

**The
Journal of the
Assembly**

**OF THE
SEVENTEENTH SPECIAL SESSION**

**OF THE
LEGISLATURE OF THE
STATE OF NEVADA**

2001



**BEGUN ON THURSDAY, THE FOURTEENTH DAY OF JUNE, AND
ENDED ON THURSDAY, THE FOURTEENTH DAY OF JUNE**

ARRANGEMENT AND CONTENTS OF VOLUME

	<i>Page</i>
ASSEMBLY LEGISLATIVE CALENDAR	v
LISTING OF ASSEMBLY BILLS.....	vii
LISTING OF ASSEMBLY RESOLUTIONS.....	ix
LISTING OF SENATE BILLS.....	xi
LISTING OF SENATE RESOLUTIONS.....	xiii
ELECTED OFFICERS OF THE NEVADA STATE ASSEMBLY.....	xv
PERSONNEL OF THE NEVADA STATE ASSEMBLY.....	xvii
ATTACHÉS OF THE NEVADA STATE ASSEMBLY	xix
ASSEMBLY PROCEEDINGS	1
GENERAL INDEX.....	39
ASSEMBLY STANDING RULES	47
INDEX TO ASSEMBLY STANDING RULES	57
JOINT STANDING RULES OF THE SENATE AND ASSEMBLY	65
INDEX TO JOINT STANDNG RULES OF THE SENATE AND ASSEMBLY.....	77

ASSEMBLY LEGISLATIVE CALENDAR

<i>Calendar Day</i>	<i>Date</i>	<i>Page Number</i>
1	June 14, 2001	1

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....Provides for integration of state and local child welfare services. Fiscal Note: Effect on Local Government: Yes. Effect on the State: Contains Appropriation included in Executive Budget. Joint Rules Committee. 15, 23, 24, 25,* 32.
- 2....Revises provisions relating to payment for sick leave of state employees. Fiscal Note: Effect on Local Government: No. Effect on the State: Yes. Joint Rules Committee. 15, 23, 24, 25,* 26, 32.
- 3....Requires affidavit in support of action concerning constructional defects against design professional. Fiscal Note: Effect on Local Government: No. Effect on the State: No. Joint Rules Committee. 15, 23, 24, 25, 26,* 32.
- 4....Establishes judicial retirement system for certain justices of the supreme court and district court judges. Fiscal Note: Effect on Local Government: Yes. Effect on the State: Contains Appropriation included in Executive Budget. Joint Rules Committee. 15, 23, 24, 25, 26,* 32.
- 5....Revises and repeals various provisions concerning utilities and energy Fiscal Note: Effect on Local Government: No. Effect on the State: Yes. Joint Rules Committee. 16, 23, 24, 25, 37.
- 6....Directs Department of Transportation, Clark County and City of Las Vegas to conduct certain assessments concerning need for abatement of traffic noise. Fiscal Note: Effect on Local Government: No. Effect on the State: No. Joint Rules Committee. 16, 23, 24, 25, 26,* 32.
- 7....Revises provisions governing fees collected by short-term lessors of passenger cars. Fiscal Note: Effect on Local Government: No. Effect on the State: No. Joint Rules Committee. 17, 23, 24, 25, 37.
- 8....Makes various changes concerning reporting of campaign contributions and expenditures. Fiscal Note: Effect on Local Government: No. Effect on the State: No. Joint Rules Committee. 17, 23, 24, 25, 26,* 32.
- 9....Requires submission to voters of proposal to issue general obligation bonds to protect, preserve and obtain benefits of property and natural resources of state. Fiscal Note: Effect on Local Government: Yes. Effect on the State: Yes. Joint Rules Committee. 17, 23, 24, 25, 27,* 32.
- 10....Makes various changes to formula for distribution of certain revenues. Fiscal Note: Effect on Local Government: Yes. Effect on the State: Yes. Joint Rules Committee. 17, 23, 24, 25, 27,* 32.
- 11....Makes various technical changes to provisions of Nevada Revised Statutes. Fiscal Note: Effect on Local Government: No. Effect on the State: No. Joint Rules Committee. 18, 23, 24, 25, 27,* 32.
- 12....Revises provisions governing liquor. Fiscal Note: Effect on Local Government: No. Effect on the State: Yes. Hettrick. 18, 23, 24, 25, 27, 28,* 32.

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

- 1Proposes to amend Nevada Constitution to revise certain provisions relating to system of county and township government and compensation of certain elected officers. Fiscal Note: Effect on Local Government: No. Effect on the State: No. Joint Rules Committee. 18, 23, 24, 25, 28,* 32.

ASSEMBLY CONCURRENT RESOLUTIONS

No.

Summary, Introducer and Page Reference

- 1Establishes Governor's Task Force on Tax Policy in Nevada. Joint Rules Committee. 8, 32.
- 2Directs Legislative Commission to conduct interim study concerning misdemeanors. Joint Rules Committee. 18, 32.
- 3Directs Legislative Commission to conduct interim study of issues regarding death penalty and related DNA testing. Joint Rules Committee. 18, 32.

ASSEMBLY RESOLUTIONS

No.

Summary, Introducer and Page Reference

- 1Provides for appointment of attachés. Perkins. 8.
- 2Adopts Rules of Assembly for 17th Special Session of Legislature. Perkins. 8.
- 3Provides that no allowances will be paid for 17th Special Session of the Legislature for periodicals, stamps, stationery or communications. Perkins. 14.

LISTING OF SENATE 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.)

<i>No.</i>	<i>Summary, Introducer and Page Reference</i>
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- | | |
|--------|---|
| 1.... | Makes appropriation to legislative fund. Fiscal Note: Effect on Local Government: No. Effect on the State: Contains Appropriation not included in Executive Budget. Raggio, Titus. 21*. |
| 2.... | Makes appropriation relating to education. Fiscal Note: Effect on Local Government: No. Effect on the State: Contains Appropriation not included in Executive Budget. Joint Rules Committee. 22, 23, 28,* 29, 32*. |
| 3.... | Makes various changes regarding education and educational personnel. Fiscal Note: Effect on Local Government: Yes. Effect on the State: Executive Budget. Joint Rules Committee. 22, 23, 28, 29*. |
| 4.... | Makes various changes concerning department of prisons. Fiscal Note: Effect on Local Government: No. Effect on the State: Yes. Joint Rules Committee. 22, 23, 28, 29*. |
| 5.... | Makes various changes relating to insurance for motor vehicles. Fiscal Note: Effect on Local Government: No. Effect on the State: No. Joint Rules Committee. 22, 23, 28, 29*. |
| 6.... | Enacts provisions governing establishment by district court of program for treatment of mentally ill offenders. Fiscal Note: Effect on Local Government: Yes. Effect on the State: No. Joint Rules Committee. 22, 23, 28, 29,* 30. |
| 7.... | Makes appropriations to Peace Officers' Standards and Training Commission for analysis of job tasks and study of physical fitness validation for peace officers and to Department of Motor Vehicles and Public Safety for various information technology upgrades. Fiscal Note: Effect on Local Government: No. Effect on the State: Contains Appropriation included in Executive Budget. Joint Rules Committee. 22, 23, 28, 30*. |
| 8.... | Revises provisions relating to state financial administration. Fiscal Note: Effect on Local Government: No. Effect on the State: Contains Appropriation included in Executive Budget. Joint Rules Committee. 22, 23, 28, 30*. |
| 9.... | Makes appropriation to Interim Finance Committee to provide assistance to certain educational programs. Fiscal Note: Effect on Local Government: No. Effect on the State: Contains Appropriation not included in Executive Budget. Joint Rules Committee. 22, 23, 28, 30*. |
| 10.... | Expresses sense of Nevada Legislature regarding reading proficiency of Nevada's school children. Fiscal Note: Effect on Local Government: No. Effect on the State: No. 22, 23, 28, 30*. |
| 11.... | Makes various changes regarding fees charged and collected by certain officials of local governments. Fiscal Note: Effect on Local Government: No. Effect on the State: No. Joint Rules Committee. 22, 23, 28, 30, 36, 37*. |
| 12.... | Revises provisions concerning education and training of drivers. Fiscal Note: Effect on Local Government: No. Effect on the State: Yes. Joint Rules Committee. 22, 23, 28, 31*. |
| 13.... | Makes appropriation to Department of Education for development of new criterion-referenced test for pupils in grade 8. Fiscal Note: Effect on Local Government: No. Effect on the State: Contains Appropriation included in Executive Budget. Joint Rules Committee. 22, 23, 28, 31*. |
| 14.... | Revises districts for state legislators, state board of education, board of regents and Representatives in Congress. Fiscal Note: Effect on Local Government: No. Effect on the State: No. Joint Rules Committee. 32, 33, 36*. |

LISTING OF SENATE 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.)

SENATE JOINT RESOLUTIONS

No.

Summary, Introducer and Page Reference

- 1Proposes to amend Nevada Constitution to provide requirements for enactment of property and sales tax exemptions. Fiscal Note: Effect on Local Government: No. Effect on the State: No. Joint Rules Committee. 22, 23, 28, 31*.

SENATE CONCURRENT RESOLUTIONS

No.

Summary, Introducer and Page Reference

- 1Adopts Joint Rules of Senate and Assembly for 17th Special Session of Legislature. Raggio, Titus. 18, 21.

ELECTED OFFICERS OF THE NEVADA STATE ASSEMBLY
Seventeenth Special Session, 2001

<i>Title</i>	<i>Name</i>	<i>Mailing Address</i>
Speaker	Richard D. Perkins	408 Glasgow Street, Henderson 89015-5631
Speaker pro Tempore	Wendell P. Williams	3701 Fortune Avenue, Las Vegas 89107-2147
Chief Clerk.....	Jacqueline Sneddon.....	401 South Carson Street Carson City 89701-4747

PERSONNEL OF THE NEVADA STATE ASSEMBLY

Seventeenth Special Session, 2001

<i>District</i>	<i>Name and Party</i>	<i>Mailing Address</i>
Carson City (part), Washoe (part), No. 37.....	Brower, Gregory (R).....	P.O. Box 281 Reno 89504-0281
Carson City (part), No. 40.....	Parnell, Bonnie (D).....	2501 Nona Drive, Carson City 89701-5615
Clark, No. 1.....	Collins, Clarence W. (Tom) (D)	4716 San Miguel Avenue, North Las Vegas 89032-2828
Clark, No. 2.....	Berman, Merle (R).....	2012 Gray Eagle Way, Las Vegas 89117-5738
Clark, No. 3.....	Lee, John Jay (D).....	4201 Del Rey Avenue, Las Vegas 89102-3858
Clark, No. 4.....	Beers, Bob (R)	9428 Grenville Avenue, Las Vegas 89134-6206
Clark, No. 5.....	Cegavske, Barbara K. (R)	6465 Laredo Street, Las Vegas 89146-5272
Clark, No. 6.....	Williams, Wendell P. (D).....	3701 Fortune Avenue, Las Vegas 89107-2147
Clark, No. 7.....	Arberry, Morse, Jr. (D).....	1330 Virginia City Avenue, Las Vegas 89106-2052
Clark, No. 8.....	Buckley, Barbara E. (D).....	5442 Holbrook Drive, Las Vegas 89103-2439
Clark, No. 9.....	Giunchigliani, Christina R. (Chris) (D).....	706 Bracken Avenue, Las Vegas 89104-1644
Clark, No. 10.....	Goldwater, David E. (D).....	2701 Miraflores Avenue, Las Vegas 89102-4260
Clark, No. 11.....	Bache, Douglas A. (D).....	2236 Melinda Avenue, Las Vegas 89101-1434
Clark, No. 12.....	Ohrenschall, Genie (D).....	1124 S. 15th Street, Las Vegas 89104-1740
Clark, No. 13.....	Nolan, Dennis (R).....	P. O. Box 82249, Las Vegas 89180-2249
Clark, No. 14.....	Koivisto, Ellen M. (D)	1147 Timber Ridge Court, Las Vegas 89110-2545
Clark, No. 15.....	McClain, Kathy (D)	107 Greenbriar Townhouse Way, Las Vegas, 89121-2456
Clark, No. 16.....	Oceguera, John (D).....	4560 El Campana Way, Las Vegas, 89121-6510
Clark, No. 17.....	Price, Robert E. (Bob) (D)	P. O. Box 3759, North Las Vegas 89036-3759
Clark, No. 18.....	Manendo, Mark (D)	4629 Butterfly Circle, Las Vegas 89122-6149
Clark, No. 19.....	Claborn, Jerry (D).....	6617 Network Circle, Las Vegas, 89156-7015
Clark, No. 20.....	Von Tobel, Kathleen A. (Kathy) (R).....	8020 Las Vegas Blvd., S., #20, Las Vegas 89123-1014
Clark, No. 21.....	Tiffany, Sandra (R).....	2156 Sun Swept Way, Henderson 89014-4273

<i>District</i>	<i>Name and Party</i>	<i>Mailing Address</i>
Clark, No. 22.....	Brown, David F. (R)	2569 Wild Grass Court, Henderson 89052-2986
Clark, No. 23.....	Perkins, Richard (D)	408 Glasgow Street, Henderson 89015-5631
Clark, No. 28.....	Chowning, Vonne (D).....	c/o Shamrock Real Estate Service, 2015 Carroll Street, North Las Vegas 89030-6401
Clark, No. 41.....	Parks, David R. (D).....	P. O. Box 71887, Las Vegas 89170-1887
Clark, No. 42.....	Mortenson, John H. (Harry) (D)	3930 El Camino Road, Las Vegas 89103-2221
Douglas, Carson City (part), No. 39	Hettrick, Lynn (R)	1475 Glenwood Drive, Gardnerville 89410-8981
Elko (part), No. 33	Carpenter, John C. (R)	P. O. Box 190, Elko 89803-0190
Esmeralda, Lincoln, Mineral, Nye, No. 36.....	Neighbors, P. M. Roy (D).....	P. O. Box 33, Tonopah 89049-0033
Humboldt, Pershing, Elko (part), Eureka (part), Lander (part), No. 34.....	Marvel, John W. (R)	P. O. Box 1270, Battle Mountain 89820-1270
Lyon, Storey, Carson City (part), No. 38	Dini, Joseph E., Jr.(D).....	104 N. Mountain View, Yerington 89447-2239
Washoe, No. 24.....	Freeman, Vivian L. (D).....	1665 Carlin Street, Reno 89503-4223
Washoe No. 25.....	Gibbons, Dawn (R).....	2535 Kinney Lane, Reno 89511-6546
Washoe, No. 26.....	Humke, David E. (R).....	P. O. Box 70656, Reno 89570-0656
Washoe, No. 27.....	Leslie, Sheila (D).....	825 Humboldt Street, Reno 89509-2009
Washoe, No. 29.....	Angle, Sharron (R).....	1802 Rainbow Ridge Road, Reno 89523-1847
Washoe, No. 30.....	Smith, Debbie (D).....	3270 Wilma Drive, Sparks 89431-1173
Washoe, No. 31.....	Anderson, Bernie (D).....	747 Glen Meadow Drive, Sparks 89434-1536
Washoe, No. 32.....	Gustavson, Don (R)	6380 Ottawa Court, Sun Valley 89433-6632
Churchill, White Pine, Eureka (part), Lander (part), No. 35	de Braga, Marcia (D).....	11050 Fitz Lane, Fallon 89406-9016

ATTACHÉS OF THE ASSEMBLY
Seventeenth Special Session, 2001

Name	Title	City of Residence
Harle Glover	Executive Assistant	Carson City
Patty Williams.....	Assistant Chief Clerk.....	Reno
Lucinda Benjamin.....	History Clerk	Schurz
Matthew Baker.....	Journal Clerk	Carson City
Diane Keetch.....	Recording Clerk	Ritzville, WA
Mary Matheus.....	Document Clerk	Carson City
Jason Hataway	Media Clerk.....	Carson City
Terry Sullivan	Sergeant at Arms	Washoe Valley
Lucas Watson.....	Assistant Sergeant at Arms.....	Carson City

Journal

OF THE

ASSEMBLY OF THE STATE OF NEVADA

SEVENTEENTH SPECIAL SESSION

THE FIRST DAY

CARSON CITY (Thursday), June 14, 2001

Pursuant to the provisions of the Constitution and Statutes, the Assembly was called to order by Speaker of the Assembly Richard D. Perkins at 10:20 a.m.

Roll called.

All present except Assemblyman Arberry, who was excused.

Prayer by the Chaplain, Terry Sullivan.

Dear Lord, throughout the 71st Session of the Legislature we have often asked you to give members of this body wisdom and guidance. Now I think it's time that we said thank you for Your help in doing the right thing. This Assembly has worked hard and the laws these good legislators have passed since early February have proven that. We thank You for providing them with that ability. We thank You also for making this such a fine place to work for the regular staff and, as attachés, none of us could ask for a better part-time job, unless, of course, it's working as one of your brush country cowboys. Lord, let us continue in this special session to exhibit the same knowledge and ability that has been shared over the past 120 days. Please bless this group, and help them to continue to do what's right for the great people of Nevada. It is in Your Name we pray.

AMEN.

Pledge of allegiance to the Flag.

MOTIONS, RESOLUTIONS AND NOTICES

Mr. Speaker appointed Assemblymen Williams, Leslie and Brower as a committee to inform the Senate that the Assembly was organized and ready for business.

Mr. Speaker appointed Assemblymen Buckley, Dini and Hettrick as a committee to inform the Governor that the Assembly was organized and ready for business.

Assemblywoman Buckley moved that persons as set forth on the Nevada Legislature's Press Accreditation List of June 14, 2001 be accepted as accredited press representatives, that they be assigned space at the press table in the Assembly chambers, that they be allowed use of appropriate broadcasting facilities, and the list be included in this day's journal:

ASSOCIATED PRESS: Siobhan McDonough, Brendon Riley, John Wilkerson; BOULDER CITY NEWS: Chuck Baker; CAPITAL NEWS SERVICE: Jonathan Wright; CARSON CITY NEWS: David Morgan; CITADEL COMMUNICATIONS: Adriana Diaz, David Marz; COMSTOCK CHRONICLE/CABLE NEWS SERVICE: Travis T. Hipp; COVER EDGE: Michele Kane, Kevin Ross; COX COMMUNICATIONS: Steve Schorr; DONREY CAPITAL BUREAU: Ed Vogel, Sean Whaley; ELECTRIC NEVADA & ELECTRIC AMERICA: Daniel Joseph, Tiffany Van der Stokker; FERNLEY LEADER/COURIER: Betty Aleck, Laura Tennant; FOX 5: Michael Baldwin, Don Lyle; GAMING TODAY: Chuck DiRocco; HIGH DESERT ADVOCATE: Howard Copelan; THE HUMBOLDT SUN: Dave Woodson; KKO: Kelly McAllister; KLAS-TV: George Knapp, Eric Sorenson; KOLO-TV: Karl Baker, Bruce Bolf, Brent Boynton, Jean Casarez, Beryl Chong, Jenée Conway, Mark Cronon, Beth Ford, Timothy Ill, Jeff Jones, Justin Kanno, Jodee Kenney, Darrell McComb, Edward Pearce, Terri Russell, Henry Wofford; KNPB-TV, KLVX-TV: Mitch Fox, Mike Garafolo, Jack Kelly, John Kirk, Bonnie Maclean, Rosemary McCarthy, Ethan Salter, Michelle Stander; KRN TV: Wade Barnett, Ben Barnholdt, Kausic Bhakta, Victoria Campbell, Jeneene Chatowsky, Tina Cox, Karen Cuninghame, Jeff Deitch, Bill Frankmore, Matt Guccini, Joe Hart, Hayley Herst Sarah Johns, Malayna Kerton, John Killoran, Renee Phillips, Aaron Rothkopf, Eduardo Rubio, Shelby Sheehan, Julie Simon, Mike Taylor, James Walker, Richard Worsley, Debbie Worthen, Jana Wyld, John Zuchelli; KTVN TV: Josh Brackett, Kerrie Cassani, Sherrie Cerutti, Angeline Chew, John Chrystal, Wendy Damonte, Chad Gasper, Jessie Harris, Brian Hickey, Kirsten Joyce, Gina Martini, John Mercer, Jose Pilarim, Tony Shin; LAS VEGAS REVIEW-JOURNAL: Amy Bennett, Kevin Cannon, John Edwards, John Gurzinski, Don Ham, Mary Hynes, Jim Laurie, Thomas Mitchell, Jan Moller, Craig Moran, Jane Ann Morrison, Jeff Scheid, Steve Sebelius, John Smith, Gary Thompson, Charles Zobel; LAS VEGAS SUN: Jeff German, Warren Johnston, Aaron Mayes, Erin Neff, Jace Radke, Cy Ryan, Susan Snyder; LINCOLN COUNTY RECORD: Shelly Hartman, Connie Simkins; LOTUS BROADCASTING: Andrew Kolb; LOVELOCK REVIEW-MINER/NEVADA RANCHER: Gwen Carter; MASON VALLEY NEWS: Robert Perea, David Sanford, Keith Trout; NEVADA APPEAL: Geoff Doman, Bob Thomas; RENO GAZETTE-JOURNAL: Tim Anderson, Andy Barron, Jennifer Crowe, Tonia Cuning, Jeff DeLong, Jeff Donaldson, Tim Dunn, Cory Farley, Ray Hagar, Janice Hoke, Sevil Hunter, Mark Lundahl, Elizabeth Margerum, Frank Mullen, Marilyn Newton, Bill O'Driscoll, David Parker, Scott Sady, John Smetana, Steve Smith, Steve Timko, Lisa Tolda, Candice Towell, Susan Voyles; RENO NEWS & REVIEW: Jimmy Boegle, Brian Burghart, Carli Cutchin, Kelley Lang, Deidre Pike, William Puchert, Adrienne Rice; SENIOR SPECTRUM NEWSPAPERS: Chris McMullen, Connie McMullen; SIERRA NEVADA COMMUNITY ACCESS TV: Don Alexander, Chris Jensen, John Ponzio, Earl Spriggs; TASPAC NEWS: Donna Andres, Peter Hutchinson; SPARKS TRIBUNE: Andrew Barbano; VIRGINIA CITY REGISTER: Terry Daisy, Gary Gehrm, Thomas Hunter, Bill Meakin, Bill Sjovangen, Douglas Truhill; WE THE PEOPLE: Shayne Del Cohen.

