

THE FIFTY-THIRD DAY

CARSON CITY (Thursday), March 31, 2005

Assembly called to order at 11:23 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, Reverend Ruth Hanusa.

O God, our times are in Your hand: seedtime and harvest, spring and fall, death and life, law-making and crazy-making. Taxed beyond measure, we struggle to discern Your will for the good of all. Give us the wisdom to know when to stick to our guns and when to change our minds, so that all Your people might share in the common good.

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 Committee on Growth and Infrastructure, to which was referred Assembly Bill No. 253, has had the same under consideration, and begs leave to report the same back with the recommendation: Without recommendation and rerefer to the Committee on Government Affairs.

RICHARD PERKINS, *Chairman*

MOTIONS, RESOLUTIONS, AND NOTICES

Assemblywoman Buckley moved that Assembly Bill No. 253 be rereferred to the Committee on Government Affairs.

Motion carried.

Assemblywoman Buckley moved that Assembly Bill No. 404 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblywoman Buckley.

Motion carried.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, March 30, 2005

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 13, 96, 130, 131, 135; Senate Bill No. 202.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bill No. 89.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS, AND NOTICES

Assembly Concurrent Resolution No. 2.

Assemblyman Anderson moved the adoption of the resolution.

Remarks by Assemblyman Anderson.

Resolution adopted.

Assembly Concurrent Resolution No. 5.

Assemblywoman Parnell moved the adoption of the resolution.

Remarks by Assemblywomen Parnell and Leslie.

Resolution adopted, as amended.

INTRODUCTION, FIRST READING, AND REFERENCE

Senate Bill No. 89.

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

Motion carried.

Senate Bill No. 202.

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

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 16.

Bill read second time and ordered to third reading.

Assembly Bill No. 50.

Bill read second time and ordered to third reading.

Assembly Bill No. 205.

Bill read second time and ordered to third reading.

Assembly Bill No. 227.

Bill read second time and ordered to third reading.

Assembly Bill No. 235.

Bill read second time and ordered to third reading.

Assembly Bill No. 243.

Bill read second time and ordered to third reading.

Assembly Bill No. 327.

Bill read second time and ordered to third reading.

MOTIONS, RESOLUTIONS, AND NOTICES

Assemblyman Anderson moved that Assembly Bill No. 50 be taken from the General File and rereferred to the Committee on Ways and Means.

Remarks by Assemblyman Anderson.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 145

Bill read third time.

Remarks by Assemblyman Sibley.

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

Assembly in recess at 11:46 a.m.

ASSEMBLY IN SESSION

At 11:48 a.m.

Mr. Speaker presiding.

Quorum present.

Roll call on Assembly Bill No. 145:

YEAS—42.

NAYS—None.

Assembly Bill No. 145 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS, AND NOTICES

Assemblyman Parks moved that Assembly Bill No. 39 be taken from the Chief Clerk's desk and placed on the General File.

Remarks by Assemblyman Parks.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Assembly Bill No. 178, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

DAVID PARKS, *Chairman*

GENERAL FILE AND THIRD READING

Assembly Bill No. 39.

Bill read third time.

The following amendment was proposed by Assemblyman Parks:

Amendment No.62.

Amend sec. 4, page 4, by deleting line 13 and inserting: "request for bids. The governing".

Amend sec. 4, page 4, by deleting lines 29 and 30 and inserting:

"5. As used in this section, "on-line bidding" means a process by which bidders submit".

Amend sec. 4, page 4, by deleting lines 34 through 37.

Amend the title of the bill by deleting the third through fifth lines and inserting: "certain contracts; expanding the criteria that may be used".

Assemblyman Parks moved the adoption of the amendment.

Remarks by Assemblyman Parks.

Amendment adopted.

Bill ordered reprinted, re-engrossed, and 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 11:55 a.m.

ASSEMBLY IN SESSION

At 5:39 p.m.

Mr. Speaker presiding.

Quorum present.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, March 31, 2005

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bill No. 489, Amendments Nos. 124, 129, and respectfully requests your honorable body to concur in said amendment.

