

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Senate Bill No. 227.

MARY JO MONGELLI
Assistant Secretary of the Senate

INTRODUCTION, FIRST READING AND REFERENCE

Senate Bill No. 227.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Taxation.

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Senate Bill No. 470 be taken from the Chief Clerk's desk and re-referred to the Committee on Government Affairs.

Motion carried.

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

Assembly in recess at 12:34 p.m.

ASSEMBLY IN SESSION

At 12:45 p.m.

Mr. Speaker presiding.

Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Assembly Bill No. 886; Senate Bills Nos. 186, 214, 331, 351, 353, 357, 358, 383, 410, 513, 561, 580, 589, 591 and 592 be placed on the Second Reading File.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 886.

Bill read second time, ordered engrossed and to third reading.

Senate Bill No. 186.

Bill read second time and ordered to third reading.

Senate Bill No. 214.

Bill read second time and ordered to third reading.

Senate Bill No. 331.

Bill read second time and ordered to third reading.

Senate Bill No. 351.

Bill read second time and ordered to third reading.

Senate Bill No. 353.

Bill read second time.

The following amendment was proposed by the Committee on Transportation:

Amendment No. 1620.

Amend sec. 7, page 2, by deleting lines 29 and 30 and inserting: "*upon it suitable characters, as determined by the department, to identify the vehicle as being operated by a vehicle transporter. The*".

Assemblyman Nevin moved the adoption of the amendment.

Remarks by Assemblyman Nevin.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 357.

Bill read second time and ordered to third reading.

Senate Bill No. 358.

Bill read second time.

The following amendment was proposed by the Committee on Health and Welfare:

Amendment No. 1629.

Amend section 1, page 1, line 3, before "*All*" by inserting "*1.*".

Amend section 1, page 1, by deleting lines 5, 6 and 7 and inserting: "*identified with a serial number assigned pursuant to subsection 2 by:*

(a) Embedding the number in the material of the appliance; or".

Amend section 1, page 1, line 8, by deleting "*3.*" and inserting "*(b)*".

Amend section 1, page 1, after line 9, by inserting:

"*2. The director of the department of human resources shall establish a system for assigning serial numbers for artificial teeth, dentures and other removable dental appliances. The department shall maintain a registry of dental appliances which have been assigned serial numbers. The registry must indicate the name of each owner and the number assigned to the appliance he owns.*".

Amend the title of the bill to read as follows:

"An Act relating to dentistry; requiring the department of human resources to establish a system for assigning serial numbers to removable dental appliances and maintaining a registry of such appliances; requiring all such appliances to be marked with an assigned number; and providing other matters properly relating thereto.".

Amend the summary of the bill to read as follows: "Requires certain dental appliances to be marked with serial number. (BDR 54-989)".

Assemblyman McGaughey moved the adoption of the amendment.

Remarks by Assemblyman McGaughey.

Assemblyman Sedway moved that Senate Bill No. 358 be taken from the Second Reading File and re-referred to the Committee on Ways and Means.

Motion carried.

Senate Bill No. 383.

Bill read second time and ordered to third reading.

Senate Bill No. 410.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 1627.

Amend section 1, page 1, by deleting lines 8 through 12 and inserting:

"4. Has [received] *earned* a doctorate in psychology from an *accredited* educational institution approved by the board, or has [training] *other doctorate-level training from an accredited educational institution* deemed equivalent by the board".

Amend sec. 2, page 2, by deleting line 11 and inserting: "determine. A grade of [75] *70* percent is a passing grade. [The board may".

Amend sec. 2, page 2, by deleting lines 13 and 14.

Amend sec. 2, page 2, line 15, by deleting "*4.*" and inserting "*3.*".

Amend the title of the bill by deleting the third line and inserting: "written examination; changing the passing grade for the examination; and".

Assemblyman Jeffrey moved the adoption of the amendment.

Remarks by Assemblyman Jeffrey.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 513.

Bill read second time and ordered to third reading.

Senate Bill No. 561.

Bill read second time.

The following amendment was proposed by the Committee on Taxation:

Amendment No. 1638.

Amend sec. 3, page 2, line 4, by deleting "The taxes" and inserting: "The rate of the taxes".

Amend sec. 4, page 2, line 15, by deleting "question" and inserting "questions".

Amend sec. 4, page 2, line 16, by deleting "act;" and inserting "act; and"

Amend sec. 4, page 2, line 17, by deleting "taxes; or" and inserting: "taxes if the taxes are continued.".

Amend sec. 4, page 2, by deleting line 18.

Amend sec. 4, page 2, line 25, by deleting "or increase".

Amend sec. 4, page 2, line 26, by deleting "continuation or" and inserting: "proposed continuation and".

Amend sec. 4, page 2, line 27, by deleting "is approved," and inserting: "are approved by the voters of each taxing district in the taxable area,".

Assemblyman Gaston moved the adoption of the amendment.

Remarks by Assemblyman Gaston.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 580.

Bill read second time.

The following amendment was proposed by the Committee on Taxation:

Amendment No. 1617.

Amend the bill as a whole by adding a new section designated sec. 2, following section 1, to read as follows:

"Sec. 2. This act becomes effective on January 1, 1988.".

Assemblyman Myrna Williams moved the adoption of the amendment.

Remarks by Assemblyman Myrna Williams.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 589.

Bill read second time and ordered to third reading.

Senate Bill No. 591.

Bill read second time and ordered to third reading.

Senate Bill No. 592.

Bill read second time and ordered to third reading.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Commerce, to which was referred Senate Bill No. 254, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN E. JEFFREY, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

By the Committee on Government Affairs:

Assembly Joint Resolution No. 46—Urging the Department of the Navy to review the bidding for and the awarding of a contract for the operation and maintenance of the naval air station at Fallon, Nevada.

Assemblyman Thompson moved that all rules be suspended, reading so far had considered first reading, rules further suspended, resolution considered engrossed, declared an emergency measure under the Constitution and placed on third reading and final passage.

Motion carried unanimously.

Assemblyman May moved that Assembly Bill No. 76 be taken from the Chief Clerk's desk and placed on the Second Reading File.

Remarks by Assemblyman May.

Motion carried.

By Assemblymen Dini and Bergevin:

Assembly Resolution No. 15—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 and the joint rules of the legislature, the following assemblymen are designated regular and alternate members of the legislative commission to serve until their successors are designated: Messrs. Joseph E. Dini, Jr., Robert M. Sader, James W. Schofield, Danny L. Thompson, Louis W. Bergevin and John B. DuBois are designated as the regular assembly members; Mr. Ernest E. Adler and Mrs. Vivian L. Freeman are designated as the first and second alternate members, respectively, for Mr. Joseph E. Dini, Jr.; Mr. Leonard V. Nevin and Mrs. Courtenay C. Swain are designated as the first and second alternate members, respectively, for Mr. Robert M. Sader; Mr. Gene T. Porter and Mrs. Eileen B. Brookman are designated as the first and second alternate members, respectively, for Mr. James W. Schofield; Mr. John E. Jeffrey and Mrs. Jane A. Wisdom are designated as the first and second alternate members, respectively, for Mr. Danny L. Thompson; Mr. Bob L. Kerns and Mrs. Joan A. Lambert are designated as the first and second alternate members, respectively, for Mr. Louis W. Bergevin; and Mr. James W. McGaughey and Mr. Terry Tebbs are designated as the first and second alternate members, respectively, for Mr. John B. DuBois.

Assemblyman Bergevin moved the adoption of the resolution.

Remarks by Assemblyman Bergevin.

Resolution adopted.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Ways and Means:

Assembly Bill No. 890—An Act making an appropriation to the legislative fund for the support of the interim studies; and providing other matters properly relating thereto.

Assemblyman Sedway moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 76.

Bill read second time.

The following amendment was proposed by the Committee on Taxation:

Amendment No. 1619.

Amend the bill as a whole by renumbering section 1 as sec. 3 and adding new sections designated sections 1 and 2, following the enacting clause, to read as follows:

"Section 1. Chapter 370 of NRS is hereby amended by adding thereto a new section to read as follows:

A retail dealer shall pay the wholesale dealer for all cigarettes and other tobacco products purchased from that wholesale dealer:

1. If the cigarettes or other tobacco products were delivered to the retail dealer on or after the 1st day of the month but before the 16th day of the month, on or before the 29th day of the same month; and

2. If the cigarettes or other tobacco products were delivered to the retail dealer on or after the 16th day of the month but before the 1st day of the next month, on or before the 14th day of the next month.

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] *10* mills per cigarette, but not less than [15] *20* 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 section 1, page 1, line 13, by deleting the bracket.

Amend section 1, page 1, line 15, by deleting "2.5" and inserting "[2.5] *5*".

Amend section 1, page 1, line 16, by deleting "5" and inserting "[5] *10*".

Amend section 1, page 2, line 1, by deleting the bracket.

Amend section 1, page 2, line 4, by deleting "[(d)] *(c)*" and inserting "(d)".

Amend section 1, page 2, lines 5 and 6, by deleting: "*in the intergovernmental trust fund*".

Amend the bill as a whole by adding a new section designated sec. 3, following section 1, to read as follows:

"Sec. 3. NRS 370.350 is hereby amended to read as follows:

370.350 1. Except as *otherwise* 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] *10* mills per cigarette, but not less than [15] *20* 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 the title of the bill to read as follows:

"An Act relating to tobacco; increasing the rate of the cigarette tax; limiting the extension of credit for the purchase of cigarettes and other tobacco products by retail dealers; and providing other matters properly relating thereto.".

Amend the summary of the bill to read as follows: "Increases rate of cigarette tax and limits extension of credit for purchase of cigarettes and other tobacco products by retail dealer. (BDR 32-106)".

Assemblyman Gaston moved the adoption of the amendment.

Remarks by Assemblymen Gaston and Nevin.

Amendment adopted.

Assemblyman Haller moved that Assembly Bill No. 76 be placed on the Chief Clerk's desk.

Remarks by Assemblymen Haller, May and Jeffrey.

Motion lost.

Bill ordered reprinted, engrossed and to third reading.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Ways and Means, to which was referred Senate 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.

MARVIN M. SEDWAY, *Chairman*

Assemblyman Jeffrey moved that the Assembly recess until 3 p.m.

Motion carried.

Assembly in recess at 1:11 p.m.

ASSEMBLY IN SESSION

At 3:24 p.m.

Mr. Speaker presiding.

Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Commerce, 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: Amend, and do pass as amended.

JOHN E. JEFFREY, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which were referred Assembly Bills Nos. 887, 888, 889, 890, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

MARVIN M. SEDWAY, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, June 15, 1987

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. 162 and requests a conference, and appointed Senators Joerg, Beyer 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. 344 and requests a conference, and appointed Senators Joerg, Beyer 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 concurred in the Assembly amendments to Senate Bills Nos. 111, 369, 435, 464, 479, 529.

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. 143, 187, 272, 310.

Also, I have the honor to inform your honorable body that the Senate on this day appointed Senators Raggio, Rawson and Mello as a first Committee on Conference concerning Senate Bill No. 76.

Also, I have the honor to inform your honorable body that the Senate on this day appointed Senators Joerg, Malone and Shaffer as a first Committee on Conference concerning Senate Bill No. 88.

Also, I have the honor to inform your honorable body that the Senate on this day appointed Senators Townsend, O'Donnell and Shaffer as a first Committee on Conference concerning Senate Bill No. 178.

Also, I have the honor to inform your honorable body that the Senate on this day appointed Senators Shaffer, O'Donnell and Townsend as a first Committee on Conference concerning Senate Bill No. 252.

Also, I have the honor to inform your honorable body that the Senate on this day appointed Senators O'Connell, O'Donnell and Coffin as a first Committee on Conference concerning Senate Bill No. 262.

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. 226.

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. 56, 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. C14, which is attached to and hereby made a part of this report.

VIVIAN L. FREEMAN
VAL Z. GARNER
BOB L. KERNS
Assembly Committee on Conference

ERIK BEYER
NICHOLAS J. HORN
JAMES I. GIBSON
Senate Committee on Conference

Amendment No. C14.

Amend sec. 8, page 4, line 17, by deleting "354.59816," and inserting: "354.59816 and section 1 of [this act,] *Assembly Bill No. 698 of this session,*".

Amend sec. 9, page 5, line 14, after "roll," by inserting: "together with the assessed valuation of property on the central assessment roll which was allocated to the local government, but".

Amend sec. 10, page 5, line 26, by deleting "*including*" and inserting: "including the assessed valuation of property on the central assessment roll allocated to the local government *and*".

Amend sec. 10, page 5, line 28, by deleting "*area but*" and inserting "*area,* but".

Amend sec. 10, page 5, line 33, by deleting the period and inserting: ", including the assessed valuation of property added to the central assessment roll in the past year and allocable to the local government.".

Amend sec. 10, page 5, line 35, after "valuation," by inserting: "including the assessed valuation of property on the central assessment roll allocable to the local government but".

Amend sec. 18, page 12, between lines 33 and 34 by inserting:

"(c) Of a local government listed in subsection 1 of section 1 of [this act] *Assembly Bill No. 698 of this session* does not include any increase in the basic ad valorem revenue pursuant to that section.".

Amend the bill as a whole by adding a new section designated sec. 21, following sec. 20, to read as follows:

"Sec. 21. Sections 9 and 10 of this act become effective at 12:01 a.m. on July 1, 1987.".

Assemblyman Freeman moved that the Assembly adopt the report of the first Committee on Conference concerning Senate Bill No. 56.

Remarks by Assemblyman Freeman.

Motion carried.

Mr. Speaker:

The first Committee on Conference concerning Senate Bill No. 226, 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	CHARLES W. JOERG
BOB PRICE	RAY SHAFFER
VINCENT L. TRIGGS	KENNETH K. REDELSPERGER
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. 226.

Remarks by Assemblyman Bergevin.

Motion carried.

Mr. Speaker:

The first Committee on Conference concerning Senate Bill No. 252, consisting of the undersigned members, has met, and reports that:

It has agreed to recommend that the amendment of the Assembly be concurred in.

GENE T. PORTER	RANDOLPH J. TOWNSEND
ROBERT W. FAY	RAY SHAFFER
JOHN DUBOIS	WILLIAM R. O'DONNELL
Assembly Committee on Conference	*Senate Committee on Conference*

Assemblyman Porter moved that the Assembly adopt the report of the first Committee on Conference concerning Senate Bill No. 252.

Remarks by Assemblyman Porter.

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Sedway moved that all rules be suspended, reading so far had considered second reading, rules further suspended, Assembly Bills Nos. 887, 888, 889 and 890 be considered engrossed, declared emergency measures under the Constitution and placed on third reading and final passage.

Motion carried unanimously.

UNFINISHED BUSINESS

RECEDE FROM ASSEMBLY AMENDMENTS

Assemblyman Thompson moved that the Assembly do not recede from its action on Senate Bill No. 310, 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 Freeman, Adler 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. 310.

RECEDE FROM ASSEMBLY AMENDMENTS

Assemblyman Thompson 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 appointed Assemblymen Adler, Brookman 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. 143.

Mr. Speaker appointed Assemblymen Sader, Callister and Nicholas as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Assembly Bill No. 344.

Mr. Speaker appointed Assemblymen DuBois, Haller and Triggs as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Assembly Bill No. 162.

RECEDE FROM ASSEMBLY AMENDMENTS

Assemblyman Sedway moved that the Assembly do not recede from its action on Senate Bill No. 187, 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 Spinello, Arberry 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. 187.

RECEDE FROM ASSEMBLY AMENDMENTS

Assemblyman Arberry moved that the Assembly do not recede from its action on Senate Bill No. 272, 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 Arberry, Humke and Wendell Williams as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Senate Bill No. 272.

REPORTS OF CONFERENCE COMMITTEES

Mr. Speaker:

The first Committee on Conference concerning Assembly Bill No. 775, 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.

GENE T. PORTER
DANNY L. THOMPSON
JOHN DUBOIS
Assembly Committee on Conference

RANDOLPH J. TOWNSEND
WILLIAM R. O'DONNELL
JOHN M. VERGIELS
Senate Committee on Conference

Amendment No. C13.

Amend sec. 2, page 1, by deleting lines 4 and 5 and inserting: "*of a limited dealer's license authorizing a person other than a bank, savings and loan association, credit union or thrift company to act as a repossessor or*".

Amend sec. 4, page 2, by deleting lines 26 through 29 and inserting:

"(c) Banks [or other financial institutions] , *savings and loan associations, credit unions or thrift companies* proceeding as repossessors or liquidators; or

(d) An owner selling his private residence.

Assemblyman Porter moved that the Assembly adopt the report of the first Committee on Conference concerning Assembly Bill No. 775.

Remarks by Assemblyman Porter.

Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 536.

Bill read third time.

Remarks by Assemblymen Gaston, Spriggs, Bergevin and May.

Assemblyman Haller moved that Senate Bill No. 536 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblymen Haller, Adler and May.

Motion lost.

Remarks by Assemblymen Adler, Spriggs and Gaston.

Roll call on Senate Bill No. 536:

YEAS—34.

NAYS—Bergevin, Carpenter, Getto, Humke, Kerns, Lambert, Marvel, Spriggs—8.

Senate Bill No. 536 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that all rules be suspended and that Assembly Bill No. 756 be declared an emergency measure under the Constitution and placed on third reading and final passage.

Motion carried unanimously.

Assemblyman Jeffrey moved that Assembly Bill No. 756 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. 756.

Bill read third time.

Remarks by Assemblymen May and Spriggs.

Roll call on Assembly Bill No. 756:

YEAS—32.

NAYS—Bergevin, Carpenter, Getto, Humke, Kerns, Lambert, Marvel, Porter, Spriggs—9.

Not voting—Thomas.

Assembly Bill No. 756 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 307.

Bill read third time.

Remarks by Assemblyman Triggs.

Roll call on Senate Bill No. 307:

YEAS—42.

NAYS—None.

Senate Bill No. 307 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 333.

Bill read third time.

Remarks by Assemblymen Wisdom and Arberry.

Roll call on Senate Bill No. 333:

YEAS—41.

NAYS—Arberry.

Senate Bill No. 333 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 4:01 p.m.

ASSEMBLY IN SESSION

At 4:25 p.m.

Mr. Speaker presiding.

Quorum present.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, June 15, 1987

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Senate Bills Nos. 593, 594.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

By the Committee on Natural Resources, Agriculture and Mining:

Assembly Concurrent Resolution No. 77—Urging the division of Environmental Protection of the State Department of Conservation and Natural Resources to expedite the review of the program for the development in Lincoln County of a facility for the thermal destruction of hazardous waste.

Assemblyman Schofield moved that the resolution be referred to the Committee on Natural Resources, Agriculture and Mining.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

Senate Bill No. 593.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Natural Resources, Agriculture and Mining.

Motion carried.

Senate Bill No. 594.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 577.

Bill read third time.

Assemblyman Arberry moved that Senate Bill No. 577 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Arberry.

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Adler moved that Senate Bill No. 522 be taken from the Chief Clerk's desk and re-referred to the Committee on Ways and Means.

Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 585.

Bill read third time.

Remarks by Assemblyman Adler.

Roll call on Senate Bill No. 585:

YEAS—42.

NAYS—None.

Senate Bill No. 585 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 587.

Bill read third time.

Remarks by Assemblymen Sedway, Humke, Kerns, Thompson and Fay.

Roll call on Senate Bill No. 587:

YEAS—42.

NAYS—None.

Senate Bill No. 587 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 Adler.

Roll call on Senate Joint Resolution No. 21:

YEAS—40.

NAYS—Banner, Myrna Williams—2.

Senate Joint Resolution No. 21 having received a constitutional majority, Mr. Speaker declared it passed.

Resolution ordered transmitted to the Senate.

Assembly Joint Resolution No. 46.

Resolution read third time.

Remarks by Assemblyman Getto.

Roll call on Assembly Joint Resolution No. 46:

YEAS—42.

NAYS—None.

Assembly Joint Resolution No. 46 having received a constitutional majority, Mr. Speaker declared it passed.

Assemblyman Thompson moved that all rules be suspended and that Assembly Joint Resolution No. 46 be immediately transmitted to the Senate.

Motion carried unanimously.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Health and Welfare, to which were referred Senate Bills Nos. 30, 458, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

MORSE ARBERRY, JR., *Chairman*

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

Assembly in recess at 4:44 p.m.

ASSEMBLY IN SESSION

At 5:08 p.m.

Mr. Speaker presiding.

Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Senate Bills Nos. 30, 177, 254, 458 and 533 be placed on the Second Reading File.

Motion carried.

Assemblyman Jeffrey moved that Assembly Bill No. 888 be taken from the General File and placed on the Chief Clerk's desk.

Motion carried.

SECOND READING AND AMENDMENT

Senate Bill No. 30.

Bill read second time and ordered to third reading.

Senate Bill No. 177.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 862.

Amend sec. 3, pages 1 and 2, by deleting lines 9 through 17 on page 1 and lines 1 through 13 on page 2 and inserting:

"Sec. 3. (Deleted by amendment.)".

Assemblyman Jeffrey moved the adoption of the amendment.

Remarks by Assemblyman Jeffrey.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 254.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 1637.

Amend sec. 6, page 2, by deleting lines 32, 33 and 34 and inserting:

"*3. The board shall establish the criteria for authorizing self-insurance maintained by licensees pursuant to NRS 648.135.*".

Amend sec. 9, page 4, line 4, after "persons" by inserting: "*, with limits of liability in amounts not less than $200,000,*".

Amend sec. 9, page 4, line 11, after the bracket by inserting "*; or*".

Amend sec. 9, page 4, line 13, by deleting "*liability; or*" and inserting "*liability.*".

Amend sec. 9, page 4, by deleting lines 14 and 15.

Amend sec. 9, page 4, line 16, by deleting the comma and inserting "*or*".

Amend sec. 9, page 4, line 17, by deleting "*or other indemnity*".

Amend sec. 9, page 4, by deleting line 22 and inserting: "3. Proof of insurance *or self-insurance* must be in such".

Assemblyman Callister moved the adoption of the amendment.

Remarks by Assemblyman Callister.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 458.

Bill read second time and ordered to third reading.

Senate Bill No. 533.

Bill read second time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1634.

Amend section 1, page 2, line 10, by deleting "$210,000." and inserting "$100,000.".

Assemblyman Sedway moved the adoption of the amendment.

Remarks by Assemblyman Sedway.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

GENERAL FILE AND THIRD READING

Assembly Bill No. 887.

Bill read third time.

Remarks by Assemblyman Sader.

Roll call on Assembly Bill No. 887:

YEAS—42.

NAYS—None.

Assembly Bill No. 887 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 889.

Bill read third time.

Remarks by Assemblymen Sedway and Thomas.

Roll call on Assembly Bill No. 889:

YEAS—25.

NAYS—Arberry, Banner, Carpenter, DuBois, Fay, Haller, Humke, Kerns, Lambert, McGaughey, Marvel, Nicholas, Spriggs, Tebbs, Thomas, Wendell Williams—16.

Not voting—Adler.

Assembly Bill No. 889 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 890.

Bill read third time.

Remarks by Assemblyman Sedway.

Roll call on Assembly Bill No. 890:

YEAS—42.

NAYS—None.

Assembly Bill No. 890 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Thompson moved that the vote whereby Senate Bill No. 23 was passed be rescinded.

Motion carried.

Assemblyman Thompson moved that Senate Bill No. 23 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Thompson.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Ways and Means, to which was referred Senate Bill No. 474, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

MARVIN M. SEDWAY, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Senate Bill No. 474 be placed on the Second Reading File.

Motion carried.

SECOND READING AND AMENDMENT

Senate Bill No. 474.

Bill read second time and ordered to third reading.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bills Nos. 46, 104, 105, 130, 136, 186, 251, 270, 322, 332, 411, 425, 493, 495, 515, 516, 561, 565, 582, 614, 637, 679, 689, 722, 773, 776, 781, 785, 813, 822, 826, 849, 853, 861, 874, 877, 878; Senate Bills Nos. 27, 120, 144, 163, 167, 195, 229, 251, 285, 327, 363, 452, 534, 552, 558, 560, 565, 582; Assembly Joint Resolution No. 42; Assembly Concurrent Resolution No. 74; Senate Concurrent Resolutions Nos. 3, 14, 40, 44, 45, 53.

REMARKS FROM THE FLOOR

Assemblyman Schofield requested that the following remarks be entered in the Journal.

MR. SPEAKER:

I've got to bid farewell to a young gentleman who has been here working with us all session. He was my legislative intern last session and this year he has served us well as our Sergeant-at-Arms. Notwithstanding the fact that he got married a few weeks ago, he is still surviving the session. He looks pretty good.

I promised him we'd be done by June 15th. We didn't quite make it, but he ordered his airplane tickets for Hawaii for June 16th and I don't think Robert can afford at this stage to buy new tickets because he will lose them tomorrow if he doesn't get on the plane. He would also have a short marriage if he doesn't get on the plane tomorrow.

I just wanted to wish him a happy honeymoon in Hawaii. Secondly, I want to thank him for the excellent job. He has been an excellent Sergeant-at-Arms. He's done a tremendous job for everyone of us in the House. I think he has acted in a responsible manner and I think he has been a credit to our House in managing our staff. Let's give Bob a great farewell and a thank you for doing a fine job. Have a happy honeymoon over there on the Big Island.

ASSEMBLYMAN NEVIN:

Mr. Speaker, could we make sure that Bob sends Mr. Sader a post card from Hawaii?

ASSEMBLYMAN SADER:

I certainly want to wish Bob a happy and joyous vacation in Hawaii.

ASSEMBLYMAN PRICE:

Thank you. I would just like to add my thanks to Bob. Over the years I would say he has certainly been one of the most efficient, pleasant gentlemen to work with and he and his staff have done wonderful. Thank you very much.

ASSEMBLYMAN CALLISTER:

Thank you, Mr. Speaker. Earlier this session when he was wed, on behalf of the Young Punk Lawyers Division of the Brat Pack, I presented Robert with a special gift. It was a gift certificate for one free divorce. I just wanted to remind him that it expires at the end of this year.

ASSEMBLYMAN SEDWAY:

Mr. Speaker, I don't know how long Robert's honeymoon is for, but if we don't hurry up, we're likely to be here when he gets back.

MR. SPEAKER:

We do have something else for Robert, but it's enroute from Yerington to Carson and it did not arrive. Somehow it got routed through Reno and then my wife went to get a new compressor. You know the outages you have here, the power up and down, well it costs you a lot of compressors when you are in my business. That was a priority today. But it will keep until he gets back.

Assemblyman Jeffrey moved that the Assembly adjourn until Tuesday, June 16, 1987 at 10 a.m.

Motion carried.

Assembly adjourned at 5:31 p.m.

Approved:

JOSEPH E. DINI, JR.
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE ONE HUNDRED AND FORTY-NINTH DAY

CARSON CITY (Tuesday), June 16, 1987

Assembly called to order at 10:28 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, Assemblyman Eileen B. Brookman.

Heavenly Father, guide us as we undertake our tasks on this beautiful day of June. We have been blessed with a group of dedicated, hard-working legislators, and we ask that You continue to bless us in this manner. We legislators bear an awesome responsibility to represent the people of our 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 of our own creation. Help us to understand our roles—that we are servants of the citizens of Nevada. All these things we ask through You. AMEN.

Pledge of allegiance to the Flag.

Assemblyman Jeffrey moved that further reading of the Journal be dispensed with, and the Speaker and Chief Clerk be authorized to make the necessary corrections and additions.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Taxation, to which were referred Assembly Bill No. 885; Senate Bill No. 227, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

PAUL W. MAY, *Chairman*

Mr. Speaker:

Your Committee on Health and Welfare, 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: Do pass.

MORSE ARBERRY, JR., *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, June 15, 1987

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 121, 315, 379, 500, 508, 571, 598, 719, 741, 788, 819, 821, 832, 858.

Also, I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bills Nos. 133, 192, 335, 352, 417, 476, 494, 512, 621, 684, 694, 833, 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. 856 and requests a conference, and appointed Senators Jacobsen, Rawson and Horn as a first Committee on Conference to meet with a like committee of the Assembly.

Also, I have the honor to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolutions Nos. 18, 24, 36, 47, 55, 59.

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. 168, 209, 359, 426, 475, 480, 583; Senate Concurrent Resolution No. 16.

Also, I have the honor to inform your honorable body that the Senate on this day appointed Senators O'Donnell, Jones and Mello as a first Committee on Conference concerning Senate Bill No. 62.

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. 56.

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. 102.

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. 252.

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

Senate Concurrent Resolution No. 54.

Assemblyman Jeffrey moved that the resolution be referred to the Committee on Natural Resources, Agriculture and Mining.

Motion carried.

Assemblyman Thompson moved that Senate Bill No. 23 be taken from the Chief Clerk's desk and placed on the General File immediately following Assembly Bill No. 886.

Remarks by Assemblyman Thompson.

Motion carried.

Assemblyman Schofield moved that Senate Bill No. 382 be taken from the Chief Clerk's desk and placed on the General File.

Remarks by Assemblyman Schofield.

Motion carried.

Assemblyman Jeffrey moved that Assembly Bill No. 76; Senate Bills Nos. 177, 254, 353, 410, 533, 561 and 580 be placed on the General File immediately following Assembly Bill No. 886.

Motion carried.

UNFINISHED BUSINESS

REPORTS OF CONFERENCE COMMITTEES

Mr. Speaker:

The second Committee on Conference concerning Senate Bill No. 190, consisting of the undersigned members, has met, and reports that:

It has agreed to recommend that the amendment of the Assembly be concurred in.

MYRNA T. WILLIAMS
JOHN DUBOIS
JOHN C. CARPENTER
Assembly Committee on Conference

ERIK BEYER
MIKE MALONE
HERBERT M. JONES
Senate Committee on Conference

Assemblyman Myrna Williams moved that the Assembly adopt the report of the second Committee on Conference concerning Senate Bill No. 190.

Remarks by Assemblyman Myrna Williams.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 886.

Bill read third time.

Remarks by Assemblyman Spinello.

Roll call on Assembly Bill No. 886:

YEAS—42.

NAYS—None.

Assembly Bill No. 886 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 76.

Bill read third time.

Remarks by Assemblyman Gaston.

Roll call on Assembly Bill No. 76:

YEAS—35.

NAYS—Banner, Bergevin, Carpenter, Marvel, Porter, Spriggs, Thomas—7.

Assembly Bill No. 76 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 177.

Bill read third time.

Remarks by Assemblyman Wisdom.

Roll call on Senate Bill No. 177:

YEAS—42.

NAYS—None.

Senate Bill No. 177 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 254.

Bill read third time.

Remarks by Assemblyman Callister.

Roll call on Senate Bill No. 254:

YEAS—42.

NAYS—None.

Senate Bill No. 254 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that all rules be suspended and that Assembly Bills Nos. 76 and 886 be immediately transmitted to the Senate.

Motion carried unanimously.

GENERAL FILE AND THIRD READING

Senate Bill No. 353.

Bill read third time.

Remarks by Assemblyman Nevin.

Roll call on Senate Bill No. 353:

YEAS—42.

NAYS—None.

Senate Bill No. 353 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 410.

Bill read third time.

Remarks by Assemblymen Kerns, Gaston and Jeffrey.

Roll call on Senate Bill No. 410:

YEAS—38.

NAYS—Callister, Porter, Spinello, Myrna Williams—4.

Senate Bill No. 410 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 533.

Bill read third time.

Remarks by Assemblyman Getto.

Roll call on Senate Bill No. 533:

YEAS—42.

NAYS—None.

Senate Bill No. 533 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 561.

Bill read third time.

The following amendment was proposed by the Committee on Taxation:

Amendment No. 1648.

Amend sec. 3, page 2, by deleting lines 6 through 11 and inserting: "NRS 280.201, such that the combined rate of the taxes must, for the fiscal year 1988-1989 and thereafter, except as otherwise provided in section 4 of this act, be 2 cents for every $100 of the total assessed valuation of the taxable area.".

Assemblyman Gaston moved the adoption of the amendment.

Remarks by Assemblymen Gaston, DuBois, Brookman and Bergevin.

Amendment adopted.
Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 580.
Bill read third time.
Remarks by Assemblyman Bergevin.
Roll call on Senate Bill No. 580:
YEAS—41.
NAYS—None.
Not voting—Mr. Speaker.

Senate Bill No. 580 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Senate Bill No. 23.
Bill read third time.
The following amendment was proposed by the Committee on Government Affairs:
Amendment No. 1647.
Amend sec. 89, page 14, line 19, by deleting "1.".
Amend sec. 89, page 14, by deleting lines 23 through 27.
Assemblyman Adler moved the adoption of the amendment.
Remarks by Assemblyman Adler.
Amendment adopted.
Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 30.
Bill read third time.
Remarks by Assemblymen Kissam, Freeman and Arberry.
Roll call on Senate Bill No. 30:
YEAS—42.
NAYS—None.

Senate Bill No. 30 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 186.
Bill read third time.
Remarks by Assemblyman Evans.
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.

Senate Bill No. 214.
Bill read third time.
Remarks by Assemblyman Brookman.

Roll call on Senate Bill No. 214:

YEAS—42.

NAYS—None.

Senate Bill No. 214 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 331.

Bill read third time.

Remarks by Assemblymen Marvel and Thomas.

Roll call on Senate Bill No. 331:

YEAS—41.

NAYS—Thomas.

Senate Bill No. 331 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 351.

Bill read third time.

Remarks by Assemblymen Arberry, Brookman, Fay, McGaughey and Sedway.

Roll call on Senate Bill No. 351:

YEAS—42.

NAYS—None.

Senate Bill No. 351 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 357.

Bill read third time.

Remarks by Assemblyman Price.

Roll call on Senate Bill No. 357:

YEAS—41.

NAYS—Thomas.

Senate Bill No. 357 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 383.

Bill read third time.

Remarks by Assemblyman Marvel.

Roll call on Senate Bill No. 383:

YEAS—42.

NAYS—None.

Senate Bill No. 383 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 458.

Bill read third time.
Remarks by Assemblyman Freeman.
Roll call on Senate Bill No. 458:
YEAS—42.
NAYS—None.

Senate Bill No. 458 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 474.
Bill read third time.
Remarks by Assemblyman Sedway.
Roll call on Senate Bill No. 474:
YEAS—41.
NAYS—Thomas.

Senate Bill No. 474 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 513.
Bill read third time.
Remarks by Assemblyman Bergevin.
Roll call on Senate Bill No. 513:
YEAS—42.
NAYS—None.

Senate Bill No. 513 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 589.
Bill read third time.
Remarks by Assemblyman Sedway.
Roll call on Senate Bill No. 589:
YEAS—42.
NAYS—None.

Senate Bill No. 589 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 591.
Bill read third time.
Remarks by Assemblymen Getto, Thomas, DuBois, Adler, Myrna Williams, Sedway, Fay, Humke, McGaughey, Tebbs, Craddock and May.
Roll call on Senate Bill No. 591:
YEAS—28.
NAYS—Adler, Carpenter, Fay, Freeman, Haller, Kissam, Lambert, May, Nevin, Porter, Triggs, Myrna Williams, Wendell Williams, Wisdom—14.

Senate Bill No. 591 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 592.

Bill read third time.

Remarks by Assemblyman Evans.

Roll call on Senate Bill No. 592:

YEAS—39.

NAYS—DuBois, Porter, Spriggs—3.

Senate Bill No. 592 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 382.

Bill read third time.

The following amendment was proposed by Assemblyman Haller:

Amendment No. 1635.

Amend the bill as a whole by deleting sections 2, 3 and 4.

Amend the title of the bill, first and second lines, by deleting: "revising the fees charged for certain licenses for hunting and fishing;".

Amend the summary of the bill to read as follows: "Provides legislative declaration concerning hunting. (BDR 45-1368)".

Assemblyman Haller moved the adoption of the amendment.

Remarks by Assemblyman Haller.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 417.

The following Senate amendment was read:

Amendment No. 1489.

Amend section 1, page 1, line 2, by deleting: "[it is the duty of]".

Amend section 1, page 1, by deleting line 3 and inserting: "local government employer shall negotiate in good faith through".

Amend section 1, page 1, line 4, by deleting "representative or" and inserting: "one or more".

Amend section 1, page 1, by deleting line 8 and inserting: "requests, agreements reached must be reduced to writing. Except as otherwise provided in the charter of a city, where any".

Amend section 1, page 1, line 11, by deleting: "[such officer] *he*" and inserting "he".

Amend section 1, page 1, line 12, by deleting: "a representative or" and inserting: "one or more".

Amend section 1, page 1, lines 14 and 15, by deleting "or representatives".

Amend section 1, page 2, by deleting lines 25 through 29 and inserting:

"(t) Materials and supplies for classrooms.

(u) The policies for the transfer and reassignment of teachers.

(v) Procedures for reduction in work force.".

Amend section 1, page 2, line 36, by deleting "*(x)*" and inserting "*(v)*".

Amend section 1, page 3, line 8, by deleting "[Such] *Those*" and inserting "Those".

Amend section 1, page 3, line 10, by deleting "[shall] *must*" and inserting "must".

Amend section 1, page 3, line 21, by deleting "[such] *those*" and inserting "those".

Amend section 1, page 3, line 23, by deleting "[shall]".

Amend the bill as a whole by adding a new section designated sec. 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, 1987.".

Assemblyman Thompson moved that the Assembly concur in the Senate amendment to Assembly Bill No. 417.

Remarks by Assemblyman Thompson.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 335.

The following Senate amendment was read:

Amendment No. 1592.

Amend the bill as a whole by adding a new section designated sec. 3.5, following sec. 3, to read as follows:

"Sec. 3.5. *1. Any hearing held by the board on the proposed location of a facility for the storage of liquefied petroleum gas in a town in which no zoning ordinances or regulations apply must be held in the town in which the proposed facility would be located.*

2. The board shall provide for the physical inspection of the site of the proposed facility for the storage of liquefied petroleum gas before the application is approved or denied by the board.

3. In determining whether to approve the facility for the storage of liquefied petroleum gas, the board shall consider:

(a) The health and safety of the residents of the area where the facility would be located.

(b) The availability of water for fighting any fire at the facility or in the surrounding area.

(c) The proximity of schools, residences, commercial establishments and other structures to the site and the risk of injury to persons or damage to property in the event of an emergency at the facility..".

Amend sec. 5, page 2, line 27, by deleting "*10*" and inserting "*9*".

Amend sec. 5, page 2, line 29, after "*Tanks*" by inserting "*and appliances*".

Amend sec. 5, page 2, line 34, by deleting "*apparatus, appliances*" and inserting "*apparatus*".

Amend sec. 6, page 3, by deleting line 6 and inserting:

"*3. Persons licensed by the board pursuant to NRS 590.575 in Class 1 and Class 2 or their qualified employees must be*"

Amend sec. 9, page 4, by deleting lines 12 and 13 and inserting:

"*5. If the board conducts a hearing concerning the location of a facility for the storage of liquefied petroleum gas pursuant to section 3.5 of this act, the board shall:*

(a) Notify the governing body and fire protection agency of the town; and

(b) Post a notice in a conspicuous place in the town

in which the hearing will be held, at least 10 days before the hearing.

6. In addition to any other notice, the board shall post the agenda of each meeting in:

(a) The county seat of each county in this state; and

(b) Each city or town,

in which a project identified on the agenda is located.".

Amend sec. 11, page 6, by deleting lines 5 and 6 and inserting: "must conform, as nearly as possible, to the standards of [the National Board of Fire Underwriters or] the National Fire Protection Association, [or both,]".

Amend sec. 14, page 7, line 35, by deleting "*11*" and inserting "*10*".

Amend sec. 15, page 8, by deleting line 19 and inserting: "water or services for the disposal of sewage, or both, to persons within this".

Amend sec. 15, page 8, by deleting lines 21 through 26 and inserting:

"(a) They serve 25 persons or less; and

(b) Their gross sales for water or services for the disposal of sewage, or both, amounted to $5,000 or less during the immediately preceding 12 months.".

Amend the bill as a whole by adding a new section designated sec. 17, following sec. 16, to read as follows:

"Sec. 17. Sections 9 and 15 of this act become effective at 12:01 a.m. on July 1, 1987.".

Assemblyman Thompson moved that the Assembly concur in the Senate amendment to Assembly Bill No. 335.

Remarks by Assemblyman Thompson.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 621.

The following Senate amendment was read:

Amendment No. 1505.

Amend the bill as a whole by deleting sec. 5 and renumbering sec. 6 as sec. 5.

Assemblyman Thompson moved that the Assembly concur in the Senate amendment to Assembly Bill No. 621.

Remarks by Assemblyman Thompson.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 494.

The following Senate amendment was read:

Amendment No. 1498.

Amend sec. 2, page 2, line 16, by deleting "*subsection 3*" and inserting "*subsection 4*".

Amend sec. 4, page 3, by deleting line 1 and inserting: "321.510 1. The commission [may, with the advice of the".

Amend sec. 4, page 3, line 2, by deleting "Clark County," and inserting: "Clark County,] *shall*".

Amend sec. 5, page 4, line 2, by deleting "*2 of*" and inserting "*3 of*".

Amend sec. 7, page 4, by deleting lines 33 through 41 and inserting: "*money in the Fort Mohave development fund to purchase or otherwise acquire lands described in NRS 321.500 and 321.543 in an amount not to exceed $3,200,000.*

2. After the allocation of money pursuant to subsection 1, the commission may use money in the Fort Mohave development fund to administer the provisions of NRS 321.480 to 321.536, inclusive, and any other expenditures authorized by law.

3. After the allocation of money pursuant to subsections 1 and 2, the commission, with the concurrence of the board of county commissioners of Clark County, shall, pursuant to NRS 353.150 to 353.246, inclusive, prepare and submit a program for the use of the".

Amend sec. 7, page 5, line 1, by deleting "*for*".

Amend sec. 7, page 5, line 2, by deleting: "*the next fiscal year*".

Amend sec. 7, page 5, by deleting line 7 and inserting: "*both. If the program is approved,*".

Amend sec. 7, page 5, line 8, by deleting "*commission, the*" and inserting "*the*".

Amend sec. 7, page 5, by deleting lines 12 through 14 and inserting "*paid.*".

Amend sec. 7, page 5, line 15, by deleting "*3.*" and inserting "*4.*".

Amend sec. 7, page 5, line 16, by deleting: "*1 and 2,*" and inserting: "*1, 2 and 3,*".

Amend sec. 7, page 5, line 24, by deleting "*4.*" and inserting "*5.*".

Amend sec. 7, page 5, line 31, by deleting "*3,*" and inserting "*4,*".

Amend sec. 9, page 5, by deleting line 34 and inserting: "Sec. 9. 1. After the".

Amend sec. 9, page 5, line 37, by deleting: "2 or 3" and inserting: "2, 3 or 4".

Amend sec. 9, page 5, by deleting line 38 and inserting: "the Colorado River commission shall make grants".

Amend sec. 9, page 6, by inserting between lines 18 and 19:

"2. Except as otherwise provided in subsection 3, after the disposition of money in the Fort Mohave Valley development fund pursuant to subsection 1 of this section and subsections 1 and 2 of NRS 321.536, and before any disposition of money may be made pursuant to subsection 3 or 4 of NRS 321.536, as amended by this act, the Colorado River commission shall, pursuant to NRS 353.150 to 353.246, inclusive, prepare and submit a

program for the grants provided in paragraphs (a) and (b) of this subsection and, if the program is approved, make grants upon application therefor in the following order of priority:".

Amend sec. 9, page 6, line 19, by deleting "(c)" and inserting "(a)".

Amend sec. 9, page 6, line 23, by deleting "(d)" and inserting "(b)".

Amend sec. 9, page 6, line 35, by deleting "3." and inserting "4.".

Amend sec. 9, page 6, by deleting line 36 and inserting:

"3. If the application for a grant provided for in subsection 2 is not".

Amend sec. 9, page 6, line 37, by deleting "1988," and inserting "1990,".

Amend sec. 9, page 6, line 38, by deleting "1" and inserting "2".

Amend sec. 9, page 6, line 39, by deleting "1988-1989," and inserting "1990-1991,".

Amend sec. 9, page 6, line 40, by deleting "1989," and inserting "1991,".

Amend sec. 9, page 7, by deleting line 1 and inserting:

"4. Any entity authorized to receive money pursuant to subsection 2 may".

Amend sec. 9, page 7, line 8, by deleting "1." and inserting "2.".

Amend sec. 9, page 7, line 14, by deleting "4." and inserting "5.".

Amend sec. 9, page 7, line 19, by deleting "6." and inserting "7.".

Amend sec. 9, page 7, line 22, by deleting "5." and inserting "6.".

Amend sec. 9, page 7, line 25, by deleting "1." and inserting "2.".

Amend sec. 9, page 7, line 26, by deleting "6." and inserting "7.".

Amend sec. 9, page 7, line 27, by deleting "available" and inserting: "available, or before the approval of the program pursuant to subsection 2,".

Amend sec. 9, page 7, line 32, by deleting "1" and inserting "2".

Assemblyman Thompson moved that the Assembly concur in the Senate amendment to Assembly Bill No. 494.

Remarks by Assemblyman Thompson.

Motion carried.

Bill ordered enrolled.

Assemblyman Sedway moved that the Assembly recess subject to the call of the Chair.

Motion carried.

Assembly in recess at 11:37 a.m.

ASSEMBLY IN SESSION

At 12:13 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 Concurrent Resolution No. 77, has had the same under consideration, and begs leave to report the same back with the recommendation: Be adopted.

