

**THE NINETY-THIRD DAY**

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CARSON CITY (Tuesday), May 8, 2007

Assembly called to order at 11:08 a.m.

Madam Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, Reverend Bruce Kochsmeier.

God of all time and space, how grateful we are that You are totally in control and that You set us free to realize this. As we do, open us to the power of knowing and choosing Your will. We praise You for the freedom that is ours as we let our spirits be conformed to Your own Spirit. Lord, there is so much to distract us. Keep us faithful as Your servants. Let us know the delight of doing the best we can for the sake of Your people. Fill these legislators with insights into the overarching needs of the people and state of Nevada. Grant them understanding into plans that will serve the whole and long-term needs of this amazing place You have given us to live.

We acknowledge, Lord God, that the work You have placed before these servants is not easy. The changing needs of Nevada are monumental. There are no easy answers. It would seem there are more and more people and fewer resources. Grant wisdom to these who are entrusted with leading Your people and in being stewards for the people of Nevada. Grant them joy in the opportunity to be used by You, our God, for the sake of Your kingdom in this place. We humbly pray in reliance upon You.

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

*Madam Speaker:*

Your Committee on Government Affairs, to which was referred Senate Bill No. 352, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

MARILYN K. KIRKPATRICK, *Chair*

*Madam Speaker:*

Your Committee on Judiciary, to which were referred Senate Bills Nos. 129, 132, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

BERNIE ANDERSON, *Chair*

*Madam Speaker:*

Your Committee on Natural Resources, Agriculture, and Mining, to which was referred Senate Bill No. 118, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JERRY D. CLABORN, *Chair*

*Madam Speaker:*

Your Committee on Ways and Means, to which was referred Assembly Bill No. 204, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

Also, your Committee on Ways and Means, to which were rereferred Assembly Bills Nos. 259, 445, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

Also, your Committee on Ways and Means, to which was referred Senate Bill No. 282, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

MORSE ARBERRY JR., *Chair*

#### MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 7, 2007

*To the Honorable the Assembly:*

I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 55, 131, 184, 247, 365, 453.

Also, I have the honor to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolutions Nos. 25, 26, 27, 28.

SHERRY L. RODRIGUEZ  
*Assistant Secretary of the Senate*

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

Assembly in recess at 11:14 a.m.

#### ASSEMBLY IN SESSION

At 11:15 a.m.

Madam Speaker presiding.

Quorum present.

#### MOTIONS, RESOLUTIONS AND NOTICES

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

Motion carried.

#### INTRODUCTION, FIRST READING AND REFERENCE

Senate Bill No. 55.

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 Judiciary.

Motion carried.

Senate Bill No. 184.

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

Motion carried.

Senate Bill No. 247.

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

Motion carried.

Senate Bill No. 365.

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

Motion carried.

Senate Bill No. 453.

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

Motion carried.

#### MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Anderson moved that Senate Bill No. 154 be taken from the Second Reading File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Anderson.

Motion carried.

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, Ocegüera, Ohrenschall, Parks, Parnell, Pierce, Segerblom, Settlemeyer, Smith, Stewart, Weber, and Womack:

Assembly Resolution No. 11—Adding Virgil M. Getto to the Assembly Wall of Distinction.

WHEREAS, The Nevada Assembly has established an Assembly Wall of Distinction for those past members selected by leadership who served with great distinction and who made exemplary contributions to the State of Nevada; and

WHEREAS, Virgil M. Getto, a native Nevadan and lifelong resident of Fallon, is the son of Italian immigrant parents who settled in Nevada to start a new life, and was educated in the Churchill County schools and entered the family ranching business; and

WHEREAS, As a young man, Virgil M. Getto was elected to the National Council of the Future Farmers of America (FFA), later serving as Vice President of the Pacific Region that encompassed eight western states, and he stated during his legislative tenure that the leadership training and public speaking skills he acquired through FFA led him to achieve extraordinary things, and in 2006 Virgil was honored for his 60 years of leadership in the FFA; and

WHEREAS, Virgil entered public service in the Nevada Parent Teachers Association and served as President in 1960, then won election to the Churchill County School Board in 1962; and

WHEREAS, First elected to the Assembly in 1966, Virgil has the unique distinction of being a legislative freshman five times—three times in the Assembly (1967, 1979 and 1983) and twice

in the Senate (1981 and 1989), serving 12 regular sessions and 4 special sessions, a total of 24 years; and

WHEREAS, While in the Assembly, Virgil served as Minority Floor Leader (1975) and as a Member of the Committees on Agriculture (Chairman, 1969 and 1971), Agriculture, Irrigation and Livestock, Commerce, Economic Development, Tourism and Mining, Education, Environment and Public Resources, Government Affairs, Health and Welfare, Labor and Management, Legislative Functions, Natural Resources, Agriculture, and Mining (Chairman, 1985), Taxation, Transportation and Ways and Means; and

