

# Journal

OF THE

## ASSEMBLY OF THE STATE OF NEVADA

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SEVENTY-THIRD SESSION

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**THE FIRST DAY**

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CARSON CITY (Monday), February 7, 2005

Pursuant to the provisions of the Constitution and Statutes, the Assembly was called to order by Secretary of State Dean Heller at 12:08 p.m.

Prayer by the Chaplain, Pastor Dixie Jennings-Teats, Carson City, Nevada.

To the One who unites us, be Thou our vision, be our inspiration. Beyond dividing political lines, bring us to work together in the diversity of Nevada. Call us to a vision of wholeness and peace for all Your people. Give us courage to leave behind our fears and prejudices, to be willing to leave behind our vested interests, to work for the health and welfare of all Your people, including those generations to come.

Today we ride into Your new future, filled with Your hope, freely giving our lives and our creativity on behalf of all Your people. Sustain us, we pray.

AMEN.

Presentation of the Colors by the Nevada Air National Guard.

Special musical rendition of the National Anthem by Master Sergeant Rick Hays of the Nevada Air National Guard.

Pledge of Allegiance to the Flag.

Special musical rendition of "God Bless America" by Master Sergeant Rick Hays of the Nevada Air National Guard.

Special musical rendition of the Battle Hymn of the Republic and America the Beautiful by the Carson Chamber Choir, conducted by Mrs. Judy Monson.

Mr. Secretary of State requested Ms. Nancy Tribble to serve as temporary Chief Clerk of the Assembly.

Mr. Secretary of State requested that the temporary Chief Clerk call the roll of the 42 Assemblymen-elect.

Roll called.

Present: Assemblymen Allen, Anderson, Angle, Arberry, Atkinson, Buckley, Carpenter, Christensen, Claborn, Conklin, Denis, Gansert, Gerhardt, Giunchigliani, Goicoechea, Grady, Hardy, Hettrick, Hogan, Holcomb, Horne, Kirkpatrick, Koivisto, Leslie, Mabey, Manendo, Marvel, McClain, McCleary, Mortenson, Munford, Ocegüera, Ohrenschall, Parks, Parnell, Perkins, Pierce, Seale, Sherer, Sibley, Smith, and Weber.

Mr. Secretary of State appointed as a committee Assemblywoman McClain and Assemblyman Manendo to escort Chief Justice Nancy A. Becker of the Supreme Court of the State of Nevada to the rostrum to administer the oaths of office to the Assemblymen.

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

Chief Justice Becker administered the oath of office to the Assemblymen.

Mr. Secretary of State requested the temporary Chief Clerk call the roll of those Assemblymen for whom Certificates of Election had been issued.

Roll called.

Present: Assemblymen Allen, Anderson, Angle, Arberry, Atkinson, Buckley, Carpenter, Christensen, Claborn, Conklin, Denis, Gansert, Gerhardt, Giunchigliani, Goicoechea, Grady, Hardy, Hettrick, Hogan, Holcomb, Horne, Kirkpatrick, Koivisto, Leslie, Mabey, Manendo, Marvel, McClain, McCleary, Mortenson, Munford, Ocegüera, Ohrenschall, Parks, Parnell, Perkins, Pierce, Seale, Sherer, Sibley, Smith, and Weber.

Assemblyman Horne moved that Chief Justice Becker be given a unanimous vote of thanks for administering the oath.

Motion carried unanimously.

The appointed committee escorted the Chief Justice of the Supreme Court to the Bar of the Assembly.

Mr. Secretary of State announced that there would be no temporary organization of the Assembly, and that all nominations were in order for permanent appointment.

Mr. Secretary of State declared that nominations were in order for Speaker.

Assemblywoman Buckley nominated Assemblyman Perkins for Speaker.  
Remarks by Assemblywoman Buckley.

Assemblywoman Buckley moved that the following remarks be entered in the Journal.

ASSEMBLYWOMAN BUCKLEY:

Thank you, Mr. Secretary of the State. As we convene this Seventy-third Session of the Nevada Legislature, our state faces many challenges. We must improve our school system so that our children are ready for success. We must improve health care in Nevada to remove Nevada from being the fourth-highest rate of uninsured, with our emergency rooms clogged. We must manage the fiscal affairs of this state in a way that is prudent but considers the long-term needs of our state.

Our success or failure in meeting these challenges will depend a lot on the leaders whom we elect. The choice of Speaker has momentous consequences. The formal duties of the Speaker are well defined. The Speaker is the presiding officer over this Body, rules the proceedings, maintains order and decorum, and signs all necessary bills and resolutions that this Body passes. The power of the Speaker extends far beyond the walls of this Chamber. As the acknowledged leader of the majority, the Speaker's influence both in and out of the Legislature ranks him as one of the highest elective legislative positions, next to the Governor.

Our colleague from Henderson is eminently qualified for this post. Richard Perkins is a native of Nevada, something that most of us from southern Nevada have difficulty saying. He was elected to the Assembly in 1992, and has been a member of this Body and served as Speaker for the last two sessions. Of course, this is a citizens' Legislature, and like most of us, Richard has a life outside this body; a wife Terri, in front of me here, and five children. I think we have three present today. For more than 20 years, he has been a member of the Henderson Police Department, starting as a beat cop, rising to the Deputy Police Chief. From his background in law enforcement, he brings us a unique perspective and understanding and knows what it is like to put your life on the line to protect the public. In both his private and public life, he believes in making our state a better place. He is a man of action and not many words.

Those of us who have worked with Rich Perkins know him to be bright, hard-working, fair, compassionate, and caring. It is for these reasons that I nominate my colleague, my mentor, and my friend, Richard D. Perkins, to be Speaker of the Assembly.

Assemblyman Hettrick moved that nominations be closed.

Motion carried unanimously.

Mr. Secretary of State declared Assemblyman Perkins to be Speaker of the Assembly.

Mr. Secretary of State appointed Assemblyman Anderson and Assemblywoman Gerhardt as a committee to escort the Speaker to the rostrum.

Mr. Speaker presiding.

Assemblyman Mortenson moved that Secretary of State Heller be given a unanimous vote of thanks for his services to the Assembly.

Motion carried unanimously.

Mr. Speaker appointed Assemblyman Carpenter and Assemblywoman Ohrenschall as a committee to escort the Secretary of State to the Bar of the Assembly.

The appointed committee escorted Secretary of State Heller to the Bar of the Assembly.

Remarks by Mr. Speaker.

Assemblywoman Buckley requested that the following remarks be entered in the Journal.

MR. SPEAKER:

It is customary for the Speaker to make brief remarks on Opening Day. I have done it myself every session since 2001. The Speaker's words are usually one part ceremony and one part pep rally. Not today. Today I'm going to talk frankly about the mistakes I think we made in 2003 and the ways that I think we are going to avoid repeating them this session. Admit it: in the last legislative session, we did a disservice to our constituents. I am not talking about policy mistakes or errors in processing this bill or that. It was worse. We made the joint mistake of false pride and misplaced loyalty. We, all of us, myself included, allowed ourselves to get sucked into behavior that not only delayed action, it demeaned the institution we serve. We damaged long-term relationships. Minority Leader Hettrick and I have served together for more than a decade. In 2003 we abandoned that working relationship in favor of partisan bickering. Mr. Hettrick, we need to work together, and I pledge to do my part. Mr. Carpenter and Mr. Marvel were men I had looked up to since my arrival in the Assembly. In 2003, I foolishly set aside that respect. For that, I apologize. But this is a new session. The past is behind us, and we're not going back there again, period. Always remember: we are all Nevadans, first.

This year we have different challenges. I hope we now will also have a different approach to solving them. So while I take this opportunity to welcome each of you in ceremonial fashion, I also want to talk about how we should get down to doing the people's business. Now. This needs to be a session of action, and that's going to start right away. Let me give you two examples. In 2004, the people of Nevada overwhelmingly approved a ballot measure to raise the minimum wage. As you know, this question will have to be voted on in 2006 in order for it to take effect. I say we pass it now. There is no reason why working men and women should be forced to wait two more years for something as basic as a decent living wage. We don't need polls to tell us this is the right thing to do right now. We are going to pass the minimum wage bill out of this House in our first month of work. Its time has come.

While we are quickly addressing the immediate needs of wage-earning families, we are also going to address the future of their children's education. In his State of the State address two weeks ago, Governor Guinn stood in this chamber and graciously asked us to approve bonding capacity to save the Millennium Scholarship. With due respect to the Governor, I disagree. The Millennium Scholarship is truly one of Nevada's great successes. The program was far-sighted, bipartisan, and results-oriented. We do not need to mortgage our children's financial future in order to ensure the future of their education.

I believe there is sufficient revenue in the state surplus, together with the funding stream from Unclaimed Properties, to endow the Millennium Scholarships now, without selling state bonds. We have the money to do the right thing, so let us do it.

Doing the right thing is not always easy. Far too often, I think, we allow the process to get in the way of what we know is right. This session can be different. We can do the right thing and do it now. But let me tell you one thing we are not going to do in this house this year. We are not going to legalize marijuana. After putting criminals in jail for more than 20 years, I can tell you legalizing pot is the wrong thing to do, now or ever. Over 80 percent of the inmates now in Nevada prisons are drug users. The link between drug use and crime is clear. I am not going to make it any easier, not on my watch. Instead, we should turn our attention to issues that matter to Nevadans.

I have spent much of my time since the last session traveling to all corners of this state. People are concerned about us, my friends. Us. Elected officials. The scandals that have plagued elected officials in the past few years have tarnished us all. In order to restore the public's faith in our institutions, we must act now to police ourselves and be tougher on those who would use government to their advantage. That's why I put together a package, along with Attorney General Brian Sandoval, to put some teeth in our ethics laws. We are going to begin putting criminal penalties in the law for false filings, stiffening penalties in other areas, and clarifying that willful violations cannot be explained away with an "Oh-but-I-didn't-really-mean-it"

defense. Our package will create a “three strikes and you’re out” policy for repeat violators. And it will make a violation of the Open Meeting Law an immediate ethics violation to be counted on the three-strikes list.

Public integrity should always be at the forefront of our minds. But now, more than ever, we owe it to the citizens of this state, some of whom are sacrificing their lives in a war thousands of miles away, to do the people’s business in a way that makes them proud. I think this is the perfect session to extend the gratitude I know each of you feel to the men and women who serve America in the military. Let us begin by asking every veteran or active military member in this chamber and in the audience to stand and be recognized. As well, and they have already stood, we have with us some military guests.

Brigadier General Randal Sayre, please stand again, Brigadier General Lawrence Cerfoglio, Colonel Cindy Kirkland, Major General Giles Vanderhoof, welcome again, and Chief Cindy Sullivan. Welcome to our chambers, and thank you for what you do for our country.

Ladies and gentlemen, we can do more than just applaud these folks. Today I am proposing a three-part program to express the gratitude of the people of Nevada for the men and women who are called into active duty as members of the Nevada National Guard. First, we will provide for a sales tax exemption for the families of those called into active duty. We do this today for non-profits, so it will be easy to do it for Guard families. Second, while I hope none are redeemed, we will institute a \$250,000 life insurance policy for all Nevada National Guard members called to active duty. Lastly, I am calling upon Nevada banks, mortgage companies, and financial institutions to allow for a “mortgage amnesty” when a Guard member is called into active duty. These citizen soldiers often leave behind high-paying jobs when they are called. They should not have to lose their homes while they forego their private income to keep us safe. When they return from duty, they can pick up where they left off. I know that Assemblymen like Mr. Anderson, Mr. Grady, Mr. Hardy, Mr. Hogan, Mr. Marvel, Mr. McCleary, and Mr. Parks, who are themselves veterans, will join me in this effort now, when it is most important.

You know as well as I do that military families are not the only ones suffering with issues like mortgage payments and, most importantly, property taxes. Governor Guinn said he looked forward to working with the Legislature in providing property tax relief. Today I am offering one solution. I propose that property tax relief come in the form of an exemption of the first \$50,000 of taxable valuation. In keeping with our state’s tradition of protecting each resident’s primary home, this has been commonly referred to as the Homestead Exemption. The plan is simple. A house taxed today on \$200,000 of value will now be taxed on only \$150,000 of value. Due to the phenomenal growth of tax valuations, this formula will not adversely impact local governments, but it will provide relief for Nevadans like our seniors and young families just trying to get started.

As I said, this needs to be a session of action. Nevada voters are waiting for us to tackle the issues that matter. Before I conclude, I would like to touch on two more of these issues, health care and education. Governor Guinn spoke forcefully and meaningfully about the need to hold school principals accountable. I could not agree more. But I also believe we can do more, and we can do it now. We don’t need a commission to study this. We need action. I am calling on Chairwoman Parnell and the Education Committee to quickly and meaningfully address teacher and classroom accountability measures. It is important to hold principals accountable, but it is also important to hold teachers, superintendents, and the rest of our educational system accountable. Nevada students deserve no less.

I also believe that we need to be held more accountable for the way we treat our teachers. A 2000 Legislative Audit found that the average classroom teacher in grades K-6 spends \$500 of his or her own money on classroom supplies. We have let them down. This Legislature can and should provide funding to send every elementary school teacher a check for \$500 in the first year of the biennium. This should be in addition to addressing teacher salaries. It’s a short-term answer, I know, but it’s a step in the right direction. The long-term answer will come when we pass a statewide lottery to provide more than \$40 million a year in dedicated, stable funding for books, computers, and classroom materials. We can do it. We can do it now. And we will.

But we can do more. Health care, for example. I want to call on Majority Leader Buckley, Chairwoman Leslie, Chairwoman Koivisto, and our two doctor-legislators, Dr. Mabey and Dr. Hardy, for help in solving some of our medical challenges. This week, some 300,000 of

southern Nevada's public servants and casino workers will be left without hospital coverage. Why? Because out-of-state health care corporations are refusing to agree to sensible coverage plans. Ladies and gentlemen, enough is enough.

Every two to three years the health care delivery system in Las Vegas reaches another crisis. We need to find the root cause now, before the next crisis is upon us. We also need legislation that prohibits these out-of-state corporations from harvesting our pocketbooks to ship millions of dollars back East. I propose that we look at a Community Reinvestment Act for Health Care modeled on the financial services industry. This would require hospitals to invest a percentage of their profits into local programs before they pay off corporate headquarters.

Obviously, I will be counting on each of you to help make these ideas and others a reality. I believe we can do it, and we can do it together. This "session of action" should be known for a sense of bipartisan workmanship. There is no reason for grandstanding, obstruction, or infighting. The people are fed up with us. They expect action now. And as the leader of this Chamber, I intend to do everything in my power to make sure they get it.

I am not the Speaker of southern Nevada. I am not the Speaker of one party, any more than you are the representative of one district or one political platform. It is my sincere hope that when we come to this Body, we can put all those labels aside. We are working for the betterment of all Nevadans, and that work is waiting for us to do now.

The challenges I have made to you today will not be met unless we work together. Let us make this a legislative session that will be remembered, not for its length, but for the quality and quantity of what we accomplished. It's time again to be Nevadans first and partisans second. Thank you. Now let's get to work.

Mr. Speaker declared that nominations were in order for Speaker pro Tempore.

Assemblyman Arberry nominated Assemblywoman Giunchigliani for Speaker pro Tempore.

Remarks by Assemblyman Arberry.

Assemblyman Conklin moved that nominations be closed.

Motion carried unanimously.

Mr. Speaker declared Assemblywoman Giunchigliani to be Speaker pro Tempore of the Assembly.

Mr. Speaker declared that nominations were in order for Chief Clerk.

Assemblyman Parks nominated Ms. Nancy Tribble to be Chief Clerk.

Assemblywoman Weber moved that nominations be closed.

Motion carried unanimously.

Mr. Speaker declared Ms. Nancy Tribble to be Chief Clerk of the Assembly.

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

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

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

Assembly in recess at 1:17 p.m.

ASSEMBLY IN SESSION

At 1:21 p.m.

Mr. Speaker presiding.

Quorum present.