JAMES W. SCHOFIELD, *Chairman*

Mr. Speaker:

Your Committee on Education, to which was referred Senate Concurrent Resolution No. 48, has had the same under consideration, and begs leave to report the same back with the recommendation: Be adopted.

ROBERT G. CRADDOCK, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assembly Concurrent Resolution No. 77.

Assemblyman Spriggs moved the adoption of the resolution.

Remarks by Assemblyman Spriggs.

Resolution adopted.

Senate Concurrent Resolution No. 48.

Assemblyman Craddock moved the adoption of the resolution.

Remarks by Assemblyman Craddock.

Resolution adopted.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Ways and Means:

Assembly Bill No. 891—An Act relating to employees in the unclassified service of the state; increasing certain salaries; making an appropriation; and providing other matters properly relating thereto.

Assemblyman Sedway moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By the Committee on Ways and Means:

Assembly Bill No. 892—An Act relating to public schools; apportioning the state distributive school account in the state general fund for the biennium 1987-89; making an appropriation; authorizing certain expenditures; and providing other matters properly relating thereto.

Assemblyman Sedway moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By the Committee on Ways and Means:

Assembly Bill No. 893—An Act making appropriations from the state general fund and the state highway fund for the support of the civil government of the State of Nevada for the fiscal years beginning July 1, 1987, and ending June 30, 1988, and beginning July 1, 1988, and ending June 30, 1989; and providing other matters properly relating thereto.

Assemblyman Sedway moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By the Committee on Commerce:

Assembly Bill No. 894—An Act relating to franchises; directing the governor to appoint an advisory committee to assist the legislative commission in its interim study of franchises; and providing other matters properly relating thereto.

Assemblyman May moved that the bill be referred to the Committee on Legislative Functions.

Motion carried.

UNFINISHED BUSINESS

REPORTS OF CONFERENCE COMMITTEES

Mr. Speaker:

The first Committee on Conference concerning Assembly Bill No. 129, consisting of the undersigned members, has met, and reports that:

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
MATTHEW Q. CALLISTER
JOHN DUBOIS
Assembly Committee on Conference

SUE WAGNER
CHARLES W. JOERG
JOE NEAL
Senate Committee on Conference

Amendment No. C18.

Amend section 1, pages 1 and 2, by deleting lines 14 and 15 on page 1 and lines 1 and 2 on page 2 and inserting: "the defendant's absence [.] , *if the court determines that the defendant was fully aware of his applicable constitutional rights when he gave his consent.*".

Amend the title of the bill, second line, by deleting: "requiring the presence of counsel" and inserting: "revising provisions regarding the defendant's absence".

Amend the summary of the bill, first line, by deleting: "requires presence of counsel" and inserting: "revises provisions regarding defendant's absence".

Assemblyman Sader moved that the Assembly adopt the report of the first Committee on Conference concerning Assembly Bill No. 129.

Remarks by Assemblyman Sader.

Motion carried.

Mr. Speaker:

The first Committee on Conference concerning Assembly Bill No. 344, 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.

ROBERT M. SADER
MATTHEW Q. CALLISTER
DAVID D. NICHOLAS
Assembly Committee on Conference

CHARLES W. JOERG
ERIK BEYER
Senate Committee on Conference

Amendment No. C19.

Amend sec. 21, page 4, line 19, after "while" by inserting "intoxicated or".

Amend sec. 22, page 4, line 30, by deleting "1.".

Amend sec. 22, pages 4 and 5, by deleting lines 33 through 40 on page 4 and lines 1 through 8 on page 5.

Amend the title of the bill, second and third lines, by deleting: "authorizing such an operator to detain persons suspected of certain offenses;".

Assemblyman Sader moved that the Assembly adopt the report of the first Committee on Conference concerning Assembly Bill No. 344.

Remarks by Assemblyman Sader.

Motion carried.

Assemblyman Sader moved that the action whereby the first Conference Committee report concerning Assembly Joint Resolution No. 1 was adopted be rescinded.

Motion carried.

Mr. Speaker:

The first Committee on Conference concerning Assembly Joint Resolution 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 resolution be further amended as set forth in Amendment No. C17, which is attached to and hereby made a part of this report.

ROBERT M. SADER	SUE WAGNER
KEN HALLER	ERIK BEYER
JOHN DUBOIS	JOE NEAL
Assembly Committee on Conference	*Senate Committee on Conference*

Amendment No. C17.

Amend the resolution, page 1, by deleting lines 10 through 13 and inserting: "*activities or activities not for profit to operate a lottery in the form of a raffle or drawing on their own behalf. All proceeds of the lottery, less expenses directly related to the operation of the lottery, must be used only to benefit charitable or nonprofit activities in this state. A charitable or nonprofit organization shall not employ or otherwise engage any person to organize or operate its lottery for compensation. The legislature may provide by law for the regulation of such lotteries.*".

Assemblyman Sader moved that the Assembly adopt the report of the first Committee on Conference concerning Assembly Joint Resolution No. 1.

Remarks by Assemblyman Sader.

Motion carried.

Mr. Speaker:

The first Committee on Conference concerning Senate Bill No. 88, 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. C15, which is attached to and hereby made a part of this report.

ROBERT M. SADER	CHARLES W. JOERG
MATTHEW Q. CALLISTER	MIKE MALONE
BOB THOMAS	RAY SHAFFER
Assembly Committee on Conference	*Senate Committee on Conference*

Amendment No. C15.

Amend sec. 2, page 2, between lines 6 and 7, by inserting:

"*3. An electronic device approved by the department of parole and probation may be used to supervise a person ordered to a term of residential confinement if it is limited in capability to recording or transmitting information concerning the person's presence at his residence and is minimally intrusive. A device which is capable of recording or transmitting:*

(a) Visual images;

(b) Oral or wire communications or any auditory sound; or

(c) Information concerning the person's activities while inside his residence,

must not be used.".

Amend sec. 2, page 2, line 7, by deleting "*3.*" and inserting "*4.*".

Amend sec. 2, page 2, line 9, by deleting "*4.*" and inserting "*5.*".

Amend sec. 10, page 3, between lines 23 and 24, by inserting:

"*3. An electronic device approved by the department of parole and probation may be used to supervise a convicted person sentenced to a term of residential confinement if it is limited in capability to recording or transmitting information concerning the person's presence at his residence and is minimally intrusive. A device which is capable of recording or transmitting:*

(a) Visual images;

(b) Oral or wire communications or any auditory sound; or

(c) Information concerning the person's activities while inside his residence,

must not be used.".

Amend sec. 10, page 3, line 24, by deleting "*3.*" and inserting "*4.*".

Amend sec. 10, page 3, line 26, by deleting "*4.*" and inserting "*5.*".

Amend sec. 16, page 4, between lines 18 and 19, by inserting:

"*3. An electronic device approved by the department of parole and probation may be used to supervise a convicted person sentenced to a term of residential confinement if it is limited in capability to recording or transmitting information concerning the person's presence at his residence and is minimally intrusive. A device which is capable of recording or transmitting:*

(a) Visual images;

(b) Oral or wire communications or any auditory sound; or

(c) Information concerning the person's activities while inside his residence,

must not be used.".

Amend sec. 16, page 4, line 19, by deleting "*3.*" and inserting "*4.*".

Amend sec. 16, page 4, line 21, by deleting "*4.*" and inserting "*5.*".

Amend sec. 21, page 5, between lines 11 and 12, by inserting:

"*3. An electronic device approved by the department of parole and probation may be used to supervise a parolee ordered to a term of residential confinement if it is limited in capability to recording or transmitting information concerning the parolee's presence at his residence and is minimally intrusive. A device which is capable of recording or transmitting:*

(a) Visual images;

(b) Oral or wire communications or any auditory sound; or

(c) Information concerning the parolee's activities while inside his residence,

must not be used."

Amend sec. 21, page 5, line 12, by deleting "*3.*" and inserting "*4.*".

Amend sec. 21, page 5, line 14, by deleting "*4.*" and inserting "*5.*".

Assemblyman Sader moved that the Assembly adopt the report of the first Committee on Conference concerning Senate Bill No. 88.

Remarks by Assemblyman Sader.

Motion carried.

Mr. Speaker:

The first Committee on Conference concerning Senate Bill No. 396, 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.

ROBERT M. SADER	LAWRENCE E. JACOBSEN
GENE T. PORTER	NICHOLAS J. HORN
DAVID D. NICHOLAS	DEAN A. RHOADS
Assembly Committee on Conference	*Senate Committee on Conference*

Amendment No. C11.

Amend the bill as a whole by deleting sections 4 and 5 and renumbering sec. 6 as sec. 4.

Amend the title of the bill by deleting the third, fourth and fifth lines and inserting: "to establish systems for the classification and evaluation of offenders; permitting a pharmacy in an institution of the"

Assemblyman Sader moved that the Assembly adopt the report of the first Committee on Conference concerning Senate Bill No. 396.

Remarks by Assemblyman Sader.

Motion carried.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 291.

The following Senate amendments were read:

Amendment No. 1450.

Amend section 1, page 1, line 5, by deleting "*sale including:*" and inserting "*sale.*".

Amend section 1, by deleting lines 6 through 15 on page 1 and lines 1 through 3 on page 2.

Amend sec. 2, page 2, line 23, by deleting "[may] *must*" and inserting "may".

Amendment No. 1566.

Amend the bill as a whole by renumbering sections 1, 2 and 3 as sections 2, 3 and 4 and adding a new section designated section 1, following the enacting clause, to read as follows:

"Section 1. NRS 360.250 is hereby amended to read as follows:

360.250 *1.* The Nevada tax commission [shall have the power:

1. To confer] *may:*

(a) Confer with, advise and direct county assessors, sheriffs as ex officio collectors of licenses and all other county officers having to do with the preparation of the assessment roll or collection of taxes or other revenues as to their duties.

[2. To establish]

(b) Establish and prescribe general and uniform [rules and] regulations governing the assessment of property by the county assessors of the various counties, not in conflict with law.

[3. To prescribe]

(c) Prescribe the form and manner in which assessment rolls or tax lists [shall] *must* be kept by county assessors.

[4. To prescribe]

(d) Prescribe the form of the statements of property owners in making returns of their property.

[5. To require]

(e) Require county assessors, sheriffs as ex officio collectors of licenses and all other county officers having to do with the preparation of the assessment roll or collection of taxes or other revenues, to furnish such information in relation to assessments, licenses or the equalization of property valuations, and in such form as the Nevada tax commission may demand.

2. Each assessor and any other such officer shall certify under penalty of perjury that in assessing property or furnishing other information required pursuant to this section he has complied with the regulations of the Nevada tax commission. This certificate must be appended to each assessment roll and any other information furnished.

3. A county assessor or other county officer whose certificate is false is guilty of a gross misdemeanor. Whether or not a prosecution is made or a conviction obtained, if the Nevada tax commission finds that a county assessor or other county officer has violated its regulations and thereby has caused less revenue to be collected from taxes, it shall deduct the amount of the undercollection from the money otherwise payable to the county from the proceeds of the supplemental city-county relief tax.".

Amend sec. 3, page 3, line 1, by deleting "2" and inserting "3".

Amend the title of the bill, second line, after "property;" by inserting: "providing a penalty;".

Assemblyman May moved that the Assembly do not concur in the Senate amendments to Assembly Bill No. 291.

Remarks by Assemblyman May.

Motion carried.

Bill ordered transmitted to the Senate.

Assembly Bill No. 615.

The following Senate amendments were read:

Amendment No. 1497.

Amend section 1, pages 1 and 2, by deleting lines 8 through 17 on page 1 and 1 through 28 on page 2 and inserting:

"2. The projects for which this approval is required are:

(a) Except as otherwise provided in subsection 3, any proposed expenditure by or on behalf of a [hospital in excess of the greater of $1,500,000 or such an amount as the department may specify by regulation, or by or on behalf of any other] health facility in excess of the greater of [$1,000,000] *$2,000,000* or such an amount as the department may specify by regulation, which under generally accepted accounting principles consistently applied is a capital expenditure;

(b) A proposal which increases the number of licensed or approved beds in a health facility other than a hospital above the total of the number of licensed beds and the number of additional beds which have been approved pursuant to this subsection;

(c) A proposal which increases the number of licensed and approved beds in a hospital through the addition of 10 or more beds or a number of beds equal to 10 percent of the licensed or approved capacity of that facility, whichever is less, over a period of 2 years;

(d) Except as otherwise provided in subsection 4, the proposed acquisition [by or on behalf of a hospital] of any new or used medical equipment which has a market value of more than [$1,500,000] *$2,000,000* or such an amount as the department may specify by regulation, whichever is greater *;* [, or the proposed acquisition by any other person of any new or used medical equipment which has a market value of more than $1,000,000 or such an amount as the department may specify by regulation, whichever is greater;]

(e) The acquisition of an existing health facility if:

(1) The purchaser does not, within a period specified by a regulation of the department, notify it of his intention to acquire the facility; or

(2) The department finds, within 30 days after it receives the notice, that in acquiring the facility the purchaser will change the number of beds; [and]

(f) *The construction of a new health facility; and*

(g) The conversion of an existing office of a practitioner to a health facility, regardless of the cost of the conversion, if the establishment of the office would have met the threshold for review of costs pursuant to paragraph (a) or (d).

3. The provisions of paragraph (a) of subsection 2 do not include any capital expenditure for:

(a) The acquisition of land;

(b) The construction of a facility for parking;

(c) The maintenance of a health facility;

(d) The renovation of a health facility to comply with standards for safety, licensure, certification or accreditation;

(e) The installation of a system to conserve energy;

(f) The installation of a system for data processing or communication; or

(g) Any other project which, in the opinion of the director, does not relate directly to the provision of any health service.

4. The provisions of paragraph (d) of subsection 2 do not include acquisitions of medical equipment proposed primarily to replace existing equipment. *The person acquiring the replacement equipment, within a period specified by regulation of the department, shall notify it of his intention to acquire the equipment.* The department shall by regulation develop standards to determine whether the primary purpose of a proposed acquisition is to replace existing equipment.

5. In reviewing an application for approval, the director shall:

(a) Comparatively assess applications for similar projects affecting the same geographic area; and

(b) Base his decision on criteria established by the director by regulation. The criteria must include:".

Amend section 1, page 2, line 37, by deleting "4." and inserting "6.".

Amend section 1, page 3, line 1, by deleting "5." and inserting "7.".

Amend section 1, page 3, by deleting lines 3 through 10.

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 19 of Assembly Bill No. 289 of this session is hereby amended to read as follows:

Sec. 19. 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 powers conferred on the committee.

2. Except during a regular or special session of the legislature, members of the committee are 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 meeting of the committee or is otherwise engaged in the business of the committee plus the per diem allowance and travel expenses provided for state officers and employees generally.

3. The salaries and expenses of the committee must be paid from the legislative fund.

Sec. 3. Section 21 of Assembly Bill No. 289 of this session is hereby amended to read as follows:

Sec. 21. 1. In conducting the investigations and hearings of the committee:

(a) The secretary of the committee, or in his absence any member of the committee, may administer oaths.

(b) The secretary or chairman of the committee may cause the deposition of witnesses, residing either within or outside of the state, to be taken in the manner prescribed by rule of court for taking depositions in civil actions in the district courts.

(c) The [secretary or] chairman of the committee may issue subpenas to compel the attendance of witnesses and the production of books and papers.

2. If any witness refuses to attend or testify or produce any books and papers as required by the subpena, the [secretary or] chairman of the committee may report to the district court by petition, setting forth that:

(a) Due notice has been given of the time and place of attendance of the witness or the production of the books and papers;

(b) The witness has been subpenaed by the committee pursuant to this section; and

(c) The witness has failed or refused to attend or produce the books and papers required by the subpena before the committee which is named in the subpena, or has refused to answer questions propounded to him,

and asking for an order of the court compelling the witness to attend and testify or produce the books and papers before the committee.

3. Upon such petition, the court shall enter an order directing the witness to appear before the court at a time and place to be fixed by the court in its order, the time to be not more than 10 days from the date of the order, and to show cause why he has not attended or testified or produced the books or papers before the committee. A certified copy of the order must be served upon the witness.

4. If it appears to the court that the subpena was regularly issued by the committee, the court shall enter an order that the witness appear before the committee at the time and place fixed in the order and testify or produce the required books or papers. Failure to obey the order constitutes contempt of court.

Sec. 4. Section 29 of Assembly Bill No. 289 of this session is hereby amended to read as follows:

Sec. 29. 1. Before September 30 of each year, each county in which hospitals subject to the provisions of sections 25 to 29, inclusive, of this act, are located shall provide to the division a report showing:

(a) The total number of indigent inpatients treated by each such hospital;

(b) The number of such patients for whom no reimbursement was provided by the county because of the limitation imposed by subsection 3 of section 27 of this act;

(c) The total amount paid to each such hospital for treatment of such patients; and

(d) The amount the hospital would have received for patients for whom no reimbursement was provided.

2. The administrator shall verify the amount of treatment provided to indigent inpatients by each hospital to which no reimbursement was provided by:

(a) Multiplying the number of indigent inpatients who received each type of treatment by the highest amount paid by the county for that treatment; and

(b) Adding the products of the calculations made pursuant to paragraph (a) for all treatment provided.

If the total amount of treatment provided to indigent inpatients in the previous fiscal year by the hospital was less than its minimum obligation for

the year, the director shall assess the hospital for the amount of the difference between the minimum obligation and the actual amount of treatment provided by the hospital to indigent inpatients.

3. If the administrator determines that a hospital *which did not receive any payment from the county for treatment of indigent inpatients* has met its obligation to provide *such* treatment , [to indigent inpatients but has not been compensated by the county for such treatment,] he shall notify the county of [the amount of] *all* treatment provided [in excess of the hospital's obligation.] *by the hospital after it met its obligation and the dates on which the treatment was provided.* The county shall pay the hospital for such treatment within 30 days after receipt of the notice [.] *to the extent that money was available for payment pursuant to NRS 428.050 and 428.285 and section 42 of this act at the time the treatment was provided.*

4. The director shall determine the amount of the assessment which a hospital must pay pursuant to this section and shall notify the hospital in writing of that amount on or before November 1 of each year. Payment is due 30 days after receipt of the notice. If a hospital fails to pay the assessment when it is due the hospital shall pay, in addition to the assessment:

(a) Interest at a rate of 1 percent per month for each month after the assessment is due in which it remains unpaid; and

(b) Any court costs and fees required by the director to obtain payment of the assessment and interest from the hospital.

5. Any money collected pursuant to this section must be paid to the county in which the hospital paying the assessment is located for use in paying other hospitals in the county for the treatment of indigent inpatients by those hospitals. The money received by a county from assessments made pursuant to this section does not constitute revenue from taxes ad valorem for the purposes of NRS 428.050, 428.285, 354.59805, 354.59811 and 354.59816, and section 42 of this act, and must be excluded in determining the maximum rate of tax authorized by those sections.

Sec. 5. Section 51 of Assembly Bill No. 289 of this session is hereby amended to read as follows:

Sec. 51. NRS 428.030 is hereby amended to read as follows:

428.030 1. When any poor person meets the uniform standards of eligibility established by the board of county commissioners *or by section 26 of this act, if applicable,* and does not have relatives of sufficient ability to care for and maintain him, or when such relatives refuse or neglect to care for and maintain him, then he [must] *is entitled to* receive such relief as is in accordance with the policies and standards established and approved by the board of county commissioners and within the limits of the money which may be lawfully appropriated pursuant to NRS 428.050 [, 428.265, 428.275 or 428.285,] *and 428.285, and section 42 of this act,* for this purpose.

2. *The board of county commissioners shall pay hospitals for the costs of treating indigent inpatients who reside in the county an amount which is not less than 85 percent of the payment required for providing the same treatment to patients pursuant to the state plan for assistance to the medically*

indigent, within the limits of money which may be lawfully appropriated pursuant to NRS 428.050 and 428.285, and section 42 of this act, for this purpose.

3. The board of county commissioners may:

(a) Make contracts for the necessary maintenance of poor persons;

(b) Appoint such agents as the board [may deem] *deems* necessary to oversee and provide the necessary maintenance of poor persons;

(c) Authorize the payment of cash grants [direct] *directly* to poor persons for their necessary maintenance; or

(d) Provide for the necessary maintenance of poor persons by the exercise of the combination of one or more of the powers specified in paragraphs (a), (b) and (c) . [of this subsection.]

Sec. 6. Assembly Bill No. 289 of this session is hereby amended by adding thereto a new section designated section 51.5, following section 51, to read as follows:

Sec. 51.5. NRS 428.050 is hereby amended to read as follows:

428.050 1. In addition to the tax levied pursuant to NRS 428.285 [,] *and any tax levied pursuant to section 42 of this act,* the board of county commissioners of a county shall, at the time provided for the adoption of its final budget, levy an ad valorem tax for the purposes of providing aid and relief to those persons coming within the purview of this chapter. This levy must not exceed that adopted for the purposes of this chapter for the fiscal year ending June 30, 1971, diminished by 11 cents for each $100 of assessed valuation.

2. No county may expend or contract to expend for that aid and relief a sum in excess of that provided by the maximum ad valorem levy set forth in subsection 1 , [and] NRS 428.285 [,] *and section 42 of this act,* together with such outside resources as it may receive from third persons, including expense reimbursements, grants-in-aid or donations lawfully attributable to the county indigent fund.

3. No interfund transfer, short-term financing procedure or contingency transfer may be made by the board of county commissioners [for the purpose of providing] *to provide* resources or appropriations to a county indigent fund in excess of those which may be otherwise lawfully provided pursuant to subsections 1 and 2 [and NRS 428.265, 428.275 and 428.285.] , *NRS 428.285 and section 42 of this act.*

Sec. 7. Section 55 of Assembly Bill No. 289 of this session is hereby amended to read as follows:

Sec. 55. 1. Each hospital whose percentage of income to operating expenses for the calendar year 1986 exceeded 17 percent shall:

(a) For the fiscal year 1987-1988, reduce its billed charges for inpatients by at least 25 percent below its billed charges in effect on March 31, 1987 and reduce its net revenue per inpatient admission by an average of 15 percent below its net revenue per inpatient admission in the fiscal year 1986-1987; and

(b) Except as otherwise provided in subsections 5 and 8, for the fiscal year 1988-1989, maintain its billed charges for inpatients and net revenue per inpatient admission at a level which is not higher than that required for the fiscal year 1987-1988.

2. Each hospital whose percentage of income to operating expenses for the calendar year 1986 exceeded 12 percent but did not exceed 17 percent shall:

(a) For the fiscal year 1987-1988, reduce its billed charges for inpatients by at least 12 percent below its billed charges in effect on March 31, 1987 and reduce its net revenue per inpatient admission by an average of 7.5 percent below its net revenue per inpatient admission in the fiscal year 1986-1987; and

(b) Except as otherwise provided in subsections 5 and 8, for the fiscal year 1988-1989, maintain its billed charges for inpatients and net revenue per inpatient admission at a level which is not higher than that required for the fiscal year 1987-1988.

3. Each *nonprofit* hospital whose percentage of income to operating expenses for the calendar year 1986 exceeded 7 percent but did not exceed 12 percent shall reduce its billed charges by an amount which is sufficient to result in a percentage of income to operating expenses of not more than 7 percent for the fiscal years 1987-1988, 1988-1989, 1989-1990 and 1990-1991.

4. A hospital which:

(a) Is not subject to the requirements of subsection 1, 2 or 3 in the fiscal year 1987-1988; and

(b) Exceeds in the calendar year 1987 one of the respective percentages of income to operating expenses specified in those subsections,

shall in the fiscal year 1988-1989 comply with the requirements of the applicable subsection for the fiscal year 1987-1988.

5. A hospital which is subject to the requirements of subsection 1 or 2 in the fiscal year 1987-1988 may increase its billed charges and its net revenue per inpatient admission in the fiscal year 1988-1989 to the extent authorized by this subsection. A hospital may increase its net revenue in the fiscal year 1988-1989 to the extent that the following costs increase in the fiscal year 1987-1988 over the corresponding amounts for the fiscal year 1986-1987:

(a) Salaries of employees of the hospital, excluding administrative employees;

(b) Malpractice insurance;

(c) Fees for licensing;

(d) Utilities; and

(e) Any other increases in costs which the director determines were beyond the control of the hospital.

A hospital must apply to the director for an increase pursuant to this subsection on or before September 30, 1988, by submitting information verifying increases specifically allowed or proposed for consideration pursuant to this subsection. The director shall, on or before November 15, 1988,

determine the amount by which the hospital will be allowed to increase its net revenue in the fiscal year 1988-1989. The decision of the director is a final decision for the purposes of judicial review.

6. The hospital may increase its net revenue per inpatient admission in the fiscal year 1988-1989 by an amount which will result in the increase in net revenue authorized pursuant to this subsection. The hospital may increase its billed charges in the fiscal year 1988-1989 by 1 percent for each percent that it is authorized to increase its net revenue per inpatient admission. Except as otherwise provided in subsection 8, each hospital which is required to comply with the requirements of subsection 1, 2 or 4 shall not increase its billed charges for inpatients in the fiscal year 1989-1990 or in the fiscal year 1990-1991 by more than 4 percent above the percentage increase in the Consumer Price Index (Medical Care Component for all Urban Consumers), published by the Bureau of Labor Statistics of the Department of Labor, in the preceding calendar year.

7. A hospital which fails to reduce its billed charges or net revenue per inpatient admission or to maintain its billed charges or net revenue at the levels required by subsections 1, 2, 4, 5 and 6, shall, except as otherwise provided in subsection 8, pay a penalty of twice the amount of the difference between its total billed charges and its total authorized billed charges or twice the amount of the difference between its total net revenue and its total authorized net revenue, whichever is greater. A hospital which fails to reduce its percentage of income to operating expenses to the levels required by subsection 3 shall pay a penalty of twice the amount of the difference between its total income and its total authorized income. The director shall determine the amount of the penalty which a hospital must pay pursuant to this section and shall notify the hospital in writing of that amount on or before November 1 of each year. The director shall include in the penalty any amounts by which the hospital failed to meet its obligation in a preceding year which were not discovered at the time of the failure. Payment is due within 30 days after receipt of the notice. If a hospital fails to pay the penalty when it is due the hospital shall pay, in addition to the penalty:

(a) Interest at a rate of 1 percent per month for each month after the penalty is due in which it remains unpaid; and

(b) Any court costs and fees required by the director to obtain payment of the penalty and interest from the hospital.

8. The legislature has determined that the requirements of subsection 1 would result in the following reductions in net revenue if the amount of care provided in the fiscal year 1987-1988 were the same as was provided in the calendar year 1986:

Humana Hospital Sunrise	$9,878,425
Valley Hospital Medical Center	5,103,931
Desert Springs Hospital	3,494,151

If the difference between a hospital's net revenue for the fiscal year 1987-1988 or 1988-1989 and the amount its net revenue would have been based upon its net revenue per inpatient admission in the fiscal year 1986-1987 exceeds the amount specified in this subsection, reduced by any credit

approved pursuant to subsection 12, the hospital is exempt from any penalty which would otherwise be imposed pursuant to subsection 7. A hospital which increases its billed charges based upon a determination that the provisions of this subsection will exempt the hospital from any penalty for such action shall notify the director in writing of the increase and submit documentation in support of the hospital's determination. The director shall determine the amount by which a hospital's reduction in net revenue for the fiscal years 1987-1988 and 1988-1989 exceeded the amounts specified in this subsection, after deducting any applicable credit, and shall authorize the hospital to increase its net revenue per inpatient admission by an amount which is sufficient to allow the recovery of the excess in the fiscal year 1988-1989 or 1989-1990, as appropriate. The hospital may increase its billed charges in the fiscal years 1988-1989 and 1989-1990 by 1 percent for each percent that it is authorized to increase its net revenue per inpatient admission pursuant to this subsection for that fiscal year. Any increase authorized pursuant to this subsection is in addition to the increases authorized pursuant to subsections 5 and 6.

9. One-half of the money collected pursuant to this section must be deposited in the legislative fund and used for the support of the legislative committee on health care. The other half of the money must be deposited in the supplemental fund for assistance to indigent persons. The board of trustees of the fund for hospital care to indigent persons shall distribute to each county before May 1 from money deposited in the supplemental fund pursuant to this subsection an amount proportionate to the amount paid into the supplemental fund by the county in the previous fiscal year.

10. The division shall, on or before July 1, 1987:

(a) Determine the percentage of income to operating expenses for the calendar year 1986 for each hospital in this state based upon reports submitted by the hospitals to the division;

(b) Determine whether that percentage exceeds the amount specified in subsection 1, 2 or 3; and

(c) Notify each hospital which will be required to comply with the provisions of subsection 1, 2 or 3 and of subsection 6. Each hospital so notified, except a hospital which is subject to the provisions of subsection 3, shall within 30 days provide to the director a copy of its list of billed charges in effect on March 31, 1987.

The division shall make such other determinations as are necessary to carry out the provisions of this section.

11. The provisions of subsections 1, 2, 3 and 4 do not require a hospital to reduce the amount it receives pursuant to a contract in effect on the effective date of this section.

12. A hospital which is required pursuant to subsection 1, 2 or 4 to reduce or limit its net revenue per inpatient admission in a fiscal year is entitled to a credit against its net revenue used to compute its revenue per inpatient admission of $2 for each $1 spent by the hospital in the preceding calendar year to increase its ratio of nursing hours to patient days. The credit authorized pursuant to this subsection must not exceed 5.5 percent of the

amount by which the net revenue of the hospital would otherwise be required to be reduced in the fiscal year 1987-1988. The credit applies only to nurses licensed pursuant to chapter 632 of NRS. To receive the credit, a hospital must:

(a) Increase its percentage of nurses who work at least 40 hours per week above the percentage for the preceding calendar year;

(b) Increase its ratio of nursing hours to patient days above the ratio for the calendar year 1986;

(c) Maintain its level of expenditures for medical education in Nevada at the level provided in the calendar year 1986, including education of allied health students, education of students in medical school, postgraduate residency programs and continuing medical education for the hospital's staff; and

(d) Submit to the director on or before January 31 of the fiscal year in which the credit is claimed evidence of compliance with the requirements of paragraphs (a), (b) and (c).

The director may disallow all or any portion of the claimed credit which he determines is not supported by the evidence. The decision of the director is a final decision for the purpose of judicial review.

13. The director may adopt such regulations as he deems necessary to carry out the provisions of this section.

14. As used in this section:

(a) "Director" means the director of the department of human resources.

(b) "Division" means the division for review of health resources and costs of the department of human resources.

(c) "Fiscal year" means a period beginning on July 1 and ending on June 30 of the following year.

(d) "Income" means all revenues earned from the care of inpatients, as determined by the division from reports submitted to the division by a hospital, minus operating expenses, before the payment of income taxes.

(e) "Net revenue per inpatient admission" means all revenues earned from medical care provided to inpatients by a hospital, excluding income from inpatients covered by Medicare or Medicaid, divided by the number of inpatients admitted, excluding inpatients covered by Medicare or Medicaid.

(f) "Operating expenses" means expenses of operation of a hospital which the division determines to be an allowable operating expense including:

(1) All operating expenses allowed by the Health Care Financing Administration for hospitals which receive payments for Medicare;

(2) Expenses for capital expenditures approved pursuant to NRS 439A.100; and

(3) Other operating expenses which the division determines to be directly related to the provision of care to inpatients.

(g) "Percentage of income to operating expenses" means income divided by operating expenses and then multiplied by 100.

Sec. 8. Section 49 of Assembly Bill No. 289 of this session is hereby repealed.

Sec. 9. 1. This section and sections 2 to 8, inclusive, of this act, become effective upon passage and approval.

2. Section 1 of this act becomes effective at 12:01 a.m. on July 1, 1987.".

Amend the bill as a whole by adding the text of the repealed section, to read as follows:

TEXT OF REPEALED SECTION

Sec. 49. NRS 422.234 is hereby amended to read as follows:

422.234 1. The administrator shall establish a state plan for assistance to the medically indigent. The state plan is subject to the approval of the board. The state plan must set forth the requirements for eligibility of indigent persons, the types of medical and remedial care for which assistance may be provided, the conditions imposed and such other provisions relating to the development and administration of the program for assistance to the medically indigent as the administrator and the board deem necessary. *The state plan must include a system of prospective payments to hospitals for treatment of eligible patients. The payments must equal the actual cost of treatment by the most efficient and economical hospital in its category. Costs must be determined in accordance with the annual reports filed by hospitals for the purposes of Medicare.*

2. In developing and revising the plan, the administrator and the board shall consider, among other things, the amount of money available from the Federal Government for assistance to the medically indigent and the conditions attached to the acceptance of such money, and the limitations of legislative appropriations for assistance to the medically indigent.

Amend the title of the bill to read as follows:

"An Act relating to health care; increasing the monetary threshold for determining whether certain projects are subject to review by the director of the department of human resources; amending and clarifying various provisions of Assembly Bill No. 289 of this session; and providing other matters properly relating thereto.".

Amend the summary of the bill to read as follows: "Makes various changes relating to health care. (BDR 40-1777)".

Amendment No. 1555.

Amend the bill as a whole by adding a new section designated sec. 7.5, following sec. 7, to read as follows:

"Sec. 7.5. Section 60 of Assembly Bill No. 289 of this session is hereby amended to read as follows:

Sec. 60. If a contract was in effect for the fiscal year 1986-1987 between a county and a hospital for the treatment of a majority of the indigent patients in the county, the total amount of the reimbursement paid to the hospital by the county in the fiscal [year] *years* 1987-1988 *and 1988-1989* for the treatment of indigent patients must not be less than the amount paid to the hospital in the fiscal year 1986-1987 if the hospital treats at least as many indigent patients.".

Assemblyman Freeman moved that the Assembly concur in the Senate amendments to Assembly Bill No. 615.

Remarks by Assemblyman Freeman.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 476.

The following Senate amendment was read:

Amendment No. 1507.

Amend sec. 2, page 1, line 13, by deleting "*5,*" and inserting "*4,*".

Amend sec. 3, page 2, by deleting lines 37 and 38 and inserting:

"*3.* An absent voter whose ballot is voted and mailed or delivered to the county clerk within 10 days after the date of the general election".

Amend the bill as a whole by adding a new section designated sec. 4, following sec. 3, to read as follows:

"Sec. 4. Section 3 of this act becomes effective at 12:01 a.m. on July 1, 1987.".

Assemblyman Swain moved that the Assembly concur in the Senate amendment to Assembly Bill No. 476.

Remarks by Assemblyman Swain.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 833.

The following Senate amendment was read:

Amendment No. 1506.

Amend sec. 2, page 1, by deleting lines 9 through 14 and inserting:

"2. The county clerk shall appoint at least one registered voter to serve as a deputy registrar [,] who *, except as provided in section 1 of this act,* shall register voters within the county for which he is appointed. Except as *otherwise* provided in subsection 1, a candidate for any office may not be appointed or serve as a deputy registrar. A deputy registrar serves at the pleasure of the county clerk and shall perform his duties as the county clerk may direct.".

Amend sec. 2, page 2, line 1, by deleting "Deputy registrars" and inserting: "A deputy registrar".

Amend sec. 2, page 2, line 12, by deleting "Deputy registrars" and inserting: "Each deputy registrar".

Amend sec. 2, page 2, by deleting line 17 and inserting:

"8. A deputy registrar shall not:

(a) Delegate any of his duties to another person; or

(b) Refuse to register a person on account of that person's political party affiliation.

9. A person shall not hold himself out to be or attempt to exercise the duties of a deputy registrar unless he has been so appointed.

10. 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

(c) Distribute any material concerning a candidate or question which will be on the ballot for the ensuing election,

while he is registering an elector.

11. Any person who violates any of the provisions of this section is guilty".

Amend sec. 3, page 2, line 19, by deleting "12:01" and inserting "12:03".

Assemblyman Swain moved that the Assembly concur in the Senate amendment to Assembly Bill No. 833.

Remarks by Assemblyman Swain.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 192.

The following Senate amendment was read:

Amendment No. 1412.

Amend sec. 2, page 1, line 5, after "*subdivision*" by inserting: "*known as a delegate agency*".

Amend sec. 3, page 2, line 4, by deleting "*$50,000,*" and inserting "*$55,000,*".

Amend sec. 3, page 2, by deleting lines 7 and 8 and inserting: "*purposes specified in 42 U.S.C. § 9904 (c)(1). He may spend the remainder of the allotment in any*".

Amend sec. 4, page 2, line 27, after "*plans*" by inserting "*for work*".

Amend sec. 4, page 2, line 39, by deleting "*Agency*" and inserting: "*Community action agency*".

Amend sec. 4, page 2, line 40, by deleting "*Organization*" and inserting: "*Limited purpose agency*".

Amend sec. 4, page 2, line 42, by deleting "*and*".

Amend sec. 4, page 3, line 1, after "*(b)*" by inserting: "*A uniform base amount for each of the other eligible entities in the state; and*

(c)".

Assemblyman Arberry moved that the Assembly concur in the Senate amendment to Assembly Bill No. 192.

Remarks by Assemblyman Arberry.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 133.

The following Senate amendment was read:

Amendment No. 1571.

Amend section 1, page 2, line 11, after "*expenses,*" by inserting: "*not more than*".

Amend section 1, page 2, line 12, after the period, by inserting: "*The total cost for compensation for travel expenses authorized by this section must not exceed the amount specially appropriated for this purpose.*".

Assemblyman Sedway moved that the Assembly concur in the Senate amendment to Assembly Bill No. 133.

Remarks by Assemblyman Sedway.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 512.

The following Senate amendments were read:

Amendment No. 1302.

Amend section 1, page 1, line 7, by deleting "*$1,250*" and inserting "*$1,000*".

Amend section 1, page 1, by deleting line 9 and inserting:

"2. If a surviving spouse of a justice is not eligible to receive benefits pursuant to subsection 1, he is entitled, until his death or remarriage or until he becomes eligible to receive such benefits, to receive payments equal in amount to the payment provided in subsection 1 of NRS 286.674 for the spouse of a deceased member of the public employees' retirement system.

3. To obtain these benefits, the surviving spouse must make application".

Amend section 1, page 1, line 14, by deleting "3." and inserting "4.".

Amend sec. 2, page 2, line 9, by deleting "*$1,250*" and inserting "*$1,000*".

Amend sec. 2, page 2, by deleting line 10 and inserting:

"2. If a surviving spouse of a judge is not eligible to receive benefits pursuant to subsection 1, he is entitled, until his death or remarriage or until he becomes eligible to receive such benefits, to receive payments equal in amount to the payment provided in subsection 1 of NRS 286.674 for the spouse of a deceased member of the public employees' retirement system.

3. To obtain these benefits, the surviving spouse must make application".

Amend sec. 2, page 2, line 15, by deleting "3." and inserting "4.".

Amend the bill as a whole by adding a new section designated sec. 4, following sec. 3, to read as follows:

"Sec. 4. This act becomes effective at 12:01 a.m. on July 1, 1987.".

Amendment No. 1572.

Amend section 1, page 1, line 7, by deleting "*$1,000*" and inserting "*$1,150*".

Amend sec. 2, page 2, line 15, by deleting "*$1,000*" and inserting "*$1,150*".

Assemblyman Sedway moved that the Assembly concur in the Senate amendments to Assembly Bill No. 512.

Remarks by Assemblyman Sedway.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 684.

The following Senate amendment was read:

Amendment No. 1581.

Amend the bill as a whole by deleting sections 1, 2 and 3 and renumbering sec. 4 as section 1.

Amend sec. 4, page 3, by deleting line 6 and inserting:

"Section 1. 1. The legislature hereby declares that in order to ensure that each Nevada child is afforded an adequate educational opportunity it is necessary to reduce the size of each class from kindergarten through third grade to a maximum ratio of one teacher for every 22 pupils in a classroom. The legislature recognizes that such a goal is unachievable without substantial continuing increases in state financial aid for public education.

2. Each school district which contains any school in which the".

Amend sec. 4, page 3, line 14, by deleting "2." and inserting "3.".

Amend sec. 4, page 3, by deleting lines 16 and 17 and inserting: "determine the extent to which legislative appropriations will be necessary to achieve the desired ratio. The department shall, on or before January".

Amend the bill as a whole by deleting sections 5 and 6.

Amend the title of the bill to read as follows:

"An Act relating to education; declaring the intent of the legislature concerning the size of classes in the lower grades; requiring certain school districts to submit plans to achieve the desired size of classes; and providing other matters properly relating thereto.".

Amend the summary of the bill to read as follows: "Declares intent of legislature concerning size of classes in lower grades and requires certain school districts to submit plans for reduction. (BDR 34-2007)".

Assemblyman Sedway moved that the Assembly concur in the Senate amendment to Assembly Bill No. 684.

Remarks by Assemblyman Sedway.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 694.

The following Senate amendment was read:

Amendment No. 1381.

Amend sec. 5, page 1, line 17, after "inclusive," by inserting: "[and] section 2 of [this act,] *Assembly Bill No. 695 of this session,*".

Amend sec. 9, pages 2 and 3, by deleting lines 31 through 41 on page 2 and lines 1 through 15 on page 3, and inserting:

"(a) Adopt such regulations, not inconsistent with the laws of this state, as may be necessary for the protection of the public, appertaining to the practice of pharmacy and the lawful performance of its duties.

(b) Adopt regulations requiring that prices charged by retail pharmacies for prescription drugs and medicines be posted in the pharmacies and be given on the telephone to persons requesting such information.

(c) Adopt regulations, not inconsistent with the laws of this state, authorizing the secretary to issue certificates, licenses and permits required by chapters 453 and 454 of NRS and this chapter.

(d) Adopt regulations governing the dispensing of poisons, drugs, chemicals and medicines.

(e) Regulate the practice of pharmacy.

(f) Regulate the sale and dispensing of poisons, drugs, chemicals and medicines.

(g) Regulate the means of storage and security of drugs, poisons, medicines, chemicals and devices, including but not limited to requirements relating to the inventories and records of individual classes of institutional pharmacies *and pharmacies in correctional institutions* and drugs stored in hospitals.

(h) Examine and register as pharmacists applicants whom it deems qualified to be pharmacists.

(i) Charge and collect necessary and reasonable fees for its services, other than those specifically set forth in this chapter.

(j) Maintain offices in as many localities in the state as it finds necessary to carry out the provisions of this chapter.

(k) Employ an attorney, inspectors, investigators and other professional consultants and clerical personnel necessary to the discharge of its duties.

(l) Enforce the provisions of NRS 453.011 to 453.552, inclusive, and enforce the provisions of chapter 454 of NRS and this chapter.".

Amend sec. 10, page 4, between lines 16 and 17 by inserting:

"For authorization of practitioner to dispense controlled substances or dangerous drugs, or both..... 300

For biennial renewal of authorization of practitioner to dispense controlled substances or dangerous drugs, or both.... 300".

Amend sec. 10, page 4, line 24, after "permit" by inserting ", authorization".

Amend sec. 27, page 9, line 36, after "inclusive," by inserting: "[and] section 14 of [this act,] *Assembly Bill No. 695 of this session,*".

Amend sec. 30, page 11, between lines 10 and 11 by inserting:

"10. An ultimate user.".

Amend sec. 31, page 11, by deleting lines 14 through 27 and inserting: "or to [an institutional] *a* pharmacy *in a correctional institution* upon the written order of the prescribing practitioner in charge;

2. [An institutional pharmacy,] *A pharmacy in a correctional institution,* in case of emergency, upon a written order signed by the chief medical officer;

3. A practitioner, or a physician's assistant if authorized by the board;

4. A registered nurse, when the nurse is engaged in the performance of any public health program approved by the board;

5. A medical intern in the course of his internship; [or]

6. A registered nurse who holds a certificate from the state board of nursing and a certificate from the state board of pharmacy permitting him to dispense dangerous drugs [,] *; or*

7. A registered pharmacist from an institutional pharmacy pursuant to regulations adopted by the board,

except that no person may dispense a dangerous drug in violation of a regulation adopted by the board.".

Assemblyman Jeffrey moved that the Assembly concur in the Senate amendment to Assembly Bill No. 694.

Remarks by Assemblyman Jeffrey.

Motion carried.

Bill ordered enrolled.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, June 16, 1987

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. 420, 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. 72, 157.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

By the Committee on Government Affairs:

Assembly Joint Resolution No. 47—Urging Congress to authorize the states to regulate all gaming on Indian land except bingo and traditional Indian games.

Assemblyman Thompson moved that all rules be suspended, reading so far had considered first reading, rules further suspended, resolution considered engrossed, declared an emergency measure under the Constitution and placed on third reading and final passage.

Motion carried unanimously.

Assemblyman Thompson moved that Senate Bill No. 341 be taken from the Chief Clerk's desk and placed on the General File.

Remarks by Assemblyman Thompson.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

Senate Bill No. 72.

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

Motion carried.

Senate Bill No. 157.

Assemblyman Nevin moved that the bill be referred to the Committee on Natural Resources, Agriculture and Mining.

Motion carried.

Assemblyman Jeffrey moved that the Assembly recess subject to the call of the Chair.

Motion carried.

Assembly in recess at 12:47 p.m.

ASSEMBLY IN SESSION

At 12:55 p.m.
Mr. Speaker presiding.
Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Ways and Means, to which was referred Assembly 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.

MARVIN M. SEDWAY, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which was re-referred Senate Bill No. 302, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass, as amended.

MARVIN M. SEDWAY, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which was re-referred Senate Bill No. 360, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

MARVIN M. SEDWAY, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that all rules be suspended, reading so far had considered second reading, rules further suspended, Assembly Bill No. 885 be considered engrossed, declared an emergency measure under the Constitution and placed on third reading and final passage.