MARY JO MONGELLI
Assistant Secretary of the Senate

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 489.

The following Senate amendment was read:

Amendment No. 124.

Amend sec. 3, page 3, by deleting lines 36 through 40 and inserting: *“for which no assessed valuation was separately established for the immediately preceding fiscal year.”*

Amend sec. 3, page 4, line 13, after “5.” by inserting: *“The owner of a single-family residence does not become ineligible for the partial abatement provided pursuant to subsection 1 as a result of:*

(a) The operation of a home business out of a portion of that single-family residence; or

(b) The manner in which title is held by the owner if the owner occupies the residence, including, without limitation, if the owner has placed the title in a trust for purposes of estate planning.

6.”

Amend sec. 4, page 5, by deleting lines 17 through 29 and inserting:

“(b) Eight percent of the amount determined pursuant to paragraph (a).

2. Except as otherwise required to carry out the provisions of sections 5 and 7 of this act, the owner of any remainder parcel of real property for which no assessed valuation was separately”.

Amend sec. 4, page 6, by deleting lines 16 through 24 and inserting:

“(b) Eight percent of the amount determined pursuant to paragraph (a).”

Amend sec. 4, page 7, line 5, after *“(b)”* by inserting: *“‘Remainder parcel of real property’ means a parcel of real property which remains after the creation of new parcels of real property for development from one or more existing parcels of real property, if the use of that remaining parcel has not changed from the immediately preceding fiscal year.*

(c)”.

Amend sec. 10, page 9, by deleting lines 5 through 9 and inserting:

“Sec. 10. 1. The Legislative Commission shall conduct an interim study of the taxation of real property in this State.

2. A subcommittee must be appointed for the study consisting of three members of the Senate appointed by the Majority Leader of the Senate and three members of the Assembly appointed by the Speaker of the Assembly.”

Amend sec. 10, page 9, lines 23 and 26, by deleting *“committee”* and inserting *“subcommittee”*.

Amend sec. 10, page 9, by deleting line 29 and inserting *“subcommittee.”*

Amend the title of the bill by deleting the third and fourth lines and inserting: *“property; directing the Legislative Commission to conduct an interim study of the taxation of real property; and”*.

Assemblywoman Giunchigliani moved that the Assembly do not concur in the Senate amendment No. 124 to Assembly Bill No. 489.

Remarks by Assemblywoman Giunchigliani.

Motion carried.

The following Senate amendment was read:

Amendment No. 129.

Amend sec. 3, page 3, by deleting lines 36 and 37 and inserting: *“for which:*

(a) No assessed valuation was separately established for the immediately preceding fiscal year; or

(b) The provisions of subsection 1 of section 4 of this act provide a greater abatement from taxation.”

Amend sec. 4, page 5, by deleting lines 22 and 23 and inserting:

“(b) A percentage of the amount determined pursuant to paragraph (a) which is equal to:

(1) The lesser of:

(I) The average percentage of change in the assessed valuation of all the taxable property in the county, as determined by the Department, over the fiscal year in which the levy is made and the 9 immediately preceding fiscal years; or

(II) Eight percent; or

(2) Twice the percentage of increase in the Consumer Price Index (All Items) for the immediately preceding calendar year, whichever is greater.”

Amend sec. 4, page 6, by deleting lines 13 and 14 and inserting:

“(b) A percentage of the amount determined pursuant to paragraph (a) which is equal to:

(1) *The lesser of:*

(I) *The average percentage of change in the assessed valuation of all the taxable property in the county, as determined by the Department, over the fiscal year in which the levy is made and the 9 immediately preceding fiscal years; or*

(II) *Eight percent; or*

(2) *Twice the percentage of increase in the Consumer Price Index (All Items) for the immediately preceding calendar year, whichever is greater.”.*

Assemblywoman Giunchigliani moved that the Assembly do not concur in the Senate amendment No. 129 to Assembly Bill No. 489.

Remarks by Assemblywoman Giunchigliani.

Motion carried.

Bill ordered transmitted to the Senate.