WHEREAS, After winning reelection to his Assembly seat, Virgil was appointed in 1980 to fill a vacancy in the Senate, and after completing his term in the Senate, he was again elected to the Assembly, serving from 1982 until 1988, when he was elected to again serve in the Senate, where he served as Chairman of the Senate Committee on Natural Resources in 1991; and

WHEREAS, While serving as a Senator, Virgil represented the largest state legislative district in the contiguous United States at that time, covering nearly half of the State of Nevada, encompassing parts of Churchill, Eureka and Lander Counties and all of Esmeralda, Lincoln, Nye, Mineral and White Pine Counties, until his retirement in 1992; and

WHEREAS, At the time of his retirement, Senator Getto remarked that the education of Nevada's children should be the number one issue in the Legislature; and

WHEREAS, As a Legislator, Virgil was a proponent of issues dealing with natural resources, the construction of a maximum security prison in Ely, designation of U.S. Highway No. 95 as the Veterans' Memorial Highway, and the construction of two new buildings in the Capitol Complex—the Nevada Supreme Court and the Nevada State Library and Archives; and

WHEREAS, Virgil is a fervent supporter of education and has made numerous personal and professional contributions to the community college system, particularly the Western Nevada Community College's Fallon campus, which honored him in 2004 by naming a building Virgil Getto Hall in recognition of his efforts on behalf of the College, including serving with distinction on the College's foundation and regional advisory boards; and

WHEREAS, Virgil was appointed to the Nevada Silver Haired Legislative Forum and served as Vice President as well as a member of the Forum's Committee on Human Resources and Facilities, and he was appointed to the National Silver Haired Congress, representing Nevada's Second Congressional District; now, therefore, be it

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, That Assemblyman and Senator Virgil M. Getto, a dynamic leader who served his constituents and community for 24 years and who contributed to the protection of Nevada's natural resources and promoted education, is hereby added to the Assembly Wall of Distinction.

Assemblyman Marvel moved the adoption of the resolution.

Remarks by Assemblymen Marvel, Ocegüera, Carpenter, Goicoechea, and Arberry.

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

ASSEMBLYMAN MARVEL:

Thank you, Madam Speaker. I have known the Getto family practically all my life. We were all involved in agriculture. Speaker Dini and I went to school with Virgil's sister, Mary, many years ago. Virgil served here with distinction. As a matter of fact, he will go down in history as being a freshman more times than any legislator in the United States—I think it was five times. Virgil sat on every major committee. He did a yeoman's job here in the Assembly. He was a great Senator on the other side and then came back with us.

I think what is going to be most memorable is that the Assemblyman from Elko and myself served on a committee with him, and we were trying to use the impounded animals from the Reno shelter for experimental purposes for the University of Nevada School of Medicine. We filled the committee room. I do not know how many meetings we had on it, maybe Speaker Dini knows, but Virgil would never bring it to a vote. Assemblyman Carpenter and I would have liked to have moved it forward. It died a natural death. It would have been for a good cause.

I am sorry Virgil is not here today. Virgil is an outstanding citizen. He was just a great person for Churchill County and for the state of Nevada. Thank you very much, Madam Speaker.

ASSEMBLYMAN OCEGUERA:

Thank you, Madam Speaker. I rise in support of AR 11. I think I may have mentioned a few times that I grew up in Fallon. I still think of Fallon as my home in many respects. It is kind of funny when thinking about what to say on this resolution. I recall mowing Carl Dodge's and Virgil Getto's lawns as a kid. I would always look out to see if they were there because they were such huge figures in the community. When I would go to Yerington to deliver ice in high school, I would look for Speaker Dini. "Wow, I hope I get to see Joe Dini."

It is a pretty big honor to stand and speak about Virgil Getto. He did so much for my hometown and for our state. I think he has pretty much done it all, as described in the resolution. He was involved with the Future Farmers of America, was an active member of the Parent Teacher Association, and was a member of the school board. He was a leader of this body and a leader in the body down the hall. He fought very hard for the rural communities. I think when he represented his Senate District, it was one of the largest Senate Districts in the state. He always tried to improve the lives of those folks who lived in those areas. Madam Speaker, I wish he was here so I could say those things to him personally.

ASSEMBLYMAN CARPENTER:

Thank you, Madam Speaker. I rise, also, in support of AR 11. It is sad that Virgil is not here today because I think everyone in this body should have a look at a great legislator. He was really my friend when I came to the Legislature. Probably no one had a greater influence on me than Virgil Getto and Joe Dini. We used to live over here in this little motel, and every morning and evening we would all get together and discuss what was going to happen in the Legislature.

I remember walking down the hall with Virgil, and he would always say, "Well, today I am not going to say one word." Of course, Virgil would get up and he would talk for 20 minutes or more.

When I came to the Legislature there was kind of a cowboy caucus here with Lou Bergevin, Joe Dini, and Virgil Getto. Nothing went through the Assembly unless those three agreed.