Motion carried unanimously.

Assemblyman Jeffrey moved that all rules be suspended, reading so far had considered second reading, rules further suspended, Senate Bills Nos. 227, 360 and 506 be declared emergency measures under the Constitution and placed on third reading and final passage.

Motion carried unanimously.

Assemblyman Jeffrey moved that Senate Bill No. 302 be placed on the General File.

Motion carried.

Assemblyman Jeffrey moved that Assembly Bill No. 64 be placed on the Second Reading File.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Joint Resolution No. 47.

Resolution read third time.

Remarks by Assemblymen Thompson and Brookman.

Roll call on Assembly Joint Resolution No. 47:

YEAS—34.

NAYS—Banner, Brookman, Evans, Freeman, Haller, Humke, Price, Wendell Williams—8.

Assembly Joint Resolution No. 47 having received a constitutional majority, Mr. Speaker declared it passed.

Assemblyman Thompson moved that all rules be suspended and that Assembly Joint Resolution No. 47 be immediately transmitted to the Senate.

Motion carried unanimously.

Senate Bill No. 341.

Bill read third time.

Remarks by Assemblyman Adler.

Roll call on Senate Bill No. 341:

YEAS—42.

NAYS—None.

Senate Bill No. 341 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 885.

Bill read third time.

Remarks by Assemblymen May, Thomas and Getto.

Roll call on Assembly Bill No. 885:

YEAS—30.

NAYS—Banner, Bergevin, Brookman, Carpenter, Kerns, Lambert, Marvel, Nevin, Porter, Spriggs, Swain, Thomas—12.

Assembly Bill No. 885 having received a constitutional majority, Mr. Speaker declared it passed.

Assemblyman Jeffrey moved that all rules be suspended and that Assembly Bill No. 885 be immediately transmitted to the Senate.

Motion carried unanimously.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Gaston moved that Senate Bill No. 506 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Gaston.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 64.

Bill read second time.

The following amendment was proposed by Assemblyman Humke:

Amendment No. 1645.

Amend section 1, page 1, line 1, before "There" by inserting "1.".

Amend section 1, page 1, line 2, by deleting: "$6,300,000 for the construction" and inserting: "$425,000 for the design and planning".

Amend section 1, page 1, between lines 3 and 4, by inserting:

"2. The state controller shall not distribute the money appropriated by subsection 1 until he receives a declaration from the governor stating that the University of Nevada, Reno, has submitted sufficient evidence to the governor that it has received contributions or pledges of money from sources

other than the State of Nevada or the Federal Government in the amount of $1,000,000. The contributions and pledges must be reserved by the University of Nevada, Reno, for the augmentation and enhancement of the engineering and laboratory center through the purchase of equipment and other needed items.".

Amend the title of the bill, first line, by deleting "construction" and inserting: "design and planning".

Assemblyman Humke moved the adoption of the amendment.

Remarks by Assemblyman Humke.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 352.

The following Senate amendment was read:

Amendment No. 1605.

Amend sec. 4, page 3, by deleting lines 1, 2 and 3 and inserting: "*be deposited with the state treasurer for credit to the state highway fund. The interest and income earned on the*".

Amend sec. 28, page 10, line 35, by deleting "public service".

Amend sec. 28, page 10, line 37, by deleting "public service".

Amend sec. 28, page 11, line 2, by deleting "[such] *that*" and inserting "the".

Amend sec. 28, page 11, line 6, by deleting "[such] *the*" and inserting "the".

Amend sec. 28, page 11, line 9, by deleting "[such] *the*" and inserting "the".

Amend sec. 28, page 11, line 12, by deleting "shall" and inserting "must".

Assemblyman Schofield moved that the Assembly concur in the Senate amendment to Assembly Bill No. 352.

Remarks by Assemblyman Schofield.

Motion carried.

Bill ordered enrolled.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that all rules be suspended and that Assembly Concurrent Resolution No. 77 and Senate Concurrent Resolution No. 48 be immediately transmitted to the Senate.

Motion carried unanimously.

Assemblyman Nevin moved that the Assembly recess until 3 p.m.

Motion carried.

Assembly in recess at 1:13 p.m.

ASSEMBLY IN SESSION

At 3:36 p.m.
Mr. Speaker presiding.
Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Ways and Means, to which were referred Assembly Bills Nos. 891, 892, 893, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

MARVIN M. SEDWAY, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, June 16, 1987

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. 397 and requests a conference, and appointed Senators Raggio, Jacobsen and Horn 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. 424 and requests a conference, and appointed Senators Wagner, Joerg and Neal as a first Committee on Conference to meet with a like committee of the Assembly.

Also, I have the honor to inform your honorable body that the Senate on this day respectfully refused to recede from its action on Assembly Bill No. 778 and requests a conference, and appointed Senators O'Donnell, Mello and Jones 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. 236, 397, 498.

Also, I have the honor to inform your honorable body that the Senate on this day concurred in Assembly Amendment No. 1223 to Senate Bill No. 235 and respectfully refused to concur in Assembly Amendment No. 1534 to Senate Bill No. 235.

Also, I have the honor to inform your honorable body that the Senate on this day appointed Senators Raggio, Gibson and Hickey 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 appointed Senators Rawson, Jacobsen and Horn as a first Committee on Conference concerning Senate Bill No. 187.

Also, I have the honor to inform your honorable body that the Senate on this day appointed Senators Wagner, Hickey and Neal as a first Committee on Conference concerning Senate Bill No. 272.

Also, I have the honor to inform your honorable body that the Senate on this day appointed Senators Rawson, Malone and Shaffer as a first Committee on Conference concerning Senate Bill No. 310.

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. 88.

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. 396.

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. 190.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Sedway moved that all rules be suspended, reading so far had considered second reading, rules further suspended, Assembly Bills Nos. 891, 892, 893 be considered engrossed, declared emergency measures under the Constitution and placed on third reading and final passage.

Motion carried unanimously.

Assemblyman Sedway moved that Assembly Bills Nos. 891, 892 and 893 be taken from their positions on the General File and placed at the top of the General File.

Motion carried.

Assemblyman Arberry moved that Senate Bill No. 506 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 Senate Bill No. 57, 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	CHARLES W. JOERG
JAN EVANS	NICHOLAS J. HORN
DAVID D. NICHOLAS	JAMES I. GIBSON
Assembly Committee on Conference	*Senate Committee on Conference*

Assemblyman Swain moved that the Assembly adopt the report of the first Committee on Conference concerning Senate Bill No. 57.

Remarks by Assemblyman Swain.

Motion carried.

Mr. Speaker:

The first Committee on Conference concerning Senate Bill No. 76, 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
BOB THOMAS	RAYMOND D. RAWSON
KEN HALLER	DONALD R. MELLO
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. 76.

Remarks by Assemblyman Sader.

Motion carried.

RECEDE FROM ASSEMBLY AMENDMENTS

Assemblyman Jeffrey moved that the Assembly do not recede from its action on Senate Bill No. 235, 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 Wendell Williams, Wisdom and DuBois as a second Committee on Conference to meet with a like committee of the Senate for the further consideration of Senate Bill No. 57.

Mr. Speaker appointed Assemblymen Dini, Sedway and Bergevin as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Assembly Bill No. 397.

Mr. Speaker appointed Assemblymen Arberry, Wisdom and McGaughey as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Assembly Bill No. 778.

Mr. Speaker appointed Assemblymen Sader, Thomas and Kissam as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Assembly Bill No. 424.

Mr. Speaker appointed Assemblymen Sedway, Thompson 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. 235.

GENERAL FILE AND THIRD READING

Assembly Bill No. 891.

Bill read third time.

Remarks by Assemblyman Sedway.

Roll call on Assembly Bill No. 891:

YEAS—41.

NAYS—None.

Not voting—Adler.

Assembly Bill No. 891 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 892.

Bill read third time.

Remarks by Assemblyman Spinello.

Roll call on Assembly Bill No. 892:

YEAS—42.

NAYS—None.

Assembly Bill No. 892 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Sedway moved that Assembly Bill No. 893 be taken from its position on the General File and placed at the bottom of the General File.

Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 227.
Bill read third time.
Remarks by Assemblyman May.
Roll call on Senate Bill No. 227:
YEAS—42.
NAYS—None.

Senate Bill No. 227 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 360.
Bill read third time.
Remarks by Assemblyman Sader.
Roll call on Senate Bill No. 360:
YEAS—42.
NAYS—None.

Senate Bill No. 360 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 302.
Bill read third time.
Remarks by Assemblyman Schofield.
Roll call on Senate Bill No. 302:
YEAS—42.
NAYS—None.

Senate Bill No. 302 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Senate Bill No. 506.
Bill read third time.
Remarks by Assemblymen Freeman, Gaston, May and Sedway.
Roll call on Senate Bill No. 506:
YEAS—41.
NAYS—May.

Senate Bill No. 506 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 893.
Bill read third time.
Remarks by Assemblymen Sedway, Evans, Spinello, Arberry, Spriggs, Triggs, Thomas and Bergevin.
Assemblyman Price requested that the following remarks be entered in the Journal.

ASSEMBLYMAN SEDWAY:

Thank you, Mr. Speaker. Assembly Bill No. 893 is the general appropriations act for the State of Nevada for the coming biennium. This will be addressed by several members of the Ways and Means Committee.

The general appropriations act is the result of session-long deliberations by Assembly Ways and Means Committee and the Senate Finance Committee. A number of items are not included within the appropriations act and have been reviewed previously today. These issues include salary increases for public employees and the school funding bill.

The salary bill is recommended to provide funding for a 3 percent salary increase effective July 1, 1987, for all employee groups. In addition, the salary bill will contain a provision to allow salaries to be triggered up to 3 percent based on the unappropriated general fund balance on July 1, 1988.

The 1987-89 budget is balanced based on increased revenues generated from mining industry, slot route operators and additional cigarette and liquor taxes.

The money committee recommendations on the operating budgets including aid to schools call for a general fund appropriation of practically $1.2 billion for the 1987-89 biennium. Coupled with the general authorization act, total funding of $3 billion in spending is recommended over the next two years.

The Assembly Ways and Means Committee has spent the last five months reviewing the executive budget which has contained over 1,300 pages and recommended funding for over 400 programs.

Let me briefly go over some of the actions taken by the Ways and Means Committee which are reflected in the appropriations act.

Education: K through 12—appropriations to go to the distributive school fund are made in Assembly Bill No. 892. The basic support guarantee, including proposed salary increases, provides for a 6.9 percent increase per pupil in fiscal year 1988, and a 2.1 percent increase in fiscal year 1989. Special education funding is recommended to increase by 13.5 percent compared to the funding provided in the current biennium.

In the area of higher education, the Assembly Ways and Means Committee is recommending that the number of full-time faculty at the Community College be increased in each year of the coming biennium. Currently, approximately 50 percent of the faculty at the Community Colleges are full-time, with the remaining faculty hired on a part-time basis. It is recommended that the number of full-time faculty be increased at 56 percent in fiscal year 1988, and 57 percent in fiscal year 1989. In addition, the number of classified staff utilized to support faculty positions at the Community Colleges is recommended to increase to one classified position for every 5.5 faculty in fiscal year 1988 and enhance to one classified position for every 5 faculty in 1989.

At UNR and UNLV, the graduate assist level was increased from $5,600 to $8,000 per year and a total of 24 new graduate student positions are recommended. Funding is also recommended for the University's highest priority following salary increases. The interim committee which studied the funding of higher education recommended that additional funds be provided for support positions, which include all non-instructional areas of the University's budget. These positions include librarians, counselors, policemen and admission personnel as well as numerous other positions on each campus. The Assembly Ways and Means Committee has recommended that $790,000 in fiscal year 1988 and $1.1 million in fiscal year 1989 be provided to increase the number of support personnel system-wide.

Mr. Speaker, with your indulgence, I would like to have Miss Jan Evans address the welfare division's budget.

ASSEMBLYMAN EVANS:

Thank you, Mr. Speaker. In reviewing the budgets of the welfare division, the Assembly Ways and Means Committee discussed at length the payment level for Aid to Dependent Children. The current average monthly grant for a mother and two children is $285. The average grant is recommended to increase to $330 per month for those families who do not live in subsidized housing and $300 per month for families who live in subsidized housing.

In the Aged and Blind program, the monthly client allowance for persons living in adult group care facilities is recommended to increase from $35 a month to $55 a month. It is also recommended that the state and the counties swap responsibilities for mental health and child protective services. Initial commitment of the mentally ill is currently a county responsibility, but is recommended to be transferred to the state with the counties assuming responsibility for all child protective service programs. The swap will help provide more efficient and effective services to recipients of these programs.

ASSEMBLYMAN SEDWAY:

Mr. Speaker, may I have Mr. Spinello address the budget on the division of mental health and mental retardation.

ASSEMBLYMAN SPINELLO:

Thank you, Mr. Speaker. In the division of mental hygiene and mental retardation, the Assembly Ways and Means Committee has recommended additional staff in the following areas affecting services to children. Expansion of the pre-school day treatment program for the early childhood intervention program at the Southern Nevada Child and Adolescent Services in Las Vegas, is provided. Additional personnel are recommended to establish a child day treatment program at the Northern Nevada Child and Adolescent Service which will provide partial day care treatment to northern Nevada to help treat patients in an out-patient setting and free up expensive residential care space. The first-step program in Las Vegas is recommended to be expanded. Funding for the Happy Program, which provides early intervention services for young children with handicaps and their families in rural Nevada, is recommended to be contingent with state funding after Federal funding expires in September of 1988.

It is also recommended that the Community Training Center Program receive additional slots plus a rate increase of 5 percent in fiscal 1988 and 1.5 percent in 1989.

ASSEMBLYMAN SEDWAY:

Mr. Speaker, within the Health Division budget, the money committees provided an additional child development specialist for the Reno Special Children's Clinic to provide additional hands-on care at the facility to replace a similar position which was recommended for reclassification to a clinic manager.

At this time, Mr. Speaker, I'd like to have Mr. Arberry address the subject of our prison deliberations.

ASSEMBLYMAN ARBERRY:

Thank you, Mr. Speaker. The Department of Prisons revised budget recommendations were reduced by the money committees based on revised populations projections as a result of passage by the 1987 legislature of the house arrest program, the mandatory parole release legislation and the meritorious good time legislation. Also, substantial reductions were made in the medical cost areas to more closely align the prison's medical projected costs for the fiscal year 1988 and the fiscal year 1989 with an anticipated actual expense in the fiscal year 1987.

ASSEMBLYMAN SEDWAY:

Mr. Speaker, in summary, these are the recommendations contained in the spending plan embodied in the general appropriations act. These are just a few of the more than 400 budgets that we had reviewed.

The Assembly Ways and Means Committee has reviewed these budgets, the entire legislative session and in addition, broke into various subcommittees which reviewed the major budgets in more detail in an effort to determine the actual funding needs for each of the programs.

I am proud of the work done by all members of the Committee. I believe we met the challenges and lived up to the responsibilities placed on us by those who have elected us. Thank you, Mr. Chairman.

ASSEMBLYMAN SPRIGGS:

Thank you, Mr. Speaker. I would like to ask a question to you and through you to the chairman of Ways and Means. Could he explain section 60 on page 16 please.

ASSEMBLYMAN SEDWAY:

To my colleague from Hawthorne.

What section 60 does, it provides the Governor with the authority to request that the Board of Regents set aside unspecified amounts of money to be used for specific purposes with their concurrence.

ASSEMBLYMAN SPRIGGS:

Thank you, Mr. Speaker, to you and through you, is this a normal practice and could you be a little more specific please.

ASSEMBLYMAN SEDWAY:

Yes, it is. It is normally found in every budget act. It is part of the boilerplate.

ASSEMBLYMAN TRIGGS:

Thank you, Mr. Speaker. To you and through you to the chairman of the Assembly Ways and Means Committee.

Page 9, lines 3 and 4, Community Training Center funding shows a decrease in the second half of the biennium. I believe I heard that there was an increase of one and a half percent.

ASSEMBLYMAN SEDWAY:

It's all set by funds that are received from Title XX in the second year of the biennium.

ASSEMBLYMAN THOMAS:

Thank you, Mr. Chairman. As the immediate past chairman of the interim study on higher education funding, I'm very pleased to see that some of the formulas which we implemented are now being used in University funding. I think this is a giant step in the right direction.

You know, when you're on these interim studies, you never know how it's going to come out. We did a lot of work, had a lot of meetings all over the state, and, of course, we became the minority party this time so the game players all changed. It's nice to see that some of the things that we did rubbed off.

ASSEMBLYMAN BERGEVIN:

Yes, Mr. Speaker, I would like to thank the Ways and Means Committee for a very hard job well done. And I especially appreciate the concise and informative presentation that they have made on this particular bill today. That didn't happen last year and I think every member of this assembly is entitled to the kind of explanation that we received today.

Roll call on Assembly Bill No. 893:

YEAS—42.

NAYS—None.

Assembly Bill No. 893 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assemblyman Nevin moved that the Assembly recess subject to the call of the Chair.

Motion carried.

Assembly in recess at 4:18 p.m.

ASSEMBLY IN SESSION

At 5:20 p.m.

Mr. Speaker presiding.

Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Transportation, 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, and re-refer to the Committee on Ways and Means.

LEONARD V. NEVIN, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, 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: Do pass.

DANNY L. THOMPSON, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which was referred Senate Bill No. 584, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

MARVIN M. SEDWAY, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Thompson moved that all rules be suspended, reading so far had considered second reading, rules further suspended, Senate Bill No. 64 be declared an emergency measure under the Constitution and placed on third reading and final passage.

Motion carried unanimously.

Assemblyman Jeffrey moved that for the balance of the session, all rules be suspended and that all bills and resolutions passed by the Assembly be immediately transmitted to the Senate.

Motion carried unanimously.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, June 16, 1987

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 423, 704, 883.

Also, I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bills Nos. 432, 539, 596, 617, 618, 632, 731, 796, 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 adopted, as amended, Assembly Concurrent Resolution No. 65, 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. 420.

The following Senate amendment was read:

Amendment No. 1616.

Amend section 1, page 1, line 2, by deleting "13," and inserting "15,".

Amend the bill as a whole by renumbering sections 2 through 6 as sections 4 through 8 and adding new sections designated sections 2 and 3, following section 1, to read as follows:

"Sec. 2. *"Affiliate" means any person who controls, is controlled by or is under common control with any other person.*

Sec. 3. *"Control" means the direct or indirect ownership of, or right to exercise a directing influence over, more than 50 percent of the beneficial interest in any other person.*".

Amend sec. 6, page 2, by deleting lines 6 through 10 and inserting:

"Sec. 8. *"Refiner" means any person, including an affiliate, who:*

1. Produced quantities of crude oil equal to more than 30 percent of the domestic and imported crude oil supplied to his refinery during the most recent calendar year for which information is available;

2. Refines motor vehicle fuel from crude oil; and

3. Has a total refinery capacity of more than 175,000 barrels a day.".

Amend the bill as a whole by renumbering sections 7 through 11 as sections 10 through 14 and adding a new section designated sec. 9, following sec. 6, to read as follows:

"Sec. 9. *"Refinery" means a manufacturing facility at which motor vehicle fuel is produced from crude oil.*".

Amend sec. 7, page 2, line 14, by deleting the period and inserting: "*or wholesale purchaser.*".

Amend sec. 8, page 2, by deleting line 16 and inserting: "*fuel is sold to the general public.*".

Amend sec. 9, page 2, line 18, after "*refiner*" by inserting: "*or other wholesaler*".

Amend sec. 10, page 2, line 21, by deleting "*4,*" and inserting "*3,*".

Amend sec. 10, page 2, by deleting line 25 and inserting:

"*(b) Sale of motor vehicle fuel at a service station.*".

Amend sec. 10, page 2, by deleting lines 26, 27 and 28 and inserting:

"*2. On or after July 1, 1988, except as provided in subsection 3, a refiner shall not engage in the direct operation of more than 15 service stations in this state, with his own employees or*".

Amend sec. 10, page 2, by deleting lines 30 through 35 and inserting "*fee.*".

Amend sec. 10, page 2, line 36, by deleting "*4.*" and inserting "*3.*".

Amend sec. 11, page 3, line 2, by deleting "*shall not*" and inserting "*may*".

Amend sec. 11, page 3, line 3, by deleting "*more*" and inserting "*not less*".

Amend the bill as a whole by deleting sec. 12 and renumbering sections 13 through 20 as sections 15 through 22.

Amend sec. 13, page 3, by deleting lines 17 and 18.

Amend sec. 13, page 3, line 19, by deleting "*3.*" and inserting "*2.*".

Amend sec. 13, page 3, by deleting lines 21 through 26.

Amend sec. 14, page 3, line 29, by deleting "*13,*" and inserting "*15,*".

Amend sec. 14, page 4, line 7, by deleting "*9,*" and inserting "*12,*".

Assemblyman Jeffrey moved that the Assembly concur in the Senate amendment to Assembly Bill No. 420.

Remarks by Assemblymen Jeffrey and Callister.

Motion carried.

Bill ordered enrolled.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Legislative Functions, to which was referred Assembly Bill No. 894, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

MYRNA WILLIAMS, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Nevin moved that Senate Bill No. 72 be re-referred to the Committee on Ways and Means.

Motion carried.

UNFINISHED BUSINESS

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker appointed Assemblymen Marvel, Getto and Bergevin as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Assembly Bill No. 856.

REPORTS OF CONFERENCE COMMITTEES

Mr. Speaker:

The first Committee on Conference concerning Senate Bill No. 178, 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. C23, which is attached to and hereby made a part of this report.

MYRNA WILLIAMS	RANDOLPH J. TOWNSEND
LEONARD V. NEVIN	WILLIAM R. O'DONNELL
DAVID D. NICHOLAS	RAY SHAFFER
Assembly Committee on Conference	*Senate Committee on Conference*

Amendment No. C23.

Amend the bill as a whole by adding a new section designated sec. 8.5, following sec. 8, to read as follows:

"Sec. 8.5. NRS 635.080 is hereby amended to read as follows:

635.080 The board, under its regulations, may admit, without examination and upon payment of a fee, not exceeding [$400,] *$600,* which must be established by its regulation, a legally qualified practitioner of podiatry who holds a certificate to practice podiatry from any state or territory of the United States or the District of Columbia with [educational] *licensing* requirements equal to those of the State of Nevada and which extends like privileges to legally qualified practitioners from this state.".

Assemblyman Myrna Williams moved that the Assembly adopt the report of the first Committee on Conference concerning Senate Bill No. 178.

Remarks by Assemblyman Myrna Williams.

Motion carried.

Mr. Speaker:

The first Committee on Conference concerning Senate Bill No. 310, consisting of the undersigned members, has met, and reports that:

It has agreed to recommend that the amendment of the Assembly be concurred in.

VIVIAN L. FREEMAN	RAYMOND D. RAWSON
ERNEST E. ADLER	MIKE MALONE
BOB L. KERNS	RAY SHAFFER
Assembly Committee on Conference	*Senate Committee on Conference*

Assemblyman Freeman moved that the Assembly adopt the report of the first Committee on Conference concerning Senate Bill No. 310.

Remarks by Assemblyman Freeman.

Motion carried.

Mr. Speaker:

The first Committee on Conference concerning Senate Joint Resolution No. 19, consisting of the undersigned members, has met, and reports that:

It has agreed to recommend that the amendment of the Assembly be receded from.

JOSEPH E. DINI, JR.	KENNETH K. REDELSPERGER
JOHN E. JEFFREY	DEAN A. RHOADS
DAVID E. HUMKE	RAY 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 Joint Resolution No. 19.

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that all rules be suspended and that Assembly Bill No. 64 be declared an emergency measure under the Constitution and placed on third reading and general file.

Motion carried unanimously.

Assemblyman Jeffrey moved that all rules be suspended, reading so far had considered second reading, rules further suspended, Assembly Bill No. 894 be considered engrossed, declared an emergency measure under the Constitution and placed on third reading and final passage.

Motion carried unanimously.

Assemblyman Jeffrey moved that all rules be suspended, reading so far had considered second reading, rules further suspended, Senate Bill No. 584 be declared an emergency measure under the Constitution and placed on third reading and final passage.

Motion carried unanimously.

Assemblyman Jeffrey moved that Senate Bills Nos. 23, 382 and 561 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 5:59 p.m.

ASSEMBLY IN SESSION

At 8:39 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. 514, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

MARVIN M. SEDWAY, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, June 16, 1987

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 10, 889.

Also, I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bill No. 645, 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. 129.

Also, I have the honor to inform your honorable body that the Senate on this day adopted the report of the first Committee on Conference concerning Assembly Bill No. 344.

Also, I have the honor to inform your honorable body that the Senate on this day adopted the report of the first Committee on Conference concerning Assembly Joint Resolution No. 1.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Bills Nos. 596, 597.

Also, I have the honor to inform your honorable body that the Senate on this day concurred in the Assembly amendments to Senate Bills Nos. 328, 468, 519.

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. 165.

MARY JO MONGELLI
Assistant Secretary of the Senate

INTRODUCTION, FIRST READING AND REFERENCE

Senate Bill No. 596.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

Senate Bill No. 597.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

UNFINISHED BUSINESS

REPORTS OF CONFERENCE COMMITTEES

Mr. Speaker:

The first Committee on Conference concerning Assembly Bill No. 162, 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.

JOHN DUBOIS	CHARLES W. JOERG
KEN HALLER	ERIK BEYER
VINCENT L. TRIGGS	THOMAS J. HICKEY
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. 162.

Remarks by Assemblyman DuBois.

Motion carried.

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker appointed Assemblymen Gaston, Schofield and Nicholas as a second Committee on Conference to meet with a like committee of the Senate for the further consideration of Assembly Bill No. 162.

REPORTS OF CONFERENCE COMMITTEES

Mr. Speaker:

The first Committee on Conference concerning Assembly Bill No. 424, 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
BOB THOMAS	CHARLES W. JOERG
BILL KISSAM	JOE NEAL
Assembly Committee on Conference	*Senate Committee on Conference*

Assemblyman Sader moved that the Assembly adopt the report of the first Committee on Conference concerning Assembly Bill No. 424.

Remarks by Assemblyman Sader.

Motion carried.

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker appointed Assemblymen Callister, Gaston and Nicholas as a second Committee on Conference to meet with a like committee of the Senate for the further consideration of Assembly Bill No. 424.

REPORTS OF CONFERENCE COMMITTEES

Mr. Speaker:

The first Committee on Conference concerning Senate Bill No. 187, 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.

JAMES J. SPINELLO	RAYMOND D. RAWSON
MORSE ARBERRY, JR.	LAWRENCE E. JACOBSEN
DAVID E. HUMKE	NICHOLAS J. HORN
Assembly Committee on Conference	*Senate Committee on Conference*

Assemblyman Spinello moved that the Assembly adopt the report of the first Committee on Conference concerning Senate Bill No. 187.

Remarks by Assemblyman Spinello.

Motion carried.

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker appointed Assemblymen Evans, Adler and Myrna Williams as a second Committee on Conference to meet with a like committee of the Senate for the further consideration of Senate Bill No. 187.

REPORTS OF CONFERENCE COMMITTEES

Mr. Speaker:

The first Committee on Conference concerning Senate Bill No. 262, 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.

JANE WISDOM	ANN O'CONNELL
MYRNA WILLIAMS	WILLIAM R. O'DONNELL
JAMES W. MCGAUGHEY	BOB COFFIN
Assembly Committee on Conference	*Senate Committee on Conference*

Assemblyman Wisdom moved that the Assembly adopt the report of the first Committee on Conference concerning Senate Bill No. 262.

Remarks by Assemblyman Wisdom.

Motion carried.

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker appointed Assemblymen Jeffrey, Thompson and DuBois as a second Committee on Conference to meet with a like committee of the Senate for the further consideration of Senate Bill No. 262.

GENERAL FILE AND THIRD READING

Senate Bill No. 64.

Bill read third time.

Assemblyman Thompson moved that Senate Bill No. 64 be taken from the General File and placed on the Chief Clerk's desk.

Motion carried.

Assembly Bill No. 64.

Bill read third time.

Remarks by Assemblyman Humke.

Roll call on Assembly Bill No. 64:

YEAS—42.

NAYS—None.

Assembly Bill No. 64 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Assembly Bill No. 894 be taken from its position on the General File and placed at the bottom of the General File.

Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 584.

Bill read third time.

Remarks by Assemblyman Marvel.

Roll call on Senate Bill No. 584:

YEAS—42.

NAYS—None.

Senate Bill No. 584 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 Adler.

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, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 382.

Bill read third time.

Remarks by Assemblymen Schofield and Nevin.

Roll call on Senate Bill No. 382:

YEAS—33.

NAYS—Banner, Getto, Kerns, Nevin, Porter, Spriggs, Triggs, Myrna Williams, Mr. Speaker—9.

Senate Bill No. 382 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 561.

Bill read third time.

Remarks by Assemblyman Gaston.

Roll call on Senate Bill No. 561:

YEAS—41.

NAYS—DuBois.

Senate Bill No. 561 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 894.

Bill read third time.

Remarks by Assemblyman Jeffrey.

Roll call on Assembly Bill No. 894:

YEAS—42.

NAYS—None.

Assembly Bill No. 894 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Concurrent Resolution No. 65.

The following Senate amendment was read:

Amendment No. 1603.

Amend the resolution, page 1, line 13, by deleting "3" and inserting "2".

Assemblyman Myrna Williams moved that the Assembly do not concur in the Senate amendment to Assembly Concurrent Resolution No. 65.

Remarks by Assemblyman Myrna Williams.

Motion carried.

Resolution ordered transmitted to the Senate.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Ways and Means, to which was re-referred Senate Bill No. 358, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

MARVIN M. SEDWAY, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Senate Bill No. 514 be placed on the Second Reading File.

Motion carried.

Assemblyman Jeffrey moved that all rules be suspended and that Senate Bill No. 358 be declared an emergency measure under the Constitution and placed on third reading and final passage.

Motion carried unanimously.

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. 1658.

Amend section 1, page 1, by deleting lines 4 and 5 and inserting: "on Higher Education.".

Amend sec. 2, page 1, line 6, by deleting "appropriations" and inserting "appropriation".

Amend the title of the bill, second and third lines, by deleting: "debts and disseminating information about programs;" and inserting "debts;"

Assemblyman Sedway moved the adoption of the amendment.

Remarks by Assemblyman Sedway.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

GENERAL FILE AND THIRD READING

Senate Bill No. 358.

Bill read third time.

Remarks by Assemblymen McGaughey, Fay and Brookman.

Roll call on Senate Bill No. 358:

YEAS—36.

NAYS—Banner, Fay, Haller, Jeffrey, May, Triggs—6.

Senate Bill No. 358 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assemblyman Sedway moved that the Assembly recess subject to the call of the Chair.

Motion carried.

Assembly in recess at 9:11 p.m.

ASSEMBLY IN SESSION

At 9:52 p.m.

Mr. Speaker presiding.

Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Ways and Means, to which were referred Senate Bills Nos. 596, 597, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

MARVIN M. SEDWAY, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which was re-referred Senate Bill No. 72, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

MARVIN M. SEDWAY, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Sedway moved that all rules be suspended, reading so far had considered second reading, rules further suspended, Senate Bills Nos. 596, 597 and 72 be declared emergency measures under the Constitution and placed on third reading and final passage.

Motion carried unanimously.

Assemblyman Thompson moved that Senate Bill No. 64 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. 632.

The following Senate amendment was read:

Amendment No. 1611.

Amend section 1, page 1, line 4, by deleting: "*is going to perform*" and inserting "*orders*".

Amend the title of the bill, first line, by deleting "performing" and inserting "ordering".

Assemblyman Arberry moved that the Assembly concur in the Senate amendment to Assembly Bill No. 632.

Remarks by Assemblyman Arberry.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 731.

The following Senate amendment was read:

Amendment No. 1624.

Amend the bill as a whole by deleting sec. 4 and renumbering sections 5 through 7 as sections 4 through 6.

Amend sec. 5, page 3, by deleting lines 6 through 17 and inserting:

"2. *A purchaser or broker of transportation services which are provided by a common motor carrier who holds a certificate of public convenience and necessity may resell those services, in combination with other services and facilities that are not related to transportation, but only in a manner complying with the scope of authority set forth in the certificate of the common motor carrier. The commission shall not prohibit or restrict such a purchaser or broker from reselling those transportation services to any person based upon that person's affiliation, or lack of affiliation, with any group.*".

Amend sec. 7, page 3, by deleting lines 29 through 31 and inserting: "*activities of the motor carrier and broker actually necessary for the transportation of persons or property, including the handling and storage of that property,* over and".

Amend the bill as a whole by renumbering sec. 8 as sec. 10 and adding new sections designated sections 7 through 9, following sec. 7, to read as follows:

"Sec. 7. NRS 706.351 is hereby amended to read as follows:

706.351 1. It is unlawful for:

(a) A common or contract motor carrier to furnish any pass, frank, free or reduced *rates for* transportation to any state, city, district, county or municipal officer of this state or to any person other than those specifically enumerated in this section.

(b) Any person other than those specifically enumerated in this section to receive any such pass, frank, free or reduced *rates for* transportation.

2. This section does not prevent the carriage, storage or hauling free or at reduced rates of property for charitable purposes for the United States, the State of Nevada or any political subdivision thereof.

3. This chapter does not prohibit any common carrier from giving free or reduced rates for transportation of persons to:

(a) Its own officers, commission agents [,] *or* employees, *or* members of any profession licensed under Title 54 of NRS retained by it, and members of their families.

(b) Inmates of hospitals or charitable institutions and persons over 65 years of age.

(c) Persons who are physically handicapped or mentally handicapped and who present a written statement from a physician to that effect.

(d) Persons injured in accidents or wrecks and physicians and nurses attending such persons.

(e) Persons providing relief in cases of common disaster.

(f) Contractors and their employees, in carrying out the provisions of any contract to which the carrier is a party.

(g) Attendants of livestock or other property requiring the care of an attendant, who [shall] *must* be given return passage to the place of shipment, [provided] *if* there is no discrimination among shippers of a similar class.

(h) Officers, agents, employees [,] *or* members of any profession licensed under Title 54 of NRS, together with members of their families, who are employed by or affiliated with other common carriers, [provided] *if* there is an interchange of such free or reduced [rate] *rates for* transportation.

(i) Indigent, destitute or homeless persons when under the care or responsibility of charitable societies, institutions or hospitals, together with the necessary agents employed in such transportation.

(j) Students of institutions of learning.

4. This section does not prohibit common motor carriers from giving free or reduced rates for the transportation of property of:

(a) Their officers, commission agents [,] *or* employees, *or* members of any profession licensed under Title 54 of NRS retained by them, or pensioned or disabled former employees, together with that of their dependents.

(b) Witnesses attending any legal investigations in which such carriers are interested.

(c) Persons providing relief in cases of common disaster.

(d) Contractors and their employees in carrying out the provisions of any contract to which the carrier is a party.

5. This section does not prohibit a common motor carrier or broker from giving free or reduced rates for the transportation of groups of persons participating in a tour of an area if the tour is for a purpose other than transportation.

6. This section does not prohibit the commission from establishing reduced rates, fares or charges for specified routes or schedules of any common motor carrier providing transit service if the reduced rates, fares or charges are determined by the commission to be in the public interest.

[6.] *7.* "Employees," as used in this section, includes:

(a) Furloughed, pensioned and superannuated employees.

(b) Persons who have become disabled or infirm in the service of such carriers.

(c) Persons who are traveling [for the purpose of entering] *to enter* the service of [any] such *a* carrier.

Sec. 8. NRS 706.756 is hereby amended to read as follows:

706.756 1. Except as otherwise provided in subsection 2, any person who:

(a) Operates a vehicle or causes it to be operated in any carriage to which NRS 706.011 to 706.861, inclusive, apply without first obtaining a certificate, permit or license, or in violation of the terms thereof;

(b) Fails to make any return or report required by NRS 706.011 to 706.861, inclusive, or by the commission or the department under the terms of NRS 706.011 to 706.861, inclusive;

(c) Violates, or procures, aids or abets the violating of, any provision of NRS 706.011 to 706.861, inclusive;

(d) Fails to obey any order, decision or regulation of the commission or the department;

(e) Procures, aids or abets any person in his failure to obey such an order, decision or regulation;

(f) Advertises, solicits, proffers bids or otherwise holds himself out to perform transportation as a common or contract carrier in violation of any of the provisions of NRS 706.011 to 706.861, inclusive;

(g) Knowingly offers, gives, solicits or accepts any rebate, concession or discrimination in violation of this chapter;

(h) Knowingly, willfully and fraudulently seeks to evade or defeat the purposes of this chapter;

(i) Operates or causes to be operated a vehicle which does not have the proper identifying device;

(j) Displays or causes or permits to be displayed a certificate, permit, license or identifying device, knowing it to be fictitious or to have been canceled, revoked, suspended or altered;

(k) Lends or knowingly permits the use of by one not entitled thereto any certificate, permit, license or identifying device issued to the person so lending or permitting the use thereof; or

(l) Refuses or fails to surrender to the commission or department any certificate, permit, license or identifying device which has been suspended, canceled or revoked as provided in this chapter,

is guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than $50 nor more than $1,000, or by imprisonment in the county jail for not more than 6 months, or by both fine and imprisonment.

2. A person convicted of a misdemeanor for a violation of NRS 706.386 [, 706.421 or 706.768] *or 706.421* within 12 consecutive months shall be punished:

(a) For the first offense by a fine of not less than $500 nor more than $1,000;

(b) For the second offense and each subsequent offense by a fine of $1,000; or

(c) For any offense, by imprisonment in the county jail for not more than 6 months, or by both the prescribed fine and imprisonment.

3. The fines provided in this section are mandatory and must not be reduced under any circumstances by the court.

4. Any bail allowed must not be less than the appropriate fine provided for by this section.

Sec. 9. NRS 706.766 is hereby amended to read as follows:

706.766 1. It is unlawful for any common or contract motor carrier [or broker] to charge, demand, collect or receive a greater or less compensation for any service performed by it within the state or for any service in connection therewith than is specified in its fare, rates, joint rates, charges or rules and regulations on file with the commission, or to demand, collect or receive any fare, rate or charge not specified. The rates, tolls [,] and charges named therein [shall be] *are* the lawful rates, tolls and charges until they are changed as provided in this chapter.

2. It is unlawful for any common or contract motor carrier [or broker] to grant any rebate, concession or special privilege to any person which, directly or indirectly, has or may have the effect of changing the rates, tolls, charges or payments.

3. Any violation of the provisions of this section [shall subject] *subjects* the violator to the penalty prescribed in NRS 706.761.''.

Amend the bill as a whole by adding a new section designated sec. 11, and the text of the repealed section, following sec. 8, to read as follows:

Sec. 11. NRS 706.768 is hereby repealed.

TEXT OF REPEALED SECTION

706.768 Unlawful to engage in business of broker without license from city or county. It is unlawful for any person to act as a broker on or off the highways of this state without first obtaining a business license from a city or county and filing a copy of the license with the commission.

Amend the title of the bill to read as follows:

''An Act relating to transportation; making various changes to the provisions governing motor carriers, brokers and taxicabs; and providing other matters properly relating thereto.''

Amend the summary of the bill to read as follows: ''Makes various changes to provisions governing motor carriers, brokers and taxicabs. (BDR 58-1923)''.

Assemblyman Nevin moved that the Assembly concur in the Senate amendment to Assembly Bill No. 731.

Remarks by Assemblyman Nevin.

Assemblyman Nevin requested that his remarks be entered in the Journal.

NEVADA LEGISLATURE
SIXTY-FOURTH SESSION

June 16, 1987

MR. SCOTT CRAIGIE, *Chairman,* Public Service Commission, 505 E. King Street, Carson City, Nevada 89710

RE: *A.B. 731*

Dear Mr. Craigie:

The adoption by the Commission of "temporary" General Order No. 5 in January of this year apparently had certain undesired effects as expressed by a number of passenger motor carriers and brokers, and members of this body.

First, some carriers were ordered not to provide services to the public of the nature they had previously performed, such services having been performed with the knowledge and real or implied approval of prior commissions. These changes obviously impede the free flow of visitors to the State's tourist attractions.

Second, the new regulations concerning brokers will possibly deter out-of-state passenger brokers from directing tourists to Nevada.

The legislature, in approving A.B. 731, believes that this bill, coupled with regulatory action on your part, can serve to eliminate the previously referred to problems.

It is our understanding that the commission will re-open General Order No. 5 to accommodate changes necessitated by A.B. 731, and furthermore modify General Order No. 5 to:

(a) eliminate the provisions relative to the registration and supervision of brokers;

(b) permit passenger motor carriers to perform the services they have individually been providing with the apparent approval of the commission, but without expanding the operating authority of any passenger motor carrier; and

(c) make clear that the mere presence of a host or hostess on a bus will not constitute "sightseeing" or "scenic tour" activity, absent the actual conducting of a "lectured tour."

We would anticipate that final action on these matters can be completed by January 1, 1988, and that enforcement of the regulations in question will, in the interim, be performed so as to conform to the legislature's intent herein described.

We would further expect that appropriate communication will be forthcoming from you to the members of the Assembly Transportation Committee, Senate Transportation and Commerce and Labor Committees and the Legislative Commission.

Sincerely yours,

LEONARD V. NEVIN, *Chairman,* Assembly Transportation Committee
JAMES J. BANNER, *Vice Chairman*
JAN EVANS, *Member*
ROBERT W. FAY, *Member*
VAL Z. GARNER, *Member*
PAUL W. MAY, JR., *Member*
JOHN DUBOIS, *Member*
BOB L. KERNS, *Member*
BOB THOMAS, *Member*

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 645.

The following Senate amendments were read:

Amendment No. 1476.

Amend section 1, page 1, line 10, after "must" by inserting "then".

Amendment No. 1621.

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. Chapter 354 of NRS is hereby amended by adding thereto a new section to read as follows:

1. For the fiscal year 1987-1988, the maximum allowable combined revenue and the combined revenue of each local government from the supplemental city-county relief tax and taxes ad valorem otherwise allowable pursuant to NRS 354.59805, 354.59811 and 354.59816 and subsection 3 of NRS 354.5982 must be increased by 5 percent.

2. For each fiscal year after the fiscal year 1987-1988, any increase authorized in subsection 1, must be included in determining the local government's maximum allowable revenue from taxes ad valorem and maximum allowable combined revenue from the supplemental city-county relief tax and taxes ad valorem.

3. For the purposes of subsections 1 and 2, in a county whose population is less than 100,000, a city whose actual tax rate, for purposes other than debt service, was zero per $100 of assessed valuation is entitled to the use of a rate not greater than 15 cents per $100 of assessed valuation.

4. Any local governing body which proposes to raise its tax rate pursuant to the provisions of subsections 1 and 2 shall provide notice of that fact to the residents of the area it governs.

5. The notice required by subsection 4 must:

(a) State that the governing body proposes to raise the ad valorem tax rate pursuant to the provisions of this section.

(b) Be published in a newspaper of general circulation in the county at least once before the meeting in which the proposal will be considered. The notice must be set in boldface type and at least one quarter of the newspaper's page in size.

6. Any additional revenue from ad valorem taxes which a local government is authorized to receive as a result of the application of this section must be reduced in the fiscal years 1987-1988 and 1988-1989 by the revenue generated from any special ad valorem levies for operating expenses authorized by the voters or by special act of the legislature between January 1, 1987, and July 1, 1987. The revenue generated from those levies must be added to the revenue which a local government is authorized to receive beginning with the fiscal year 1989-1990."

Amend the bill as a whole by deleting sections 3, 4 and 5 and renumbering sec. 6 as sec. 4.

Assemblyman May moved that the Assembly do not concur in the Senate amendments to Assembly Bill No. 645.

Remarks by Assemblyman May.

Motion carried.

Bill ordered transmitted to the Senate.

Assembly Bill No. 617.

The following Senate amendment was read:

Amendment No. 1488.

Amend section 1, page 1, line 3, by deleting "*4,*" and inserting "*5,*".

Amend section 1, page 1, line 8, by deleting "*$50,000,*" and inserting "*$100,000,*".

Amend section 1, page 2, by inserting between lines 3 and 4:

"*4. Before an agency or political subdivision of the state may commence a project subject to the provisions of this section, based upon a determination that the public interest would be served by rejecting any bids received in response to an advertisement for bids, it shall prepare and make available for public inspection a written statement containing:*

(a) A list of all persons, including supervisors, who the agency or political subdivision intends to assign to the project, together with their classifications and an estimate of the direct and indirect costs of their labor;

(b) A list of all equipment that the agency or political subdivision intends to use on the project, together with an estimate of the number of hours each item of equipment will be used and the hourly cost to use each item of equipment;

(c) An estimate of the cost of administrative support for the persons assigned to the project;

(d) An estimate of the total cost of the project; and

(e) An estimate of the amount of money the agency or political subdivision expects to save by rejecting the bids and performing the project itself."

Amend section 1, page 2, by deleting lines 4 and 5, and inserting:

"*5. This section does not apply to:*

(a) Any utility subject to the provisions of chapter 318 or 710 of NRS;"

Amend section 1, page 2, line 6, by deleting "*(b) Work*" and inserting: "*(b) Any work*".

Amend section 1, page 2, line 7, by deleting "*408.327.*" and inserting: "*408.327;*

(c) Normal maintenance of the property of a school district; or

(d) The Las Vegas Valley water district created pursuant to chapter 167, Statutes of Nevada 1947.".

Amend the title of the bill, second line, after "projects;" by inserting: "permitting an agency or political subdivision of the state to reject the bids under certain circumstances;"

Assemblyman Thompson moved that the Assembly concur in the Senate amendment to Assembly Bill No. 617.