MOTIONS, RESOLUTIONS, AND NOTICES

Assemblyman Ocegüera reported that his committee had informed the Senate that the Assembly was organized and ready for business.

Assemblywoman Buckley reported that her committee had informed the Governor that the Assembly was organized and ready for business.

A committee from the Senate composed of Senators McGinness, Heck, and Lee appeared before the bar of the Assembly and announced that the Senate was organized and ready for business.

Assemblywoman Buckley moved that persons as set forth on the Nevada Legislature's Press Accreditation List of February 7, 2005, 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: Kathleen Hennessey, Brendan Riley, Elizabeth White; CREATIVE IMAGES PHOTOGRAPHY: Daniel Nollsch; ELKO DAILY FREE PRESS: Samuel Brown; KLAS-TV: Matthew E. Adams, Richard Czarny, Brandon Eisenberg, George Knapp, Colleen McCarty, Lindsay Patterson, Cory Royer; KNPB-TV Channel 5: Beth Bornhoft, Erin Meehan Breen, Tom Drakulich, Ryan C. Jerz, Justin Reed, Dave Santina, Katie Smith; KOH 780 AM: Ande Engleman; KOLO-TV: Edward Barnett, Mark Andrew Cronon, Timothy Ill, Justin Kanno, Habib Obi, Ed Pearce, Terri Russell, James Steiner, Karen Todd, Kara Tsuboi; KRNV-TV News 4: Kausik Bhakta, Valerie Bischoff, Josh Brackett, Victoria Campbell, Hetty Chang, Jeff Deitch, Gene Kennedy, Chuck King, Melissa Santos, Michael Thompson; KVBC-TV: Lisa Hidalgo, Zumi Hidalgo; KVVU-TV FOX 5: Lorraine Blanco; LAS VEGAS REVIEW-JOURNAL: Kevin M. Cannon, Erin Neff, Sean Whaley, Ed Vogel; LAS VEGAS SUN: Cy Ryan; NEVADA APPEAL: Geoff Dornan; NEVADA OBSERVER: Johnny Gunn; NEW YORK TIMES: John M. Broder; RENO GAZETTE-JOURNAL: Andy Barron, Anjeanette Damon, Lisa Tolda, Candice Towell; SAM SHAD PRODUCTIONS: Lisa Jansen, Marlene Lockard, Sam Shad; SENIOR SPECTRUM NEWSPAPER: Connie McMullen; WE THE PEOPLE: Shayne Del Cohen.

Motion carried.

Mr. Speaker announced the following standing committees, the first-named member of each committee being the chairman, the second-named being the vice chairman:

COMMERCE AND LABOR—

Buckley, Ocegüera, Anderson, Arberry, Conklin, Giunchigliani, McClain, Parks, Perkins, Allen, Gansert, Hettrick, Seale, Sherer.

EDUCATION—

Parnell, Smith, Atkinson, Horne, McCleary, Manendo, Munford, Angle, Hardy, Holcomb, Mabey.

## ELECTIONS, PROCEDURES, ETHICS, AND CONSTITUTIONAL AMENDMENTS—

Koivisto, Mortenson (Co-chair), Conklin (Co-vice chair), McCleary (Co-vice chair), Denis, Giunchigliani, McClain, Munford, Angle, Gansert, Holcomb, Seale, and Sibley.

## GOVERNMENT AFFAIRS—

Parks, Pierce, Atkinson, Claborn, Kirkpatrick, McCleary, Munford, Parnell, Christensen, Goicoechea, Grady, Hardy, Sibley.

## GROWTH AND INFRASTRUCTURE—

Perkins, Giunchigliani, Anderson, Kirkpatrick, Leslie, Mortenson, Parks, Pierce, Allen, Grady, Hettrick, Sibley, Weber.

## HEALTH AND HUMAN SERVICES—

Leslie, McClain, Gerhardt, Horne, Koivisto, Parnell, Pierce, Angle, Hardy, Mabey, Weber.

## JUDICIARY—

Anderson, Horne, Buckley, Conklin, Gerhardt, Manendo, Mortenson, Ocegüera, Ohrenschall, Allen, Angle, Carpenter, Holcomb, Mabey.

## NATURAL RESOURCES, AGRICULTURE, AND MINING—

Claborn, Atkinson, Denis, Hogan, Kirkpatrick, Ohrenschall, Smith, Carpenter, Goicoechea, Grady, Marvel.

## TRANSPORTATION—

Ocegüera, Ohrenschall, Atkinson, Claborn, Gerhardt, Hogan, Manendo, Carpenter, Christensen, Goicoechea, Sherer.

## WAYS AND MEANS—

Arberry, Giunchigliani, Denis, Hogan, Koivisto, Leslie, McClain, Perkins, Smith, Gansert, Hettrick, Marvel, Seale, Weber.

## MAJORITY FLOOR LEADER—

Barbara E. Buckley.

## ASSISTANT MAJORITY FLOOR LEADER—

John Ocegüera.

## MAJORITY WHIP—

Bernard Anderson.

## ASSISTANT MAJORITY WHIP—

Sheila Leslie.

## ASSISTANT MAJORITY WHIP FOR PROCEDURE—

Genie Ohrenschall.

## MINORITY FLOOR LEADER—

Lynn C. Hettrick.

## ASSISTANT MINORITY FLOOR LEADER—

Garn Mabey.

## MINORITY WHIP—

Valerie Weber.

## MINORITY WHIP—

Heidi Gansert.

## COMMUNICATIONS

## MESSAGES FROM THE GOVERNOR

## OFFICE OF THE GOVERNOR

CARSON CITY, NEVADA, February 1, 2005

THE HONORABLE WILLIAM J. RAGGIO, THE HONORABLE RICHARD D. PERKINS, NEVADA

LEGISLATURE, 401 S. CARSON STREET, CARSON CITY, NEVADA 89701

DEAR SENATOR RAGGIO AND SPEAKER PERKINS:

Please find enclosed my message to the 73rd Session of the Nevada Legislature. As you know, I delivered the message, as required by Article 5, Section 10, of the Nevada Constitution, earlier to a gathering of your colleagues and other guests on Monday, January 24, 2005, in the Assembly Chambers in Carson City.



Allow me to extend my sincere wishes for a productive legislative session. My staff and I look forward to working with all of you.

Sincerely,  
KENNY C. GUINN  
*Governor*

Assemblywoman Buckley requested that the Governor's State of the State Address as presented to the Legislative Commission's Special Committee to Receive the Governor's State of the State Address of January 24, 2005, be entered in the Journal.

Thank you, Speaker Perkins. I want to thank Majority Leader Raggio, Lieutenant Governor Hunt, certainly members of the State Assembly, the Senate, honorable judges of the Supreme Court, our constitutional officers, of course the distinguished guests who are here tonight, and my fellow citizens all across this great state. I want to say good evening to you and then I want to say I am very excited about being here tonight, this night, because it is a special night for me, having been before you over the last three sessions. Tonight is an exciting time. I would like to begin by making a heartfelt acknowledgment of my lovely wife, Dema, who is seated in the audience with my family; my two sons, Jeff and Steve, and their wives, Monica and Wynn; my sister, Shirley; and my grandson, Blake. Dema, you have been at my side every step of the way as Governor. You have had a tremendous influence on Nevada as our First Lady. You have championed health issues for women and children, and you have led the way on a great number of historic preservation efforts. Dema, thank you for everything that you have done for our family and what you have done for our Nevada family. Thank you very much.

Governor Mike O'Callaghan was a great leader of this state. And he was a true friend to many of us. He was a strong man, with a strong spirit. So strong, in fact, that if we make any bad decisions this session, we will no doubt hear from him. Carolyn O'Callaghan and Jackie Laxalt were two of the most graceful, witty, and intelligent First Ladies in our history. And although these great Nevadans are no longer with us, their influence on our state will remain forever. Please join me in a moment of silent reflection for three very notable Nevadans.

Thank you very much. We have a very special guest with us tonight representing our National Guard, who embodies the spirit of our state. Nevada has one of the highest percentages of National Guard members serving in Iraq and Afghanistan and other foreign lands. We have more than 750 members of our Air and Army Guard, as well as other military personnel who are dedicating themselves to the wartime effort. They are men and women like Sergeant Henry Lujan, from Henderson. Sergeant Henry Lujan was wounded in Iraq when a truck he was riding in was attacked by terrorists. This is an extraordinary man. As a cancer survivor he could have avoided the rigors of war, but his love for his country exceeded his personal concerns. He insisted it was his duty as a Nevada National Guardsman and as an American to serve his country in a time of war. Sergeant Lujan, would you please stand. Thank you very much. Thank you, Sergeant Lujan. We are proud of you and all of our men and women in our military. Thank you for being with us tonight. It is an honor, sir. Thank you very much. Thank you.

During my last State of the State Address, I said we were at a crossroads, and it was time for Nevada to choose its path. I want to say to all of you tonight, we chose wisely. I am proud to report that the state of our state is strong; in fact, it is very strong. The state's economy is firing on all cylinders. Our gaming and tourism industries have rebounded strongly. A record 50 million tourists came to our state last year alone and they spent more money than ever before. Our economy is also diversifying and growing every day. Las Vegas is constantly and consistently the country's fastest-growing market for small business and it is a major one. Chief executives across the land rank Nevada as the second-best state in the country to do business. This has allowed us to broaden and stabilize our revenue streams so that we can meet the needs of today and prepare for the challenges of tomorrow. Nevada has its lowest unemployment rate on record. Let me repeat this remarkable feat: the lowest unemployment rate on record. We are nearly two points below the national average. With 50,000 new jobs in 2004, Nevada remains a place where dreams can be fulfilled. We are creating these new jobs at a faster rate than any other state in the country. And these are good jobs, they are quality jobs. They are jobs that offer

livable wages and benefits for our working families. Given this news, it is no surprise that so many people want to come here and enjoy the wonderful opportunities and lifestyle that Nevada has to offer.

Yes, even the state of the budget is strong. And I commend this Legislature for helping to put Nevada on a stable course. Now that times are good, let us not forget that our Rainy Day Fund has shielded us in the past from devastating economic hardships. We need to be careful in these good times to save for tomorrow. Together we have diligently sought to strike a balance between providing for the needs of our citizens and protecting our fantastic business environment. We need to continue with these efforts. I want to strengthen our future by saving for a rainy day. My budget ensures that a total of \$200 million will be deposited into the state's Rainy Day Fund. By investing in this Fund, we will be protecting our citizens from future hardship. We have to remember that when tough times come, in Nevada they come quickly. This \$200 million provides us with needed insurance should our economy falter.

As guardians of the public trust, join me in supporting this very important savings plan. Because of the strength of our gaming and tourism industry and the broadening and stabilizing of our revenue streams, we will be able to do more this session than just save for a rainy day, and do a lot more. It is time that the people of Nevada see a direct benefit from the investments they have made. I am proposing that \$300 million be given back to the taxpayers. \$300 million. As your Governor, I have reviewed our revenues and expenditures and given our funding priorities serious consideration. Over the last six years as your Governor, I have always believed that we must fund our top priorities with reasonable allocations, and, while being fair to the taxpayers, we must do this. After funding these priorities, our state is still experiencing a surplus. I believe the right thing to do is to get this money back into the hands of as many taxpaying Nevadans as possible. Now, while it is worthy of debate, perhaps, I will tell you you will get no argument from the voters I have spoken to, except for how soon they will get it.

Through my plan for a DMV registration rebate, the registration and fees that you paid in 2004, up to \$300 per registration for each car, each motorcycle, RV, or trailer that you registered, will be sent to you as soon as my budget has been approved by the Legislature. The rebates on two million vehicles will be a welcome addition to peoples' pocketbooks and will serve as a continued stimulus to our booming economy that we have in Nevada. I have faith that the families of Nevada know best how to spend this \$300 million rebate.

We all know it is vital that property tax relief be discussed in great detail beginning in the earliest days of this session. Property owners, particularly seniors on fixed incomes and working families, are worried about this seemingly overnight jump in their property taxes. Just the other day I read an article about a retired married couple, William and Janet Rhoden, who moved to Las Vegas from Chicago in 1992. The taxable value of their home in Summerlin, in southern Nevada, has gone up 41 percent this last year. William went to the county Board of Equalization and pleaded with the board. He said, "I am asking this group to give us relief, whatever you can do." Sadly, nothing could be done for them. I feel for a couple like the Rhodens, and I am sure you do, too. We need to find relief for William and Janet, and the thousands and thousands of other homeowners in Nevada who are facing this punishing burden.

I encourage you to have lively debate on this issue. Working with local governments, school boards, and taxpayers, we can provide a solution that protects our home and property owners, all across this state. At the same time, we can protect the services they expect. I am calling upon our Legislature and our local governments to commit themselves to work with great focus on this issue of critical importance to our citizens. The people of Nevada deserve the best work we can produce, and I know together we are up to this task. And my pledge to the people of Nevada is this: we will not rest until property tax relief is a reality.

This is the fourth and final time I have been privileged to stand before you to deliver a State of the State Address. I am proud to say that this \$5.7 billion budget has been thought out in great detail. I believe there is strong justification for the programs presented to you. This budget promotes a Nevada built on partnership and progress, a Nevada that rewards the needs, the energy, and the passion of its citizens.

All my life, and throughout my two terms as your Governor, my focus has been and will be education. Each time I have stood before you, I have focused my passion on the service we provide that has the power to change one's life. Education is not part of my agenda; it is my

agenda. The Millennium Scholarship is changing the future of our state. More than 40,000 students have qualified for the program. Yes, that is 40,000 bright, young Nevadans. And last year we graduated the first class of Millennium Scholars. This year, almost 18,000 students are taking advantage of this wonderful opportunity. Enrollment in our institutions of higher learning is now at record levels. We know what this means for the future of our state: the best-educated workforce in our state's history. My budget accommodates the more than 7,000 bright and energetic new students who will be arriving on our campuses over the next two years. Our professional staff, our libraries, our laboratories, and classrooms must keep pace with this growth. I am providing higher education with an additional \$250 million for much-needed faculty, infrastructure, and research.

When you travel the state, you feel the excitement that our young people have for the Millennium Scholarship. You can see it in their eyes. You hear it in the voices of their parents and their grandparents. And last spring I met Candice DeGuzman. Her parents are immigrants from the Philippines. If not for the Millennium Scholarship, she would have sought her education outside of our state at the University of Southern California, where she was heavily recruited. She has since graduated from UNLV and just finished her first semester at the University of Nevada School of Medicine. Candice is here tonight and she is one step closer to realizing her family's lifelong dream for her to become a doctor. Candice, where are you? Stand up, Candice. USC got the national championship and we got Candice. We would much rather have you, Candice. I just want to say to Candice, you are an important part of helping make her dream come true. The Millennium Scholarship is working. The best and the brightest young minds are staying in our state for college. No parent and no child should ever have to worry about how long the Millennium Scholarship will last. And that is why my budget provides for \$100 million in new state bonds so the Millennium Scholarship will be available to Nevada's students for years to come.

More critical to the future success of our state is our investment in the public schools, where formal education begins. Last session, we worked together so the children of Nevada would receive the quality education they deserve. The growth and diversity of our schools has never been greater. We will have 35,000 new students in our schools over the next two years. My budget meets this demand, with more than \$500 million in new money for kindergarten through the 12th grade. That is a continued funding for things such as teachers, their training, textbooks, and classroom supplies, which we must have. In total, I am investing close to \$2 billion for our students.

As many of you know, new state and federal standards, such as No Child Left Behind, are dictating how we evaluate our schools. It is good to have standards. They provide important factors to our schools and parents. I applaud our Legislature, which has consistently supported educational reform, higher standards, and accountability. Tonight, I am concerned because the state of Nevada has 120 schools classified as failures under this new system. Another 99 schools are on the warning list. Now, although there are many reasons why we have schools on these lists, we must work to find the best practices, the best methods, and the best allocation of our resources to help them achieve. Ultimately, this will provide the best hope for our children's success. As a state, we must give our students the support they need to meet and exceed our expectations.

