

THE TWENTY-THIRD DAY

CARSON CITY (Tuesday), March 1, 2005

Assembly called to order at 11:10 a.m.
Madam Speaker pro Tempore presiding.
Roll called.
All present.

Prayer by the Chaplain, Reverend Larry Schneider.

As we begin this important work today, let us pray. We remember and affirm that there is a source of divine wisdom to guide us as we practice the sacred trust of governing the people of Nevada. We are thankful for this divine wisdom and the rich blessings it bestows upon this Assembly and all the people served.

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.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Concurrent Committee on Education, to which was referred Assembly Bill No. 5, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

BONNIE PARNELL, *Chairman*

Mr. Speaker:

Your Committee on Health and Human Services, to which was referred Assembly Bill No. 13, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

SHEILA LESLIE, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, February 28, 2005

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Senate Bills Nos. 49, 70.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bill No. 17.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS, AND NOTICES

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

Motion carried.

Assemblyman Anderson moved that Assembly Bill No. 8 be taken from the General File and rereferred to the Committee on Judiciary.

Remarks by Assemblyman Anderson.

Motion carried.

INTRODUCTION, FIRST READING, AND REFERENCE

By Assemblymen Ocegüera, Conklin, Anderson, Parks, Atkinson, Buckley, Carpenter, Christensen, Claborn, Denis, Gerhardt, Goicoechea, Grady, Hardy, Hettrick, Horne, Kirkpatrick, Leslie, Marvel, McCleary, Munford, Parnell, Perkins, Pierce, Sherer, and Smith; Senators Carlton, Schneider, Townsend, Titus, Coffin, Horsford, Lee, and McGinness:

Assembly Bill No. 151—AN ACT relating to communications; imposing a fee on the gross revenue that a company derives from its sales of residential subscription television service to subscribers in this State; establishing the First Responders' Communications Technology Trust Fund; dedicating the proceeds from the fee to the Trust Fund to assist certain governmental entities in acquiring, improving and maintaining communications technology for first responders; providing for the administration of the Trust Fund and the distribution of money from the Trust Fund; creating an Advisory Board for the Trust Fund; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Claborn, McCleary, Ohrenschall, Conklin, Atkinson, Goicoechea, Grady, Hogan, Kirkpatrick, Mabey, Manendo, Mortenson, Parnell, and Weber:

Assembly Bill No. 152—AN ACT relating to wildlife; revising the provisions governing the composition of and the method of appointing members to 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 the Committee on Education:

Assembly Bill No. 153—AN ACT relating to education; revising the eligibility requirements for millennium scholarships; and providing other matters properly relating thereto.

Assemblywoman Parnell moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By the Committee on Education:

Assembly Bill No. 154—AN ACT relating to education; requiring the State Board of Education, the board of trustees of each school district and the

principal of each public school to prepare an annual summary of accountability information for public dissemination; revising provisions governing the annual reports of accountability prepared by the State Board and each school district; revising the date to determine whether public schools that operate on certain alternative schedules have made adequate yearly progress; revising provisions governing the annual designations of public schools and school districts based upon yearly progress; revising the grade levels for certain writing examinations and science examinations; transferring money from the State Distributive School Account for programs of remedial study and for supplemental services or tutoring for certain schools and for pupils enrolled in certain 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.

By the Committee on Judiciary:

Assembly Bill No. 155—AN ACT relating to crimes; revising the criminal penalties for misdemeanors and gross misdemeanors; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Conklin, Hardy, Parks, Atkinson, Christensen, Kirkpatrick, and Sibley; Senators Hardy, Lee and Tiffany:

Assembly Bill No. 156—AN ACT relating to public works; revising the provisions governing the terms of certain contracts between public bodies and certain design professionals; and providing other matters properly relating thereto.

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

Motion carried.

Senate Bill No. 17.

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

Motion carried.

Senate Bill No. 49.

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

Motion carried.

Senate Bill No. 70.

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

Motion carried.

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 11:30 a.m.

ASSEMBLY IN SESSION

At 11:59 a.m.

Madame Speaker pro Tempore presiding.

Quorum present.

MOTIONS, RESOLUTIONS, AND NOTICES

Assemblyman Arberry moved that Senate Concurrent Resolution No. 7 be taken from the Chief Clerk's desk and placed on the Resolution File.

Remarks by Assemblyman Arberry.

Motion carried.

Senate Concurrent Resolution No. 7.

Resolution read.

The following amendment was proposed by Assemblyman Arberry:

Amendment No. 17.

Amend the resolution as a whole by adding the primary joint sponsors and non-primary joint sponsors who signed on the attached document in accordance with Joint Standing Rule No. 5.

Assemblyman Arberry moved the adoption of the amendment.

Remarks by Assemblyman Arberry.

Amendment adopted.

Assemblyman Arberry moved that all rules be suspended and the reprinting of Senate Concurrent Resolution No. 7 be dispensed with, the Chief Clerk be authorized to insert Amendment No. 17 adopted by the Assembly, and the resolution be placed on the Resolution File.

Motion carried.

Senate Concurrent Resolution No. 7.

Assemblyman Horne moved the adoption of the resolution.

Remarks by Assemblymen Horne and Perkins.

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

ASSEMBLYMAN HORNE:

Thank you, Madam Speaker pro Tempore. I want to say a few remarks about Black History Month, even though it is March 1 today, which is a good segue because I would hope that we would all eventually start moving into recognizing the contributions that African-Americans make, Asian-Americans make, Native Americans make to the building of our nation. The contributions are vast. I was told to keep it short so I will. The contributions are enormous from all the groups of people that make up this great nation. We should go through our every day recognizing that our country is not monolithic. It consists of a whole lot of different people who have a whole lot of different contributions that make this the greatest nation in the world. I ask you to please support SCR 7. Thank you.

ASSEMBLYMAN PERKINS:

Thank you, Madam Speaker pro Tempore. I, too, will keep this short, as we have waited for this to arrive. I think our colleague from Las Vegas said it very, very clearly. We can go back to the history of this country and the very framing of this country, and the contributions by the African-Americans during that period of time. It is written right into our Constitution, the entire debate that occurred, although not one that we can probably be proud of today. Throughout history, whether it was in the late 1700s when we were creating the United States of America, or throughout the 1800s, 1900s, even to modern day, there have been extraordinary contributions; too many people to list in terms of what they have done for us as a country, as a society, and as a people. It is truly an honor for us to be able to adopt a resolution of this sort and make that recognition. Thank you.

Resolution adopted as amended.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Hettrick, the privilege of the floor of the Assembly Chamber for this day was extended to Foster Mullen.

On request of Assemblyman Horne, the privilege of the floor of the Assembly Chamber for this day was extended to Justin Smith.

On request of Assemblyman Seale, the privilege of the floor of the Assembly Chamber for this day was extended to Troy Magdos and Forney Smith.

Assemblywoman Buckley moved that the Assembly adjourn until Wednesday, March 2, 2005, at 11:00 a.m.

Motion carried.

Assembly adjourned at 12:07 p.m.

Approved:

RICHARD D. PERKINS
Speaker of the Assembly

Attest: NANCY S. TRIBBLE
Chief Clerk of the Assembly