

THE FIFTEENTH DAY

CARSON CITY (Monday), February 21, 2005

Assembly called to order at 11:07 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, Stake President William Brewer.

Heavenly Father, we approach Thee in love and gratitude today for the many blessings that Thou hast poured out upon us. We are grateful for the bounty of this land, and the standard of living that we enjoy. We pray that we might ever be mindful of our blessings, and of those who are not as fortunate. Soften our hearts and help us to reach out to them in love and kindness.

We thank Thee for the freedoms that we enjoy in this great land and for the privilege of governing ourselves. Help us as citizens and those who lead us in our government to do that which is right and which will be of the greatest good to all the people. We are thankful for these legislators, gathered in this Assembly, who have left their homes, families, and careers in order to be of service to the people of Nevada. We pray that Thou wilt watch over their homes and loved ones while they are away, and that they will be reunited again in safety.

Heavenly Father, we ask Thee to bless this Assembly this day, that Thy Spirit will enlighten and inspire these who govern, and help them to make decisions and create laws that will be in accordance with Thy will. Bless them with wisdom, patience, and a cheerful nature as they go about their labors. Bless us as a people to support and sustain them by observing the law and by carefully protecting our freedoms through recognizing and following through on our responsibilities as citizens.

We love Thee, Father, and ask for these blessings in the name of Thy Son, Jesus Christ.

AMEN.

Pledge of Allegiance to the Flag.

Assemblyman Ocegüera moved that further reading of the Journal be dispensed with, and the Speaker and Chief Clerk be authorized to make the necessary corrections and additions.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Elections, Procedures, Ethics, and Constitutional Amendments, to which was referred Senate Bill No. 40, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

ELLEN KOIVISTO, *Chairman*

INTRODUCTION, FIRST READING, AND REFERENCE

By Assemblymen Goicoechea, Sherer, Allen, Anderson, Carpenter, Christensen, Claborn, Gansert, Grady, Hardy, Hettrick, Hogan, Mabey, Manendo, Marvel, Munford, Perkins, and Sibley:

Assembly Bill No. 88—AN ACT relating to firearms; allowing the possession of a short-barreled rifle or a short-barreled shotgun that has been

determined to be a collector's item, curio or relic pursuant to federal law; and providing other matters properly relating thereto.

Assemblyman Goicoechea moved that the bill be referred to the Committee on Judiciary.

Motion carried.

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

Assembly Bill No. 89—AN ACT relating to city elections; authorizing a city clerk to designate an alternate or additional facility at which electors may register to vote; prescribing the manner of operation of such a facility; and providing other matters properly relating thereto.

Assemblyman Conklin moved that the bill be referred to the Committee on Elections, Procedures, Ethics, and Constitutional Amendments.

Motion carried.

By Assemblymen Claborn, Ohrenschall, McCleary, Atkinson, Carpenter, Conklin, Gerhardt, Goicoechea, Grady, Hogan, Kirkpatrick, Koivisto, Manendo, McClain, and Mortenson:

Assembly Bill No. 90—AN ACT relating to the Department of Wildlife; requiring the biennial budget of the Department be approved by the Board of Wildlife Commissioners; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Anderson, Parks, Atkinson, Claborn, Conklin, Denis, Gerhardt, Hettrick, Hogan, Holcomb, Horne, Koivisto, Marvel, Ocegüera, Ohrenschall, Pierce, Sibley, and Weber (by request):

Assembly Bill No. 91—AN ACT relating to district courts; increasing the fees for a court reporter in district court; establishing fees for a court reporter of a district court for certain services provided in a civil proceeding; and providing other matters properly relating thereto.

Assemblyman Anderson moved that the bill be referred to the Committee on Judiciary.

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 92—AN ACT relating to crime; increasing the period of time that a justice of the peace or a municipal judge may suspend the sentence of a person convicted of a misdemeanor; and providing other matters properly relating thereto.

Assemblyman Anderson moved that the bill be referred to the Committee on Judiciary.

Motion carried.