In our schools, there's no substitute for strong, visionary leadership, for leaders who are willing to take chances today so that their students can grasp the hope of tomorrow. We already have many, many success stories in our state; schools that have defied the odds. They are blueprints for what can happen when at-risk schools become no-risk schools by implementing proven programs that help students achieve in key areas, especially reading. There are schools with visionary leadership and tireless faculties and staff. They have shown us the way, and we need to follow their footsteps. They are schools like Anderson Elementary in Reno. Under the leadership of principal Peter Hall, Anderson has gone from a school that did not make Adequate Yearly Progress for two years to what it is today, a high-achieving school. Anderson teachers have given their students a great gift: the love of reading. These kids simply devour their books. Their school has added an additional 90 minutes of literacy instruction onto the already district-mandated 90 minutes. They have made unbelievable gains, gains that we could all be proud of. There are schools like Corbett Elementary in Reno. Corbett has a lower-income

student population with limited English proficiency. Yet under the leadership of Principal Patricia Casarez, Corbett has met Adequate Yearly Progress standards for the past two years.

We have a great story in Clark County as well: schools such as Squires Elementary in North Las Vegas with 90 percent minority enrollment and 70 percent limited English proficiency. Squires set and met all of the goals during this last school year. This great school has been honored nationally as one of the two Nevada distinguished Title I schools. Current Squires principal Marcie McDonald could not be here tonight, but we do have the outstanding leader who began these efforts, Carol Lark. As principal for six years at Squires, she laid a foundation for true success. Please join me in recognizing Carol, Pete, and Patricia, who are here with us tonight. Thank you.

We want all of our schools to reach this level of success, and that is why we must be decisive. I am calling for a dedicated fund of \$100 million for our troubled schools. \$100 million. I am also proposing a blue-ribbon commission driven by leaders like the ones you just met. The Governor's Commission on Excellence in Education will oversee these unprecedented influxes of funding for public education. This investment in public education allows for the establishment of best practices for remediation programs at schools that most clearly need this funding. It could include special programs such as all-day kindergarten, increased emphasis on literacy, the hiring of more bilingual teachers, and professional staff development. It will empower the parents, the teachers, and principals who know what their children need.

I will mandate a system of checks and balances to ensure that this funding produces results for our children. To have any impact, we must fast-track this money to provide funding before school begins each year, so I am asking that we move quickly. We must not rely so much on spreadsheets and funding formulas but more on common sense. We must develop a system that is long on accountability and short on excuses. It must be a system that demands progress. And if progress is not made, then we must require that leadership in these failing schools be changed. Why? Because the future of our children depends on it. The future of our state depends on it. I fully expect our schools to be successful with these additional investments of funds and a strong system of accountability.

I am also asking for your support in establishing pay-for-performance salary incentives for the schools that are in trouble. Thanks to the cooperation of parents, teachers, and administrators, tying salary incentives to the performance of our schools is already working in this state. And I want to thank our principals and teachers who created this idea. In meeting with our school superintendents, they encouraged me to develop programs that would include special funding to help improve these at-risk schools. It is time to make performance salary incentives a statewide effort for our troubled schools.

While we are at it, our parents, our local school boards, our superintendents, and I, urge you to extend the class-size flexibility program beyond our rural areas into our two largest school districts, Washoe and Clark. Last session, you built in the safeguards to make sure this program would work, and it is working. So let us better use this \$260 million we spend on class-size reduction by empowering our local school boards to make the best decision on class-size flexibility at home.

What about the issue of health care? We are all affected by health care in one way or another. I know personally what it means to have good health, because I am a cancer survivor. Many of you are in the same position. You have either had a major health-care concern or have had a loved one facing this huge challenge. We all know how critical health care is to our families and our friends. And while I am your Governor, I will not turn my back on people in need. Affordable, high-quality health care will keep our families healthy, our businesses competitive, and our state strong. I have built a budget that protects the existing services that we have all worked very hard to establish with funding of more than \$1.6 billion for health and human services. This represents an infusion of more than \$275 million of new money to support these crucial programs.

I had like to highlight just a few important ways that this money will be used to improve the lives of Nevadans. I am continuing Nevada's effort as one of the nation's leaders in preventing our disabled population from being placed in institutions. My budget gives these Nevadans the resources they need to become an integral part of our communities. I am earmarking nearly \$7 million for the state's personal assistance service for people with disabilities. I am pledging

my continued support of the state's family preservation program, which helps people who are currently caring for profoundly disabled family members. This will keep our families together and loved ones out of institutions. And I am continuing my strong commitment to mental health care. This budget includes more than \$100 million in new mental health spending.

We are making an infusion of nearly \$45 million, in addition to the \$35 million previously budgeted for construction, to open and fully staff the new state mental health hospital in Las Vegas. This is \$45 million that will help address the mental health crisis we are experiencing in Las Vegas, which has seen its emergency rooms overflow with mental health patients who have nowhere else to go. It will also increase the psychiatric medication and community service budgets to ensure these people can be cared for in their own community. I am directing over \$6 million in new funding to early intervention services for our children who suffer from developmental delays, and an additional \$13-plus million dollars for children who are in need of mental health care. This will be the first time in the state's history that families will have early access to these types of services. These initiatives will bring treatment and diagnosis much earlier in the lives of these children and will give their families a fighting chance for the future.

Under my budget, the state will also be doing its part regarding health-care coverage. The budget reflects the continued growth of Senior Rx that is helping more than 9,000 low-income seniors receive low-cost medications they need, as well as Nevada Check Up, which provides health-care coverage to nearly 27,000 Nevada children from working families. This helps reduce the number of uninsured children in our state. And, in the process, in the proposed budget, we will serve up to 30,000 uninsured children over the next two years. No eligible senior or child in Nevada should go without the medication or the health care they need. No one.

This budget also includes \$8 million to expand health-care coverage for pregnant women and improves health-care access for low-income families who work for small businesses that can not afford the premium. In addition, my budget makes a firm commitment to programs in suicide prevention and problem gambling. Time will not allow me to tell you about all the great things we are doing for health care in this budget, but I want to tell you that I will be convening a summit with the Nevada Commission on Aging and AARP to talk about affordable prescription medications for our seniors and the disabled. For the first time in our nation's history, seniors and people with disabilities will be receiving a drug benefit offered by the federal government through Medicare. I believe it is the state's duty to educate our seniors and the disabled concerning this complex issue. They need to be fully informed of their options, and that is exactly what we intend to do.

As you can tell from the programs and the infusion of funding that I have listed, we will become a much healthier Nevada. Our state has evolved to a point where we can attract and develop cutting-edge programs in medical research. That is why I am excited about the beginnings of two historic partnerships. One partnership is between the Nevada Cancer Institute and the University of Nevada School of Medicine. I am particularly pleased because this commitment will help build a Nevada Cancer Institute facility on the northern Nevada campus of the School of Medicine. It will provide a critical northern link to the impressive work already being done by the Cancer Institute in southern Nevada. The other partnership is between the Lou Ruvo Center for Alzheimer's Care and Research and our School of Medicine. Each partnership will create joint research facilities combining our state's finest medical minds in the fight against cancer and Alzheimer's. I am pledging more than \$11 million in support of these two partnerships.

These partnerships will provide cutting-edge research and health care. They will also bring exciting possibilities for economic development, technology transfer, and the promise of new, high-paying jobs. The Nevada Cancer Institute has created more momentum for cancer research in our state than any other project of its kind. They have raised more than \$100 million in just a few short years, and they are bringing some of the world's best doctors and cancer researchers to our state. In addition, the state's investment in staffing at the privately funded, \$20 million Ruvo Alzheimer's Center brings similar focus to treatment and research of a devastating disease that will have a profound impact on our state's growing senior population.

Finally, to ensure that our finest young medical minds remain in our state, my budget provides \$4.5 million for the addition of 40 new positions to the residencies and fellowship programs in our School of Medicine. As you know, Nevada needs them, and that is why we are

going to train them. As you can see, we must have a common, compelling vision if the best medical research, education, and treatment is to be available to our citizens. So that is why tonight I am announcing the creation of the Nevada State Commission on Medical Research and Health Care. This commission will provide advice on establishing common priorities and help our health care organizations benefit from each other's strengths.

I would like to introduce, at this time, the people who have been instrumental in bringing about these partnerships: Heather Murren, president and CEO of the Nevada Cancer Institute; Larry Ruvo, founder of the Lou Ruvo Center for Alzheimer's Care and Research; Dr. John McDonald, dean of the University of Nevada School of Medicine; and Dan Van Epp, former president of the Howard Hughes Corporation and a distinguished Nevadan. Dan has agreed to serve as chairman of this commission. Please join me in thanking these dedicated Nevadans who have done so much for us. Thank you very much. Heather and Dan, thank you. Thank you. I truly believe that your efforts will stimulate new discoveries, forge new partnerships in our state, and save countless lives. It will create a statewide blueprint for health care in Nevada for years to come. And I want to thank you very much for your work.

Nevada needs to continue with its efforts to be one of the best business-friendly climates in the Union. The Nevada Development Authority, led by Somer Hollingsworth, and the Economic Development Authority of Western Nevada, led by Chuck Alvey, have helped to tell our great story at every turn. These private economic development organizations return hundreds of dollars to our state for each dollar invested in them. They often make the difference between a business relocating in Nevada or somewhere else, helping to bring quality businesses and high-paying jobs to our state each year. And that is why I am proposing we provide \$9 million in new grants to these private economic development efforts within our metropolitan areas so we can continue the economic success that leads the nation.

As we all know, the bright lights of our metropolitan areas attract most of the attention, but rural Nevada has an equally compelling story. Rural Nevadans deserve our support for economic independence as well. I have called upon Lieutenant Governor Hunt to focus more of the attention of the commissions on Economic Development and Tourism on rural Nevada. This budget invests an additional \$1 million in grants so we can aggressively promote economic development and tourism in this important part of our state.

We all know with prosperity comes the need to invest in our infrastructure. In the last two years, we have embarked on the single most ambitious transportation program in the state's history. I am proud of the work being done by our Department of Transportation. A 2004 study ranked Nevada number one in the country for how well it maintains its roads and ranked our Department of Transportation fourth in the country for its cost-effectiveness. Our highways are now among the best in the country. But we have more work to do, and that is why I have outlined an investment of nearly a billion dollars to continue to build new highways, make our roadways safer, and attack the gridlock that plagues our growing cities. We are widening U.S. 95 in Las Vegas, and we are building a much-needed interchange in Henderson. We are constructing a spectacular bypass bridge at Hoover Dam, and we are finishing the link between Reno and Carson City. This work is on schedule, and over the next two years you will see projects like them moving forward throughout our state.

The budget we have tonight calls for sufficient funding for the Department of Motor Vehicles for personnel and technology and provides alternatives so you can do your DMV business from your home or office. Last year, over 300,000 transactions were completed without anyone having to step into a DMV office. I can tell that all of you use the Internet. The slogan that we have used, "You are never more than a click away from being first in line at DMV," has never rung more true. We are moving into that age.

In the last election, the people of Clark County supported Sheriff Bill Young's efforts to place hundreds of new police officers on the streets. The State of Nevada will do its part to support the fight against crime. This budget provides for new prison space and increases funding for law enforcement officers in the Departments of Public Safety and Corrections. These proposals are at the core of our obligations. So send me the legislation and I will sign it immediately.

We must also remember the contributions that teachers and state and university employees make towards improving our lives. And I have not forgotten the positive efforts that you make each year. I appreciate your hard work, and I am pleased to announce that we are providing a

well-deserved cost-of-living increase of two percent for each year of the biennium of this budget.

As Governor, I have been committed to the health and well-being of the state employees, as you all know, but currently state employees receive full payment for health care coverage every year after they retire. Just like all other health care costs, these costs have risen dramatically for the state. We can no longer expect taxpayers to pay for these benefits. The majority of them can never expect to receive this kind of coverage, no matter if they retire from a public or private employer. Tonight I am announcing a plan that is bold, that is plain, and is absolutely essential. This plan cuts the cost for retiree health benefits for any new state employee that we hire. No existing employee or retiree will be affected by this plan. But I propose that, for all new hires, we discontinue this benefit. I will bring a plan before this Legislature that deals head-on with a liability that grows by the millions every year. Over the next 30 years, this plan will save taxpayers nearly \$500 million.

I have talked about many things, this evening, of great importance to our citizens. But the picture of our state's future is not complete if we forget the dreams of our working men and women who hope to own their own home. There is something permanent, and something extremely profound, in owning a home. We are a prosperous state, and we are building more condominiums and apartments and homes than any time in our history, and yet many working families are being squeezed out of the housing market.

I am proud to announce my plan to help these families become homeowners. As you know, the federal government manages and owns approximately 87 percent of the land in Nevada. We have an opportunity to acquire some of this federal land for minimal cost. And I want private developers, in conjunction with the state Housing Division, to make homes available on this land. This land would be placed into a permanent state trust and would not be included in the price of the home, resulting in a much lower price for the home buyer. This innovative plan is something that no one else in the country has ever accomplished. It needs the support of many people, including our congressional delegation, the Bureau of Land Management, HUD, our local governments, financial institutions, and private home builders in this state who want to help us give something back to our citizens. Senators Reid and Ensign have laid the groundwork for acquiring federal land by working to maximize the use of their Public Lands Act, and I am grateful for their assistance, but I need your help also. I am asking this Body to pass a resolution in support of this important program, and I am requesting city and county officials to work with our Housing Division so that we can make this initiative possible. We must open this door of opportunity, because home ownership should never be an impossible dream for the working families of Nevada.

Over the last six years, we have accomplished great things. In this year, as we celebrate the centennial of Las Vegas and Sparks, let me remind you that here in Nevada we are a community of pioneers. We are a community where the word first is not uncommon: first in job growth, first in new business creation, and together, we were the first state in the nation to privatize our workers' compensation system. We created a first-of-a-kind prescription drug program for senior citizens, and together we conducted the first fundamental review of our state government to analyze the expenditure side of our system before looking at the revenue side. Nevada has been first in many things, and we have traveled this difficult road together. The quality of life of those who place their trust in us is better for it.

Tonight, I have laid out a blueprint for the future, investing in our education, in medical research, and in economic development; saving for a rainy day; caring for those who need us most and whose voices often go unheard; building our physical infrastructure to handle the prosperity these investments will bring; and providing homes for our families. My plan for you tonight is not a series of programs but a road map for the future. Let this be the bold legacy, the rich inheritance of hope, we leave for all the people of Nevada.

As I look to the future, I am excited about what we can accomplish. We can make all the difference to the hardworking ranchers in rural Nevada, to the small business owners in all of our communities, to the high-tech companies of our growing cities, to the first-generation minority and women business owners, to the state's senior citizens, and, perhaps most important of all, to the kindergartner who raises her small hand to her heart and recites the Pledge of

Allegiance for the first time in a Nevada classroom, fully equipped, fully staffed, and ready to fully meet her educational needs.

For the fourth and the final time, let me humbly repeat these words: I am proud to be your Governor. God Bless America and God bless our great state of Nevada, and thank you and good evening and have a great session. Thank you very much.

UNITED STATES SENATE  
WASHINGTON, D.C. 20510-2803

January 31, 2005

THE HONORABLE RICHARD PERKINS, *Speaker*, State of Nevada Assembly, Legislative Building,  
401 South Carson Street, Carson City, Nevada 89701-4747

DEAR SPEAKER PERKINS:

I am writing to request the honor of speaking before both houses of the Nevada State Legislature at 5:00 p.m. on Wednesday, February 23, 2005.

My Reno office will be coordinating the details of my visit. Please call Mary Conelly or June Schmidt at 775-686-5750 if you have any questions.

Thank you for your kind consideration. I look forward to speaking to the Legislature on issues of mutual interest.