I just want to thank Virgil for being my friend, and I am sorry he is not here today. Hopefully, we will be able to present him with this resolution. He is such a mild mannered man that he will really appreciate having this resolution. Thank you.

ASSEMBLYMAN GOICOECHEA:

Thank you, Madam Speaker. I, also, rise in support of Assembly Resolution 11. Even though I did not have the pleasure of serving with these great gentlemen, I do rise in support of Virgil Getto and the man he is, the support he has given me over the years, and also the great representation he gave to all of rural Nevada as I was growing up and while I was an elected official in those rural areas.

ASSEMBLYMAN ARBERRY:

Thank you, Madam Speaker. I rise in support of this resolution. I was a little reluctant to say anything about Virgil, but I had to share a story with this body. Virgil knew I was a city boy when I came here as a new legislator. We do not wear cowboy boots, we do not wear jeans, and we do not wear cowboy hats. Well, Virgil insisted that I come out to his ranch. He wanted me to see the cows and the chickens. I told him I was a city boy. I was not coming out to his ranch. He said, "Since you are not coming out to my ranch, I am going to bring you your own, personal cow." He took a picture of a black and white cow that was just born and brought it to me. He said, "I am going to nurture this cow for you." It was such an honor to have my own, personal black and white cow.

Virgil was like the George Jefferson of the Legislature. He had a distinct walk and he got his points across. I really miss Virgil, and if you are listening to this Virgil, I hope you still have my cow.

Resolution adopted unanimously.

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, Ocegüera, Ohrenschall, Parks, Parnell, Pierce, Segerblom, Settlemeyer, Smith, Stewart, Weber, and Womack:

Assembly Resolution No. 12—Adding Marvin M. Sedway to the Assembly Wall of Distinction.

WHEREAS, The Nevada Assembly has established an Assembly Wall of Distinction for those past members selected by leadership who served with great distinction and who made exemplary contributions to the State of Nevada; and

WHEREAS, Marvin M. Sedway, a native of New York, moved to Las Vegas at the age of 8 years when the city's population was a mere 8,000 inhabitants, and he later graduated from Las Vegas High School and the University of Nevada, Reno, and then obtained his doctorate in optometry from the Pacific University College of Optometry in Oregon; and

WHEREAS, Having a father who worked for Bugsy Siegel at the Flamingo Hotel, Marvin Sedway was never embarrassed by his family's involvement with the early gaming establishment in Nevada; and

WHEREAS, After returning to and settling in Clark County, Nevada, Dr. Sedway was known to drive over 100 miles 1 day each week in order to treat the children in the communities surrounding Las Vegas; and

WHEREAS, Elected to the Nevada Assembly in 1982, Marvin M. Sedway served until 1990, and during his tenure, he served on the Assembly Committees on Commerce, Education, Health and Welfare, and Legislative Functions, and as the Chairman of the Committee on Ways and Means and the Interim Finance Committee, 1987 to 1989; and

WHEREAS, Marvin M. Sedway passionately believed in improving the lives of all Nevadans and was a champion of the disadvantaged, poor, disenfranchised and especially children, and even though he knew it was politically unpopular, he openly advocated raising taxes to improve the quality of life in Nevada; and

WHEREAS, Dr. Sedway is credited with making Nevada's community college system one of the finest in the West, contending that community colleges should not be shortchanged in favor of the universities and recognizing that students who would become mechanics and blue-collar workers deserved education as much as the students who became doctors and lawyers; and

WHEREAS, As Chairman of the Committee on Ways and Means, Assemblyman Sedway introduced legislation authorizing the issuance of bonds to fund a new Supreme Court Building and a State Library and Archives Building, reflecting his recognition of Carson City as the seat of State Government; and

WHEREAS, In the years following his death in 1990, the student cafeteria on the Carson City campus of Western Nevada Community College was named the Sedway Café, and the Legislative Counsel Bureau's Carson City staff building was named the Sedway Office Building in recognition of Dr. Sedway's persistent work to acquire and remodel the building; and

WHEREAS, The Marvin M. Sedway Middle School located in Las Vegas was dedicated in 2002 in honor of Dr. Sedway's reverence for learning and education, and the school's mission statement is an acronym on SEDWAY—Strength in diversity, Excellence in academics, Desire to achieve all goals, Wisdom in all judgments, Appreciation for the arts, Yearning for lifelong learning—which articulates the importance of education so strongly associated with Marvin M. Sedway; and

WHEREAS, Marvin M. Sedway was known for speaking his mind and using colorful expressions such as, "If there's no penalty for doing it wrong, there's no incentive to do it right" and "It will be a great day when our schools get all the money they need and the Air Force has to hold a bake sale to buy a bomber"; and

WHEREAS, Dr. Sedway was a man who did not mince words, who said what had to be said and what others were afraid to say, who lived life by his own rules, unfaltering in his principles, realizing that what really mattered was the principle, not the popularity; now, therefore, be it

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, That Assemblyman Marvin M. Sedway, a leader of the legislative process whose courage, sincerity and passion for public service improved the lives of all Nevadans, is hereby added to the Assembly Wall of Distinction.