Assemblywoman Buckley moved that for the balance of the special session, all rules be suspended and that all bills and joint resolutions passed, and all concurrent resolutions adopted by the Assembly, be immediately transmitted to the Senate.

Motion carried.

Assemblywoman Buckley moved that the reading of the Proclamation by the Governor convening the Legislature into a Special Session be dispensed with and that the Proclamation be entered into the Journal.

Motion carried.

MESSAGES FROM THE GOVERNOR

STATE OF NEVADA
OFFICE OF THE GOVERNOR
EXECUTIVE ORDER

A PROCLAMATION BY THE GOVERNOR:

WHEREAS, Section 9 of Article V of the Constitution of the State of Nevada provides that, "The Governor may on extraordinary occasions, convene the Legislature by Proclamation and shall state to both houses when organized, the purpose for which they have been convened, and the Legislature shall transact no legislative business, except that for which they were specifically convened, or such other legislative business as the Governor may call to the attention of the Legislature while in Session;" and

WHEREAS, believing that an extraordinary occasion now exists which requires immediate action by the Legislature;

NOW, THEREFORE, I, KENNY C. GUINN, GOVERNOR of the STATE OF NEVADA, By virtue of the authority vested in me by Section 9 of Article V of the Constitution of the State of Nevada, do hereby convene the Legislature into a Special Session to approve the redistricting plans required by law for the State of Nevada and to reconsider the matters within the legislation approved during the Seventy-First Session of the Nevada Legislature between 12:00 a.m. and 1:00 a.m., on June 5, 2001. The matters that may be considered are as follows:

SENATE BILL NO. 109 (1st Reprint)

AN ACT making an appropriation to the Interim Finance Committee for certain contractual services related to the financial reporting of school districts and charter schools; and providing other matters properly relating thereto.

SENATE BILL NO. 148 (1st Reprint)

AN ACT relating to education; revising provisions relating to the achievement and proficiency examinations administered in public schools; revising provisions governing the increase of salary for a teacher who is certified by the National Board for Professional Teaching Standards; requiring the boards of trustees of school districts to pay the increase of salary retroactively under certain circumstances; authorizing under certain circumstances the employment of licensed teachers who do not hold endorsements in a particular subject area; requiring certain school districts to create and operate regional training programs for the professional development of teachers and administrators; creating the statewide council for the coordination of the regional training programs; authorizing under certain circumstances the licensure and employment of teachers who are not citizens of the United States; prohibiting persons from making certain threats to pupils and employees of school districts, charter schools and private schools; providing for the reimbursement of certain costs of teachers who acquire certification by the National Board for Professional Teaching Standards if money is made available; providing a penalty; and providing other matters properly relating thereto.

SENATE BILL NO. 193 (3rd Reprint)

AN ACT relating to the department of prisons; allowing the director to establish a system for offender management in each institution and facility of the department; allowing the director to continue to develop and implement a program of facility training for correctional staff in each institution and facility of the department; changing the name of the department; and providing other matters properly relating thereto.

SENATE BILL NO. 303 (3rd Reprint)

AN ACT relating to insurance for motor vehicles; specifying that any information except the name of the owner of a motor vehicle may be used as the primary means to verify that a motor vehicle is insured; providing that an operator's policy of liability insurance may only be issued to certain persons; allowing the release of information related to insurance policies under certain circumstances; and providing other matters properly relating thereto.

SENATE BILL NO. 366 (3rd Reprint)

AN ACT relating to mental health; providing for the establishment by a district court of a program for the treatment of mentally ill offenders; authorizing justices' courts and municipal courts to transfer original jurisdiction of certain cases to the district court for the purpose of assigning offenders to the program of treatment; enacting various provisions pertaining to the program of treatment; and providing other matters properly relating thereto.

SENATE BILL NO. 445 (2nd Reprint)

AN ACT making appropriations to the Peace Officers' Standards and Training Commission for an analysis of job tasks and a study of physical fitness validation for peace officers and to the Department of Motor Vehicles and Public Safety for various information technology upgrades; and providing other matters properly relating thereto.

SENATE BILL NO. 518 (2nd Reprint)

AN ACT relating to financial administration; revising the amounts paid to certain public officers and employees as allowances for certain expenses; making appropriations to the contingency fund to restore and increase the balance in the fund; making appropriations to the Interim Finance Committee to assist state agencies and school districts in paying for certain energy needs; and providing other matters properly relating thereto.

SENATE BILL NO. 588 (As introduced)

AN ACT making an appropriation to the Interim Finance Committee to provide assistance to certain educational programs; and providing other matters properly relating thereto.

ASSEMBLY BILL NO. 94 (3rd Reprint)

AN ACT relating to local governments; authorizing a county recorder to charge and collect an additional fee to pay for the acquisition and improvement of technology used in the office of the county recorder; requiring the county recorder to charge and collect an additional fee to assist persons formerly in foster care; increasing the amount of certain fees charged and collected by certain officials of local governments; creating an account in the department of human resources' gift fund to assist persons formerly in foster care; and providing other matters properly relating thereto.

ASSEMBLY BILL NO. 122 (2nd Reprint)

AN ACT relating to public employees; authorizing a leave of absence for certain public officers and employees to assist the division of emergency management of the department of motor vehicles and public safety or a local organization for emergency management during a disaster or emergency; authorizing payment for the unused sick leave of state employees that is accrued but not carried forward in certain circumstances; increasing the maximum authorized amount of money from the reserve for statutory contingency account that the state board of examiners may authorize for payment of the salary of a replacement officer or employee following the purchase of certain leave of a former officer or employee; and providing other matters properly relating thereto.

ASSEMBLY BILL NO. 133 (4th Reprint)

AN ACT relating to real property; requiring an affidavit in support of an action concerning constructional defects against a design professional; and providing other matters properly relating thereto.

ASSEMBLY BILL NO. 232 (1st Reprint)

AN ACT relating to the judiciary; establishing a judicial retirement system for certain justices of the supreme court and district court judges; providing a penalty; and providing other matters properly relating thereto.

ASSEMBLY BILL NO. 271 (3rd Reprint)

AN ACT relating to the training of drivers; requiring the state board of education to adopt regulations governing automobile driver education in public schools; prohibiting certain younger drivers from transporting certain persons as passengers for a certain period after obtaining a driver's license; requiring certain younger drivers to hold an instruction permit for a certain period before applying for a driver's license; extending the period for which a person is authorized to hold an instruction permit; authorizing licensed schools for training drivers to use certain interactive technologies in lieu of actual classroom instruction; requiring an instructor of a school for training drivers to complete certain training before his license as an instructor may be renewed by the department of motor vehicles and public safety; and providing other matters properly relating thereto.

ASSEMBLY BILL NO. 343 (3rd Reprint)

AN ACT relating to the protection of children; transferring certain duties of the division of child and family services of the department of human resources to an agency of the county in certain large counties; establishing a legislative committee on children, youth and families; making appropriations; and providing other matters properly relating thereto.

ASSEMBLY BILL NO. 405 (1st Reprint)

AN ACT relating to education; expressing the sense of the Nevada Legislature regarding available methods to improve the reading proficiency of Nevada's school children at an early grade level; and providing other matters properly relating thereto.

ASSEMBLY BILL NO. 424 (2nd Reprint)

AN ACT relating to public highways; directing the Department of Transportation, Clark County and the City of Las Vegas to conduct certain assessments concerning the need for the abatement of traffic noise; and providing other matters properly relating thereto.

ASSEMBLY BILL NO. 460 (5th Reprint)

AN ACT relating to transportation; revising provisions governing the remittance of fees by short-term lessors of passenger cars to the department of taxation; authorizing short-term lessors of passenger cars to charge a fee as reimbursement for payment of vehicle licensing fees and taxes; and providing other matters properly relating thereto.

ASSEMBLY BILL NO. 483 (5th Reprint)

AN ACT relating to elections; requiring the secretary of state and each city clerk to design the form to be used by a candidate for reporting in kind campaign contributions and expenses; removing the requirement that campaign expenses under a certain amount be separately listed on forms for reporting; revising provisions governing the listing of certain categories of campaign expenses and expenditures; and providing other matters properly relating thereto.

ASSEMBLY BILL NO. 615 (1st Reprint)

AN ACT relating to natural resources; directing the submission to a vote of the people of a proposal to issue state general obligation bonds to protect, preserve and obtain the benefits of the property and natural resources of this state; providing for the use of the proceeds if the issue is approved; creating the fund to protect natural resources; and providing other matters properly relating thereto.

ASSEMBLY BILL NO. 653 (2nd Reprint)

AN ACT relating to taxation; revising the formula for the distribution of certain revenues among local governments; providing for an adjustment to the base allocation of certain local governments; extending the date for expiration of the legislative committee to study distribution among local governments of revenue from state and local taxes; requiring the advisory committee to the committee to conduct a study; and providing other matters properly relating thereto.

ASSEMBLY BILL NO. 661 (4th Reprint)

AN ACT relating to energy; authorizing certain eligible customers to purchase electrical energy, capacity and certain ancillary services from providers of new electric resources; establishing the universal energy charge to fund low-income energy assistance and conservation; requiring certain retail customers to pay the universal energy charge; requiring certain public utilities and municipal utilities to perform certain functions related to the universal energy charge; creating the fund for energy assistance and conservation and setting forth the criteria to determine the eligibility of a household to receive assistance from money in the fund; authorizing certain agencies to render emergency assistance to households in certain circumstances; revising and repealing various provisions concerning the regulation of public utilities and the process of establishing and changing rates; expanding the public utilities commission of Nevada from three to five members; revising the authority of the commission to regulate mergers, acquisitions and certain other transactions involving public utilities and other entities; making various changes with respect to net metering; authorizing the director of the department of business and industry to issue industrial development revenue bonds for certain renewable energy generation projects; creating the task force for renewable energy and energy conservation and prescribing its membership and duties; creating the trust fund for renewable energy and energy conservation; creating the office of energy within the office of the governor; transferring control of the Nevada state energy office from the director of the department of business and industry to the office of energy within the office of the governor; requiring certain lodging establishments to include certain information concerning energy costs on their statement of rates; and providing other matters properly relating thereto.

ASSEMBLY BILL NO. 666 (4th Reprint)

AN ACT relating to Nevada Revised Statutes; making technical corrections to inappropriate or inaccurate provisions; clarifying ambiguous provisions; and providing other matters properly relating thereto.

ASSEMBLY BILL NO. 669 (1st Reprint)

AN ACT relating to liquor; authorizing a transfer of liquor between certain affiliated retailers; providing for the enforcement of certain provisions of chapter 369 of NRS; providing a civil penalty; and providing other matters properly relating thereto.

ASSEMBLY CONCURRENT RESOLUTION NO. 3 (1st Reprint)

ASSEMBLY CONCURRENT RESOLUTION—Directing the Legislative Commission to conduct an interim study concerning misdemeanors.

ASSEMBLY CONCURRENT RESOLUTION NO. 21 (1st Reprint)

ASSEMBLY CONCURRENT RESOLUTION—Directing the Legislative Commission to conduct an interim study of issues regarding the death penalty and related DNA testing.

ASSEMBLY CONCURRENT RESOLUTION NO. 42 (As introduced)

ASSEMBLY CONCURRENT RESOLUTION—Establishing the Governor's Task Force on Tax Policy in Nevada.

ASSEMBLY JOINT RESOLUTION NO. 14 (3rd Reprint)

ASSEMBLY JOINT RESOLUTION—Proposing to amend the Constitution of the State of Nevada to provide a citizens' commission to establish the salaries of certain elected officers, to remove the requirement that the system for county and township government be uniform, to remove the requirement that the Legislature fix the compensation of certain county officers, to authorize the Legislature to provide for the appointment of certain county officers and to require each board of county commissioners to determine the salaries of certain county officers in its respective county.

SENATE JOINT RESOLUTION NO. 20 of the 70th Session (1st Reprint)

SENATE JOINT RESOLUTION—Proposing to amend the Constitution of the State of Nevada to provide requirements for the enactment of property and sales tax exemptions.

During the Special Session, the Legislature may also consider an appropriation to pay for the cost of the Special Session and any other matters brought to the attention of the Legislature by the Governor. The Special Session shall begin at 10:00 a.m. on June 14, 2001.

IN WITNESS WHEREOF, I have
hereunto set my hand and caused the
great seal of the state of Nevada to be
affixed at the state capitol in Carson
City this 13th day of June, in the year
two thousand one.

Kenny C. Guinn
Governor

Dean Heller
Secretary Of State

OFFICE OF THE GOVERNOR

CARSON CITY, NEVADA, June 13, 2001

THE HONORABLE RICHARD D. PERKINS, *Speaker of the Assembly*, Nevada State Assembly,
Legislative Building, 401 S. Carson Street, Carson City, Nevada 89701-4947

TO THE MEMBERS OF THE NEVADA STATE ASSEMBLY:

The Constitution of the State, in Article V, Section 9, provides that the Governor may on extraordinary occasions convene a Special Session of the Legislature by proclamation.

I am presenting this letter to set forth the purposes for which this Special Session of the Nevada Legislature has been convened. This Special Session has been convened to allow the Legislature to approve the redistricting plans required by law for the State of Nevada and to reconsider the matters within the legislation approved during the Seventy-First Session of the Nevada Legislature between 12:00 a.m. and 1:00 a.m., on June 5, 2001. During the Special Session, the Legislature may consider an appropriation to pay for the cost of the Special Session and any other matters brought to the attention of the Legislature by the Governor.

Section 9 of Article V of the Constitution also allows the Governor, during a Special Session, to call other legislative business to the attention of the Legislature. Pursuant to this constitutional authority, I would also present for consideration during this Special Session one matter set forth

in Senate Bill 459. This bill contained an appropriation necessary for the development of a new criterion-referenced test for pupils in grade 8. This testing is mandatory and helps further the educational opportunities of our children. Therefore, I would also request that this matter be considered during the Special Session.

The Special Session should be completed in the shortest period of time and with the least possible expense to the taxpayers of Nevada. Best wishes in your deliberations.

Sincerely,
Kenny C. Guinn
Governor

MOTIONS, RESOLUTIONS AND NOTICES

By the Committee on Joint Rules:

Assembly Concurrent Resolution No. 1—Establishing the Governor's Task Force on Tax Policy in Nevada.

Assemblywoman Giunchigliani moved the adoption of the resolution.

Remarks by Assemblywoman Giunchigliani

Resolution adopted.

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

Assembly in recess at 10:33 a.m.

ASSEMBLY IN SESSION

At 11:03 a.m.

Mr. Speaker presiding.

Quorum present.

A committee from the Senate composed of Senators O'Connell, Rhoads and Schneider appeared before the bar of the Assembly and announced that the Senate was organized and ready for business.

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblyman Perkins:

Assembly Resolution No. 1—Providing for the appointment of attachés.

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, That the following persons are elected as attaches of the Assembly for the 17th Special Session of the Legislature of the State of Nevada: Patricia R. Williams, Lucinda Benjamin, Matthew Baker, Diane Keetch, Mary Matheus, Jason Hataway, Terry Sullivan and Lucas Watson.

Assemblywoman Buckley moved the adoption of the resolution.

Remarks by Assemblywoman Buckley.

Resolution adopted.

By Assemblyman Perkins:

Assembly Resolution No. 2—Adopting the Rules of the Assembly for the 17th Special Session of the Legislature.

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, That the following Rules of the Assembly for the 17th Special Session of the Legislature are hereby adopted:

I. APPLICABILITY

Rule No. 1. Generally

The Rules of the Assembly for the 17th Special Session of the Legislature are applicable only during the 17th Special Session of the Legislature.

II. OFFICERS AND EMPLOYEES

Duties of OFFICERS

Rule No. 2. Speaker of the Assembly.

1. *All officers of the Assembly are subordinate to the Speaker in all that relates to the prompt, efficient and correct discharge of their official duties under the Speaker's supervision.*

2. *Possessing the powers and performing the duties described in this rule, the Speaker shall:*

(a) *Take the chair at the hour to which the Assembly will be meeting, call the members to order, and upon the appearance of a quorum, proceed to business.*

(b) *Preserve order and decorum and have general direction of the chamber of the Assembly and the approaches thereto. In the event of any disturbance or disorderly conduct therein, order the same to be cleared.*

(c) *Decide all questions of order, subject to a member's right to appeal to the Assembly. On appeal from such decisions, the Speaker has the right, in the Speaker's place, to assign the reason for the decision.*

(d) *Have the right to name any member to perform the duties of the chair, but such substitution must not extend beyond one legislative day.*

(e) *When the Assembly resolves itself into Committee of the Whole, name a chairman to preside thereover and call him to the chair.*

(f) *Have the power to accredit the persons who act as representatives of the news media and assign them seats.*

(g) *Sign all bills and resolutions passed by the Legislature as provided by law.*

(h) *Sign all subpoenas issued by the Assembly.*

(i) *Receive all messages and communications from other departments of the government and announce them to the Assembly.*

(j) *Represent the Assembly, declare its will and in all things obey its commands.*

(k) *Vote on final passage of a bill or resolution, but the Speaker shall not be required to vote in ordinary legislative proceedings except where the Speaker's vote would be decisive. In all yeas and nays votes, the Speaker's name must be called last.*

3. *If a vacancy occurs in the office of Speaker, through death, resignation or disability of the Speaker, the Speaker pro Tempore shall temporarily and for the period of vacancy or disability conduct the necessary business of the Assembly.*

4. *If a permanent vacancy occurs in the office of Speaker, the Assembly shall select a new Speaker.*

III. SESSIONS AND MEETINGS

Rule No. 3. Open Meetings.

All meetings of the Assembly and the Committee of the Whole must be open to the public.

IV. DECORUM AND DEBATE

Rule No. 4. Points of Order.

If any member, in speaking or otherwise, transgresses the rules of the Assembly, the Speaker shall, or any member may, call to order, in which case the member so called to order shall immediately sit down, unless permitted to explain; and if called to order by a member, such member shall immediately state the point of order. If the point of order be sustained by the presiding officer, the member shall not be allowed to proceed; but if it be not sustained, then he shall be permitted to go on. Every such decision from the presiding officer shall be subject to an appeal to the House; but no discussion of the question of order shall be allowed unless an appeal be taken from the decision of the presiding officer.

Rule No. 5. Portable electronic communication devices.

1. A person who is within the Assembly Chambers shall not engage in a telephone conversation via the use of a portable telephone.