With all best wishes,

Sincerely,  
HARRY REID  
United States Senator  
*Democratic Leader*

CONGRESS OF THE UNITED STATES  
HOUSE OF REPRESENTATIVES

January 25, 2005

MS. NANCY TRIBBLE, CHIEF CLERK OF THE ASSEMBLY, 401 South Carson Street, Carson City,  
Nevada 89701-4747

DEAR NANCY:

It would be my honor and pleasure to address a joint session of the Nevada Legislature at 5:00 p.m. on Thursday, February 24, 2005, to deliver a formal assessment of our Congressional agenda and its impact on our state.

As you know, there are a number of issues critical to the well being of our state and our country that will be addressed in the months to come. It is vital that local, state, and federal representatives work together to achieve our goals.

Thank you for this important opportunity. I look forward to seeing you and many of my former colleagues in Carson City.

Sincerely,  
JIM GIBBONS  
*Member of Congress*

SUPREME COURT OF NEVADA  
CHIEF JUSTICE NANCY A. BECKER  
201 SOUTH CARSON STREET

CARSON CITY, NEVADA, 89701-4702 February 4, 2005

THE HONORABLE RICHARD D. PERKINS, *Speaker Of The Assembly*, Nevada Legislature,  
401 S. Carson Street, Carson City, NV 89701-4747

RE: State of the Judiciary Address

March 2, 2005

2005 Legislative Session

DEAR SPEAKER PERKINS:

As Chief Justice of the Supreme Court of Nevada, it is my privilege to request to address the Senate and Assembly of the State of Nevada. I am informed that the date of Wednesday, March 2, 2005, at 5:00 p.m., has been tentatively scheduled for this purpose and shall take place



in the Assembly Chambers of the Legislative Building. If a conflict exists with this time and date, please contact my office.

The Supreme Court's reception for the Legislature will be held immediately following the Judiciary Address. We cordially invite the members of the Legislature to attend.

Thank you.

Sincerely,  
NANCY A. BECKER  
*Chief Justice*

CARSON CITY, NEVADA  
CONSOLIDATED MUNICIPALITY AND STATE CAPITAL

February 3, 2005

DEAR MEMBERS OF THE 2005 NEVADA STATE LEGISLATURE:

It gives me great pleasure to join with the citizens of Carson City to extend to you and all of the members of the Nevada State Legislature our official greetings and warm welcome as we prepare for the start of the 2005 Legislative Session.

Our community, like so many areas of Nevada, is rich in history and famous for its colorful past. However, Carson City is unique. No other community in our state can boast the prestigious title of "Capital City." This is a designation of which we are very proud. Whether you are a first-time visitor or a veteran who has first-hand knowledge of Carson City's distinctive qualities, we hope our "down home, Nevada-style" hospitality will impress you.

We would like to invite you to attend a reception co-hosted by Douglas County, Lyon County, Storey County, and Carson City on February 8, 2005, at the Carson City Nugget, 507 North Carson Street, between 5:30—8:00 p.m. We hope to welcome you to Carson City, provide an opportunity to introduce you to other elected officials, and highlight several displays which demonstrate our regional pride.

Again, it is our pleasure to have you in our community, and we look forward to seeing you on February 8. If there is any way we may be of assistance to you, please do not hesitate to call on me or any member of our city's staff. Best wishes for a successful session and thank you for allowing us to be your host these next few months.

Sincerely,  
MARV TEIXEIRA  
*Mayor*

MESSAGES FROM THE SECRETARY OF STATE

STATE OF NEVADA  
OFFICE OF THE SECRETARY OF STATE

January 14, 2005

NANCY TRIBBLE, *Chief Clerk Of The Assembly*  
401 S. Carson Street  
Carson City, Nevada 89701-4747 Legislative Building  
DEAR MS. TRIBBLE:

This letter is in acknowledgement of the transfer of Assembly Joint Resolution No. 11 (AJR 11) and Assembly Joint Resolution No. 13 (AJR 13) of the 72nd Legislative Session pursuant to NRS 281.390(2). AJR 11 was assigned file number 85 and AJR 13 was assigned file number 74. Pursuant to your request, the engrossed and enrolled originals of these resolutions were transferred from the Elections Division to your office on Friday, January 14, 2005.

If you have any questions in this regard, please do not hesitate to contact the Elections Division at (775) 684-5705.

Respectfully,  
DEAN HELLER  
*Secretary of State*  
By: ELLICK C. HSU, ESQ.  
*Deputy Secretary for Elections*

STATE OF NEVADA  
OFFICE OF THE SECRETARY OF STATE

TO THE HONORABLE 2005 LEGISLATURE OF THE STATE OF NEVADA, CARSON CITY,  
LADIES AND GENTLEMEN OF THE ASSEMBLY:

Pursuant to the provisions of sections 2 and 3 of Article XIX of the Constitution of the State of Nevada, and the statutes enacted under the authority thereof, I have the honor to present to you, with this letter, the following entitled Initiative Petitions:

(1) "NEVADA CLEAN INDOOR AIR ACT." This Initiative Petition proposes a new statute to restrict the use of smoking tobacco, in any form, in certain areas. The number of registered voters verified was 64,871.

(2) "RESPONSIBLY PROTECT NEVADAN'S FROM SECOND-HAND SMOKE ACT." This Initiative Petition also proposes to restrict the use of smoking tobacco, in any form, in certain areas. The number of registered voters verified was 74,348.

(3) "REGULATION OF MARIJUANA INITIATIVE." This Initiative Petition proposes to revise Title 40 of the NRS by adding a new chapter that would exempt persons 21 years of age and older from any civil or criminal penalty due to the possession or use of one ounce or less of marijuana, and would provide for the regulation and taxation of marijuana by the state. The number of registered voters verified was 69,261.

Pursuant to an order of the Federal District Court, the number of signatures required was 51,337. Accordingly, the above captioned Initiative Petitions are deemed qualified.

The petitions were filed within the constitutional and statutory period of time prior to the convening of the 2005 Session of the Nevada Legislature, for presentation thereto as required by the state Constitution and applicable statutes enacted under the authority thereof.

The copies transmitted to you on this date are symbolic copies. The original petitions will be retained on file in the Secretary of State's office and are accordingly public record and available for your review at any time.

Respectfully,  
DEAN HELLER  
*Secretary of State*

MOTIONS, RESOLUTIONS, AND NOTICES

By the Committee on Elections, Procedures, and Ethics:

Assembly Joint Resolution No. 11 of the 72nd Session—Proposing to amend the Nevada Constitution to provide for the election of certain members of the Board of Regents and the gubernatorial appointment of certain members of the Board of Regents, and to specify the number and terms of the members.

RESOLVED BY THE ASSEMBLY AND SENATE OF THE STATE OF NEVADA, JOINTLY, That Section 7 of Article 11 of the Nevada Constitution be amended to read as follows:

~~{Sec. 7. The Governor, Secretary of State, and Superintendent of Public Instruction, shall for the first Four Years and until their successors are elected and qualified constitute}~~

*Sec. 7. 1. There is hereby created a Board of Regents to control and manage the affairs of the University and the funds of the same under such regulations as may be provided by law. ~~But~~ the* 2. *The Board of Regents consists of nine members.*

*Except as otherwise provided in this subsection, one member must be elected from each congressional district in this state and the remaining positions, if any, must be filled by the Governor by appointment. If at any time this state is apportioned more than nine congressional seats, the Legislature shall provide for the districts from which the nine members of the Board of Regents must be elected.*

*3. The Legislature shall provide for the arrangement of the terms of the elected members of the Board of Regents so that an equal number of terms, as nearly as may be, expire every 2 years. The Governor shall provide for the arrangement of the terms of the appointed members of the*

*Board of Regents so that an equal number of terms, as nearly as may be, expire every 2 years. After initial terms of 2 or 4 years to ensure staggered terms, each member of the Board of Regents shall serve a term of 4 years, and until his successor is elected and qualified or appointed and qualified.*

*4. If a vacancy occurs during the term of a member appointed by the Governor, the Governor shall appoint a person similarly qualified to replace that member for the remainder of the unexpired term.*

*5. Not more than two-thirds of the appointed members of the Board of Regents may be members of the same political party.*

*6. The Legislature shall ~~at its regular session next preceding the expiration of the term of Office of said Board of Regents provide for the election of a new~~ define the duties of the members of the Board of Regents. ~~[and define their duties.]~~*

And be it further

RESOLVED, That the term of any member of the Board of Regents who was elected before November 4, 2008, expires on January 5, 2009. The Governor shall make his appointments pursuant to subsection 2 of Section 7 of Article 11 of the Nevada Constitution as soon as practicable after January 5, 2009, and in making those appointments may appoint a former member of the Board of Regents.

And be it further

RESOLVED, That this resolution becomes effective on January 1, 2008, for purposes of nominating and electing members to the Board of Regents from each congressional district, and on January 5, 2009, for all other purposes.

Assemblywoman Buckley moved that the resolution be referred to the Committee on Elections, Procedures, Ethics, and Constitutional Amendments.

Motion carried.

By the Committee on Elections, Procedures, and Ethics:

Assembly Joint Resolution No. 13 of the 72nd Session—Proposing to amend the Nevada Constitution to limit the duration of special sessions of the Legislature to 20 days, limit the matters which may be considered during a special session and provide that a special session may be convened by a petition signed by two-thirds of the Legislators of each house.

WHEREAS, There are currently 34 State Legislatures that have the ability to call a special legislative session when deemed necessary; and

WHEREAS, The Nevada Legislature is 1 of only 16 state legislative bodies in the Nation that may not call a special session, and 1 of only 9 Legislatures that may not determine any of the subject matter to be considered at a special session; and

WHEREAS, The Nevada Constitution is grounded on the principle of three equal branches of State Government, with the ultimate authority and responsibility to enact necessary legislation being vesting in the Legislative Branch, subject to final approval by the Governor; and

WHEREAS, Nevada's current constitutional language, which allows only the Governor to call the Legislature into special session, impedes and is contrary to the constitutional provision that vests the legislative authority of the State of Nevada in its elected Legislature; and

WHEREAS, The Nevada Legislature should be authorized to operate with a reasonable degree of independence from the Executive and Judicial Branches as consistent with the separation of powers principle, and should be empowered to identify those topics that may require the Legislature to call a limited special session deemed in the best interest of the people of the State of Nevada; now, therefore, be it

RESOLVED BY THE ASSEMBLY AND SENATE OF THE STATE OF NEVADA, JOINTLY, That a new section, designated Section 2A, be added to Article 4 of the Nevada Constitution to read as follows:

*Sec. 2A. 1. The Legislature may be convened, on extraordinary occasions, upon petition signed by two-thirds of the members of each House of the Legislature. A petition must specify the*

business to be transacted during the special session, indicate a date on or before which the Legislature is to convene and be transmitted to the Secretary of State. Upon receipt of one or more substantially similar petitions signed, in the aggregate, by the required number of members, calling for a special session, the Secretary of State shall notify all members of the Legislature and the Governor that a special session will be convened pursuant to this section.

2. No bills, except those related to the business specified in the petition and those necessary to provide for the expenses of the session, may be introduced at a special session convened pursuant to this section.

3. A special session convened pursuant to this section takes precedence over a special session called by the Governor pursuant to Section 9 of Article 5 of this Constitution, unless otherwise provided in the petition calling for the special session.

4. The Legislature may provide by law for the procedure for convening a special session pursuant to this section.

5. The Legislature shall adjourn sine die a special session convened pursuant to this section not later than midnight of the 20th calendar day of that session. Any legislative action taken after midnight on the 20th calendar day is void.

And be it further

RESOLVED, That Section 2 of Article 4 of the Nevada Constitution be amended to read as follows:

Sec. 2. 1. The sessions of the Legislature shall be biennial, and shall commence on the 1st Monday of February following the election of members of the Assembly, unless the Governor of the State or the members of the Legislature shall, in the interim, convene the Legislature by proclamation ~~or petition.~~

2. The Legislature shall adjourn sine die each regular session not later than midnight Pacific standard time 120 calendar days following its commencement. Any legislative action taken after midnight Pacific standard time on the 120th calendar day is void, unless the legislative action is conducted during a special session ~~convened by the Governor.~~

3. The Governor shall submit the proposed executive budget to the Legislature not later than 14 calendar days before the commencement of each regular session.

And be it further

RESOLVED, That Section 33 of Article 4 of the Nevada Constitution be amended to read as follows:

Sec. ~~33.~~ 33. The members of the Legislature shall receive for their services ~~or~~ a compensation to be fixed by law and paid out of the public treasury, for not to exceed 60 days during any regular session of the legislature and not to exceed 20 days during any special session ; ~~convened by the governor;~~ but no increase of such compensation shall take effect during the term for which the members of either house shall have been elected Provided, that an appropriation may be made for the payment of such actual expenses as members of the Legislature may incur for postage, express charges, newspapers and stationery not exceeding the sum of Sixty dollars for any general or special session to each member; and Furthermore Provided, that the Speaker of the Assembly, and Lieutenant Governor, as President of the Senate, shall each, during the time of their actual attendance as such presiding officers receive an additional allowance of two dollars per diem.

And be it further

RESOLVED, That Section 9 of Article 5 of the Nevada Constitution be amended to read as follows:

~~{Sec. 9. The}~~ Sec. 9. 1. Except as otherwise provided in Section 2A of Article 4 of this Constitution, the Governor may , on extraordinary occasions, convene the Legislature by Proclamation and shall state to both houses , when organized, the purpose for which they have been convened . ~~and the Legislature shall transact no legislative business, except that for which they were specially convened, or such other legislative business as the Governor may call to the attention of the Legislature while in Session.~~

2. No bills, except those related to the purpose for which the Legislature has been specially convened and those necessary to provide for the expenses of the session, may be introduced at a special session convened pursuant to this section.

3. *The Legislature shall adjourn sine die a special session convened pursuant to this section not later than midnight of the 20th calendar day of that session. Any legislative action taken after midnight on the 20th calendar day is void.*

Assemblywoman Buckley moved that the resolution be referred to the Committee on Elections, Procedures, Ethics, and Constitutional Amendments.

Motion carried.

By the Committee on Elections, Procedures, Ethics, and Constitutional Amendments:

Assembly Concurrent Resolution No. 1—Adopting the Joint Rules of the Senate and Assembly for the 73rd Session of the Legislature.

Resolved by the Assembly of the State of Nevada, the Senate Concurring, That the Joint Rules of the Senate and Assembly as amended by the 72nd Session are adopted, with the following changes, as the Joint Rules of the Senate and Assembly for the 73rd Session of the Legislature:

#### CONFERENCE COMMITTEES

##### Rule No. 1. 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.

#### MESSAGES

##### Rule No. 2. 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.

#### NOTICE OF FINAL ACTION

##### Rule No. 3. 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.

#### BILLS AND JOINT RESOLUTIONS

##### Rule No. 4. 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.

##### Rule No. 5. Joint Sponsorship.

1. A bill or resolution introduced by a standing committee of the Senate or Assembly may, at the direction of the chairman of the committee, set forth the name of a standing committee of the other House as a joint sponsor, if a majority of all members appointed to the committee of the other House votes in favor of becoming a joint sponsor of the bill or resolution. The name of the committee joint sponsor must be set forth on the face of the bill or resolution immediately below the date on which the bill or resolution is introduced.

2. 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.~~ Not more than five Legislators from each House may be set forth on the face of a bill or resolution as primary joint sponsors. 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.

3. The Legislative Counsel shall not cause to be printed the name of a standing committee as a joint sponsor on the face of a bill or resolution unless the chairman of the committee has signed his name next to the name of the committee on 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 5. 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 5.

4. 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.

5. 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. If the amendment proposes to add or remove a standing committee as a joint sponsor, the statement must be signed by the chairman of the committee. A copy of the statement must be transmitted to the Legislative Counsel if the amendment is adopted.

6. 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.

#### PRINTING

Rule No. 6. 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.

#### RESOLUTIONS

Rule No. 7. 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, but any request for drafting the resolution must be approved by the Senate Committee on Legislative [Affairs and] Operations and Elections or the Assembly Committee on Elections, Procedures, [and] Ethics , and Constitutional Amendments before submission to the Legislative Counsel.

