

THE SIXTEENTH DAY

CARSON CITY (Tuesday), February 22, 2005

Assembly called to order at 11:08 a.m.

Madame Speaker pro Tempore presiding.

Roll called.

All present except Assemblymen Christensen and Horne, who were excused.

Prayer by the Chaplain, Bishop Doug Christenson.

Our beloved Heavenly Father, we come before Thee with gratitude and thankfulness in our hearts. We thank Thee for the Savior Jesus Christ and His example of a perfect life that we try to emulate.

We thank Thee for this beautiful land in which we live. We thank Thee for providing this country with all its freedom. We are grateful for our forefathers who have fought for those freedoms and we pray for the men and women who are now in harms way defending those fundamental freedoms. Wilt Thou return these men and women home safely when the time is right. We pray for their families that they will be comforted and blessed during this time of sacrifice. We thank Thee for our government and its leaders. Wilt Thou guide and direct them as they make decisions to lead us into the future.

We thank Thee for the beautiful state of Nevada. We recognize Thy hand in all the creations that we see around us. We thank Thee for these men and women who lead us in this state. Please bless them with health and strength as they perform their duties. Bless them as they govern and search to do that which is right for the citizens of this state. Thou knowest that there is much evil in the world today. Please bless this government that they will be mindful of the youth and work on their behalf to protect and bless their lives. Heavenly Father, we pray that Thou wilt be with the families of this good Legislature. Protect them and watch over them.

We pray unto Thee, Heavenly Father, to be with each citizen and heal those that are in need. We pray that Thou wilt continue to lift the hearts of the wonderful people of this state that they will strive to help their brother, sister, and neighbor. Pour out Thy spirit upon each individual, that their choices may be guided to do what is right and righteous. We pray for families. There is much evil trying to tear down the family today. Wilt Thou strengthen each father and mother so that they can raise their children in righteousness. Bless the children that they will follow in the good example of their parents.

We ask Thee, now, Heavenly Father, to be with this Body. Bless them this day that their minds and bodies will be strong as they work to benefit the people. Protect them from harm and accident so that they can return to their families soon.

We love Thee with all our hearts. We pray that Thou wilt forgive us of the things that we do wrong. Bless us that each day we will strive to be more worthy of Thy blessings. Again we express our thankfulness to Thee and pray for these blessings in the name of our Savior, Jesus Christ, amen.

AMEN.

Pledge of Allegiance to the Flag.

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

Motion carried.

INTRODUCTION, FIRST READING, AND REFERENCE

By Assemblymen Sherer, Goicoechea, Grady, Hardy, Hettrick, Mabey, Marvel, and Weber:

Assembly Bill No. 111—AN ACT relating to state government; requiring the Department of Administration to conduct a study concerning the feasibility and desirability of relocating certain state agencies to rural communities under certain circumstances; requiring the Department to recommend, if feasible, the relocation of at least one such agency; authorizing the Director of the Department to receive and expend money to conduct the study; and providing other matters properly relating thereto.

Assemblyman Sherer moved that the bill be referred to the Committee on Government Affairs.

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

Assembly in recess at 11:15 a.m.

ASSEMBLY IN SESSION

At 11:18 a.m.

Madame Speaker pro Tempore presiding.

Quorum present.

Assemblyman Sherer withdrew the motion that Assembly Bill No. 111 be referred to the Committee on Government Affairs.

Assemblyman Sherer moved that the bill be referred to the Concurrent Committees on Government Affairs and Ways and Means.

Motion carried.

By Assemblywoman Parnell and Senator Amodei:

Assembly Bill No. 112—AN ACT relating to watercraft; requiring certain vessels to carry on board certain safety devices accessible for use in an emergency; providing a penalty; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Manendo, Parks, McCleary, Ohrenschall, Allen, Anderson, Atkinson, Buckley, Carpenter, Claborn, Conklin, Denis, Gerhardt, Giunchigliani, Goicoechea, Hogan, Holcomb, Horne, Kirkpatrick, Koivisto, Leslie, McClain, Mortenson, Munford, Ocegüera, Parnell, Perkins, Pierce, and Smith:

Assembly Bill No. 113—AN ACT relating to public employees' retirement; authorizing certain public employees who served on active military duty to purchase up to 2 additional years of service in the Public

Employees' Retirement System; and providing other matters properly relating thereto.