Assemblyman Arberry moved the adoption of the resolution.

Remarks by Assemblymen Arberry, Ocegüera, and Anderson.

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

ASSEMBLYMAN ARBERRY:

I have an eloquent speech here that was prepared for me to say some things about Marvin because I did not want to leave anything out.

I rise in support of this resolution to honor a man that I consider to be my friend and my mentor, former Las Vegas Assemblyman Marvin Sedway.

For those of you who did not know Marvin, let me tell you that he was truly, truly Mr. Chairman when he chaired the Ways and Means Committee and Interim Finance Committee between 1987 and 1989. Marvin, as you know, was an outspoken activist and champion of Nevada's disadvantaged residents, particularly the children.

The first time I met Marvin was in 1984 when I was running for office. He told me that when I got to session, he would take good care of me. Sometimes when someone tells you that, you might not have a warm feeling, but when it came from him, you knew that he had a deep concern and caring feeling for you when he made that statement.

Marvin would also tell me that when he was upset with someone, "Do not get mad, just get even." Those were his words to me. Whenever I knew he was really, really mad, I knew I had to have my shoes in order, I had to have all my Qs in order, and I had to be on target and on point. But I always knew that Marvin was in my corner, and I was in his.

I only rubbed Marvin wrong once when I voted "no" on a bill, and I know the Assemblyman from Battle Mountain would remember this. We were voting on the dam, and Marvin wanted the dam bill to die. During all the time of the testimony, I ran to the restroom, and when I came back—as you know, Arberry is the first name to be called and then everybody follows me—I voted "no" and everybody after me voted "no." All of a sudden, the gavel went flying through the air. We were on a recess, and Marvin took us to his chamber, and he gave us a "Jewish blessing." When he gave us that "Jewish blessing," we knew that something was wrong. Madam Speaker, that was when I decided to become "Zarberry" because if I went to the restroom while there was a discussion and I came back and I did not know how to march down the line, I became "Zarberry" because I refused to be out there first.

Whether or not you agreed with Marvin, he knew the system. You could disagree with him, but if you double-crossed him, he was the toughest man that you have ever seen. On a quick note for Speaker Dini, one time a lobbyist came to the Speaker and was complaining about Marvin. Speaker Dini—I was standing right next to the Speaker—said to the lobbyist, "I do not know what Marvin is doing today. I cannot keep up with him myself, so just let me try to take care of Marvin." I remember that just like it was yesterday.

I learned a great deal from Marvin and truly admired the man. I watched his style, his tenacity, and his determination to get things done. There are still a few members in this room who served with Marvin, and I am sure we all can tell stories about him. I remember some of the statements that Marvin made famous, and one of those is hanging on my wall right now. It says, "If there is no penalty for doing it wrong, there is no incentive for doing it right." I was reminded that Marvin, one Easter, left a bottle of Manischewitz wine on every desk in the Chamber. He said, "If you think that Jews have suffered, try drinking a glass of that wine." I kept that bottle for many years.

In 2002, there was a tribute to Marvin at his new school—a middle school named after Marvin Sedway. It reminded me of his earnest and sincere support of education and the poster that was in his office that read, "It will be a great day when our schools get all the money that they need, and the Air Force has to hold a bake sale to buy a bomber." I vividly remember him telling me that.

When Marvin was very sick and he had his surgery, when he returned to the Assembly, I remember him telling us all that he had “walked through the valley in the shadow of death,” came through it, and it had made him tougher, stronger, meaner, and more determined to do the things that he felt were important.

The resolution says that Marvin was a man who said what needed to be said, knowing that what mattered was the principle, not the popularity. That is so true. He also said many things that cannot be repeated.

I had the privilege of serving with Marvin from 1985 until 1990. I remember one tense end-of-session meeting between the Senate and Assembly, and Marvin declared any excess budget dollars had to be spent on education. He then slammed the gavel down and stormed out, leaving to the committee fiscal analyst to explain that the meeting was over.

I am proud to know that Marvin was my friend and mentor. Marvin was truly the conscience of the Legislature. He left a lasting impression on this house and the entire state. His spirit is here, and it will always be here.

ASSEMBLYMAN OCEGUERA:

I rise in support of Assembly Resolution 12. I regret that I never had the opportunity to know or serve with Marvin Sedway, but as just described by the Chairman of Ways and Means, he was colorful, fearless, and selfless in his service to the state. Some of his sayings were, indeed, legendary as the Chairman just described, and from the stories that I have heard, some of those sayings could not be repeated here on the floor.

He was never afraid to take on anyone or to speak his own mind. He never stopped to analyze whether the action was going to be politically popular. He acted in what he thought was the best interest of the state, no matter what the consequences might have been to him personally or to his next election. He never so much as hesitated.