Remarks by Assemblyman Thompson.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 596.

The following Senate amendment was read:

Amendment No. 1597.

Amend sec. 2, page 2, line 2, by deleting "committee." and inserting: "committee [.] *or, in the case of deferred compensation under 26 U.S.C. § 403(b) for employees of the University of Nevada System, by the board of regents.*".

Assemblyman Thompson moved that the Assembly concur in the Senate amendment to Assembly Bill No. 596.

Remarks by Assemblyman Thompson.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 618.

The following Senate amendment was read:

Amendment No. 1499.

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 288.215 is hereby amended to read as follows:

288.215 1. As used in this section:

(a) "Firemen" means those persons who are salaried employees of a fire prevention or suppression unit organized by a political subdivision of the state and whose principal duties are controlling and extinguishing fires.

(b) "Police officers" means those persons who are salaried employees of a police department or other law enforcement agency organized by a political subdivision of the state and whose principal duties are to enforce the law.

2. The provisions of this section apply only to firemen and police officers and their local government employers.

3. If the parties have not agreed to make the findings and recommendations of the factfinder final and binding upon all issues, and do not otherwise resolve their dispute, they shall, within 10 days after the factfinder's report is submitted, submit the issues remaining in dispute to an arbitrator who must be selected in the manner provided in NRS 288.200 and have the same powers provided for factfinders in NRS 288.210.

4. The arbitrator shall, within 10 days after he is selected, and after 7 days' written notice is given to the parties, hold a hearing for the purpose of receiving information concerning the dispute. The hearings must be held in the county in which the local government employer is located and the arbitrator shall arrange for a full and complete record of the hearings.

5. At the hearing, or at any subsequent time to which the hearing may be adjourned, information may be presented by:

(a) The parties to the dispute; or

(b) Any interested person.

6. The parties to the dispute shall each pay one-half of the costs incurred by the arbitrator.

7. At the recommendation of the arbitrator, the parties may, before the submission of a final offer, enter into negotiations. If the negotiations are begun, the arbitrator may adjourn the hearings for a period of 3 weeks. An agreement by the parties is final and binding, and upon notification to the arbitrator, the arbitration terminates.

8. If the parties do not enter into negotiations or do not agree within 30 days, each of the parties shall submit a single written statement containing its final offer for each of the unresolved issues.

9. The arbitrator shall, within 10 days after the final offers are submitted, accept one of the written statements, on the basis of the criteria provided in NRS 288.200, and shall report his decision to the parties. The decision of the arbitrator is final and binding on the parties. Any award of the arbitrator is retroactive to the expiration date of the last contract.

10. The decision of the arbitrator must include a statement:

(a) Giving his reason for accepting the final offer that is the basis of his award; and

(b) Specifying his estimate of the total cost of the award.".

Amend the title of the bill, second line, after the semicolon by inserting: "requiring an arbitrator in certain disputes to specify in his decision the reasons for and estimated total cost of his award;".

Amend the summary of the bill to read as follows: "Makes various changes concerning collective bargaining for police officers and firemen. (BDR S-1622)".

Assemblyman Thompson moved that the Assembly concur in the Senate amendment to Assembly Bill No. 618.

Remarks by Assemblyman Thompson.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 539.

The following Senate amendment was read:

Amendment No. 1631.

Amend section 1, page 1, line 3, by deleting "*an additional*" and inserting: "*at least one*".

Assemblyman Swain moved that the Assembly concur in the Senate amendment to Assembly Bill No. 539.

Remarks by Assemblyman Swain.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 796.

The following Senate amendment was read:

Amendment No. 1632.

Amend section 1, page 1, line 2, by deleting "2, 3 and 4" and inserting "2 and 3".

Amend the bill as a whole by deleting sections 4 through 17 and the text of repealed section.

Amend the title of the bill, by deleting the third and fourth lines and inserting: "reside outside the United States; and providing other matters".

Amend the summary of the bill to read as follows: "Makes various changes in provisions governing absent ballots and registration to vote. (BDR 24-1361)".

Assemblyman Swain moved that the Assembly concur in the Senate amendment to Assembly Bill No. 796.

Remarks by Assemblyman Swain.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 432.

The following Senate amendments were read:

Amendment No. 1323.

Amend section 1, page 1, line 4, after "*applies*" by inserting "*in person*".

Amend the bill as a whole by renumbering sections 2 and 3 as sections 4 and 5 and inserting new sections designated sections 2 and 3, following section 1, to read as follows:

"Sec. 2. NRS 482.215 is hereby amended to read as follows:

482.215 1. All applications for registration, except applications for renewal of registration, must be made as provided in this section.

2. Applications for all registrations, except renewals of registration, must be made in person, if practicable, to any office or agent of the department.

3. Each application must be made upon the appropriate form furnished by the department and contain:

(a) The signature of the owner.

(b) His residence address.

(c) His declaration of the county where he intends the vehicle to be based, unless the vehicle is deemed to have no base. The department shall use this declaration to determine the county to which the privilege tax is to be paid.

(d) A brief description of the vehicle to be registered, including the name of the maker, the engine, identification or serial number, whether new or used, and the last license number, if known, and the state in which issued, and upon the registration of a new vehicle, the date of sale by the manufacturer or franchised and licensed dealer in this state for the make to be registered to the person first purchasing or operating the vehicle.

(e) Proof satisfactory to the department that the applicant has provided the security required by NRS 485.185 covering the vehicle to be registered and his signed declaration that he will maintain the security during the period of registration.

(f) If the security is provided by a contract of insurance, the insurer shall provide evidence of that insurance on a form approved by the commissioner of insurance, which identifies the vehicle and indicates, at the time of application for registration, coverage which meets the requirements of NRS 485.185. The department may file that evidence, return it to the applicant or otherwise dispose of it.

(g) If required, evidence of the applicant's compliance with controls over emission.

4. The application must contain such other information as may be required by the department, and must be accompanied by proof of ownership satisfactory to the department.

5. For purposes of the proof, declaration and evidence required by paragraphs (e) and (f) of subsection 3:

(a) Vehicles which are subject to the license fee and registration requirements of the Interstate Highway User Fee Apportionment Act, and which are based in this state, may be declared as a fleet by the registered owner thereof, on his original application for or application for renewal of a proportional registration. The owner may file a single certificate of insurance covering that fleet.

(b) Other fleets composed of [ten] *10* or more vehicles based in this state or vehicles insured under a blanket policy which does not identify individual vehicles may each be declared as a fleet by the registered owner thereof annually for the purposes of an application for his original or any renewed registration. The owner may file a single certificate of insurance covering that fleet.

(c) A person who has qualified as a self-insurer pursuant to NRS 485.380 may file a copy of his certificate of self-insurance.

6. At the time of applying for registration of a vehicle, an applicant may, if eligible, register to vote pursuant to section 1 of this act.

Sec. 3. NRS 482.280 is hereby amended to read as follows:

482.280 1. The registration of every vehicle expires at midnight on the day specified on the receipt of registration. The department shall mail to each holder of a valid certificate of registration an application for renewal of registration for the following period of registration. The applications must be mailed by the department in sufficient time to allow all applicants to mail the applications to the department and to receive new certificates of registration and license plates, stickers, tabs or other suitable devices by mail before the expiration of subsisting registrations. An applicant may present the application to any agent or office of the department.

2. An application mailed or presented to the department or to a county assessor under the provisions of this section must include:

(a) A signed declaration by the applicant that he has and will maintain, during the period of registration, security as required by NRS 485.185 covering the motor vehicle to be registered.

(b) If required, evidence of compliance with standards for control of emissions.

3. The department shall insert in each application mailed as required by subsection 1 the amount of privilege tax to be collected for the county under the provisions of NRS 482.260.

4. An owner who has made proper application for renewal of registration before the expiration of the current registration but who has not received the license plate or plates or card of registration for the ensuing period of registration is entitled to operate or permit the operation of that vehicle upon the highways upon displaying thereon the license plate or plates issued for

the preceding period of registration for such *a* time as may be prescribed by the department as it may find necessary for the issuance of the new plate or plates or card of registration.

5. At the time of applying for renewal of registration of a vehicle, an applicant may, if eligible, register to vote pursuant to section 1 of this act.".

Amendment No. 1604.

Amend sec. 2, page 3, line 9, by deleting "residence" and inserting "residential".

Amend sec. 2, page 3, line 21, by deleting: "covering the vehicle to be registered".

Amend sec. 2, page 3, by deleting lines 37 and 38 and inserting:

"(a) Vehicles which are subject to the fee for a license and the requirements of registration of the Interstate Highway User Fee Apportionment Act, and".

Amend sec. 2, page 4, line 3, after "declared" by inserting "annually".

Amend sec. 2, page 4, line 4, by deleting "annually".

Amend sec. 2, page 4, line 7, by deleting "has qualified" and inserting "qualifies".

Amend sec. 2, page 4, between lines 8 and 9, by inserting:

"(d) A person who qualifies for an operator's policy of liability insurance pursuant to NRS 485.3091 and section 8 of [this act] *Assembly Bill No. 118 of this session* may file evidence of that insurance.".

Amend sec. 3, page 4, line 19, by deleting "subsisting" and inserting "their".

Amend sec. 3, page 4, lines 24 and 25, by deleting: "NRS 485.185 covering the motor vehicle to be registered."; and inserting: "NRS 485.185. Security may be provided by an operator's policy of liability insurance if the applicant and the policy meet the requirements of NRS 485.3091 and section 8 of [this act.] *Assembly Bill No. 118 of this session.*".

Amend sec. 3, page 3, line 28, by deleting "as required by" and inserting "pursuant to".

Amend the bill as a whole by adding new sections designated sections 6, 7 and 8, following sec. 5, to read as follows:

"Sec. 6. 1. There is hereby appropriated from the state general fund to the Department of Motor Vehicles and Public Safety for the cost of registering voters pursuant to section 1 of this act:

For the fiscal year 1987-88 ..... $28,205

For the fiscal year 1988-89 28,205

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. 7. This act expires by limitation on July 1, 1989.

Sec. 8. Sections 2 and 3 of this act become effective at 12:01 a.m. on July 1, 1987.".

Amend the title of the bill, second line, after "vehicle;" by inserting:"making an appropriation;".

Assemblyman Sader moved that the Assembly concur in the Senate amendments to Assembly Bill No. 432.

Remarks by Assemblyman Sader.

Motion carried.

Bill ordered enrolled.

RECEDE FROM ASSEMBLY AMENDMENTS

Assemblyman Jeffrey moved that the Assembly do not recede from its action on Senate Bill No. 165, 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, Spinello 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. 165.

GENERAL FILE AND THIRD READING

Senate Bill No. 596.

Bill read third time.

Remarks by Assemblyman Sedway.

Roll call on Senate Bill No. 596:

YEAS—42.

NAYS—None.

Senate Bill No. 596 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 597.

Bill read third time.

Remarks by Assemblymen Spinello, Sedway and Adler.

Assemblyman Sedway requested that his remarks be entered in the Journal.

NEVADA LEGISLATURE

SENATE

June 16, 1987

BOARD OF TRUSTEES, Each School District of the State of Nevada

Dear President:

The Senate Committee on Finance and the Assembly Committee on Ways and Means in recommending, and the Nevada Legislature, in approving Senate Bill 597, declare that the intent of Section 6 of that Act is:

To provide the estimated amount necessary for the various school districts to provide for their employees a salary increase of at least 3 percent less any increase in the retirement contribution rate which is the responsibility of the employee pursuant to NRS 286 (The increase in contribution rates is in reference to the employee's share of the rate increases pursuant to S.B. 586 of the 64th Legislative Session.). In addition, the amounts

appropriated include the estimated funds necessary for the increased cost of the retirement contributions at current (fiscal 1986-87) rates for the salary increase.

SENATOR WILLIAM RAGGIO
Chairman, Senate Finance Committee

ASSEMBLYMAN MARVIN SEDWAY
Chairman, Assembly Ways and Means Committee

Roll call on Senate Bill No. 597:

YEAS—42.
NAYS—None.

Senate Bill No. 597 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 72.

Bill read third time.

Remarks by Assemblyman Nevin.

Roll call on Senate Bill No. 72:

YEAS—42.
NAYS—None.

Senate Bill No. 72 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 Thompson.

Roll call on Senate Bill No. 64:

YEAS—42.
NAYS—None.

Senate Bill No. 64 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 first Committee on Conference concerning Senate Bill No. 156, consisting of the undersigned members, has met, and reports that:

It has agreed to recommend that the amendment of the Assembly be concurred in.

JANE WISDOM	WILLIAM R. O'DONNELL
GENE T. PORTER	KENNETH K. REDELSPERGER
JAMES W. MCGAUGHEY	RAY SHAFFER
Assembly Committee on Conference	*Senate Committee on Conference*

Assemblyman Wisdom moved that the Assembly adopt the report of the first Committee on Conference concerning Senate Bill No. 156.

Remarks by Assemblyman Wisdom.

Motion carried.

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bills Nos. 7, 81, 103, 106, 151, 159, 227, 255, 265, 278, 294, 394, 400, 468, 548, 552, 558, 613, 631, 757, 801, 802, 825, 828, 846, 859, 875; Senate Bills Nos. 29, 102, 111, 125, 168, 208, 209, 226, 252, 359, 369, 426, 435, 464, 475, 479, 480, 485, 501, 529, 583; Assembly Joint Resolution No. 26; Assembly Concurrent Resolution No. 68; Senate Concurrent Resolution No. 16.

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. Bessie Lommori, Mrs. Betty Fraser and Mr. George Fraser.

On request of Assemblyman Gaston, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Betty Wilson and Mr. Darrel Wilson.

On request of Assemblyman Getto, the privilege of the floor of the Assembly Chamber for this day was extended to Mesdames Pat Getto, Mary Carter and Mr. Don Carter.

On request of Assemblyman Wisdom, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Charles P. Wisdom.

On request of Mr. Speaker, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Jeanne Dini and Ms. Betty Day.

On request of Assemblyman Price, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Kathleen M. Anderson.

Assemblyman Jeffrey moved that the Assembly adjourn until Wednesday, June 17, 1987 at 9 a.m.

Motion carried.

Assembly adjourned at 10:28 p.m.

Approved: JOSEPH E. DINI, JR.
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE ONE HUNDRED AND FIFTIETH DAY

CARSON CITY (Wednesday), June 17, 1987

Assembly called to order at 10:20 a.m.
Mr. Speaker presiding.
Roll called.
All present.
Mr. Speaker announced that there would be a moment of silent prayer.
Pledge of allegiance to the Flag.

Assemblyman Nevin 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 Senate Bill No. 594, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

MARVIN M. SEDWAY, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, June 16, 1987

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 86, 657, 763, 774.

Also, I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bills Nos. 663, 678, 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. 291 and requests a conference, and appointed Senators Beyer, Shaffer 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 adopted Assembly Concurrent Resolution No. 77.

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. 134, 313, 371, 508.

Also, I have the honor to inform your honorable body that the Senate on this day appointed Senators Townsend, Coffin and O'Donnell as a first Committee on Conference concerning Senate Bill No. 235.

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. 187 and requests a second conference, and appointed Senators Rhoads, Raggio and Gibson as a second Committee on Conference to meet with a like committee of the Assembly for the further consideration of Senate Bill No. 187.

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. 262

and requests a second conference, and appointed Senators Townsend, Redelsperger and Shaffer as a second Committee on Conference to meet with a like committee of the Assembly for the further consideration of Senate Bill No. 262.

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. 76.

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. 178.

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. 310.

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. 19.

MARY JO MONGELLI
Assistant Secretary of the Senate

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 678.

The following Senate amendment was read:

Amendment No. 1636.

Amend sec. 2, page 2, line 5, by deleting "governor's".

Amend sec. 3, page 2, line 7, by deleting "governor's".

Amend sec. 3, page 2, line 8, by deleting "the governor," and inserting: "consensus of the speaker and minority leader of the assembly and the majority and minority leaders of the senate,".

Amend sec. 3, page 2, by deleting lines 9 through 12 and inserting: "created. Two members of the commission must be former or present members of the senate and two members must be former or present members of the assembly. The remainder of the members must be representatives of the general public.".

2. Each member of the commission must be a resident of the state.".

Amend the title of the bill, first line, by deleting "governor's".

Amend the summary of the bill by deleting "governor's".

Assemblyman Myrna Williams moved that the Assembly concur in the Senate amendment to Assembly Bill No. 678.

Remarks by Assemblyman Myrna Williams.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 663.

The following Senate amendment was read:

Amendment No. 1612.

Amend the bill as a whole by renumbering section 1 as sec. 2 and adding a new section designated section 1, following the enacting clause, to read as follows:

"Section 1. Chapter 616 of NRS is hereby amended by adding thereto a new section to read as follows:

1. Except as otherwise provided in subsection 2, an insurer may contract with suppliers to provide services and goods to injured employees. Such contracts may provide for the exclusive provision of specified services or goods to injured employees.

2. An insurer shall not enter into any exclusive agreement or contract pursuant to subsection 1:

(a) With any physician or chiropractor to provide primary care for an injured employee;

(b) With any hospital for general care for patients acutely ill; or

(c) Which would restrict the ability of an injured employee to choose a treating physician or chiropractor pursuant to NRS 616.342.".

Amend section 1, page 1, by deleting line 4 and inserting:

"(a) Exceed [such] *the* fees and charges [as prevail] *usually paid* in the [same community] *state*".

Amend section 1, page 1, by deleting line 8.

Amend section 1, page 1, between lines 12 and 13, by inserting: "*director shall, giving consideration to the fees and charges being paid in the state, establish a schedule of reasonable fees and charges allowable for accident benefits. The*".

Amend section 1, page 2, by deleting lines 2 through 8 and inserting: "*information concerning fees and charges paid for similar services as he deems necessary to carry out the provisions of subsections 1 and 2. The director shall not require any person to record or report his fees or charges in a manner inconsistent with the person's own system of records. The director may require a person or entity providing records or reports of fees charged to provide interpretation and identification concerning the information delivered. The director may impose an administrative fine of $500 for each refusal to provide the information requested pursuant to this subsection.*".

Amend the title of the bill, third line, after "employers;" by inserting: "authorizing certain contracts for the exclusive provision of services and goods to injured employees;".

Amend the summary of the bill to read as follows: "Makes various changes concerning industrial insurance. (BDR 53-2021)".

Assemblyman Banner moved that the Assembly concur in the Senate amendment to Assembly Bill No. 663.

Remarks by Assemblyman Banner.

Motion carried.

Bill ordered enrolled.

REPORTS OF CONFERENCE COMMITTEES

Assemblyman Jeffrey moved that the action whereby the first Conference Committee report concerning Assembly Bill No. 775 was adopted be rescinded.

Remarks by Assemblyman Jeffrey.

Motion carried.

Mr. Speaker:

The first Committee on Conference concerning Assembly Bill No. 775, 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. C28, which is attached to and hereby made a part of this report.

GENE T. PORTER
DANNY L. THOMPSON
JOHN DUBOIS
Assembly Committee on Conference

RANDOLPH J. TOWNSEND
WILLIAM R. O'DONNELL
JOHN M. VERGIELS
Senate Committee on Conference

Amendment No. C28.

Amend sec. 2, page 1, by deleting lines 4 and 5 and inserting: "*of a limited dealer's license authorizing a person other than a bank, savings and loan association, credit union, thrift company or other financial institution to act as a repossessor or*".

Amend sec. 4, page 2, by deleting lines 26 through 29 and inserting:

"(c) Banks , *savings and loan associations, credit unions, thrift companies* or other financial institutions proceeding as repossessors or liquidators [;] *of their own security;* or

(d) An owner selling his private residence."

Assemblyman Porter moved that the Assembly adopt the report of the first Committee on Conference concerning Assembly Bill No. 775.

Remarks by Assemblyman Porter.

Motion carried.

Mr. Speaker:

The first Committee on Conference concerning Senate Bill No. 155, 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. C27, which is attached to and hereby made a part of this report.

MATTHEW Q. CALLISTER
ROBERT W. FAY
DAVID D. NICHOLAAS
Assembly Committee on Conference

WILLIAM R. O'DONNELL
RAY SHAFFER
KENNETH K. REDELSPERGER
Senate Committee on Conference

Amendment No. C27.

Amend sec. 4, page 2, line 30, by deleting "*112*" and inserting "*125*".

Amend sec. 4, page 2, line 35, by deleting "*112*" and inserting "*125*".

Assemblyman Callister moved that the Assembly adopt the report of the first Committee on Conference concerning Senate Bill No. 155.

Remarks by Assemblyman Callister.

Motion carried.

Mr. Speaker:

The first Committee on Conference concerning Senate Bill No. 235, 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.

MARVIN M. SEDWAY	RANDOLPH J. TOWNSEND
DANNY L. THOMPSON	BOB COFFIN
BOB L. KERNS	WILLIAM R. O'DONNELL
Assembly Committee on Conference	*Senate Committee on Conference*

Amendment No. C25.

Amend section 1, page 1, line 9, by deleting "250" and inserting "[250] *283*"

Amend section 1, page 2, line 16, by deleting "$45" and inserting "[$45] *$78*".

Amend section 1, page 2, line 21, by deleting "105" and inserting "[105] *138*".

Amend section 1, page 2, line 23, by deleting "105" and inserting "[105] *138*".

Amend section 1, page 2, line 27, by deleting "$45" and inserting "[$45] *$78*".

Amend section 1, page 2, line 28, by deleting "45" and inserting "[45] *78*".

Amend section 1, page 2, line 30, by deleting "225" and inserting "[225] *258*".

Amend section 1, page 2, line 31, by deleting "225" and inserting "[225] *258*".

Amend section 1, page 2, line 33, by deleting "45" and inserting "[45] *78*".

Amend section 1, page 2, line 34, by deleting "45" and inserting "[45] *78*".

Amend section 1, page 2, line 36, by deleting "$45" and inserting "[$45] *$78*".

Amend section 1, page 2, line 37, by deleting "45" and inserting "[45] *78*".

Amend section 1, page 3, line 1, by deleting "$45" and inserting "[$45] *$78*".

Amend section 1, page 3, line 3, by deleting "45" and inserting "[45] *78*".

Amend section 1, page 3, line 5, by deleting "105" and inserting "[105] *138*".

Amend section 1, page 3, line 7, by deleting "105" and inserting "[105] *138*".

Amend section 1, page 3, line 10, by deleting "$45" and inserting "[$45] *$78*".

Amend section 1, page 3, line 11, by deleting "45" and inserting "[45] *78*".

Amend section 1, page 3, line 13, by deleting "45" and inserting "[45] *78*".

Amend section 1, page 3, line 15, by deleting "45" and inserting "[45] *78*".

Amend section 1, page 3, line 18, by deleting "$45" and inserting "[$45] *$78*".

Amend section 1, page 3, line 19, by deleting "45" and inserting "[45] *78*".

Amend section 1, page 3, line 25, by deleting "$45" and inserting "[$45] *$78*".

Amend section 1, page 3, line 26, by deleting "45" and inserting "[45] *78*".

Amend section 1, page 3, line 39, by deleting "$45" and inserting "[$45] *$78*".

Amend section 1, page 3, line 40, by deleting "45" and inserting "[45] *78*".

Amend section 1, page 4, line 1, by deleting "105" and inserting "[105] *138*".

Amend section 1, page 4, line 2, by deleting "105" and inserting "[105] *138*".

Amend section 1, page 4, line 14, by deleting "$45" and inserting "[$45] *$78*".

Amend section 1, page 4, line 16, by deleting "45" and inserting "[45] *78*".

Amend section 1, page 4, line 18, by deleting "$45" and inserting "[$45] *$78*".

Amend section 1, page 4, line 19, by deleting "45" and inserting "[45] *78*".

Amend section 1, page 4, line 22, by deleting "$45" and inserting "[$45] *$78*".

Amend section 1, page 4, line 24, by deleting "45" and inserting "[45] *78*".

Amend section 1, page 4, line 26, by deleting "$45" and inserting "[$45] *$78*".

Amend section 1, page 4, line 27, by deleting "45" and inserting "[45] *78*".

Amend section 1, page 4, line 31, by deleting "$45" and inserting "[$45] *$78*".

Amend section 1, page 4, line 32, by deleting "45" and inserting "[45] *78*".

Amend section 1, page 4, line 34, by deleting "105" and inserting "[105] *138*".

Amend section 1, page 4, line 35, by deleting "105" and inserting "[105] *138*".

Amend section 1, page 4, line 38, by deleting "$45" and inserting "[$45] *$78*".

Amend section 1, page 5, line 1, by deleting "$45" and inserting "[$45] *$78*".

Amend section 1, page 5, line 2, by deleting "45" and inserting "[45] *78*".

Amend section 1, page 5, line 4, by deleting "105" and inserting "[105] *138*".

Amend section 1, page 5, line 5, by deleting "105" and inserting "[105] *138*".

Amend section 1, page 5, line 9, by deleting "$45" and inserting "[$45] *$78*".

Amend section 1, page 5, line 11, by deleting "45" and inserting "[45] *78*".

Amend section 1, page 5, line 13, by deleting "105" and inserting "[105] *138*".

Amend section 1, page 5, line 14, by deleting "105" and inserting "[105] *138*".

Amend section 1, page 5, line 22, by deleting "$45" and inserting "[$45] *$78*".

Amend section 1, page 5, line 23, by deleting "45" and inserting "[45] *78*".

Amend section 1, page 5, line 25, by deleting "105" and inserting "[105] *138*".

Amend section 1, page 5, line 26, by deleting "105" and inserting "[105] *138*".

Assemblyman Sedway moved that the Assembly adopt the report of the first Committee on Conference concerning Senate Bill No. 235.

Remarks by Assemblyman Sedway

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Senate Bill No. 594 be placed on the Second Reading File.

Motion carried.

Assemblyman Jeffrey moved that Senate Bill No. 514 be placed on the General File.

Motion carried.

SECOND READING AND AMENDMENT

Senate Bill No. 594.

Bill read second time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1660.

Amend section 1, page 1, line 9, by deleting "$53" and inserting "[$53] *$55*".

Amend section 1, page 1, line 10, by deleting "80" and inserting "[80] *83*".

Amend section 1, page 1, line 11, by deleting "60" and inserting "[60] *62*".

Amend section 1, page 1, line 12, by deleting "45" and inserting "[45] *47*".

Amend section 1, page 1, line 13, by deleting "65" and inserting "[65] *67*".

Amend section 1, page 1, line 14, by deleting "58" and inserting "[58] *60*".

Amend section 1, page 1, line 15, by deleting "73" and inserting "[73] *76*".

Amend section 1, page 1, line 16, by deleting "73" and inserting "[73] *76*".

Amend section 1, page 1, line 17, by deleting "73" and inserting "[73] *76*".

Amend section 1, page 1, line 18, by deleting "73" and inserting "[73] *76*".

Amend section 1, page 2, line 1, by deleting "45" and inserting "[45".

Amend section 1, page 2, by deleting line 2 and inserting:

"Secretary..... 95] *47*".

Amend section 1, page 2, line 3, by deleting "70" and inserting "[70] *73*".

Amend section 1, page 2, line 4, by deleting "75" and inserting "[75] *78*".

Amend section 1, page 2, line 5, by deleting "58" and inserting "[58] *60*".

Amend section 1, page 2, line 6, by deleting "50" and inserting "[50] *52*".

Amend section 1, page 2, line 10, by deleting "80" and inserting "[80] *83*".

Amend section 1, page 2, line 11, by deleting "60" and inserting "[60] *62*".

Amend section 1, page 2, line 12, by deleting "53" and inserting "[53] *55*".

Amend section 1, page 2, line 13, by deleting "45" and inserting "[45".

Amend section 1, page 2, by deleting line 15 and inserting:

"Chief clerk..... 95] *47*".

Amend section 1, page 2, line 16, by deleting "65" and inserting "[65] *67*".

Amend section 1, page 2, line 17, by deleting "73" and inserting "[73] *76*".

Amend section 1, page 2, line 18, by deleting "73" and inserting "[73] *76*".

Amend section 1, page 2, line 19, by deleting "73" and inserting "[73] *76*".

Amend section 1, page 2, line 20, by deleting "45" and inserting "[45] *47*".

Amend section 1, page 2, line 21, by deleting "58" and inserting "[58] *60*".

Amend section 1, page 2, line 22, by deleting "70" and inserting "[70] *73*".

Amend section 1, page 2, line 23, by deleting "75" and inserting "[75] *78*".

Amend section 1, page 2, line 24, by deleting "58" and inserting "[58".

Amend section 1, page 2, by deleting line 25 and inserting:

"[Supervisor of bill distribution center..... 50] *60*".

Amend section 1, page 2, line 26, by deleting "73" and inserting "[73] *76*".

Amend section 1, page 2, line 27, by deleting "50" and inserting "[50] *52*".

Amend the title of the bill by deleting the second line and inserting: "for certain employees of the senate and the assembly; raising the compensation for officers and employees; repealing the".

Amend the summary of the bill to read as follows: "Revises provisions governing compensation for certain employees of senate and assembly. (BDR 17-2324)".

Assemblyman Sedway moved the adoption of the amendment.

Remarks by Assemblyman Sedway.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Arberry moved that Senate Bill No. 577 be taken from the Chief Clerk's desk and placed on the General File.

Remarks by Assemblyman Arberry.

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 10:34 a.m.

ASSEMBLY IN SESSION

At 10:45 a.m.

Mr. Speaker presiding.

Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Judiciary, to which was referred Senate Bill No. 193, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ROBERT M. SADER, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Sader moved that Senate Bill No. 193 be placed on the Second Reading File.

Motion carried.

SECOND READING AND AMENDMENT

Senate Bill No. 193.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1666.

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 1.020 is hereby amended to read as follows:

1.020 The *following courts are court of record:*

1. The supreme court [, the] *;*

2. The district courts [, and the] *;*

3. The justices' courts [are courts of record.] *; and*

4. In any case in which a jury trial is required, the municipal courts."

Amend the title of the bill to read as follows:

"An Act relating to courts of record; designating municipal courts as courts of record in cases in which a jury trial is required; and providing other matters properly relating thereto.".

Amend the summary of the bill to read as follows: "Designates municipal courts as courts of record in certain cases. (BDR 8-1046)".

Assemblyman Sader moved the adoption of the amendment.

Remarks by Assemblyman Sader.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

UNFINISHED BUSINESS

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker appointed Assemblymen Craddock, Spriggs and Triggs as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Assembly Bill No. 291.

GENERAL FILE AND THIRD READING

Senate Bill No. 514.

Bill read third time.

Remarks by Assemblyman Sedway.

Roll call on Senate Bill No. 514:

YEAS—41.

NAYS—Thomas.

Senate Bill No. 514 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 577.

Bill read third time.

Remarks by Assemblymen Wendell Williams, Haller and Fay.

Assemblyman Fay moved that Senate Bill No. 577 be taken from the General File and placed on the Chief Clerk's desk.

Motion carried.

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

Assembly in recess at 11 a.m.

ASSEMBLY IN SESSION

At 11:48 a.m.

Mr. Speaker presiding.

Quorum present.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, June 17, 1987

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. 775.

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 Concurrent Resolution No. 65 and requests a conference, and appointed Senators Horn, Wagner and Rawson 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. 23, 177, 254, 302, 353, 410, 432, 533, 580.

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. 407.

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. 156.

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. 57 and requests a second conference, and appointed Senators Raggio, Wagner and Jacobsen as a second Committee on Conference to meet with a like committee of the Assembly for the further consideration of Senate Bill No. 57.

MARY JO MONGELLI
Assistant Secretary of the Senate

UNFINISHED BUSINESS

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker appointed Assemblymen Myrna Williams, Sedway and Humke as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Assembly Concurrent Resolution No. 65.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Sedway moved that Assembly Bill No. 888 be taken from the Chief Clerk's desk and placed on the General File.

Remarks by Assemblyman Sedway.

Motion carried.

UNFINISHED BUSINESS

RECEDE FROM ASSEMBLY AMENDMENTS

Assemblyman Thompson moved that the Assembly do not recede from its action on Senate Bill No. 407, 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 Brookman, Freeman 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. 407

REPORTS OF CONFERENCE COMMITTEES

Mr. Speaker:

The first Committee on Conference concerning Senate Bill No. 272, 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. C32, which is attached to and hereby made a part of this report.

MORSE ARBERRY, JR.	SUE WAGNER
DAVID E. HUMKE	THOMAS J. HICKEY
WENDELL P. WILLIAMS	JOE NEAL
Assembly Committee on Conference	*Senate Committee on Conference*

Amendment No. C32.

Amend sec. 9, page 3, by deleting line 8 and inserting: "persons] consenting. *If neither the petitioner or the spouse of a petitioner is related to the child within the third degree of consanguinity, then one of the witnesses must be a social worker employed by:*

(a) The welfare division of the department of human resources;

(b) An agency licensed in this state to place children for adoption; or

(c) A comparable state or county agency of another state.".

Assemblyman Arberry moved that the Assembly adopt the report of the first Committee on Conference concerning Senate Bill No. 272.

Remarks by Assemblyman Arberry.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 888.

Bill read third time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1668.

Amend section 1, page 1, line 16, by deleting "*$200*" and inserting "*$145*".

Assemblyman Sedway moved the adoption of the amendment.

Remarks by Assemblyman Sedway.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen Myrna Williams, Dini, Adler, Arberry, Banner, Bergevin, Brookman, Callister, Carpenter, Craddock, DuBois, Evans, Fay, Freeman, Garner, Gaston, Getto, Haller, Humke, Jeffrey, Kerns, Kissam, Lambert, McGaughey, Marvel, May, Nevin, Nicholas, Porter, Price, Sader, Schofield, Sedway, Spinello, Spriggs, Swain, Tebbs, Thomas, Thompson, Triggs, Wendell Williams and Wisdom:

Assembly Resolution No. 16—Commending attachés of Assembly for their dedication and hard work.

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 64th Session of the Nevada Legislature commend and thank Joan Anderson, Martha Barnes, Iris Bellinger, Jacqueline Belmont, Phyllis Berkson, Rebecca Boatwright, Dawnetta S. Brown, Morse Burley, Debra Campbell, Christy Canatsey, Mary Carel, Elaine Christofferson, Jeanie Davis, Betty Day, Carol Dickerson, Nancy Dickson, Roger Drum, Sally Dunfield, Jody Dunn, Jane Dunne, Ginger Eaton, Joan Eisner, Robert Elliott, Thomas Fitzsimmons, Kimberly L. Fry, Sandra Gagnier, Rodger J. Genereux, Sharon Hall, Patricia Hatch, Susan Hella, Martha Herndon, Frances Hill, JorJan Hopwood, Lavelle Johnson, Clare Jones, Kathryn Kaessner, Robert Kenneston, Cheri Kinsley, Martha Laird, Gloria Lohner, Yhvona Martin, Carol Martini, Jane Mathis, Sylvia Mays, Carole Miller, Carol Moore, David Mueller, Virginia Nevin, Kathryn Pereos, Valerie Perkins, Amy Phelps, Joe Pieretti, Shanna Pozzi, Marjorie Robertson, Christine Shaw, Joylyn Smith, Julene Smith, Vicki Stevens, Teresa Talley, Cheryl Thurston, Carol Troop, Kevin Uhart, Donna Wadey, Richard Williams and Heidi Wood.

Assemblyman Myrna Williams moved the adoption of the resolution.

Remarks by Assemblymen Myrna Williams, Brookman, Kerns, Jeffrey, Getto, Thomas, Triggs, Price, Schofield, Humke, Craddock, Spinello, Sedway, Sader, May, Marvel, Wisdom, Porter, Nevin, Bergevin, DuBois, Nicholas, Adler, Thompson, Spriggs, Evans, Arberry, Swain, Banner, Gaston, Freeman and Fay.

Resolution adopted unanimously.

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

Assembly in recess at 12:51 p.m.

ASSEMBLY IN SESSION

At 1:02 p.m.

Mr. Speaker presiding.

Quorum present.

UNFINISHED BUSINESS

REPORTS OF CONFERENCE COMMITTEES

Mr. Speaker:

The first Committee on Conference concerning Assembly Bill No. 778, consisting of the undersigned members, has met, and reports that:

It has agreed to recommend that the amendment of the Senate be concurred in.

MORSE ARBERRY, JR.	WILLIAM R. O'DONNELL
JANE WISDOM	DONALD R. MELLO
JAMES W. MCGAUGHEY	HERBERT M. JONES
Assembly Committee on Conference	*Senate Committee on Conference*

Assemblyman Arberry moved that the Assembly adopt the report of the first Committee on Conference concerning Assembly Bill No. 778.

Remarks by Assemblyman Arberry.

Motion carried.

Assemblyman Nevin moved that the Assembly recess until 2:30 p.m.

Motion carried.

Assembly in recess at 1:03 p.m.

ASSEMBLY IN SESSION

At 3 p.m.

Mr. Speaker presiding.

Quorum present.

UNFINISHED BUSINESS

REPORTS OF CONFERENCE COMMITTEES

Mr. Speaker:

The second Committee on Conference concerning Senate Bill No. 57, 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. C31, which is attached to and hereby made a part of this report.

WENDELL P. WILLIAMS	WILLIAM J. RAGGIO
JANE WISDOM	SUE WAGNER
JOHN DUBOIS	LAWRENCE E. JACOBSEN
Assembly Committee on Conference	*Senate Committee on Conference*

Amendment No. C31.

Amend sec. 6, page 6, by deleting lines 1 through 3 and inserting: "not subject to any provision of chapter 241 of NRS.".

Assemblyman Wendell Williams moved that the Assembly adopt the report of the second Committee on Conference concerning Senate Bill No. 57.

Remarks by Assemblyman Wendell Williams.

Motion carried.

Mr. Speaker:

The first Committee on Conference concerning Senate Bill No. 165, 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. C30, which is attached to and hereby made a part of this report.

JOHN E. JEFFREY	RAYMOND D. RAWSON
JAMES J. SPINELLO	LAWRENCE E. JACOBSEN
DAVID E. HUMKE	NICHOLAS J. HORN
Assembly Committee on Conference	*Senate Committee on Conference*

Amendment No. C30.

Amend sec. 2, page 2, line 23, by deleting "$12,000" and inserting "$16,000".

Assemblyman Jeffrey moved that the Assembly adopt the report of the first Committee on Conference concerning Senate Bill No. 165.

Remarks by Assemblyman Jeffrey.

Motion carried.

Mr. Speaker:

The second Committee on Conference concerning Senate Bill No. 187, 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. C33, which is attached to and hereby made a part of this report.

JAN EVANS	DEAN A. RHOADS
ERNEST E. ADLER	WILLIAM J. RAGGIO
MYRNA WILLIAMS	JAMES I. GIBSON
Assembly Committee on Conference	*Senate Committee on Conference*

Amendment No. C33.

Amend section 1, page 1, line 6, by deleting "$100,000" and inserting "$110,000".

Amend section 1, page 1, line 7, by deleting "100,000" and inserting "110,000".

Assemblyman Evans moved that the Assembly adopt the report of the second Committee on Conference concerning Senate Bill No. 187.

Remarks by Assemblyman Evans.

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Sedway moved that Assembly Bill No. 888 be placed on the General File.

Motion carried.

Assemblyman Jeffrey moved that all rules be suspended and that Senate Bills Nos. 193 and 594 be declared emergency measures under the Constitution and placed on third reading and final passage.

Motion carried unanimously.

Assemblyman Nevin moved that the Assembly recess subject to the call of the Chair.

Motion carried.

Assembly in recess at 3:06 p.m.

ASSEMBLY IN SESSION

At 3:45 p.m.

Mr. Speaker presiding.

Quorum present.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, June 17, 1987

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 871, 872, 882, 891, 892.

Also, I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bills Nos. 457, 736, 804, 829, 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. 645 and requests a conference, and appointed Senators O'Connell, Beyer 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. 162 and requests a second conference, and appointed Senators Neal, Malone and Jones as a second Committee on Conference to meet with a like committee of the Assembly for the further consideration of Assembly Bill No. 162.

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. 424 and requests a second conference and appointed Senators Hickey, Mello and Beyer as a second Committee on Conference to meet with a like committee of the Assembly for the further consideration of Assembly Bill No. 424.

Also, I have the honor to inform your honorable body that the Senate on this day passed Assembly Joint Resolution No. 47.

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. 382.

Also, I have the honor to inform your honorable body that the Senate on this day appointed Senators Rawson, Jacobsen and Horn as a first Committee on Conference concerning Senate Bill No. 165.

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. 62 and requests a second conference, and appointed Senators Joerg, Redelsperger and Shaffer as a second Committee on Conference to meet with a like committee of the Assembly for the further consideration of Senate Bill No. 62.

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. 155.

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. 235.

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. 272.

MARY JO MONGELLI
Assistant Secretary of the Senate

Assemblyman Thompson moved that the Assembly recess subject to the call of the Chair.

Motion carried.

Assembly in recess at 3:48 p.m.

ASSEMBLY IN SESSION

At 3:54 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. 591, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JAMES J. BANNER, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Assembly Bill No. 591 be placed on the Second Reading File.

Motion carried.

Assemblyman Arberry moved that Senate Bill No. 577 be taken from the Chief Clerk's desk and placed on the General File.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 591.

Bill read second time.

The following amendment was proposed by the Committee on Labor and Management:

Amendment No. 1676.

Amend section 1, pages 1 and 2, by deleting lines 3 through 15 on page 1 and lines 1 through 5 on page 2 and inserting:

"*1. Except as otherwise provided in subsection 2, an employer shall not require any employee or applicant for employment, as a condition of employment or continued employment, to submit to an examination in which a polygraph or other similar device is used.*

2. The provisions of subsection 1 do not apply to:

(a) An employee or prospective employee of any governmental agency whose duties or prospective duties relate to public safety or national security;

(b) Any employee of a depository institution who handles transactions involving cash in an amount of $10,000 or more and whose employer is required by the Department of Treasury to report and keep records of all transactions involving cash; or

(c) Any employee of a licensed gaming establishment who handles transactions involving cash in an amount of $10,000 or more and whose employer is required to report transactions involving cash pursuant to NRS 463.125.

3. As used in this section:

(a) "Depository institution" has the meaning ascribed to it in NRS 657.037.

(b) "Licensed gaming establishment" has the meaning ascribed to it in NRS 463.0169.".

Amend the title of the bill to read as follows:

"An Act relating to employment practices; prohibiting the use of a polygraph or other similar device to examine an employee or prospective employee as a condition of employment or continued employment; providing certain exceptions; and providing other matters properly relating thereto.".

Amend the summary of the bill to read as follows: "Prohibits examination of certain persons by polygraph or other similar device as condition of employment or retention in employment. (BDR 53-1555)".

Assemblyman Thompson moved the adoption of the amendment.

Remarks by Assemblyman Thompson.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

UNFINISHED BUSINESS

REPORTS OF CONFERENCE COMMITTEES

Mr. Speaker:

The second Committee on Conference concerning Assembly Bill No. 162, 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.

ROBERT E. GASTON	JOE NEAL
JAMES W. SCHOFIELD	MIKE MALONE
DAVID D. NICHOLAS	HERBERT M. JONES
Assembly Committee on Conference	*Senate Committee on Conference*

Amendment No. C21.

Amend sec. 2, page 2, by deleting lines 28 through 31 and inserting:

"(b) *The offender was not in violation of NRS 484.379 or punishable pursuant to NRS 484.3795; and*

(c) The victim cooperates with agencies of law enforcement. Such cooperation does not require prosecution of the offender."

Amend the bill as a whole by deleting line 40 and inserting new sections designated sections 3 through 7, following sec. 2, 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] *board* 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 victims of crimes committed in violation of NRS 200.366, 200.710, 200.720, 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.

4. Money deposited in the fund pursuant to section 5 of this act, and the interest and income earned on that money, after deducting any applicable charges, must be accounted for separately and, except as otherwise provided in this subsection, used for compensation of victims who are physically injured or killed as the direct result of a violation of NRS 484.379 or an act or neglect of duty punishable pursuant to NRS 484.3795. No other money in the fund may be used for that purpose. The board may direct that the money in the separate account also be used to compensate other victims.

Sec. 4. NRS 482.180 is hereby amended to read as follows:

482.180 1. The motor vehicle fund is hereby created as an agency fund. [All] *Except as otherwise provided in section 5 of this act, all* money received or collected by the department must be deposited in the state treasury for credit to the motor vehicle fund.

2. The interest and income on the money in the motor vehicle fund, after deducting any applicable charges, must be credited to the state highway fund.

3. Any check accepted by the department in payment of vehicle privilege tax or any other fee required to be collected under this chapter must, if it is dishonored upon presentation for payment, be charged back against the motor vehicle fund or the county to which the payment was credited, in the proper proportion.

4. Money for the administration of the provisions of this chapter must be provided by direct legislative appropriation from the state highway fund, upon the presentation of budgets in the manner required by law. Out of the appropriation the department shall pay every item of expense.

5. The privilege tax collected on vehicles subject to the provisions of chapter 706 of NRS and engaged in interstate or intercounty operation must be distributed among the counties in the following percentages:

Carson City	1.07 percent	Lincoln	3.12 percent
Churchill	5.21 percent	Lyon	2.90 percent
Clark	22.54 percent	Mineral	2.40 percent
Douglas	2.52 percent	Nye	4.09 percent
Elko	13.31 percent	Pershing	7.00 percent

Esmeralda	2.52 percent	Storey	.19 percent
Eureka	3.10 percent	Washoe	12.24 percent
Humboldt	8.25 percent	White Pine	5.66 percent
Lander	3.88 percent		

The distributions must be allocated among local governments within the respective counties pursuant to the provisions of NRS 482.181.

