

**THE EIGHTY-NINTH DAY**

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CARSON CITY (Friday), May 6, 2005

Assembly called to order at 11:16 a.m.

Mr. Speaker presiding.

Roll called.

All present except Assemblymen Arberry and Carpenter, who were excused.

Prayer by the Chaplain, Reverend Rob Jennings-Teats.

O Great Spirit, whose breath gives life to the world, and whose voice is heard in the soft breeze—we need Your strength and wisdom. Cause us to walk in beauty, give us eyes ever to behold the red and purple sunset. Make us wise so that we may understand what You have taught us. Help us learn the lessons You have hidden in every leaf and rock. Make us always ready to come to You with clean hands and steady eyes, so when life fades, like the fading sunset, our spirits may come to You without shame. Amen.

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 Government Affairs, to which were referred Senate Bills Nos. 130, 210, 408, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

DAVID PARKS, *Chairman*

*Mr. Speaker:*

Your Concurrent Committee on Government Affairs, to which was referred Senate Bill No. 112, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

DAVID PARKS, *Chairman*

*Mr. Speaker:*

Your Committee on Transportation, to which was referred Senate Bill No. 243, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN OCEGUERA, *Chairman*

## MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 5, 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. 20, 179, 235, 372; Senate Bills Nos. 101, 104, 131.

Also, I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bill No. 123, Amendment No. 667, and respectfully requests your honorable body to concur in said amendment.

Also, I have the honor to inform your honorable body that the Senate on this day concurred in the Assembly Amendment No. 665 to Senate Bill No. 177.

MARY JO MONGELLI  
Assistant Secretary of the Senate

#### MOTIONS, RESOLUTIONS, AND NOTICES

Assemblyman Ocegüera moved that the reading of Histories on all bills and resolutions be dispensed with for this legislative day.

Motion carried.

#### INTRODUCTION, FIRST READING, AND REFERENCE

Senate Bill No. 101.

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

Motion carried.

Senate Bill No. 104.

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

Motion carried.

Senate Bill No. 131.

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

Motion carried.

#### SECOND READING AND AMENDMENT

Senate Bill No. 27.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:  
Amendment No. 689.

Amend section 1, pages 1 and 2, by deleting lines 4 and 5 on page 1 and lines 1 through 11 on page 2, and inserting: "as alternate jurors.

2. Alternate jurors , in the order in which they ~~are~~ were called , shall replace jurors who become unable or".

Amend section 1, page 2, line 13, by deleting "4." and inserting "3."

Amend section 1, page 2, line 20, by deleting "5." and inserting "4."

Amend section 1, page 2, line 23, by deleting "6." and inserting "5."

Amend section 1, page 2, by deleting lines 26 through 29 and inserting: "or four alternate jurors are to be impaneled ~~[-]~~ , and three peremptory challenges if five or six alternate jurors are to be impaneled. The additional".

Amend the bill as a whole by deleting sections 2 through 4 and renumbering sec. 5 as sec. 2.

Amend the title of the bill, second line, by deleting "and civil".

Amend the summary of the bill to read as follows:

“SUMMARY—Revises provisions governing selection of alternate jurors in criminal trials. (BDR 14-851)”.

Assemblyman Horne moved the adoption of the amendment.

Remarks by Assemblyman Horne.

Amendment adopted.

Bill ordered reprinted, engrossed, and to third reading.

Senate Bill No. 164.

Bill read second time and ordered to third reading.

Senate Bill No. 174.

Bill read second time and ordered to third reading.

Senate Bill No. 209.

Bill read second time and ordered to third reading.

Senate Bill No. 250.

Bill read second time and ordered to third reading.

Senate Bill No. 257.

Bill read second time and ordered to third reading.

Senate Bill No. 266.

Bill read second time and ordered to third reading.

Senate Bill No. 278.

Bill read second time and ordered to third reading.

Senate Bill No. 382.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 690.

Amend sec. 2, page 2, lines 8, 16 and 23, by deleting “1,000” and inserting “150”.

Amend sec. 3, page 3, lines 5 and 15, by deleting “1,000” and inserting “150”.

Assemblyman Horne moved the adoption of the amendment.

Remarks by Assemblyman Horne.

Amendment adopted.

Bill ordered reprinted, engrossed, and to third reading.

Senate Bill No. 442.

Bill read second time and ordered to third reading.

GENERAL FILE AND THIRD READING

Senate Bill No. 68.

Bill read third time.

Remarks by Assemblyman Mabey.

Roll call on Senate Bill No. 68:

YEAS—40.

NAYS—None.

EXCUSED—Arberry, Carpenter—2.

Senate Bill No. 68 having received a two-thirds majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 202.

Bill read third time.

Remarks by Assemblywoman Smith.

Roll call on Senate Bill No. 202:

YEAS—40.

NAYS—None.

EXCUSED—Arberry, Carpenter—2.

Senate Bill No. 202 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 286.

Bill read third time.

Remarks by Assemblyman Munford.

Roll call on Senate Bill No. 286:

YEAS—40.

NAYS—None.

EXCUSED—Arberry, Carpenter—2.

Senate Bill No. 286 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

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 11:37 a.m.

#### ASSEMBLY IN SESSION

At 11:38 a.m.

Mr. Speaker presiding.

Quorum present.

#### UNFINISHED BUSINESS

There being no objections, the Speaker and Chief Clerk signed Assembly Bills Nos. 91, 167, 187, 276, and 474; Assembly Concurrent Resolution No. 27; Senate Bill No. 177; Senate Concurrent Resolutions Nos. 3 and 29.

## GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Goicoechea, the privilege of the floor of the Assembly Chamber for this day was extended to Teresa Ellis, Diane Chamberger, Megan Moffit, Janice Meroth, Noel Donahue, Brenda Boone, Tanner Boone, Clifton Caffero, Tyler Cole, Jacob Conway, Brian Currier, Cody DeWeever, Brandon Donahue, Joshua Gordon, Brandon Hall, Morgan Campbell, Kayley Hyde, Haley Jorgensen, Dylon Lorow, Nick Marsan, Megean McKnight, Tyler Meroth, Celene Mincer, Bailey Mitchell, Sarah Moffit, Dakota Reeves, Will Shamberger, Brian Smith, Darcy Tedford, Dylan Tedford, Samantha Van Peer, Erik Von Dippe, Lanni Mori, Melessa Camilon, Trenton Cooper, Robert Fagundes, Quinton Green, Justin Gregory, Phillip Grossman, Alyssa Hauger, Parker Jones, Garrett Llams, Jesse Medrano, Chad Oney, Haley Petty, Brittany Saiz, Joseph Shyne, Jacob Stone, Daniel Tilley, Quentin Wagner, Mariah Ward, Brooklen Whitaker, Samuel Williamson, Kylee Lewis, Michael Chadwick, Morgan Dodge, Destiny Davis, and Chris West.

On request of Assemblywoman McClain, the privilege of the floor of the Assembly Chamber for this day was extended to Alicia Biddison and Brandon Biddison.

On request of Assemblyman Sherer, the privilege of the floor of the Assembly Chamber for this day was extended to John C. McIntosh, Daphne McIntosh, Audrey G. McIntosh, and Lauren S. McIntosh.

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

Motion carried.

Assembly adjourned at 11:39 a.m.

Approved:

RICHARD D. PERKINS  
*Speaker of the Assembly*

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