2. Before entering the Assembly Chambers, any person who possesses a portable electronic communication device, such as a pager or telephone, that emits an audible alert, such as a ringing or beeping sound, to signal an incoming message or call shall turn the audible alert off. A device that contains a nonaudible alert, such as a silent vibration, may be operated in a nonaudible manner within the Assembly Chambers.

V. QUORUM, VOTING, ELECTIONS

Rule No. 6. Manner of Voting.

1. The presiding officer shall declare all votes, but the yeas and nays must be taken when called for by three members present, and the names of those calling for the yeas and nays must be entered in the Journal by the Chief Clerk.

2. The presiding officer shall call for yeas and nays by a division or by a roll call, either electronic or oral.

3. When taking the yeas and nays on any question, the electronic roll call system may be used, and when so used shall have the force and effect of any roll call under these rules.

4. When taking the yeas and nays by oral roll call, the Chief Clerk shall take the names of members alphabetically, except that the Speaker's name must be called last.

5. The electronic roll call system may be used to determine the presence of a quorum.

6. The yeas and nays must not be taken with the electronic roll call system until all members present are at their desks. The presiding officer may vote at the rostrum.

7. Only a member who is physically present within the Assembly Chambers may cast a vote in the Assembly.

8. A member shall not vote for another member on any roll call, either electronic or oral. Any member who votes for another member may be punished in any manner deemed appropriate by the Assembly.

Rule No. 7. Announcement of the Vote.

1. A member may change his vote at any time before the announcement of the vote if the voting is by voice, or at any time before the votes are electronically recorded if the voting is conducted electronically.

2. The announcement of the result of any vote shall not be postponed.

Rule No. 8. Voting by Division.

Upon a division and count of the Assembly on any question, no person without the bar shall be counted.

VI. LEGISLATIVE BODIES

Rule No. 9. Committee of the Whole.

1. All bills and resolutions may be referred to the Committee of the Whole.

2. At any stage in the proceedings of the Committee of the Whole, a member of the committee may speak only once on the question under consideration, for a period of not more than 10 minutes, unless he is granted leave of the chairman to speak more than once. If a member is granted leave to speak more than once, the chairman may limit the length of time that member may speak.

3. All amendments proposed by the Committee of the Whole must first be approved by a majority of the members of the Senate and a majority of the members of the Assembly appointed to the Joint Rules Committee for the 17th Special Session of the Legislature.

VII. RULES GOVERNING MOTIONS

Rule No. 10. Entertaining.

No motion may be debated until it is distinctly announced by the presiding officer. If desired by the presiding officer or any member, the motion must be reduced to writing and be read by

the Chief Clerk before the motion is debated. A motion may be withdrawn by the maker at any time before amendment or before the motion is put to vote.

PARTICULAR MOTIONS

Rule No. 11. Indefinite Postponement.

When a question is postponed indefinitely, the same question must not be considered again during the special session and the question is not subject to a motion for reconsideration.

Rule No. 12. To Strike Enacting Clause.

A motion to strike out the enacting clause of a bill or resolution does not take precedence over any other subsidiary motion. If the motion is carried, it shall be considered equivalent to the rejection of such bill or resolution.

Rule No. 13. Division of Question.

Any member may call for a division of the question, which shall be divided, if it comprehends propositions in substance so distinct that, one being taken away, a substantive proposition shall remain for the decision of the Assembly. A motion to strike out being lost shall preclude neither amendment nor a motion to strike out and insert. A motion to strike out and insert shall be deemed indivisible.

Rule No. 14. To Reconsider.

No motion to reconsider a vote is in order.

VIII. DEBATE

Rule No. 15. Speaking on Question.

No member shall speak more than twice during the consideration of any one question, on the same day, and at the same stage of proceedings, without leave. Members who have once spoken shall not again be entitled to the floor (except for explanation) to the exclusion of others who have not spoken.

Rule No. 16. Previous Question.

The previous question shall be put only when demanded by three members. The previous question shall not be moved by the member last speaking on the question.

Rule No. 17. Privilege of Closing Debate.

The author of a bill, a resolution or a main question shall have the privilege of closing the debate, unless the previous question has been sustained.

IX. CONDUCT OF BUSINESS

A. RULES AND PROCEDURE

Rule No. 18. Mason's Manual.

The rules of parliamentary practice contained in Mason's Manual of Legislative Procedure shall govern the Assembly in all cases in which they are applicable and in which they are not inconsistent with the Rules and orders of the Assembly for the 17th Special Session of the Legislature, and the Joint Rules of the Senate and Assembly for the 17th Special Session of the Legislature.

Rule No. 19. Rescission, Change or Suspension of Rule.

No rule or order of the Assembly for the 17th Special Session of the Legislature shall be rescinded or changed without a vote of two-thirds of the members elected, and one day's notice being given of the motion therefor; but a rule or order may be suspended temporarily by a vote of two-thirds of the members present.

Rule No. 20. Privilege of the Floor and Lobbying.

No person, except Senators, former Assemblymen and state officers, may be admitted at the bar of the Assembly, except by special invitation on the part of some member; but a majority may authorize the Speaker to have the Assembly cleared of all such persons. No person may do

any lobbying upon the floor of the Assembly at any time, and it is the duty of the Sergeant at Arms to remove any person violating any of the provisions of this rule.

Rule No. 21. Material Placed on Legislators' Desks.

All papers, letters, notes, pamphlets and other written material placed upon an Assemblyman's desk shall contain the signature of the Legislator requesting the placement of such material on the desk or shall contain a designation of the origin of such material. This rule does not apply to books containing the legislative bills and resolutions, the legislative daily histories, the legislative daily journals or Legislative Counsel Bureau material.

Rule No. 22. Peddling, Begging and Soliciting.

1. Peddling, begging and soliciting are strictly forbidden in the Assembly Chamber, and in the lobby, gallery and halls adjacent thereto.

2. No part of the Assembly Chamber may be used for, or occupied by signs or other devices for any kind of advertising.

3. No part of the hallways adjacent to the Assembly Chambers may be used for or occupied by signs or other devices for any kind of advertising for commercial or personal gain. Notices for nonprofit, nonpartisan, civic or special legislative events may be posted in a designated area of the hallways adjacent to the Assembly Chambers with the approval of the Chief Clerk.

Rule No. 23. Petitions and Memorials.

Petitions, memorials and other papers addressed to the Assembly, shall be presented by the Speaker, or by a member in the Speaker's place. A brief statement of the contents thereof shall be made by the introducer. They shall not be debated on the day of their being presented, but shall be on the table, or be referred, as the Assembly shall determine.

Rule No. 24. Request of Purpose.

A member may request the purpose of a bill or joint resolution upon its introduction.

Rule No. 25. Remarks.

It shall be in order for members to make remarks and to have such remarks entered in the Journal.

Rule No. 26. Precedence of Parliamentary Authority.

The precedence of parliamentary authority in the Assembly is:

- 1. The Constitution of the State of Nevada.*
- 2. The Statutes of the State of Nevada.*
- 3. The Rules of the Assembly for the 17th Special Session of the Legislature and the Joint Rules of the Senate and Assembly for the 17th Special Session of the Legislature.*
- 4. Mason's Manual of Legislative Procedure.*

Rule No. 27. Privileged Questions.

Privileged questions have precedence of all others in the following order:

- 1. Motions to fix the time to which the Assembly shall adjourn.*
- 2. Motions to adjourn.*
- 3. Questions relating to the rights and privileges of the Assembly or any of its members.*
- 4. A call of the House.*
- 5. Motions for special orders.*

B. BILLS

Rule No. 28. Substitute Bills.

A substitute bill shall be deemed and held to be an amendment, and treated in all respects as such. However, a substitute bill may be amended after its adoption, in the same manner as if it were an original bill.

Rule No. 29. Skeleton Bills.

The introduction of skeleton bills is not authorized.

Rule No. 30. Reading of Bills.

The presiding officer shall announce at each reading of a bill whether it be the first, second or third reading. The first reading of a bill shall be for information. If there is objection, the question shall be, "Shall the bill be rejected?" If the question to reject fails to receive a majority vote by the members present, or if there is no objection, the bill shall take the proper course. No bill shall be referred to the Committee of the Whole until after the first reading, nor amended until after the second reading.

Rule No. 31. Second Reading and Amendment of Bills.

1. All bills must be read the second time after which they are reported by the Committee of the Whole. Upon second reading, Assembly bills reported without amendments shall be placed on the General File and Senate bills reported without amendments shall be placed on the General File. Amendments proposed by the Committee of the Whole and reported with bills shall be considered upon their second reading, and such amendments may be adopted by a majority vote of the members present. Any amendment which is numbered, copied and made available to all members must be moved and voted upon by number unless any member moves that it be read in full. Assembly bills so amended must be reprinted, engrossed, and placed on the General File. Senate bills so amended must be reprinted, then engrossed or reengrossed, as applicable, and placed on the General File.

2. Any member may move to amend a bill during its second or third reading if the amendment is first approved by a majority of the members of the Senate and a majority of the members of the Assembly appointed to the Joint Rules Committee for the 17th Special Session of the Legislature, and such a motion to amend may be adopted by a majority vote of the members present. Bills so amended on second reading must be treated the same as bills with amendments proposed by the Committee of the Whole. Any bill so amended upon the General File must be reprinted and then engrossed or reengrossed, as applicable.

3. The reprinting of amended bills may be dispensed with only in accordance with the provisions of law.

Rule No. 32. Consent Calendar.

1. The Committee of the Whole 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.

2. The Chief Clerk shall maintain a list of bills recommended for the consent calendar. The list must be printed in the daily history and must include the summary of each bill, and the date the bill is scheduled for consideration on final passage.

3. 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 requests the removal of a particular bill from the consent calendar. If a member so requests, 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 may not be restored to that calendar.

4. During floor consideration of the consent calendar, members may ask questions and offer explanations relating to the respective bills.

5. When the consent calendar is brought to a vote, the bills remaining on the consent calendar must be read by number and summary and the vote must be taken on their final passage as a group.

Rule No. 33. General File.

All bills reported to the Assembly, after receiving their second readings must be placed upon a General File, to be kept by the Chief Clerk. Bills must be taken from the General File and acted upon in the order in which they were reported, unless otherwise specially ordered by the Assembly. But engrossed bills shall be placed at the head of the file, in the order in which they are received. The Chief Clerk shall post a daily statement of the bills on the General File, setting forth the order in which they are filed, and specifying the alterations arising from the disposal of business each day. The Chief Clerk shall likewise post notices of special orders as made.

C. RESOLUTIONS

Rule No. 34. Treated as Bills—Joint Resolutions.

The procedure of enacting joint resolutions must be identical to that of enacting bills. However, joint resolutions proposing amendments to the Constitution must be entered in the Journal in their entirety.

D. ORDER OF BUSINESS

Rule No. 35. Order of Business.

The Order of Business must be as follows:

- 1. Call to Order.*
- 2. Reading and Approval of Journal.*
- 3. Presentation of Petitions.*
- 4. Reports of the Committee of the Whole.*
- 5. [Reserved.]*
- 6. Communications.*
- 7. Messages from the Senate.*
- 8. Motions, Resolutions and Notices.*
- 9. Introduction, First Reading and Reference.*
- 10. Consent Calendar.*
- 11. Second Reading and Amendment.*
- 12. General File and Third Reading.*
- 13. Unfinished Business of Preceding Day.*
- 14. Special Orders of the Day.*
- 15. Remarks from the Floor, limited to 10 minutes.*

X. MISCELLANEOUS

Rule No. 36. Use of the Assembly Chamber.

The Assembly Chamber shall not be used for any public or private business other than legislative, except by permission of the Assembly.

Assemblyman Parks moved the adoption of the resolution.

Remarks by Assemblyman Parks.

Resolution adopted.

By Assemblyman Perkins:

Assembly Resolution No. 3—Providing that no allowances will be paid for the 17th Special Session of the Legislature for periodicals, stamps, stationery or communications.

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, That for the 17th Special Session of the Legislature of the State of Nevada, no allowances will be paid for members of the Assembly for periodicals, stamps, stationery or the use of telephones, and that no allowances will be paid for the Speaker, Speaker Pro Tempore, Majority Leader, Minority Leader or chairman of a committee of the Assembly for postage, telephone tolls or other charges for communications.

Assemblyman Parks moved the adoption of the resolution.

Remarks by Assemblyman Parks.

Resolution adopted.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Joint Rules:

Assembly Bill No. 1—AN ACT relating to the protection of children; transferring certain duties of the division of child and family services of the department of human resources to an agency of the county in certain large counties; establishing a legislative committee on children, youth and families; making appropriations; and providing other matters properly relating thereto.

Assemblywoman Buckley moved that the bill be referred to the Committee on Committee of the Whole.

Motion carried.

By the Committee on Joint Rules:

Assembly Bill No. 2—AN ACT relating to public employees; authorizing a leave of absence for certain public officers and employees to assist the division of emergency management of the department of motor vehicles and public safety or a local organization for emergency management during a disaster or emergency; authorizing payment for the unused sick leave of state employees that is accrued but not carried forward in certain circumstances; increasing the maximum authorized amount of money from the reserve for statutory contingency account that the state board of examiners may authorize for payment of the salary of a replacement officer or employee following the purchase of certain leave of a former officer or employee; and providing other matters properly relating thereto.

Assemblywoman Buckley moved that the bill be referred to the Committee on Committee of the Whole.

Motion carried.

By the Committee on Joint Rules:

Assembly Bill No. 3—AN ACT relating to real property; requiring an affidavit in support of an action concerning constructional defects against a design professional; and providing other matters properly relating thereto.

Assemblywoman Buckley moved that the bill be referred to the Committee on Committee of the Whole.

Motion carried.

By the Committee on Joint Rules:

Assembly Bill No. 4—AN ACT relating to the judiciary; establishing a judicial retirement system for certain justices of the supreme court and district court judges; providing a penalty; and providing other matters properly relating thereto.

Assemblywoman Buckley moved that the bill be referred to the Committee on Committee of the Whole.

Motion carried.

By the Committee on Joint Rules:

Assembly Bill No. 5—AN ACT relating to energy; authorizing certain eligible customers to purchase electrical energy, capacity and certain ancillary services from providers of new electric resources; establishing the universal energy charge to fund low-income energy assistance and conservation; requiring certain retail customers to pay the universal energy charge; requiring certain public utilities and municipal utilities to perform certain functions related to the universal energy charge; creating the fund for energy assistance and conservation and setting forth the criteria to determine the eligibility of a household to receive assistance from money in the fund; authorizing certain agencies to render emergency assistance to households in certain circumstances; revising and repealing various provisions concerning the regulation of public utilities and the process of establishing and changing rates; expanding the public utilities commission of Nevada from three to five members; revising the authority of the commission to regulate mergers, acquisitions and certain other transactions involving public utilities and other entities; making various changes with respect to net metering; authorizing the director of the department of business and industry to issue industrial development revenue bonds for certain renewable energy generation projects; creating the task force for renewable energy and energy conservation and prescribing its membership and duties; creating the trust fund for renewable energy and energy conservation; creating the office of energy within the office of the governor; transferring control of the Nevada state energy office from the director of the department of business and industry to the office of energy within the office of the governor; requiring certain lodging establishments to include certain information concerning energy costs on their statement of rates; and providing other matters properly relating thereto.

Assemblywoman Buckley moved that the bill be referred to the Committee on Committee of the Whole.

Motion carried.

By the Committee on Joint Rules:

Assembly Bill No. 6—AN ACT relating to public highways; directing the Department of Transportation, Clark County and the City of Las Vegas to conduct certain assessments concerning the need for the abatement of traffic noise; and providing other matters properly relating thereto.

Assemblywoman Buckley moved that the bill be referred to the Committee on Committee of the Whole.

Motion carried.

By the Committee on Joint Rules:

Assembly Bill No. 7—AN ACT relating to transportation; revising provisions governing the remittance of fees by short-term lessors of passenger cars to the department of taxation; authorizing short-term lessors of passenger cars to charge a fee as reimbursement for payment of vehicle licensing fees and taxes; and providing other matters properly relating thereto.

Assemblywoman Buckley moved that the bill be referred to the Committee on Committee of the Whole.

Motion carried.

By the Committee on Joint Rules:

Assembly Bill No. 8—AN ACT relating to elections; requiring the secretary of state and each city clerk to design the form to be used by a candidate for reporting in kind campaign contributions and expenses; removing the requirement that campaign expenses under a certain amount be separately listed on forms for reporting; revising provisions governing the listing of certain categories of campaign expenses and expenditures; and providing other matters properly relating thereto.

Assemblywoman Buckley moved that the bill be referred to the Committee on Committee of the Whole.

Motion carried.

By the Committee on Joint Rules:

Assembly Bill No. 9—AN ACT relating to natural resources; directing the submission to a vote of the people of a proposal to issue state general obligation bonds to protect, preserve and obtain the benefits of the property and natural resources of this state; providing for the use of the proceeds if the issue is approved; creating the fund to protect natural resources; and providing other matters properly relating thereto.

Assemblywoman Buckley moved that the bill be referred to the Committee on Committee of the Whole.

Motion carried.

By the Committee on Joint Rules:

Assembly Bill No. 10—AN ACT relating to taxation; revising the formula for the distribution of certain revenues among local governments; providing for an adjustment to the base allocation of certain local governments; extending the date for expiration of the legislative committee to study distribution among local governments of revenue from state and local taxes; requiring the advisory committee to the committee to conduct a study; and providing other matters properly relating thereto.

Assemblywoman Buckley moved that the bill be referred to the Committee on Committee of the Whole.

Motion carried.

By the Committee on Joint Rules:

Assembly Bill No. 11—AN ACT relating to Nevada Revised Statutes; making technical corrections to inappropriate or inaccurate provisions; clarifying ambiguous provisions; and providing other matters properly relating thereto.

Assemblywoman Buckley moved that the bill be referred to the Committee on Committee of the Whole.

Motion carried.

By the Committee on Joint Rules:

Assembly Bill No. 12—AN ACT relating to liquor; authorizing a transfer of liquor between certain affiliated retailers; providing for the enforcement of certain provisions of chapter 369 of NRS; providing a civil penalty; and providing other matters properly relating thereto.

Assemblywoman Buckley moved that the bill be referred to the Committee on Committee of the Whole.

Motion carried.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, June 14, 2001

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 1.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

By the Committee on Joint Rules:

Assembly Concurrent Resolution No. 2—Directing the Legislative Commission to conduct an interim study concerning misdemeanors.

Assemblywoman Giunchigliani moved the adoption of the resolution.

Remarks by Assemblywoman Giunchigliani.

Resolution adopted.

By the Committee on Joint Rules:

Assembly Concurrent Resolution No. 3—Directing the Legislative Commission to conduct an interim study of issues regarding the death penalty and related DNA testing.

Assemblyman Anderson moved the adoption of the resolution.

Remarks by Assemblyman Anderson.

Resolution adopted.

By the Committee on Joint Rules:

Assembly Joint Resolution No. 1—Proposing to amend the Constitution of the State of Nevada to provide a citizens' commission to establish the salaries of certain elected officers, to remove the requirement that the system for county and township government be uniform, to remove the requirement that the Legislature fix the compensation of certain county officers, to authorize

the Legislature to provide for the appointment of certain county officers and to require each board of county commissioners to determine the salaries of certain county officers in its respective county.

RESOLVED BY THE ASSEMBLY AND SENATE OF THE STATE OF NEVADA, JOINTLY, That a new section be added to article 4, and sections 25, 26, 32 and 33 of article 4 of the Constitution of the State of Nevada be amended to read respectively as follows:

Sec. 33A. 1. The legislature shall provide by law for a citizens' commission on salaries for certain elected officers.

2. The commission must consist of seven members who have diverse personal and professional interests and reside in various geographical areas of this state of which:

(a) Five members are appointed jointly by the speaker of the assembly and the majority leader of the senate; and

(b) Two members are appointed by the governor.

3. Each member of the commission must be a resident of this state and must not be a state officer, public employee or lobbyist, or a parent, spouse, sibling, child or dependent relative of a state officer, public employee or lobbyist.

4. Except as otherwise provided in this section, the term of office of each member of the commission is 4 years. The speaker of the assembly and the majority leader of the senate shall jointly appoint two of the members first appointed for an initial term of 2 years. The governor shall appoint one of the members first appointed for an initial term of 2 years. If a vacancy occurs, the appointing authority shall fill the vacancy for the unexpired term in the same manner as the original appointment, within 30 days after the vacancy occurs. A member of the commission may not serve more than two terms.