He believed in the power of public education, he was a master of the budget, and he fought for every man and woman—those who would not have otherwise had a voice. Buildings and a school have been named for Marvin Sedway, and I am proud to stand in support of the resolution.

ASSEMBLYMAN ANDERSON:

I, too, stand in support of Assembly Resolution 12. My first trip down here was to lobby on educational issues in the evening during those times when legislative members were often not in the chamber or a meeting room—when you would find them in and about the community. I was terribly concerned one session because the Legislature had determined that some dollars that I thought were going to go to libraries was diverted so they only went to libraries in the southern part of the state. I had met with Mr. Sedway several times and lobbied him on various issues relative to education and had always found him to have a very, very sympathetic ear. I was explaining my frustration at the loss of library dollars for Washoe County and how it would impact my students doing research—that was in the old days before the Internet was around so kids had to actually go to libraries and use books and magazines. Dr. Sedway was very, very concerned when I explained how this was going to affect the Washoe County libraries. The head lobbyist for the teachers’ association ran into me about 20 minutes later and asked, “What did you say to Dr. Sedway?” I explained to him and he said, “You know, he is the guy who moves the money, and now he is very upset with me because I did not tell him what the impact was going to be in the other parts of the state so he is going to have to find money to help kids in all the libraries in the state.”

The stories about Marvin cannot be exaggerated. The buildings that stand out there represent only a small shadow of the impact that he has had upon the state—a momentary glimpse into the kind of person that he was. His heartfelt feeling towards kids, education, and the common man are not going to be found again. For that, this resolution is a long time coming. Thank you.

Resolution adopted unanimously.



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

Assembly in recess at 11:53 a.m.

#### ASSEMBLY IN SESSION

At 11:54 a.m.

Mr. Speaker Pro Tempore presiding.

Quorum present.

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, Ocegüera, Ohrenschall, Parks, Parnell, Pierce, Segerblom, Settlemeyer, Smith, Stewart, Weber, and Womack:

Assembly Resolution No. 13—Adding Mouryne Landing Dini to the Assembly Wall of Distinction.

WHEREAS, The Assembly of the Legislature of the State of Nevada has established an Assembly Wall of Distinction for those past members of the Assembly selected by leadership who served with great distinction and who made exemplary contributions to the State of Nevada; and

WHEREAS, The Nevada Assembly wishes to add to its Wall of Distinction those past staff members of the Assembly who are selected by leadership to be acknowledged for their exemplary service; and

WHEREAS, Mouryne Landing Dini has the distinction of serving as Chief Clerk of the Nevada Assembly for an all-time Nevada record of 23 years, from 1973 through 1995, with integrity, professionalism and competency; and

WHEREAS, Born in Oregon, Mouryne attended public schools, studied at Hinniger Stephens Business College in Utah, and relocated to Nevada in 1963, where she and her husband raised their two children; and

WHEREAS, Mouryne first came to work for the Assembly as a committee secretary for the 1965 Regular Session, a time when the Legislature still met in limited space on the second floor of Nevada's historic State Capitol, and over the ensuing years, she was promoted to Assistant Chief Clerk, a position she held for the 1969 and 1971 Sessions; and

WHEREAS, Elected in 1973 as Chief Clerk of the Assembly, Mouryne Landing served in the first legislative session held in the newly constructed Legislative Building, remaining in that position until her retirement in 1995; and

WHEREAS, During the 68th Session when the Assembly membership was evenly divided between Democrats and Republicans, and leaders of both political parties served as Cospeakers of the Assembly and as Cochairs of the Assembly committees, Mouryne faced the challenges presented by this historic circumstance with her usual professionalism and aplomb; and

WHEREAS, In addition to her vital role in the Chamber when the Assembly was in session, Mouryne worked diligently to modernize and professionalize the office of the Chief Clerk, leading her staff through some stressful situations, and she was always accurate, thorough and unflappable; and

WHEREAS, Mouryne also hired, trained and, by her spirited example, led the temporary staff for legislative sessions and was a nationally respected parliamentary expert, serving for 11 years on the Revision Commission for the *Mason's Manual of Legislative Procedure*; and

WHEREAS, Mouryne ably represented the Nevada Legislature on other prestigious national organizations, including service as a member of the Executive Committee of the National

Conference of State Legislatures, 1992 and 1993, and as President of the American Society of Legislative Clerks and Secretaries, 1989 and 1990; and

WHEREAS, Mouryne is well known in legislative circles for her love of music and dancing, often dazzling her companions with her fancy footwork, but never losing her demeanor and grace, and her sense of fun and cheerful smile were a welcome addition to the Nevada Legislature; and

WHEREAS, Mouryne faced her own personal losses with stoicism and surrounded herself with the support of her legislative family; and

WHEREAS, Mouryne again found happiness in her marriage to Assembly Speaker Emeritus Joseph E. Dini, Jr., and is finally taking the time to relax and enjoy life following her many years of service to the State of Nevada; now, therefore be it

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, That in recognition of her many years of service to the Legislature, ensuring successful and orderly sessions that were carried out in a calm, professional manner, always making sure the Legislators “did the right thing the right way,” former Chief Clerk of the Assembly Mouryne Landing Dini is hereby added to the Assembly Wall of Distinction.