6. As commission to the state for collecting the privilege tax on vehicles subject to the provisions of this chapter and chapter 706 of NRS, the department is entitled to retain 1 percent of the privilege tax collected by a county assessor and 6 percent of the other privilege tax collected.

7. When the requirements of this section have been met, and when directed by the department, the state controller shall transfer monthly to the state highway fund any balance in the motor vehicle fund.

Sec. 5. Chapter 484 of NRS is hereby amended by adding thereto a new section to read as follows:

1. In addition to any other penalty provided by law, a person convicted of a violation of NRS 484.379 is liable to the state for a civil penalty of $35, payable to the department.

2. The department shall not issue any license to drive a motor vehicle to a person convicted of a violation of NRS 484.379 until the civil penalty is paid.

3. Any money received by the department pursuant to subsection 1 must be deposited with the state treasurer for credit to the fund for the compensation of victims of crime.

Sec. 6. The state board of examiners shall, in the biennial report prepared and submitted to the 65th session of the Nevada legislature pursuant to NRS 217.250, report specifically on the amount of money received pursuant to section 5 of this act and the amount of compensation awarded pursuant to subsection 4 of NRS 217.260.

Sec. 7. The provisions of section 5 of this act do not apply with respect to any conviction obtained before July 1, 1987.".

Amend the title of the bill, third line, after "aid;" by inserting: "imposing a civil penalty against certain criminal offenders for credit to the fund for the compensation of victims of crime;".

Amend the summary of the bill by deleting the second line and inserting: "crime and requires certain criminal offenders to contribute to that aid. (BDR 16-910)".

Assemblyman Sader moved that the Assembly adopt the report of the second Committee on Conference concerning Assembly Bill No. 162.

Remarks by Assemblyman Sader.

Motion carried.

Mr. Speaker:

The second Committee on Conference concerning Assembly Bill No. 424, 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.

MATTHEW Q. CALLISTER	THOMAS J. HICKEY
DAVID D. NICHOLAS	DONALD R. MELLO
ROBERT E. GASTON	ERIK BEYER
Assembly Committee on Conference	*Senate Committee on Conference*

Amendment No. C26.

Amend sec. 2, page 2, line 6, by deleting the period and inserting: ", *but not more than $500 per month per child for an obligation for support determined pursuant to paragraphs (a) to (d), inclusive, unless the court sets forth findings of fact as to the basis for a different amount pursuant to subsection 5 of section 3 of this act.*".

Assemblyman Callister moved that the Assembly adopt the report of the second Committee on Conference concerning Assembly Bill No. 424.

Remarks by Assemblyman Callister.

Motion carried.

Mr. Speaker:

The first Committee on Conference concerning Senate Bill No. 62, 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.

LEONARD V. NEVIN	WILLIAM R. O'DONNELL
JAMES W. MCGAUGHEY	HERBERT M. JONES
VAL Z. GARNER	DONALD R. MELLO
Assembly Committee on Conference	*Senate Committee on Conference*

Assemblyman Nevin moved that the Assembly adopt the report of the first Committee on Conference concerning Senate Bill No. 62.

Remarks by Assemblyman Nevin.

Motion carried.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 829.

The following Senate amendment was read:

Amendment No. 1652.

Amend section 1, page 1, line 1, by deleting "There" and inserting: "Except as otherwise provided in subsection 2, there".

Amend section 1, page 1, line 8, after "2." by inserting: "If Senate Bill No. 23 of this session is passed and approved and creates an estate tax account for the endowment of the University of Nevada System, the amounts appropriated by subsection 1 must be appropriated from the estate tax account for the endowment of the University of Nevada System.

3.".

Amend section 1, page 1, line 9, after "1" by inserting "or 2".

Amend section 1, page 1, by deleting line 11 and inserting:

"4. The balance of the amounts appropriated by subsection 1 or 2 must be used".

Amend the title of the bill, first line, by deleting: "from the estate tax account".

Amend the summary of the bill, first line, by deleting: "from estate tax account".

Assemblyman Sedway moved that the Assembly concur in the Senate amendment to Assembly Bill No. 829.

Remarks by Assemblyman Sedway.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 804.

The following Senate amendment was read:

Amendment No. 1646.

Amend the bill as a whole by deleting sections 1, 2 and 3, renumbering sec. 4 as sec. 2 and adding a new section designated section 1, following the enacting clause, to read as follows:

"Section 1. Chapter 616 of NRS is hereby amended by adding thereto a new section to read as follows:

A member of the Nevada legislature shall be deemed for the purposes of this chapter to be an employee of the state during his term of office at the wage of $2,000 per month and is entitled to the benefits of this chapter.".

Amend sec. 4, page 1, line 15, after "inclusive," by inserting: "[and] sections 7 and 8 of [this act,] *Assembly Bill No. 130 of this session,*".

Amend the bill as a whole by adding new sections designated sections 3 and 4, following sec. 4, to read as follows:

"Sec. 3. NRS 616.085 is hereby amended to read as follows:

616.085 *1.* Subcontractors and their employees shall be deemed to be employees of the principal contractor.

2. *If the subcontractor is a sole proprietor or partnership licensed pursuant to chapter 624 of NRS, the sole proprietor or partner shall be deemed to receive a wage of $500 per month for the purposes of this chapter.*

Sec. 4. Section 2 of this act becomes effective at 12:01 a.m. on July 1, 1987.".

Assemblyman Banner moved that the Assembly concur in the Senate amendment to Assembly Bill No. 804.

Remarks by Assemblyman Banner.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 457.

The following Senate amendments were read:

Amendment No. 1514.

Amend sec. 43, page 26, by deleting lines 25, 26 and 27 and inserting:

"*(2) The security is issued by this state or an agency, instrumentality or political subdivision of this state.*".

Amend sec. 43, page 27, line 16, by deleting "*or*".

Amend sec. 43, page 27, by deleting lines 17 through 20 and inserting: "*Stock Exchange, the Pacific Stock Exchange or other exchange designated by the administrator, any other security of the same issuer which is of senior or*".

Amend sec. 43, page 27, by deleting lines 26 through 29 and inserting: "*Association of Securities Dealers, Inc., any other security of the same issuer which is of senior or*".

Amend sec. 43, page 27, line 37, by deleting "*of*" and inserting "*or*".

Amend sec. 43, page 27, line 38, by deleting "*by*".

Amend sec. 44, page 29, by deleting lines 35 and 36 and inserting: "*3. A nonissuer transaction in a security if a*".

Amend sec. 44, page 30, line 41, by deleting "*months,*" and inserting "*months.*".

Amend sec. 44, page 31, by deleting lines 1 through 4.

Amend sec. 44, page 33, by deleting lines 18 through 28.

Amend sec. 79, page 50, by deleting lines 13, 14 and 15 and inserting:

"2. The department of education, the committee on group insurance and the commission on professional standards in education are subject to the provisions of this chapter for the purpose of adopting regulations but not with respect to any contested case.".

Amendment No. 1651.

Amend sec. 43, page 29, between lines 13 and 14, by inserting:

"*5. An exemption provided by any other paragraph of subsection 2 except paragraph (k), (m) or (n) is available only if, before a sale is made, the person claiming the exemption files with the administrator a signed notice of intention to sell or issue and pays a nonrefundable fee of $150.*".

Amend sec. 78, page 49, by deleting lines 1 through 16 and inserting:

"Sec. 78. (Deleted by amendment.)".

Amend sec. 79, pages 49 and 50 by deleting lines 37 through 42 on page 49 and lines 1 and 2 on page 50, and inserting:

"(a) Chapter 612 of NRS for the distribution of regulations by and the judicial review of decisions of the employment security department;

(b) Chapters 616 and 617 of NRS for the determination of contested claims;

(c) Chapter 703 of NRS for the judicial review of decisions of the public service commission of Nevada; [and]

(d) Sections 2 to 35, inclusive, of [this act,] *Assembly Bill No. 203 of this session,* for the judicial review of decisions of the administrator of the securities division of the office of the secretary of state [,] *; and*

(e) Section 71 of this act for the use of summary orders in contested cases,".

Amend the bill as a whole by adding a new section designated sec. 79.5, following sec. 79, to read as follows:

"Sec. 79.5. Section 37 of Assembly Bill No. 203 of this session is hereby amended to read as follows:

Sec. 37. Chapter 225 of NRS is hereby amended by adding thereto a new section to read as follows:

1. There is hereby created within the office of the secretary of state a securities division. The secretary of state shall appoint a deputy as administrator of the division. The position of the deputy is unclassified and is in addition to the two unclassified positions in the office of the secretary of state authorized by subsection 3 of NRS 284.140.

2. The secretary of state may, alternatively:

(a) Use the services of an assigned deputy attorney general as legal counsel for the division.

(b) Appoint an attorney as legal counsel for the division. If appointed, he is in the unclassified service of the state.

(c) Contract for services to be rendered by such other legal counsel as are needed for assistance in administering chapter 90 of NRS.

3. Each of the legal counsel must be an attorney admitted to practice law in Nevada.".

Amend sec. 82, page 51, by deleting line 3 and inserting:

"Sec. 82. 1. This section and sections 1 to 78, inclusive, and section 81 of this act become effective on January 1, 1988.

2. Sections 79 and 80 of this act become effective at 12:01 a.m. on January 1, 1988.".

Amend the bill as a whole by adding a new section designated sec. 83, following sec. 82, to read as follows:

"Sec. 83. This act expires by limitation on July 1, 1989.".

Assemblyman Jeffrey moved that the Assembly do not concur in the Senate amendments to Assembly Bill No. 457.

Remarks by Assemblyman Jeffrey.

Motion carried.

Bill ordered transmitted to the Senate.

Assembly Bill No. 736.

The following Senate amendment was read:

Amendment No. 1653.

Amend section 1, page 1, line 13, after "*give*" by inserting "*30 days'* ".

Amend section 1, page 2, by deleting line 5 and inserting: "*the service, and is entitled to be reimbursed by the community antenna television company for the reasonable expenses incurred;*".

Amend section 1, page 2, by deleting lines 8 and 9 and inserting: "*community antenna television company; and*".

Amend section 1, page 2, line 16, by deleting "*disputable*" and inserting "*rebuttable*".

Amend section 1, page 2, line 17, by deleting "*each*" and inserting: "*the real property of the landlord is $1,000 or $1 for each dwelling unit thereon, whichever sum is greater,*".

Amend section 1, page 2, line 18, by deleting: "*dwelling unit is $1.*".

Amend section 1, page 2, line 19, by deleting "*$1,*" and inserting "*that sum,*".

Amend section 1, page 2, line 21, by deleting "*10*" and inserting "*20*".

Amend section 1, page 2, line 25, by deleting "*$1.*" and inserting "*$1,000.*".

Amend section 1, page 2, line 26, by deleting "*$1,*" and inserting "*$1,000,*".

Amend section 1, page 2, by deleting lines 31 and 32 and inserting: "*the company completes construction.*".

Amend section 1, page 2, line 34, by deleting "*$1,*" and inserting: "*the sum established by rebuttable presumption pursuant to subsection 3,*".

Amend section 1, page 3, by deleting line 2 and inserting: "*the availability of the service.*

The court may also award to the prevailing party reasonable attorney's fees.".

Amend section 1, page 3, line 6, by deleting "*$1*" and inserting: "*the sum established by rebuttable presumption pursuant to subsection 3,*".

Amend section 1, page 3, by deleting lines 11, 12 and 13 and inserting: "*generally in the county.*".

Amend section 1, page 3, by deleting line 14 and inserting:

"*7. The community antenna television company and the landlord shall negotiate in good faith for the purchase of the landlord's existing cable facilities rather than for the construction of new facilities on the premises.*

8. As used in this section, "landlord" means an owner of real property, or his authorized representative, who provides a".

Amend section 1, page 3, line 15, after "*unit*" by inserting: "*on the real property*".

Amend the bill as a whole by adding a new section designated sec. 2, following section 1, to read as follows:

"Sec. 2. This act expires by limitation on July 1, 1989.".

Assemblyman Jeffrey moved that the Assembly do not concur in the Senate amendment to Assembly Bill No. 736.

Remarks by Assemblymen Jeffrey and Thomas.

Motion carried on a division of the house.

Bill ordered transmitted to the Senate.

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker appointed Assemblymen Adler, Gaston 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. 645.

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

Assembly in recess at 4:28 p.m.

ASSEMBLY IN SESSION

At 4:49 p.m.

Mr. Speaker presiding.

Quorum present.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, June 17, 1987

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. 284, which was returned from enrollment for the purpose of effecting a technical amendment.

MARY JO MONGELLI
Assistant Secretary of the Senate

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Natural Resources, Agriculture and Mining, to which was referred Senate Bill No. 588, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JAMES W. SCHOFIELD, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Schofield moved that all rules be suspended, reading so far had considered second reading, rules further suspended, Senate Bill No. 588 be declared an emergency measure under the Constitution and placed on third reading and final passage.

Motion carried unanimously.

Assemblyman Jeffrey moved that the vote whereby Senate Bill No. 284 was passed be rescinded.

Motion carried.

Assemblyman Jeffrey moved that Senate Bill No. 284 be taken from the General File and placed on the Chief Clerk's desk.

Motion carried.

UNFINISHED BUSINESS

RECEDE FROM ASSEMBLY AMENDMENTS

Assemblyman Schofield 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.

Motion carried.

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker appointed Assemblymen Schofield, Callister and Getto as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Senate Bill No. 382.

Mr. Speaker appointed Assemblymen May, Freeman and Kerns as a second Committee on Conference to meet with a like committee of the Senate for the further consideration of Senate Bill No. 62.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Assembly Bill No. 865 be taken from the Chief Clerk's desk and re-referred to the Committee on Commerce.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 888.

Bill read third time.

Remarks by Assemblymen Sedway, Haller, Banner, Price, Wisdom, Thomas, Wendell Williams, Getto, Fay and Kissam.

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

Assembly in recess at 5:07 p.m.

ASSEMBLY IN SESSION

At 5:08 p.m.

Mr. Speaker pro Tempore presiding.

Quorum present.

Remarks by Assemblymen Jeffrey, Getto, Dini, Myrna Williams, Nevin, Bergevin, Craddock, Spriggs, Brookman, Carpenter, Sedway and Haller.

Assemblymen Thompson, Nevin and Lambert moved the previous question.

Motion carried.

The question being on the passage of Assembly Bill No. 888.

Roll call on Assembly Bill No. 888:

YEAS—31.

NAYS—Callister, DuBois, Gaston, Haller, Humke, Kissam, Lambert, Marvel, Porter, Thomas, Triggs—11.

Assembly Bill No. 888 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.

Remarks by Assemblyman Sader.

Roll call on Senate Bill No. 193:

YEAS—41.

NAYS—None.

Not voting—Marvel.

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. 594.

Bill read third time.

Remarks by Assemblymen Sedway, Swain and Bergevin.

Roll call on Senate Bill No. 594:

YEAS—42.

NAYS—None.

Senate Bill No. 594 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 577.

Bill read third time.

Remarks by Assemblymen Wendell Williams, Haller, Spinello, Carpenter, Fay, Brookman and Arberry.

Assemblymen Nevin, Jeffrey and Thompson moved the previous question.

Motion carried.

The question being on the passage of Senate Bill No. 577.

Roll call on Senate Bill No. 577:

YEAS—8.

NAYS—Adler, Bergevin, Brookman, Callister, Carpenter, Craddock, DuBois, Evans, Fay, Gaston, Haller, Jeffrey, Kerns, Kissam, McGaughey, Marvel, May, Nevin, Nicholas, Porter, Price, Sader, Schofield, Sedway, Spinello, Swain, Tebbs, Thomas, Thompson, Triggs, Myrna Williams, Wendell Williams, Wisdom, Mr. Speaker—34.

Senate Bill No. 577 having failed to receive a constitutional majority, Mr. Speaker pro Tempore declared it lost.

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 5:39 p.m.

ASSEMBLY IN SESSION

At 5:40 p.m.

Mr. Speaker presiding.

Quorum present.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, June 17, 1987

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. 778.

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. 514.

Also, I have the honor to inform your honorable body that the Senate on this day appointed Senators Gibson, Joerg and Coffin as a first Committee on Conference concerning Senate Bill No. 407.

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. 57.

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. 165.

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. 187.

MARY JO MONGELLI
Assistant Secretary of the Senate

GENERAL FILE AND THIRD READING

Senate Bill No. 588.

Bill read third time.

Remarks by Assemblyman Schofield.

Roll call on Senate Bill No. 588:

YEAS—42.

NAYS—None.

Senate Bill No. 588 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that all rules be suspended and that Assembly Bill No. 591 be declared an emergency measure and placed on third reading and final passage.

Motion carried unanimously.

GENERAL FILE AND THIRD READING

Assembly Bill No. 591.

Bill read third time.

Remarks by Assemblymen Thompson, Thomas and Fay.

Roll call on Assembly Bill No. 591:

YEAS—39.

NAYS—Nicholas, Spriggs—2.

Not voting—Thomas.

Assembly Bill No. 591 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. 291, 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. C37, which is attached to and hereby made a part of this report.

ROBERT G. CRADDOCK	ERIK BEYER
GAYLYN J. SPRIGGS	RAY SHAFFER
VINCENT L. TRIGGS	ANN O'CONNELL
Assembly Committee on Conference	*Senate Committee on Conference*

Amendment No. C37.

Amend section 1, page 2, line 13, by deleting "*false*" and inserting "*knowingly falsified*".

Amend section 1, page 2, by deleting lines 14 and 15, and inserting: "*guilty of a misdemeanor. If the Nevada tax commission finds that a county*".

Amend section 1, page 2, line 16, after "*officer has*" by inserting "*knowingly*".

Assemblyman Craddock moved that the Assembly adopt the report of the first Committee on Conference concerning Assembly Bill No. 291.

Remarks by Assemblyman Craddock.

Motion carried.

Mr. Speaker:

The first Committee on Conference concerning Assembly Concurrent Resolution No. 65, consisting of the undersigned members, has met, and reports that:

It has agreed to recommend that the amendment of the Senate be concurred in.

MYRNA WILLIAMS	NICHOLAS J. HORN
MARVIN M. SEDWAY	SUE WAGNER
DAVID E. HUMKE	RAYMOND D. RAWSON
Assembly Committee on Conference	*Senate Committee on Conference*

Assemblyman Myrna Williams moved that the Assembly adopt the report of the first Committee on Conference concerning Assembly Concurrent Resolution No. 65.

Remarks by Assemblyman Myrna Williams.

Motion carried.

Mr. Speaker:

The first Committee on Conference concerning Senate Bill No. 407, consisting of the undersigned members, has met, and reports that:

It has agreed to recommend that the amendment of the Assembly be concurred in.

EILEEN B. BROOKMAN	JAMES I. GIBSON
VIVIAN L. FREEMAN	CHARLES W. JOERG
DANNY L. THOMPSON	BOB COFFIN
Assembly Committee on Conference	*Senate Committee on Conference*

Assemblyman Brookman moved that the Assembly adopt the report of the first Committee on Conference concerning Senate Bill No. 407.

Remarks by Assemblyman Brookman.

Motion carried.

Assemblyman Jeffrey moved that the Assembly recess until 8 p.m.

Motion carried.

Assembly in recess at 6:07 p.m.

ASSEMBLY IN SESSION

At 8:40 p.m.

Mr. Speaker presiding.

Quorum present.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, June 17, 1987

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. 457 and requests a conference, and appointed Senators Jacobsen, Rhoads and Horn 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. 736 and requests a conference, and appointed Senators O'Donnell, Coffin 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 adopted the report of the second Committee on Conference concerning Assembly Bill No. 162.

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. 291.

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. 424.

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 Concurrent Resolution No. 65.

MARY JO MONGELLI
Assistant Secretary of the Senate

UNFINISHED BUSINESS

REPORTS OF CONFERENCE COMMITTEES

Mr. Speaker:

The first Committee on Conference concerning Assembly Bill No. 645, 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.

ERNEST E. ADLER	ANN O'CONNELL
ROBERT E. GASTON	ERIK BEYER
GAYLYN J. SPRIGGS	RAY SHAFFER
Assembly Committee on Conference	*Senate Committee on Conference*

Assemblyman Gaston moved that the Assembly adopt the report of the first Committee on Conference concerning Assembly Bill No. 645.

Remarks by Assemblyman Gaston.

Motion carried.

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker appointed Assemblymen May, Sader and Bergevin as a second Committee on Conference to meet with a like committee of the Senate for the further consideration of Assembly Bill No. 645.

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. C34, which is attached to and hereby made a part of this report.

ERNEST E. ADLER	WILLIAM J. RAGGIO
EILEEN B. BROOKMAN	JAMES I. GIBSON
JOAN LAMBERT	THOMAS J. HICKEY
Assembly Committee on Conference	*Senate Committee on Conference*

Amendment No. C34.

Amend section 1, page 1, line 4, by deleting "[such] *the*" and inserting "the".

Amend section 1, page 1, line 5, after "negotiating" by inserting a period.

Amend section 1, page 1, by deleting lines 6 and 7 and inserting: "The primary criterion for that determination must be the community of interest among the employees".

Amend section 1, page 2, by deleting lines 1 and 2 and inserting: "*3.* A [department] head *of a department* of a local government, *an* administrative employee or *a* supervisory employee".

Amend section 1, page 2, line 5, by deleting "[shall] *must*" and inserting "must".

Amend section 1, page 2, line 7, by deleting "[shall] *must*" and inserting "must".

Amend section 1, page 2, after line 15, by inserting:

"[3.] *6.* As used in this section, "confidential employee" means an employee who is [privy to] *involved in* the decisions of management affecting [employee relations, including all employees of the personnel department or its equivalent.] *collective bargaining.*".

Assemblyman Adler moved that the Assembly adopt the report of the first Committee on Conference concerning Senate Bill No. 143.

Remarks by Assemblyman Adler.

Motion carried.

Mr. Speaker:

The first Committee on Conference concerning Senate Bill No. 298, consisting of the undersigned members, has met, and reports that:

It has agreed to recommend that the amendment of the Assembly be concurred in.

GENE T. PORTER	KENNETH K. REDELSPERGER
ROBERT W. FAY	WILLIAM R. O'DONNELL
JOHN DUBOIS	BOB COFFIN
Assembly Committee on Conference	*Senate Committee on Conference*

Assemblyman Porter moved that the Assembly adopt the report of the first Committee on Conference concerning Senate Bill No. 298.

Remarks by Assemblyman Porter.

Motion carried.

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker appointed Assemblymen Callister, Wisdom and Nicholas as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Assembly Bill No. 457.

Mr. Speaker appointed Assemblymen Porter, Callister and McGaughey as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Assembly Bill No. 736.

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

Assembly in recess at 8:55 p.m.

ASSEMBLY IN SESSION

At 9:26 p.m.

Mr. Speaker presiding.

Quorum present.

UNFINISHED BUSINESS

APPOINTMENT OF CONFERENCE COMMITTEES

Assemblyman Thompson moved that the action whereby the second Conference Committee on Senate Bill No. 62 was appointed by the Assembly be rescinded.

Motion carried.

Mr. Speaker appointed Assemblymen May, Sader and Bergevin as a second Committee on Conference to meet with a like committee of the Senate for the further consideration of Senate Bill No. 62.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, June 17, 1987

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bill No. 893.

Also, I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bills Nos. 64, 486, 514, and respectfully requests your honorable body to concur in said amendments.

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 9:29 p.m.

ASSEMBLY IN SESSION

At 10:38 p.m.

Mr. Speaker presiding.

Quorum present.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, June 17, 1987

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. 76, and respectfully requests your honorable body to concur in said amendment.

Also, I have the honor to inform your honorable body that the Senate appointed Senators Jacobsen, Beyer and Shaffer 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 first Committee on Conference concerning Assembly Bill No. 645 and requests a second conference, and appointed Senators Redelsperger, Joerg and Coffin as a second Committee on Conference to meet with a like committee of the Assembly for the further consideration of Assembly Bill No. 645.

MARY JO MONGELLI
Assistant Secretary of the Senate

UNFINISHED BUSINESS

REPORTS OF CONFERENCE COMMITTEES

Mr. Speaker:

The first Committee on Conference concerning Assembly Bill No. 397, 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. C40, which is attached to and hereby made a part of this report.

JOSEPH E. DINI, JR.	WILLIAM J. RAGGIO
MARVIN M. SEDWAY	LAWRENCE E. JACOBSEN
LOUIS W. BERGEVIN	NICHOLAS J. HORN
Assembly Committee on Conference	*Senate Committee on Conference*

Amendment No. C40.

Amend sec. 5, page 2, line 16, by deleting "$100,000" and inserting "$250,000".

Amend sec. 5, page 2, by deleting line 18 and inserting:

"2. If the cost of the study exceeds the amount appropriated pursuant to subsection 1, the interim finance committee shall approve for expenditure an amount sufficient to complete the study, not to exceed an additional $250,000, which amount is hereby contingently appropriated from the state general fund to the legislative fund.

3. Any remaining balance of the appropriations made by subsections 1 and 2".

Assemblyman Bergevin moved that the Assembly adopt the report of the first Committee on Conference concerning Assembly Bill No. 397.

Remarks by Assemblyman Bergevin.

Motion carried.

Mr. Speaker:

The first Committee on Conference concerning Assembly Bill No. 457, consisting of the undersigned members, has met, and reports that:

It has agreed to recommend that the amendments of the Senate be concurred in.

MATTHEW Q. CALLISTER	LAWRENCE E. JACOBSEN
JANE WISDOM	DEAN A. RHOADS
DAVID D. NICHOLAS	NICHOLAS J. HORN
Assembly Committee on Conference	*Senate Committee on Conference*

Assemblyman Jeffrey moved that the Assembly adopt the report of the first Committee on Conference concerning Assembly Bill No. 457.

Remarks by Assemblyman Jeffrey.

Motion carried.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 64.

The following Senate amendment was read:

Amendment No. 1663.

Amend the bill as a whole by deleting section 1, renumbering sec. 2 as sec. 3 and adding new sections designated sections 1 and 2, following the enacting clause, to read as follows:

"Section 1. There is hereby appropriated from the state general fund to the University of Nevada, Reno, the sum of $425,000 for the design and planning of a new engineering and laboratory center.

Sec. 2. The state controller shall not distribute the money appropriated by section 1 of this act until he receives a declaration from the governor

stating that the University of Nevada, Reno, has submitted sufficient evidence to the governor that it has received contributions or pledges of money from sources other than the State of Nevada or the Federal Government in the amount of $1,000,000. The contributions and pledges must be reserved by the University of Nevada, Reno, for the augmentation and enhancement of the engineering and laboratory center through the purchase of equipment and other needed items.".

Amend the bill as a whole by adding a new section designated sec. 4, following sec. 2, to read as follows:

"Sec. 4. 1. This section and section 2 of this act become effective on July 1, 1987.

2. Sections 1 and 3 of this act become effective on August 1, 1988.".

Assemblyman Sedway moved that the Assembly concur in the Senate amendment to Assembly Bill No. 64.

Remarks by Assemblyman Sedway.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 486.

The following Senate amendments were read:

Amendment No. 1442.

Amend section 1, page 1, by deleting lines 3, 4 and 5 and inserting:

"*1. It is unlawful for any person who is not:*

(a) Employed full time by the employer or the employee's labor organization;

(b) Admitted to practice law in this state; or

(c) Appearing without compensation on behalf of another,

to represent the employer or employee at hearings of contested cases unless licensed to do so by the commissioner.".

Amend section 1, page 1, line 6, by deleting "*administrator*" and inserting "*commissioner*".

Amend section 1, page 1, line 7, by deleting "*representatives;*" and inserting: "*and employees' representatives, including:*

(1) The registration of each representative; and

(2) The filing of a copy of each written agreement for the compensation of a representative;".

Amend section 1, page 2, line 1, after "*employer*" and inserting "*or employee*".

Amendment No. 1654.

Amend section 1, page 2, line 8, by deleting "*or employee*".

Assemblyman Jeffrey moved that the Assembly concur in the Senate amendments to Assembly Bill No. 486.

Remarks by Assemblyman Jeffrey.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 514.

The following Senate amendment was read:

Amendment No. 1659.

Amend sec. 4, page 4, line 5, by deleting "*$800.*" and inserting "*$600.*".

Amend sec. 4, page 4, line 7, by deleting "$50." and inserting "[$50.] *$150.*".

Amend the bill as a whole by adding a new section designated sec. 5, following sec. 4, to read as follows:

"Sec. 5. Notwithstanding the amendatory provisions of this act, any licensee whose bond is in effect on July 1, 1987, may, upon payment of the fees set forth in NRS 489.4971, as amended by this act, cancel or let the bond expire, but is not required to do so until June 30, 1988.".

Assemblyman Callister moved that the Assembly concur in the Senate amendment to Assembly Bill No. 514.

Remarks by Assemblyman Callister.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 76.

The following Senate amendment was read:

Amendment No. 1675.

Amend the bill as a whole by adding a new section designated sec. 5, following sec. 4, to read as follows:

"Sec. 5. Sections 2, 3 and 4 of this act expire by limitation on July 1, 1989.".

Amend the title of the bill, first line, after "tobacco;" by inserting "temporarily".

Amend the summary of the bill, first line, by deleting "Increases" and inserting "Temporarily increases".

Assemblyman May moved that the Assembly concur in the Senate amendment to Assembly Bill No. 76.

Remarks by Assemblyman May.

Motion carried.

Bill ordered enrolled.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, June 17, 1987

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bill No. 890.

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. 397.

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. 457.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bill No. 73.

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. 594.

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.

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. 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 Senate Bill No. 407.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Senate Bill No. 284 be taken from the Chief Clerk's desk and placed on the General File.

Motion carried.

UNFINISHED BUSINESS

REPORTS OF CONFERENCE COMMITTEES

Assemblyman Porter moved that Assembly Bill No. 736 be withdrawn from the first Committee on Conference.

Remarks by Assemblyman Porter.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

Senate Bill No. 73.

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

Motion carried.

Mr. Speaker announced that if there were no objections, the Assembly would recess until 11:45 p.m.

Assembly in recess at 10:49 p.m.

ASSEMBLY IN SESSION

THE ONE HUNDRED AND FIFTY-FIRST DAY

CARSON CITY (Thursday, June 18, 1987)

Assembly called to order at 12:05 a.m.

Mr. Speaker presiding.

Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Schofield moved that Senate Joint Resolutions Nos. 4 and 5 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 second Committee on Conference concerning Senate Bill No. 62, consisting of the undersigned members, has met, and reports that:

It has agreed to recommend that the amendment of the Assembly be receded from.

PAUL W. MAY, JR.	CHARLES W. JOERG
ROBERT M. SADER	KENNETH K. REDELSPERGER
LOUIS W. BERGEVIN	RAY SHAFFER
Assembly Committee on Conference	*Senate Committee on Conference*

Assemblyman May moved that the Assembly adopt the report of the second Committee on Conference concerning Senate Bill No. 62.

Remarks by Assemblyman May.

Motion carried.

Mr. Speaker:

The second Committee on Conference concerning Senate Bill No. 262, consisting of the undersigned members, has met, and reports that:

No decision was reached.

JOHN E. JEFFREY	RANDOLPH J. TOWNSEND
DANNY L. THOMPSON	KENNETH K. REDELSPERGER
JOHN DUBOIS	RAY SHAFFER
Assembly Committee on Conference	*Senate Committee on Conference*

Assemblyman Jeffrey moved that the Assembly adopt the report of the second Committee on Conference concerning Senate Bill No. 262.

Remarks by Assemblyman Jeffrey.

Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 284.

Bill read third time.

Remarks by Assemblyman Jeffrey.

Roll call on Senate Bill No. 284:

YEAS—42.

NAYS—None.

Senate Bill No. 284 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Joint Resolution No. 4.

Resolution read third time.

Remarks by Assemblymen Schofield, Myrna Williams, Adler, Thompson and Spinello.

Assemblyman Spinello moved that Senate Joint Resolution No. 4 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblymen Schofield, Bergevin and Thomas.

Motion lost.

Roll call on Senate Joint Resolution No. 4:

YEAS—21.

NAYS—Adler, Arberry, Banner, Callister, DuBois, Evans, Freeman, Gaston, Haller, McGaughey, Nevin, Porter, Sader, Sedway, Spinello, Swain, Thomas, Myrna Williams, Wendell Williams, Wisdom, Mr. Speaker—21.

Senate Joint Resolution No. 4 having failed to receive a constitutional majority, Mr. Speaker declared it lost.

Senate Joint Resolution No. 5.

Resolution read third time.

Remarks by Assemblymen Schofield, Myrna Williams, Spinello, Adler, Thomas, Thompson and May.

Assemblymen Jeffrey, Nevin and Thompson moved the previous question.

Motion carried.

The question being on the passage of Senate Joint Resolution No. 5.

Roll call on Senate Joint Resolution No. 5:

YEAS—25.

NAYS—Adler, Arberry, Callister, DuBois, Evans, Freeman, McGaughey, Nevin, Porter, Sader, Sedway, Spinello, Swain, Thomas, Myrna Williams, Wendell Williams, Wisdom—17.

Senate Joint Resolution No. 5 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Resolution ordered transmitted to the Senate.

UNFINISHED BUSINESS

REPORTS OF CONFERENCE COMMITTEES

Mr. Speaker:

The second Committee on Conference concerning Assembly Bill No. 645, 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. C41, which is attached to and hereby made a part of this report.

PAUL W. MAY, JR.
LOUIS W. BERGEVIN
ROBERT M. SADER
Assembly Committee on Conference

KENNETH K. REDELSPERGER
CHARLES W. JOERG
BOB COFFIN
Senate Committee on Conference

Amendment No. C41.

Amend section 1, page 2, by deleting line 13 and inserting: "*section must be reduced in the fiscal year 1987-1988 by the*".

Amend section 1, page 2, line 18, by deleting "*1989-1990.*" and inserting "*1988-1989.*".

Assemblyman May moved that the Assembly adopt the report of the second Committee on Conference concerning Assembly Bill No. 645.

Remarks by Assemblyman May.

Motion carried.

Mr. Speaker:

The first Committee on Conference concerning Assembly Bill No. 856, 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.

JOHN W. MARVEL
VIRGIL M. GETTO
LOUIS W. BERGEVIN
Assembly Committee on Conference

LAWRENCE E. JACOBSEN
RAYMOND D. RAWSON
NICHOLAS J. HORN
Senate Committee on Conference

Assemblyman Marvel moved that the Assembly adopt the report of the first Committee on Conference concerning Assembly Bill No. 856.

Remarks by Assemblyman Marvel.

Motion carried.

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker appointed Assemblymen Dini, Sedway and Arberry as a second Committee on Conference to meet with a like committee of the Senate for the further consideration of Assembly Bill No. 856.

CONSIDERATION OF SENATE AMENDMENTS

Assemblyman Jeffrey moved that the action whereby the Assembly refused to concur in Amendment No. 1653 to Assembly Bill No. 736 be rescinded.

Motion carried.

Assemblyman Jeffrey moved that the Assembly concur in Amendment No. 1653 to Assembly Bill No. 736.

Remarks by Assemblyman Jeffrey.

Motion carried.

Bill ordered enrolled.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, June 17, 1987

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. 595.

MARY JO MONGELLI
Assistant Secretary of the Senate

INTRODUCTION, FIRST READING AND REFERENCE

Senate Bill No. 595.

Assemblyman May 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 until 1:15 a.m.

Assembly in recess at 12:57 a.m.

ASSEMBLY IN SESSION

At 1:37 a.m.

Mr. Speaker presiding.

Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Taxation, to which was referred Senate Bill No. 595, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

PAUL W. MAY, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, June 17, 1987

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. 884, 888, and respectfully requests your honorable body to concur in said amendments.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman May moved that Senate Bill No. 595 be placed on the Second Reading File.

Remarks by Assemblyman May.

Motion carried.

SECOND READING AND AMENDMENT

Senate Bill No. 595.

Bill read second time.

The following amendment was proposed by Assemblyman May:

Amendment No. 1681.

Amend the bill as a whole by deleting sections 1 through 15 and adding new sections designated sections 1 through 20, following the enacting clause, to read as follows:

"Section 1. Chapter 243 of NRS is hereby amended by adding thereto the provisions set forth as sections 2, 3 and 4 of this act.

Sec. 2. *There shall be a county, to be known as Bullfrog County, to include all that part of the State of Nevada within the boundaries described as follows: Beginning at the northwest corner of unsurveyed section 6, unsurveyed T. 12 S., unsurveyed R. 49 E., M.D.B. & M.; thence easterly along a line common to the protracted corner of unsurveyed section 1, unsurveyed T. 12 S., unsurveyed R. 50 E., M.D.B. & M.; thence southerly along a line common to the protracted range line between R. 50 E. and R. 51 E., to the southeast corner of unsurveyed section 36, unsurveyed T. 12 S., unsurveyed R. 50 E., M.D.B. & M.; thence westerly along the south line of unsurveyed section 36 to a point along the south line of unsurveyed section 36, unsurveyed T. 12 S., unsurveyed R. 50 E., M.D.B. & M.; thence southerly along the east line of unsurveyed sections 9, 16, 21, 28 and 33 to*

the southeast corner of unsurveyed section 33, unsurveyed T. 13 S., unsurveyed R. 50 E., M.D.B. & M.; thence continuing southerly along the east line of unsurveyed section 4 to the southeast corner of unsurveyed section 4, unsurveyed T. 14 S., unsurveyed R. 50 E., M.D.B. & M.; thence westerly along the south line of unsurveyed sections 4, 5 and 6 to the southwest corner of unsurveyed section 6, unsurveyed T. 14 S., unsurveyed R. 50 E., M.D.B. & M.; thence continuing westerly along the south; line of unsurveyed sections 1, 2, 3, 4, 5 and 6 to the southwest corner of unsurveyed section 6, T. 14 S., R. 49 E., M.D.B. & M.; thence continuing westerly along the south line of sections 1, 2 and 3 to the southwest corner of unsurveyed section 3, unsurveyed T. 14 S., R. 48 E., M.D.B. & M.; thence northerly along the west line of unsurveyed sections 3, 34, 27, 22, 15 and 10 to the northwest corner of unsurveyed section 10, unsurveyed T. 13 S., unsurveyed R. 48 E., M.D.B. & M.; thence easterly along the north line of unsurveyed section 10, unsurveyed T. 13 S., unsurveyed R. 48 E., to the southwest corner of unsurveyed section 31, unsurveyed T. 12 S., unsurveyed R. 49 E., M.D.B & M.; thence northerly along a line common to the protracted range line between R. 48 E. and R. 49 E., to the northwest corner of unsurveyed section 6, unsurveyed T. 12 S., unsurveyed R. 48 E., M.D.B. & M.; and the point of beginning.

Sec. 3. *Carson City is the county seat of Bullfrog County.*

Sec. 4. The territory described in section 1 of this act is detached and set *aside from Nye County and Bullfrog County erected therefrom.*

Sec. 5. Chapter 244 of NRS is hereby amended by adding thereto the provisions set forth as sections 6, 7 and 8 of this act.

Sec. 6. *1. In any county in which, upon creation or as of 6 months before any general election, less than 10 qualified electors reside, the governor shall appoint the members of the board of county commissioners and the county clerk, county assessor, county recorder, county auditor, sheriff, district attorney and public administrator who, but for the provisions of this section, would have been elected at that general election.*

2. Each member of a board of county commissioners appointed pursuant to this section:

(a) Must be a qualified elector of the state;

(b) Must have such other qualifications as are provided in this chapter; and

(c) Must not hold any other elective office.

3. Each other officer appointed pursuant to this section must meet all qualifications for the office to which he is appointed.

4. All appointments made pursuant to this section must be for the same terms as if the officers were elected.

Sec. 7. *In any county for which a member of the board of county commissioners or any other officer is appointed pursuant to section 6 of this act, the governor shall continue to appoint its officers until the county has maintained a total of 10 or more qualified electors as residents continuously for 2 years.*

Sec. 8. *In any county in which the offices of county clerk, county recorder, county auditor, sheriff, district attorney and public administrator are all filled or to be filled by appointment pursuant to section 6 of this act, the governor may consolidate the offices into one or more county offices if it finds that such consolidation would be in the best interests of the county.*

Sec. 9. NRS 244.020 is hereby amended to read as follows:

244.020 1. [County commissioners shall] *Except as otherwise provided in section 6 of this act, county commissioners must* be qualified electors of their respective counties and have such other qualifications as are provided in this chapter.

2. No county or township officer [shall be] *is* eligible to the office of county commissioner.

Sec. 10. NRS 244.025 is hereby amended to read as follows:

244.025 1. [County commissioners shall] *Except as otherwise provided in section 6 of this act, county commissioners must* be elected by the qualified electors of their respective counties.

2. At the general election held in 1968 and at the general election every 4 years thereafter, two persons [shall] *must* be elected to serve on the board of county commissioners for terms of 4 years.

3. At the general election held in 1970 and at the general election held every 4 years thereafter, one person [shall] *must* be elected to serve on the board of county commissioners for a term of 4 years.

4. This section does not apply to counties having a population of 100,000 or more.

Sec. 11. NRS 244.040 is hereby amended to read as follows:

244.040 1. Any vacancy occurring in any board of county commissioners must be filled by appointment of the governor. Except in Carson City, the governor shall appoint a suitable person who is a member of the same political party as the most recent holder of the vacant office.

2. The term of office of a person appointed to the office of county commissioner *pursuant to this section* does not, by virtue of the appointment, extend beyond 12 p.m. of the day preceding the 1st Monday of January next following the next general election.

Sec. 12. NRS 244.1505 is hereby amended to read as follows:

244.1505 1. A board of county commissioners may expend money for any purpose which will provide a substantial benefit to the inhabitants of the county [.] *or the state.* The board may grant all or part of the money to [a] *:*

(a) The state; or

(b) A private organization, not for profit, to be expended for the selected purpose.

2. A grant to a private organization must be made by resolution which must specify:

(a) The purpose of the grant;

(b) The maximum amount to be expended from the grant; and

(c) Any conditions or other limitations upon its expenditure.

Sec. 13. NRS 244.335 is hereby amended to read as follows:

244.335 1. Except as *otherwise* provided in [subsection 2,] *subsections 2 and 3,* the board of county commissioners may:

(a) Regulate all character of lawful trades, callings, industries, occupations, professions and business conducted in its county outside of the limits of incorporated cities and towns.

(b) Fix, impose and collect a license tax for revenue or for regulation, or for both revenue and regulation, on such trades, callings, industries, occupations, professions and business.

2. The county license boards have the exclusive power in their respective counties to regulate the business of conducting a dancing hall, escort service, or gambling game or device permitted by law, outside of an incorporated city. The county license boards may fix, impose and collect license taxes for revenue or for regulation, or for both revenue and regulation, on such businesses.

3. The board of county commissioners may regulate all industries, occupations, professions and business in its county which involve high-level nuclear waste, including without limitation, the act of transporting the waste into or through the county by motor vehicle, railroad car or any other means, and may fix, impose and collect a license tax for revenue or for regulation, or for both revenue and regulation, on such trades, callings, industries, occupations, professions and business.

4. No license to engage in business as a seller of tangible personal property may be granted unless the applicant for the license presents written evidence that:

(a) The department of taxation has issued or will issue a permit for this activity, and this evidence clearly identifies the business by name; or

(b) Another regulatory agency of the state *or an agency of the Federal Government* has issued or will issue a license required for this activity.

[4.] *5.* Any license tax levied for the purposes of NRS 244.3358 or 244A.597 to 244A.655, inclusive, constitutes a lien upon the real and personal property of the business upon which the tax was levied until the tax is paid. The lien must be enforced in the following manner:

(a) By recording in the office of the county recorder, within 90 days following the date on which the tax became delinquent, a notice of the tax lien containing the following:

(1) The amount of tax due and the appropriate year;

(2) The name of the record owner of the property;

(3) A description of the property sufficient for identification; and

(4) A verification by the oath of any member of the board of county commissioners or the county fair and recreation board; and

(b) By an action for foreclosure against the property in the same manner as an action for foreclosure of any other lien, commenced within 2 years after the date of recording of the notice of the tax lien, and accompanied by appropriate notice to other lienholders.

[5.] *6.* The board of county commissioners may delegate the authority to enforce liens from taxes levied for the purposes of NRS 244A.597 to

244A.655, inclusive, to the county fair and recreation board. All information concerning license taxes levied by an ordinance authorized by this section or other information concerning the business affairs or operation of any licensee obtained as a result of the payment of such license taxes or as the result of any audit or examination of the books by any authorized employee of a county fair and recreation board of the county for any license tax levied for the purpose of NRS 244A.597 to 244A.655, inclusive, is confidential and must not be disclosed by any member, officer or employee of the county fair and recreation board or the county imposing the license tax unless the disclosure is authorized by the affirmative action of a majority of the members of the appropriate county fair and recreation board. Continuing disclosure may be so authorized under an agreement with the department of taxation for the exchange of information concerning taxpayers.

Sec. 14. NRS 245.040 is hereby amended to read as follows:

245.040 1. Sheriffs, county recorders and county auditors, county clerks, county assessors and county treasurers shall keep an office at the county seat of their county which shall be kept open on all days except Sundays and nonjudicial days from 9 a.m. to 12 m., and on all days except Sundays, nonjudicial days and Saturdays from 1 p.m. to 5 p.m. for the transaction of public business, but nothing contained herein shall be construed so as to interfere with any duty now required of any public official under any of the election laws of this state. County clerks shall keep their offices open on all election days during the hours when the polls are open for voting but may, with the consent of the district judge of the county, close their offices for all purposes except election business and the issuance of marriage licenses on any day on which the primary or general election is held.