By the Committee on Ways and Means:

Assembly Bill No. 93—AN ACT making a supplemental appropriation to the State Distributive School Account for unanticipated expenses for Fiscal Year 2004–2005 for providing health care subsidies to retired school district employees; and providing other matters properly relating thereto.

Assemblyman Arberry moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By the Committee on Ways and Means:

Assembly Bill No. 94—AN ACT making a supplemental appropriation to the State Department of Conservation and Natural Resources for the costs of terminal leave, tort insurance premiums paid by the Division of Conservation Districts and updating joint funding agreements between the United States Geological Survey and the Division of Water Resources; and providing other matters properly relating thereto.

Assemblyman Arberry moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By the Committee on Ways and Means:

Assembly Bill No. 95—AN ACT making an appropriation to the Department of Business and Industry for an unanticipated shortfall in money for Fiscal Year 2004–2005 resulting from the reclassification of positions in the Nevada Athletic Commission; and providing other matters properly relating thereto.

Assemblyman Arberry moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By the Committee on Ways and Means:

Assembly Bill No. 96—AN ACT making appropriations to restore the balances in the State Claims Account, Emergency Account and Reserve for Statutory Contingency Account; and providing other matters properly relating thereto.

Assemblyman Arberry moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By the Committee on Ways and Means:

Assembly Bill No. 97—AN ACT making an appropriation to the Account for the Governor's Portrait to provide money for the preparation and framing of a portrait of Governor Kenny C. Guinn; and providing other matters properly relating thereto.

Assemblyman Arberry moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By the Committee on Ways and Means:

Assembly Bill No. 98—AN ACT making an appropriation to the Motor Pool Division of the Department of Administration for additional vehicles; and providing other matters properly relating thereto.

Assemblyman Arberry moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By the Committee on Ways and Means:

Assembly Bill No. 99—AN ACT making an appropriation to the Department of Administration for support of the Southwest Defense Alliance and Nevada's representative serving on the Alliance; and providing other matters properly relating thereto.

Assemblyman Arberry moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By the Committee on Ways and Means:

Assembly Bill No. 100—AN ACT making an appropriation to the Department of Administration for allocation to Opportunity Village to provide assistance in the construction of a new southwest campus designed to serve additional Nevadans; and providing other matters properly relating thereto.

Assemblyman Arberry moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By the Committee on Ways and Means:

Assembly Bill No. 101—AN ACT making an appropriation to the Department of Administration for allocation to the Nevada Commission for National and Community Service to match federal funding for continuation of its programs dedicated to promoting citizen volunteerism; and providing other matters properly relating thereto.

Assemblyman Arberry moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By the Committee on Ways and Means:

Assembly Bill No. 102—AN ACT making an appropriation to the Department of Administration for allocation to the Nevada Humanities Committee to assist with the operation of the southern Nevada office; and providing other matters properly relating thereto.

Assemblyman Arberry moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By the Committee on Ways and Means:

Assembly Bill No. 103—AN ACT making an appropriation to the Department of Administration for allocation to the Nevada Rural Hospital Partners for establishment of a pool for loans and grants for rural health care providers; and providing other matters properly relating thereto.

Assemblyman Arberry moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By the Committee on Ways and Means:

Assembly Bill No. 104—AN ACT making an appropriation to the Western Interstate Commission for Higher Education for upgrades in information technology for its accounting system; and providing other matters properly relating thereto.

Assemblyman Arberry moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By the Committee on Ways and Means:

Assembly Bill No. 105—AN ACT making an appropriation to the State Department of Agriculture for the acquisition of equipment for the State Sealer of Weights and Measures; and providing other matters properly relating thereto.

Assemblyman Arberry moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By the Committee on Ways and Means:

Assembly Bill No. 106—AN ACT making an appropriation to the State Department of Conservation and Natural Resources for the preparation of new offices for occupancy, replenishment of the Account for the Channel Clearance, Maintenance, Restoration, Surveying and Monumenting Program and litigation costs of the Division of Water Resources; and providing other matters properly relating thereto.