#### VETOES

Rule No. 8. Special Order.

Bills which have passed [~~a previous~~] the 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.

#### ADJOURNMENT

Rule No. 9. 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, for a total of not more than 20 days during any regular session, may be taken to permit standing committees, select committees or the Legislative Counsel Bureau to prepare the matters respectively entrusted to them for the consideration of the Legislature as a whole.

Rule No. 9.5. Adjournment Sine Die.

1. The Legislature shall not take any action on a bill or resolution after midnight Pacific Daylight Time on the 120th calendar day of session.

2. A Legislator shall not take any action to impede the progress of the Legislature in completing its business by the time specified in subsection 1.

3. Any action taken in violation of subsection 2 shall be deemed out of order.

#### EXPENDITURES FROM THE LEGISLATIVE FUND

Rule No. 10. 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.

#### LEGISLATIVE COMMISSION

Rule No. 11. Membership and Organization.

1. When members of the minority party in the Senate or in the Assembly comprise less than 34 percent of the total number elected to that House, minority party membership for that House on the Legislative Commission must be:

(a) One, if such membership is less than 21 percent.

(b) Two, if such membership is between 21 percent and 33 percent. If the members of the minority party in the Senate or in the Assembly comprise more than 33 percent of the total number elected to that House, minority party membership for that House on the Commission must be three, being equal to the membership of the majority party.

2. Each House shall select one or more alternate members for each member from that House, designating them according to party or according to the individual member whom the alternate would replace.

3. A vacancy in the regular Senate or Assembly membership created by death or by resignation or by the Legislator's ceasing to be a member of the Legislature shall be filled by the



proper alternate member as designated by that House. If there is no proper alternate member, the Legislative Commission shall fill the vacancy by appointing a Senator or Assemblyman of the same party.

4. If for any reason a member is or will be absent from a meeting and there are no alternates available, the Chairman of the Commission may appoint a member of the same House and political party to attend the meeting as an alternate.

5. The members shall serve until their successors are appointed by resolution as provided in NRS 218.660, notwithstanding that their terms of office may have expired, except that the membership of any member who does not become a candidate for reelection or who is defeated for reelection shall terminate on the day next after the election and the vacancy shall be filled as provided in this Rule.

6. The Chairman shall be selected at the first meeting of the newly formed Legislative Commission and shall serve until his successor is appointed following the formation of the next Legislative Commission.

#### RECORDS OF COMMITTEE PROCEEDINGS

Rule No. 12. Duties of Secretary of Committee and Director.

1. Each standing committee of the Legislature shall cause a record to be made of the proceedings of its meetings.

2. The secretary of a standing committee 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 any regular or 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.

#### LIMITATIONS ON INTRODUCTION AND REQUESTS FOR DRAFTING OF LEGISLATIVE MEASURES

Rule No. 14. Limitations on Drafting and Requirements for Introduction; Duplicative Measures; Indication of Requester on Committee Introductions.

1. Except as otherwise provided in subsection 5 and Joint Standing Rules Nos. 14.4, 14.5 and 14.6, after a regular legislative session has convened, the Legislative Counsel shall honor, if submitted before 5 p.m. on the 8th calendar day of the legislative session, not more than:

- (a) Two requests from each Assemblyman; and
- (b) Four requests from each Senator,

for the drafting of a bill or resolution.

2. Except as otherwise provided in subsections 4 and 5 and Joint Standing Rules Nos. 14.4, 14.5 and 14.6, after a regular legislative session has convened, the Legislative Counsel shall honor, if submitted before 5 p.m. on the 22nd calendar day of the legislative session, not more than 50 requests, in total, from the standing committees of each House for the drafting of a bill [-] or joint resolution. The Majority Leader of the Senate and the Speaker of the Assembly shall, not later than the 1st calendar day of the legislative session, determine and provide the Legislative Counsel with a written list of the number of requests for the drafting of a bill that may be submitted by each standing committee of their respective Houses, within the limit provided by this subsection. The lists may be revised any time before the 22nd day of the

legislative session to reallocate any unused requests or requests which were withdrawn before drafting began on the request.

3. A request for the drafting of a bill or resolution that is submitted by a standing committee pursuant to this section must be approved by a majority of all of the members appointed to the committee before the request is submitted to the Legislative Counsel.

4. A standing committee may only request the drafting of a bill or resolution or introduce a bill or resolution that is within the jurisdiction of the standing committee.

5. The Legislative Counsel shall not honor a request for the drafting of a bill or resolution submitted by a member or standing committee of the Senate or Assembly unless such information as is required to draft the measure is submitted to the Legislative Counsel with the request.

6. A measure introduced by a standing committee at the request of a Legislator or organization must indicate the Legislator or organization at whose request the measure was drafted.

7. The following measures must be introduced by a standing committee:

(a) Measures drafted at the request of agencies and officers of the Executive Branch of State Government, local governments, the courts and other authorized nonlegislative requesters.

(b) Measures requested by interim legislative studies.

(c) Bills requested by a standing committee, or by persons designated to request measures on behalf of a standing committee during the interim. Bills requested by or on behalf of a standing committee must be introduced by that committee.

8. Resolutions requested by or on behalf of a standing committee may be introduced by an individual member.

9. If two or more measures are being considered in the same House which are substantively duplicative, only the measure which has been assigned the lowest number for the purpose of establishing its priority in drafting may be considered, unless the measure with the lowest number is not introduced within 5 days after introduction of a measure with a higher number.

10. A Legislator may not change the subject matter of a request for a legislative measure after it has been submitted for drafting.

#### Rule No. 14.2. Limitations on Time for Introduction of Legislation.

1. Except as otherwise provided in Joint Standing Rules Nos. 14.4, 14.5 and 14.6:

(a) Unless the provisions of paragraph (b) or (c) are applicable, a bill or joint resolution may only be introduced on or before:

(1) The 10th calendar day following delivery of the introductory copy of the bill [§] or joint resolution; or

(2) The last day for introduction of the bill or joint resolution as required by paragraph

(d),

whichever is earlier.

(b) If a bill or joint resolution requires revision after the introductory copy has been delivered, such information as is required to draft the revision must be submitted to the Legislative Counsel before the 10th calendar day following delivery of the introductory copy of the bill [.] or joint resolution. The revised bill or joint resolution may only be introduced on or before:

(1) The 15th calendar day following delivery of the original introductory copy of the bill [§] or joint resolution; or

(2) The last day for introduction of the bill or joint resolution as required by paragraph

(d),

whichever is earlier.

(c) If the bill or joint resolution requires a second or subsequent revision, such information as is required to draft the revision must be submitted to the Legislative Counsel before the 15th calendar day following delivery of the original introductory copy of the bill [-] or joint resolution. A bill or joint resolution revised pursuant to this subsection may only be introduced on or before:

(1) The 20th calendar day following delivery of the original introductory copy of the bill [§] or joint resolution; or

(2) The last day for introduction of the bill or joint resolution as required by paragraph (d),  
 ↪ whichever is earlier.

(d) Except as otherwise provided in subsection 3, the last day for introduction of a bill or joint resolution that was requested by:

(1) A Legislator is the 43rd calendar day of the legislative session.

(2) A standing or interim committee or other requester is the ~~50th~~ 51st calendar day of the legislative session.

2. The Legislative Counsel shall indicate on the face of the introductory copy of each bill or joint resolution the final date on which the bill or joint resolution may be introduced.

3. If the final date on which the bill or joint resolution may be introduced falls upon a day on which the House in which the bill or joint resolution is to be introduced is not in session, the bill or joint resolution may be introduced on the next day that the House is in session.

#### SCHEDULE FOR ENACTMENT OF BILLS

Rule No. 14.3. Final Dates for Action by Standing Committees and Houses; Final Date for Requesting Drafting of Reports for Conference Committees.

Except as otherwise provided in Joint Standing Rules Nos. 14.4, 14.5 and 14.6:

1. The final standing committee to which a bill or joint resolution is referred in its House of origin may only take action on the bill or joint resolution on or before the 68th calendar day of the legislative session. A bill may be re-referred after that date only to the Committee on Finance or the Committee on Ways and Means and only if the bill is exempt pursuant to subsection 1 of Joint Standing Rule No. 14.6.

2. Final action on a bill or joint resolution may only be taken by the House of origin on or before the 79th calendar day of the legislative session.

3. The final standing committee to which a bill or joint resolution is referred in the second House may only take action on the bill or joint resolution on or before the 103rd calendar day of the legislative session. A bill may be re-referred after that date only to the Committee on Finance or the Committee on Ways and Means and only if the bill is exempt pursuant to subsection 1 of Joint Standing Rule No. 14.6.

4. Final action on a bill or joint resolution may only be taken by the second House on or before the 110th calendar day of the legislative session.

No notice of reconsideration of any final vote on a bill or joint resolution is in order on the last day on which final action is allowed.

Rule No. 14.4. Emergency Requests.

1. After a legislative session has convened:

(a) The Majority Leader of the Senate and the Speaker of the Assembly may each submit to the Legislative Counsel, on his own behalf or on the behalf of another Legislator or a standing committee of the Senate or Assembly, not more than five requests for the drafting of a bill or resolution.

(b) The Minority Leader of the Senate and the Minority Leader of the Assembly may each submit to the Legislative Counsel, on his own behalf or on the behalf of another Legislator or a standing committee of the Senate or Assembly, not more than two requests for the drafting of a bill or resolution.

2. A request submitted pursuant to subsection 1:

(a) May be submitted at any time during the legislative session and is not subject to any of the provisions of subsections 1 and 2 of Joint Standing Rule No. 14, subsection 1 of Joint Standing Rule No. 14.2 and Joint Standing Rule No. 14.3.

(b) Is in addition to, and not in lieu of, any other requests for the drafting of a bill or resolution that are authorized to be submitted to the Legislative Counsel by the Majority Leader of the Senate, Speaker of the Assembly, Minority Leader of the Senate or Minority Leader of the Assembly.

3. The list of requests for the preparation of legislative measures prepared pursuant to NRS 218.2475 must include the phrase "EMERGENCY REQUEST OF" and state the title of the

person who requested each bill or resolution pursuant to this Rule. If the request was made on behalf of another Legislator or a standing committee, the list must also include the name of the Legislator or standing committee on whose behalf the bill or resolution was requested.

4. The Legislative Counsel shall cause to be printed on the face of the introductory copy of all reprints of each bill or resolution requested pursuant to this Rule the phrase "EMERGENCY REQUEST OF" and state the title of the person who requested the bill or resolution.

Rule No. 14.5. Waivers.

1. At the request of a Legislator or a standing or select committee of the Senate or Assembly, subsection 1 or 2 of Joint Standing Rule No. 14, subsection 1 of Joint Standing Rule No. 14.2 or any of the provisions of Joint Standing Rule No. 14.3, or any combination thereof, may be waived by the Majority Leader of the Senate and the Speaker of the Assembly, acting jointly, at any time during a legislative session. A request for a waiver submitted by a committee must be approved by a majority of all members appointed to the committee before the request is submitted to the Majority Leader and the Speaker.

2. A waiver granted pursuant to subsection 1:

(a) Must be in writing, executed on a form provided by the Legislative Counsel, and signed by the Majority Leader and the Speaker.

(b) Must indicate the date on which the waiver is granted.

(c) Must indicate the Legislator or committee on whose behalf the waiver is being granted.

(d) Must include the bill number for which the waiver is granted or indicate that the Legislative Counsel is authorized to accept and honor a request for a new bill or resolution.

(e) Must indicate the provisions to which the waiver applies.

(f) May include the conditions under which the bill for which the waiver is being granted must be introduced and processed.

3. The Legislative Counsel shall not honor a request for the drafting of a new bill or resolution for which a waiver is granted pursuant to this Rule unless such information as is required to draft the bill or resolution is submitted to the Legislative Counsel within 2 calendar days after the date on which the waiver is granted.

4. Upon the receipt of a written waiver granted pursuant to this Rule, the Legislative Counsel shall transmit a copy of the waiver to the Secretary of the Senate and the Chief Clerk of the Assembly. The notice that a waiver has been granted for an existing bill must be read on the floor and entered in the Journal, and a notation that the waiver was granted must be included as a part of the history of the bill on the next practicable legislative day. A notation that a waiver was granted authorizing a new bill or resolution must be included as a part of the history of the bill or resolution after introduction.

5. The Legislative Counsel shall secure the original copy of the waiver to the official cover of the bill or resolution.

6. No notice of reconsideration of any final vote on a bill is in order on the last day on which final action is allowed by a waiver.

Rule No. 14.6. Exemptions.

1. Upon request of the draft by or referral to the Senate Finance Committee or the Assembly Committee on Ways and Means, a bill which:

(a) Contains an appropriation; or

(b) Has been determined by the Fiscal Analysis Division to:

(1) Authorize the expenditure by a state agency of sums not appropriated from the State General Fund or the State Highway Fund;

(2) Create or increase any significant fiscal liability of the State;

(3) Implement a budget decision; or

(4) Significantly decrease any revenue of the State,

is exempt from the provisions of subsections 1 and 2 of Joint Standing Rule No. 14, subsection 1 of Joint Standing Rule No. 14.2 and Joint Standing Rule No. 14.3. The Fiscal Analysis Division shall give notice to the Legislative Counsel to cause to be printed on the face of the bill the term "exempt" for any bills requested by the Senate Finance Committee or

Assembly Committee on Ways and Means that have been determined to be exempt and shall give written notice to the Legislative Counsel, Secretary of the Senate and Chief Clerk of the Assembly of any bill which is determined to be exempt or eligible for exemption after it is printed. ~~[A notation of each exemption granted]~~ When a bill is determined to be exempt or eligible for an exemption after the bill was printed a notation must be included as a part of the history of the bill on the next practicable legislative day. The term “exempt” must be printed on the face of all ~~[subsequent]~~ reprints of the bill [-] after the bill becomes exempt.

2. Unless exempt pursuant to paragraph (a) of subsection 1, all of the provisions of Joint Standing Rules Nos. 14, 14.2 and 14.3 apply to a bill until ~~[it is determined to be]~~ the bill becomes exempt pursuant to subsection 1. A bill ~~[determined to be]~~ that has become exempt does not lose the exemption regardless of subsequent actions taken by the Legislature.

3. A cumulative list of all bills determined by the Fiscal Analysis Division pursuant to subsection 1 to be exempt or eligible for exemption after being printed must be maintained and printed in the back of the list of requests for the preparation of legislative measures prepared pursuant to NRS 218.2475.

4. The provisions of subsections 1 and 2 of Joint Standing Rule No. 14, subsection 1 of Joint Standing Rule No. 14.2 and Joint Standing Rule No. 14.3 do not apply to:

(a) A ~~[bill required to carry]~~ measure that primarily relates to carrying out the business of the Legislature.

(b) A bill returned from enrollment for a technical correction.

(c) A bill that was previously enrolled but, upon request of the Legislature, has been returned from the Governor for further consideration.

#### Rule No. 14.7. 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.

3. This Rule must be narrowly construed to carry out the purposes for which it was adopted which is to ensure the effectiveness of the limitations set forth in Joint Standing Rules Nos. 14, 14.2 and 14.3.

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

#### Rule No. 15. 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.

**INTRODUCTION OF LEGISLATION REQUESTED BY STATE OR LOCAL GOVERNMENT**

Rule No. 16. Delivery of Bill Drafts Requested by State Agencies and Local Governments.

1. Except as otherwise provided in subsection 2, on or before the third legislative day, the Legislative Counsel shall randomly deliver, in equal amounts, all legislative measures drafted at the request of any state agency or department or any local government to the Majority Leader of the Senate and the Speaker of the Assembly for consideration for introduction.

2. Any legislative measure properly requested in accordance with NRS 218.241 and 218.245 by any state agency or department or any local government which has not been drafted before the third legislative day must, upon completion, be immediately and randomly delivered, in equal amounts, by the Legislative Counsel to the Majority Leader of the Senate and the Speaker of the Assembly for consideration for introduction.

