

THE FIFTY-SECOND DAY

CARSON CITY (Wednesday), March 27, 2013

Assembly called to order at 11:38 a.m.

Madam Speaker presiding.

Roll called.

All present except Assemblyman Brooks, who was excused.

Prayer by the Chaplain, Pastor Louis Locke.

Lord, as we gather today, we give You thanks and praise because Your mercies are new every morning and Your thoughts towards us are gracious, long suffering, and abounding in goodness and truth.

In the midst of the pressures and demands of this session, may we be encouraged by King David's advice from Psalm 55 which says, "Cast your burden on the Lord, and He will sustain you. He will never permit the righteous to be moved."

May the people of Nevada benefit because of the wisdom and understanding You give to our legislators in their deliberations and decisions. Bless the men and women of this Assembly, their families, and staff.

In the name of the One Who is alive forevermore.

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Horne 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.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, March 26, 2013

To the Honorable the Assembly:

It is my pleasure to inform your esteemed body that the Senate on this day passed Senate Bill No. 203.

SHERRY L. RODRIGUEZ
Assistant Secretary of the Senate

SENATE CHAMBER, Carson City, March 27, 2013

To the Honorable the Assembly:

It is my pleasure to inform your esteemed body that the Senate on this day adopted Senate Concurrent Resolution No. 6.

SHERRY L. RODRIGUEZ
Assistant Secretary of the Senate

INTRODUCTION, FIRST READING AND REFERENCE

Senate Bill No. 203.

Assemblyman Ohrenschall moved that the bill be referred to the Committee on Legislative Operations and Elections.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 28.

Bill read third time.

Remarks by Assemblyman Martin.

ASSEMBLYMAN MARTIN:

Assembly Bill 28 revises the definition of “sentinel” event to mean an event in Appendix A of the *Serious Reportable Events in Healthcare—2011 Update: A Consensus Report*, or subsequent revisions to the list of events, as published in the *National Quality Forum*. If the *National Quality Forum* ceases to exist, the last version of the publication will be considered the most current version.

Roll call on Assembly Bill No. 28:

YEAS—41.

NAYS—None.

EXCUSED—Brooks.

Assembly Bill No. 28 having received a constitutional majority, Madam Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 43.

Bill read third time.

Remarks by Assemblyman Wheeler.

ASSEMBLYMAN WHEELER:

Assembly Bill 43 provides that an offender sentenced to prison may not earn more credits for good behavior, labor, or study than the amount required to expire his or her sentence. The bill also states that this limitation must not be construed as retroactively reducing earned credits if doing so would be unconstitutional under the *Constitution of the United States* or the *Nevada Constitution*.

Basically, this bill just cleans up language in the current statute and was unanimously passed by our Judiciary Committee.

Roll call on Assembly Bill No. 43:

YEAS—41.

NAYS—None.

EXCUSED—Brooks.

Assembly Bill No. 43 having received a constitutional majority, Madam Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 53.

Bill read third time.

Remarks by Assemblywoman Benitez-Thompson.

ASSEMBLYWOMAN BENITEZ-THOMPSON:

Assembly Bill 53 repeals the requirement that hospitals report information on traumatic brain injuries to the Aging and Disability Services Division with the Department of Health and Human Services. This bill also abolishes the Subcommittee on Traumatic Brain Injuries of the Nevada Commission on Services for Persons with Disabilities.

Just for some background information, the Subcommittee on Traumatic Brain Injuries was established a few years back in order to get some grant funding. That came through, and this part of it is no longer necessary.

Roll call on Assembly Bill No. 53:

YEAS—41.

NAYS—None.

EXCUSED—Brooks.

Assembly Bill No. 53 having received a constitutional majority, Madam Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 192.

Bill read third time.

Remarks by Assemblywoman Cohen.

ASSEMBLYWOMAN, COHEN:

Assembly Bill 192 removes the sunset date on the existing statute that authorizes a county clerk to charge a \$5 technology fee for filing and recording a bond of a notary public.