5. An appointing authority may remove a member of the commission only for cause of incapacity, incompetence, neglect of duty, malfeasance in office or failure to meet a qualification set forth in subsection 3.

6. The commission shall elect a chairman from among its members. Except as otherwise provided in this section, the commission shall adopt rules of procedure for the conduct of its hearings and any other procedural rules it deems necessary to carry out its duties. The affirmative vote of a majority of all the members appointed to the commission is required to take action.

7. Members of the commission are entitled to:

(a) The compensation provided by law for members of the commission on judicial discipline who are not judicial officers; and

(b) The per diem allowance and travel expenses provided by law for state officers and employees generally.

8. The commission shall:

(a) Study the relationship of salaries to the duties of the members of the legislature, the governor, lieutenant governor, secretary of state, state treasurer, state controller, attorney general, justices of the supreme court and judges of the district courts;

(b) Compare the salaries of the elected officers set forth in paragraph (a) to the salaries of persons who are employed by a public or private employer and who have similar qualifications as those elected officers;

(c) Fix the salaries of the elected officers set forth in paragraph (a); and

(d) Carry out any duties provided by the legislature.

9. The commission may increase, but not diminish, the salary of an elected officer set forth in paragraph (a) of subsection 8 during his term of office. The commission may exercise any powers conferred by the legislature.

10. The commission shall file its initial schedule of salaries for the elected officers with the secretary of state not later than January 1, 2005, and shall file a schedule of salaries not later than January 1 of each odd-numbered year thereafter. Each schedule of salaries is effective for the period from the July 1 immediately following the January 1 that the schedule is due through the June 30 of the next odd-numbered year. The legislature shall provide by law for setting apart from each year's revenues a sufficient amount of money to pay such salaries.

11. *Before the commission may file a schedule of salaries with the secretary of state, the commission shall hold at least four meetings to receive public testimony on the schedule. At the last public hearing before the schedule is filed with the secretary of state, the commission shall adopt the schedule as originally proposed or as amended. All meetings of the commission are subject to the provisions of any open meeting laws made applicable generally to other public bodies.*

12. *The legislative counsel bureau shall include in the Nevada Revised Statutes a copy of the most recent schedule of salaries established by the commission and filed with the secretary of state.*

Sec. 25. The Legislature shall establish a system of County and Township Government . ~~[which shall be uniform throughout the State.]~~

Sec. 26. The Legislature shall provide by law, for the election of a Board of County Commissioners in each County, and such County Commissioners shall jointly and individually perform such duties as may be prescribed by law. *The compensation of the members of the Board of County Commissioners of each County must be fixed by the Board of County Commissioners in each respective County.*

Sec. 32. The Legislature shall have power to increase, diminish, consolidate or abolish the following county officers: County Clerks, County Recorders, Auditors, Sheriffs, District Attorneys and Public Administrators. The Legislature shall provide for their election by the people ~~[]~~ or their appointment and fix by law their duties . ~~[and compensation.]~~ *The Board of County Commissioners of each county shall determine the compensation of those county officers in its respective county.* County Clerks shall be ex-officio Clerks of the Courts of Record and of the Boards of County Commissioners in and for their respective counties.

~~[Sec.]~~ Sec. 33. The members of the Legislature shall receive for their services, a compensation to be fixed by ~~[law]~~ *the citizens' commission on salaries for certain elected officers pursuant to section 33A of this article* and paid out of the public treasury, for ~~[not to exceed 60 days]~~ *each calendar day of service* 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 take effect during the term for which the members of either house shall have been elected. Provided, that an]~~ *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.*

And be it further

RESOLVED, That section 15 of article 6 of the Constitution of the State of Nevada be amended to read as follows:

Sec. 15. The Justices of the Supreme Court and District Judges shall each receive for their services a compensation to be fixed by ~~[law]~~ *the citizens' commission on salaries for certain elected officers pursuant to section 33A of article 4* and paid in the manner provided by law . ~~[; which shall not be increased during the term for which they shall have been elected, unless]~~ *If a Vacancy occurs, [in which case] the successor of the former incumbent shall receive [only such salary as may be] the salary provided for that office by [law] the citizens' commission on salaries for certain elected officers at the time of his election or appointment . [; and provision shall be made by law for setting apart from each year's revenue a sufficient amount of Money, to pay such compensation.]*

And be it further

RESOLVED, That section 9 of article 15 of the Constitution of the State of Nevada be repealed.

TEXT OF REPEALED SECTION

Sec. 9. Increase or decrease of compensation of officers whose compensation fixed by constitution. The Legislature may, at any time, provide by law for increasing or diminishing the salaries or compensation of any of the Officers, whose salaries or compensation is fixed in

this Constitution; Provided, no such change of Salary or compensation shall apply to any Officer during the term for which he may have been elected.

Assemblywoman Buckley moved that the resolution be referred to the Committee on Committee of the Whole.

Motion carried.

Senate Concurrent Resolution No. 1.

Assemblywoman Giunchigliani moved the adoption of the resolution.

Remarks by Assemblywoman Giunchigliani.

Resolution adopted.

Mr. Speaker announced the appointment of Assemblymen Perkins, Buckley and Hettrick to the Joint Rules Committee.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, June 14, 2001

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.

Assemblywoman Buckley moved that all rules be suspended, reading so far had considered second reading, rules further suspended, Senate Bill No. 1 considered engrossed, declared an emergency measure under the Constitution and placed on third reading and final passage.

Remarks by Assemblywoman Buckley.

Motion carried unanimously.

GENERAL FILE AND THIRD READING

Senate Bill No. 1.

Bill read third time.

Roll call on Senate Bill No. 1:

YEAS—41.

NAYS—None.

Excused—Arberry.

Senate Bill No. 1 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

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

Assembly in recess at 11:18 a.m.

ASSEMBLY IN SESSION

At 12:08 p.m.

Mr. Speaker presiding.

Quorum present.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, June 14, 2001

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Senate Bills Nos. 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13; Senate Joint Resolution No. 1.

MARY JO MONGELLI

Assistant Secretary of the Senate

INTRODUCTION, FIRST READING AND REFERENCE

Senate Bill No. 2.

Assemblywoman Buckley moved that the bill be referred to the Committee on Committee of the Whole.

Motion carried.

Senate Bill No. 3.

Assemblywoman Buckley moved that the bill be referred to the Committee on Committee of the Whole.

Motion carried.

Senate Bill No. 4.

Assemblywoman Buckley moved that the bill be referred to the Committee on Committee of the Whole.

Motion carried.

Senate Bill No. 5.

Assemblywoman Buckley moved that the bill be referred to the Committee on Committee of the Whole.

Motion carried.

Senate Bill No. 6.

Assemblywoman Buckley moved that the bill be referred to the Committee on Committee of the Whole.

Motion carried.

Senate Bill No. 7.

Assemblywoman Buckley moved that the bill be referred to the Committee on Committee of the Whole.

Motion carried.

Senate Bill No. 8.

Assemblywoman Buckley moved that the bill be referred to the Committee on Committee of the Whole.

Motion carried.

Senate Bill No. 9.

Assemblywoman Buckley moved that the bill be referred to the Committee on Committee of the Whole.

Motion carried.

Senate Bill No. 10.

Assemblywoman Buckley moved that the bill be referred to the Committee on Committee of the Whole.

Motion carried.

Senate Bill No. 11.

Assemblywoman Buckley moved that the bill be referred to the Committee on Committee of the Whole.

Motion carried.

Senate Bill No. 12.

Assemblywoman Buckley moved that the bill be referred to the Committee on Committee of the Whole.

Motion carried.

Senate Bill No. 13.

Assemblywoman Buckley moved that the bill be referred to the Committee on Committee of the Whole.

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

Senate Joint Resolution No. 1.

Assemblywoman Buckley moved that the resolution be referred to the Committee on Committee of the Whole.

Motion carried.

Assemblywoman Buckley moved that the Assembly resolve itself into a Committee of the Whole for the purpose of considering Assembly Bills Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12; Assembly Joint Resolution No. 1; Senate Bills Nos. 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 and Senate Joint Resolution No. 1, with Assemblyman Perkins as Chairman of the Committee of the Whole.

Motion carried.

Assemblywoman Buckley moved that the action whereby Senate Bills Nos. 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 and Senate Joint Resolution No. 1 were referred to the Committee of the Whole be rescinded.

Motion carried.

IN COMMITTEE OF THE WHOLE

Assemblyman Perkins presiding.

Assembly Bill No. 1 considered.

Remarks by Assemblywoman Buckley.

Assembly Bill No. 2 considered.

Remarks by Assemblyman de Braga.

Assembly Bill No. 3 considered.

Remarks by Assemblyman Anderson.

Assembly Bill No. 4 considered.

Remarks by Assemblyman Hettrick.

Assembly Bill No. 5 considered.

Remarks by Assemblymen Bache and Perkins.

Assembly Bill No. 6 considered.

Remarks by Assemblywoman McClain.

Assembly Bill No. 7 considered.

Remarks by Assemblyman Parks.

Assembly Bill No. 8 considered.

Remarks by Assemblyman Beers.

Assembly Bill No. 9 considered.

Remarks by Assemblywoman Giunchigliani.

Assembly Bill No. 10 considered.

Remarks by Assemblyman Goldwater.

Assembly Bill No. 11 considered.

Remarks by Assemblyman Anderson.

Assembly Bill No. 12 considered.

Remarks by Assemblyman Goldwater.

Assembly Joint Resolution No. 1 considered.

Remarks by Assemblywoman Giunchigliani.

On motion of Assemblywoman Buckley, the committee did rise and report back to the Assembly.

ASSEMBLY IN SESSION

At 12:36 p.m.

Mr. Speaker presiding.

Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Committee of the Whole, to which were referred Assembly Bills Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11; Assembly Joint Resolution No. 1, has had the same under consideration, and begs leave to report the same back with the recommendation: Without recommendation.

RICHARD D. PERKINS, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblywoman Buckley moved that all rules be suspended and that Assembly Bills Nos. 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 and Assembly Joint Resolution No. 1 be declared an emergency measure under the Constitution and placed on third reading and final passage.

Motion carried unanimously.

Assemblywoman Buckley moved that the reading of histories on all Bills and Resolutions on the General File be dispensed with for this legislative day.

Motion carried.

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

Assembly in recess at 12:37 p.m.

ASSEMBLY IN SESSION

At 1:40 p.m.

Mr. Speaker presiding.

Quorum present.

Assemblywoman Buckley moved that Assembly Bills Nos. 5 and 7 be taken from their position on the General File and placed at the bottom of General File.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 1.

Bill read third time.

Remarks by Assemblyman Buckley.

Roll call on Assembly Bill No. 1:

YEAS—41.

NAYS—None.

EXCUSED—Arberry.

Assembly Bill No. 1 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2.

Bill read third time.

Remarks by Assemblymen de Braga and Koivisto.

Potential conflict of interest declared by Assemblywoman Koivisto.

Roll call on Assembly Bill No. 2:

YEAS—41.

NAYS—None.

EXCUSED—Arberry.

Assembly Bill No. 2 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 Assemblymen Anderson and Carpenter.

Roll call on Assembly Bill No. 3:

YEAS—41.

NAYS—None.

EXCUSED—Arberry.

Assembly Bill No. 3 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 4.

Bill read third time.

Remarks by Assemblyman Hettrick.

Roll call on Assembly Bill No. 4:

YEAS—41.

NAYS—None.

EXCUSED—Arberry.

Assembly Bill No. 4 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 6.

Bill read third time.

Remarks by Assemblyman McClain.

Roll call on Assembly Bill No. 6:

YEAS—41.

NAYS—None.

EXCUSED—Arberry.

Assembly Bill No. 6 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 8.

Bill read third time.

Remarks by Assemblyman Beers.

Roll call on Assembly Bill No. 8:

YEAS—41.

NAYS—None.

EXCUSED—Arberry.

Assembly Bill No. 8 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 9.

Bill read third time.

Roll call on Assembly Bill No. 9:

YEAS—38.

NAYS—Angle, Gustavson—2.

NOT VOTING—Goldwater.

EXCUSED—Arberry.

Assembly Bill No. 9 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 10.

Bill read third time.

Roll call on Assembly Bill No. 10:

YEAS—37.

NAYS—Angle, Beers, Collins, Gustavson—4.

EXCUSED—Arberry.

Assembly Bill No. 10 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 11.

Bill read third time.

Roll call on Assembly Bill No. 11:

YEAS—41.

NAYS—None.

EXCUSED—Arberry.

Assembly Bill No. 11 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 12.

Bill read third time.

Remarks by Assemblyman Goldwater.

Assemblyman Goldwater requested that his Letter of Intent be entered in the Journal.

Assembly Bill 12 will allow a non-restricted casino licensee to transfer liquor to an affiliated, or sister, casino property. The bill still requires that the initial purchase of liquor be made from a liquor wholesaler, but allows transfers of liquor between sister properties after the initial purchase is made from the wholesaler. The bill further restricts the transfers of liquor to the same marketing area as that of the wholesaler from whom the liquor was originally purchased and requires that the transferring entity not act as a wholesaler by charging for the transfer.

The bill allows casinos, in certain circumstances, to transfer liquor without the use of a wholesaler. This does not allow casino companies to bypass a liquor wholesaler as the initial purchase was made through a wholesaler as required by current law. Under the provisions of this bill, the casinos can physically transport the liquor from one affiliated casino to another by whatever means they deem appropriate, with the transaction being appropriately reflected on the books of either the parent corporation and/or the individual affiliated casinos. While the casinos are prohibited from charging for the transfer, this is not intended to express or imply that casino affiliates are prohibited from reconciling accounts between the transferring and receiving

casinos, including showing of the purchase of liquor by the receiving entity from the transferring entity, in accordance with standard accounting practices.

The bill allows the transfer of liquor only, not beer.

Roll call on Assembly Bill No. 12:

YEAS—40.

NAYS—Anderson.

EXCUSED—Arberry.

Assembly Bill No. 12 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Joint Resolution No. 1.

Resolution read third time.

Roll call on Assembly Joint Resolution No. 1:

YEAS—41.

NAYS—None.

EXCUSED—Arberry.

Assembly Joint Resolution No. 1 having received a constitutional majority, Mr. Speaker declared it passed.

Resolution ordered transmitted to the Senate.

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

Assembly in recess at 1:59 p.m.

ASSEMBLY IN SESSION

At 3:04 p.m.

Mr. Speaker presiding.

Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblywoman Buckley moved that all rules be suspended, reading so far had considered second reading, rules further suspended, Senate Bills Nos. 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 and Senate Joint Resolution No. 1 considered engrossed, declared an emergency measure under the Constitution and placed at the top of third reading and final passage.

Remarks by Assemblywoman Buckley.

Motion carried unanimously.

GENERAL FILE AND THIRD READING

Senate Bill No. 2.

Bill read third time.

Remarks by Assemblymen Marvel, Giunchigliani, and Chowning.

Roll call on Senate Bill No. 2:

YEAS—8.

NAYS—Anderson, Angle, Bache, Beers, Brown, Buckley, Carpenter, Chowning, Claborn, Collins, de Braga, Freeman, Giunchigliani, Goldwater, Gustavson, Humke, Koivisto, Lee, Leslie, Manendo, Marvel, McClain, Mortenson, Neighbors, Nolan, Ohrenschall, Parks, Parnell, Price, Smith, Tiffany, Von Tobel, Williams—33.

EXCUSED—Arberry.

Senate Bill No. 2 having failed to receive a constitutional majority, Mr. Speaker declared it lost.

Senate Bill No. 3.

Bill read third time.

Remarks by Assemblymen Giunchigliani and Hettrick.

Roll call on Senate Bill No. 3:

YEAS—41.

NAYS—None.

EXCUSED—Arberry.

Senate Bill No. 3 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 Anderson.

Roll call on Senate Bill No. 4:

YEAS—41.

NAYS—None.

EXCUSED—Arberry.

Senate Bill No. 4 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 5.

Bill read third time.

Remarks by Assemblymen Chowning, Mortenson, Brower and Gustavson.

Roll call on Senate Bill No. 5:

YEAS—39.

NAYS—Angle, Gustavson—2.

EXCUSED—Arberry.

Senate Bill No. 5 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 6.

Bill read third time.

Remarks by Assemblywomen Leslie and Freeman.

Roll call on Senate Bill No. 6:

YEAS—39.

NAYS—Angle, Gustavson—2.

EXCUSED—Arberry.

Senate Bill No. 6 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 7.

Bill read third time.

Roll call on Senate Bill No. 7:

YEAS—41.

NAYS—None.

EXCUSED—Arberry.

Senate Bill No. 7 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 8.

Bill read third time.

Roll call on Senate Bill No. 8:

YEAS—41.

NAYS—None.

EXCUSED—Arberry.

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.

Roll call on Senate Bill No. 9:

YEAS—41.

NAYS—None.

EXCUSED—Arberry.

Senate Bill No. 9 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 10.

Bill read third time.

Remarks by Assemblywoman Angle.

Roll call on Senate Bill No. 10:

YEAS—41.

NAYS—None.

EXCUSED—Arberry.

Senate Bill No. 10 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblywoman Buckley moved that Senate Bill No. 11 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. 12.

Bill read third time.

Remarks by Assemblymen Humke and Goldwater.

Roll call on Senate Bill No. 12:

YEAS—25.

NAYS—Bache, Buckley, Chowning, de Braga, Dini, Goldwater, Koivisto, Lee, Leslie, Manendo, Marvel, McClain, Ocegüera, Ohrenschall, Parks, Parnell—16.

EXCUSED—Arberry.

Senate Bill No. 12 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 13.

Bill read third time.

Remarks by Assemblywoman Giunchigliani.

Roll call on Senate Bill No. 13:

YEAS—41.

NAYS—None.

EXCUSED—Arberry.

Senate Bill No. 13 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Joint Resolution No. 1.

Resolution read third time.

Roll call on Senate Joint Resolution No. 1:

YEAS—41.

NAYS—None.

EXCUSED—Arberry.

Senate Joint Resolution No. 1 having received a constitutional majority, Mr. Speaker declared it passed.

Resolution ordered transmitted to the Senate.

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

Assembly in recess at 3:38 p.m.

ASSEMBLY IN SESSION

At 9:36 p.m.

Mr. Speaker presiding.

Quorum present.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, June 14, 2001

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 2, 4, 6, 8, 9, 11; Assembly Joint Resolution No. 1.

MARY JO MONGELLI

Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Assemblywoman Buckley moved that the vote whereby Senate Bill No. 2 was lost be rescinded.

Remarks by Assemblywoman Buckley.

Motion carried.

Assemblywoman Buckley moved that Senate Bill No. 2 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. 2.

Bill read third time.

Remarks by Assemblywomen Buckley and Giunchigliani.

Roll call on Senate Bill No. 2:

YEAS—24.

NAYS—Angle, Bache, Carpenter, Chowning, Collins, de Braga, Giunchigliani, Goldwater, Gustavson, Parnell, Price, Smith, Von Tobel, Williams—14.

EXCUSED—Arberry, Beers, Brower, Humke—4.

Senate Bill No. 2 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

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

Assembly in recess at 9:42 p.m.

ASSEMBLY IN SESSION

At 10:25 p.m.

Mr. Speaker presiding.

Quorum present.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, June 14, 2001

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 1, 3, 10, 12; Senate Bill No. 14.

Also, I have the honor to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolutions Nos. 1, 2, 3.

MARY JO MONGELLI

Assistant Secretary of the Senate

INTRODUCTION, FIRST READING AND REFERENCE

Senate Bill No. 14.

Assemblywoman Buckley moved that all rules be suspended, reading so far had considered second reading, rules further suspended, Senate Bill No. 14 considered engrossed, declared an emergency measure under the Constitution and placed at the top of third reading and final passage.

Remarks by Assemblywoman Buckley.

Motion carried unanimously.

GENERAL FILE AND THIRD READING

Senate Bill No. 14.

Bill read third time.

Remarks by Assemblymen Giunchigliani, Bache, Hettrick, Collins, Tiffany, Humke and Chowning.

Assemblyman Price requested that the following remarks be entered in the Journal.