**DATE OF FIRST JOINT BUDGET HEARING**

Rule No. 17. Requirement.

The first joint meeting of the Senate Standing Committee on Finance and the Assembly Standing Committee on Ways and Means to consider the budgets of the agencies of the State must be held on or before the 89th calendar day of the regular session.

**CRITERIA FOR REVIEWING BILLS THAT REQUIRE POLICIES OF HEALTH INSURANCE TO PROVIDE COVERAGE FOR CERTAIN TREATMENT OR SERVICES**

Rule No. 18. Topics of Consideration.

Any standing committee of the Senate or Assembly to which a bill is referred requiring a policy of health insurance delivered or issued for delivery in this State to provide coverage for any treatment or service shall review the bill giving consideration to:

1. The level of public demand for the treatment or service for which coverage is required and the extent to which such coverage is needed in this State;
2. The extent to which coverage for the treatment or service is currently available;
3. The extent to which the required coverage may increase or decrease the cost of the treatment or service;
4. The effect the required coverage will have on the cost of obtaining policies of health insurance in this State;
5. The effect the required coverage will have on the cost of health care provided in this State; and
6. Such other considerations as are necessary to determine the fiscal and social impact of requiring coverage for the treatment or service.

**INTERIM FINDINGS AND RECOMMENDATIONS OF LEGISLATIVE COMMITTEES**

Rule No. 19. Date for Reporting.

Each legislative committee that adopted any findings or recommendations during the interim since the last regular session of the Legislature shall, no later than the 14th calendar day of the regular session, inform interested members of the Senate and Assembly of those findings and recommendations.

**POLICY AND PROCEDURES REGARDING SEXUAL HARASSMENT**

Rule No. 20. 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 Committee on Elections, Procedures, and Ethics of the Assembly or the Committee on Legislative Affairs and Operations of the Senate, as appropriate. If the Speaker of the Assembly or the Majority Leader of the Senate is a member of one of these committees, 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.

#### VOTE ON GENERAL APPROPRIATION BILL

Rule No. 21. Waiting Period Between Introduction and Final Passage.

A period of at least 24 hours must elapse between the introduction of the general appropriation bill and a vote on its final passage by its House of origin.

#### USE OF LOCK BOXES BY STATE AGENCIES

Rule No. 22. Duties of Senate Standing Committee on Finance and Assembly Standing Committee on Ways and Means.

To expedite the deposit of state revenue, the Senate Standing Committee on Finance and the Assembly Standing Committee on Ways and Means shall, when reviewing the proposed budget of a state agency which collects state revenue, require if practicable, the agency to deposit revenue that it has received within 24 hours after receipt. The committees shall allow such agencies to deposit the revenue directly or contract with a service to deposit the revenue within the specified period.

Assemblywoman Koivisto moved the adoption of the resolution.

Remarks by Assemblywoman Koivisto.

Resolution adopted.

By the Committee on Elections, Procedures, Ethics, and Constitutional Amendments:

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

Resolved by the Assembly of the State of Nevada, That the following persons are elected as attaches of the Assembly for the 73rd Session of the Legislature of the State of Nevada: Diane Keetch, Lucinda Benjamin, Matthew Baker, Kathryn Fosnaugh, Patti Higdon, Jason Hataway, Harle Glover, Terry Sullivan, Robin Bates, Sandra Geyer, Kathleen Maskaly, Kasey Sheldon, Andrea Touyarot, Kyle Wentz, June Rigsby, Theresa Horgan, Robert Josephs, Kathryn Alden, Jennifer Arias, Ethan Guillen, Dylan Shaver, Marge Griffin, Barbara Houger, Nenita Wasserman, Kerry Porec, Christina Bailey, Laurel Armbrust, Kathryn Oetting, Sheree Rosevear, Julie Morrison, Patricia Hutson, Jasmine Shackley, Victoria Thompson, Patricia Blackburn, Millicent Jorgenson, Rachel Pilliod, Deanna Duncan, Angela Flores, Linda Utt, Stacy Shaffer, Connie Davis, Anne Bowen, Susan Cherpeski, Lila Clark, Linda Smith, Carol J. Thomsen, Miranda Haywood, Vanessa Brown, Joe Bushek, James Cassimus, Mary Garcia, Sarah Gibson,



Celeste Gunther, Nancy Haywood, Judy Maddock, Kiz Malin, Jane Oliver, Paul Partida, Linda Ronnow, Michael Shafer, Gregory Sharry, Carole Snider, Katherine Andrews, Casey Bales, Matthew Mowbray, Susan Bailey, Patricia Baker, C. Ryan Bauman, Mary Bean, Chelsea Bibb, Alecia Biddison, MaryLou Burks, Cynthia Carter, Patrick Cowan, Ann Marie Cutkosky, Keris Dahlkamp, Vicky Goodson, Donna Hancock, Joyce Hess, Novella Kowallek, Carol Loomis, Yhvana Martin, Christopher Mayhew, Toshiko McIntosh, Patti McKay-Timm, Alan Mills, Linda Paul, Loretta Peterson, Helen Poupenny, Sheila Sease, Ashley Smith, Jerry Stacy, Janet Stokes, Maxine Milabar, Stephanie Elliott, Betty Gardner, Michael Nakamoto, Jerry Pieretti, William Souigny, June Bennett, Norm Budden, Mary Carel, Diane Bacus, Brandi Colunga, John Davis Jr., Gail Eller, Mark Frady, Joyce Ghiselli, Don Hataway, Juanita Heston, Stephen Honey, Laverne LaFleur, Lois Lahair, Teresa Love, Christy Malarchuk, Bob Maynick, Reid Meyer, Robert Murphy, Elaine Quilici and Frank Tetz.

Assemblywoman Koivisto moved the adoption of the resolution.

Remarks by Assemblywoman Koivisto.

Resolution adopted.

By the Committee on Elections, Procedures, Ethics, and Constitutional Amendments:

Assembly Resolution No. 2—Providing allowances to the leadership and other members of the Assembly for periodicals, stamps, stationery and communications.

Assemblywoman Koivisto moved the adoption of the resolution.

Remarks by Assemblywoman Koivisto.

Resolution adopted.

By the Committee on Elections, Procedures, Ethics, and Constitutional Amendments:

Assembly Resolution No. 3—Adopting the Standing Rules of the Assembly for the 73rd Session of the Legislature.

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, That the Assembly Standing Rules as amended by the 72nd Session are adopted, with the following changes, as the Standing Rules of the Assembly for the 73rd Session of the Legislature:

#### I. OFFICERS AND EMPLOYEES

##### DUTIES OF OFFICERS

Rule No. 1. 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 stands adjourned, 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, 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.

Rule No. 2. Reserved.

Rule No. 3. Reserved.

Rule No. 4. Reserved.

Rule No. 5. Reserved.

Rule No. 6. Reserved.

The next rule is 10.

## II. SESSIONS AND MEETINGS

Rule No. 10. Time of Meeting.

The Assembly shall meet each day at 11 a.m., unless the Assembly adjourns to some other hour.

Rule No. 11. Open Meetings.

All meetings of the Assembly and its committees must be open to the public.

Rule No. 12. Reserved.

The next rule is 20.

## III. DECORUM AND DEBATE

Rule No. 20. 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. 21. Portable Electronic Communication Devices.

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

2. Before entering the Assembly Chambers or an Assembly committee room, 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 or within an Assembly committee room.

Rule No. 22. Reserved.

Rule No. 23. Committee on Ethics; Legislative Ethics.

1. The Committee on Ethics consists of:

(a) Two members of the Assembly appointed by the Speaker from the majority political party;

(b) One member of the Assembly appointed by the Minority Leader from the minority political party; and

(c) Two qualified electors of the State chosen by the members of the Committee who are appointed pursuant to paragraphs (a) and (b), neither of whom is a present or former member of the Legislature or employed by the State of Nevada.

2. The Speaker shall appoint two members of the Assembly, one from the majority political party and one from the minority political party to serve as alternate members of the Committee. If a member is disqualified, the alternate appointed from the same political party shall serve as a member of the Committee during the consideration of a specific question.

3. A member is disqualified if he is the requester of advice concerning a question of ethics or conflict of interest, or if the advice is requested by another member of the Assembly and a reasonable person in his situation could not exercise independent judgment on the matter in question.

4. The Committee shall hear complaints on alleged breaches of ethics and conflicts of interest, brought by Legislators and others, and it may advise Legislators on questions of breaches of ethics and conflicts of interest. All proceedings held to consider the character, alleged misconduct, professional competence or physical or mental health of any person by the Committee on matters of ethics or conflicts of interest are confidential unless a Legislator:

(a) Against whom a complaint is brought requests a public hearing;

(b) Discloses the opinion of the Committee at any time after his hearing; or

(c) Discloses the content of an advisory opinion issued to him by the Committee.

5. A complaint which alleges a breach of ethics or a conflict of interest must be in writing and signed by the person making the allegation. The complaint must be filed with the Chairman. The Chairman shall send a copy of the complaint, within 24 hours after receiving it, to the Legislator against whom the complaint is brought.

6. The criterion to be applied by the Committee in determining whether a Legislator has a conflict of interest is whether the independence of judgment of a reasonable person in his position upon the matter in question would be materially affected by:

(a) His acceptance of a gift or loan; or

(b) His private economic interest.

7. A Legislator who determines that he has a conflict of interest may vote upon, advocate or oppose any measure as to which a potential conflict exists if he makes a general disclosure of the conflict. In determining whether to vote upon, advocate or oppose the measure, the Legislator should consider whether:

(a) The conflict impedes his independence of judgment;

(b) His participation will produce a negative effect on the public's confidence in the integrity of the Legislature;

(c) His participation is likely to have any significant effect on the disposition of the measure; and

(d) His interest is greater than the interests of an entire class of persons similarly situated.

The next rule is 30.

#### IV. QUORUM, VOTING, ELECTIONS

Rule No. 30. 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:

(a) Has been certified by the Committee on Elections, Procedures, ~~and~~ Ethics, and *Constitutional Amendments* or a special committee of the Assembly; and

(b) 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. 31. Reserved.

Rule No. 32. 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. 33. Voting by Division.

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

The next rule is 40.

#### V. LEGISLATIVE BODIES

Rule No. 40. Standing Committees.

The standing committees of the Assembly are as follows:

1. Ways and Means, fourteen members.
2. Judiciary, ~~fifteen~~ fourteen members.
3. ~~Taxation, twelve~~ *Growth and Infrastructure, thirteen* members.
4. Education, ~~twelve~~ eleven members.
5. Elections, Procedures, ~~and Ethics, ten~~ *Ethics, and Constitutional Amendments, thirteen* members.
6. Natural Resources, Agriculture, and Mining, ~~twelve~~ eleven members.
7. Transportation, ~~twelve~~ eleven members.
8. Commerce and Labor, fourteen members.
9. Health and Human Services, ~~ten~~ eleven members.
10. Government Affairs, thirteen members.
- ~~11. Constitutional Amendments, five members.~~

Rule No. 41. Appointment of Committees.

1. Except as otherwise provided in Assembly Standing Rule No. 23, all committees must be appointed by the Speaker, unless otherwise directed by the Assembly. The Speaker shall designate the chairman and vice chairman of each committee.

2. To facilitate the full participation of the members during an adjournment called pursuant to NRS 218.115, the Speaker may temporarily appoint a member to a standing committee that is scheduled to meet during the adjournment if none of the committees to which the member is regularly assigned will be meeting during the adjournment.

Rule No. 42. Committee Action.

1. The committee shall have regular meetings scheduled by the Assembly leadership. A quorum of the committee is a majority of its members and may transact business except as limited by this Rule.

2. Except as limited by this Rule, a simple majority of those present may move, second and pass a motion by voice vote.

3. Definite action on a bill or resolution will require a majority of the entire committee.

4. A two-thirds majority of the entire committee is required to reconsider action on a bill or resolution.

5. Committee introduction of legislative measures which are not prefiled requires concurrence of two-thirds of the entire committee and does not imply commitment to support final passage.

6. The chairman shall vote on all final action regarding bills or resolutions.

7. No member of the committee may vote by proxy under any circumstances.

8. A committee shall not take a vote on the question of whether to exercise its statutory authority to issue a legislative subpoena unless the chairman has informed the Speaker of the intention of the committee to consider such a question.

Rule No. 43. Subcommittees.

Subcommittees made up of committee members may be appointed by the chairman to consider and report back on specific subjects or bills.

Rule No. 44. Committee on Elections, Procedures, ~~and Ethics,~~ *Ethics, and Constitutional Amendments.*

The Committee on Elections, Procedures, ~~and~~ *Ethics, and Constitutional Amendments* has jurisdiction over matters relating to personnel. It shall recommend by resolution the appointment of all attachés and employees of the Assembly not otherwise provided for by law. It may suspend or remove any such attaché or employee for incompetency or dereliction of duty. It shall function as the Committee on Rules and as the Committee on Credentials of the Assembly.

Rule No. 45. Procedure for Election Contests.

1. Upon receipt of a statement of contest from the Secretary of State pursuant to NRS 293.427, the Speaker shall, as soon as practicable, appoint a special committee to hear the contest or refer the contest to the Standing Committee on Elections, Procedures, ~~and Ethics,~~ *Ethics, and Constitutional Amendments*. The committee shall conduct a hearing to consider the contest. The committee shall keep written minutes of the hearing. The contestant has the burden of proving that any irregularities shown were of such a nature as to establish that the result of the election was changed thereby.

2. The contest must be submitted so far as may be possible upon depositions or by written or oral arguments as the Assembly may order. Any party to a contest may take the deposition of any witness at any time after the statement of contest is filed with the Secretary of State and before the contest is finally decided. At least 3 days' notice must be given to the prospective deponent and to the other party. If oral statements are made at any hearing before the Assembly or a committee thereof which purport to establish matters of fact, they must be made under oath. Strict rules of evidence do not apply.

3. The committee shall, not later than 5 calendar days after the contest was referred to the committee, report to the Assembly its findings on whether the contestant has met the burden of

proving that any irregularities shown were of such a nature as to establish that the result of the election was changed thereby. The committee shall then report to the Assembly its recommendation on which person should be declared elected or report that it has no recommendation. The Assembly shall, as soon as practicable thereafter but not later than 7 calendar days after the Speaker received the statement of contest, vote whether to accept or reject the committee's recommendation without amendment, if a recommendation is made. If the recommendation is accepted, the Speaker shall declare the recommended person elected. If the recommendation is rejected or the committee did not make a recommendation, the Assembly shall consider immediately which person should be declared elected. The Speaker shall not adjourn the Assembly until it has declared a person to be elected.

4. If a person other than the person initially seated as a member of the Assembly pursuant to subsection 2 of NRS 293.427 is declared to be elected by the Assembly as a result of the contest, the Speaker shall inform the Governor of the identity of the person declared to be elected by the Assembly.

Rule No. 46. Committee Action on Reports.

Committee reports must be adopted at a committee session actually assembled and meeting as a committee with a quorum present. Every committee vote on a matter pertaining to a bill or resolution must be recorded. The vote may be taken by roll call at the discretion of the chairman.

Rule No. 47. Committee Records.

The chairman of each committee shall keep, or cause to be kept, a complete record of the committee proceedings in which there must be entered:

1. The time and place of each meeting;
2. The attendance and absence of members;
3. The names of all persons appearing before the committee, with the names of persons, firms, corporations or associations in whose behalf such appearance is made; and
4. The subjects or measures considered and action taken.

Rule No. 48. Disposition of Committee Records.

All minutes, records and documents in the possession of committees and their chairmen must be filed in the offices of the Legislative Counsel Bureau upon adjournment sine die.

Rule No. 49. Committee Hearings.

1. The presence of a quorum of the committee is desirable but not required to conduct a public hearing. At the discretion of the chairman, members of the committee may attend, participate in and, if applicable, vote during the hearing via simultaneous telephone or video conference.

