

### THE THIRTY-SIXTH DAY

---

CARSON CITY (Monday), March 12, 2007

Assembly called to order at 11:03 a.m.

Mr. Speaker pro Tempore presiding.

Roll called.

All present.

Prayer by the Chaplain, Pastor Patrick Propster.

From John 14:27: "Peace I leave with you. My peace I give to you; not as the world gives do I give to you. Let not your heart be troubled neither let it be afraid."

Lord, we ask for Your peace and Your calm, Your direction and Your wisdom, to be made evident in all the decisions that will be made in this session today. Guide us in Your truth as we walk in Your ways that the glory of Your name will be made known. So be it.

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Oceguera 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

*Madam Speaker:*

Your Committee on Judiciary, to which was referred Assembly Bill No. 137, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

BERNIE ANDERSON, *Chair*

#### MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen Buckley, Allen, Anderson, Arberry, Atkinson, Beers, Bobzien, Carpenter, Christensen, Claborn, Cobb, Conklin, Denis, Gansert, Gerhardt, Goedhart, Goicoechea, Grady, Hardy, Hogan, Horne, Kihuen, Kirkpatrick, Koivisto, Leslie, Mabey, Manendo, Marvel, McClain, Mortenson, Munford, Oceguera, Ohrenschall, Parks, Parnell, Pierce, Segerblom, Settlemeyer, Smith, Stewart, Weber, and Womack; Senators Titus, Amodei, Beers, Care, Carlton, Cegavske, Coffin, Hardy, Heck, Horsford, Lee, Mathews, McGinness, Nolan, Raggio, Rhoads, Schneider, Townsend, Washington, Wiener, and Woodhouse:

Assembly Concurrent Resolution No. 11—Commemorating philanthropist and social justice activist Maya Miller.

WHEREAS, The members of the 74th Session of the Nevada Legislature are saddened by the loss of Maya Miller, a philanthropist and social justice activist, who passed away on May 31, 2006, at 90 years of age; and

WHEREAS, A woman of independent means, Maya could have been satisfied to live the lavish life of a socialite in a mansion, but preferred her ranch in Washoe Valley, where she

served her homemade bread and soup to friends and family, along with conversation concerning solutions to the social problems of the world, where she inspired others to take up the fight for those who could not stand up for themselves; and

WHEREAS, An adamant feminist, Maya Miller knew that the way out of poverty for women and children was to provide women with child care, job training and housing so they could become self-sufficient, and she fought for welfare reform to give dignity and respect to those on welfare; and

WHEREAS, Maya ran, though unsuccessfully, for the United States Senate in Nevada to bring attention to women in politics, changing the face of state politics both literally and figuratively by funding campaigns for women, and was instrumental in founding the national Women's Campaign Fund, which sponsors female candidates seeking political office, and the Nevada Women's Fund, which addresses critical social needs of women in Nevada; and

WHEREAS, Not satisfied to donate only money, Maya was a warrior in the fight against poverty, racism, injustice and war, proving her moxie at the age of 75 by driving a truck with infant formula, food and medical supplies from Jordan to Baghdad, Iraq, during the Persian Gulf War, despite the embargo; and

WHEREAS, Maya looked beyond the borders of Nevada and the United States by working for peace and human rights in such places as Guatemala, Nicaragua and Iraq; and

WHEREAS, Concerned with the environment, Maya testified against storage of nuclear waste in Nevada, a stance which was unheard of at the time, cofounded the Foresta Institute for Ocean and Mountain Studies and helped to create the Lake Tahoe-Nevada State Park which includes Sand Harbor; now, therefore, be it

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, THE SENATE CONCURRING, That the members of the Nevada Legislature extend condolences to the family of Maya Miller, who will be missed for her generosity of spirit and her passion for and commitment to the social issues that she spent her life fighting for; and be it further

RESOLVED, That Maya is survived by her daughter and three grandchildren; and be it further

RESOLVED, That the Chief Clerk of the Assembly prepare and transmit a copy of this resolution to Maya's daughter Kit Miller.

Assemblywoman Buckley moved the adoption of the resolution.

Remarks by Assemblymen Buckley, Leslie, Ohrenschall, and Mr. Speaker pro Tempore.

Assemblyman Ocegüera requested that the following remarks be entered in the Journal.

ASSEMBLYWOMAN BUCKLEY:

I think they threw out the mold when Maya Miller was created. What a tremendous person and activist Maya Miller was in our state, throughout the country, and throughout the world.