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

Assembly in recess at 5:44 p.m.

ASSEMBLY IN SESSION

At 6:05 p.m.

Mr. Speaker presiding.

Quorum present.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, March 31, 2005

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day respectfully refused to recede from its action on Assembly Bill No. 489, Senate Amendments Nos. 124, 129, and requests a conference, and appointed Senators McGinness, Townsend, and Lee as a first Conference Committee to meet with a like committee of the Assembly.

MARY JO MONGELLI

Assistant Secretary of the Senate

UNFINISHED BUSINESS

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker appointed Assemblymen Buckley, Giunchigliani, and Hettrick as a first Conference Committee to meet with a like committee of the Senate for the further consideration of Assembly Bill No. 489.

REMARKS FROM THE FLOOR

Assemblywoman Leslie requested that the following proclamation be entered in the Journal:

PROCLAMATION OF THE NEVADA STATE ASSEMBLY

WHEREAS, Big Brothers Big Sisters of Nevada's mission is helping children in need reach their potential through professionally supported, one-to-one mentoring relationships with volunteers; and

WHEREAS, Big Brothers Big Sisters of Nevada is a non-profit human service agency governed by a Board of Directors composed of business and professional men and women bound together in pursuit of the organization's mission; and

WHEREAS, Big Brothers Big Sisters of Nevada matches children with volunteers who are called Big Brothers and Big Sisters; and

WHEREAS, Big Brothers Big Sisters of America is celebrating the beginning of its second one hundred years in 2005 and serves children all over the United States; and

WHEREAS, Big Brothers Big Sisters of Nevada serves children who could benefit from a caring adult presence in their lives,

THEREFORE, it is with great pleasure and pride that we do hereby proclaim March 31, 2005, as Big Brothers Big Sisters Day.

Dated this Thirty-First Day of March 2005

Richard D. Perkins,
Speaker of the Assembly

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Senate Bill No. 86 and Senate Concurrent Resolution No. 14.

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 Gail Ruff and Kathy Cowan.

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

On request of Assemblywoman Giunchigliani, the privilege of the floor of the Assembly Chamber for this day was extended to Quinn Rooker and Cecily Rooker.

On request of Assemblywoman Leslie, the privilege of the floor of the Assembly Chamber for this day was extended to Michael Abdo, Kathy Alvarez, John Anderson, Samantha Anderson, Essence Belmont, Monica Castro, Kyann Chisum, Nicholas Clinton, Cheyenne Craig, Karrie Craig, Mark Craig, Dominick DiMarzio, Sam DiMarzio, Connie Eaton, Karia Escobar, Leann Farr, Patricia Fling, Stephani Foust, Heather Gorcey, Tyler Horton, Corey Kendrick, Ian Kendrick, Kevin Lance, Niki Lance, Marian Lanius, Gail Lee, Bradley Letlow, Chantal Liboz, Julius Miller, Demas Montes, Javier Montes, Ramiro Montes, Selena Montes, Joshua Moore, Rylie Nickerson, Andrew Norton, Ruben Olvera, Melissa Palacios, Gari Peterson, Rena Peterson, Sydnie Peterson, Osbaldo Reyes, Kyline Richer, Matias Robles, Suezanne Sevrence, John Sickler, Jonathan Smith, Lilia Torres, Marcia Williams, Kimberly Bowman, Karina Contreras, Julio Garcia, Trenton Gates, Curry Jameson, Holly Nickerson, Jake Nickerson, Zeb Nomura, Karina Reyes, Luis Reyes, Andrew Rodriguez, Justin Dean,

Viki Matica, Astrid Alvarez, Toni Sandler, Chase Heying, Carole Kendrick, Guadalupe Ulloa, and Maria Rosales.

Assemblywoman Buckley moved that the Assembly adjourn until Friday, April 1, 2005, at 8:00 a.m.

Motion carried.

Assembly adjourned at 6:07 p.m.

Approved:

RICHARD D. PERKINS
Speaker of the Assembly

Attest: NANCY S. TRIBBLE
Chief Clerk of the Assembly