2. Public hearings are opened by the chairman who announces the subject under consideration and provides for those wishing to address the committee to be heard. These persons shall rise in an order determined by the chairman, address the chair and furnish their names, addresses and firms or other organizations represented. Committee members may address the chairman for permission to question the witness.

Rule No. 50. Reserved.

Rule No. 51. Reserved.

Rule No. 52. Concurrent Referrals.

When a bill or resolution is referred to two committees, the bill or resolution must go to the first committee named. If the first committee votes to amend the bill or resolution, it must be reprinted with amendments and then returned to the first committee or sent immediately to the next committee. If there is no amendment proposed by the first committee, or if the first committee acts upon the bill or resolution after amendment, the bill or resolution must be sent with the committee recommendation immediately to the second committee.

The next rule is 60.

#### VI. RULES GOVERNING MOTIONS

Rule No. 60. Entertaining.

No motion may be debated until it is distinctly announced by the presiding officer. The presiding officer, upon his own motion or at the request of a member, may direct that the motion 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.

Rule No. 61. Reserved.

Rule No. 62. Reserved.

#### PARTICULAR MOTIONS

Rule No. 63. Reserved.

Rule No. 64. Reserved.

Rule No. 65. Indefinite Postponement.

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

Rule No. 66. 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. 67. 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. 68. To Reconsider—Precedence of.

A motion to reconsider shall have precedence over every other motion, except a motion to adjourn, or to fix the time to which to adjourn; and when the Assembly adjourns, while a motion to reconsider is pending, or before passing the order of business of Motions, Resolutions and Notices, the right to move a reconsideration shall continue to the next day of sitting. No notice of reconsideration of any final vote shall be in order on the:

1. Last day on which final action is allowed; or
2. Day preceding the last day of the session.

The next rule is 80.

#### VII. DEBATE

Rule No. 80. 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. 81. 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. 82. 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.

The next rule is 90.

**VIII. CONDUCT OF BUSINESS****A. RULES AND PROCEDURE****Rule No. 90. 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 Standing Rules and orders of the Assembly, and the Joint Rules of the Senate and Assembly.

**Rule No. 91. Rescission, Change or Suspension of Rule.**

No standing rule or order of the Assembly 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. 92. Notices of Bills, Topics and Public Hearings.**

1. Except as otherwise provided in subsection 3, all committees shall provide adequate notice of public hearings on bills, resolutions or other topics which are to come before the committees. The notice must include the date, time, place and agenda to be covered. The notice must be posted conspicuously in the legislative building, appear in the Daily History and be made available to the news media. The Daily History must include the most current version of the notice that is available at the time the Daily History is created and an informational statement informing the public where more current information, if any, regarding such notices may be found.

2. The noticing requirements of this Rule may be suspended for emergency situations but only after approval by a two-thirds vote of a committee.

3. Subsection 1 does not apply to:

- (a) Committee meetings held on the floor of the Assembly during a recess; or
- (b) Conference committee meetings.

**Rule No. 93. Reserved.****Rule No. 94. 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. 95. 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. 96. Peddling, Begging and Soliciting.**

1. Peddling, begging and soliciting are strictly forbidden in the Assembly Chambers, and in the lobby, gallery and halls adjacent thereto.
2. No part of the Assembly Chambers 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. 97. 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. 98. Request of Purpose.**

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

**Rule No. 99. Remarks.**

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

**Rule No. 100. 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 Standing Rules of the Assembly and the Joint Standing Rules of the Senate and Assembly.
4. Mason's Manual of Legislative Procedure.

**Rule No. 101. Reserved.****Rule No. 102. Privileged Questions.**

Privileged questions have precedence ~~of~~ over 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.

**Rule No. 103. Reserved.****B. BILLS****Rule No. 104. Reserved.****Rule No. 105. 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. 106. Skeleton Bills.**

The introduction of skeleton bills is authorized when, in the opinion of the sponsor and the Legislative Counsel, the full drafting of the bill would entail extensive research or be of considerable length. A skeleton bill will be provided for purposes of introduction and committee

referral. Such a bill will be a presentation of ideas or statements of purpose, sufficient in style and expression to enable the Legislature and the committee to which the bill may be referred to consider the substantive merits of the legislation proposed.

Rule No. 107. Reserved.

Rule No. 108. Reserved.

Rule No. 109. 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 a committee until after the first reading, nor amended until after the second reading.

Rule No. 110. Second Reading and Amendment of Bills.

1. All bills must be read the second time on the first legislative day after which they are reported by committee, unless a different day is designated by motion. 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. Committee amendments 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, 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 committee amendments. 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. 111. Consent Calendar.

1. A standing committee may by unanimous vote of the members present report a bill with the recommendation that it be placed on the Consent Calendar. The question of recommending a bill for the Consent Calendar may be voted upon in committee only after the bill has been recommended for passage and only if no amendment is recommended.

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. 112. Reserved.

Rule No. 113. General File.

All bills reported to the Assembly, by either standing or special committees, 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.

Rule No. 114. Reserved.

Rule No. 115. Reconsideration of Vote on Bill.

On the first legislative day that the Assembly is in session succeeding that on which a final vote on any bill or resolution has been taken, a vote may be reconsidered on the motion of any member. Notice of intention to move such reconsideration must be given on the day on which the final vote was taken by a member voting with the prevailing party. It is not in order for any member to move a reconsideration on the day on which the final vote was taken, except by unanimous consent. There may be no reconsideration of a vote on a motion to indefinitely postpone. Motions to reconsider a vote upon amendments to any pending question may be made at once.

Rule No. 116. Vetoed Bills.

Bills that have passed both Houses of the Legislature and are transmitted to the Assembly accompanied by a message or statement of the Governor's disapproval or veto of the same must be taken up and considered immediately upon the coming in of the message transmitting the same, or become the subject of a special order. When the message is received, or (if made a special order) when the special order is called, the said message or statement must be read together with the bill or bills so disapproved or vetoed. The message and bill must be read by the Chief Clerk without interruption, consecutively, one following the other, and not upon separate occasions. No such bill or message may 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 may be put by the Speaker is, "Shall the bill pass, notwithstanding the objections of the Governor?" It shall not be in order, at any time, to vote upon such a vetoed bill unless the same shall first have been read, from the first word of its title to and including the last word of its final section. No motion may be entertained after the Speaker has stated the question, save a motion to adjourn or a motion for the previous question, but the merits of the bill itself may be debated. The message or statement containing the objections of the Governor to the bill must be entered in the Journal of the Assembly. The consideration of a vetoed bill, and the objections of the Governor thereto, shall be a privileged question, and shall take precedence over all others.

Rule No. 117. Reserved.

C. RESOLUTIONS

Rule No. 118. Treated as Bills—Joint Resolutions.

The procedure of enacting joint resolutions must be identical to that of enacting bills, except that:

1. Joint resolutions, upon enrollment, must be delivered to the Secretary of State; and
2. Joint resolutions proposing amendments to the Constitution must be entered in the Journal in their entirety.

Rule No. 119. Reserved.

## D. ORDER OF BUSINESS

## Rule No. 120. 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 Standing Committees.
5. Reports of Select Committees.
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.

Rule No. 121. Reserved.

Rule No. 122. ~~Renumbered as Rule No. 102 and reserved for future use.~~ *Reserved.*

Rule No. 123. ~~Renumbered as Rule No. 82 and reserved for future use.~~ *Reserved.*

Rule No. 124. Reserved.

Rule No. 125. Reserved.

Rule No. 126. ~~Renumbered as Rule No. 116 and reserved for future use.~~ *Reserved.*

Rule No. 127. Reserved.

Rule No. 128. Reserved.

The next rule is 140.

## IX. LEGISLATIVE INVESTIGATIONS AND MISCELLANEOUS

## Rule No. 140. Compensation of Witnesses.

Witnesses summoned to appear before the Assembly or any of its committees must be compensated as provided by law for witnesses required to attend in the courts of the State of Nevada.

## Rule No. 141. 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.

Assemblywoman Koivisto moved the adoption of the resolution.

Remarks by Assemblywoman Koivisto.

Resolution adopted.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, February 7, 2005

*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

PREFILED BILLS

By Assemblyman Hardy:

Assembly Bill No. 1—AN ACT relating to nursing; requiring the State Board of Nursing to waive the application fee for certain applicants applying for a license to practice professional nursing or practical nursing; and providing other matters properly relating thereto.

Assemblywoman Buckley moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

By Assemblyman Hardy:

Assembly Bill No. 2—AN ACT relating to deceptive trade practices; prohibiting the issuance of a gift card or gift certificate containing an expiration date; providing a penalty; and providing other matters properly relating thereto.

Assemblywoman Buckley moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

By Assemblyman Claborn:

Assembly Bill No. 3—AN ACT relating to the Department of Wildlife; requiring the Legislative Auditor to conduct a performance audit of the Department; and providing other matters properly relating thereto.

Assemblywoman Buckley moved that the bill be referred to the Committee on Natural Resources, Agriculture, and Mining.

Motion carried.

By the Committee on Education:

Assembly Bill No. 4—AN ACT relating to education; authorizing the Department of Education to transfer money from the State Distributive School Account to pay for full-day kindergarten in certain schools; requiring the Department of Education to prescribe forms for applications for allocations of money to pay for full-day kindergarten and, in consultation with certain other state entities, to review applications and select school districts to receive allocations; and providing other matters properly relating thereto.

Assemblywoman Buckley moved that the bill be referred to the Concurrent Committees on Education and Ways and Means.

Motion carried.

By the Committee on Education:

Assembly Bill No. 5—AN ACT relating to educational personnel; requiring the Commission on Professional Standards in Education to develop and implement a pilot program for mentor teachers; making an appropriation to the Department of Education for the distribution to school districts that participate in the pilot program; and providing other matters properly relating thereto.

Assemblywoman Buckley moved that the bill be referred to the Concurrent Committees on Education and Ways and Means.

Motion carried.

By Assemblywoman Giunchigliani:

Assembly Bill No. 6—AN ACT relating to capital punishment; prohibiting the imposition of a sentence of death upon a person for a crime committed while the person was under the age of 18 years; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 7—AN ACT relating to criminal procedure; prohibiting the civil compromise of misdemeanor offenses committed against certain elderly persons and certain offenses related to domestic violence; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 8—AN ACT relating to domestic violence; revising the qualifications for a master appointed by a court to take testimony and recommend orders in actions concerning orders for protection against domestic violence; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 9—AN ACT relating to civil liability; limiting the liability of certain persons, corporations and associations that contract to provide medical services for the Division of Mental Health and

Developmental Services of the Department of Human Resources; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 10—AN ACT relating to criminal procedure; prohibiting the civil compromise of a battery that constitutes domestic violence; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Transportation:

Assembly Bill No. 11—AN ACT relating to traffic laws; repealing the prohibition against certain use by a governmental entity or its agent of photographic, video or digital equipment for gathering evidence to be used for the issuance of a traffic citation; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 12—AN ACT relating to justices' courts; extending the period for justice of the peace to transmit a copy of the transcript of a criminal case to the district court after a notice of appeal is filed by a defendant; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Health and Human Services:

Assembly Bill No. 13—AN ACT relating to public welfare; revising the qualifications of the State Welfare Administrator of the Welfare Division of the Department of Human Resources; and providing other matters properly relating thereto.

Assemblywoman Buckley moved that the bill be referred to the Committee on Health and Human Services.

Motion carried.

By the Committee on Commerce and Labor:

Assembly Bill No. 14—AN ACT relating to energy; exempting retail customers who purchase energy from municipal or local governmental utilities from the payment of the universal energy charge; and providing other matters properly relating thereto.

Assemblywoman Buckley moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

By the Committee on Natural Resources, Agriculture, and Mining:

Assembly Bill No. 15—AN ACT relating to wildlife; revising provisions governing the expenditure of money in the Wildlife Heritage Trust Account to authorize the expenditure of certain annual deposits; and providing other matters properly relating thereto.

Assemblywoman Buckley moved that the bill be referred to the Committee on Natural Resources, Agriculture, and Mining.

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 16—AN ACT relating to metropolitan police departments; changing the date by which metropolitan police departments must submit their budgets for the next fiscal year to the governing bodies of the participating political subdivisions; and providing other matters properly relating thereto.

Assemblywoman Buckley moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 17—AN ACT relating to attorneys; repealing the requirement that an attorney, other than a public defender or deputy public defender, appointed to represent an indigent defendant report to the State Public Defender concerning such representation; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman McCleary:

Assembly Bill No. 18—AN ACT relating to time; exempting the State of Nevada from the provisions of the federal law requiring daylight saving time; and providing other matters properly relating thereto.

Assemblywoman Buckley moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

By Assemblyman Parks:

Assembly Bill No. 19—AN ACT relating to deceptive trade practices; prohibiting the issuance of a gift certificate that contains an expiration date under certain circumstances; prohibiting the issuer of a gift certificate from charging a fee for inactivity to the buyer or holder of the gift certificate; providing a penalty; and providing other matters properly relating thereto.



Assemblywoman Buckley moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

By Assemblyman Grady:

Assembly Bill No. 20—AN ACT relating to state obligations; increasing the amount of general obligation bonds that the State Board of Finance may issue to support the program to provide grants for water conservation and capital improvements to certain water systems; and providing other matters properly relating thereto.

Assemblywoman Buckley moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

By Assemblywoman Gerhardt:

Assembly Bill No. 21—AN ACT relating to criminal procedure; prohibiting the civil compromise of misdemeanor offenses involving domestic violence; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 22—AN ACT relating to libraries; authorizing the appointed trustees of a city library to sell, exchange, transfer, assign or otherwise dispose of the real or personal property of the library; and providing other matters properly relating thereto.

Assemblywoman Buckley moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 23—AN ACT relating to governmental administration; authorizing state agencies and political subdivisions to request and receive certain information concerning a person applying to attend an academy for training peace officers; and providing other matters properly relating thereto.

Assemblywoman Buckley moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

By the Committee on Transportation:

Assembly Bill No. 24—AN ACT relating to traffic laws; removing the requirement that certain parking spaces for the handicapped be designated for the exclusive use of vehicles with side-loading wheelchair lifts and the requirements for corresponding signs; and providing other matters relating properly thereto.

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

Motion carried.

By the Committee on Natural Resources, Agriculture, and Mining:

Assembly Bill No. 25—AN ACT relating to the State Environmental Commission; revising the membership of the Commission; and providing other matters properly relating thereto.

Assemblywoman Buckley moved that the bill be referred to the Committee on Natural Resources, Agriculture, and Mining.

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 26—AN ACT relating to veterans; requiring the Executive Director for Veterans' Services to establish and implement rules, policies and procedures for the management, maintenance and operation of veterans' homes; requiring the Executive Director to establish a schedule of rates to be charged for occupancy of rooms at veterans' homes; and providing other matters properly relating thereto.

Assemblywoman Buckley moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

By the Committee on Health and Human Services:

Assembly Bill No. 27—AN ACT relating to health care; revising the provisions governing the fees that the Director of the Department of Human Resources is authorized to impose upon certain insurers in this State; eliminating the requirement that hospitals and certain other institutions file a proposed operating budget each fiscal year with the Department; and providing other matters properly relating thereto.

Assemblywoman Buckley moved that the bill be referred to the Committee on Health and Human Services.

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 28—AN ACT relating to the Rehabilitation Division of the Department of Employment, Training and Rehabilitation; abolishing the positions of Chief of the Bureau of Services to the Blind and Visually Impaired and Chief of the Bureau of Vocational Rehabilitation and transferring the powers and duties of those positions to the Administrator of the Rehabilitation Division; and providing other matters properly relating thereto.

Assemblywoman Buckley moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 29—AN ACT relating to the Department of Administration; removing from the jurisdiction of the Buildings and Grounds Division of the Department the buildings, grounds and other properties owned or leased by certain boards; removing the duty of the Division to provide services to such boards; and providing other matters properly relating thereto.