Anybody who met Maya was struck by her serenity, her peace, her vision, and her willingness to just shake things up. Whether it was her campaigns for economic justice—I see my colleague from Assembly District 6 where Maya was so influential in trying to improve the conditions in west Las Vegas—or marches on the strip by mothers who were cut off from welfare because the bureaucracy decided they probably could not survive without cheating if they were on welfare; ergo, they must all be cheats, and cut off welfare, Maya Miller stood up against that. The marches on the strip and the welfare mothers taking over Caesar's Palace—if you see the pictures of the kids playing in the fountains—it is not a sight that will be forgotten soon.

Maya continued her work after the press was gone and the publicity was gone by quietly funding Operation Life, which grew out of the aftermath of those strikes, but that was Maya. She did not do things just when the press was around; she did them every single day of her life.

Whether it was standing up against nuclear waste or her environmental work at Tahoe, she made a difference. She gave of her time and her means freely because she believed that Nevada could be made a better place through activism, the country could be a better place, and the world could be a better place.

I love the story about delivering infant formula and food at the age of 75. The other part of that story was she was the one who drove the truck at age 75 because she was the only one who knew how to drive a stick shift. That adventure nearly did not take place but for Maya's well-roundedness.

The other thing I think is pretty ironic about this day and this moment and which gives me great pleasure is that I think Maya had a love-hate relationship with politics sometimes. She ran against our Senator, Harry Reid, at a time when no woman threw her hat in the ring for such an office. There is a legendary story about her being kicked out of this building because she just did not feel like people were being treated fairly. She was always one to stand up against injustice, and the irony is that she hated proclamations—hated them. She received many proclamations and awards. She kept them all in the basement covered up with dust and never looked at them. I think it is important for us to honor Maya, not through this resolution but through the way we live our lives and the way we say “no” to injustice here in our state or in our country or in world, because that is the only true tribute to Maya

ASSEMBLYWOMAN LESLIE:

Thank you, Mr. Speaker pro Tempore. I, too, rise in support of this resolution. I've known Maya for over 30 years. Like many of us in the room, I can't believe she is not here, still. She is here in spirit.

I first knew Maya through her work in Central America. We shared a great love for the Latin American countries, especially Guatemala. We also shared a great sense of solidarity about the injustice in Central America. You know, I think of myself as somewhat of an adventurer. I speak Spanish. I go to lots of different countries. I was in the Peace Corp. Compared to the courage that Maya has shown throughout her life—including her living in the Peace House in Nicaragua during the war and the work she did in Central America—I always felt that my exploits paled in comparison to hers.

She so cared about the political process. She cared about women candidates. Many of the women in this body and down the hall were supported by her, especially in their early campaigns, through Maya's generosity. More than her money and her generosity, it was about her belief in the process and her belief that women, especially, belonged in the process.

In later years, a member of my extended family owned the ranch next to hers in Washoe Valley. I was often out there during family holidays. Usually, there would come a time during the family dinners where we just wanted to get away. So, we would always use the excuse of visiting Maya. Several of us would go out into the pasture and climb through the barbed wire fence between the two properties and hike across the fields to see Maya. Either in the snow or during the summertime, we would take a detour up the mountain by the stream, coming down through her ranch. We would always just appear on her porch unannounced. She would welcome us in and feed us whatever was cooking on the stove in her great room. There was great glass in her great room at the ranch. She could look out to Washoe Valley. It was one of the most beautiful sights in Nevada. You could bring your dog. You could do anything you wanted there. A fire would be going in the corner in the great room, and you could sit with Maya. She always wanted to know, from me especially, every detail of every little political infight, everything that was going on in the Legislature. No detail was too small. She wanted to hear about it. She wanted to talk about it. She would offer advice in a way where it didn't feel like somebody was telling you what to do. It wasn't really advice. It was more a thought which you might not have considered. Something outfitted into the bigger picture. It always left me with a great inspiration of somebody I wanted to grow up to be. To see her with her daughter and her granddaughters and the members of her extended family, passing down that tradition was really something that warms my heart, even thinking about it.

She will be missed greatly by everyone in this state. She was a true pioneer. She was a role model. She was someone I deeply admired and respected. I will never forget her. Thank you.

Mr. Speaker pro Tempore requested the privilege of the Chair for the purpose of making the following remarks:

Maya was one of those unusual characters you think you are going to meet one day, and you think it is going to be an important bridge when you meet them because you have heard so much

about them. When you met Maya, you realized there was more than just a bridge. She was a telling of what society was all about. She fostered an understanding of human beings that cannot be matched. She made every person feel comfortable with who they were and where they were going. She offered that insight into life that only a person who truly cares about every human being can do. She will be greatly missed. She has raised the standard for all of us to be better human beings. For that, I, too, stand and salute.