Assemblyman Manendo moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, February 22, 2005

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 5.

MARY JO MONGELLI
Assistant Secretary of the Senate

INTRODUCTION, FIRST READING, AND REFERENCE

By Assemblymen Marvel, Sibley, Allen, Carpenter, Grady, Hettrick, and Seale (by request):

Assembly Bill No. 114—AN ACT relating to manufactured housing; authorizing a licensed real estate broker and his licensed salesman under certain circumstances to sell used mobile homes and used manufactured homes without obtaining certain additional licensure; removing the duty of the Administrator of the Manufactured Housing Division of the Department of Business and Industry to prescribe the form of the contract that must be used for the sale of a manufactured home, mobile home or commercial coach; and providing other matters properly relating thereto.

Assemblyman Marvel moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

SECOND READING AND AMENDMENT

Senate Bill No. 40.

Bill read second time and ordered to third reading.

GENERAL FILE AND THIRD READING

Assembly Bill No. 23.

Bill read third time.

Remarks by Assemblyman McCleary.

Roll call on Assembly Bill No. 23:

YEAS—40.

NAYS—None.

EXCUSED—Christensen, Horne—2.

Assembly Bill No. 23 having received a constitutional majority, Madame Speaker pro Tempore declared it passed.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS, AND NOTICES

Assemblyman Parks moved that Assembly Bill No. 26 be taken from the General File and re-referred to the Committee on Ways and Means.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 29.

Bill read third time.

Remarks by Assemblywoman Pierce.

Roll call on Assembly Bill No. 29:

YEAS—40.

NAYS—None.

EXCUSED—Christensen, Horne—2.

Assembly Bill No. 29 having received a constitutional majority, Madame Speaker pro Tempore declared it passed.

Bill ordered transmitted to the Senate.

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

Assembly in recess at 11:32 a.m.

ASSEMBLY IN SESSION

At 11:35 a.m.

Madame Speaker pro Tempore presiding.

Quorum present.

MOTIONS, RESOLUTIONS, AND NOTICES

Senate Concurrent Resolution No. 5—Commemorating the 100th anniversary of Las Vegas and designating the year 2005 as the “Las Vegas Centennial Celebration.”

Commemorating the 100th anniversary of Las Vegas and designating the year 2005 as the “Las Vegas Centennial Celebration.”

Whereas, Hidden for centuries from all but Native Americans, the oasis that would become known as Las Vegas Valley was protected from discovery by the surrounding harsh and unforgiving Mojave Desert until 1829 when it was sighted by Rafael Rivera, a scout for the New Mexico trader, Antonio Armijo; and

Whereas, The abundance of artesian spring water discovered in the Valley shortened the trade route along the Old Spanish Trail from Santa Fe, New Mexico, to Los Angeles, California, and the area became known as “Las Vegas,” Spanish for “The Meadows”; and

Whereas, In 1844, famed explorer Captain John C. Fremont camped near the springs, described the route and noted the name “Las Vegas” in his expedition journal, which would later be published and distributed and help make the Valley known to the world; and

Whereas, The first non-Native American settlement in the Valley was a fortified mission built in 1855 by Mormon colonists who were quickly overwhelmed by the rigors of desert life and occasional Indian raids and who abandoned the site 2 years later; and

Whereas, After filing unsuccessful mining claims near present-day Boulder City, Octavius Decatur Gass, considered a founding father of Las Vegas, established a working ranch in 1865 near the remains of the Mormon fort on what is now downtown Las Vegas; and

Whereas, The Gass ranch was acquired in 1881 by Archibald Stewart and was sold 21 years later by his wife Helen to Montana Senator William A. Clark, who subsequently used the land to complete the railroad line between Los Angeles, California, and Salt Lake City, Utah; and