Assemblywoman Buckley moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 30—AN ACT relating to parole; expanding the list of sexual offenses for which certification by a panel is required before the State Board of Parole Commissioners may release the prisoner on parole; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 31—AN ACT relating to public records; making certain records of local governmental entities containing personally identifying information confidential if such information was provided to the local governmental entity in relation to the use of recreational facilities of the local governmental entity or participation in instructional or recreational activities of the local governmental entity; allowing the disclosure of such information if ordered by a court to protect public safety or prosecute a crime; and providing other matters properly relating thereto.

Assemblywoman Buckley moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

By the Committee on Natural Resources, Agriculture, and Mining:

Assembly Bill No. 32—AN ACT relating to the State Department of Agriculture; making certain information collected by the Department confidential; and providing other matters properly relating thereto.

Assemblywoman Buckley moved that the bill be referred to the Committee on Natural Resources, Agriculture, and Mining.

Motion carried.

By the Committee on Natural Resources, Agriculture, and Mining:

Assembly Bill No. 33—AN ACT relating to land; revising provisions governing the manner in which the State Land Registrar may sell certain land owned by the State of Nevada; providing for the direct sale of such land

under certain circumstances; and providing other matters properly relating thereto.

Assemblywoman Buckley moved that the bill be referred to the Committee on Natural Resources, Agriculture, and Mining.

Motion carried.

By the Committee on Commerce and Labor:

Assembly Bill No. 34—AN ACT relating to residential contractors; increasing the amount of the maximum recovery paid from the Recovery Fund administered by the State Contractors' Board based upon certain claims made against any single contractor; providing that the increase applies retroactively; and providing other matters properly relating thereto.

Assemblywoman Buckley moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

By the Committee on Health and Human Services:

Assembly Bill No. 35— AN ACT relating to children; authorizing an agency which provides child welfare services to enter into agreements with certain persons for the provision of maintenance and other services; requiring an agency which provides child welfare services to develop a transition plan for certain children in foster care to make the transition from foster care to economic self-sufficiency; providing a penalty; and providing other matters properly relating thereto.

Assemblywoman Buckley moved that the bill be referred to the Committee on Health and Human Services.

Motion carried.

By the Committee on Health and Human Services:

Assembly Bill No. 36—AN ACT relating to public welfare; requiring the Director of the Department of Human Resources to include in the State Plan for Medicaid a requirement that young adults who have “aged out” of foster care are eligible for Medicaid; and providing other matters properly relating thereto.

Assemblywoman Buckley moved that the bill be referred to the Committee on Health and Human Services.

Motion carried.

By the Committee on Health and Human Services:

Assembly Bill No. 37—AN ACT relating to mental health; providing for the transfer of duties relating to the mental health of children from the Division of Child and Family Services of the Department of Human Resources to the Division of Mental Health and Developmental Services of the Department; revising provisions governing the discharge of a child from a facility of the Division of Mental Health and Developmental Services; and providing other matters properly relating thereto.

Assemblywoman Buckley moved that the bill be referred to the Committee on Health and Human Services.

Motion carried.

By the Committee on Health and Human Services:

Assembly Bill No. 38—AN ACT relating to the protection of children; authorizing the release of information identifying the subjects of reports of child abuse or neglect to persons engaged in bona fide research or an audit under certain circumstances; providing a penalty; and providing other matters properly relating thereto.

Assemblywoman Buckley moved that the bill be referred to the Committee on Health and Human Services.

Motion carried.

By Assemblyman Parks:

Assembly Bill No. 39—AN ACT relating to purchasing by local governments; providing a procedure for a bidder to file a notice of protest regarding certain contracts; authorizing a local government to use on-line bidding as the exclusive means to receive bids in reverse auctions; expanding the criteria that may be used to select the lowest responsive and responsible bidder on certain contracts; expanding the types of contracts which by nature are not adapted to award by competitive bidding; and providing other matters properly relating thereto.

Assemblywoman Buckley moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

By Assemblywoman Leslie:

Assembly Bill No. 40—AN ACT relating to health; requiring the licensure of community triage centers by the State Board of Health; authorizing an allegedly mentally ill person to be admitted to a community triage center for medical care before his emergency admission to a mental health facility under certain circumstances; making an appropriation; and providing other matters properly relating thereto.

Assemblywoman Buckley moved that the bill be referred to the Concurrent Committees on Health and Human Services and Ways and Means.

Motion carried.

By Assemblyman Horne:

Assembly Bill No. 41—AN ACT making an appropriation for the operating expenses of the mental health court in Clark County; and providing other matters properly relating thereto.

Assemblywoman Buckley moved that the bill be referred to the Concurrent Committees on Health and Human Services and Ways and Means.

Motion carried.

By the Committee on Health and Human Services:

Assembly Bill No. 42—AN ACT relating to the protection of children; establishing a presumption that it is in the best interests of a child who is in need of protection to be placed together with his siblings; requiring an agency which provides child welfare services to include with its report to the court concerning the placement of a child in need of protection certain information concerning the placement of the child in relation to his siblings; and providing other matters properly relating thereto.

Assemblywoman Buckley moved that the bill be referred to the Committee on Health and Human Services.

Motion carried.

By the Committee on Health and Human Services:

Assembly Bill No. 43—AN ACT relating to the protection of children; establishing certain rights for children who are placed in foster homes; and providing other matters properly relating thereto.

Assemblywoman Buckley moved that the bill be referred to the Committee on Health and Human Services.

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 44—AN ACT relating to compensation; deleting the provisions that exempt certain employees from receiving one and one-half times the regular wage rate of those employees; providing a penalty; and providing other matters properly relating thereto.

Assemblywoman Buckley moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 45—AN ACT relating to domestic relations; expanding the circumstances in which a court may grant to a great grandparent or grandparent a reasonable right to visit his great-grandchild or grandchild; revising the proof required to overcome the presumption that granting visitation rights to certain persons is not in the best interests of the child; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Health and Human Services:

Assembly Bill No. 46—AN ACT relating to the protection of children; extending the prospective expiration of the Legislative Committee on Children, Youth and Families; requiring the Division of Child and Family Services of the Department of Human Resources to develop a plan for funding the provision of child welfare services in this State and to transfer

certain duties of the Division to an agency of the county in certain large counties; and providing other matters properly relating thereto.

Assemblywoman Buckley moved that the bill be referred to the Committee on Health and Human Services.

Motion carried.

#### MOTIONS, RESOLUTIONS, AND NOTICES

Assemblyman Ocegüera moved that the action whereby Assembly Bill No. 11 was referred to the Committee on Transportation be rescinded.

Motion carried.

Assemblyman Ocegüera moved that Assembly Bill No. 11 be referred to the Committee on Judiciary.

Motion carried.

#### INTRODUCTION, FIRST READING, AND REFERENCE

Senate Bill No. 1.

Assemblywoman Buckley moved that all rules be suspended, reading so far had considered first reading, rules further suspended, bill considered engrossed, declared an emergency measure under the Constitution and placed on third reading and final passage.

Remarks by Assemblywoman Buckley.

Motion carried unanimously.

#### GENERAL FILE AND THIRD READING

Senate Bill No. 1.

Bill read third time.

Remarks by Assemblywoman Giunchigliani.

Mr. Speaker requested the privilege of the Chair for the purpose of making remarks.

Roll call on Senate Bill No. 1:

Yeas—42.

Nays—None.

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

Bill ordered transmitted to the Senate.

#### GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblywoman Allen, Francis, the privilege of the floor of the Assembly Chamber for this day was extended to Dilly Allen, Harry Allen, Betsy Allen, Marjanae Ebrahimi, Donna Fettig, Carl Fettig, Emily Gadbois, Garry Gadbois, Sherri Gadbois, Cleve Goring, Jeanne Goring, Nancy Greenhalgh, Patricia Halstead, Kathy Jordon, Leah Korona, Celia Korona, Deanna Lazovich, Greg Macfarlane, Paul Enos, Mary Lau, Liz Macmenamin, Lea Lipscomb, Dr. Hang Won Kim, Mrs. Kyung Son Oh, Charlie Fettig, Aggie Fettig, Beverly Rachael Donahoe, and Heidi Bouvier.

On request of Assemblyman Anderson, the privilege of the floor of the Assembly Chamber for this day was extended to Clyda H. Anderson, Natha Clyde Anderson, Lani Anderson, Becca Gardner, Michael Gardner, Whitney Gardner, Barbara Iler, Kyle Zive, Edward P. Anderson Sr., Edward P. Anderson Jr., and Kelly Gardner.

On request of Assemblywoman Angle, the privilege of the floor of the Assembly Chamber for this day was extended to Jonathan Reynolds, Will Rasavage, Paul Corine, Ray Westhafer, Margaret Westhafer, Ted Samuel, Bill Fiedrich, Ted Angle, and VeeAnn Fiedrich.

On request of Assemblyman Atkinson, the privilege of the floor of the Assembly Chamber for this day was extended to Haley Atkinson and Clarence Williams.

On request of Assemblywoman Buckley, the privilege of the floor of the Assembly Chamber for this day was extended to Luke Anderson, Natalie Anderson, Aiden Kendrick, Edith Buckley, and Jane Buckley.

On request of Assemblyman Christensen, the privilege of the floor of the Assembly Chamber for this day was extended to Ashley Christensen, Cole Christensen, Reed Christensen, Cooper Christensen, and Race Christensen.

On request of Assemblyman Claborn, the privilege of the floor of the Assembly Chamber for this day was extended to Carol E. Claborn, Shelly L. Hogan, Phil Hogan, William C. Waggoner, Mickey J. Adams, and Billy R. Boon.

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

On request of Assemblyman Denis, the privilege of the floor of the Assembly Chamber for this day was extended to Susan Denis, Diana Gale, Kylie Gale, Dustin Denis, Daniel Denis, Denae Denis, Dallin Denis, David Cook, and Armando Denis.

On request of Assemblywoman Gansert, the privilege of the floor of the Assembly Chamber for this day was extended to Guy Gansert, MacKenzie Gansert, Kirsten Gansert, Hank Gansert, Lisa Laughlin, Moya Tsatsos, Leo Seevers, Debbie Fuetsch, George Fuetsch, Glenn Gansert, Diane Seevers, Marian Gansert, and Gary Gansert.

On request of Assemblywoman Gerhardt, the privilege of the floor of the Assembly Chamber for this day was extended to Bill Gerhardt, Bob Meyer, Pat Meyer, Michael Steen, and Peggy Cunningham.



On request of Assemblywoman Giunchigliani, the privilege of the floor of the Assembly Chamber for this day was extended to Myrna Giunchigliani, Jeanne Hagens, Gary Gray, and Donna VanHuesden.

On request of Assemblyman Goicoechea, the privilege of the floor of the Assembly Chamber for this day was extended to Jolene Goicoechea, Gladys Goicoechea, Ashley Smith, Edward McCallen, and Louise McCallen.

On request of Assemblyman Grady, the privilege of the floor of the Assembly Chamber for this day was extended to Tina Cordes, Gary Cordes, Cady Cordes, Sean Cordes, Taylen Cordes, Tami Harmon, Addison Harmon, Jace Harmon, Pat Grady, and Mary Bean.

On request of Assemblyman Hardy, the privilege of the floor of the Assembly Chamber for this day was extended to Dane Phillips Reynolds Hardy, Jill Kathleen Hardy, and Ann Marie Cutkosky.

On request of Assemblyman Hettrick, the privilege of the floor of the Assembly Chamber for this day was extended to Valerie Smith, Samantha Goldstein, John “Iani” Dunbar, Nenita Wasserman, and Erin Russell.

On request of Assemblyman Hogan, the privilege of the floor of the Assembly Chamber for this day was extended to Sandy Hogan and Christopher Mayhew.

On request of Assemblyman Holcomb, the privilege of the floor of the Assembly Chamber for this day was extended to Laurian Jill Holcomb and Judy Vaughan.

On request of Assemblyman Horne, the privilege of the floor of the Assembly Chamber for this day was extended to Brenda Horne, William Henry Horne II, Mary Jackson, and Chelsea Calabria.

On request of Assemblywoman Kirkpatrick, the privilege of the floor of the Assembly Chamber for this day was extended to Mike Kirkpatrick, Sarah Kirkpatrick, Dalton Kirkpatrick, Tara Kirkpatrick, Diedra Mireles, Nicholas Mireles, Erica Mireles, Tami Methany, Anita Wood, Doug Wood, Steve Mosier, and Karen Mosier.

On request of Assemblywoman Koivisto, the privilege of the floor of the Assembly Chamber for this day was extended to Jasmine Shackley, Celeste Gunther, and Victor Koivisto.

On request of Assemblywoman Leslie, the privilege of the floor of the Assembly Chamber for this day was extended to Bob Fulkerson, Julie Morrison, and Joe Bushek.

On request of Assemblyman Manendo, the privilege of the floor of the Assembly Chamber for this day was extended to Keris Dahlkamp, Kaitlin Backlund, and Sarah Romike.

On request of Assemblyman Marvel, the privilege of the floor of the Assembly Chamber for this day was extended to Willie Marvel, Dawn Fournier, Jeanne C. Tribble, Edmond H. Tribble, and Valya Leaton.

On request of Assemblywoman McClain, the privilege of the floor of the Assembly Chamber for this day was extended to Connie McMullen and Alecia D. Biddison.

On request of Assemblyman Mortenson, the privilege of the floor of the Assembly Chamber for this day was extended to Helen Mortenson and Sheila Sease.

On request of Assemblyman Ocegüera, the privilege of the floor of the Assembly Chamber for this day was extended to Chris Hansen, Karen Hansen, Linda Mertens, and Eileen Montgomery.

On request of Assemblywoman Ohrenschall, the privilege of the floor of the Assembly Chamber for this day was extended to Katie Ross, Frank Daykin, James Ohrenschall, and Michael Louis Hutton.

On request of Assemblywoman Parnell, the privilege of the floor of the Assembly Chamber for this day was extended to Jim Wallace, Karen Wallace, Jim Parsons, and Gail Parsons.

On request of Assemblyman Perkins, the privilege of the floor of the Assembly Chamber for this day was extended to Terri Perkins, Rikki Perkins, Jared Perkins, Ashley Perkins, Stephanie Perkins, Brigadier General Randal Sayre, Chief Cindy Sullivan, Brigadier General Lawrence Cerfoglio, Gene Sullivan, Jared Mackelprang, Colonel Cindy Kirkland, and Major General Giles Vanderhoof.

On request of Assemblyman Seale, the privilege of the floor of the Assembly Chamber for this day was extended to Judy Simpson, Brian Krolicki, Trey Delap, Janice Wright, and Kate Krolicki.

On request of Assemblyman Sherer, the privilege of the floor of the Assembly Chamber for this day was extended to Angela Sherer, Sarah Sherer, Cody Sherer, Toshiko McIntosh, and Mike Nolan.

On request of Assemblyman Sibley, the privilege of the floor of the Assembly Chamber for this day was extended to Cole Sibley, Stephanie Sibley, Anthony Sibley, Zachary Sibley, Gavin Sibley, Jeanne Sibley, Steve Sibley, Ford Sibley, and Cindy Sibley.

On request of Assemblywoman Smith, the privilege of the floor of the Assembly Chamber for this day was extended to Greg Smith, Judy Lancing,

Sue Pellini, Olivia Bouch, Emma Bouch, Ian Smith, Erin Smith, Henry Pellini, Scott Rogers, Samantha Rogers, Marge Clausen, Cindy Porath, Larry Porath, Phyllis Jackson, John Jackson Sr., Richard Daly, Charles Billings, Michelle Rogers, and Tahis Castro.

On request of Assemblywoman Weber, the privilege of the floor of the Assembly Chamber for this day was extended to Pete Weber and Lee Hubert Weber.

Assemblywoman Buckley moved that the Assembly adjourn until Wednesday, February 9, 2005, at 11:00 a.m.

Motion carried.

Assembly adjourned at 3:03 p.m.

Approved:

RICHARD D. PERKINS  
*Speaker of the Assembly*

Attest: NANCY S. TRIBBLE  
*Chief Clerk of the Assembly*