ASSEMBLYWOMAN GIUNCHIGLIANI:

Thank you, Mr. Speaker. Senate Bill 14 holds the line at 42-21, in order to not increase the size of government. It creates a new competitive congressional seat in the southern Nevada area, which does not contain growth or expansion. We also kept our pledge to the Hispanic community by establishing two 65 percent Hispanic seats in the Assembly, which allow for an effective voting majority. One seat is an open seat, which was also part of the pledge which was made during all of our negotiations. It was important to our leadership that the 2 incumbents allow themselves to be placed in a race against each other in order to create an open Hispanic seat. It also allows for, unfortunately, difficult decisions, by placing other incumbents against each other in order to maintain the size at 42-21.

Everyone shared in the pain. Some examples are as follows: Assemblyman Price and Arberry are in a seat together, as are Assemblywoman Chowning and Assemblyman Bache; Assemblywoman Von Tobel and Assemblyman Parks; Assemblyman Brower and Assemblywoman Angle; Assemblywoman Gibbons and Assemblyman Humke; Assemblyman Gustavson and Assemblywoman Smith. In the Senate, there are 12 Republicans and 9 Democrats. There are various concerns still, though, about these areas because of the lack of an open Hispanic seat. The Senate majority drew their maps, despite objections which were made against details contained in this bill. The State Board of Education is at ten members and the regents are at 13 members, with two open seats. I would be happy to answer any questions or wait until after there is further discussion, Mr. Speaker.

ASSEMBLYMAN BACHE:

Thank you, Mr. Speaker. I will be supporting this bill, but I'm extremely disappointed that the University Board of Regents chose to expand to 13 instead of following the example that we, as a Legislature, set in maintaining a 42-21 map. Here you currently have a group of 11 people who can't get along with each other and have a hard time reaching decisions, and yet they want to expand to 13 and have more people who can't work together. I think it would have been appropriate had they been reduced to ten and let it work like the State Board of Education. I would like to commend the State Board of Education with how they worked on developing their map for this reapportionment process. Thank you, Mr. Speaker.

ASSEMBLYMAN HETTRICK:

Thank you, Mr. Speaker. I rise in opposition to SB 14. I just got a chance to walk around and glance at this map. I've never even seen the district that I had before. It was different than any map I've ever been shown. I never even had an opportunity to discuss it with anyone. In addition to that, the understanding I have is that the open Hispanic seat on the Senate side was removed at

the request of the Senate Minority Leader, who had two members who were paired and chose to have those members separated. When they separated them, one of those members had to go into the open Hispanic seat. I believe that was a problem with the majority on the Senate side. These maps are a disservice to rural Nevada, they are a disservice, in my opinion, to all of Nevada. There is no fairness in what has been done here. We tried over and over again to make a change; you are all aware of the effort we made today to try and get some fairness into these maps. It is disappointing to me that this process comes down to this type of method, to get things done. I urge my colleagues to not support this. It is a poor way to do business.

ASSEMBLYMAN COLLINS:

Thank you, Mr. Speaker. Twenty years ago, I didn't ask the right people to change the boundaries and it didn't happen. My wife ran three times unsuccessfully for the Assembly. I ran once unsuccessfully in the 1980's. So, I thought I would ask sooner. The 1991 Session moved us to where we had an opportunity to be elected and I was elected in 1992. I am very happy to have served four terms in this legislature. For over two years, I was asking for the carving to fit a certain area—I didn't get it today. I've known all along that it would take 50 or so seats of expansion to get it.

What I really hope that every one of us takes home with us, that I hope every one of us remembers when we're running again, that we'll remember every day that this is something we do every ten years in Nevada. We need to remember, especially those who come back here, that we represent all of Nevada, whether it's urban, rural, north or south. I hope we'll have the fairness and understanding to represent all of Nevada, for everyone that comes back here. I would like to have some better lines for me and some of my cowboy friends, but I didn't get it. I'm still going to do the best I can for Nevada. I hope everyone else will too. Thank you.

ASSEMBLYWOMAN TIFFANY:

Thank you, Mr. Speaker. I rise in opposition of S.B. 14. I support the fact that we kept the Legislature, as a matter of fact, government, the size that exists today. I support the 42-21. I applaud us for doing the right thing. However, I have to say that I have become disappointed, disillusioned and disgusted. I wonder what the heck is wrong with this Legislature. Why is it that we allow special interests to go behind the closed doors and make our decisions, about our maps, our reapportionment and our lines? And yet, our colleagues sitting in here, didn't get to look at their lines, didn't get to adjust their lines, didn't get to have any input. I watched these special interests, not only help with reapportionment, they also were right along with creating their strategy of getting their bills passed, not our bills passed. That's what I watched the last day of our session from 11 p.m. to 1 a.m. I have to tell you, when I went home and had to explain this to my constituents, I was pretty disgusted. So, the reason I'm voting against this is because I do like the size, but I do not like how this process is run. I think somebody has to finally stand up and make that statement and bring it to the light of day. We, the legislators, we're the one's who should be adjusting our lines. Thank you, Mr. Speaker.

ASSEMBLYMAN HUMKE:

Thank you, Mr. Speaker. I rise in opposition to S.B. 14, for the following reasons: there's been an unprecedented lack of input for the legislative members; there has been a remarkable lack of fairness; and, there has been a complete lack of good faith. Thank you.

ASSEMBLYWOMAN GIUNCHIGLIANI:

Thank you, Mr. Speaker. Perhaps we need to do a little bit of revisionist history here from the session. I'll go back to the month of April. There were hearings that were held, public hearings for the first time ever, around this state, by Elections, Procedures and Ethics and the Senate Government Affairs Committees, to gather input from the public. We had input from the African American community, the Asian community and the Hispanic community, as well as the rural counties, who very forcefully made their case for enlargement. We had a great deal of respect for that input. That was taken into a great deal of consideration. We subsequently introduced a piece of legislation with the 42-21, from this house. Now, the Senate did not have the courtesy to offer their minority Assembly members an opportunity for a bill or a hearing. The Assembly Elections committee scheduled a hearing, so they could present their 46-map to us, through a public

process. Unfortunately, we passed our legislation over a month ago; until last week, a bill had not even been passed. We passed two pieces of reapportionment legislation over to the Senate. At 11:48 p.m., the Senate finally moved their reapportionment bill over here. I don't think they acted prudently nor in a timely manner. I believe this body did, regardless if you're a Democrat or Republican. We acted in a prudent, timely manner.

I have to remind everyone that this is the most contentious, partisan issue that we deal with, and we do it every ten years. We did the best we could. I think we've done the best to make sure that everyone's voice has been heard. We attempted, and I commend our leadership as well as the minority leadership, to get to what I have always called a "win-win." When I used to negotiate, we did it to getting to "yes," where both parties felt good about what they did. I think you're hearing today that both parties don't feel good about what they did. That is part of the process. I would point out, though, that in this House, with the input from the minority party, we had them draw their lines and make their recommendations on who to place in races against each other. We did not make the call, as the majority.

It's uncomfortable, it's hard, it's a difficult decision to make. At some point, we have to recognize this is about business—it's not personal. We made a decision to stay at 42-21. That is not where we began over a month ago. What was offered was originally 42-21, as long as we dealt with a package which had decent lines regarding the congressional seat, respect for our Senate Republicans and Democrats and our Assembly Republicans and Democrats, in this house. We even offered, through our leadership, to expand the legislature if that could have been resolved in a package. I even met with Republicans in this house, as well as in the Senate, who supported 42-21, yet did not ever vote, on two occasions, based on their convictions regarding a 42-21. We never penalized anyone for that. We still attempted to work with each other, regardless of whether or not it was the size.

It was this body that stayed with the pledge of trying to make sure we didn't hurt rurals, that we did not hurt the North, but we also recognized the whole purpose of census and redistricting—the population shifted south. That is the whole purpose. Two-thirds of the people reside in southern Nevada. Despite that, we even created a map, which not all of us are thrilled with, believe me, on a Congressional seat that has a dead-even registration. Yet, in Clark County—and that's what drove us for qualifying for a third seat—there are 45,000 Democrats. We agreed in the interest of partnership, to create an equal seat.

I think we have done a very good job of attempting to balance the needs of this state, because no matter where we go home, whether to rural counties, Clark County, or northern Nevada, we're still state representatives and every person in this body will continue to make the right decision for what's best for the entire state as well as their constituents. You don't need a map to change that intent. No person in this body, whether we come back next time or not, will have lost that pledge to the State of Nevada and the constituents we represent statewide.

Unfortunately, there are some problems with these maps. Absolutely. I will unequivocally state that our Senate Minority Leader did not place the Senator from Senate District No. 2 in the open Hispanic seat and I'm offended that was even recommended or was done by the Senate. There were at least three different maps that were represented where we still wound up with a 12-9 and we kept an open Hispanic seat. That decision was not made by our minority leader. I want that clarified for the record. No matter what, we're all going to share in this pain. Hopefully, after we go home, our constituents will gain from our growth and recognition that we all still have to work together.

So, despite your opposition to some parts of this, I share my colleagues' concern regarding the regents; I was probably one of the strongest to oppose it. I absolutely believe there should not have been increases. In fact, I've requested a bill for next session for a constitutional amendment to have the regents be appointed by the governor and reduce them to five seats. That being said, we still have an obligation to do what is best and I think S.B. 14 complies with what the intent is for the State of Nevada. Thank you.

ASSEMBLYWOMAN CHOWNING:

Thank you, Mr. Speaker. I stand here tonight, at 10:45 p.m., and we have ten years. Ten years ago, an open Hispanic seat was created. The person that was elected to sit in that seat was myself. I proudly represented the entire state in District 28, for all of these terms. I will continue

to represent the entire state if I am chosen, from wherever I am chosen. In our house, we made a pledge to the fastest-growing population, per capita, in the Hispanic population, in the entire United States. That is in our state, most especially in the southern part of our state. We, in our house, made a great sacrifice and two of us are going to be running against each other, or whatever the path may bring. We wanted to give the biggest chance and the most majority for a Hispanic seat. I am extremely disappointed that we didn't do the same on the Senate side. We promised. We made that promise to our Hispanic citizens. I don't think there is anyone here in this body that did not think that promise was not made. Whether or not the promise was made, it's the right thing to do. I'm extremely disappointed. If anyone looks at Clark County Senate District 2, you can see the little tiny sliver that is at the corner. It certainly looks like gerrymandering to me. It is extremely disappointing. I think the Hispanic population deserves that representation. They were promised an open seat and they do not have it. I stand in great disappointment because of that. I think we have let them down. I am extremely disappointed. I will continue, along with my colleagues, to give the very best representation that I can to all of the citizens of our state. Thank you.

Roll call on Senate Bill No. 14:

YEAS—24.

NAYS—Angle, Beers, Berman, Brower, Brown, Carpenter, Cegavske, de Braga, Dini, Gibbons, Gustavson, Hettrick, Humke, Marvel, Nolan, Tiffany, Von Tobel—17.

EXCUSED—Arberry.

Senate Bill No. 14 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblywoman Buckley moved that Senate Bill No. 11 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. 11

Bill read third time.

Remarks by Assemblymen Bache and Gibbons.

Conflict of interest declared by Assemblywoman Gibbons.

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

Assembly in recess at 10:47 p.m.

ASSEMBLY IN SESSION

At 11:13 p.m.

Mr. Speaker presiding.

Quorum present.

Remarks by Assemblywoman Smith.

Roll call on Senate Bill No. 11:

YEAS—26.

NAYS—Angle, Beers, Berman, Brower, Brown, Carpenter, Cegavske, Gustavson, Hettrick, Humke, Marvel, Nolan, Tiffany, Von Tobel—14.

NOT VOTING—Gibbons.

EXCUSED—Arberry.

Senate Bill No. 11 having failed to received a two-thirds majority, Mr. Speaker declared it lost.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblywoman Buckley moved that Assembly Bills Nos. 5 and 7 be taken from the General File and placed on the Chief Clerk's desk.

Motion carried.

REMARKS FROM THE FLOOR

Assemblyman Goldwater requested that the following remarks be entered in the Journal.

ASSEMBLYWOMAN DE BRAGA:

Mr. Speaker, I would like to read a statement into the record on what is now A.B. 5, which is on the Chief Clerk's desk. I supported that measure, however, there appears to be some confusion over the intent of the amendment passed in the late hours of the last session. I hope there is some way, either by a statement on the record or by letter of legislative intent, to clarify Section 39. In the past, and in many other areas of the statutes, municipal utilities have been exempt from PUC oversight in the same manner as Co-op's and GID's. This version appears to change that or has lost that provision. I have letters from the mayors from all three of the municipal utilities in this state: Boulder City, Caliente and Fallon, asking for this clarification. The bill itself seems to have a conflict between Section 39, where it states that Section 40 does not apply to non-profit corporations, which municipal utilities are, and Section 33, which includes municipal utilities. I think there needs to be some method of assuring that the municipal utilities, which are operating at the time this bill becomes effective, are exempt. It is my understanding that the maker of the amendment did not intend to remove municipal utilities and I hope some method can be found to convey that to the Public Utilities Commission. Thank you.

ASSEMBLYMAN GOLDWATER:

Thank you, Mr. Speaker. In reference to what the representative from Fallon was referring to, I was the sponsor of that bill. I was the maker of that amendment. She is absolutely correct when she says that municipal utilities were to be exempt from having to contribute to the universal service charge, if they showed the Public Utilities Commission that they were able to provide the same service that the bill was going to provide, which is assistance for low income energy. Those people still receive that assistance. They weren't paying the universal service charge somehow through their negotiated rate. If this helps at all, with the legislative intent, that certainly was the sponsor's intent and hopefully we can fix this in the interim and if not, before the year 2002.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblywoman Angle, the privilege of the floor of the Assembly Chamber for this day was extended to Dema Guinn, Earlene Forsythe, Jerry Stacy and Cindy Bush.

On request of Assemblyman Dini, the privilege of the floor of the Assembly Chamber for this day was extended to Laurence Matheus, Marlys Matheus, Wendy Stevens and Suzann Stevens.

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

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

Assembly in recess at 11:19 p.m.

ASSEMBLY IN SESSION

At 11:38 p.m.

Mr. Speaker presiding.

Quorum present.

Mr. Speaker appointed Assemblymen Buckley, Dini and Hettrick as a committee to wait upon His Excellency, Kenny C. Guinn, Governor of the State of Nevada, and to inform him that the Assembly was ready to adjourn *sine die*.

Mr. Speaker appointed Assemblymen Williams, Cegavske and Anderson as a committee to wait upon the Senate and to inform that honorable body that the Assembly was ready to adjourn *sine die*.

A committee from the Senate, consisting of Senators Porter, Mathews and Shaffer, appeared before the bar of the Assembly and announced that the Senate was ready to adjourn *sine die*.

Assemblywoman Buckley reported that her committee had informed the Governor that the Assembly was ready to adjourn *sine die*.

Assemblyman Williams reported that his committee had informed the Senate that the Assembly was ready to adjourn *sine die*.

Assemblywoman Buckley moved that the Seventeenth Special Session of the Assembly of the Legislature of the State of Nevada adjourn *sine die*.

Motion carried.

Assembly adjourned at 12:16 a.m.

Approved:

RICHARD D. PERKINS
Speaker of the Assembly

Attest: JACQUELINE SNEDDON
Chief Clerk of the Assembly

INDEX TO ASSEMBLY JOURNAL, 2001

17th Special Session

A

ANDERSON, BERNARD (BERNIE), Assemblyman from Washoe County, No. 31 District—
Committee Appointments—

Special—

Inform Senate Assembly ready to adjourn *sine die*, 38.

ANNOUNCEMENTS—

By Mr. Speaker Perkins—

Appointment of Joint Rules Committee, 21.

ARBERRY, MORSE, JR., Assemblyman from Clark County, No. 7 District—

Absences, excused, 1.

ASSEMBLY—

Speaker of the House—*See Perkins, Richard D.*

Speaker pro Tempore—*See Williams, Wendell P.*

Standing Rules—*See Rules.*

ATTACHÉS—

Appointment, A.R. 1, 8.

B

BACHE, DOUGLAS A. (DOUG), Assemblyman from Clark County, No. 11 District—
Remarks from the floor re S.B. 14, 33.

BROWER, GREG, Assemblyman from Carson City (Part), Washoe (Part) Counties, No. 37
District—

Committee Appointments—

Special—

Inform Senate Assembly organized, 1.

BUCKLEY, BARBARA E., Assemblywoman from Clark County, No. 8 District—

Committee Appointments—

Special—

Inform Governor Assembly organized, 1

Inform Governor Assembly ready to adjourn *sine die*, 38

Joint Rules, 21.

Moves—

Assembly adjourn *sine die*, 38

Press representatives, accreditation, 1

Rescind action on, S.B. 2, 23, 32; S.B. 3, 23; S.B. 4, 23; S.B. 5, 23; S.B. 6, 23; S.B. 7, 23;
S.B. 8, 23; S.B. 9, 23; S.B. 10, 23; S.B. 11, 23; S.B. 12, 23; S.B.
13, 23; S.J.R. 1, 23.

BUCKLEY, BARBARA E. —*Continued*

Suspend rules—

Declare an emergency measure A.B. 2, 25; A.B. 3, 25; A.B. 4, 25; A.B. 5, 25; A.B. 6, 25; A.B. 7, 25; A.B. 8, 25; A.B. 9, 25; A.B. 10, 25; A.B. 11, 25; A.B. 12, 25; A.J.R. 1, 25; S.B. 1, 21; S.B. 2, 28; S.B. 3, 28; S.B. 4, 28; S.B. 5, 28; S.B. 6, 28; S.B. 7, 28; S.B. 8, 28; S.B. 9, 28; S.B. 10, 28; S.B. 11, 28; S.B. 12, 28; S.B. 13, 28; S.B. 14, 33; S.J.R. 1, 28.

Dispense with reading of Proclamation, 2

Transmit immediately to the Senate

for the balance of session, all bills and joint resolutions passed, and all concurrent resolutions adopted, 2.

C

CEGAVSKE, BARBARA K., Assemblywoman from Clark County, No. 5 District—

Committee Appointments—

Special—

Inform Senate Assembly ready to adjourn *sine die*, 38.

CHOWNING, VONNE S., Assemblywoman from Clark County, No. 28 District—

Remarks from the floor re S.B. 14, 35.

COLLINS, TOM, Assemblyman from Clark County, No. 1 District—

Remarks from the floor re S.B. 14, 34.

COMMITTEE OF THE WHOLE—

Report A.B. 1, 24; A.B. 2, 24; A.B. 3, 24; A.B. 4, 24; A.B. 5, 24; A.B. 6, 24; A.B. 7, 24; A.B. 8, 24; A.B. 9, 24; A.B. 10, 24; A.B. 11, 24; A.B. 12, 24; A.J.R. 1, 24

Resolved into, motion to, 23

Rise, motion to, 24.

COMMITTEE, STANDING—*See also specific committee.*

COMMITTEES, SPECIAL—

Inform Governor Assembly organized, 1

Inform Governor Assembly ready to adjourn *sine die*, 38

Inform Senate Assembly organized, 1

Inform Senate Assembly ready to adjourn *sine die*, 38.

COMMUNICATIONS RECEIVED—

Governor re Proclamation, 8.

CONFLICT OF INTEREST—

Gibbons re S.B. 11, 36.

D

DE BRAGA, MARCIA, Assemblyman from Churchill, white Pine, Eureka (Part), Lander (Part) Counties, No. 35 District—

Remarks from the floor re A.B. 5, 37.

DINI, JOSEPH E., JR., Assemblyman from Lyon, Storey, Carson City (Part) Counties, No. 38 District—

Committee Appointments—

Special—

Inform Governor Assembly organized, 1

Inform Governor Assembly ready to adjourn *sine die*, 38.

E

EMERGENCY MEASURE—

Rules suspended to declare A.B. 2, 28; A.B. 3, 28; A.B. 4, 28; A.B. 5, 28; A.B. 6, 28; A.B. 7, 28; A.B. 8, 28; A.B. 9, 28; A.B. 10, 28; A.B. 11, 28; A.B. 12, 28; A.J.R. 1, 28; S.B. 1, 21; S.B. 2, 28; S.B. 3, 28; S.B. 4, 28; S.B. 5, 28; S.B. 6, 28; S.B. 7, 28; S.B. 8, 28; S.B. 9, 28; S.B. 10, 28; S.B. 11, 28; S.B. 12, 28; S.B. 13, 28; S.B. 14, 33; S.J.R. 1, 28.