Assemblywoman Buckley moved the adoption of the resolution.

Remarks by Assemblymen Buckley, Marvel, Ocegüera, Grady, Carpenter, Manendo, and Mr. Speaker pro Tempore.

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

ASSEMBLYWOMAN BUCKLEY:

Thank you, Mr. Speaker pro Tempore. It is my honor to be able to sponsor this resolution. One of the pleasures that I get as Speaker is to recommend additions to our Assembly Wall of Distinction. As I pondered the choices, the individuals who have served this body with distinction, the choices for Assembly representatives were pretty easy—the two remarkable legislators who we honor today. But it also made me think that other individuals have really made this the place which it is and no one more so than Mouryne Dini.

The resolution speaks to her long service starting as a committee secretary and moving up, serving in this position for the longest tenure of anyone, for 23 years. She affected the fabric of this institution. She took us from small, humble beginnings in terms of facilities to the chamber you see today. The changes along the way included technology; the differences in the technology from when Mouryne started to now are vast. All the changes ensure we are able to do our job better and the public is able to gain access to us.

Mouryne established a legacy of doing things right. She knows parliamentary rules probably better than anyone in the United States. She served with distinction on the national committees. You could ask Mouryne a question like, “Why do we do things this way?” She would whip out the *Mason’s Manual* and could refer to the exact page which was at issue. That helped set the tone for this institution that has carried through to today. Legislators come and go, but this institution remains. The reason it remains is because you have people concerned about our history, our heritage, and our traditions. This place becomes larger than any one person. One of the individuals who contributed so much to that history, to that tradition, to our respect for the rules, to our respect for the institution, was Mouryne.

We appreciate so much your service to our state. Your legacy continues as we continue to ensure that we operate in a manner that observes parliamentary procedure, preserves collegiality, and preserves respect for the institution.

When I had the opportunity to select a new Chief Clerk, I called Mouryne and asked what advice she could give me. She gave me some great insight which I used in hiring Susan. The attributes which you want is no matter what happens, no matter what is going on, we remain above it all. If 1995 was not a great example of that, I do not know what is. With the Chief Clerk responding to co-Speakers, co-Majority Leaders, co-Chairmen, supervising all of the secretaries and staff—it still ran very smoothly. That is due to the efforts of Speaker Dini, Speaker Hettrick, and especially Mouryne, who made that session a success. So it is with great honor that I nominate Mouryne Dini to be added to the Assembly Wall of Distinction.

ASSEMBLYMAN MARVEL:

Thank you, Mr. Speaker pro Tempore. It is really a pleasure today to be able to honor such a great person like Mouryne. As a matter of fact, I knew Mouryne's family even before I was a legislator. When I was elected, it was kind of like coming home because Mouryne was here.

On a side note, I would also say to Speaker Buckley, "Thank you for making the selection that you did, for the new Chief Clerk we have this session."

I want everyone to know that Mouryne probably was the greatest parliamentarian we have ever experienced. She rewrote the *Mason's Manual*. She spent several years working on that chore. All legislators in the United States can be appreciative for all the work Mouryne put in. We certainly wish both you and Joe well in your retirement. It was just a privilege working and serving with both of you.

ASSEMBLYMAN OCEGUERA:

Thank you, Mr. Speaker pro Tempore. I rise in support of AR 13. You know, we all take for granted the wonderful job our Chief Clerk and the Front Desk do. I am sure we owe much of this efficiency to Mouryne. She is legendary for what she has done in this body. No one has known the rules better. She did her job with the utmost professionalism and grace under the hardest times, tightest of deadlines, and when the tension was the highest. I have never heard anyone say anything bad about Mouryne, and that is hard to find in this business. She has represented us well at countless conferences and national meetings, and she has been recognized nationally for her skills. She also had the good judgment to marry another of my all-time favorites, Joe Dini. We thank you for the indelible stamp you have left on the Legislature.

ASSEMBLYMAN GRADY:

I stand in support of Assembly Concurrent Resolution 13. If you read, and read again, the resolution, the words keep popping out at you—professionalism, professionalism, professionalism. I think that really describes Mouryne.

I guess in some ways I have the best of both worlds because although Mouryne and Joe split their residency time between Carson City and Yerington, I have the distinction and the honor of calling both of them, and I get both sides. I can either get the Democratic view or the Republican view, and I respect both views, but to be able to call two people that are my friends and ask them, "What would you do? How would you do this?" and always get good answers from both. I really appreciate it. Mouryne and Joe, I wish you the best. Thank you.