ASSEMBLYMAN OHRENSCHALL:

I, too, rise in support of ACR 11. I have had the privilege of meeting Maya and spending time with her over the last 14 years.

Recently, I was told by Ms. Gilbert that in Maya's campaign brochure when she ran for U.S. Senate is a picture of a young woman and her 18-month old baby; it happened to be me and my mother.

I also want to recognize what Maya did to help the female candidates. Back in the 1970s and 1980s, it was not easy to run for office if you were a woman down in Clark County—probably throughout the country. My mother had run for city attorney of Las Vegas, justice of the peace, and district court judge four times—and four times unsuccessfully. Back in 1994, she decided to run for the Nevada Assembly, and a lot of people said to her, “Genie, wow, you're such a dreamer.” Maya was one of the people who believed in her early and gave her one of her largest contributions and basically stood by her. The fifth time was a charm, and my mother was privileged enough to serve in this body and got to spend time with Maya working on a lot of important legislation.

As a freshman Assemblyman, I dearly wish she were here to help us all with legislation, but I know she is here in spirit, and I think through our actions we can carry on a lot of what she believed in. Thank you, Mr. Speaker pro Tempore. I urge adoption.

Resolution adopted unanimously.

Assemblywoman Buckley moved that all rules be suspended and that Assembly Concurrent Resolution No. 11 be immediately transmitted to the Senate.

Motion carried unanimously.

By the Committee on Ways and Means:

Assembly Concurrent Resolution No. 12—Approving the change in scope and the transfer of funds for certain capital improvement projects.

Assemblyman Arberry moved that the resolution be referred to the Committee on Ways and Means.

Motion carried.

#### INTRODUCTION, FIRST READING AND REFERENCE

By Assemblyman Goicoechea:

Assembly Bill No. 281—AN ACT relating to crimes; removing the minimum quantity of a controlled substance or other related substance required to constitute certain crimes of trafficking in those substances or required for the imposition of a civil penalty for such a crime; providing penalties; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Leslie, Anderson, Atkinson, Bobzien, Horne, Kirkpatrick, McClain, Ohrenschall, Pierce, and Smith:

Assembly Bill No. 282—AN ACT relating to domestic violence; revising the list of acts that constitute domestic violence; authorizing a court to include certain protections for domestic animals in an order for protection against domestic violence; providing a penalty; and providing other matters properly relating thereto.

Assemblywoman Leslie moved that the bill be referred to the Committee on Judiciary.

Motion carried.

By Assemblymen Settlemeyer, Beers, Christensen, Cobb, Hardy, Kirkpatrick, Koivisto, and Stewart:

Assembly Bill No. 283—AN ACT relating to care facilities; requiring child care facilities and facilities for the care of adults during the day to maintain and provide certain information to the parents, guardians or legal representatives of persons cared for in those facilities; requiring licensing authorities to provide summaries to the facilities of certain complaints against the facilities; and providing other matters properly relating thereto.

Assemblyman Settlemeyer moved that the bill be referred to the Committee on Health and Human Services.

Motion carried.

By Assemblymen Carpenter, Grady, and Goicoechea:

Assembly Bill No. 284—AN ACT relating to energy; authorizing utility customers who operate irrigation pumps to purchase electricity and associated services from alternative sellers; requiring certain utilities to provide distribution service for such transactions; requiring the Public Utilities Commission of Nevada to adopt certain regulations and tariffs; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Leslie, Bobzien, Carpenter, Goicoechea, Kirkpatrick, Marvel, Ohrenschall, Pierce, and Smith; Senator Rhoads:

Assembly Bill No. 285—AN ACT relating to water; requiring the State Engineer to repeat the notice of applications for permits to appropriate water under certain circumstances; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblywoman Leslie:

Assembly Bill No. 286—AN ACT relating to insurance; exempting certain health insurers from provisions governing the denial of claims and the cancellation of or refusal to issue a policy or contract of health insurance; and providing other matters properly relating thereto.