Roll call on Assembly Bill No. 192:

YEAS—40.

NAYS—Wheeler.

EXCUSED—Brooks.

Assembly Bill No. 192 having received a constitutional majority, Madam Speaker declared it passed.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Senate Concurrent Resolution No. 6.

Assemblyman Hickey moved the adoption of the resolution.

Remarks by Assemblymen.

Hickey, Carlton, Bobzien, Stewart, Grady, Ohrenschall, Elliot Anderson, Horne, and Madam Speaker.

ASSEMBLYMAN HICKEY:

I rise in support of Senate Concurrent Resolution No. 6.

Thank you, Madam Speaker and members of this body. I have a prepared statement. Much of it was in the resolution and much of it was in the biography of Senator Raggio that we either have read or should read, so I won't repeat those things. I had the privilege of serving with Senator Raggio in 1997 and sat on an interim Committee on Education with him. There were

lessons and teachable moments that I'm still learning from. He was a giant in terms of integrity, of being a noble person, and being a smart person, and as everybody in this state knows, we owe a debt of gratitude to him. It's an honor to have served with him. We are still serving with him because his legacy influences us, to this day, in Nevada. Madam Speaker, I do, of course, want to urge this body to adopt this concurrent resolution in honor of the late Senator Bill Raggio.

ASSEMBLYWOMAN CARLTON:

Madam Speaker, I had the honor to serve with Senator Raggio. He was number one, I was number twenty-one. I was reminded of that on a regular basis. He actually came to my office every once in a while to sit down and have a talk. I think he was trying to hide because I had a little office in the corner and he was down on the first floor. So every once in a while he would knock on my door and say, "Hey, Red, can we talk about something?" And I think there was somebody downstairs that he didn't want to meet with so he came to talk to me.

He only tried to get the \$20 out of me a couple of times, and then he figured out he wasn't going to get it from me. I did tell him if he really wanted it, I had a bunch of pennies at home that I'd be glad to put on a plane and bring up north for him.

He taught me a lot, and I'm still learning. When I received the assignment for Ways and Means that you so graciously gave me, one of the first things I thought about was, boy, I wish I could call Bill.

We've got a lot to do this session. He's still in my thoughts almost every day, and we do miss him.

ASSEMBLYMAN BOBZIEN:

Madam Speaker. I had the privilege of serving with Senator Raggio my freshman session in 2007, and it's the little things, it's the vignettes that I remember. We all know the \$20 stories. I never experienced that myself, but my little thing that I almost every day remember is driving in from Reno coming down Carson. The uninitiated would just go all the way down past the Capitol and then make the left on Fifth and then turn into the garage. But one morning as I'm driving down, I see the Senator's big black vehicle behind me; I don't know if Senator Townsend was driving in with him that morning or not, but likely he was. There I was in traffic trying to get in ten minutes ahead of the gavel coming down. He's behind me. He slips out, gets into the center lane, dives that left on John Street, and then comes in on Stewart. I said, "Aha. That is brilliant." Ever since then, that is my commute. He showed me the way, literally, so I think about him every day.

Senator Smith, I'm sure, told the story about the long night that she had negotiations, I think in her freshman session, and then awakened the next morning to go back into negotiation with Senator Raggio and feeling utterly demoralized when presented with this man in a fresh suit and a crisp shirt, always looking his best. That class, that commitment to professionalism, that commitment to grace under fire are things that we can all learn from, but it really is the big things. He was and always will be the dictionary definition of a statesman.

I am grateful that we have this day of remembrance for someone who always did the right thing as he saw it—even though I disagreed with him often—for what was the best for this state. I think if we can all aspire to his model, this institution will be better off for many years to come.

ASSEMBLYMAN STEWART:

I had the honor of serving with Senator Raggio for two sessions, and I was always impressed with his wit and charm and his great intelligence. My colleague to my left mentioned that you only have to say one word when it comes to Raggio, and that is "statesman." That's true.