Whereas, By 1905, the San Pedro, Los Angeles and Salt Lake Railroad was completed and a railroad town was laid out on 110 acres bounded by Stewart Avenue, Garces Avenue, Main Street, and 5th Street, which is now Las Vegas Boulevard; and

Whereas, On May 15, 1905, the Railroad auctioned lots in the townsite called "Las Vegas," establishing the humble beginning of a city that would become a thriving business mecca and the entertainment capital of the world; and

Whereas, The Las Vegas Centennial Celebration Committee is dedicated to educating the public and commemorating and celebrating the history and culture of Las Vegas; and

Whereas, The Centennial Celebration is a year-long event meant to include both residents and tourists by creating a wide range of activities, projects and events; now, therefore, be it

Resolved by the Senate of the State of Nevada, the Assembly Concurring, That the members of the 73rd Session of the Nevada Legislature do hereby commemorate the 100th anniversary of the founding of Las Vegas and designate the year 2005 as the "Las Vegas Centennial Celebration"; and be it further

Resolved, That the Las Vegas Centennial Celebration Committee is hereby commended for its efforts to ensure that the residents of Nevada are aware of the historic events that established and developed Las Vegas, for preserving the history of Las Vegas through Centennial legacy projects that will honor the past and for establishing endowments for historic preservation projects in the future; and be it further

Resolved, That the Las Vegas Centennial Celebration Committee is hereby urged to continue the year-long celebration of Las Vegas as one of the great American cities, as documented by Insignia Films in their award-winning American Experience series; and be it further

Resolved, That the Secretary of the Senate prepare and transmit a copy of this resolution to Mayor Oscar B. Goodman, Chairman of the Las Vegas Centennial Celebration Committee.

Assemblywoman Pierce moved the adoption of the resolution.

Remarks by Assemblywomen Pierce and Ohrenschall.

Resolution adopted.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Senate Concurrent Resolution No. 4.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Denis, the privilege of the floor of the Assembly Chamber for this day was extended to Matthew Berggren, Dan Childs, Joe Childs, Chris Crawford, Mindy Crawford, Devin Earl, Connor Farrell, Carolyn Farrell, Sam Harris, Bill Hartman, Kevin Haws, Dillon Huckabee, Bill Kolstad, Justin Light, Wade Norberg, Jeanie Phalin, Luke Rader, David Reese, Justin Riker, Justin Smith, Kevin Temple Jr., Kevin Temple Sr., Gary Vetsch, Jefiffer Vetsch, Zachary White, Steve White, Day Williams, Nathanael Williams, Nathaniel Brown, Dale Brown, Robert Park, Pam Park, Anthony Stinnett, Sherry Stinnett, Tyler Stinnett, Cody Shindelbower, Matthew Buscay, Brent Buscay, Cody Shelton, Nicholas Talbott, Nathan Chappelle, Anthony Hinen, Brandon Hinen, Kyle Perry, Zachary Tierney, Ricky Buma, Jacob Koch, Ray King, Austin Collins, Julian South, Byron Kreck, Juan Radallegas,

Brendon Dietz, Alex Miller, John Alexander, Donna Alexander, Chris Koch, Skyler Jarvis, Edward Vestch, Tanner McAvoy, Chad Woodruff, Steve McKnight, Scott McKnight, Colton Jones, Jace Ewing, Kyle Ewing, Taylor Robb, Zach Ipson, Wade Wagner, and Chuck Woodruff.

On request of Assemblyman Hardy, the privilege of the floor of the Assembly Chamber for this day was extended to David Bennett and Marco Ruelas.

On request of Assemblywoman Pierce, the privilege of the floor of the Assembly Chamber for this day was extended to Oscar Goodman.

Assemblywoman Buckley moved that the Assembly adjourn until Wednesday, February 23, 2005, at 11:00 a.m. and that it do so in memory of Tom Stoneburner.

Motion carried.

Assembly adjourned at 11:35 a.m.

Approved:

RICHARD D. PERKINS
Speaker of the Assembly

Attest: NANCY S. TRIBBLE
Chief Clerk of the Assembly