G

GIBBONS, DAWN, Assemblywoman from Washoe County, No. 25 District—
Conflict of Interest, S.B. 11, 36.

GIUNCHIGLIANI, CHRIS, Assemblywoman from Clark County, No. 9 District—
Remarks from the floor re S.B. 14, 33, 34.

GOLDWATER, DAVID E., Assemblyman from Clark County, No. 10 District—
Remarks from the floor re A.B. 5, 37; A.B. 12, 27.

GOVERNOR—

Informed Assembly organized, 1

Informed Assembly ready to adjourn *sine die*, 38

Proclamation message, 3.

GUINN, KENNY C.—*See Governor.*

H

HETTRICK, LYNN C., Assemblyman from Douglas, Carson City (Part) Counties, No. 39 District—

Committee Appointments—

Special—

Inform Governor Assembly organized, 1

Inform Governor Assembly ready to adjourn *sine die*, 38

Joint Rules, 21.

Remarks from the floor re S.B. 14, 33.

HUMKE, DAVID E., Assemblyman from Washoe County, No. 26 District—
Remarks from the floor re S.B. 14, 34.

J

JOINT RULES, COMMITTEE ON—

Members, appointment, 21.

K

KOIVISTO, ELLEN M., Assemblywoman from Clark County, No. 14 District—
Potential Conflict of Interest re A.B. 2, 25.

L

LESLIE, SHEILA, Assemblywoman from Washoe County, No. 27 District—
Committee Appointments—
Special—
Inform Senate Assembly organized, 1.

P

PERKINS, RICHARD D., Assemblyman from Clark County, No. 23 District—
Appoints Committees—
Joint Rules Committee, 21
Special—
Inform Governor Assembly organized, 1
Inform Governor Assembly ready to adjourn *sine die*, 38
Inform Senate Assembly organized, 1
Inform Senate Assembly ready to adjourn *sine die*, 38.
Committee Appointments—
Special—
Joint Rules, 21.

GUINN, KENNY C.—*See Governor.*

HELLER, DEAN A.—*See Secretary of State.*

MAJORITY FLOOR LEADER —*See Buckley, Barbara E.*

MAJORITY FLOOR LEADER, ASSISTANT—*See Parks, David R.*

MAJORITY WHIP, ASSISTANT— *See Leslie, Sheila*
See Manendo, Mark A.

MAJORITY WHIP—*See Anderson, Bernard.*

MINORITY FLOOR LEADER, ASSISTANT—*See Cegavske, Barbara.*

MINORITY FLOOR LEADER—*See Hettrick, Lynn.*

MINORITY WHIP— *See Brower, Greg*

POTENTIAL CONFLICT OF INTEREST—
Koivisto re A.B. 2, 25.

PRESS REPRESENTATIVES—
Accreditation, 1.

R

RESCIND, MOTION TO—

Action on, S.B. 2, 23, 32; S.B. 3, 23; S.B. 4, 23; S.B. 5, 23; S.B. 6, 23; S.B. 7, 23; S.B. 8, 23; S.B. 9, 23; S.B. 10, 23; S.B. 11, 23; S.B. 12, 23; S.B. 13, 23; S.J.R. 1, 23.

RULES—

Standing—

Adoption, A.R. 2, 14.

Suspended—

Reading of Proclamation, 2

Transmit immediately to the Senate

for the balance of session, all bills and joint resolutions passed, and all concurrent resolutions adopted, 2.

S

SENATE—

Informed Assembly organized, 1

Informed Assembly ready to adjourn *sine die*, 38

Informs Assembly Senate organized, 8

Informs Assembly Senate ready to adjourn *sine die*, 38.

SPEAKER OF ASSEMBLY—*See Perkins, Richard D.*

SPEAKER PRO TEMPORE OF ASSEMBLY—*See Williams, Wendell P.*

STANDING COMMITTEES—*See Committees, Standing.*

T

TIFFANY, SANDRA, Assemblywoman from Clark County, No. 21 District—

Remarks from the floor re S.B. 14, 34.

W

WILLIAMS, WENDELL P., Assemblyman from Clark County, No. 6 District—

Committee Appointments—

Special—

Inform Senate Assembly organized, 1

Inform Senate Assembly ready to adjourn *sine die*, 38

ASSEMBLY STANDING RULES
AND THE
JOINT STANDING RULES OF THE
SENATE AND ASSEMBLY
OF THE
SEVENTEENTH SPECIAL SESSION
OF THE
LEGISLATURE OF THE STATE OF NEVADA

2001

ASSEMBLY STANDING RULES

17TH SPECIAL SESSION, 2001

I. APPLICABILITY

Rule No. 1. Generally.

The Rules of the Assembly for the 17th Special Session of the Legislature are applicable only during the 17th Special Session of the Legislature.

[Statutes of Nevada 2001 Special Session, 392]

II. OFFICERS AND EMPLOYEES

DUTIES OF OFFICERS

Rule No. 2. Speaker of the Assembly.

1. All officers of the Assembly are subordinate to the Speaker in all that relates to the prompt, efficient and correct discharge of their official duties under the Speaker's supervision.

2. Possessing the powers and performing the duties described in this rule, the Speaker shall:

(a) Take the chair at the hour to which the Assembly will be meeting, call the members to order, and upon the appearance of a quorum, proceed to business.

(b) Preserve order and decorum and have general direction of the chamber of the Assembly and the approaches thereto. In the event of any disturbance or disorderly conduct therein, order the same to be cleared.

(c) Decide all questions of order, subject to a member's right to appeal to the Assembly. On appeal from such decisions, the Speaker has the right, in the Speaker's place, to assign the reason for the decision.

(d) Have the right to name any member to perform the duties of the chair, but such substitution must not extend beyond one legislative day.

(e) When the Assembly resolves itself into Committee of the Whole, name a chairman to preside thereover and call him to the chair.

(f) Have the power to accredit the persons who act as representatives of the news media and assign them seats.

(g) Sign all bills and resolutions passed by the Legislature as provided by law.

(h) Sign all subpoenas issued by the Assembly.

(i) Receive all messages and communications from other departments of the government and announce them to the Assembly.

(j) Represent the Assembly, declare its will and in all things obey its commands.

(k) Vote on final passage of a bill or resolution, but the Speaker shall not be required to vote in ordinary legislative proceedings except where the Speaker's vote would be decisive. In all yea and nay votes, the Speaker's name must be called last.

3. If a vacancy occurs in the office of Speaker, through death, resignation or disability of the Speaker, the Speaker pro Tempore shall temporarily and for the period of vacancy or disability conduct the necessary business of the Assembly.

4. If a permanent vacancy occurs in the office of Speaker, the Assembly shall select a new Speaker.

[Statutes of Nevada 2001 Special Session, 392]

III. SESSIONS AND MEETINGS

Rule No. 3. Open Meetings.

All meetings of the Assembly and the Committee of the Whole must be open to the public.

[Statutes of Nevada 2001 Special Session, 393]

IV. DECORUM AND DEBATE

Rule No. 4. Points of Order.

If any member, in speaking or otherwise, transgresses the rules of the Assembly, the Speaker shall, or any member may, call to order, in which case the member so called to order shall immediately sit down, unless permitted to explain; and if called to order by a member, such member shall immediately state the point of order. If the point of order be sustained by the presiding officer, the member shall not be allowed to proceed; but if it be not sustained, then he shall be permitted to go on. Every such decision from the presiding officer shall be subject to an appeal to the House; but no discussion of the question of order shall be allowed unless an appeal be taken from the decision of the presiding officer.

[Statutes of Nevada 2001 Special Session, 393]

Rule No. 5. Portable electronic communication devices.

1. A person who is within the Assembly Chambers shall not engage in a telephone conversation via the use of a portable telephone.

2. Before entering the Assembly Chambers, any person who possesses a portable electronic communication device, such as a pager or telephone, that

emits an audible alert, such as a ringing or beeping sound, to signal an incoming message or call shall turn the audible alert off. A device that contains a nonaudible alert, such as a silent vibration, may be operated in a nonaudible manner within the Assembly Chambers.

[Statutes of Nevada 2001 Special Session, 393]

V. QUORUM, VOTING, ELECTIONS

Rule No. 6. Manner of Voting.

1. The presiding officer shall declare all votes, but the yeas and nays must be taken when called for by three members present, and the names of those calling for the yeas and nays must be entered in the Journal by the Chief Clerk.

2. The presiding officer shall call for yeas and nays by a division or by a roll call, either electronic or oral.

3. When taking the yeas and nays on any question, the electronic roll call system may be used, and when so used shall have the force and effect of any roll call under these rules.

4. When taking the yeas and nays by oral roll call, the Chief Clerk shall take the names of members alphabetically, except that the Speaker's name must be called last.

5. The electronic roll call system may be used to determine the presence of a quorum.

6. The yeas and nays must not be taken with the electronic roll call system until all members present are at their desks. The presiding officer may vote at the rostrum.

7. Only a member who is physically present within the Assembly Chambers may cast a vote in the Assembly.

8. A member shall not vote for another member on any roll call, either electronic or oral. Any member who votes for another member may be punished in any manner deemed appropriate by the Assembly.

[Statutes of Nevada 2001 Special Session, 394]

Rule No. 7. Announcement of the Vote.

1. A member may change his vote at any time before the announcement of the vote if the voting is by voice, or at any time before the votes are electronically recorded if the voting is conducted electronically.

2. The announcement of the result of any vote shall not be postponed.

[Statutes of Nevada 2001 Special Session, 394]

Rule No. 8. Voting by Division.

Upon a division and count of the Assembly on any question, no person without the bar shall be counted.

[Statutes of Nevada 2001 Special Session, 394]

VI. LEGISLATIVE BODIES**Rule No. 9. Committee of the Whole.**

1. All bills and resolutions may be referred to the Committee of the Whole.

2. At any stage in the proceedings of the Committee of the Whole, a member of the committee may speak only once on the question under consideration, for a period of not more than 10 minutes, unless he is granted leave of the chairman to speak more than once. If a member is granted leave to speak more than once, the chairman may limit the length of time that member may speak.

3. All amendments proposed by the Committee of the Whole must first be approved by a majority of the members of the Senate and a majority of the members of the Assembly appointed to the Joint Rules Committee for the 17th Special Session of the Legislature.

[Statutes of Nevada 2001 Special Session, 394]

VII. RULES GOVERNING MOTIONS**Rule No. 10. Entertaining.**

No motion may be debated until it is distinctly announced by the presiding officer. If desired by the presiding officer or any member, the motion must be reduced to writing and be read by the Chief Clerk before the motion is debated. A motion may be withdrawn by the maker at any time before amendment or before the motion is put to vote.

[Statutes of Nevada 2001 Special Session, 395]

PARTICULAR MOTIONS**Rule No. 11. Indefinite Postponement.**

When a question is postponed indefinitely, the same question must not be considered again during the special session and the question is not subject to a motion for reconsideration.

[Statutes of Nevada 2001 Special Session, 395]

Rule No. 12. To Strike Enacting Clause.

A motion to strike out the enacting clause of a bill or resolution does not take precedence over any other subsidiary motion. If the motion is carried, it shall be considered equivalent to the rejection of such bill or resolution.

[Statutes of Nevada 2001 Special Session, 395]

Rule No. 13. Division of Question.

Any member may call for a division of the question, which shall be divided, if it comprehends propositions in substance so distinct that, one being taken away, a substantive proposition shall remain for the decision of the Assembly. A motion to strike out being lost shall preclude neither amendment nor a motion to strike out and insert. A motion to strike out and insert shall be deemed indivisible.

[Statutes of Nevada 2001 Special Session, 395]

Rule No. 14. To Reconsider.

No motion to reconsider a vote is in order.

[Statutes of Nevada 2001 Special Session, 395]

VIII. DEBATE**Rule No. 15. Speaking on Question.**

No member shall speak more than twice during the consideration of any one question, on the same day, and at the same stage of proceedings, without leave. Members who have once spoken shall not again be entitled to the floor (except for explanation) to the exclusion of others who have not spoken.

[Statutes of Nevada 2001 Special Session, 395]

Rule No. 16. Previous Question.

The previous question shall be put only when demanded by three members. The previous question shall not be moved by the member last speaking on the question.

[Statutes of Nevada 2001 Special Session, 395]

Rule No. 17. Privilege of Closing Debate.

The author of a bill, a resolution or a main question shall have the privilege of closing the debate, unless the previous question has been sustained.

[Statutes of Nevada 2001 Special Session, 395]

IX. CONDUCT OF BUSINESS

A. RULES AND PROCEDURE

Rule No. 18. Mason's Manual.

The rules of parliamentary practice contained in Mason's Manual of Legislative Procedure shall govern the Assembly in all cases in which they are applicable and in which they are not inconsistent with the Rules and orders of the Assembly for the 17th Special Session of the Legislature, and the Joint Rules of the Senate and Assembly for the 17th Special Session of the Legislature.

[Statutes of Nevada 2001 Special Session, 396]

Rule No. 19. Rescission, Change or Suspension of Rule.

No rule or order of the Assembly for the 17th Special Session of the Legislature shall be rescinded or changed without a vote of two-thirds of the members elected, and one day's notice being given of the motion therefor; but a rule or order may be suspended temporarily by a vote of two-thirds of the members present.

[Statutes of Nevada 2001 Special Session, 396]

Rule No. 20. Privilege of the Floor and Lobbying.

No person, except Senators, former Assemblymen and state officers, may be admitted at the bar of the Assembly, except by special invitation on the part of some member; but a majority may authorize the Speaker to have the Assembly cleared of all such persons. No person may do any lobbying upon the floor of the Assembly at any time, and it is the duty of the Sergeant at Arms to remove any person violating any of the provisions of this rule.

[Statutes of Nevada 2001 Special Session, 396]

Rule No. 21. Material Placed on Legislators' Desks.

All papers, letters, notes, pamphlets and other written material placed upon an Assemblyman's desk shall contain the signature of the Legislator requesting the placement of such material on the desk or shall contain a designation of the origin of such material. This rule does not apply to books containing the legislative bills and resolutions, the legislative daily histories, the legislative daily journals or Legislative Counsel Bureau material.

[Statutes of Nevada 2001 Special Session, 396]

Rule No. 22. Peddling, Begging and Soliciting.

1. Peddling, begging and soliciting are strictly forbidden in the Assembly Chamber, and in the lobby, gallery and halls adjacent thereto.

2. No part of the Assembly Chamber may be used for, or occupied by signs or other devices for any kind of advertising.

3. No part of the hallways adjacent to the Assembly Chambers may be used for or occupied by signs or other devices for any kind of advertising for commercial or personal gain. Notices for nonprofit, nonpartisan, civic or special legislative events may be posted in a designated area of the hallways adjacent to the Assembly Chambers with the approval of the Chief Clerk.

[Statutes of Nevada 2001 Special Session, 396]

Rule No. 23. Petitions and Memorials.

Petitions, memorials and other papers addressed to the Assembly, shall be presented by the Speaker, or by a member in the Speaker's place. A brief statement of the contents thereof shall be made by the introducer. They shall not be debated on the day of their being presented, but shall be on the table, or be referred, as the Assembly shall determine.

[Statutes of Nevada 2001 Special Session, 396]

Rule No. 24. Request of Purpose.

A member may request the purpose of a bill or joint resolution upon its introduction.

[Statutes of Nevada 2001 Special Session, 397]

Rule No. 25. Remarks.

It shall be in order for members to make remarks and to have such remarks entered in the Journal.

[Statutes of Nevada 2001 Special Session, 397]

Rule No. 26. Precedence of Parliamentary Authority.

The precedence of parliamentary authority in the Assembly is:

1. The Constitution of the State of Nevada.
2. The Statutes of the State of Nevada.
3. The Rules of the Assembly for the 17th Special Session of the Legislature and the Joint Rules of the Senate and Assembly for the 17th Special Session of the Legislature.

4. Mason's Manual of Legislative Procedure.

[Statutes of Nevada 2001 Special Session, 397]

Rule No. 27. Privileged Questions.

Privileged questions have precedence of all others in the following order:

1. Motions to fix the time to which the Assembly shall adjourn.
2. Motions to adjourn.
3. Questions relating to the rights and privileges of the Assembly or any of its members.

4. A call of the House.
5. Motions for special orders.

[Statutes of Nevada 2001 Special Session, 397]

B. BILLS

Rule No. 28. Substitute Bills.

A substitute bill shall be deemed and held to be an amendment, and treated in all respects as such. However, a substitute bill may be amended after its adoption, in the same manner as if it were an original bill.

[Statutes of Nevada 2001 Special Session, 397]

Rule No. 29. Skeleton Bills.

The introduction of skeleton bills is not authorized.

[Statutes of Nevada 2001 Special Session, 397]

Rule No. 30. Reading of Bills.

The presiding officer shall announce at each reading of a bill whether it be the first, second or third reading. The first reading of a bill shall be for information. If there is objection, the question shall be, "Shall the bill be rejected?" If the question to reject fails to receive a majority vote by the members present, or if there is no objection, the bill shall take the proper course. No bill shall be referred to the Committee of the Whole until after the first reading, nor amended until after the second reading.

[Statutes of Nevada 2001 Special Session, 397]

Rule No. 31. Second Reading and Amendment of Bills.

1. All bills must be read the second time after which they are reported by the Committee of the Whole. Upon second reading, Assembly bills reported without amendments shall be placed on the General File and Senate bills reported without amendments shall be placed on the General File. Amendments proposed by the Committee of the Whole and reported with bills shall be considered upon their second reading, and such amendments may be adopted by a majority vote of the members present. Any amendment which is numbered, copied and made available to all members must be moved and voted upon by number unless any member moves that it be read in full. Assembly bills so amended must be reprinted, engrossed, and placed on the General File. Senate bills so amended must be reprinted, then engrossed or reengrossed, as applicable, and placed on the General File.

2. Any member may move to amend a bill during its second or third reading if the amendment is first approved by a majority of the members of the Senate and a majority of the members of the Assembly appointed to the Joint Rules Committee for the 17th Special Session of the Legislature, and

such a motion to amend may be adopted by a majority vote of the members present. Bills so amended on second reading must be treated the same as bills with amendments proposed by the Committee of the Whole. Any bill so amended upon the General File must be reprinted and then engrossed or reengrossed, as applicable.

3. The reprinting of amended bills may be dispensed with only in accordance with the provisions of law.

[Statutes of Nevada 2001 Special Session, 397]

Rule No. 32. Consent Calendar.

1. The Committee of the Whole 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.

2. The Chief Clerk shall maintain a list of bills recommended for the consent calendar. The list must be printed in the daily history and must include the summary of each bill, and the date the bill is scheduled for consideration on final passage.

3. 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 requests the removal of a particular bill from the consent calendar. If a member so requests, 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 may not be restored to that calendar.

4. During floor consideration of the consent calendar, members may ask questions and offer explanations relating to the respective bills.

5. When the consent calendar is brought to a vote, the bills remaining on the consent calendar must be read by number and summary and the vote must be taken on their final passage as a group.

[Statutes of Nevada 2001 Special Session, 398]

Rule No. 33. General File.

All bills reported to the Assembly, after receiving their second readings must be placed upon a General File, to be kept by the Chief Clerk. Bills must be taken from the General File and acted upon in the order in which they were reported, unless otherwise specially ordered by the Assembly. But engrossed bills shall be placed at the head of the file, in the order in which they are received. The Chief Clerk shall post a daily statement of the bills on the General File, setting forth the order in which they are filed, and specifying the alterations arising from the disposal of business each day. The Chief Clerk shall likewise post notices of special orders as made.

[Statutes of Nevada 2001 Special Session, 398]

C. RESOLUTIONS

Rule No. 34. Treated as Bills—Joint Resolutions.

The procedure of enacting joint resolutions must be identical to that of enacting bills. However, joint resolutions proposing amendments to the Constitution must be entered in the Journal in their entirety.

[Statutes of Nevada 2001 Special Session, 399]

D. ORDER OF BUSINESS

Rule No. 35. Order of Business.

The Order of Business must be as follows:

1. Call to Order.
2. Reading and Approval of Journal.
3. Presentation of Petitions.
4. Reports of the Committee of the Whole.
5. [Reserved.]
6. Communications.
7. Messages from the Senate.
8. Motions, Resolutions and Notices.
9. Introduction, First Reading and Reference.
10. Consent Calendar.
11. Second Reading and Amendment.
12. General File and Third Reading.
13. Unfinished Business of Preceding Day.
14. Special Orders of the Day.
15. Remarks from the Floor, limited to 10 minutes.