I have three treasures—one of them I had to get rid of. One is a personal note from the Senator, another is the autographed copy of his book, and finally, a campaign contribution, which I reluctantly cashed after about two months. By the way, I'd like to give Dale \$20 because I never got the opportunity to loan him the \$20. So I'd be happy to do that after the session.

ASSEMBLYMAN GRADY:

I had the honor and the privilege of meeting the Senator when he was the District Attorney in Washoe County and I was a young banker, so it was many, many years ago for both of us. I enjoyed calling him my friend. I guess some of the best times, were when I would run into the Senator when he was in Winnemucca bird hunting. He thoroughly enjoyed getting out there with Mr. Sullivan and some of his buddies to do a little bird hunting.

When I decided to run for this office, he was one of the first people I called, and I asked him, "Bill, should I do it?" And he said, "Well, wait a minute. First, I'll have to see if I have any money in my account, and then I'll call you back and tell you if you should or not." He did call back and I did run, and I've been forever grateful that I could call him my friend. And he didn't get \$20 out me either. Thank you.

ASSEMBLYMAN OHRENSCHALL:

I am uniquely positioned to speak to this, because I had the opportunity to spend so much time with Senator Raggio, both, with my service and with my mother's. I would describe him as someone who was devoted to family, devoted to church, devoted to the state of Nevada. I remember when Senator Raggio lost his son and how terrible that was for him. I was not sure he would be able to carry on, but he did, and he had some of his greatest moments after that. I got to know him after his retirement as a family friend, and he was a very caring man and someone I truly valued as a friend. I deeply miss him.

ASSEMBLYMAN ELLIOT ANDERSON:

Thank you, Madam Speaker.

I had a couple of interactions with Senator Raggio that gave me a few important lessons that I thought I would share. Last session, I did not have the opportunity to serve with him because of his resignation, but I did ask him if we could grab some breakfast together. I just wanted to speak with him, and one of the number one things he left with me was, "Elliot, I've been in the building forever. I've been a practicing attorney forever. And every day that I walk into that building, I open up one of those blue books, and I learn something new about the NRS that I didn't know." That, to me, spoke volumes, and it is an important lesson for all of us to know that we are never going to know everything out there. We always have to be willing to learn new things and to do our due diligence.

Secondly, he taught me another important lesson when I met him. As an intern in this body in 2009, I had the opportunity to share an elevator with him— and him alone—from floor one to floor four, so I broached a conversation, and I said, "Senator, I'm Elliot; it's nice to meet you. You're a legend around here."

He looked at me with this scowl on his face, and said, "Legend? That sounds like old fart to me!"

The important lesson there was to never take yourself too seriously and to always have a little bit of fun because we get busy around here, and we need that fun every once in a while.

ASSEMBLYMAN HORNE:

I rise in support of Senate Concurrent Resolution 6.

I had the pleasure of serving with Senator Raggio, and my first encounter with the Senator was my freshman session. He says to me, "Oh yeah, you're that Horne gentleman. I heard good things about you." But then he said, "I don't have the influence I used to have, but feel free to come and see me anytime you want." Having grown up here, I looked at him and I said, "You know, nice try Senator. I also have my hand on my wallet; you're not getting \$20 from me." What was funny about that is when he said he did not have the influence he once had, he was the Senate Majority Leader.

Senator Raggio still wields influence in this building. His influence is found in many of us who are still here who served with him as legislators, staff, et cetera. We remember not only his

love for Nevada, but also his work ethic for the process. That is why you constantly hear people cite Senator Raggio in these halls. He does still wield influence in this building.

MADAM SPEAKER:

If I could take a moment of personal privilege here.

I also had the privilege of serving with Senator Raggio. Yesterday I was walking over to the Nugget to speak at something, and I said, "I can't take the elevator, because I've always taken the elevator with Senator Raggio when I've come to this building." My partner here asked me why. I said, "Because every time that I go over to the Nugget, I always seem to get in the elevator with Senator Raggio."