Assemblyman Arberry moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By the Committee on Ways and Means:

Assembly Bill No. 107—AN ACT making a supplemental appropriation to the University and Community College System of Nevada for matching money for the National Direct Student Loan Program for Fiscal Year 2004–2005; and providing other matters properly relating thereto.

Assemblyman Arberry moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By the Committee on Education:

Assembly Bill No. 108—AN ACT relating to educational personnel; revising provisions governing the appointment of a hearing officer in cases involving the demotion, dismissal or refusal to reemploy licensed educational personnel and in cases involving the suspension or revocation of an educational license; and providing other matters properly relating thereto.

Assemblywoman Parnell moved that the bill be referred to the Committee on Education.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 23.

Bill read second time and ordered to third reading.

Assembly Bill No. 26.

Bill read second time and ordered to third reading.

Assembly Bill No. 29.

Bill read second time and ordered to third reading.

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

Assembly in recess at 11:27 a.m.

ASSEMBLY IN SESSION

At 11:49 a.m.

Mr. Speaker presiding.

Quorum present.

MOTIONS, RESOLUTIONS, AND NOTICES

Assemblyman Anderson moved that Assembly Bill No. 8 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Anderson.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 34.

Bill read third time.

Remarks by Assemblywoman Buckley.

Roll call on Assembly Bill No. 34:

YEAS—42.

NAYS—None.

Assembly Bill No. 34 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

INTRODUCTION, FIRST READING, AND REFERENCE

By the Committee on Education:

Assembly Bill No. 109—AN ACT relating to education; revising the date for submission of an annual report by the governing bodies of the regional training programs for the professional development of teachers and administrators; making various appropriations from the State General Fund and authorizing various transfers of money from the State Distributive School Account for the education and professional development of teachers, other educational personnel and boards of trustees of school districts; and providing other matters properly relating thereto.

Assemblywoman Parnell moved that the bill be referred to the Committee on Education.

Motion carried.

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

Assembly in recess at 11:54 a.m.

ASSEMBLY IN SESSION

At 11:55 a.m.

Mr. Speaker presiding.

Quorum present.

MOTIONS, RESOLUTIONS, AND NOTICES

Assemblywoman Parnell moved that the action whereby Assembly Bill No. 109 was referred to the Committee on Education be rescinded.

Motion carried.

Assemblywoman Parnell moved that Assembly Bill No. 109 be referred to the Concurrent Committees on Education and Ways and Means.

Motion carried.

INTRODUCTION, FIRST READING, AND REFERENCE

By the Committee on Education:

Assembly Bill No. 110—AN ACT relating to educational personnel; revising the provisions governing incentives for teaching in certain subject areas and schools; and providing other matters properly relating thereto.

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

Motion carried.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Concurrent Resolution No. 3 and Senate Joint Resolution No. 2.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Anderson, the privilege of the floor of the Assembly Chamber for this day was extended to Melody Wilson, Rae Lathrop, and Lairen Lathrop.

On request of Assemblywoman Gansert, the privilege of the floor of the Assembly Chamber for this day was extended to MacKenzie Gansert and Tessa Breeden.

On request of Assemblywoman Leslie, the privilege of the floor of the Assembly Chamber for this day was extended to Launa Wilson and David Bobzien.

On request of Assemblyman Ocegüera, the privilege of the floor of the Assembly Chamber for this day was extended to Andrew Diss.

On request of Assemblyman Perkins, the privilege of the floor of the Assembly Chamber for this day was extended to Noah Jennings.

On request of Assemblyman Sherer, the privilege of the floor of the Assembly Chamber for this day was extended to Gray Hollis, Arthur D. Jones, and Opal Jones.

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

On request of Assemblywoman Smith, the privilege of the floor of the Assembly Chamber for this day was extended to Guillermo Garcia, Laureen Garcia, Sebastien Garcia, and Angelina Garcia.

Assemblywoman Buckley moved that the Assembly adjourn until Tuesday, February 22, 2005, at 11:00 a.m.

Motion carried.

Assembly adjourned at 11:56 a.m.

Approved:

RICHARD D. PERKINS
Speaker of the Assembly

Attest: NANCY S. TRIBBLE
Chief Clerk of the Assembly