[Statutes of Nevada 2001 Special Session, 399]

X. MISCELLANEOUS

Rule No. 36. Use of the Assembly Chamber.

The Assembly Chamber shall not be used for any public or private business other than legislative, except by permission of the Assembly.

[Statutes of Nevada 2001 Special Session, 399]

INDEX OF ASSEMBLY STANDING RULES

17TH SPECIAL SESSION, 2001

— A —

<i>Subject</i>	<i>Rule No.</i>
ADJOURNMENT	
Motion to adjourn, precedence	27
ADVERTISING WITHIN CHAMBER OR HALLS	
Prohibition, exception.....	22
AMENDMENTS	
Committee of the Whole, amendments proposed by	9, 31
Constitutional amendments	34
Joint Rules Committee, duties	9, 31
Motion to amend, adoption.....	31
Motion to strike out, effect on amendment when motion lost.....	13
Order of business.....	35
Proposed amendments, approval, consideration	9, 31
Reprinting.....	31
Second reading, consideration after	30, 31
Substitute bills	28
Third reading, consideration after.....	31
APPEALS	
Points of order, procedure	4
APPLICABILITY OF STANDING RULES	
Generally.....	1
ASSEMBLY CHAMBER	
Advertising prohibited, exception.....	22
Cellular phones, use prohibited	5
Decorum.....	2
Lobbying prohibited.....	20
Majority may authorize chamber cleared of all persons except Assemblymen and state officers	20
Material placed on legislators' desks.....	21
Pagers, use prohibited, exception	5
Peddling, begging, and soliciting prohibited.....	22
Privilege of the floor.....	20
Speaker, powers	2
Use of chamber restricted.....	36

— B —

BEGGING WITHIN CHAMBER OR HALLS	
Prohibition against.....	22
BILLS	
Amendment (<i>See AMENDMENTS</i>)	
Committee of the Whole, referral to	9, 30
Consent calendar	32
Debate (<i>See DEBATE</i>)	
Enacting clause, motion to strike.....	12
Engrossed bills, placement on general file.....	33
Enrolled bills, signature of Speaker required.....	2
General file.....	31, 33

<i>Subject</i>	<i>Rule No.</i>
BILLS—Continued	
Purpose, member may request	24
Reading	30, 35
Rejection	12, 30
Second reading	30, 31
Signature	2
Skeleton bills	29
Substitute bills	28
BUSINESS	
Conduct of business, rules and procedures generally	18-27
Order	35
— C —	
CALL OF THE ASSEMBLY	
Privileged question	27
Speaker's powers and duties	2
CALL TO ORDER	
Order of business	35
Speaker's powers and duties	2
CELLULAR TELEPHONES	
Use in Assembly chambers prohibited	5
CHANGE OF RULES	
Two-thirds vote required	19
CHIEF CLERK OF THE ASSEMBLY	
Consent calendar, duties	32
General file, duties	33
Motions, reading	10
Notices for nonprofit, nonpartisan, civic or special legislative events, approval of posting	22
Roll call, duties	6
Special orders, duties	33
COMMITTEE OF THE WHOLE	
Amendments proposed by committee, approval, consideration	9, 31
Bills and resolutions, referral to committee	9, 30
Chairman, appointment	2
Consent calendar	32
Open meetings required	3
Reports, order of business	35
COMMITTEES	
Joint Rules Committee (<i>See JOINT RULES COMMITTEE</i>)	
Whole, Committee of the (<i>See COMMITTEE OF THE WHOLE</i>)	
CONDUCT OF BUSINESS	
Rules and procedures generally	18-27
CONSENT CALENDAR	
Committee of the Whole, recommendations	32
Consideration	32
List of bills recommended, maintenance, printing and contents	32
Notice of objection to bill	32
Order of business	35
Read by bill number and summary	32
Recommendation for placement of bill, requirements	32
Removal of bill and transfer to second reading file	32
Voting, manner of	32

<i>Subject</i>	<i>Rule No.</i>
CONSTITUTIONAL AMENDMENTS	
Treated as bills	34
— D —	
DEBATE	
Closing, privilege	17
Motions, procedure before debate	10
Petitions and memorials.....	23
Points of order	4
Previous question	16
Privileged questions	27
Speaking on the question	9, 15
DECORUM	
Points of order	4
Powers of Speaker.....	2
DIVISION OF THE QUESTION	
Generally	13
DIVISION OF THE HOUSE	
Calling for yeas and nays.....	6
Voting, manner of.....	8
— E —	
ELECTRONIC ROLL CALL SYSTEM	
Use	6
ENACTING CLAUSE	
Precedence of motion to strike	12
ENGROSSED BILLS	
Placement on general file	33
ENROLLED BILLS AND RESOLUTIONS	
Signature of Speaker required	2
— F —	
FIRST READING OF BILLS	
Procedure.....	30
FORMER ASSEMBLY MEMBERS	
Privilege of the floor.....	20
— G —	
GENERAL FILE	
Order of business.....	35
Placement of bills on	31, 33
— I —	
INTRODUCTION OF LEGISLATIVE MEASURES	
Order of business.....	35
Purpose of bill or joint resolution, member may request	24
Skeleton bills, introduction prohibited.....	29
— J —	
JOINT RESOLUTIONS (<i>See RESOLUTIONS</i>)	
JOINT RULES COMMITTEE	
Amendments, approval	9, 31

<i>Subject</i>	<i>Rule No.</i>
JOURNAL	
Joint resolutions proposing amendments to constitution entered in entirety.....	34
Names of those calling for yeas and nays entered in.....	6
Reading and approval, order of business	35
Remarks entered in	25
— L —	
LOBBYING	
Prohibition against lobbying on Assembly floor.....	20
— M —	
MASON'S MANUAL OF LEGISLATIVE PROCEDURE	
Applicability.....	18, 26
MEETINGS	
Open meetings required.....	3
MEMORIALS ADDRESSED TO ASSEMBLY	
Presentation.....	23
MESSAGES	
Order of business.....	35
Receipt by Speaker.....	2
MOTIONS	
Adjourn, precedence of motion	27
Amend.....	31
Debate, procedure.....	10
Division of the question.....	13
Entertaining.....	10
Order of business.....	35
Postpone indefinitely.....	11
Previous question	16
Privileged questions	27
Reconsideration of vote, prohibition.....	14
Special orders, precedence of motions.....	27
Strike enacting clause.....	12
Strike out and insert.....	13
Suspension of rule	19
Withdrawal.....	10
— N —	
NEWS MEDIA	
Accreditation, assignment of seating.....	2
NOTICES	
Change of rule.....	19
Order of business.....	35
Rescission of rule	19
— O —	
OPEN MEETINGS	
Requirement	3
ORDER OF BUSINESS	
Enumeration	35

Subject

Rule No.

— P —

PAGERS	
Use in Assembly chambers prohibited, exception	5
PARLIAMENTARY PROCEDURE	
Governance	18, 26
PEDDLING WITHIN CHAMBER OR HALLS	
Prohibition against	22
PETITIONS ADDRESSED TO ASSEMBLY	
Order of business	35
Presentation	23
POINTS OF ORDER	
Appeal from decision of Speaker	4
Appeals from points of order, Speaker's powers	2
Procedure	4
POSTPONE INDEFINITELY, MOTION TO	
No further consideration	11
PREVIOUS QUESTION, MOTION FOR	
Person last speaking on question, prohibition against motion	16
Three Assemblymen to demand	16
PRIVILEGE	
Closing debate	17
Of the floor	20
PRIVILEGED QUESTIONS	
Precedence	27

— R —

RECONSIDERATION OF VOTE	
Motion out of order	14
REMARKS FROM THE FLOOR	
Entered in Journal	25
Order of business	35
RESOLUTIONS	
Committee of the Whole, referral to	9
Debate (<i>See DEBATE</i>)	
Enacting clause, motion to strike	12
Enrolled resolutions, signature of Speaker required	2
Joint resolutions	
Constitutional amendments	34
Procedure for enactment	34
Purpose, member may request	24
Order of business	35
Rejection, striking out enacting clause constitutes	12
ROLL CALL VOTE	
Electronic roll call system	6
Manner of voting	6

— S —

SECOND READING OF BILLS	
Announcement	30
Procedures	30, 31
SENATORS	
Privilege of the Assembly floor	20

<i>Subject</i>	<i>Rule No.</i>
SERGEANT AT ARMS	
Duties	20
SKELETON BILLS	
Introduction prohibited	29
SOLICITATION WITHIN CHAMBER OR HALLS	
Prohibition against	22
SPEAKER OF THE ASSEMBLY	
Death or disability, succession to office	2
Motions, announcement	10
Petitions and memorials, presentation	23
Points of order	2, 4
Powers and duties generally	2
Reading of bills, duties	30
Resignation, succession to office	2
Substitution of duties	2
Vacancy in office	2
Voting	2, 6
SPEAKER PRO TEMPORE	
Succession to office of Speaker	2
SPEAKING ON THE QUESTION	
Limitations	9, 15
SPECIAL ORDERS OF THE DAY	
Chief clerk, duties	33
Notices of special orders, posting	33
Order of business	35
Precedence	27
STATE OFFICERS	
Privilege of the floor	20
STRIKE ENACTING CLAUSE, MOTION TO	
Precedence of motion	12
STRIKE OUT AND INSERT, MOTION TO	
Motion deemed indivisible	13
STRIKE OUT, MOTION TO	
Lost question, effect	13
SUBPOENAS	
Signature of Speaker	2
SUBSTITUTE BILLS	
Treatment	28
SUSPENSION OF RULES	
Reprinting of bills	31
Vote of two-thirds of members required for temporary suspension	19
— T —	
TELEPHONES	
Cellular phones, use in Assembly chamber prohibited	5
— U —	
UNFINISHED BUSINESS	
Order of business	35

Subject

Rule No.

— V —

VOTING

Announcement of vote, postponement prohibited	7
Call for yeas and nays.....	6
Change of vote	7
Consent calendar	32
Division of House.....	6, 8
Electronic roll call system	6
Manner of.....	6
Punishment for voting for another member	6
Reconsideration of vote, motion out of order	14
Result of vote, postponement of announcement prohibited	7
Speaker.....	2

— W —

WITHDRAWAL OF MOTION

Time for.....	10
---------------	----

WITNESSES

Question postponed indefinitely, reconsideration prohibited.....	11
--	----

JOINT STANDING RULES OF THE SENATE AND ASSEMBLY

17TH SPECIAL SESSION, 2001

APPLICABILITY OF JOINT RULES

Rule No. 1. Generally.

The Joint Rules for the 17th Special Session of the Legislature are applicable only during the 17th Special Session of the Legislature.

[Statutes of Nevada 2001 Special Session, 405]

JOINT RULES COMMITTEE

Rule No. 2. Duties.

1. There is hereby created a Joint Rules Committee for the 17th Special Session of the Legislature. The membership of the committee consists of:

- (a) Two members appointed by the majority floor leader of the Senate;
- (b) One member appointed by the minority floor leader of the Senate;
- (c) Two members appointed by the Speaker of the Assembly; and
- (d) One member appointed by the minority floor leader of the Assembly.

2. The members of the Joint Rules Committee shall elect a chairman and vice chairman from among their members. The chairman must be elected from one house of the legislature and the vice chairman from the other house.

3. Any member of the Legislature may request the approval of the Joint Rules Committee for a request to draft a bill, resolution or amendment during the 17th Special Session. Except as otherwise provided in Joint Rule No. 3 and subsection 2 of Joint Rule No. 14, a majority of the members of the Senate and a majority of the members of the Assembly appointed to the Joint Rules Committee must approve any request for the drafting of a bill, resolution or amendment during the 17th Special Session before it is submitted to the Legislative Counsel.

[Statutes of Nevada 2001 Special Session, 405]

CONFERENCE COMMITTEES

Rule No. 3. Procedure Concerning.

In every case of an amendment of a bill, or joint or concurrent resolution, agreed to in one House, dissented from in the other, and not receded from by the one making the amendment, each House shall appoint a committee to

confer with a like committee to be appointed by the other; and the committee so appointed shall meet publicly at a convenient hour to be agreed upon by their respective chairmen and announced publicly, and shall confer upon the differences between the two Houses as indicated by the amendments made in one and rejected in the other and report as early as convenient the result of their conference to their respective Houses. The report shall be made available to all members of both Houses. The whole subject matter embraced in the bill or resolution shall be considered by the committee, and it may recommend recession by either House, new amendments, new bills or resolutions, or other changes as it sees fit. New bills or resolutions so reported shall be treated as amendments unless the bills or resolutions are composed entirely of original matter, in which case they shall receive the treatment required in the respective Houses for original bills, or resolutions, as the case may be.

The report of a conference committee may be adopted by acclamation, and such action may be considered equivalent to the adoption of amendments embodied therein. The report is not subject to amendment. If either House refuses to adopt the report, or if the first conference committee has so recommended, a second conference committee may be appointed. No member who served on the first committee may be appointed to the second.

There shall be but two conference committees on any bill or resolution. A majority of the members of a conference committee from each House must be members who voted for the passage of the bill or resolution.

[Statutes of Nevada 2001 Special Session, 405]

MESSAGES

Rule No. 4. Procedure Concerning.

Proclamations by the Governor convening the Legislature in extra session shall, by direction of the presiding officer of each House, be read immediately after the convening thereof, filed and entered in full in the Journal of proceedings.

Whenever a message from the Governor is received, the Sergeant at Arms will announce: "Mr. President, or Mr. Speaker, the Secretary of the Governor is at the bar." The secretary will, upon being recognized by the presiding officer, announce: "Mr. President, or Mr. Speaker, a message from His Excellency, the Governor of Nevada, to the Honorable, the Senate or Assembly," and hand same to the Sergeant at Arms for delivery to the Secretary of the Senate or Chief Clerk of the Assembly. The presiding officer will direct the biennial message of the Governor to be received and read, and all special messages to be received, read and entered in full in the Journal of proceedings.

Messages from the Senate to the Assembly shall be delivered by the Secretary or Assistant Secretary, and messages from the Assembly to the Senate shall be delivered by the Chief Clerk or Assistant Chief Clerk.

[Statutes of Nevada 2001 Special Session, 406]

NOTICE OF FINAL ACTION

Rule No. 5. Communications.

Each House shall communicate its final action on any bill or resolution, or matter in which the other may be interested, by written notice. Each such notice sent by the Senate must be signed by the Secretary of the Senate, or a person designated by the Secretary. Each such notice sent by the Assembly must be signed by the Chief Clerk of the Assembly, or a person designated by the Chief Clerk.

[Statutes of Nevada 2001 Special Session, 406]

BILLS AND JOINT RESOLUTIONS

Rule No. 6. Signature.

Each enrolled bill or joint resolution shall be presented to the presiding officers of both Houses for signature. They shall, after an announcement of their intention to do so is made in open session, sign the bill or joint resolution and their signatures shall be followed by those of the Secretary of the Senate and Chief Clerk of the Assembly.

[Statutes of Nevada 2001 Special Session, 407]

Rule No. 7. Joint Sponsorship.

1. A bill or resolution introduced by one or more legislators elected to one House may, at the direction of the legislator who brings the bill or resolution forward for introduction, set forth the names of one or more legislators who are members elected to the other House and who wish to be primary joint sponsors or non-primary joint sponsors of the bill or resolution. The number of primary joint sponsors must not exceed five per bill or resolution. The names of each primary joint sponsor and non-primary joint sponsor must be set forth on the face of the bill or resolution in the following order immediately below the date on which the bill or resolution is introduced:

(a) The name of each primary joint sponsor, in the order indicated on the colored back of the introductory copy of the bill or resolution; and

(b) The name of each non-primary joint sponsor, in alphabetical order.

2. The Legislative Counsel shall not cause to be printed the name of a legislator as a primary joint sponsor or non-primary joint sponsor on the face of a bill or resolution unless the legislator has signed the colored back of the

introductory copy of the bill or resolution that was submitted to the front desk of the House of origin or the statement required by subsection 4.

3. Upon introduction, any bill or resolution that sets forth the names of primary joint sponsors or non-primary joint sponsors, or both, must be numbered in the same numerical sequence as other bills and resolutions of the same House of origin are numbered.

4. Once a bill or resolution has been introduced, a primary joint sponsor or non-primary joint sponsor may only be added or removed by amendment of the bill or resolution. An amendment which proposes to add or remove a primary joint sponsor or non-primary joint sponsor must not be considered by the House of origin of the amendment unless a statement requesting the addition or removal is attached to the copy of the amendment submitted to the front desk of the House of origin of the amendment. If the amendment proposes to add or remove a legislator as a primary joint sponsor or non-primary joint sponsor, the statement must be signed by that legislator. A copy of the statement must be transmitted to the Legislative Counsel if the amendment is adopted.

5. An amendment that proposes to add or remove a primary joint sponsor or non-primary joint sponsor may include additional proposals to change the substantive provisions of the bill or resolution or may be limited only to the proposal to add or remove a primary joint sponsor or non-primary joint sponsor.

[Statutes of Nevada 2001 Special Session, 407]

PRINTING

Rule No. 8. Ordering and Distribution.

Each House may order the printing of bills introduced, reports of its own committees, and other matter pertaining to that House only; but no other printing may be ordered except by a concurrent resolution passed by both Houses. Each Senator is entitled to the free distribution of four copies of each bill introduced in each House, and each Assemblyman to such a distribution of two copies. Additional copies of such bills may be distributed at a charge to the person to whom they are addressed. The amount charged for distribution of the additional copies must be determined by the Director of the Legislative Counsel Bureau to approximate the cost of handling and postage for the entire session.

[Statutes of Nevada 2001 Special Session, 408]

RESOLUTIONS

Rule No. 9. Types, Usage and Approval.

1. A joint resolution must be used to:
 - (a) Propose an amendment to the Nevada constitution.
 - (b) Ratify a proposed amendment to the United States Constitution.
 - (c) Address the President of the United States, Congress, either House or any committee or member of Congress, any department or agency of the Federal Government, or any other state of the Union.
2. A concurrent resolution must be used to:
 - (a) Amend these joint rules.
 - (b) Request the return from the Governor of an enrolled bill for further consideration.
 - (c) Resolve that the return of a bill from one House to the other House is necessary and appropriate.
 - (d) Express facts, principles, opinion and purposes of the Senate and Assembly.
 - (e) Establish a joint committee of the two Houses.
 - (f) Direct the Legislative Commission to conduct an interim study.
3. A concurrent resolution or a resolution of one House may be used to:
 - (a) Memorialize a former member of the Legislature or other notable or distinguished person upon his death.
 - (b) Congratulate or commend any person or organization for a significant and meritorious accomplishment.

[Statutes of Nevada 2001 Special Session, 408]

VETOES

Rule No. 10. Special Order.

Bills which have passed a previous Legislature, and which are transmitted to the Legislature next sitting, accompanied by a message or statement of the Governor's disapproval, or veto of the same, shall become the subject of a special order; and when the special order for their consideration is reached and called, the said message or statement shall be read, together with the bill or bills so disposed or vetoed; and the message and bill shall be read in the Senate by the Secretary of the Senate and in the Assembly by the Chief Clerk of the Assembly, without interruption, consecutively, one following the other, and not upon separate occasions; and no such bill or message shall be referred to any committee, or otherwise acted upon, save as provided by law and custom; that is to say, that immediately following such reading the only question (except as hereinafter stated) which shall be put by the Chair is, "Shall the bill pass, notwithstanding the objections of the Governor?" It shall not be in order, at any time, to vote upon such vetoed bill without the same

shall have first been read, from the first word of its title to and including the last word of its final section; and no motion shall be entertained after the Chair has stated the question save a motion for “The previous question,” but the merits of the bill itself may be debated.

[Statutes of Nevada 2001 Special Session, 408]

ADJOURNMENT

Rule No. 11. Limitations and Calculation of Duration.

1. In calculating the permissible duration of an adjournment for 3 days or less, the day of adjournment must not be counted but the day of the next meeting must be counted, and Sunday must not be counted.

2. The Legislature may adjourn for more than 3 days by motion based on mutual consent of the houses or by concurrent resolution. One or more such adjournments, may be taken to permit the Joint Rules Committee or the Legislative Counsel Bureau to prepare the matters respectively entrusted to them for the consideration of the Legislature as a whole.