My very first session I was scared to death to be in the elevator with him. I know you all are talking about this \$20 thing, but I did not get that one; he never asked for 20 bucks. He did, though, have a smile that, when you looked at it, you did not know if it was a good smile or a bad smile. So I stood in the elevator with him, and you know I am a shy person so I try not to say anything, but I said to him, "So, any advice you could give me?"

He looked at me and he said, "Well, are you a freshman?"

And I asked, "Is that a good thing or is that a bad thing?"

He responded, "I have one piece of advice," and for the next three sessions that I served with him, he gave me the same advice every single time we rode in that elevator. The last time I was in that elevator with him, Assemblywoman Spiegel was a freshman and also present, and I said, "Can you give her some advice, too?"

The advice that he gave me was: "Don't let your next vote be about your next election." I have never forgotten that. Then he said, as we got off the elevator, "You have to have a little bit of fun in this building because it'll get to you."

Those are two things that I take to heart very much, and I think that is really what is important in this building. Do the right thing, feel good about it, and it is okay to smile and have a little bit of fun. To me, those are very important, and that is really what our state is about.

As a statesman, which I felt that he was, he was tough. You did not get anything for nothing, and you did not get away with anything, but if you knew your policy and you went to his office, he would work with you. I think that says a lot about the kind of people that represent our state. So with that, I also urge your support for this resolution.

Resolution adopted, and ordered transmitted to the Senate.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Senate Bill No. 187; Assembly Resolution No. 6.

Assembly in recess at 12:19 p.m.

ASSEMBLY IN SESSION

At 12:27 p.m.

Madam Speaker presiding.

Quorum present.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Paul Anderson, the privilege of the floor of the Assembly Chamber for this day was extended to Joseph Anderson.

On request of Assemblywoman Benitez-Thompson, the privilege of the floor of the Assembly Chamber for this day was extended to Meredith Tanzer and the following students and chaperones from The King's Academy: Nevaeh Allen, Savannah Claerbout, Raquel Johnson, Emily Nelson, Mattea Pope, Hunter Smith, Paul Stribling, Demi Thormodsgaard, Ricky Castro, Andy Durano, Justyne Johnson, Cliff Lynam, Alanah McCarty, Courtney Moya, Carlton Mwalili, Jillian Panganiban, Margaret Pope, Myra Smith, Eoin Williams, Kacie Estrada, Lauryn Gammel, Jaeden Hadley, Olivia Lujan, Madeline Phelps, Mary White, Savanna Zaniel, Erich Brilliant, Sophie Dawson, Bob DeYoung, James Downs, Jamison Gray, Adam Nelson, Elizabeth Parr, Tonyo Rivas, Zachary Schneider, Emily Yamada, Anita Dennis, Lisa Johnson, Louise Feiler, Irene Miller, Kristin Ward, Bettie Mae Liedkie, Kelli Zaniel, Audrey Phelps, Christina Nelson, Won Mi Brilliant, and Kristen Rivas.

On request of Assemblyman Bobzien, the privilege of the floor of the Assembly Chamber for this day was extended to Paul Gibson, Alison Gaulden, and Alyson Kendrick.

On request of Assemblywoman Bustamante Adams, the privilege of the floor of the Assembly Chamber for this day was extended to Negar Hosseini and Sara Lemma.

On request of Assemblyman Carrillo, the privilege of the floor of the Assembly Chamber for this day was extended to Laura Juarez and Phillip Matthews.

On request of Assemblyman Daly, the privilege of the floor of the Assembly Chamber for this day was extended to Todd Eikelberger.

On request of Assemblywoman Diaz, the privilege of the floor of the Assembly Chamber for this day was extended to Edwin Gutierrez, Jose Macias, and Martin Macias-Rivera.

On request of Assemblywoman Dondero Loop, the privilege of the floor of the Assembly Chamber for this day was extended to Tara Brosnan and Ken Solis.

On request of Assemblyman Duncan, the privilege of the floor of the Assembly Chamber for this day was extended to Tyler Gerber-Winn and Sean Cavanaugh.