2. Notwithstanding the provisions of subsection 1, the board of county commissioners of any county may, by an order regularly made and entered in the records of its proceedings, designate the days and hours during which the offices of the sheriff, county recorder and county auditor, county clerk, county assessor and county treasurer shall be kept open for the transaction of public business. [Any] *Except in a county whose officers are appointed pursuant to section 6 of this act, any* order so made and entered [shall] *must* require each office to be kept open for not less than 40 hours during each week, and [shall] *must* not prevent the county clerk from closing his office for all purposes except election business and the issuance of marriage licenses on primary and general election days as provided in subsection 1.

3. Any officer violating the provisions of this section [shall be deemed] *is* guilty of a misdemeanor, and if any officer mentioned in subsection 1 [shall absent] *absents* himself from his office except:

(a) When called away from his office by official duties;

(b) When expressly permitted so to do by the board of county commissioners or a majority of the members thereof in writing; or

(c) When he first makes provision to leave his office open for the transaction of public business on the days and during the hours prescribed by this section and in charge of a deputy [duly] qualified to act in his absence,

there [shall] *must* be withheld from his monthly salary that proportion thereof as the number of days of absence bears to the number of days of the month in which such absence occurs. [Such sum shall] *The money must* be withheld from payment of salary to the officer for the next succeeding month by order of the board of county commissioners; but no order in the premises [shall] *may* be made without first giving the officer affected reasonable notice and an opportunity to appear before the board and defend the charge against him.

Sec. 15. NRS 245.043 is hereby amended to read as follows:

245.043 1. As used in this section:

(a) "County" includes Carson City.

(b) "County commissioner" includes the mayor and supervisors of Carson City.

2. Except as *otherwise* provided by any special law, the elected officers of the counties of this state *, or the persons appointed to those offices,* are entitled to receive annual salaries in the base amounts specified in the following table. The annual salaries are in full payment for all services required by law to be performed by such officers. Except as otherwise provided by law, all fees and commissions collected by such officers in the performance of their duties must be paid into the county treasury each month without deduction of any nature.

Sec. 16. NRS 245.050 is hereby amended to read as follows:

245.050 [All] *Except in counties whose officers are appointed pursuant to section 6 of this act, all* county officers and regular and temporary employees of the counties [shall] *are entitled to* be paid their salaries as fixed by law, ordinance or resolution either at regular 2-week intervals or in two equal semimonthly payments. If salaries are paid semimonthly, the first semimonthly payment for each month [shall] *must* be for the first half of that particular month, and the second semimonthly payment [shall] *must* be for the last half of the month.

Sec. 17. NRS 361.453 is hereby amended to read as follows:

361.453 [The] *1. Except as otherwise provided in subsection 2,* total ad valorem tax levy for all public purposes must not exceed $3.64 on each $100 of assessed valuation, or a lesser or greater amount fixed by the state board of examiners if the state board of examiners is directed by law to fix a lesser or greater amount for that fiscal year.

2. The total ad valorem tax levy in a county in which one or more of the county commissioners is appointed pursuant to section 6 of this act must not exceed $5 on each $100 of assessed valuation.

Sec. 18. The sections, townships and ranges used in the description of Bullfrog County are as represented on the map entitled "Beatty Quadrangle, Nevada-California, 1:100 000 Scale Series (Planimetric), 1978 Surface Management Status," edited and published by the United States Bureau of Land Management.

Sec. 19. As soon as practicable after the effective date of this act the governor shall appoint:

1. To the board of county commissioners of Bullfrog County:

(a) Two persons qualified pursuant to section 6 of this act to serve until 12 p.m. on December 31, 1990; and

(b) One person qualified pursuant to section 6 of this act to serve until 12 p.m. on December 31, 1988.

2. One or more officers for Bullfrog County pursuant to the provisions of sections 6 and 8 of this act.

Sec. 20. This act becomes effective upon passage and approval.".

Amend the title of the bill to read as follows:

"An Act relating to counties; providing in skeleton form for the creation and organization of Bullfrog County; authorizing a higher levy of ad valorem taxes in certain counties; making various other changes relating to counties; and providing other matters properly relating thereto.".

Amend the summary of the bill to read as follows: Creates Bullfrog County and revises provisions governing counties. (BDR 32-2333)".

Assemblyman May moved the adoption of the amendment.

Remarks by Assemblyman May.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman May moved that all rules be suspended and that Senate Bill No. 595 be declared an emergency measure under the Constitution and placed on third reading and final passage.

Motion carried unanimously.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 888.

The following Senate amendment was read:

Amendment No. 1680.

Amend the bill as a whole by deleting section 1 and renumbering sections 2 and 3 as sections 1 and 2.

Assemblyman Sedway moved that the Assembly concur in the Senate amendment to Assembly Bill No. 888.

Remarks by Assemblyman Sedway.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 884.

The following Senate amendments were read:

Amendment No. 1649.

Amend section 1, page 1, by deleting line 17 and inserting: "is due on June 30.".

Amend section 1, page 2, by deleting lines 41 and 42 and inserting:

"(b) "Depository institution" means any bank, savings and loan association, savings bank, thrift company, credit union or other institution which:

(1) Holds or receives deposits, savings or share accounts;

(2) Issues certificates of deposit; or

(3) 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.".

Amend sec. 6, page 3, line 25, by deleting "$500,000" and inserting "$100,000".

Amendment No. 1678.

Amend the bill as a whole by deleting sections 2 through 6 and renumbering sec. 7 as sec. 2.

Amend the title of the bill to read as follows:

"An Act relating to governmental finances; imposing a fee upon depository institutions; and providing other matters properly relating thereto.".

Amend the summary of the bill to read as follows: "Imposes fee upon depository institutions. (BDR 32-2318)".

Assemblyman Bergevin moved that the Assembly concur in the Senate amendments to Assembly Bill No. 884.

Remarks by Assemblyman Bergevin.

Motion carried.

Bill ordered enrolled.

GENERAL FILE AND THIRD READING

Senate Bill No. 595.

Bill read third time.

Remarks by Assemblymen May and Spriggs.

Roll call on Senate Bill No. 595:

YEAS—32.

NAYS—Bergevin, Carpenter, Getto, Humke, Kerns, Lambert, Marvel, Porter, Spriggs, Wendell Williams—10.

Senate Bill No. 595 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, June 18, 1987

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. 856 and requests a second conference, and appointed Senators Gibson, Raggio and Rhoads as a second Committee on Conference to meet with a like committee of the Assembly for the further consideration of Assembly Bill No. 856.

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. 645.

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. 193.

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. 62.

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. 262.

MARY JO MONGELLI
Assistant Secretary of the Senate

Mr. Speaker announced that if there were no objections, the Assembly would recess until 2:05 a.m.

Assembly in recess at 1:50 a.m.

ASSEMBLY IN SESSION

At 2:32 a.m.

Mr. Speaker presiding.

Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Transportation, 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: Amend, and do pass as amended.

LEONARD V. NEVIN, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Nevin moved that Senate Bill No. 73 be placed on the Second Reading File.

Motion carried.

SECOND READING AND AMENDMENT

Senate Bill No. 73.

Bill read second time.

The following amendment was proposed by the Committee on Transportation:

Amendment No. 1679.

Amend the bill as a whole by adding a new section designated sec. 3.5, following sec. 3, to read as follows:

"Sec. 3.5. NRS 484.743 is hereby amended to read as follows:

484.743 1. The [board of directors] *director* of the department of transportation may [by resolution] authorize the movement of vehicles upon the public highways, including without limitation motor vehicles, tractors, trailers, semitrailers and combinations thereof, of a size and weight in excess of the limits prescribed by this chapter, to such extent as may be authorized by any legislation enacted by the Congress of the United States permitting such increases without forfeiture of this state's eligibility for federal aid in highway construction and maintenance.

2. The [board of directors] *director* of the department of transportation may by [resolution] *regulation* establish a reasonable fee or fees to be charged by the department for the issuance of permits authorizing the operation of oversize or overweight vehicles as provided in this chapter. The

fee or fees so established must be in an amount set so that the aggregate amounts received from the fee or fees do not exceed the estimated costs of administering the permit system.".

Amend the bill as a whole by adding new sections designated sections 9.5 and 9.7, following sec. 9, to read as follows:

"Sec. 9.5. NRS 408.020 is hereby amended to read as follows:

408.020 As used in this chapter the words and terms defined in NRS [408.035] *408.037* to 408.095, inclusive, unless the context otherwise requires, have the meanings ascribed to them in those sections.

Sec. 9.7 NRS 408.100 is hereby amended to read as follows:

408.100 Recognizing that safe and efficient highway transportation is a matter of important interest to all the people of the state, and that an adequate highway system is a vital part of the national defense, the legislature hereby determines and declares that:

1. An integrated system of state highways and roads is essential to the general welfare of the state.

2. Providing such a system of facilities, its efficient management, maintenance and control is recognized as a problem and as the proper prospective of highway legislation.

3. Inadequate highways and roads obstruct the free flow of traffic, resulting in undue cost of motor vehicle operation, endangering the health and safety of the citizens of the state, depreciating property values, and impeding general economic and social progress of the state.

4. In designating the highways and roads of the state as provided in this chapter, the legislature places a high degree of trust in the hands of those officials whose duty it is, within the limits of available funds, to plan, develop, operate, maintain, control and protect the highways and roads facilities of this state, for present as well as for future use.

5. To this end, it is the express intent of the legislature to make the [board of directors] *director* of the department of transportation custodian of the state highways and roads and to provide sufficiently broad authority to enable the [board] *director* to function adequately and efficiently in all areas of appropriate jurisdiction, subject to the limitations of the constitution and the legislative mandate proposed in this chapter.

6. The legislature intends:

(a) To declare, in general terms, the powers and duties of the [board of directors,] *director,* leaving specific details to be determined by reasonable regulations and declarations of policy which the [board] *director* may promulgate.

(b) By general grant of authority to the [board of directors,] *director* to delegate sufficient power and authority to enable [the board] *him* to carry out the broad objectives contained in this chapter.

7. The problem of establishing and maintaining adequate highways and roads, eliminating congestion, reducing accident frequency and taking all necessary steps to insure safe and convenient transportation on these public ways is no less urgent.

8. The legislature hereby finds, determines and declares that this chapter is necessary for the preservation of the public safety, the promotion of the general welfare, the improvement and development of transportation facilities in the state, and other related purposes necessarily included therein, and as a contribution to the system of national defense.

9. The words "construction," "maintenance" and "administration" used in section 5 of Article 9 of the constitution of the State of Nevada are broad enough to be construed to include and as contemplating the construction, maintenance and administration of the state highways and roads as established by this chapter and the landscaping, roadside improvements and planning surveys of the state highways and roads.".

Amend sec. 10, pages 6 and 7, by deleting lines 19 through 42 on page 6 and lines 1 through 11 on page 7 and inserting:

"Sec. 10. NRS 408.116 is hereby amended to read as follows:

408.116 1. All legal notices, writs, service and process issued or ordered by a court of competent jurisdiction wherein the department is named as a party defendant must be personally served upon the director [and also personally served upon the chairman of the board;] or, in the absence of the director , [and the chairman of the board,] the process must be served personally upon the secretary of state and also upon the deputy director.

2. All legal actions brought and defended by the department must be in the name of the State of Nevada on relation of its department.

3. This section is not a consent on the part of the department to be sued.".

Amend the bill as a whole by adding new sections designated sections 11.2 through 11.8, following sec. 11, to read as follows:

"Sec. 11.2. NRS 408.125 is hereby amended to read as follows:

408.125 The [board] *director* may:

1. Adopt such rules, bylaws, motions and resolutions, not inconsistent with this chapter, as may be necessary to govern the administration, activities and proceedings of the department.

2. On behalf of the State of Nevada, enter into agreements with any adjoining state, or any proper agency of such state, for the construction, reconstruction, improvement, operation and maintenance by any party to such agreement, in such manner and by such means as may be provided in the agreement, of bridges over interstate waters, and may enter into like agreements with respect to construction, reconstruction, improvement, operation and maintenance of highways within the State of Nevada or such adjoining state, when such highways are at or near the common boundary of the states.

3. Authorize the department to join associations of highway officials of other states and other organizations which have been heretofore or may hereafter be established, having as their purpose the interchange of information, establishment of standards and policies relating to highway construction, reconstruction, improvement, maintenance and administration.

4. Designate by regulation alternative routes for the transport of radioactive, chemical or other hazardous materials over the highways or county

roads of this state, in lieu of the preferred highways for such transport designated by the United States Department of Transportation, or approve alternative routes set forth in a proposed county or city ordinance if the regulation or ordinance does not conflict with the standards for alternative routes established by the United States Department of Transportation.

Sec. 11.4. NRS 408.136 is hereby amended to read as follows:

408.136 1. The [board] *director* may sell or lease any of the state's water rights which are appurtenant to real property acquired pursuant to this chapter to a public utility engaged in the business of furnishing water for municipal, industrial and domestic purposes without first offering those water rights to the public.

2. If a public utility wishes to dispose of any water right acquired pursuant to subsection 1, it must be reconveyed to the state.

Sec. 11.6. NRS 408.137 is hereby amended to read as follows:

408.137 1. Whenever the legislature is not in session, the [board] *director* may borrow, with the approval of the state board of examiners, money from financial institutions for short periods to carry out the responsibilities of the department.

2. To secure short-term financing, the [board] *director* may pledge only revenue which [it] *he* anticipates the department will receive.

3. The lending institution has no claim against the state, and may recover from the board under the loan agreement only to the extent that the revenues pledged as security for the loan become available.

Sec. 11.8. NRS 408.140 is hereby amended to read as follows:

408.140 1. Subject to the approval of the [board,] *director,* the attorney general shall, immediately upon request by the [board,] *director,* appoint an attorney at law as the chief counsel of the department, and such assistant attorneys as are necessary. Attorneys so appointed are deputy attorneys general.

2. The chief counsel shall act as the attorney and legal adviser of the department in all actions, proceedings, hearings and all matters relating to the department and to the powers and duties of its officers.

3. Under the direction of or in the absence of the chief counsel, the assistant attorneys may perform any duty required or permitted by law to be performed by the chief counsel.

4. The chief counsel and assistant attorneys are in the unclassified service of the state.

5. All contracts, instruments and documents executed by the department must be first approved and endorsed as to legality and form by the chief counsel.".

Amend sec. 12, page 7, line 17, by deleting "board" and inserting "[board] *governor*".

Amend sec. 12, page 7, line 19, by deleting "*board;*" and inserting "*governor;*".

Amend sec. 12, page 7, line 20, by deleting "*board.*" and inserting "*governor.*".

Amend the bill as a whole by adding a new section designated sec. 13.5, following sec. 13, to read as follows:

"Sec. 13.5. NRS 408.170 is hereby amended to read as follows:

408.170 The director shall devote his whole time to the duties of his office, and may be removed by the [board] *governor* at any time.".

Amend the bill as a whole by adding new sections designated sections 14.5 and 14.7, following sec. 14, to read as follows:

"Sec. 14.5. NRS 408.205 is hereby amended to read as follows:

408.205 1. [With the approval of the board, the] *The* director may execute all plans, specifications, contracts and instruments in the name of the State of Nevada necessary for the carrying out of the provisions of this chapter, except those construction contracts as provided in NRS 408.327 and 408.347.

2. The director has such other power and authority as may be necessary and proper under the provisions of this chapter . [or as may be delegated to him by the board.]

3. The director shall provide for the purchase of United States Savings Bonds or similar United States obligations by salary or wage deductions for officers and employees of the department who make written requests for such deductions and purchases. For the purpose of allowing all department officers and employees the opportunity of requesting salary or wage deductions for the purchase of United States obligations, the director shall provide forms authorizing the deductions and purchases and shall make them readily available to all department officers and employees.

Sec. 14.7. NRS 408.220 is hereby amended to read as follows:

408.220 Before September 1 of each even-numbered year, for the biennium ending June 30 of that year, and at such other times as the [board may designate,] *governor designates,* the director shall report all the proceedings of the department to the [board.] *governor.*".

Amend sec. 15, page 8, by deleting lines 11 and 12 and inserting:

"408.225 [The director, with the approval of the board,] *Except as otherwise provided in NRS 408.323, the director* may rent, lease, purchase and".

Amend the bill as a whole by deleting sec. 16, renumbering sec. 17 as sec. 26.5, and adding new sections designated sections 16 through 26, following sec. 16, to read as follows:

Sec. 16. NRS 408.240 is hereby amended to read as follows:

"408.240 1. Upon the written request of the [board,] *director,* the state controller shall draw his warrant in favor of the director in the sum of $250,000, and in such additional sums not exceeding a total of $250,000 as the [board] *director* may from time to time request, and upon presentation of such a warrant to the state treasurer, the state treasurer shall pay it.

2. Such a sum of not more than $500,000 is designated as the state highway revolving account, and may be used by the department for the purpose of paying the current payrolls of the department and other charges and obligations requiring prompt payment, and for no other purposes.

3. All money paid by the department from the state highway revolving account must, after payment thereof, be passed upon by the state board of examiners in the same manner as other claims against the state. When approved by the state board of examiners, the state controller shall draw his warrant for the amount of such money paid in favor of the state highway revolving account to be paid to the order of the director, and the state treasurer shall pay the warrant.

4. The director shall deposit the state highway revolving account in one or more banks of reputable standing and secure the deposit by a depositary bond satisfactory to the state board of examiners.

Sec. 17. NRS 408.273 is hereby amended to read as follows:

408.273 The state board of examiners shall, when so requested by the [board of directors of the department of transportation,] *director,* issue special obligation bonds of the State of Nevada to provide money to enable the department of transportation to complete pending and currently projected highway construction projects, in an amount specified in the request. The bonds may be issued at one time or from time to time, and must be issued in accordance with the State Securities Law. These bonds must be secured by a pledge of the appropriate federal highway grants payable to the state and by taxes which are credited to the state highway fund and must mature within not more than 5 years from their date.

Sec. 18. NRS 408.275 is hereby amended to read as follows:

408.275 1. The department shall prepare highway planning surveys, maps and traffic studies for the purposes of securing, preserving and furnishing all necessary information relative to all highways of the state.

2. The department may construct and maintain roadside parks for the convenience of the traveling public and the roadside parks may be constructed at such locations as may be selected by the director.

3. In order to provide information for the traveling public, the director may maintain maps, informational directories and advertising pamphlets at safety rest areas. The director may [, with the concurrence of the board,] contract with persons experienced in financing and operating [information] centers for the dissemination of maps, directories, advertising pamphlets and other information of interest to the traveling public by leasing to those persons available land at safety rest areas for such periods of time and for such considerations as are determined by the director to be in the best interests of the State of Nevada.

4. The department may receive any federal [funds] *money* available for the purposes of this section under the federal acts described in NRS 408.245.

5. The department shall adopt appropriate regulations governing the use of roadside parks and safety rest areas in the state.

Sec. 19. NRS 408.280 is hereby amended to read as follows:

408.280 1. On or before July 15 of each year the [board] *director* shall have prepared and presented to the governor a detailed proposed work program, the form and content to be determined by the [board,] *director,* for the fiscal year ending the following June 30, stating therein the amount,

character, and nature of the construction, reconstruction and improvements to be initiated on the highways within the respective counties of the state during the ensuing fiscal year, together with an estimate of the cost to complete such work.

2. The [board] *director* shall cause a copy of the proposed work program to be printed and a copy mailed to the chairman of the board of county commissioners of the several counties of the state, and a copy [shall] *must* be furnished to all news media in the state.

Sec. 20. NRS 408.283 is hereby amended to read as follows:

408.283 1. The department may enter into cooperative agreements with any board of county commissioners in the state for the improvement of any road.

2. Roads improved pursuant to this section [shall] *must* belong to the county and [shall] *must* be maintained at the expense of the county.

3. Each agreement entered into pursuant to this section is effective upon the approval of the [board,] *director,* and no [funds shall] *money may* be expended pursuant to an agreement except upon authorization by the [board.] *director.*

Sec. 21. NRS 408.2832 is hereby amended to read as follows:

408.2832 1. The [board] *director* shall determine the priority of improvement of any road proposed pursuant to NRS 408.283.

2. The [board] *director* shall not authorize the expenditure of [funds] *money* for any agreement entered into pursuant to NRS 408.283 until [it] *he* first determines that the county is able to perform its pro rata share of the improvement and that it will maintain the project as required by the agreement.

Sec. 22. NRS 408.285 is hereby amended to read as follows:

408.285 1. Except as provided in subsection 2, only those highways which are owned and maintained by the department in accordance with the provisions of this chapter are state highways, and the department is responsible for their construction, reconstruction, improvement and maintenance. Money available to the state through the Acts of Congress described in NRS 408.245 or any other federal acts may be used therefor. When federal money is made available under federal acts authorizing the use of federal [funds] *money* to build roads in the national forests, the [board] *director* may set aside for that purpose and expend highway money on state highways built by the Federal Government.

2. Unless it has been expressly designated as a state highway, every other highway, road, street, lane, sidewalk, alley, pathway, waterway or any other way for the passage of a person, animal or vehicle is not a state highway, and the department is not liable for any damage arising from the use of that highway or for any hazard or deficiency in that highway. Designation of any such way as a state highway may be accomplished only by a written agreement properly executed by the director and recorded in the county in which the highway is located.

3. Other highways may be designated by the director as state routes if:

(a) They connect or extend existing state highways; or

(b) Their construction, reconstruction, improvement and maintenance by the department is anticipated within a reasonable period.

4. For administrative purposes all state highways and routes may be selected, designated and assigned route numbers by the director. Numbers selected may conform so far as possible to applicable federal designations of routes.

5. All roads connecting state parks with state or county highways or city streets, where the title thereto is in the state, are parts of the state highway system and may be maintained by the state. The department may construct and maintain roads within state parks subject to approval of locations and design by the division of state parks of the state department of conservation and natural resources.

Sec. 23. NRS 408.323 is hereby amended to read as follows:

408.323 1. Whenever it [appears to] *can be justified by* the director that [any] *limited* work or improvements can be done in a more economical or other satisfactory manner than by contract under NRS 408.327, the director may [, with the approval of the board,] execute such work or improvements with department facilities and employees.

2. In the event of disaster or great emergency the director may [, with the approval of the board,] hire, employ or contract for such labor, materials and equipment as are in his opinion necessary to reroute, repair or replace any highway threatened or damaged by the emergency or disaster and the provisions of NRS 408.327 and 408.367 do not apply.

Sec. 24. NRS 408.333 is hereby amended to read as follows:

408.333 1. Before furnishing any person proposing to bid on any [duly] advertised work with the plans and specifications for such work, the director shall require from the person a statement, verified under oath, in the form of answers to questions contained in a standard form of questionnaire and financial statement, which must include a complete statement of the person's financial ability and experience in performing public work of a similar nature.

2. Such statements must be filed with the director in ample time to permit the department to verify the information contained therein in advance of furnishing proposal forms, plans and specifications to any person proposing to bid on the advertised public work, in accordance with the regulations of the department.

3. Whenever the director is not satisfied with the sufficiency of the answers contained in the questionnaire and financial statement, he may refuse to furnish the person with plans and specifications and the official proposal forms on the advertised project. Any bid of any person to whom plans and specifications and the official proposal forms have not been issued in accordance with this section must be disregarded, and the certified check, cash or undertaking of such a bidder returned forthwith.

4. Any person who may be disqualified by the director, in accordance with the provisions of this section, may request, in writing, a hearing before the director and present again his check, cash or undertaking and such

further evidence with respect to his financial responsibility, organization, plant and equipment, or experience, as might tend to justify, in his opinion, issuance to him of the plans and specifications for the work.

[5. Any such person has the further right of appeal from the decision of the director to the board, but the appeal must be made not later than 5 days before the opening of the bids on the project. If such an appeal is sustained by the board, the person must be admitted to the rights and privileges of all other bidders.]

Sec. 25. NRS 408.347 is hereby amended to read as follows:

408.347 1. All construction contracts authorized by NRS 408.327 must be executed in the name of the State of Nevada and must be signed by the [chairman of the board, attested by the] director, under the seal of the department, signed by the contracting party or parties, and the form and legality of such contracts approved by the attorney general or chief counsel of the department.

2. When the contract is fully executed, a copy of the same, including plans and specifications, must be filed in the office of the department at Carson City, Nevada, and with the clerk of the board of county commissioners of the county in which the work is to be performed.

Sec. 26. NRS 408.353 is hereby amended to read as follows:

408.353 1. Except as otherwise provided in subsection 2, all [members of the board,] directors and other officers or employees of the department are prohibited from having any interest, directly or indirectly, in any contract entered into by the department.

2. If the director of the department deems it necessary to enter into a contract with one of the persons described in subsection 1, he shall submit the proposed contract to the state board of examiners for approval. Upon its approval, the director may enter into the contract.

3. Any contract made in violation of this section may be declared void at the instance of the state or any person interested in the contract except a person prohibited from being interested in it.

4. Any person violating the provisions of this section, directly or indirectly, is guilty of a gross misdemeanor, forfeits his office and is forever disqualified from holding any public office in this state.".

Amend the bill as a whole by renumbering sec. 18 as sec. 27.5 and adding a new section designated sec. 27, following sec. 17, to read as follows:

"Sec. 27. NRS 408.367 is hereby amended to read as follows:

408.367 1. [With the approval of the board, the] *The* director may receive informal bids and award contracts for highway construction, reconstruction, improvements, and maintenance on projects estimated to cost not in excess of $50,000.

2. Such informal bids must be submitted in accordance with due advertisement thereof being published for at least one publication in any newspaper or publication.

3. The department shall:

(a) Mail a copy of the bid invitation by certified mail to all qualified bidders who are on record with the department as desiring to receive bid invitations on projects estimated to cost not in excess of $50,000.

(b) Maintain a record of such certified mailings.

4. Contracts awarded under the provisions of this section must be accompanied by bonds and conditioned and executed in the name of the State of Nevada, and [shall] *must* be signed by the director, under the seal of the department, signed by the contracting party or parties, and the form and legality of such contracts approved by the attorney general or chief counsel of the department.".

Amend the bill as a whole by renumbering sections 19 through 22 as sections 40 through 43 and adding new sections designated sections 28 through 39, following sec. 18, to read as follows:

"Sec. 28. NRS 408.397 is hereby amended to read as follows:

408.397 Whenever in the construction, reconstruction, maintenance or repair of any highway it appears to the director that any portion of the highway is dangerous or inconvenient to the traveling public in its existing location by reason of grades, dangerous turns or other local conditions, or that the expense in the constructing, building, rebuilding, maintaining or repairing of the highway would be unreasonably great and could be materially reduced or lessened by change of route, the director may divert or change the route, but [:

1. The] *the* highway must not be changed or diverted to exclude any city or town unless the consent of the governing body of that city or town has been obtained . [; and

2. The director shall first submit a plan of the proposed change to the board, and the plan must be approved by the board before action is taken to effect the change.]

Sec. 29. NRS 408.403 is hereby amended to read as follows:

408.403 1. [After and upon a resolution of the board, the] *The* department under the provisions of this chapter may lay out, establish, acquire, open, construct, reconstruct, improve, maintain, repair, regulate, vacate or abandon freeways, with the approval of the board of county commissioners of the county in which such freeways may be proposed and with the approval of the city council of any incorporated city directly affected thereby.

2. The department [shall have] *has* all such additional and necessary authority relative to such freeways as it possesses relative to other highways, including the authority to acquire by gift, purchase, condemnation or otherwise such real property or interests therein, including abutter's rights or access rights required for such freeways.

3. Where an existing highway, in whole or in part, has been designated as, or included within, a freeway, existing abutter's rights of light, view and air, and easements of access to and from abutting land may be extinguished by gift, purchase, condemnation or otherwise.

4. As a necessary adjunct of any freeway, the department may lay out, establish, acquire, open, construct, reconstruct, improve, maintain, repair, vacate or abandon frontage roads to provide service and access from areas adjacent to such freeway.

Sec. 30. NRS 408.457 is hereby amended to read as follows:

408.457 In addition to amounts otherwise authorized by NRS 408.447 and 408.453, the department shall reimburse the owner of real property acquired for a federal-aid highway project for reasonable and necessary expenses incurred as the result of:

1. Recording fees, title examination charges, escrow fees and similar expenses incidental to conveying such property;

2. Penalty costs for prepayment of any mortgage or deed of trust encumbrancing such real property if such mortgage or deed of trust was entered into in good faith and is on record or has been filed for record in accordance with chapter 247 of NRS on the date when the [board] *director* gives final approval of the location of such highway project.

3. Any increased interest costs which such displaced person is required to pay for financing the acquisition of a comparable replacement dwelling. Such amount [shall] *must* be paid only if the dwelling acquired by the department was encumbered by a bona fide mortgage which was a valid lien on such dwelling for not less than 180 days prior to the initiation of negotiations for the acquisition of such dwelling. Such amount shall be equal to the excess in the aggregate interest and other debt service costs of that amount of the principal of the mortgage on the replacement dwelling which is equal to the unpaid balance of the mortgage on the acquired dwelling, reduced to discounted present value. The discount rate shall be the prevailing interest rate paid on savings deposits by commercial banks in the general area in which the replacement dwelling is located.

4. Reasonable expenses incurred by such displaced person for evidence of title, recording fees and other closing costs incident to the purchase of the replacement dwelling, but not including prepaid expenses. Such payment shall be made only to a displaced owner who purchases and occupies such a comparable dwelling within 1 year from the date on which he is required to move from the dwelling acquired for the project.

Sec. 31. NRS 408.497 is hereby amended to read as follows:

408.497 1. Any person asserting any claim for compensation or damage for injury to land or interests therein arising from the construction, alteration or improvement of any highway constructed, altered or improved under the provisions of this chapter shall first, as a condition precedent to the action authorized by subsection 2 and not later than 2 years after final acceptance of the contract by the department as defined in NRS 408.387, file such claim with the department, verified under oath and containing all particulars regarding such claim. Such claim must be promptly investigated by the director, [who shall recommend its disposition to the board,] and if such claim or any portion thereof is approved by the [board] *director* it must

be paid upon obtaining a written release of the entire claim, out of the state highway fund. The claimant must be given written notice by registered mail of the [board's] *director's* decision.

2. Any claimant aggrieved by the [board's] *director's* decision on such claim may commence, in the district court for the county in which the land is situated, within 6 months after receipt of notice of the [board's] decision on such claim, a proceeding in inverse condemnation against the department seeking just compensation for an alleged taking or damaging of private property for highway purposes, and if such proceeding is not so commenced within such time it is forever barred.

Sec. 32. NRS 408.503 is hereby amended to read as follows:

408.503 1. The department shall not commence any legal action in eminent domain until the [board first adopts a resolution declaring that] *the director determines that the* public interest and necessity require the acquisition, construction, reconstruction, improvement or completion by the state, acting through the department, of the highway improvement for which the real property, interests therein or improvements thereon are required, and that the real property, interests therein or improvements thereon described in the resolution are necessary for such improvement.

2. The [resolution of the board shall be] *determination of the director is* conclusive evidence:

(a) Of the public necessity of such proposed public improvement.

(b) That such real property, interests therein or improvements thereon are necessary therefor.

(c) That such proposed public improvement is planned or located in a manner that will be most compatible with the greatest public good and the least private injury.

3. All legal actions in all courts brought under the provisions of this chapter to enforce the right of eminent domain shall take precedence over all other causes and actions not involving the public interest, to the end that all such actions, hearings and trials thereon shall be quickly heard and determined.

Sec. 33. NRS 408.507 is hereby amended to read as follows:

408.507 1. Real property held in fee or improvements on the property acquired by the department in advance of the actual construction, reconstruction or improvement of highways or in order to avoid the payment of excessive damages, or held by the department pending a determination in the future on its use or disposal may be leased or rented by the department for fair market value in such manner and for such periods as are determined by the director to be in the best interests of the state.

2. The director may lease for fair market value space above and below the established grade line of the highway to state and public agencies and private persons in such manner and for such periods as he determines are in the best interest of the state, if:

(a) The full use and safety of the highway will not be impaired;

(b) Vehicular or pedestrian access to that space will not be required or permitted from the established grade line; and

(c) The free flow of traffic on the highway is not interfered with in any way.

3. All leases of an interest in real property entered into by the department before April 1, 1985, are hereby ratified. All other leases entered into pursuant to subsection 2 must be approved by the [board] *director* subject to the provisions of subsection 4.

4. If the department receives a proposal to negotiate a lease pursuant to subsection 2, it shall publish a notice in a newspaper of general circulation at least once a week for 2 weeks, stating that it has received the proposal and that it will receive other proposals for use of the space for 60 days after the completion of the publication. A copy of the notice must be mailed to each local governmental unit in the affected area. If the property is leased, it must be to the highest bidder for the space. The requirements for publication and notice do not apply if the proposal was received from an owner who controls the property on both sides of the highway.

5. All money received for leases and rentals must be deposited with the state treasurer to be credited to the state highway fund.

Sec. 4. NRS 408.523 is hereby amended to read as follows:

408.523 1. The [board] *director* may retain or may summarily vacate and abandon any portion of a state highway if that portion has been superseded by relocation or has been determined to be in excess of the needs of the department.

2. The [board] *director* shall act to abandon any easement, or to vacate any highway, by [resolution.] *written notice.* A certified copy of the [resolution] *notice* may be recorded without acknowledgment, certificate of acknowledgment, or further proof, in the office of the county recorder of each county wherein any portion of the easement to be abandoned, or the highway to be vacated, lies. No fee may be charged for such recordation. Upon recordation, the abandonment or vacation is complete.

3. When a highway for which the state holds only an easement is abandoned, or when any other easement is abandoned, the property previously subject thereto is free from the public easement for highway purposes. Where the state owns in fee the property on which the vacated highway was located, the department shall dispose of that property as provided in NRS 408.533.

4. In any proceeding for the abandonment or vacation of any state highway or part thereof, the [board] *director* may reserve and except therefrom any easements, rights or interests in the highway deemed desirable and in the best interests of the state.

Sec. 35. NRS 408.527 is hereby amended to read as follows:

408.527 1. Whenever the department and the county or city concerned have entered into an agreement providing therefor, and the legislative body of the county or city has adopted a resolution consenting thereto, the [board] *department* may relinquish to the county or city any portion of any state highway which has been deleted from the state highway system by legislative enactment. The department may likewise relinquish any portion of any

state highway which has been superseded by relocation or which the department determines exceeds its needs.

2. [By resolution of the board, the] *The* department may upon request relinquish to the division of state lands of the state department of conservation and natural resources for the public use of another state agency any portion of any state highway which has been superseded by relocation or which the department determines exceeds its needs.

3. Relinquishment must be made by [a resolution.] *written notice.* A certified copy of the [resolution] *notice* must be filed with the legislative body of the county or city concerned. The [resolution] *notice* must be recorded in the office of the county recorder of the county where the land is located and, upon recordation, all right, title and interest of the state in and to that portion of any state highway vests in the county, city or division, as the case may be.

4. Nothing in NRS 408.523 limits the power of the [board] *department* to relinquish abandoned or vacated portions of a state highway to a county, city or the division. If the purpose for which it is relinquished is abandoned or ceases to exist, then all right, title and interest of the county, city or division reverts back to the department.

5. The vesting of all right, title and interest of the department in and to portions of any state highways relinquished previously by the department in the city, county or state agency to which it was relinquished is hereby confirmed.

Sec. 36. NRS 408.533 is hereby amended to read as follows:

408.533 1. All real property, interests therein or improvements thereon and personal property acquired before or after April 1, 1957, in accordance with the provisions of NRS 408.487 and 408.489 must, [after approval by the board, and] if no longer needed for highway purposes, be disposed of by the director in accordance with the provisions of this section, except that:

(a) When the property was originally donated to the state, then no charge may be made if it is returned to the original owner or to the holder of the reversionary right.

(b) When the property has been wholly or partially paid for by towns, cities or counties, then disposal of the property and of money received therefor must be agreed upon by the governing bodies of the towns, cities and counties and the department.

(c) When the title to the real property has been acquired in fee under NRS 408.487 and 408.489 and, in the opinion of the [board,] *director,* a sale by means of public auction or sealed bids is uneconomical or impractical because:

(1) There is no access to the property;

(2) The property has value or an increased value only to a single adjoining property owner; or

(3) Such sale would work an undue hardship upon a property owner either as a result of a severance of the property of that owner or a denial of access to a public highway,

the [board] *department* may enter into a direct sale of the property with such an owner or someone else for its fair market value.

(d) When the property has been acquired and the proposed purpose for which it was acquired is later abandoned by the department, the department shall give notice of its intention to dispose of the property by publication in a newspaper of general circulation in the county where the property is situated. The notice must include the department's appraisal of the fair market value of the property. Any person from whom the property was purchased may purchase the property from the department within 60 days after the date of the notice at its fair market value.

(e) When the property is sought by another public agency for a reasonable public use, the department may first offer the property to the public agency at its fair market value.

2. All property, interests or improvements not falling within the provisions of subsection 1 must be sold by the department singly or in combination, to the highest bidder bidding for it either at public auction or by sealed bids, the notice of which and terms of which must be published in a newspaper of general circulation in the county where the property is situated. Those auctions and openings of bids must be conducted by the department.

3. It is conclusively presumed in favor of any purchaser for value and without notice of any such real property, interest therein or improvement thereon conveyed pursuant to this chapter that the department acted within its lawful authority in acquiring and disposing of the property, and that the director acted within his lawful authority in executing any conveyance vesting title in the purchaser. All such conveyances must be quitclaim in nature and the department shall not warrant title, furnish title insurance or pay the tax on transfer of real property.

4. All sums of money received by the department for the sale of real and personal property must be deposited with the state treasurer to be credited to the state highway fund, unless the Federal Highway Administration participated in acquisition of the property, in which case a pro rata share of the money obtained by disposal of the property must be paid to the Federal Highway Administration.

5. The department may reserve and except easements, rights or interests from the conveyance of any real property disposed of in accordance with this section or exchanged pursuant to subsection 5 of NRS 408.489. Those easements, rights or interests include, but are not limited to:

(a) Abutter's rights of light, view or air.

(b) Easements of access to and from abutting land.

(c) Covenants prohibiting the use of signs, structures or devices advertising activities not conducted, services not rendered or goods not produced or available on the real property.

Sec. 37. NRS 408.537 is hereby amended to read as follows:

408.537 1. Upon receipt of an application for consent to close a public

road on public land, the department shall give written notice of the application to the planning agencies of the local governments, within 1 week after its receipt of the application.

2. Each planning agency so notified shall within 45 days after the notice is sent hold a public hearing on the application at the place where it normally meets. If the road is located within the jurisdiction of two or more planning agencies, each of those agencies must hold a hearing.

3. Each planning agency shall notify the public and every person known to have a vested private right of way over the road for the purpose of grazing, mining or any other purpose for which such a private right vests, by publication in one issue of a newspaper of general circulation published in each of the counties in which the land is located and by mailing to the last known address of each private user of the road. The notice must be published at least 20 days before the date set for the hearing and set forth the location of the road and the purpose for closing it as stated in the application. The cost of publishing the notice must be borne by the United States or by someone in its behalf.

4. The planning agency shall deliver its written recommendation on the application, including the reasons for its recommendation, to the department within 15 days after the conclusion of its hearing on the application.

5. The application must contain such information and supporting documents as are prescribed in regulations adopted by the department . [with the approval of the board.]

Sec. 38. NRS 408.543 is hereby amended to read as follows:

408.543 [1.] The department shall hold a hearing on an application to close a public road on public land within 45 days after it receives the written recommendation from the planning agency. The department shall give notice of its hearing as required by law. At its hearing the department shall receive any testimony pertaining to any use of the road which is not repetitive and shall consider the written recommendation of the planning agency.

[2. The department shall deliver its written recommendation on the application, including the reasons for its recommendation, to the board within 15 days after the conclusion of its hearing on the application.]

Sec. 39. NRS 408.547 is hereby amended to read as follows:

408.547 1. The [board] *director* in deciding whether to grant or deny the consent of the state to close a public road on public land shall:

(a) Balance the interests of the Federal Government and the state; and

(b) Not apply standards or impose conditions respecting the closure of a public road which are more restrictive than those generally applicable to other persons or governmental agencies in this state.

2. In granting the consent of the state the [board] *director* shall not grant or waive any right, privilege, immunity or other incident of sovereignty provided for in NRS 328.085, except subsection 3 of that section.

3. Consent to such a closure or the extinguishing of a public use does not constitute consent to extinguish a private use, and the state's consent is contingent on compensation by the Federal Government for the loss of a vested private right of way.

4. [Any recommendation of the department which is not acted on by the board within 30 days after it receives the application and which is not in conflict with the requirements of this section is automatically approved unless the board in a writing which is attached to the application and recommendations defers the decision for a good cause.

5.] The consent of the [board] *director* to close a public road on public land must be evidenced by a certificate signed by the [chairman of the board and attested to by its secretary,] *director,* and delivered to the United States.".

Amend sec. 21, page 11, line 23, by deleting "20," and inserting "41,".

Amend sec. 21, page 11, line 28, by deleting "20," and inserting "41,".

Amend sec. 22, pages 11 and 12, by deleting lines 37 through 42 on page 11 and lines 1 through 15 on page 12 and inserting:

"Sec. 43. Section 3 of Senate Bill No. 72 of this session is hereby amended to read as follows:

Sec. 3. 1. The members of the committee shall meet at the call of the chairman or a majority of the committee.

2. The committee shall:

(a) Review and evaluate the need and sources of revenue for the construction and maintenance of highways in Nevada;

(b) Review and evaluated the operations and activities of the department of transportation relating to the construction and maintenance of highways; and

[(b)] *(c)* Submit a report of its findings and any recommended legislation to the legislature at the beginning of each regular session.".

Amend the bill as a whole by renumbering sec. 23 as sec. 47 and adding new sections designated sections 44, 45 and 46, following sec. 22, to read as follows:

"Sec. 44. The department of transportation shall contract with consulting firms, the Federal Highway Administration, the Asphalt Institute or other appropriate institutions for a comprehensive review of its:

1. Practices for managing construction;
2. Procedures for testing and inspection;
3. Plans and specifications; and
4. Use of the latest technology, such as computer-aided design and engineering work stations.

The department shall submit a report of the comprehensive review to the director of the legislative counsel bureau on or before January 30, 1989. The director shall submit the report to the 65th session of the legislature. The advisory committee on highways shall monitor and assist in the review and evaluate the results of the study and the operation of the department.

Sec. 45. NRS 408.035, 408.105, 408.117, 408.120, 408.130 and 408.135 are hereby repealed.

Sec. 46. The legislative counsel shall, in preparing the supplement to the 1987 statutes, correct all reference to the board of directors of the department of transportation which were not amended by this act or were further amended by another act.".

Amend sec. 23, page 12, by deleting lines 16 through 20 and inserting:

"Sec. 47. 1. This section and sections 3.5, 4, 6, 7.5, 9.5, 9.7, 10 to 34, inclusive, 36 to 40, inclusive, 42, 44, 45 and 46 of this act become effective on July 1, 1987.

2. Sections 8, 35 and 43 of this act become effective at 12:01 a.m. on July 1, 1987.

3. Sections 1, 3, 5, 7, 7.7, 9 and 41 of this act become effective on July 1, 1988.".

Assemblyman Nevin moved the adoption of the amendment.

Remarks by Assemblyman Nevin.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

UNFINISHED BUSINESS

REPORTS OF CONFERENCE COMMITTEES

Mr. Speaker:

The first Committee on Conference concerning Senate Bill No. 382, consisting of the undersigned members, has met, and reports that:

No further consideration.

JAMES W. SCHOFIELD	LAWRENCE E. JACOBSEN
MATTHEW Q. CALLISTER	ERIK BEYER
VIRGIL M. GETTO	RAY SHAFFER
Assembly Committee on Conference	*Senate Committee on Conference*

Assemblyman Schofield moved that the Assembly adopt the report of the first Committee on Conference concerning Senate Bill No. 382.

Remarks by Assemblyman Schofield.

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Nevin moved that all rules be suspended and that Senate Bill No. 73 be declared an emergency measure under the Constitution and placed on third reading and final passage.

Motion carried unanimously.

GENERAL FILE AND THIRD READING

Senate Bill No. 73.

Bill read third time.

Remarks by Assemblymen Nevin, Schofield and Adler.

Roll call on Senate Bill No. 73:

YEAS—42.

NAYS—None.

Senate Bill No. 73 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

UNFINISHED BUSINESS

REPORTS OF CONFERENCE COMMITTEES

Mr. Speaker:

The second Committee on Conference concerning Assembly Bill No. 856, consisting of the undersigned members, has met, and reports that:

No decision was reached.

JOSEPH E. DINI, JR.	JAMES I. GIBSON
MARVIN M. SEDWAY	WILLIAM J. RAGGIO
MORSE ARBERRY, JR.	DEAN A. RHOADS
Assembly Committee on Conference	*Senate Committee on Conference*

Assemblyman Sedway moved that the Assembly adopt the report of the second Committee on Conference concerning Assembly Bill No. 856.

Remarks by Assemblyman Sedway.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Concurrent Committee on Ways and Means, to which was referred Assembly Bill No. 550, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass, as amended.

MARVIN M. SEDWAY, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Sedway moved that Assembly Bill No. 550 be placed on the General File.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 550.

Bill read third time.