Assemblywoman Leslie moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 287—AN ACT relating to cities; authorizing certain cities to annex certain noncontiguous territory; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Kirkpatrick, Christensen, Beers, Parks, Allen, Claborn, Gerhardt, Hogan, Horne, Leslie, Manendo, McClain, Mortenson, Munford, Parnell, Pierce, Segerblom, Settlemeyer, Smith, and Womack; Senator Lee:

Assembly Bill No. 288—AN ACT making an appropriation to the Division of State Lands of the State Department of Conservation and Natural Resources for the preservation of historical buildings located at Floyd Lamb State Park; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Grady, Goedhart, Goicoechea, and Marvel:

Assembly Bill No. 289—AN ACT relating to airports; exempting the rental or lease of certain space at certain local governmental airports from requirements relating to appraisals and public auctions; and providing other matters properly relating thereto.

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

Motion carried.

#### SECOND READING AND AMENDMENT

Assembly Joint Resolution No. 10 of the 73rd Session.  
Bill read second time and ordered to third reading.

Assembly Joint Resolution No. 16 of the 73rd Session.  
Bill read second time and ordered to third reading.

## GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Bobzien, the privilege of the floor of the Assembly Chamber for this day was extended to Holly Dehm, Jessica Hudson, Meghan Wagonfeller, and Caitlyn Wallace.

On request of Assemblywoman Buckley, the privilege of the floor of the Assembly Chamber for this day was extended to Jan Gilbert and Melissa Kent.

On request of Assemblyman Carpenter, the privilege of the floor of the Assembly Chamber for this day was extended to Hannah McRaney and Gene Wines Segerblom.

On request of Assemblyman Christensen, the privilege of the floor of the Assembly Chamber for this day was extended to Janice Alpern, Maria Dent, and Leslie Studer.

On request of Assemblyman Cobb, the privilege of the floor of the Assembly Chamber for this day was extended to Starry Bush-Rhoads, Jeannette Dean, Davis Prendergast, Riley Roberts, and Molli Sullivan.

On request of Assemblywoman Gansert, the privilege of the floor of the Assembly Chamber for this day was extended to Tenaya Caterino and Jessica Hudson.

On request of Assemblywoman Gerhardt, the privilege of the floor of the Assembly Chamber for this day was extended to Sherman Conley and Shawna Campbell.

On request of Assemblyman Grady, the privilege of the floor of the Assembly Chamber for this day was extended to Sharon Rogers.

On request of Assemblyman Hardy, the privilege of the floor of the Assembly Chamber for this day was extended to Valerie McNay.

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

On request of Assemblyman Kihuen, the privilege of the floor of the Assembly Chamber for this day was extended to Martha Gould and Maria Parra-Sandoval.

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

On request of Assemblyman Mabey, the privilege of the floor of the Assembly Chamber for this day was extended to Betty Pardo and Ruth Weinrott.

On request of Assemblywoman McClain, the privilege of the floor of the Assembly Chamber for this day was extended to Chata Holt.

On request of Assemblyman Mortenson, the privilege of the floor of the Assembly Chamber for this day was extended to Helen Mortenson and Steve Rolland.

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

On request of Assemblyman Oceguera, the privilege of the floor of the Assembly Chamber for this day was extended to Eileen Montgomery.

On request of Assemblyman Ohrenschall, the privilege of the floor of the Assembly Chamber for this day was extended to Venicia Considine, Christina Hooshmand, Jennifer Hooshmand, Kelley Jones, Sherry Moore, and Charles Raine.

On request of Assemblywoman Pierce, the privilege of the floor of the Assembly Chamber for this day was extended to Jennifer Ormsby and Lucy Peres.

On request of Assemblyman Segerblom, the privilege of the floor of the Assembly Chamber for this day was extended to Lauren Calvert, Sam King, and Dina Romaya.

On request of Assemblywoman Smith, the privilege of the floor of the Assembly Chamber for this day was extended to Barbara Prendergast and Kit Prendergast.

On request of Assemblyman Stewart, the privilege of the floor of the Assembly Chamber for this day was extended to Kasia Brill.

On request of Assemblywoman Weber, the privilege of the floor of the Assembly Chamber for this day was extended to Marisa Craig, Jackie Locks, and Elizabeth Syverson-McCurdy.

On request of Assemblywoman Womack, the privilege of the floor of the Assembly Chamber for this day was extended to Kathleen Dickinson, Kim Hackstock, and Travis Wisdom.

Assemblyman Oceguera moved that the Assembly adjourn until Tuesday, March 13, 2007, at 11 a.m.

Motion carried.

Assembly adjourned at 11:38 a.m.

Approved:

BARBARA E. BUCKLEY  
*Speaker of the Assembly*

Attest: SUSAN FURLONG REIL  
*Chief Clerk of the Assembly*