On request of Assemblyman Ellison, the privilege of the floor of the Assembly Chamber for this day was extended to Kathy Baldock.

On request of Assemblywoman Fiore, the privilege of the floor of the Assembly Chamber for this day was extended to Monique Mason-Sawyer, Carlos Jimenez-Morales, Dana Barooshian, and Marvin Carter.

On request of Assemblywoman Flores, the privilege of the floor of the Assembly Chamber for this day was extended to Lisa Muntean, Loretta Harper, and Caitlyn Anderson.

On request of Assemblyman Hambrick, the privilege of the floor of the Assembly Chamber for this day was extended to former Senator Sue Lowden, Paul Lowden, and Carol DeCarlo.

On request of Assemblyman Healey, the privilege of the floor of the Assembly Chamber for this day was extended to Candice Nichols, Suzanne Miele, and Ken Solis.

On request of Assemblyman Hickey, the privilege of the floor of the Assembly Chamber for this day was extended to Dale Raggio and former Senator Randolph Townsend.

On request of Assemblyman Hogan, the privilege of the floor of the Assembly Chamber for this day was extended to Cameron Catton, Dominick Pizorno, Mary Engstrom, and Genevieve Duchensau.

On request of Assemblyman Horne, the privilege of the floor of the Assembly Chamber for this day was extended to former Governor Bob Miller and former First Lady Sandy Miller.

On request of Assemblywoman Kirkpatrick, the privilege of the floor of the Assembly Chamber for this day was extended to Christian Alonso.

On request of Assemblyman Kirner, the privilege of the floor of the Assembly Chamber for this day was extended to Leslie Raggio Righetti and Michael Righetti.

On request of Assemblyman Livermore, the privilege of the floor of the Assembly Chamber for this day was extended to the following students and chaperones from the Carson High School Gay Straight Alliance: Miranda Barraza-Lee, Nicole Bertholf, Sean Cavanaugh, Ashley Donovan, Frankie Esquer, Alissa Hayes, Tyler Gerber-Winn, Monique Mason-Sawyer, Kenzie Tillitt, Danielle Greene, and Angilia Golik.

On request of Assemblyman Martin, the privilege of the floor of the Assembly Chamber for this day was extended to Carlos Jimenez.

On request of Assemblyman Munford, the privilege of the floor of the Assembly Chamber for this day was extended to Sandra Eddy.

On request of Assemblywoman Neal, the privilege of the floor of the Assembly Chamber for this day was extended to Jessica Padron and Erica Ramos.

On request of Assemblywoman Spiegel, the privilege of the floor of the Assembly Chamber for this day was extended to Alissa Hayes, Danielle Greene, and Jennifer Reed.

On request of Assemblyman Sprinkle, the privilege of the floor of the Assembly Chamber for this day was extended to Z. Zaldivar, Yevonne Allen, Ashley VanBrocklin, and Alison Dubose.

On request of Assemblyman Stewart, the privilege of the floor of the Assembly Chamber for this day was extended to Jonathan M. Birds and Monica Moradkhan.

On request of Assemblywoman Swank, the privilege of the floor of the Assembly Chamber for this day was extended to Wilfred Moore.

On request of Assemblyman Wheeler, the privilege of the floor of the Assembly Chamber for this day was extended to Tracy Raggio Chew, Sommer Fernandes, and Anthony Woodring.

On request of Assemblywoman Woodbury, the privilege of the floor of the Assembly Chamber for this day was extended to Lynda Tache and Grant Tache.

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

Assembly in recess at 12:19 p.m.

ASSEMBLY IN SESSION

At 10:58 a.m. [March 28, 2013]

Madam Speaker presiding.

Quorum present.

Assemblyman Horne moved that the Assembly adjourn until Thursday, March 28, 2013, at 11 a.m.

Motion carried.

Assembly adjourned at 10:59 a.m. [March 28, 2013]

Approved:

MARILYN K. KIRKPATRICK
Speaker of the Assembly

Attest: SUSAN FURLONG

Chief Clerk of the Assembly