ASSEMBLYMAN CARPENTER:

I, too, stand in support of AR 13. I do not think there is anyone who deserves this honor more than Mouryne. When I was a freshman legislator, you just cannot imagine all the help she gave me to stay halfway straight. I just want to echo all of the things that the speakers before me have said. Mouryne, thank you for all your help and for being my friend.

ASSEMBLYMAN MANENDO:

I, too, am honored to rise in support of Assembly Resolution 13. I was here during the historic tie, and as the Speaker mentioned, with all the responsibilities of answering to co-everything, our Chief Clerk was walking the hallways.

In those days, we shared secretaries. It was three legislators per secretary. Mrs. Dini would come around and make sure everybody was taken care of. She made sure that if there were any problems at all, that they were resolved.

For someone who was a freshman and had a little history with working with constituents in that particular district prior to arriving, she knew ahead of time that was going to be one of my priorities—making sure that I responded even though everybody was so overworked. I really appreciate you making sure I was doing what I needed to do for the folks back home, and I really appreciated your service. You really paved the way. To me, this is truly not the honor we should be giving to you—we should be doing more. This is wonderful, but I just wanted you to know that to me, you are larger than life. Thank you.

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

During my second session in 1995, I looked at the script for what was going to happen on the floor that day, found my name highlighted, and found out that I had the great honor of nominating the Chief Clerk.

For those of you who have had a scripted part in this chamber, and I know that it happens from time to time, you may think that it is no big thing. I was panicked. I went to Research and asked them if they would put together a history of Mrs. Dini—Ms. Landing at the time—so that I might adequately address who she was and the contribution that she had made to this chamber. They told me I was making too big of a deal, to stand up and make the motion, do what you are supposed to do, just as the script says.

Mrs. Dini, I now have the opportunity and the prerogative of the chair. You have brought calm in a sea of turmoil. You have brought purpose and course, and a dignity to this chamber that can never be replaced. For that, you will always be the Chief Clerk.

Resolution adopted unanimously.

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

Assembly in recess at 12:12 p.m.

#### ASSEMBLY IN SESSION

At 12:13 p.m.

Madam Speaker presiding.

Quorum present.

#### MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 8, 2007

*To the Honorable the Assembly:*

I have the honor to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 31.

SHERRY L. RODRIGUEZ  
*Assistant Secretary of the Senate*

#### MOTIONS, RESOLUTIONS AND NOTICES

Senate Concurrent Resolution No. 31.

Assemblyman Grady moved the adoption of the resolution.

Remarks by Assemblymen Grady, Marvel, and Parnell.

Resolution adopted.

#### SECOND READING AND AMENDMENT

Assembly Bill No. 196.

Bill read second time and ordered to third reading.

Assembly Bill No. 201.

Bill read second time and ordered to third reading.

Senate Bill No. 9.

Bill read second time and ordered to third reading.

Senate Bill No. 31.

Bill read second time and ordered to third reading.

Senate Bill No. 44.

Bill read second time and ordered to third reading.

Senate Bill No. 46.

Bill read second time and ordered to third reading.

Senate Bill No. 56.

Bill read second time and ordered to third reading.

Senate Bill No. 81.

Bill read second time and ordered to third reading.

Senate Bill No. 168.

Bill read second time and ordered to third reading.

Senate Bill No. 190.

Bill read second time and ordered to third reading.

Senate Bill No. 196.

Bill read second time and ordered to third reading.

Senate Bill No. 269.

Bill read second time and ordered to third reading.

Senate Bill No. 336.

Bill read second time and ordered to third reading.

Senate Bill No. 367.

Bill read second time and ordered to third reading.

Senate Bill No. 369.

Bill read second time and ordered to third reading.

Senate Bill No. 417.

Bill read second time and ordered to third reading.

Senate Bill No. 511.

Bill read second time and ordered to third reading.

Senate Bill No. 519.

Bill read second time and ordered to third reading.

Senate Joint Resolution No. 6.

Bill read second time and ordered to third reading.

Senate Joint Resolution No. 17.

Bill read second time and ordered to third reading.

GENERAL FILE AND THIRD READING

Assembly Bill No. 115.

Bill read third time.

Remarks by Assemblywoman Leslie.

Roll call on Assembly Bill No. 115:

YEAS—42.

NAYS—None.

Assembly Bill No. 115 having received a two-thirds majority, Madam Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 484.

Bill read third time.

Remarks by Assemblywoman Parnell.

Roll call on Assembly Bill No. 484:

YEAS—42.

NAYS—None.

Assembly Bill No. 484 having received a constitutional majority, Madam Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 526.

Bill read third time.

Remarks by Assemblymen Ocegüera, Mortenson, and Kirkpatrick.

Roll call on Assembly Bill No. 526:

YEAS—42.

NAYS—None.