Remarks by Assemblyman DuBois.

Roll call on Assembly Bill No. 550:

YEAS—42.

NAYS—None.

Assembly Bill No. 550 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

UNFINISHED BUSINESS

REPORTS OF CONFERENCE COMMITTEES

Mr. Speaker:

The second Committee on Conference concerning Assembly Bill No. 399, consisting of the undersigned members, has met, and reports that:

It has agreed to recommend that the amendment of the Senate be concurred in.

MARVIN M. SEDWAY	LAWRENCE E. JACOBSEN
JOSEPH E. DINI, JR.	JAMES I. GIBSON
TERRY TEBBS	NICHOLAS J. HORN
Assembly Committee on Conference	*Senate Committee on Conference*

Assemblyman Sedway moved that the Assembly adopt the report of the second Committee on Conference concerning Assembly Bill No. 399.

Remarks by Assemblymen Sedway, Carpenter and Adler.

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 3:12 a.m.

ASSEMBLY IN SESSION

At 3:34 a.m.

Mr. Speaker presiding.

Quorum present.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, June 18, 1987

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bill No. 550.

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. 399.

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. 856.

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. 73, 561, 595; Senate Joint Resolution No. 5.

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

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bills Nos. 121, 133, 192, 315, 335, 352, 379, 417, 420, 423, 476, 494, 500, 508, 512, 571, 598, 615, 621, 684, 694, 704, 719, 741, 788, 819, 821, 832, 833, 858, 883; Senate Bills Nos. 30, 56, 156, 186, 190, 214, 227, 236, 307, 328, 331, 333, 341, 351, 357, 360, 383, 397, 458, 468, 474, 498, 506, 513, 519, 585, 587, 591, 592; Senate Joint Resolution No. 21; Assembly Concurrent Resolutions Nos. 18, 24, 36, 47, 55, 59; Senate Concurrent Resolution No. 48; Assembly Resolution No. 15.

REMARKS FROM THE FLOOR

Assemblyman Schofield requested that the following remarks be entered in the Journal.

ASSEMBLYMAN MAY:

Mr. Speaker, I feel it incumbent upon me to bring to the attention of this body a situation developed only this afternoon and one which I feel I, as a member of this body,

have been deliberately misrepresented by a state employee. Furthermore, having asked for an apology of the state and not received it, I have reduced this to writing and I intend to address this correspondence to the Attorney General of the state with a copy to the Governor. With your permission, I'll read it; I think it details not only my feelings, but a synopsis of the happenings.

The letter is addressed to the Attorney General:

NEVADA LEGISLATURE
SIXTY-FOURTH SESSION

June 17, 1987

THE HONORABLE BRIAN MCKAY, *Attorney General,* 198 South Carson Street, Carson City, Nevada 89710

Dear Mr. McKay:

Please accept this correspondence with the highest degree of criticism I can muster with regard to one of your Deputy Attorney Generals, Mr. Harry Swainston.

The events that cause this attitude and displeasure with the above mentioned individual are as follows. On June 17, 1987 at approximately 3:00 p.m., while sitting in session on the floor of the Assembly, Senator Redelsperger entered the Assembly chamber with Swainston in tow. Senator Redelsperger came to discuss A.B. 756 (Bullfrog County Bill) and an alternative S.B. 595 developed by himself and his committee. During the discussion, Mr. Swainston interjected into the conversation "The Governor's Office kinda likes S.B. 595 the better of the two." He did not say the Governor's Office of Nuclear Projects. He did not say the Governor's appointee. He said the "Governor's Office." To me that means one person, our Governor, the Honorable Richard Bryan.

I called the Governor to verify. His reply was "Paul, I have not seen or talked to Harry Swainston in two years."

I confronted Swainston with the Governor's remarks. I *demanded* an apology. I did not receive one! I *demanded* that Swainston attend a soon-to-be-called Clark County delegation meeting on the Senate side of the Legislative Building. Swainston promised he would attend. He did not.

Later in the day your Chief Deputy, Mr. Bill Isaeff, was in the Assembly. I discussed the sitution as outlined with him. I told Mr. Isaeff I would like an apology from Swainston. I have not received one and now I appeal to you, as Attorney General of the State of Nevada, for a written apology from Swainston *plus* some type of censure for what I consider his absolute reprehensible behavior and outright misrepresentation of fact.

Sincerely,

PAUL W. MAY
Assemblyman

I realize, Mr. Speaker, tomorrow I'll be just another citizen, but at this moment I have the pleasure of standing on this floor and to indicate to the members of this body the facts I have read to you are exactly as they have happened. I feel I have personally been lied to by this state employee. The facts will be submitted to the Attorney General with a copy to the Governor. Thank you for listening.

MR. SPEAKER:

Thank you, Mr. May. Any other action you may want to take, we'd sure think you'd have the support of this house.

Assemblyman Jeffrey requested that the following remarks be entered in the Journal.

ASSEMBLYMAN MAY:

Mr. Speaker, to follow-up to some remarks I made earlier this afternoon, I have received a communication and I would like the permission of the Chair to read to this body—a response from the office of the Attorney General. Thank you Mr. Speaker.

STATE OF NEVADA
OFFICE OF THE ATTORNEY GENERAL
CAPITOL COMPLEX, CARSON CITY, NEVADA 89710

June 17, 1987

THE HONORABLE PAUL MAY, *Nevada State Assemblyman*, Nevada State Legislature, Carson City, Nevada 89710

Dear Assemblyman May:

As a follow-up to our conversation this afternoon concerning Bull Frog County and related legislation, it is now apparent to me that the information I conveyed to you from Robert Loux, director of the Nuclear Waste Project Office, was not as clear as it should have been regarding the position of the administration on these bills.

I was only reporting to you what I understood Mr. Loux's comments to be concerning his position and that of the Governor on these bills. Let me assure you that it was never my intention to mislead or deceive you concerning these critical matters. I had no reason at the time to doubt the accuracy of the information I imparted to you, in fact it was for that reason I suggested you call the Governor for confirmation.

(But by the time he made that suggestion, I had just hung up the phone from talking to the Governor. Returning to the letter, . . .)

I am very sorry for any miscommunication which may have occurred between us.

As for the meeting you requested I attend, I did not understand the meeting to be ongoing at that time. I believed I was to be notified later of an exact time and place for the meeting. I had every intention of attending and providing whatever counsel I could.

Again, I know how much this legislation means to you, and I certainly had no intention of causing you great consternation in the Legislature's closing hours.

Sincerely,

HARRY SWAINSTON
Deputy Attorney General
Nuclear Waste Project Office

I would like to further clarify that I will accept that, Mr. Speaker, as full satisfaction and would further like to indicate any remarks I may have had or any animosity I may have had was directed not to the office of the Attorney General as a division of state government, but just to one individual and to one individual only.

At this point, Mr. Speaker, thank you for your support and members of the House, thank you for your support. I am satisfied.

ASSEMBLYMAN SEDWAY:

Thank you, Mr. Speaker. After the dialogue on the floor this afternoon, I requested from the bill drafter, a trailer bill to Assembly Bill No. 891, which is the unclassified salary bill for the biennium. On page 4 of that bill, we have deleted the position of Deputy Attorney General for Nuclear Waste Project Office, which is the position that Mr. Swainston holds. It was my intention to introduce that bill this evening. Mr. Swainston, to the best of my knowledge and from the information I have gleaned during the time since my colleague, the chairman of the taxation committee made his comments this afternoon, indicate to me that Mr. Swainston has acted in a manner not—not—in the best interests of the State of Nevada in the many years that he has held office with the Attorney General. He has forced the director of the department of resources, Mr. Westergard, and Mr. Pete Morros, the State Engineer, to secure private counsel to defend themselves from the actions of Mr. Swainston.

Bowing to my colleague, the charitable chairman of the taxation committee, I will not introduce this bill. But I want state employees who act in a manner which is offensive to members of this legislature to be on notice that in the future if they insult anyone as they have my colleague, the chairman of taxation committee, then we will act in a manner swift and sure to see that this never, ever happens again.

Assemblyman Price requested that his remarks be entered in the Journal.

Constitutional Moments—Week of June 14, 1787
Activities of the Constitutional Convention in Philadelphia

June 14—Mr. Paterson observed to the Convention that it was the wish of several deputations, particularly that of New Jersey, that further time might be allowed them to contemplate the plan reported from the committee of the whole, and to digest one purely Federal and contradistinguished from the reported plan. He said they hoped to have such a one ready by tomorrow to be laid before the Convention. The Convention adjourned that leisure might be given for the purpose.

June 15—Mr. Paterson, pursuant to his intentions as mentioned yesterday, read a set of resolves as the basis of amendment to the Confederation. He observed that no government could be energetic on paper only, which was no more than straw. Mr. Madison moved for the report of the committee, and the question may then come on whether the Convention will postpone it in order to take into consideration the system now offered. Colonel Hamilton cannot say he is in sentiment with either plan, thereupon it was agreed that the report be postponed, and that the house will resolve itself into a committee of the whole to take into consideration both propositions tomorrow.

June 16—The Convention resolved itself into a committee of the whole on the Virginia and New Jersey plans. John Lansing (N.Y.) called for reading the first resolution of each plan—that of New Jersey sustains state sovereignty, that of Virginia destroys it. He gave several reasons for preferring the New Jersey plan. So did William Paterson (N.J.). Both stressed that the New Jersey plan was compatible with the delegate's instructions and with the wishes of the people. James Wilson (Pa.) responded with a point by point comparison of the two plans, and arguments in favor of that of Virginia. Chas. Pinckney (S.C.) cynically but presciently observed that "the whole comes to this: give New Jersey an equal vote, and she will dismiss her scruples, and concur in the national system." The debate, which would take up the rest of June had begun.

June 17—The Convention was in recess today after its third full week of meetings, in which time it had completed committee review of a plan of government.

June 18—On a motion from John Dickinson (Del.), the committee of the whole agreed that the Articles of Confederation should be so amended "as to render the government of the United States adequate to the exigencies, the preservation and the prosperity of the Union." Alexander Hamilton then rose and began a speech which lasted the rest of the day. He didn't like either plan, "being fully convinced, that no amendment to the Confederation leaving the states in possession of their sovereignty could possibly answer the purpose." He proceeded at length to compare the Virginia and New Jersey plans against what he viewed as the essentials of a sound government, and then proposed a plan of his own. A bicameral legislature with power to pass all laws—a House elected by the people for a term of three years, a Senate to be elected by electors from electoral districts to serve for life, a governor to be chosen by the people voting in electoral districts to serve during good behavior and state governors to be appointed by the Federal government.

June 19—The Convention resolved itself into a committee of the whole, Nathaniel Gorham (Mass.) in the chair. The New Jersey plan came again to the floor. James Madison (Va.) then spoke at length, pointing out that the New Jersey plan wouldn't prevent treaty violations by the states, encroachments on the Federal authority, or conflicts between states. Moreover, it wouldn't secure the internal tranquility of the states, good internal legislation for any particular state, nor protect the Union against the influence of foreign powers over its members. It would, however, saddle the small states with the expense of their congressional delegation and make them the objects of the coercive power of the Union. Madison warned that if no plan was approved and the Union dissolved, the small states would be at the power of their larger neighbors. A motion to postpone the first proposition of the New Jersey plan carried. A motion to use and re-report the Virginia plan carried and the committee rose. The small states had lost again.

June 20—The Convention took up a resolution "that a national government ought to be established, consisting of a supreme legislative, executive and judiciary. Oliver Ellsworth (Conn.) and Nathaniel Gorham (Mass.) moved to change "national government" to government of the United States." Ellsworth didn't want to abrogate the Confederation, and he wanted the new plan to be ratified under it. This passed without controversy. A

second resolution that the legislature of the United States have two branches was taken up, but John Lansing (N.Y.) moved instead that the powers of legislation be vested in the United States in Congress. He contended that neither the powers given the Convention nor public opinion supported abandoning the Confederation. George Mason (Va.) ridiculed Lansing's motion, Luther Martin and Roger Sherman supported it and it lost, six opposed, four for and Maryland divided.

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. Betty Day.

On request of Assemblyman Adler, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Dick Williams.

On request of Assemblyman Arberry, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Martha Herndon.

On request of Assemblyman Banner, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Martha Barnes.

On request of Assemblyman Bergevin, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Donna Wadey.

On request of Assemblyman Brookman, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Jeanie Davis and Mr. Richard J. Kale.

On request of Assemblyman Craddock, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Gloria Lohner.

On request of Assemblyman Evans, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Valerie Perkins.

On request of Assemblyman Freeman, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Carol Dickerson.

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

On request of Assemblyman Getto, the privilege of the floor of the Assembly Chamber for this day was extended to Mss. Christine Shaw and Mary Carel.

On request of Assemblyman Haller, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Joan Eisner.

On request of Assemblyman Jeffrey, the privilege of the floor of the Assembly Chamber for this day was extended to Mss. Sally Dunfield and Kathryn Pereos.

On request of Assemblyman Marvel, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Joylyn Smith and Mr. Joe Pieretti.

On request of Assemblyman May, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Marjorie Robertson.

On request of Assemblyman Nevin, the privilege of the floor of the Assembly Chamber for this day was extended to Mss. Lavelle Johnson and Sylvia Mays.

On request of Assemblyman Nicholas, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Jane Mathis.

On request of Assemblyman Price, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Sandra Gagnier.

On request of Assemblyman Porter, the privilege of the floor of the Assembly Chamber for this day was extended to Mss. Pat Hatch and Vicki Stevens.

On request of Assemblyman Sader, the privilege of the floor of the Assembly Chamber for this day was extended to Mss. Susan Hella and Iris Bellinger.

On request of Assemblyman Schofield, the privilege of the floor of the Assembly Chamber for this day was extended to Mss. Virginia Nevin and Sharon Hall.

On request of Assemblyman Sedway, the privilege of the floor of the Assembly Chamber for this day was extended to Mss. Carole Miller, Carol Troop and Yhvona Martin.

On request of Assemblyman Spinello, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Jody Dunn.

On request of Assemblyman Spriggs, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Morse Burley.

On request of Assemblyman Swain, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Dawnetta Brown.

On request of Assemblyman Thomas, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Shanna Pozzi.

On request of Assemblyman Thompson, the privilege of the floor of the Assembly Chamber for this day was extended to Mss. Carol Martini and Becky Boatwright.

On request of Assemblyman Triggs, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Julene Smith.

On request of Assemblyman Myrna Williams, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Frances Hill.

On request of Assemblyman Wisdom, the privilege of the floor of the Assembly Chamber for this day was extended to Mss. Heidi Wood and Ginger Eaton.

MOTIONS, RESOLUTIONS AND NOTICES

Mr. Speaker appointed Assemblymen Brookman, Wendell Williams and McGaughey 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 Sedway, Sader and Bergevin 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 O'Connell, Beyer and Shaffer, appeared before the bar of the Assembly and announced that the Senate is ready to adjourn *sine die*.

Assemblyman Sedway reported that his committee had informed the Senate that the Assembly is ready to adjourn *sine die*.

Assemblyman Brookman reported that her committee had informed the Governor that the Assembly is ready to adjourn *sine die*.

Assemblyman Jeffrey moved that the Sixty-fourth Session of the Assembly of the Legislature of the State of Nevada adjourn *sine die*.

Motion carried.

Assembly adjourned at 3:45 a.m.

Approved:

JOSEPH E. DINI, JR.
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

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Resolutions introduced by, A.J.R. 4, 41; A.J.R. 6, 47; A.J.R. 10, 73; A.J.R. 13, 90; A.J.R. 14, 97; A.J.R. 24, 228; A.J.R. 25, 231; A.J.R. 36, 478; A.J.R. 37, 478; A.J.R. 42, 802; A.J.R. 44, 1060; A.C.R. 4, 61; A.C.R. 11, 186; A.C.R. 13, 224; A.C.R. 15, 228; A.C.R. 17, 261; A.C.R. 18, 280; A.C.R. 21, 327; A.C.R. 22, 358; A.C.R. 24, 394; A.C.R. 25, 417; A.C.R. 26, 426; A.C.R. 27, 428; A.C.R. 28, 446; A.C.R. 32, 541; A.C.R. 33, 559; A.C.R. 34,

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C

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Absences, excused, 133, 276, 1357.
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Resolutions introduced by, A.J.R. 4, 41; A.J.R. 6, 47; A.J.R. 10, 73; A.J.R. 13, 90; A.J.R. 14, 97; A.J.R. 21, 169; A.J.R. 24, 228; A.J.R. 25, 231; A.J.R. 36, 475; A.J.R. 37, 478; A.J.R. 38, 570; A.J.R. 42, 802; A.J.R. 44, 1060; A.C.R. 4, 61; A.C.R. 11, 186; A.C.R. 13, 224; A.C.R. 17, 261; A.C.R. 21, 327; A.C.R. 22, 358; A.C.R. 24, 394; A.C.R. 25, 417; A.C.R. 26, 426; A.C.R. 27, 428; A.C.R. 28, 446; A.C.R. 32, 541; A.C.R. 33, 559; A.C.R. 34, 559; A.C.R. 35, 579; A.C.R. 37, 625; A.C.R. 38, 626; A.C.R. 40, 628; A.C.R. 44, 702; A.C.R. 45, 729; A.C.R. 48, 755; A.C.R. 53, 828; A.C.R. 54, 854; A.C.R. 62, 1131; A.C.R. 63, 1182; A.C.R. 64, 1204; A.C.R. 65, 1227; A.C.R. 66, 1262; A.C.R. 69, 1335; A.C.R. 71, 1393; A.C.R. 73, 1548; A.C.R. 75, 1615; A.C.R. 76, 1616; A.R. 11, 955; A.R. 13, 1031; A.R. 16, 1844.
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Adopt report of conference committee re S.B. 102, 1734; S.B. 187, 1846.
Adoption of amendment(s) to A.B. 776, 1479; S.B. 234, 1375.
Adoption of resolution(s), A.C.R. 45, 730; A.C.R. 66, 1263.
Previous question re A.B. 417, 965.
Suspend Rules—
Transmit immediately to the Senate, A.C.R. 66, 1264.
Remarks from the floor re A.B. 622, 1023; A.B. 893, 1804; A.C.R. 45, 730; A.C.R. 66, 1263.
Resolutions introduced by, A.J.R. 4, 41; A.J.R. 10, 73; A.J.R. 13, 90; A.J.R. 14, 97; A.J.R. 25, 231; A.J.R. 36, 475; A.J.R. 37, 478; A.J.R. 42, 802; A.J.R. 44, 1060; A.C.R. 4, 61; A.C.R. 11, 186; A.C.R. 13, 224; A.C.R. 17, 261; A.C.R. 18, 280; A.C.R. 21, 327; A.C.R. 22, 358; A.C.R. 24, 394; A.C.R. 25, 417; A.C.R. 26, 426; A.C.R. 27, 428; A.C.R. 28, 446; A.C.R. 32, 541; A.C.R. 33, 559; A.C.R. 34, 559; A.C.R. 35, 579; A.C.R. 37, 625; A.C.R. 38, 626; A.C.R. 44, 702; A.C.R. 45, 729; A.C.R. 48, 755; A.C.R. 52, 803; A.C.R. 53, 828; A.C.R. 54, 854; A.C.R. 60, 964; A.C.R. 62, 1131; A.C.R. 63, 1182; A.C.R. 64, 1204; A.C.R. 65, 1227; A.C.R. 66, 1262; A.C.R. 69, 1335; A.C.R. 71, 1392; A.C.R. 73, 1548; A.C.R. 75, 1615; A.C.R. 76, 1616; A.R. 16, 1844.

F

FAY, ROBERT W., ASSEMBLYMAN FROM CLARK COUNTY, NO. 18 DISTRICT—
Bills introduced by, A.B. 2, 15; A.B. 3, 15; A.B. 42, 46; A.B. 45, 46; A.B. 46, 46; A.B. 66, 61; A.B. 83, 67; A.B. 89, 70; A.B. 115, 84; A.B. 117, 88; A.B. 119, 90; A.B. 136, 103; A.B. 161, 113; A.B. 175, 119; A.B. 210, 152; A.B. 214, 155; A.B. 222, 178; A.B. 239, 201; A.B. 264, 230; A.B. 265, 231; A.B. 266, 231; A.B. 286, 252; A.B. 287, 252; A.B. 293, 262; A.B. 294, 263; A.B. 307, 266; A.B. 308, 273; A.B. 309, 273; A.B. 335, 300; A.B. 350, 314;

FAY, ROBERT W.—*Continued*
Bills introduced by—*Continued*
A.B. 351, 314; A.B. 354, 326; A.B. 358, 328; A.B. 398, 365; A.B. 420, 393; A.B. 432, 404; A.B. 433, 405; A.B. 445, 410; A.B. 492, 469; A.B. 507, 485; A.B. 508, 489; A.B. 533, 532; A.B. 539, 540; A.B. 548, 560; A.B. 550, 561; A.B. 563, 569; A.B. 565, 572; A.B. 573, 595; A.B. 611, 670; A.B. 623, 672; A.B. 627, 687; A.B. 667, 714; A.B. 678, 750; A.B. 683, 751; A.B. 684, 755; A.B. 685, 756; A.B. 705, 788; A.B. 736, 824; A.B. 773, 890; A.B. 775, 899; A.B. 797, 954; A.B. 827, 1061; A.B. 828, 1061; A.B. 829, 1061; A.B. 830, 1061; A.B. 831, 1062; A.B. 833, 1082; A.B. 837, 1136; A.B. 876, 1487.
Committee Appointments—
Conference re A.B. 278, 1131; S.B. 155, 1632; S.B. 252, 1685; S.B. 298, 1610.
Special—
Invite Senate to meet in Joint Session, 158.
Standing—
Commerce, 7.
Elections, 7.
Labor and Management (vice chairman), 7.
Transportation, 7.
Moves—
Adopt report of conference committee re A.B. 278, 1673.
Adoption of amendment(s) to S.B. 235, 1634.
Remarks from the floor re A.B. 28, 368; A.B. 128, 361; A.B. 161, 113; A.B. 420, 1111; A.C.R. 11, 188; A.C.R. 26, 428; A.R. 11, 956.
Resolutions introduced by, A.J.R. 6, 47; A.J.R. 10, 73; A.J.R. 13, 90; A.J.R. 14, 97; A.J.R. 24, 228; A.J.R. 25, 231; A.J.R. 42, 802; A.J.R. 44, 1060; A.C.R. 4, 61; A.C.R. 11, 186; A.C.R. 13, 224; A.C.R. 17, 261; A.C.R. 18, 280; A.C.R. 21, 327; A.C.R. 22, 358; A.C.R. 24, 394; A.C.R. 25, 417; A.C.R. 26, 426; A.C.R. 27, 428; A.C.R. 28, 446; A.C.R. 32, 541; A.C.R. 33, 559; A.C.R. 34, 559; A.C.R. 35, 579; A.C.R. 37, 625; A.C.R. 38, 626; A.C.R. 44, 702; A.C.R. 45, 729; A.C.R. 48, 755; A.C.R. 53, 828; A.C.R. 54, 854; A.C.R. 62, 1131; A.C.R. 63, 1182; A.C.R. 64, 1204; A.C.R. 65, 1227; A.C.R. 66, 1262; A.C.R. 69, 1335; A.C.R. 71, 1393; A.C.R. 73, 1548; A.C.R. 75, 1615; A.C.R. 76, 1616; A.R. 11, 955; A.R. 13, 1031; A.R. 16, 1844.

FREEMAN, VIVIAN L., ASSEMBLYMAN FROM WASHOE COUNTY, NO. 24 DISTRICT—
Absences, excused, 507, 515, 1130.
Bills introduced by, A.B. 62, 55; A.B. 64, 56; A.B. 89, 70; A.B. 102, 81; A.B. 114, 84; A.B. 116, 88; A.B. 119, 90; A.B. 130, 97; A.B. 136, 103; A.B. 161, 113; A.B. 185, 124; A.B. 210, 152; A.B. 239, 201; A.B. 265, 231; A.B. 266, 231; A.B. 286, 252; A.B. 287, 252; A.B. 289, 252; A.B. 306, 266; A.B. 308, 273; A.B. 309, 273; A.B. 310, 273; A.B. 321, 280; A.B. 334, 298; A.B. 335, 300; A.B. 343, 308; A.B. 350, 314; A.B. 351, 314; A.B. 354, 326; A.B. 358, 328; A.B. 361, 329; A.B. 364, 333; A.B. 365, 334; A.B. 367, 334; A.B. 368, 334; A.B. 369, 335; A.B. 370, 337; A.B. 396, 365; A.B. 397, 365; A.B. 398, 365; A.B. 399, 366; A.B. 400, 366; A.B. 401, 366; A.B. 420, 393; A.B. 423, 399; A.B. 424, 399; A.B. 432, 404; A.B. 433, 405; A.B. 445, 410; A.B. 467, 455; A.B. 475, 464; A.B. 492, 469; A.B. 507, 485; A.B. 514, 501; A.B. 518, 511; A.B. 539, 540; A.B. 541, 541;

FREEMAN, VIVIAN L.—*Continued*
Bills introduced by—*Continued*
A.B. 548, 560; A.B. 565, 572; A.B. 583, 619; A.B. 592, 631; A.B. 611, 670; A.B. 615, 671; A.B. 627, 687; A.B. 637, 697; A.B. 642, 704; A.B. 662, 713; A.B. 666, 714; A.B. 678, 750; A.B. 684, 755; A.B. 701, 778; A.B. 705, 788; A.B. 707, 789; A.B. 766, 856; A.B. 767, 856; A.B. 773, 890; A.B. 785, 914; A.B. 797, 954; A.B. 837, 1136; A.B. 858, 1264.
Committee Appointments—
Conference re A.B. 362, 885; S.B. 55, 828; S.B. 56, 1630; S.B. 62, 1857; S.B. 310, 1754; S.B. 407, 1843.
Special—
Inform Senate Assembly organized, 5.
Standing—
Education, 7.
Government Affairs, 7.
Health and Welfare, 7.
Moves—
Adopt report of conference committee re S.B. 56, 1753; S.B. 310, 1810.
Adoption of amendment(s) to A.B. 615, 963; S.B. 310, 1633.
Concur in Senate amendment(s) to A.B. 615, 1791.
Remarks from the floor re A.B. 622, 1023, 1025; A.C.R. 25, 419; S.C.R. 51, 1587.
Resolutions introduced by, A.J.R. 1, 21; A.J.R. 4, 41; A.J.R. 6, 47; A.J.R. 10, 73; A.J.R. 13, 90; A.J.R. 14, 97; A.J.R. 25, 231; A.J.R. 36, 475; A.J.R. 37, 478; A.J.R. 42, 802; A.C.R. 4, 61; A.C.R. 11, 186; A.C.R. 13, 224; A.C.R. 17, 261; A.C.R. 18, 280; A.C.R. 21, 327; A.C.R. 22, 358; A.C.R. 24, 394; A.C.R. 25, 417; A.C.R. 26, 426; A.C.R. 27, 428; A.C.R. 28, 446; A.C.R. 32, 541; A.C.R. 33, 559; A.C.R. 34, 559; A.C.R. 35, 579; A.C.R. 37, 625; A.C.R. 38, 626; A.C.R. 44, 702; A.C.R. 45, 729; A.C.R. 47, 749; A.C.R. 48, 755; A.C.R. 53, 828; A.C.R. 54, 854; A.C.R. 62, 1131; A.C.R. 63, 1182; A.C.R. 64, 1204; A.C.R. 65, 1227; A.C.R. 66, 1262; A.C.R. 69, 1335; A.C.R. 71, 1392; A.C.R. 73, 1548; A.C.R. 75, 1615; A.C.R. 76, 1616; A.R. 16, 1844.

G

GARNER, VAL Z., ASSEMBLYMAN FROM CLARK COUNTY, NO. 14 DISTRICT—
Bills introduced by, A.B. 3, 15; A.B. 23, 27; A.B. 24, 27; A.B. 45, 46; A.B. 46, 46; A.B. 57, 54; A.B. 58, 54; A.B. 114, 84; A.B. 115, 84; A.B. 116, 88; A.B. 119, 90; A.B. 130, 96; A.B. 136, 103; A.B. 161, 113; A.B. 175, 119; A.B. 185, 124; A.B. 214, 155; A.B. 222, 178; A.B. 239, 201; A.B. 261, 229; A.B. 264, 230; A.B. 265, 231; A.B. 266, 231; A.B. 286, 252; A.B. 287, 252; A.B. 288, 252; A.B. 289, 252; A.B. 294, 263; A.B. 307, 266; A.B. 308, 273; A.B. 309, 273; A.B. 310, 273; A.B. 316, 278; A.B. 321, 280; A.B. 335, 300; A.B. 350, 314; A.B. 351, 314; A.B. 354, 326; A.B. 358, 328; A.B. 365, 334; A.B. 366, 334; A.B. 367, 334; A.B. 368, 334; A.B. 369, 335; A.B. 370, 337; A.B. 398, 365; A.B. 399, 366; A.B. 401, 366; A.B. 403, 375; A.B. 420, 393; A.B. 424, 399; A.B. 432, 404; A.B. 433, 405; A.B. 456, 431; A.B. 467, 455; A.B. 475, 464; A.B. 490, 467; A.B. 491, 467; A.B. 492, 469; A.B. 501, 476; A.B. 506, 485; A.B. 507, 485; A.B. 514, 501; A.B. 519, 513; A.B. 520, 516; A.B. 523, 526; A.B. 534, 532; A.B. 539, 540; A.B. 541, 541; A.B. 547, 560;

GARNER, VAL Z.—*Continued*
Bills introduced by—*Continued*
A.B. 565, 572; A.B. 588, 621; A.B. 598, 648; A.B. 623, 672; A.B. 627, 687; A.B. 642, 704; A.B. 662, 713; A.B. 678, 750; A.B. 682, 750; A.B. 683, 751; A.B. 684, 755; A.B. 700, 763; A.B. 704, 782; A.B. 705, 788; A.B. 733, 805; A.B. 764, 853; A.B. 773, 890; A.B. 775, 899; A.B. 785, 914; A.B. 795, 932; A.B. 797, 954; A.B. 799, 958; A.B. 827, 1061; A.B. 828, 1061; A.B. 829, 1061; A.B. 830, 1061; A.B. 831, 1062; A.B. 833, 1082; A.B. 876, 1487.
Committee Appointments—
Conference re A.B. 126, 594; A.B. 288, 1388; A.B. 329, 700; A.B. 362, 885; S.B. 56, 1630; S.B. 62, 1703; S.B. 167, 1466.
Special—
Inform Governor Assembly organized, 5.
Standing—
Economic Development, Small Business and Tourism, 7.
Government Affairs, 7.
Health and Welfare, 7.
Transportation, 7.
Moves—
Adopt report of conference committee re A.B. 126, 791; A.B. 362, 933.
Adoption of amendment(s) to A.B. 145, 519; A.B. 147, 520; S.B. 160, 675.
Adoption of resolution(s), S.C.R. 19, 1282.
Remarks from the floor re A.B. 289, 662; A.B. 622, 1025.
Resolutions introduced by, A.J.R. 4, 41; A.J.R. 6, 47; A.J.R. 10, 73; A.J.R. 13, 90; A.J.R. 14, 97; A.J.R. 25, 231; A.J.R. 42, 802; A.J.R. 44, 1060; A.C.R. 4, 61; A.C.R. 11, 186; A.C.R. 13, 224; A.C.R. 17, 261; A.C.R. 18, 280; A.C.R. 21, 327; A.C.R. 22, 358; A.C.R. 24, 394; A.C.R. 25, 417; A.C.R. 26, 426; A.C.R. 27, 428; A.C.R. 28, 446; A.C.R. 32, 541; A.C.R. 33, 559; A.C.R. 34, 559; A.C.R. 35, 579; A.C.R. 37, 625; A.C.R. 38, 626; A.C.R. 40, 628; A.C.R. 44, 702; A.C.R. 45, 729; A.C.R. 47, 749; A.C.R. 48, 755; A.C.R. 52, 803; A.C.R. 53, 828; A.C.R. 54, 854; A.C.R. 60, 964; A.C.R. 62, 1131; A.C.R. 63, 1182; A.C.R. 64, 1204; A.C.R. 65, 1227; A.C.R. 66, 1262; A.C.R. 69, 1335; A.C.R. 71, 1392; A.C.R. 73, 1548; A.C.R. 75, 1615; A.C.R. 76, 1616; A.R. 16, 1844.

GASTON, BOB, ASSEMBLYMAN FROM CLARK COUNTY, NO. 16 DISTRICT—
Bills introduced by, A.B. 2, 15; A.B. 3, 15; A.B. 42, 46; A.B. 45, 46; A.B. 57, 54; A.B. 58, 54; A.B. 66, 61; A.B. 83, 67; A.B. 89, 70; A.B. 102, 81; A.B. 114, 84; A.B. 115, 84; A.B. 116, 88; A.B. 130, 97; A.B. 136, 103; A.B. 185, 125; A.B. 214, 155; A.B. 239, 201; A.B. 265, 231; A.B. 266, 231; A.B. 286, 252; A.B. 287, 252; A.B. 289, 252; A.B. 306, 266; A.B. 307, 266; A.B. 308, 273; A.B. 309, 273; A.B. 310, 273; A.B. 321, 280; A.B. 334, 298; A.B. 335, 300; A.B. 343, 308; A.B. 350, 314; A.B. 351, 314; A.B. 354, 326; A.B. 361, 329; A.B. 365, 334; A.B. 367, 334; A.B. 368, 334; A.B. 369, 335; A.B. 370, 337; A.B. 376, 347; A.B. 377, 347; A.B. 397, 365; A.B. 398, 365; A.B. 399, 366; A.B. 400, 366; A.B. 401, 366; A.B. 403, 375; A.B. 405, 375; A.B. 420, 393; A.B. 423, 399; A.B. 424, 399; A.B. 432, 404; A.B. 433, 405; A.B. 445, 410; A.B. 475, 464; A.B. 492, 469; A.B. 501, 476; A.B. 504, 477; A.B. 506, 485; A.B. 507, 485; A.B. 514, 501; A.B. 518, 511; A.B. 519, 513; A.B. 520, 516; A.B. 533, 532; A.B. 541, 541; A.B. 548, 560; A.B. 563, 569;

GASTON, BOB—*Continued*
Bills introduced by—*Continued*
A.B. 565, 572; A.B. 583, 619; A.B. 598, 648; A.B. 623, 672; A.B. 627, 687; A.B. 637, 697; A.B. 678, 750; A.B. 705, 788; A.B. 708, 789; A.B. 725, 803; A.B. 764, 853; A.B. 765, 853; A.B. 773, 890; A.B. 775, 899; A.B. 776, 899; A.B. 785, 914; A.B. 795, 932; A.B. 797, 954; A.B. 799, 958; A.B. 833, 1082; A.B. 872, 1425; A.B. 876, 1487.
Committee Appointments—
Conference re A.B. 72, 899; A.B. 162, 1812; A.B. 424, 1813; A.B. 645, 1856.
Escort—
President of Senate, 28.
Standing—
Economic Development, Small Business and Tourism, 7.
Education (vice chairman), 7.
Judiciary, 7.
Taxation, 7.
Moves—
Adopt report of conference committee re A.B. 645, 1862.
Adoption of amendment(s) to A.B. 76, 1750; A.B. 105, 314; A.B. 119, 977; A.B. 124, 194; A.B. 166, 1301; A.B. 220, 283; A.B. 270, 768; A.B. 297, 792; A.B. 395, 1308; A.B. 406, 737; A.B. 421, 1273; A.B. 455, 1241; A.B. 556, 754; A.B. 708, 1040, 1116; A.B. 759, 1121; S.B. 99, 578; S.B. 138, 1256; S.B. 270, 1597; S.B. 285, 1597; S.B. 536, 1722; S.B. 561, 1748, 1766.
Previous question re A.B. 265, 481; A.B. 289, 666.
Remarks from the floor re Thunderbirds, 239; A.B. 116, 255; A.B. 128, 362; A.B. 289, 663; A.C.R. 27, 430; S.B. 123, 484.
Resolutions introduced by, A.J.R. 4, 41; A.J.R. 6, 47; A.J.R. 10, 73; A.J.R. 13, 90; A.J.R. 14, 97; A.J.R. 24, 228; A.J.R. 25, 231; A.J.R. 37, 478; A.J.R. 38, 570; A.J.R. 42, 802; A.C.R. 4, 61; A.C.R. 11, 186; A.C.R. 13, 224; A.C.R. 17, 261; A.C.R. 21, 327; A.C.R. 22, 358; A.C.R. 24, 394; A.C.R. 25, 417; A.C.R. 26, 426; A.C.R. 27, 428; A.C.R. 28, 446; A.C.R. 32, 541; A.C.R. 33, 559; A.C.R. 34, 559; A.C.R. 35, 579; A.C.R. 37, 625; A.C.R. 38, 626; A.C.R. 40, 628; A.C.R. 44, 702; A.C.R. 45, 729; A.C.R. 48, 755; A.C.R. 53, 828; A.C.R. 54, 854; A.C.R. 60, 964; A.C.R. 62, 1131; A.C.R.8 63, 1182; A.C.R. 64, 1204; A.C.R. 65, 1227; A.C.R. 66, 1262; A.C.R. 69, 1335; A.C.R. 71, 1393; A.C.R. 73, 1548; A.C.R. 75, 1615; A.C.R. 76, 1616; A.R. 16, 1844.
Roll call vote requested on motion re A.B. 708, 1116.

GETTO, VIRGIL M., ASSEMBLYMAN FROM WHITE PINE-CHURCHILL (PART)-EUREKA (PART)-LANDER (PART) COUNTIES, NO. 35 DISTRICT—
Bills introduced by, A.B. 1, 14; A.B. 2, 15; A.B. 28, 41; A.B. 63, 55; A.B. 66, 61; A.B. 85, 67; A.B. 86, 67; A.B. 98, 78; A.B. 102, 81; A.B. 114, 84; A.B. 130, 96; A.B. 161, 114; A.B. 185, 124; A.B. 214, 155; A.B. 218, 175; A.B. 222, 178; A.B. 251, 212; A.B. 261, 229; A.B. 262, 229; A.B. 265, 230; A.B. 286, 252; A.B. 287, 252; A.B. 288, 252; A.B. 308, 273; A.B. 310, 273; A.B. 316, 278; A.B. 321, 280; A.B. 334, 298; A.B. 335, 300; A.B. 351, 314; A.B. 354, 326; A.B. 358, 328; A.B. 370, 337; A.B. 397, 365; A.B. 398, 365; A.B. 399, 366; A.B. 400, 366; A.B. 401, 366; A.B. 420, 393; A.B. 432, 404; A.B. 433, 405; A.B. 456, 431; A.B. 476, 465; A.B. 492, 469; A.B. 507, 485; A.B. 514, 501; A.B. 515, 505; A.B. 519, 513; A.B. 520, 516; A.B. 523, 526;

GETTO, VIRGIL M.—*Continued*
Bills introduced by—*Continued*
A.B. 533, 532; A.B. 534, 532; A.B. 547, 560; A.B. 549, 560; A.B. 561, 569; A.B. 565, 572; A.B. 575, 595; A.B. 588, 621; A.B. 589, 622; A.B. 605, 650; A.B. 610, 651; A.B. 624, 672; A.B. 642, 704; A.B. 662, 713; A.B. 667, 714; A.B. 678, 750; A.B. 682, 750; A.B. 684, 755; A.B. 705, 788; A.B. 762, 852; A.B. 766, 856; A.B. 773, 890; A.B. 785, 914; A.B. 799, 958; A.B. 815, 1036; A.B. 841, 1164.
Committee Appointments—
Conference re A.B. 127, 885; A.B. 515, 1548; A.B. 856, 1809; S.B. 382, 1857.
Escort—
Representative Vucanovich, 170.
Select Committee on Corrections, 536.
Special—
Inform Governor Assembly organized, 5.
Standing—
Education, 7.
Legislative Functions, 7.
Natural Resources, Agriculture and Mining, 7.
Ways and Means, 7
Temporary—
Temporary Committee on Legislative Functions, 2.
Conflict of Interest re A.B. 223, 992; A.B. 417, 965; A.J.R. 18, 388; S.B. 566, 1527.
Moves—
Adoption of amendment(s) to A.B. 28, 281; A.B. 617, 1164; S.B. 382, 1666.
Adoption of resolution(s), A.C.R. 15, 229; A.C.R. 26, 427; A.C.R. 54, 855; S.C.R. 32, 972.
Concur in Senate amendment(s) to A.B. 2, 513.
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Resolutions introduced by, A.J.R. 6, 47; A.J.R. 10, 73; A.J.R. 11, 73; A.J.R. 13, 90; A.J.R. 14, 97; A.J.R. 24, 228; A.J.R. 25, 231; A.J.R. 36, 475; A.J.R. 42, 802; A.C.R. 4, 61; A.C.R. 11, 186; A.C.R. 13, 224; A.C.R. 17, 261; A.C.R. 18, 280; A.C.R. 21, 327; A.C.R. 22, 358; A.C.R. 26, 426; A.C.R. 27, 428; A.C.R. 28, 446; A.C.R. 32, 541; A.C.R. 33, 559; A.C.R. 34, 559; A.C.R. 35, 579; A.C.R. 37, 625; A.C.R. 38, 626; A.C.R. 44, 702; A.C.R. 45, 729; A.C.R. 47, 749; A.C.R. 48, 755; A.C.R. 53, 828; A.C.R. 54, 854; A.C.R. 62, 1131; A.C.R. 63, 1182; A.C.R. 64, 1204; A.C.R. 65, 1227; A.C.R. 66, 1262; A.C.R. 69, 1335; A.C.R. 71, 1393; A.C.R. 73, 1548; A.C.R. 75, 1615; A.C.R. 76, 1616; A.R. 16, 1844.

KISSAM, WILLIAM A., ASSEMBLYMAN FROM CLARK COUNTY, NO. 4 DISTRICT—
Bills introduced by, A.B. 3, 15; A.B. 42, 46; A.B. 45, 46; A.B. 46, 46; A.B. 57, 54; A.B. 58, 54; A.B. 62, 55; A.B. 66, 61; A.B. 83, 67; A.B. 102, 81; A.B. 115, 84; A.B. 116, 88; A.B. 119, 90; A.B. 130, 96; A.B. 136, 103; A.B. 161, 113; A.B. 210, 152; A.B. 214, 155; A.B. 239, 201; A.B. 265, 231; A.B. 266, 231; A.B. 286, 252; A.B. 287, 252; A.B. 288, 252; A.B. 289, 252; A.B. 307, 266; A.B. 308, 273; A.B. 309, 273; A.B. 310, 273; A.B. 316, 278; A.B. 321, 280; A.B. 334, 298; A.B. 335, 300; A.B. 344, 308; A.B. 350, 314; A.B. 351, 315; A.B. 354, 326; A.B. 358, 328; A.B. 361, 329; A.B. 364, 333; A.B. 365, 334; A.B. 366, 334; A.B. 367, 334; A.B. 368, 334; A.B. 369, 335; A.B. 376, 347; A.B. 377, 347; A.B. 388, 358; A.B. 397, 365; A.B. 398, 365; A.B. 399, 366; A.B. 400, 366; A.B. 401, 366; A.B. 420, 393;

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A.B. 423, 399; A.B. 424, 399; A.B. 426, 400; A.B. 432, 404; A.B. 433, 405; A.B. 445, 410; A.B. 456, 431; A.B. 467, 455; A.B. 472, 464; A.B. 473, 464; A.B. 474, 464; A.B. 475, 464; A.B. 476, 465; A.B. 492, 469; A.B. 493, 473; A.B. 504, 477; A.B. 507, 485; A.B. 514, 501; A.B. 519, 513; A.B. 520, 516; A.B. 523, 526; A.B. 533, 532; A.B. 534, 532; A.B. 539, 540; A.B. 548, 560; A.B. 549, 560; A.B. 562, 569; A.B. 563, 569; A.B. 565, 572; A.B. 583, 619; A.B. 587, 621; A.B. 588, 621; A.B. 611, 670; A.B. 623, 672; A.B. 627, 687; A.B. 662, 713; A.B. 678, 750; A.B. 684, 755; A.B. 705, 788; A.B. 707, 789; A.B. 725, 803; A.B. 736, 824; A.B. 767, 856; A.B. 773, 890; A.B. 775, 899; A.B. 785, 914; A.B. 797, 954; A.B. 799, 958; A.B. 833, 1082.
Committee Appointments—
Conference re A.B. 205, 1387; A.B. 424, 1802; S.B. 194, 1544.
Special—
Invite Senate to meet in Joint Session, 125.
Standing—
Education, 7.
Health and Welfare, 7.
Judiciary, 7.
Conflict of Interest re A.B. 619, 934; A.B. 622, 1022; S.B. 117, 378; S.B. 576, 1638.
Moves—
Adoption of amendment(s) to A.B. 456, 1177; S.B. 168, 1663.
Concur in Senate amendment(s) to A.B. 456, 1580.
Previous question re A.J.R. 37, 647.
Remarks from the floor re A.B. 622, 1025; A.C.R. 27, 430.
Resolutions introduced by, A.J.R. 4, 41; A.J.R. 6, 47; A.J.R. 10, 73; A.J.R. 13, 90; A.J.R. 14, 97; A.J.R. 24, 228; A.J.R. 25, 231; A.J.R. 36, 475; A.J.R. 37, 478; A.J.R. 38, 570; A.J.R. 42, 802; A.C.R. 4, 61; A.C.R. 11, 186; A.C.R. 13, 224; A.C.R. 17, 261; A.C.R. 18, 280; A.C.R. 21, 327; A.C.R. 22, 358; A.C.R. 24, 394; A.C.R. 25, 417; A.C.R. 26, 426; A.C.R. 27, 428; A.C.R. 28, 446; A.C.R. 32, 541; A.C.R. 33, 559; A.C.R. 34, 559; A.C.R. 35, 579; A.C.R. 37, 625; A.C.R. 38, 626; A.C.R. 40, 628; A.C.R. 44, 702; A.C.R. 45, 729; A.C.R. 48, 755; A.C.R. 52, 803; A.C.R. 53, 828; A.C.R. 54, 854; A.C.R. 60, 964; A.C.R. 62, 1131; A.C.R. 63, 1182; A.C.R. 64, 1204; A.C.R. 65, 1227; A.C.R. 66, 1262; A.C.R. 69, 1335; A.C.R. 71, 1393; A.C.R. 73, 1548; A.C.R. 75, 1615; A.C.R. 76, 1616; A.R. 16, 1844.