[Statutes of Nevada 2001 Special Session, 409]

EXPENDITURES FROM THE LEGISLATIVE FUND

Rule No. 12. Manner of authorization.

Except for routine salary, travel, equipment and operating expenses, no expenditures shall be made from the Legislative Fund without the authority of a Concurrent Resolution regularly adopted by the Senate and Assembly.

[Statutes of Nevada 2001 Special Session, 409]

RECORDS OF COMMITTEE PROCEEDINGS

Rule No. 13. Duties of Secretary of Committee and Director.

1. The Joint Rules Committee and the Committee of the Whole of the Legislature shall cause a record to be made of the proceedings of its meetings.

2. The secretary of the Joint Rules Committee and secretary of the Committee of the Whole shall:

(a) Label each record with the date, time and place of the meeting and also indicate on the label the numerical sequence in which the record was made;

(b) Keep the records in chronological order; and

(c) Deposit the records immediately following the final adjournment of the special session of the Legislature with the Director of the Legislative Counsel Bureau.

3. The Director of the Legislative Counsel Bureau shall:

- (a) Index the records;
- (b) Make the records available for accessing by any person during office hours under such reasonable conditions as he may deem necessary;
- (c) Maintain a log as a public record containing the date, time, name and address of any person accessing any of the records and identifying the records accessed; and
- (d) Retain the records for two bienniums and at the end of that period keep some form or copy of the record in any manner he deems reasonable to ensure access to the record in the foreseeable future.

[Statutes of Nevada 2001 Special Session, 409]

REDISTRICTING

Rule No. 14. Responsibility for Measures.

1. Measures setting forth specific boundaries of the state legislative districts, congressional districts, districts for the Board of Regents or districts for the State Board of Education must be requested and introduced by the Joint Rules Committee.

2. Notwithstanding this Rule and Joint Rule No. 2, if the Majority Leader of the Senate and the Speaker of the Assembly jointly inform the Legislative Counsel that the Joint Rules Committee is unable to agree upon a request for the drafting of measures setting forth specific boundaries of the state legislative districts, congressional districts, districts for the Board of Regents or districts for the State Board of Education, the Majority Leader of the Senate and the Speaker of the Assembly may each request one bill draft setting forth the specific boundaries of the state legislative districts and the congressional districts and one bill draft setting forth the specific boundaries of the districts for the Board of Regents and the districts of the State Board of Education.

[Statutes of Nevada 2001 Special Session, 410]

Rule No. 14.1. Equality of Representation.

1. In order to meet constitutional guidelines for deviations in population among state legislative districts, no plan, or proposed amendment thereto, will be considered that results in an overall range of deviation of 10 percent or more, or a relative deviation in excess of plus or minus 5 percent from the ideal district population.

2. The population of each of the Nevada congressional districts must be as nearly equal as is practicable. Any population deviation among the congressional districts from the ideal district population must be necessary to achieve some legitimate state objective. Legitimate state objectives, as judicially determined, include making districts compact, respecting municipal boundaries, preserving the cores of prior districts and avoiding

contests between incumbent representatives. In order to meet constitutional guidelines for congressional districts, no plan, or proposed amendment thereto, will be considered that results in an overall range of deviation in excess of 1 percent, or a relative deviation in excess of plus or minus one-half percent from the ideal district population.

3. Equality of population in accordance with the standard for state legislative districts is the goal of redistricting for the State Board of Education and the Board of Regents.

[Statutes of Nevada 2001 Special Session, 410]

Rule No. 14.2. Population Database.

1. The total state population, and the population of defined subunits thereof, as determined by the 2000 federal decennial census must be the exclusive database for redistricting by the Nevada Legislature.

2. Such 2000 census data as validated by the staff of the Legislative Counsel Bureau must be the exclusive database used for the evaluation of proposed redistricting plans for population equality.

[Statutes of Nevada 2001 Special Session, 410]

Rule No. 14.3. Districts.

All district boundaries created by a redistricting plan must follow the census geography.

[Statutes of Nevada 2001 Special Session, 411]

Rule No. 14.4. Compliance with the Voting Rights Act.

1. The legislature will not consider a plan that discernibly violates section 2 of the Voting Rights Act, codified as 42 U.S.C. § 1973(a), which prohibits any state from imposing any voting qualification, standard, practice or procedure that results in the denial or abridgment of any United States citizen's right to vote on account of race, color or status as a member of a language minority group.

2. The legislature will not consider a plan that is discernibly racially gerrymandered. Racial gerrymandering exists when:

(a) Race is the dominant and controlling rationale in drawing district lines; and

(b) The Legislature subordinates traditional districting principles to racial considerations.

For the purposes of this subsection, "traditional districting principles" are those traditional redistricting principles that have been judicially recognized and include compactness of districts, contiguity of districts, preservation of political subdivisions, preservation of communities of interest, preservation of cores of prior districts, protection of incumbents and compliance with section 2 of the Voting Rights Act, 42 U.S.C. § 1973 (2).

3. For the purpose of analyzing the 2000 census data, the legislature shall adopt the method set forth in the Office of Management and Budget (OMB) Bulletin No. 00-02 for aggregating and allocating the 63 categories of race data that will be reported to Nevada by the United States Census Bureau as part of the federal decennial census.

[Statutes of Nevada 2001 Special Session, 411]

Rule No. 14.5. Public Participation.

1. The Legislative Counsel Bureau shall make available to the public copies of the validated 2000 census database for the cost of reproducing the database.

2. The legislature shall make available for review by the public, copies of all maps prepared at the direction of the legislature.

[Statutes of Nevada 2001 Special Session, 411]

**LIMITATIONS ON REQUESTS FOR
DRAFTING OF LEGISLATIVE MEASURES**

**Rule No. 15. Limitations on Drafting and Requirements for
Introduction; Duplicative Measures; Indication of
Requester on Committee Introductions.**

The Legislative Counsel shall honor only requests for the drafting of a bill, resolution or amendment that has been approved by a majority of the members of the Senate and a majority of the members of the Assembly appointed to the Joint Rules Committee.

[Statutes of Nevada 2001 Special Session, 411]

Rule No. 15.1. Amendments.

1. The Legislative Counsel shall not honor a request for the drafting of an amendment to a bill or resolution if the subject matter of the amendment is independent of, and not specifically related and properly connected to, the subject that is expressed in the title of the bill or resolution.

2. For the purposes of this Rule, an amendment is independent of, and not specifically related and properly connected to, the subject that is expressed in the title of a bill or resolution if the amendment relates only to the general, single subject that is expressed in that Title and not to the specific whole subject matter embraced in the bill or resolution.

[Statutes of Nevada 2001 Special Session, 412]

**CONTINUATION OF LEADERSHIP OF THE SENATE
AND ASSEMBLY DURING THE INTERIM
BETWEEN SESSIONS**

Rule No. 16. Tenure and Performance of Statutory Duties.

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 Floor Leader and Minority Floor Leader of the Assembly extends during the interim between regular sessions of the Legislature.

2. The Senators designated to be the President pro Tem, Majority Leader and Minority Leader for the next succeeding regular session shall perform any statutory duty required in the period between the time of their designation after 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 Floor Leader and Minority Floor Leader for the next succeeding regular session shall perform any statutory duty required in the period between the time of their designation after the general election and the organization of the next succeeding regular session.

[Statutes of Nevada 2001 Special Session, 412]

**POLICY AND PROCEDURES REGARDING
SEXUAL HARASSMENT**

Rule No. 17. Maintenance of Working Environment; Procedure for Filing, Investigating and Taking Remedial Action on Complaints.

1. The Legislature hereby declares its intention to maintain a working environment which is free from sexual harassment. This policy applies to all legislators and lobbyists. Each member and lobbyist is responsible to conduct himself or herself in a manner which will ensure that others are able to work in such an environment.

2. In accordance with Title VII of the Civil Rights Act, for the purposes of this rule, "sexual harassment" means unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

(a) Submission to such conduct is made either explicitly or implicitly a term or condition of a person's employment;

(b) Submission to or rejection of such conduct by a person is used as the basis for employment decisions affecting the person; or

(c) Such conduct has the purpose or effect of unreasonably interfering with a person's work performance or creating an intimidating, hostile or offensive working environment.

3. Each person subject to these rules must exercise his own good judgment to avoid engaging in conduct that may be perceived by others as sexual harassment. The following noninclusive list provides illustrations of conduct that the Legislature deems to be inappropriate:

(a) Verbal conduct such as epithets, derogatory comments, slurs or unwanted sexual advances, invitations or comments;

(b) Visual conduct such as derogatory posters, photography, cartoons, drawings or gestures;

(c) Physical conduct such as unwanted touching, blocking normal movement or interfering with the work directed at a person because of his sex;

(d) Threats and demands to submit to sexual requests to keep a person's job or avoid some other loss, and offers of employment benefits in return for sexual favors; and

(e) Retaliation for opposing, reporting or threatening to report sexual harassment, or for participating in an investigation, proceeding or hearing conducted by the Legislature or the Nevada Equal Rights Commission or the federal Equal Employment Opportunity Commission, when submission to such conduct is made either explicitly or implicitly a term or condition of a person's employment or submission to or rejection of such conduct by a person is used as the basis for employment decisions affecting the person or such conduct has the purpose or effect of unreasonably interfering with a person's work performance or creating an intimidating, hostile or offensive working environment.

4. A person may have a claim of sexual harassment even if he has not lost a job or some other economic benefit. Conduct that impairs a person's ability to work or his emotional well-being at work constitutes sexual harassment.

5. If a legislator believes he is being sexually harassed on the job, he may file a written complaint with:

(a) The Speaker of the Assembly;

(b) The Majority Leader of the Senate; or

(c) The Director of the Legislative Counsel Bureau, if the complaint involves the conduct of the Speaker of the Assembly or the Majority Leader of the Senate. The complaint must include the details of the incident or incidents, the names of the persons involved and the names of any witnesses.

6. Except as otherwise provided in subsection 7, the Speaker of the Assembly or the Majority Leader of the Senate, as appropriate, shall refer a complaint received pursuant to subsection 5 to a committee consisting of

legislators of the same House. A complaint against a lobbyist may be referred to a committee in either House.

7. If the complaint involves the conduct of the Speaker of the Assembly or the Majority Leader of the Senate, the Director of the Legislative Counsel Bureau shall refer the complaint to the Joint Rules Committee. If the Speaker of the Assembly or the Majority Leader of the Senate is a member of this committee, the Speaker or the Majority Leader, as the case may be, shall not participate in the investigation and resolution of the complaint.

8. The committee to which the complaint is referred shall immediately conduct a confidential and discreet investigation of the complaint. As a part of the investigation, the Committee shall notify the accused of the allegations. The committee shall facilitate a meeting between the complainant and the accused to allow a discussion of the matter, if both agree. If the parties do not agree to such a meeting, the committee shall request statements regarding the complaint from each of the parties. Either party may request a hearing before the committee. The committee shall make its determination and inform the complainant and the accused of its determination as soon as practicable after it has completed its investigation.

9. If the investigation reveals that sexual harassment has occurred, the Legislature will take appropriate disciplinary or remedial action, or both. The committee shall inform the complainant of any action taken. The Legislature will also take any action necessary to deter any future harassment.

10. The Legislature will not retaliate against a person who files a complaint and will not knowingly permit any retaliation by the person's supervisors or coworkers.

11. The Legislature encourages a person to report any incident of sexual harassment immediately so that the complaint can be quickly and fairly resolved.

12. Action taken by a complainant pursuant to this rule does not prohibit the complainant from also filing a complaint of sexual harassment with the Nevada Equal Rights Commission or the federal Equal Employment Opportunity Commission.

13. All legislators and lobbyists are responsible for adhering to the provisions of this policy. The prohibitions against engaging in sexual harassment and the protections against becoming a victim of sexual harassment set forth in this policy apply to employees, legislators, lobbyists, vendors, contractors, customers and visitors to the Legislature.

14. This policy does not create any enforceable legal rights in any person.

[Statutes of Nevada 2001 Special Session, 412]

INDEX TO JOINT STANDING RULES OF THE SENATE AND ASSEMBLY

17TH SPECIAL SESSION, 2001

— A —

<i>Subject</i>	<i>Rule No.</i>
ADJOURNMENT	
Preparation of matters for consideration of Legislature as a whole	11
Three days or less, calculation of permissible duration	11
AMENDMENTS	
Conference committee reports not subject to amendment	3
Connection to subject expressed in title required.....	15.1
Constitutional amendments, proposal or ratification by joint resolution.....	9
Joint rules, amendment by concurrent resolution.....	9
Joint sponsorship of bills or resolutions.....	7
Proposed amendments, approval of Joint Rules Committee required,	2, 15
Rejection by one house, procedure	3
APPLICABILITY OF JOINT RULES	
Generally	1

— B —

BILLS	
Adjournment to permit preparation of certain legislative measures.....	11
Amendments (<i>See AMENDMENTS</i>)	
Communications from other House	5
Conference committees, reports	3
Distribution	
Charges for additional copies	8
Senators and Assemblymen, number of free copies	8
Enrolled bills	
Request for return from Governor by concurrent resolution.....	9
Signatures required.....	6
Joint sponsorship	7
Notice of final action	5
Printing	7, 8
Requests for drafting	
Approval by Joint Rules Committee required	2, 15
Redistricting measures	14
Return from other House, request by concurrent resolution.....	9
Vetoed bills	
Committee referral, out of order.....	10
Special orders	10

— C —

CHIEF CLERK OF THE ASSEMBLY	
Communications to other House, signature required	5
Enrolled bills and joint resolutions, signature required.....	6
Messages from the Assembly, delivery	4
Vetoed bills and Governor's message, reading	10

COMMENDATIONS AND CONGRATULATIONS

Approval of drafting requests	9
-------------------------------------	---

COMMITTEES

Conference committees (<i>See CONFERENCE COMMITTEES</i>)	
Joint committees, establishment by concurrent resolution	9
Joint Rules Committee (<i>See JOINT RULES COMMITTEE</i>)	
Records of certain committee proceedings	13
Reports, printing	8
Sexual harassment complaints, referral to committee	17

COMMUNICATIONS BETWEEN HOUSES

Final action on bill or resolution or other action	5
Signatures	5
Written	5

CONFERENCE COMMITTEES

Appointment	3
Limit on number	3
Meetings	3
Members	3
Reports	3

CONGRESS

Addressed by joint resolution	9
-------------------------------------	---

CONSTITUTIONAL AMENDMENTS

Proposal or ratification by joint resolution	9
--	---

— E —**ENROLLED BILLS AND JOINT RESOLUTIONS**

Return of enrolled bill from Governor, request by concurrent resolution	9
Signatures	6

— F —**FEDERAL GOVERNMENT**

Addressed by joint resolution	9
-------------------------------------	---

— G —**GOVERNOR**

Messages from	4
Proclamations convening Legislature in extra session	4
Secretary, duties concerning messages to the Legislature	4
Vetoed bills and message or statement of disapproval, transmission to Legislature	10

— H —**HARASSMENT**

Sexual harassment, policy and procedures	17
--	----

— I —**INTENT OF THE LEGISLATURE**

Expression by concurrent resolution	9
---	---

INTERIM STUDIES

Ordered by concurrent resolution	9
--	---

— J —**JOINT COMMITTEES**

Establishment by concurrent resolution	9
--	---

JOINT RULES COMMITTEE

Chairman and vice chairman, election.....	2
Creation.....	2
Membership.....	2
Records of committee proceedings.....	13
Redistricting, responsibility for legislative measures.....	14
Requests for drafting, approval.....	2, 15
Sexual harassment, referral of complaints	17

JOINT SPONSORSHIP OF BILLS AND RESOLUTIONS

Procedure.....	7
----------------	---

JOURNALS

Governor's proclamations and special messages entered in	4
--	---

— L —

LEGISLATIVE COUNSEL BUREAU

Director	
Bills, determination of amount to be charged for distribution of additional copies.....	8
Records of committee proceedings, duties	13
Sexual harassment, complaints filed with.....	17
Legal Division, duties regarding joint sponsorship of bills or resolutions	7
Redistricting, duties regarding public participation	14.5

LEGISLATIVE FUND

Concurrent resolution required for other than routine expenditures.....	12
---	----

LEGISLATIVE INTENT

Expression by concurrent resolution.....	9
--	---

LOBBYISTS

Sexual harassment policy, applicability.....	17
--	----

— M —

MAJORITY LEADERS

Redistricting, bill draft requests.....	14
Sexual harassment, complaints filed with.....	17
Tenure and performance of statutory duties.....	16

MEETINGS

Conference committees	3
Records of committee proceedings.....	13

MEMORIALS

Concurrent or simple resolutions.....	9
---------------------------------------	---

MESSAGES

Governor, special messages.....	4
Other house, delivery procedure.....	4

MINORITY LEADERS

Tenure and performance of statutory duties.....	16
---	----

MOTIONS

Adjournment, authorization.....	11
Recede, motion not to, appointment of conference committee	3
Recede, motion to, recommendation by conference committee.....	3
Vetoed bills of the previous session, limit on motions entertained	10

— P —

PRESIDENT OF THE SENATE

Signature required on enrolled bills and resolutions	6
--	---

PRESIDENT PRO TEMPORE

Tenure and performance of statutory duties.....	16
---	----

PRINTING

Bills, reports and other matters.....	8
Concurrent resolution required to order certain printing.....	8
Joint sponsored bills and resolutions	7

PROCLAMATIONS BY GOVERNOR

Legislature, convening in extra session	4
---	---

— R —**RECEDE, MOTION NOT TO**

Appointment of conference committee.....	3
--	---

RECEDE, MOTION TO

Recommendation by conference committee	3
--	---

RECORDATION

Committee proceedings, requirements.....	13
--	----

REDISTRICTING

Boundaries of districts, guidelines.....	14.3
Population	
Database, use.....	14.2, 14.4
Equality among districts, requirements, deviations	14.1
Public participation, procedures	14.5
Racial gerrymandering, definition, prohibition.....	14.4
Responsibility for legislative measures.....	14
Voting Rights Act, compliance requirements	14.4

RESOLUTIONS

Communications between Houses concerning final action.....	5
Concurrent resolutions	
Adjournment, authorization for	11
Legislative fund, authorization for expenditures	12
Printing ordered by.....	8
Uses.....	9
Enrolled resolutions, signatures required.....	6
Joint resolutions, uses.....	9
Joint sponsorship	7
Notice of final action	5
Requests for drafting, approval of Joint Rules Committee required	2, 15
Simple resolutions, uses	9

— S —**SECRETARY OF THE SENATE**

Communication to other House, signature required.....	5
Enrolled bills and joint resolutions, signature required.....	6
Messages from the Senate, delivery.....	4
Vetoed bills and Governor's message, reading	10

SERGEANTS AT ARMS

Messages from Governor, duties	4
--------------------------------------	---

SEXUAL HARASSMENT

Policies and procedures	17
-------------------------------	----

SIGNATURES

Communications between Houses	5
Enrolled bills and joint resolutions	6

*Subject**Rule No.***SPEAKER OF THE ASSEMBLY**

Enrolled bills and resolutions, signature required.....	6
Redistricting, bill draft requests.....	14

SPEAKER OF THE ASSEMBLY—*Continued*

Sexual harassment, complaints filed with.....	17
Tenure and performance of statutory duties.....	16

SPEAKER PRO TEMPORE

Tenure and performance of statutory duties.....	16
---	----

SPECIAL ORDERS

Vetoed bills of the previous session.....	10
---	----

STUDIES, INTERIM

Ordered by concurrent resolution	9
--	---

— V —

VETOED BILLS OF THE PREVIOUS SESSION

Committee referral, out of order	10
Debate on merits of bills.....	10
Governor's message or statement of disapproval to accompany	10
Motions limited	10
Reading, procedure for	10
Special orders.....	10
Voting prohibited until bill read from first to last word.....	10

— W —

WHISTLE-BLOWERS

Sexual harassment, retaliatory action prohibited	17
--	----

WHOLE, COMMITTEE OF THE

Records of committee proceedings.....	13
---------------------------------------	----

C E R T I F I C A T E

STATE OF NEVADA

ASSEMBLY CHAMBER

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SS.

This is to certify that the foregoing Journal of the Assembly, published in this volume, is a true, full, and correct copy of the original Journal of the Assembly of the Seventeenth Special Session of the Legislature of the State of Nevada, held in 2001.



Speaker of the Assembly.



Chief Clerk of the Assembly.