Assembly Bill No. 526 having received a two-thirds majority, Madam Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Ocegüera moved that Senate Bills Nos. 30, 217, 230, 302, 306, 401; Senate Joint Resolutions Nos. 10, 11, and 13 be taken from the General File and placed on the General File for the next legislative day.

Motion carried.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bills Nos. 58, 71, 264, 267, 282, 286, 294, 353, 380, 381, 423, 482, 534, 541, 552, 560, 575, 589; Senate Bills Nos. 32, 57, 70, 77, 88, 567; Senate Concurrent Resolutions Nos. 26 and 27.

## 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 John Mayer, Ralph Bothe, and Jim Luttges.

On request of Assemblywoman Buckley, the privilege of the floor of the Assembly Chamber for this day was extended to Speaker Emeritus Joe Dini, former Assembly Chief Clerk Mouryne Dini, Mike Menath, Lisa Menath, Paul Seaman, and Cheryl Seaman.

On request of Assemblywoman Gerhardt, the privilege of the floor of the Assembly Chamber for this day was extended to the following students from Green Valley Christian School: Kylie Anerson, Sam Buckels, Lexi Burkhalter, Jordyn Dale, Robert DeMangus, Lordis De Piazza, Casey Donohue, Taylor Ellis, Kayla Espina, Jacob Etchings, Alani Fajardo, Chase Forsythe, Joe Fredianelli, Allie Grady, Rachel Handelman, Alexis Harris, Jenna Kaplan, Tiffany Kekhaial, Marilyn Kennedy, Daniel Koh, Amberly Nelson, Gage Nelson, Kirsten Oakes, Spencer Poscente, Joseph Robinson, Jr., Victor Rossi, Michael Snow, Josh Teixeira, Ricky Thurston, Nicolas Vitolo and Joli Waldeck; teacher Tina Rodilosso; teaching assistant Laura Orlandos; chaperones Amy Buckles, Sherry Osborn, Nicole Dubois, Lenard DePiazza, Paul Donohue, Marcia Fajardo, David Forsythe, Brian Grady, Cindy Handelman, Merlelynn Harris, Alena Smirnova, Cathy Kennedy, Cori Nelson, Patrice O'Connor, Joseph Robinson, Jonnie Teixeira, Greg Thurston, and Janice Thurston.

On request of Assemblyman Goedhart, the privilege of the floor of the Assembly Chamber for this day was extended to Steven Wunderink, Frankie Wunderink, Jim Patell, and Lisa Dunn.

On request of Assemblyman Goicoechea, the privilege of the floor of the Assembly Chamber for this day was extended to the following students from Pyramid Lake High School: Harriet Brady, Jeremiah Sampson, Anne Marie Greenhalgh, Ashley Henry, Betsy Austin, Louis Barlese, LeeAnna Blossom, Jesse Centeno, Lasandra Dearmore, Ashley Henry, Lauren Mauwee, Joseph Miller, and Keith Pete; teacher Kim DesRoches; Laurie Carson and Gary Lane.

On request of Assemblyman Grady, the privilege of the floor of the Assembly Chamber for this day was extended to Kay Winters, Marianne Winters, Kathie Gerber, and Phyllis Hunewill.

On request of Assemblywoman Smith, the privilege of the floor of the Assembly Chamber for this day was extended to the following students from Kate Smith Elementary School: Rubi Alarcon, Maria Alvarado Andrade, Ernesto Barboza, Maribel Bedolla, Leopoli Cervantes Quiroz, Marissa Coronado, Marian Estrada, Diana Guerrero, Guerrero Erik, Lorena Herrera,

Leonel Jimenez, Tonia Lilly, Michael Lock, Veronica Luvisi, Troy Manuta, Alyssa Navarro, Josue Nolasco, Susana Ocampo, Shianne Plumlee, Anayeli Rivera, Norma Robles, Esteban Silva Estrada, Edgar Tomayo, Ana Torres, James Valdez, Hunter Waddell, Nebat Yusuf, Evelyn Alvarez-Moran, Yuessenia Arriaga, Jose Blancas, Cayllib Brown, Alexandreana Cocroft, Norberto Cornejo, Darius Devine-Haberle, Jessica Garcia, Katia Del Rosario Garcia, Mary Garcia, Isaac Gonzalez, Javelosa Dexter, Tayiesha Kilafwakun, Maximillian Luis, Angleanna Mangus, Guadalupe Martinez, Nelson Martienez, Conny Mendoza, Yesenia Mora Gomes, Muro Noel, Dereck Orzel, Eriyana Pickrell, Iliana Ramos, Rosibel Renteria, Carlos Rodriguez, Nancy Rosales, Shania Sbriglia, Marissa Torres, and Sarah Vandegrift.

Assemblyman Ocegüera moved that the Assembly adjourn until Friday, May 11, 2007, at 11 a.m.

Motion carried.

Assembly adjourned at 12:42 p.m.

Approved:

BARBARA E. BUCKLEY  
*Speaker of the Assembly*

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