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Bills introduced by, A.B. 84, 67; A.B. 317, 278; A.B. 318, 278; A.B. 319, 278; A.B. 320, 279; A.B. 406, 375; A.B. 481, 466; A.B. 482, 466; A.B. 483, 466; A.B. 484, 466; A.B. 485, 466; A.B. 486, 467; A.B. 487, 467; A.B. 488, 467; A.B. 489, 467; A.B. 543, 548; A.B. 544, 549; A.B. 545, 549; A.B. 568, 587; A.B. 591, 622; A.B. 625, 675; A.B. 661, 713; A.B. 663, 714; A.B. 757, 851; A.B. 768, 860; A.B. 803, 980; A.B. 804, 1001; A.B. 842, 1164; A.B. 843, 11675.
Members, appointment, 7.

LAMBERT, JOAN A., ASSEMBLYMAN FROM WASHOE COUNTY, NO. 29 DISTRICT—
Bills introduced by, A.B. 2, 15; A.B. 5, 20; A.B. 27, 40; A.B. 29, 41; A.B. 62, 55; A.B. 66, 61; A.B. 83, 67; A.B. 102, 81; A.B. 116, 88; A.B. 119, 90; A.B. 130, 97; A.B. 185, 125; A.B. 214, 155; A.B. 218, 175; A.B. 239, 201; A.B. 286, 252; A.B. 287, 252; A.B. 316, 278; A.B. 321, 280; A.B. 334, 298; A.B. 335, 300; A.B. 350, 314; A.B. 354, 326; A.B. 358, 328; A.B. 361, 329; A.B. 370, 337; A.B. 376, 347; A.B. 377, 347; A.B. 388, 358; A.B. 396, 365; A.B. 397, 365; A.B. 398, 365; A.B. 399, 366; A.B. 400, 366; A.B. 403, 375; A.B. 405, 375; A.B. 420, 393; A.B. 424, 399; A.B. 426, 400; A.B. 433, 405; A.B. 445, 410; A.B. 456, 431; A.B. 476, 465; A.B. 492, 469; A.B. 501, 476; A.B. 506, 485; A.B. 507, 485; A.B. 514, 501; A.B. 520, 516; A.B. 523, 526; A.B. 534, 532; A.B. 539, 540; A.B. 550, 561; A.B. 563, 569; A.B. 565, 572; A.B. 598, 648; A.B. 605, 650; A.B. 611, 670; A.B. 637, 697; A.B. 662, 713; A.B. 678, 750; A.B. 682, 750; A.B. 684, 755; A.B. 705, 788; A.B. 725, 803; A.B. 736, 824; A.B. 766, 856; A.B. 767, 856; A.B. 775, 899; A.B. 785, 914; A.B. 795, 932; A.B. 799, 958.
Committee Appointments—
Conference re S.B. 143, 1754.
Standing—
Economic Development, Small Business and Tourism, 7.
Education, 7.
Government Affairs, 7.
Taxation, 7.
Moves—
Adoption of amendment(s) to A.B. 138, 543; A.B. 252, 325; A.B. 426, 1043; A.B. 571, 1570.
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Previous question re A.B. 155, 419; A.B. 888, 1858; A.J.R. 37, 647.
Remarks from the floor re A.B. 81, 222, 223; A.B. 289, 658; A.B. 622, 1023; S.B. 123, 482.
Resolutions introduced by, A.J.R. 6, 47; A.J.R. 10, 73; A.J.R. 14, 97; A.J.R. 25, 231; A.J.R. 37, 478; A.J.R. 42, 802; A.C.R. 4, 61; A.C.R. 11, 186; A.C.R. 13, 224; A.C.R. 17, 261; A.C.R. 18, 280; A.C.R. 21, 327; A.C.R. 24, 394; A.C.R. 25, 417; A.C.R. 26, 426; A.C.R. 27, 428; A.C.R. 28, 446; A.C.R. 32, 542; A.C.R. 33, 559; A.C.R. 34, 559; A.C.R. 35, 579; A.C.R. 37, 625; A.C.R. 38, 626; A.C.R. 40, 628; A.C.R. 44, 702; A.C.R. 45, 729; A.C.R. 47, 749; A.C.R. 48, 755; A.C.R. 52, 803; A.C.R. 53, 828; A.C.R. 54, 854; A.C.R. 60, 964; A.C.R. 62, 1131; A.C.R. 63, 1182; A.C.R. 64, 1204; A.C.R. 65, 1227; A.C.R. 66, 1262; A.C.R. 69, 1335; A.C.R. 71, 1392; A.C.R. 73, 1548; A.C.R. 75, 1615; A.C.R. 76, 1616; A.R. 16, 1844.
Roll call vote requested on motion re S.B. 152, 1549.

LANDING, MOURYNE B.—*See Chief Clerk of Assembly.*

LEGISLATIVE FUNCTIONS, COMMITTEE ON—
Bills introduced by, A.B. 103, 82; A.B. 127, 96; A.B. 325, 288; A.B. 580, 619.
Members, appointment, 7, 43.
Resolutions introduced by, A.J.R. 27, 306; A.J.R. 28, 306; A.J.R. 32, 404; A.J.R. 45, 1455; A.C.R. 16, 231; A.C.R. 36, 600; A.C.R. 42, 649; A.C.R. 55, 871; A.C.R. 72, 1443; A.R. 3, 11; A.R. 4, 53; A.R. 5, 88; A.R. 6, 169; A.R. 8, 568; A.R. 9, 731; A.R. 12, 1016; A.R. 14, 1358.

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Members, appointment, 2.
Report, 2.

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McGAUGHEY, JAMES W., ASSEMBLYMAN FROM CLARK COUNTY, NO. 13 DISTRICT—
Bills introduced by, A.B. 2, 15; A.B. 3, 15; A.B. 7, 23; A.B. 45, 46; A.B. 54, 51; A.B. 57, 54; A.B. 58, 54; A.B. 59, 55; A.B. 62, 55; A.B. 66;, 61; A.B. 83, 67; A.B. 86, 67; A.B. 102, 81; A.B. 114, 84; A.B. 115, 84; A.B. 119, 90; A.B. 130, 96; A.B. 136, 103; A.B. 161, 113; A.B. 185, 124; A.B. 214, 155; A.B. 222, 178; A.B. 239, 201; A.B. 261, 229; A.B. 265, 230; A.B. 286, 252; A.B. 287, 252; A.B. 289, 252; A.B. 307, 266; A.B. 308, 273; A.B. 309, 273; A.B. 310, 273; A.B. 316, 278; A.B. 321, 280; A.B. 334, 298; A.B. 335, 300; A.B. 350, 314; A.B. 351, 315; A.B. 354, 326; A.B. 358, 328; A.B. 370, 337; A.B. 388, 358; A.B. 397, 365; A.B. 399, 366; A.B. 400, 366; A.B. 420, 393; A.B. 423, 399; A.B. 426, 400; A.B. 445, 410; A.B. 456, 431; A.B. 467, 455; A.B. 475, 464; A.B. 490, 467; A.B. 491, 467; A.B. 492, 469; A.B. 507, 485; A.B. 514, 501; A.B. 519, 513; A.B. 520, 516; A.B. 523, 526; A.B. 534, 532; A.B. 539, 540; A.B. 550, 561; A.B. 565, 572; A.B. 587, 621; A.B. 588, 621; A.B. 611, 670; A.B. 623, 672; A.B. 624, 672; A.B. 627, 687; A.B. 662, 713; A.B. 667, 714; A.B. 678, 750; A.B. 705, 788; A.B. 725, 803; A.B. 765, 853; A.B. 766, 856; A.B. 767, 856; A.B. 775, 899; A.B. 785, 914; A.B. 797, 954; A.B. 799, 958; A.B. 833, 1082; A.B. 858, 1264; A.B. 876, 1487.
Committee Appointments—
Conference re A.B. 278, 1131; A.B. 288, 1518; A.B. 736, 1863; A.B. 778, 1802; S.B. 55, 828; S.B. 62, 1703; S.B. 156, 1684; S.B. 262, 1685.
Special—
Inform Governor Assembly ready to adjourn *sine die*, 1904.
Invite Senate to meet in Joint Session, 125.
Standing—
Commerce, 7.
Government Affairs, 7.
Health and Welfare, 7.
Legislative Functions, 7.
Temporary—
Temporary Committee on Legislative Functions, 2.
Moves—
Adoption of amendment(s) to A.B. 115, 598; A.B. 298, 752; A.B. 335, 838; A.B. 582, 1217; A.B. 678, 950; S.B. 289, 1085; S.B. 358, 1747; S.B. 468, 1721.
Previous question re A.B. 552, 1208.
Remarks from the floor re Thunderbirds, 240; A.B. 161, 114; A.B. 420, 1109; A.R. 11, 956; A.R. 13, 1035.
Resolutions introduced by, A.J.R. 6, 47; A.J.R. 10, 73; A.J.R. 13, 90; A.J.R. 14, 97; A.J.R. 23, 211; A.J.R. 24, 228; A.J.R. 25, 231; A.J.R. 36, 475; A.J.R. 37, 478; A.J.R. 42, 802; A.C.R. 4, 61; A.C.R. 11, 186; A.C.R. 13, 224; A.C.R. 17, 261; A.C.R. 18, 280; A.C.R. 24, 394; A.C.R. 26, 426; A.C.R. 27, 428; A.C.R. 28, 446; A.C.R. 32, 542; A.C.R. 33, 559; A.C.R. 34, 559; A.C.R. 35,

McGAUGHEY, JAMES W.—*Continued*
Resolutions introduced by—*Continued*
579; A.C.R. 37, 626; A.C.R. 38, 626; A.C.R. 44, 702; A.C.R. 45, 729; A.C.R. 47, 749; A.C.R. 48, 755; A.C.R. 52, 803; A.C.R. 53, 828; A.C.R. 54, 854; A.C.R. 60, 964; A.C.R. 62, 1131; A.C.R. 63, 1182; A.C.R. 64, 1204; A.C.R. 65, 1227; A.C.R. 66, 1262; A.C.R. 69, 1335; A.C.R. 71, 1393; A.C.R. 73, 1548; A.C.R. 75, 1615; A.C.R. 76, 1616; A.R. 11, 955; A.R. 13, 1031; A.R. 16, 1844.

MAJORITY FLOOR LEADER—*See Jeffrey, John E. (Jack).*

MAJORITY FLOOR LEADER, ASSISTANT—*See Nevin, Leonard V.*

MARVEL, JOHN W., ASSEMBLYMAN FROM HUMBOLDT-PERSHING-LANDER (PART)-WASHOE (PART) COUNTIES, NO. 34 DISTRICT—
Absences, excused, 345.
Bills introduced by, A.B. 2, 15; A.B. 28, 41; A.B. 64, 56; A.B. 85, 67; A.B. 98, 78; A.B. 116, 88; A.B. 130, 97; A.B. 185, 124; A.B. 214, 155; A.B. 218, 175; A.B. 222, 178; A.B. 261, 229; A.B. 262, 230; A.B. 265, 231; A.B. 286, 252; A.B. 287, 252; A.B. 288, 252; A.B. 321, 280; A.B. 335, 300; A.B. 343, 308; A.B. 350, 314; A.B. 351, 314; A.B. 354, 326; A.B. 361, 329; A.B. 396, 365; A.B. 397, 365; A.B. 400, 366; A.B. 401, 366; A.B. 420, 393; A.B. 425, 399; A.B. 432, 404; A.B. 433, 405; A.B. 445, 410; A.B. 456, 431; A.B. 492, 469; A.B. 507, 485; A.B. 514, 501; A.B. 515, 505; A.B. 517, 510; A.B. 518, 511; A.B. 519, 513; A.B. 520, 516; A.B. 523, 526; A.B. 539, 540; A.B. 547, 560; A.B. 548, 560; A.B. 549, 560; A.B. 561, 569; A.B. 565, 572; A.B. 605, 650; A.B. 624, 672; A.B. 637, 697; A.B. 642, 704; A.B. 662, 713; A.B. 667, 714; A.B. 678, 750; A.B. 682, 750; A.B. 683, 751; A.B. 705, 788; A.B. 766, 856; A.B. 767, 856; A.B. 785, 914.
Committee Appointments—
Conference re A.B. 72, 899; A.B. 856, 1809.
Standing—
Natural Resources, Agriculture and Mining, 7.
Taxation, 7.
Ways and Means, 7.
Conflict of Interest re A.B. 223, 992; S.B. 252, 1588.
Moves—
Adopt report of conference committee re A.B. 72, 933; A.B. 856, 1871.
Adoption of amendment(s) to A.B. 698, 1344.
Adoption of resolution(s), A.C.R. 34, 560.
Remarks from the floor re A.B. 28, 369; A.B. 72, 508; A.B. 161, 680; A.B. 289, 661, 662; A.C.R. 54, 856; A.C.R. 62, 1134.
Resolutions introduced by, A.J.R. 6, 47; A.J.R. 10, 73; A.J.R. 11, 73; A.J.R. 14, 97; A.J.R. 24, 228; A.J.R. 25, 231; A.J.R. 39, 589; A.J.R. 42, 802; A.C.R. 4, 61; A.C.R. 11, 186; A.C.R. 13, 224; A.C.R. 17, 261; A.C.R. 21, 327; A.C.R. 22, 358; A.C.R. 26, 426; A.C.R. 27, 428; A.C.R. 28, 446; A.C.R. 32, 542; A.C.R. 33, 559; A.C.R. 34, 559; A.C.R. 35, 579; A.C.R. 37, 626; A.C.R. 38, 626; A.C.R. 44, 702; A.C.R. 45, 729; A.C.R. 48, 755; A.C.R. 53, 828; A.C.R. 54, 854; A.C.R. 59, 932; A.C.R. 62, 1131; A.C.R. 63, 1182; A.C.R. 64, 1204; A.C.R. 65, 1227; A.C.R. 66, 1262; A.C.R. 69, 1335; A.C.R. 71, 1393; A.C.R. 73, 1548; A.C.R. 75, 1615; A.C.R. 76, 1616; A.R. 16, 1844.

MAY, PAUL W., JR., ASSEMBLYMAN FROM CLARK COUNTY, NO. 19 DISTRICT—
Bills introduced by, A.B. 2, 15; A.B. 3, 15; A.B. 42, 46; A.B. 62, 55; A.B. 115, 84; A.B. 119, 90; A.B. 162, 114; A.B. 210, 152; A.B. 222, 178; A.B. 239, 201; A.B. 266, 231; A.B. 286, 252; A.B. 287, 252; A.B. 289, 252; A.B. 294, 263; A.B. 307, 266; A.B. 308, 273; A.B. 316, 278; A.B. 321, 280; A.B. 335, 300; A.B. 343, 308; A.B. 351, 314; A.B. 354, 326; A.B. 358, 328; A.B. 366, 334; A.B. 367, 334; A.B. 369, 335; A.B. 388, 358; A.B. 399, 365; A.B. 420, 393; A.B. 423, 399; A.B. 432, 404; A.B. 433, 405; A.B. 456, 431; A.B. 475, 464; A.B. 492, 469; A.B. 507, 485; A.B. 520, 516; A.B. 533, 532; A.B. 539, 540; A.B. 547, 560; A.B. 565, 572; A.B. 611, 670; A.B. 623, 672; A.B. 624, 672; A.B. 669, 717; A.B. 678, 750; A.B. 684, 755; A.B. 705, 788; A.B. 725, 803; A.B. 736, 824; A.B. 766, 856; A.B. 773, 890; A.B. 775, 899; A.B. 797, 954; A.B. 828, 1061; A.B. 829, 1061; A.B. 830, 1061; A.B. 831, 1062; A.B. 833, 1082; A.B. 837, 1136; A.B. 858, 1264; A.B. 872, 1425; A.B. 876, 1487.
Committee Appointments—
Conference re A.B. 72, 899; A.B. 645, 1862; S.B. 62, 1857, 1864; S.B. 167, 1466.
Escort—
Justices of the Supreme Court, 29.
Special—
Coordinate Old-Timers Day, 404.
Standing—
Government Affairs, 7.
Taxation (chairman), 7.
Transportation, 7.
Conflict of Interest re A.B. 291, 769, 794.
Moves—
Adopt report of conference committee re A.B. 645, 1870; S.B. 62, 1869; S.B. 167, 1694.
Adoption of amendment(s) to A.B. 2, 163; A.B. 3, 70; A.B. 7, 1299; A.B. 72, 323; A.B. 73, 448, 572; A.B. 75, 1143; A.B. 86, 1659; A.B. 136, 350; A.B. 223, 959; A.B. 255, 453; A.B. 311, 462; A.B. 313, 634; A.B. 314, 453; A.B. 322, 999; A.B. 522, 894; A.B. 645, 1009; A.B. 660, 1274; A.B. 698, 1362; A.B. 731, 1255; A.B. 756, 1731; A.B. 825, 1531; A.B. 858, 1506; A.B. 872, 1594; A.B. 873, 1571; A.B. 882, 1714; S.B. 123, 454; S.B. 229, 1604; S.B. 406, 1511; S.B. 498, 1670; S.B. 595, 1878.
Adoption of resolution(s), S.C.R. 39, 1135.
Concur in Senate amendment(s) to A.B. 76, 1867; A.B. 105, 1710; A.B. 290, 1354; A.B. 322, 1708.
Do not concur in Senate amendment(s) to A.B. 72, 830; A.B. 291, 1780; A.B. 645, 1822.
Do not recede from action on S.B. 226, 1466.
Previous question re A.B. 128, 387; A.B. 265, 481; S.B. 45, 1454.
Rescind action on S.B. 229, 1577; S.B. 510, 1543.
Suspend Rules—
Declare an emergency measure, S.B. 595, 1878.
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Roll call vote requested on motion re A.B. 708, 1116; S.J.R. 17 of the 63rd session, 781.

MINORITY FLOOR LEADER—*See Bergevin, Louis W.*

MINORITY FLOOR LEADER, ASSISTANT—*See DuBois, John.*

N

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NEVIN, LEONARD V., ASSEMBLYMAN FROM WASHOE COUNTY, NO. 31 DISTRICT—
Bills introduced by, A.B. 2, 15; A.B. 7, 23; A.B. 23, 27; A.B. 29, 41; A.B. 42, 46; A.B. 45, 46; A.B. 64, 56; A.B. 83, 67; A.B. 89, 70; A.B. 98, 78; A.B. 116, 88; A.B. 136, 103; A.B. 161, 113; A.B. 162, 114; A.B. 175, 119; A.B. 185, 124; A.B. 214, 155; A.B. 218, 175; A.B. 222, 178; A.B. 239, 201; A.B. 265, 230; A.B. 266, 231; A.B. 270, 246; A.B. 271, 246; A.B. 272, 246; A.B. 273, 246; A.B. 286, 252; A.B. 287, 252; A.B. 289, 252; A.B. 294, 263; A.B. 308, 273; A.B. 309, 273; A.B. 310, 273; A.B. 315, 278; A.B. 316, 278; A.B. 321, 280; A.B. 335, 300; A.B. 343, 308; A.B. 350, 314; A.B. 351, 314; A.B. 354, 326; A.B. 358, 328; A.B. 365, 334; A.B. 366, 334; A.B. 367, 334; A.B. 368, 334; A.B. 369, 335; A.B. 370, 337; A.B. 391, 364; A.B. 397, 365; A.B. 398, 365; A.B. 399, 365; A.B. 400, 366; A.B. 401, 366; A.B. 420, 393; A.B. 423, 399; A.B. 424, 399; A.B. 425, 399; A.B. 432, 404; A.B. 433, 405; A.B. 445, 410; A.B. 470, 459; A.B. 475, 464; A.B. 476, 465; A.B. 492, 469; A.B. 493, 473; A.B. 505, 478; A.B. 507, 485; A.B. 514, 501; A.B. 519, 513; A.B. 520, 516; A.B. 539, 540; A.B. 541, 541; A.B. 547, 560; A.B. 562, 569; A.B. 563, 569; A.B. 565, 572; A.B. 583, 619; A.B. 587, 621; A.B. 588, 621; A.B. 623, 672; A.B. 624, 672; A.B. 627, 687; A.B. 642, 704; A.B. 662, 713; A.B. 666, 714; A.B.

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Committee Appointments—
Conference re A.B. 288, 1518; S.B. 62, 1703; S.B. 178, 1685.
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Recede from action on S.B. 167, 1465.
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Declare an emergency measure, S.B. 73, 1897; S.J.R. 2, 26.
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Roll call vote requested on motion re A.B. 289, 1424; A.R. 13, 1036.

NICHOLAS, DAVID D., ASSEMBLYMAN FROM WASHOE COUNTY, NO. 23 DISTRICT—
Bills introduced by, A.B. 2, 15; A.B. 5, 20; A.B. 23, 27; A.B. 24, 27; A.B. 27, 40; A.B. 54, 51; A.B. 59, 55; A.B. 62, 55; A.B. 164, 56; A.B. 66, 61; A.B. 83, 67; A.B. 98, 78; A.B. 102, 81; A.B. 114, 84; A.B. 119, 90; A.B. 130, 97; A.B. 136, 103; A.B. 185, 124; A.B. 210, 152; A.B. 222, 178; A.B. 228, 184; A.B. 239, 201; A.B. 265, 231; A.B. 286, 252; A.B. 287, 252; A.B. 308, 273; A.B. 309, 273; A.B. 310, 273; A.B. 321, 280; A.B. 334, 298; A.B. 335, 300; A.B. 344, 308; A.B. 345, 308; A.B. 350, 314; A.B. 351, 315; A.B. 354, 326; A.B. 358, 328; A.B. 365, 334; A.B. 366, 334; A.B. 367, 334; A.B. 368, 334; A.B. 369, 335; A.B. 376, 347; A.B. 377, 347; A.B. 391, 364; A.B. 397, 365; A.B. 398, 365; A.B. 399, 366; A.B. 420, 393; A.B. 423, 399; A.B. 424, 399; A.B. 426, 400; A.B. 445, 410; A.B. 456, 431; A.B. 467, 455; A.B. 492, 469; A.B. 507, 485; A.B. 514, 501; A.B. 519, 513; A.B. 523, 526; A.B. 534, 532; A.B. 539, 540; A.B. 550, 561; A.B. 565, 572; A.B. 583, 619; A.B. 587, 621; A.B. 588, 621; A.B. 589, 622; A.B. 623, 672; A.B. 624, 672; A.B. 678, 750; A.B. 682, 750; A.B. 684, 755; A.B. 704, 782; A.B. 705, 788; A.B. 764, 853; A.B. 765, 853; A.B. 766, 856; A.B. 767, 856; A.B. 773, 890; A.B. 775, 899; A.B. 785, 914; A.B. 799, 958; A.B. 833, 1082.
Committee Appointments—
Conference re A.B. 162, 1812; A.B. 199, 791; A.B. 344, 1754; A.B. 424, 1813; A.B. 457, 1863; A.B. 485, 1385; S.B. 57, 1629; S.B. 155, 1632; S.B. 178, 1685; S.B. 396, 1573.
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Judiciary, 7.
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Moves—
Adopt report of conference committee re S.B. 485, 1695.
Adoption of amendment(s) to A.B. 228, 324; A.J.R. 17, 287; S.B. 190, 770; S.B. 256, 1438.
Adoption of resolution(s), A.C.R. 31, 908; S.C.R. 51, 1587.
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Remarks from the floor re voting record, 303; A.B. 128, 360; A.B. 161, 680; A.B. 289, 659, 665; A.B. 622, 1023; A.B. 668, 891; A.C.R. 11, 187; A.C.R. 25, 418; A.C.R. 26, 427; A.C.R. 27, 429; A.C.R. 38, 627; A.C.R. 62, 1133; S.C.R. 51, 1587.
Resolutions introduced by, A.J.R. 6, 47; A.J.R. 10, 73; A.J.R. 13, 90; A.J.R. 14, 97; A.J.R. 22, 184; A.J.R. 24, 228; A.J.R. 25, 231; A.J.R. 36, 475; A.J.R. 37, 478; A.J.R. 39, 589; A.J.R. 42, 802; A.C.R. 4, 61; A.C.R. 10, 139; A.C.R. 11, 186; A.C.R. 13, 224; A.C.R. 17, 261; A.C.R. 18, 280; A.C.R. 21, 327; A.C.R. 22, 358; A.C.R. 23, 391; A.C.R. 24, 394; A.C.R. 26, 426; A.C.R. 27, 428; A.C.R. 28, 446; A.C.R. 32, 542; A.C.R. 33, 559; A.C.R. 34, 559; A.C.R. 35, 579; A.C.R. 37, 626; A.C.R. 38, 626; A.C.R. 44, 702; A.C.R. 45, 729; A.C.R. 48, 755; A.C.R. 52, 803; A.C.R. 53, 828; A.C.R. 54, 854; A.C.R. 60, 964; A.C.R. 62, 1131; A.C.R. 63, 1182; A.C.R. 64, 1204; A.C.R. 65, 1227; A.C.R. 66, 1262; A.C.R. 69, 1335; A.C.R. 71, 1392; A.C.R. 73, 1548; A.C.R. 75, 1615; A.C.R. 76, 1616; A.R. 16, 1844.

O

OATH OF OFFICE—
Administered to Assemblymen-elect, 2.

P

PORTER, GENE T., ASSEMBLYMAN FROM CLARK COUNTY, NO. 8 DISTRICT—
Bills introduced by, A.B. 3, 15; A.B. 23, 27; A.B. 45, 46; A.B. 46, 46; A.B. 54, 51; A.B. 62, 55; A.B. 66, 61; A.B. 83, 67; A.B. 89, 70; A.B. 115, 84; A.B. 116, 88; A.B. 119, 90; A.B. 136, 103; A.B. 161, 113; A.B. 162, 114; A.B. 185, 124; A.B. 210, 152; A.B. 214, 155; A.B. 222, 178; A.B. 239, 201; A.B. 264, 230; A.B. 265, 231; A.B. 266, 231; A.B. 287, 252; A.B. 289, 252; A.B. 306, 266; A.B. 307, 266; A.B. 308, 273; A.B. 309, 273; A.B. 310, 273; A.B. 316, 278; A.B. 321, 280; A.B. 334, 298; A.B. 335, 300; A.B. 343, 308; A.B. 350, 314; A.B. 351, 315; A.B. 354, 326; A.B. 365, 334; A.B. 366, 334; A.B. 367, 334; A.B. 368, 334; A.B. 369, 335; A.B. 370, 337; A.B. 391, 364; A.B. 397, 365; A.B. 398, 365; A.B. 399, 365; A.B. 401, 366; A.B. 402, 374; A.B. 420, 393; A.B. 423, 399; A.B. 424, 399; A.B. 432, 404; A.B. 433, 405; A.B. 467, 455; A.B. 475, 464; A.B. 476, 465; A.B. 492, 469; A.B. 504, 477; A.B. 514, 501; A.B. 518, 511; A.B. 519, 513; A.B. 520, 516; A.B. 523, 526; A.B. 533, 532; A.B. 534, 532; A.B. 539, 540; A.B. 541, 541; A.B. 549, 560; A.B. 565, 572; A.B. 583, 619; A.B. 604, 650; A.B. 624, 672; A.B. 678, 750; A.B. 682, 750; A.B. 684, 755; A.B. 685, 756; A.B. 704, 782; A.B. 705, 788; A.B. 725, 803; A.B. 733, 805;

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Bills introduced by—*Continued*
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Conference re A.B. 736, 1863; A.B. 775, 1636; S.B. 156, 1684; S.B. 252, 1685; S.B. 298, 1610; S.B. 396, 1573.
Standing—
Commerce, 7.
Elections, 7.
Health and Welfare (vice chairman), 7.
Judiciary, 7.
Moves—
Adopt report of conference committee re A.B. 775, 1755, 1835; S.B. 252, 1753; S.B. 298, 1863.
Adoption of amendment(s) to A.B. 45, 577; A.B. 101, 281; A.B. 278, 715; A.B. 516, 947; A.B. 639, 1530; A.B. 691, 951; A.B. 736, 1384; A.C.R. 55, 1447; S.B. 68, 654; S.B. 77, 638; S.B. 221, 1511; S.B. 236, 1666; S.B. 252, 1537; S.B. 319, 1465; S.B. 320, 1170; S.B. 428, 1440; S.B. 508, 1512, 1513.
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S

SADER, ROBERT M., ASSEMBLYMAN FROM WASHOE COUNTY, NO. 32 DISTRICT—
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Conference re A.B. 124, 594; A.B. 127, 885; A.B. 129, 1734; A.B. 199, 791; A.B. 205, 1387; A.B. 344, 1754; A.B. 424, 1802; A.B. 558, 1567; A.B. 645, 1862; A.J.R. 1, 1158; S.B. 62, 1864; S.B. 76, 1681; S.B. 88, 1681; S.B. 190, 1478; S.B. 194, 1544; S.B. 396, 1573.

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Concur in Senate amendment(s) to A.B. 36, 440; A.B. 103, 1738; A.B. 106, 1738; A.B. 180, 1300; A.B. 206, 1677; A.B. 303, 1046; A.B. 385, 1631; A.B. 394, 1739; A.B. 432, 1829; A.B. 460, 1544; A.B. 461, 1544; A.B. 464, 928; A.B. 516, 1708; A.B. 556, 1062; A.B. 584, 1497; A.B. 636, 1631; A.B. 708, 1632; A.B. 746, 1678; A.B. 790, 1680; A.B. 808, 1681.
Do not concur in Senate amendment(s) to A.B. 124, 563; A.B. 129, 1631; A.B. 162, 1676; A.B. 205, 1300; A.B. 234, 654; A.B. 344, 1678; A.B. 424, 1739; A.B. 558, 1478; A.J.R. 1, 1046.
Do not recede from action on S.B. 76, 1681; S.B. 88, 1681; S.B. 190, 1478; S.B. 194, 1544; S.B. 396, 1573; S.B. 485, 1385.
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Roll call vote requested on motion re S.B. 152, 1488, 1549; S.J.R. 17 of the 63rd session, 781.

SCHOFIELD, JAMES W., ASSEMBLYMAN FROM CLARK COUNTY, NO. 12 DISTRICT—
Appoints Conference Committee re A.B. 128, 1260.
Bills introduced by, A.B. 2, 15; A.B. 3, 15; A.B. 42, 46; A.B. 47, 47; A.B. 54, 51; A.B. 62, 55; A.B. 65, 56; A.B. 66, 61; A.B. 69, 62; A.B. 83, 67; A.B. 89, 70; A.B. 114, 84; A.B. 115, 84; A.B. 130, 96; A.B. 161, 113; A.B. 162, 114; A.B. 185, 124; A.B. 214, 155; A.B. 265, 231; A.B. 266, 231; A.B. 286, 252; A.B. 287, 252; A.B. 289, 252; A.B. 305, 266; A.B. 307, 266; A.B. 308, 273; A.B. 309, 273; A.B. 310, 273; A.B. 335, 300; A.B. 349, 314; A.B. 350, 314; A.B. 351, 315; A.B. 352, 315; A.B. 354, 326; A.B. 358, 328; A.B. 364, 333; A.B. 365, 334; A.B. 366, 334; A.B. 367, 334; A.B. 368, 334; A.B. 369, 335; A.B. 398, 365; A.B. 399, 366; A.B. 400, 366; A.B. 401, 366; A.B. 420, 393; A.B. 423, 399; A.B. 432, 404; A.B. 433, 405; A.B. 456, 431; A.B. 475, 464; A.B. 492, 469; A.B. 507, 485; A.B. 514, 501; A.B. 519, 513; A.B. 520, 516; A.B. 523, 526; A.B. 532, 528; A.B. 533, 532; A.B. 534, 532; A.B. 548, 560; A.B. 565, 572; A.B. 624, 672; A.B. 662, 713; A.B. 678, 750; A.B. 683, 751; A.B. 684, 755; A.B. 704, 782; A.B. 705, 788; A.B. 719, 796; A.B. 735, 824; A.B. 764, 853; A.B. 773, 890; A.B. 775, 899; A.B. 785, 914; A.B. 797, 954; A.B. 799, 958; A.B. 820, 1037; A.B. 827, 1061; A.B. 828, 1061; A.B. 829, 1061; A.B. 830, 1061; A.B. 831, 1062; A.B. 833, 1082; A.B. 858, 1264.
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Concur in Senate amendment(s) to A.B. 55, 485; A.B. 197, 654; A.B. 251, 1702; A.B. 352, 1799; A.B. 548, 1742; A.B. 785, 1701; A.C.R. 8, 1154; A.C.R. 60, 1629.
Do not concur in Senate amendment(s) to A.B. 199, 676.
Do not recede from action on S.B. 382, 1857.
Previous question re A.B. 128, 363; A.B. 266, 858; A.B. 441, 1030; A.B. 549, 1449; A.J.R. 13, 1334; S.B. 45, 1454; S.B. 152, 1488; S.B. 190, 1237; S.B. 268, 1492.
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Remarks from the floor re Mason Valley, 967; Position as Speaker pro Tempore, 4; Sergeant at Arms, Robert Elliott, 1762; A.B. 161, 114, 676, 683, 684, 686; A.B. 420, 1114; A.B. 668, 891; A.C.R. 26, 428; A.C.R. 69, 1336; A.R. 11, 957; S.B. 63, 213; S.C.R. 24, 760.
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Roll call vote requested on motion re A.R. 13, 1036.
Speaker pro Tempore of Assembly—
Declared to be, 4.
Nominated for, 4.

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Escort—
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Speaker of Assembly, 3.
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Temporary Chief Clerk of the Assembly, requests Mrs. Mouryne B. Landing to serve as, 1.
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Vote of thanks extended to, 3.

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SEDWAY, MARVIN M.—*Continued*
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Concur in Senate amendment(s) to A.B. 28, 521; A.B. 42, 1543; A.B. 64, 1866; A.B. 123, 976; A.B. 133, 1793; A.B. 137, 760; A.B. 152, 563; A.B. 186, 1705; A.B. 354, 1495; A.B. 510, 1496; A.B. 512, 1793; A.B. 579, 1628; A.B. 613, 1741; A.B. 614, 1704; A.B. 679, 1703; A.B. 684, 1794; A.B. 738, 1577; A.B. 828, 1741; A.B. 829, 1853; A.B. 836, 1628; A.B. 853, 1704; A.B. 888, 1878.
Do not concur in Senate amendment(s) to A.B. 399, 1191; A.B. 515, 1496; A.B. 856, 1706.
Do not recede from action on S.B. 102, 1628; S.B. 187, 1754.
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Informs Assembly Senate organized, 6.
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Committee Appointments—
Conference re A.B. 515, 1548; S.B. 165, 1829; S.B. 187, 1754.
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Economic Development, Small Business and Tourism, 7.
Natural Resources, Agriculture and Mining, 7.
Ways and Means, 7.
Moves—
Adopt report of conference committee re A.B. 515, 1673; S.B. 187, 1813.
Adoption of amendment(s) to A.B. 42, 831; A.B. 134, 350; A.B. 247, 502; A.B. 600, 809; S.J.R. 4, 963.
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Resolutions introduced by, A.J.R. 4, 41; A.J.R. 6, 47; A.J.R. 10, 73; A.J.R. 13, 90; A.J.R. 14, 97; A.J.R. 24, 228; A.J.R. 25, 231; A.J.R. 37, 478; A.J.R. 42, 802; A.J.R. 44, 1060; A.C.R. 4, 61; A.C.R. 11, 186; A.C.R. 13, 224; A.C.R. 17, 261; A.C.R. 21, 327; A.C.R. 22, 358; A.C.R. 24, 394; A.C.R. 25, 417; A.C.R. 26, 426; A.C.R. 27, 428; A.C.R. 28, 446; A.C.R. 32, 542; A.C.R. 33, 559; A.C.R. 34, 559; A.C.R. 35, 579; A.C.R. 37, 626; A.C.R. 38, 626; A.C.R. 40, 628; A.C.R. 44, 702; A.C.R. 45, 729; A.C.R. 46, 749; A.C.R. 48, 755; A.C.R. 53, 828; A.C.R. 54, 854; A.C.R. 59, 932; A.C.R. 62, 1131; A.C.R. 63, 1182; A.C.R. 64, 1204; A.C.R. 65, 1227; A.C.R. 66, 1262; A.C.R. 69, 1335; A.C.R. 71, 1393; A.C.R. 73, 1548; A.C.R. 75, 1615; A.C.R. 76, 1616; A.R. 16, 1844.

SPRIGGS, GAYLYN J., ASSEMBLYMAN FROM ESMERALDA-LINCOLN-MINERAL-NYE COUNTIES, NO. 36 DISTRICT—
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Administers oath of office to Assemblymen-elect, 2.
Escort committee appointed for, 2.
Vote of thanks extended to, 3.
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SWAIN, COURTENAY C., ASSEMBLYMAN FROM WASHOE COUNTY, NO. 28 DISTRICT—
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Bills introduced by—*Continued*
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Economic Development, Small Business and Tourism, 7.
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Resolutions introduced by, A.J.R. 6, 47; A.J.R. 10, 73; A.J.R. 11, 73; A.J.R. 14, 97; A.J.R. 23, 211; A.J.R. 24, 228; A.J.R. 25, 231; A.J.R. 36, 475; A.J.R. 37, 478; A.J.R. 42, 802; A.C.R. 4, 61; A.C.R. 11, 186; A.C.R. 13, 224; A.C.R. 17, 261; A.C.R. 21, 327; A.C.R. 22, 358; A.C.R. 24, 394; A.C.R. 25, 417; A.C.R. 26, 426; A.C.R. 27, 428; A.C.R. 28, 446; A.C.R. 32, 542; A.C.R. 33, 559; A.C.R. 34, 559; A.C.R. 35, 579; A.C.R. 37, 626; A.C.R. 38, 626; A.C.R. 44, 702; A.C.R. 45, 729; A.C.R. 48, 755;

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Committee Appointments—
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Resolutions introduced by, A.J.R. 10, 73; A.J.R. 14, 97; A.J.R. 24, 228; A.J.R. 25, 231; A.J.R. 36, 475; A.J.R. 37, 478; A.J.R. 38, 570; A.J.R. 42, 802; A.C.R. 4, 61; A.C.R. 10, 139; A.C.R. 11, 186; A.C.R. 13, 224; A.C.R. 17, 261; A.C.R. 18, 280; A.C.R. 21, 327; A.C.R. 22, 358; A.C.R. 24, 394; A.C.R. 26, 426; A.C.R. 27, 428; A.C.R. 28, 446; A.C.R. 32, 542; A.C.R. 33, 559; A.C.R. 34, 559; A.C.R. 35, 579; A.C.R. 37, 625; A.C.R. 38, 626; A.C.R. 44, 702; A.C.R. 45, 729; A.C.R. 48, 755; A.C.R. 52, 803; A.C.R. 53, 828; A.C.R. 54, 854; A.C.R. 60, 964; A.C.R. 62, 1131; A.C.R. 63, 1182; A.C.R. 64, 1204; A.C.R. 65, 1227; A.C.R. 66, 1262; A.C.R. 69, 1335; A.C.R. 71, 1392; A.C.R. 73, 1548; A.C.R. 75, 1615; A.C.R. 76, 1616; A.R. 16, 1844.
Roll call vote requested on motion re S.B. 152, 1549.
Withdraws motion re S.B. 77, 708.

THOMPSON, DANNY L., ASSEMBLYMAN FROM CLARK COUNTY, NO. 21 DISTRICT—
Bills introduced by, A.B. 2, 15; A.B. 3, 15; A.B. 5, 20; A.B. 6, 20; A.B. 7, 23; A.B. 23, 27; A.B. 24, 27; A.B. 42, 46; A.B. 45, 46; A.B. 46, 46; A.B. 54, 51; A.B. 57, 54; A.B. 58, 54; A.B. 59, 55; A.B. 62, 55; A.B. 83, 67; A.B. 87, 68; A.B. 89, 70; A.B. 102, 81; A.B. 115, 84; A.B. 116, 88; A.B. 117, 88; A.B. 136, 103; A.B. 161, 113; A.B. 162, 114; A.B. 173, 119; A.B. 174, 119; A.B. 175, 119; A.B. 185, 124; A.B. 214, 155; A.B. 218, 175; A.B. 239, 201; A.B. 261, 229; A.B. 265, 231; A.B. 266, 231; A.B. 285, 251; A.B. 286, 252; A.B. 287, 252; A.B. 288, 252; A.B. 289, 252; A.B. 307, 266; A.B. 308, 273; A.B. 309, 273; A.B. 310, 273; A.B. 316, 278; A.B. 335, 300; A.B. 350, 314; A.B. 351, 314; A.B. 354, 326; A.B. 365, 334; A.B. 366, 334; A.B. 367, 334; A.B. 368, 334; A.B. 369, 335; A.B. 370, 337; A.B. 376, 347; A.B. 377, 347; A.B. 388, 358; A.B. 397, 365; A.B. 398, 365; A.B. 399, 365; A.B. 400, 366; A.B. 401, 366; A.B. 420, 393; A.B. 423, 399; A.B. 426, 400; A.B. 432, 404; A.B. 433, 405; A.B. 440, 409; A.B. 456, 431; A.B. 475, 464; A.B. 476, 465; A.B. 492, 469; A.B. 493, 473; A.B. 507, 485; A.B. 514, 501; A.B. 518, 511; A.B. 519, 513; A.B. 520, 516; A.B. 523, 526; A.B. 533, 532; A.B. 534, 532; A.B. 539, 540; A.B. 541, 541; A.B. 565, 572; A.B. 611, 670; A.B. 627, 687; A.B. 631, 692; A.B. 642, 704; A.B. 662, 713; A.B. 666, 714; A.B. 678, 750; A.B. 683, 751; A.B. 684, 755; A.B. 685, 756; A.B. 705, 788; A.B. 735, 803; A.B. 736, 824; A.B. 775, 899; A.B. 776, 899; A.B. 785, 914; A.B. 797, 954; A.B. 828, 1061; A.B. 829, 1061; A.B. 830, 1061; A.B. 831, 1062; A.B. 833, 1082; A.B. 837, 1136; A.B. 858, 1264; A.B. 876, 1487.
Committee Appointments—
Conference re A.B. 288, 1518; A.B. 390, 1383; A.B. 775, 1636; S.B. 235, 1802; S.B. 262, 1813; S.B. 407, 1843.

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Committee appointments—*Continued*
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Concur in Senate amendment(s) to A.B. 7, 1743; A.B. 81, 1743; A.B. 95, 1178; A.B. 116, 729; A.B. 138, 1043; A.B. 139, 1278; A.B. 154, 486; A.B. 157, 486; A.B. 177, 806; A.B. 255, 1744; A.B. 325, 899; A.B. 335, 1772; A.B. 417, 1771; A.B. 494, 1774; A.B. 517, 1494; A.B. 561, 1703; A.B. 596, 1824; A.B. 617, 1823; A.B. 618, 1825; A.B. 621, 1772.
Do not concur in Senate amendment(s) to A.B. 36, 842; A.B. 126, 522; A.B. 288, 1300; A.B. 329, 599; A.B. 390, 1352.
Do not recede from action on S.B. 55, 827; S.B. 56, 1630; S.B. 62, 1703; S.B. 143, 1754; S.B. 310, 1754; S.B. 407, 1843.
Previous question re A.B. 89, 550; A.B. 123, 694; A.B. 128, 363, 387; A.B. 161, 637; A.B. 266, 858; A.B. 397, 1029; A.B. 420, 1107; A.B. 441, 1030; A.B. 549, 1449; A.B. 552, 1208; A.B. 556, 754, 783; A.B. 625, 995; A.B. 678, 1075; A.B. 708, 1058; A.B. 731, 1267; A.B. 820, 1583; A.B. 854, 1388; A.B. 888, 1858; A.J.R. 1, 756; A.J.R. 21, 696; S.B. 32, 571; S.B. 50, 885; S.B. 144, 1621; S.B. 152, 1488, 1550; S.B. 323, 785; S.B. 577, 1859; S.J.R. 5, 1870; S.J.R. 17 of the 63rd session, 771.
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Roll call vote requested on motion re A.B. 119, 914; A.B. 128, 363.

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Members, appointment, 7.
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WISDOM, JANE D., ASSEMBLYMAN FROM CLARK COUNTY, NO. 3 DISTRICT—
Bills introduced by, A.B. 3, 15; A.B. 42, 46; A.B. 45, 46; A.B. 54, 51; A.B. 57, 54; A.B. 58, 54; A.B. 62, 55; A.B. 66, 61; A.B. 83, 67; A.B. 89, 70; A.B. 98, 78; A.B. 114, 84; A.B. 115, 84; A.B. 116, 88; A.B.

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