

**THE NINETEENTH DAY**

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CARSON CITY (Friday), February 20, 2009

Assembly called to order at 11:04 a.m.

Madam Speaker presiding.

Roll called.

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

Prayer by the Chaplain, Dr. Ken Haskins.

Our Loving Heavenly Father, You have taught us that it is more blessed to give than to receive and that it is better to serve than to be served. Bless these servants of Yours, who give so much in service to the citizens of this great State of Nevada. I pray in the Name of our Savior, who gave His all in service to others.

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Conklin 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 Transportation, to which was referred Assembly Bill No. 172, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

KELVIN ATKINSON, *Chairman*

COMMUNICATIONS

CONGRESS OF THE UNITED STATES  
HOUSE OF REPRESENTATIVES  
WASHINGTON, D.C. 20515-2801

February 18, 2009

THE HONORABLE STEVEN HORSFORD, *Senate Majority Leader*, THE HONORABLE BARBARA BUCKLEY, *Speaker*, Nevada Legislature, 401 S. Carson Street, Carson City, NV 89701-4747  
DEAR SENATOR HORSFORD AND SPEAKER BUCKLEY:

I am writing to express my desire to address both Houses of the Legislature during the 2009 legislative session. I would enjoy the opportunity to address the Legislature about the recent American Recovery and Reinvestment Act and other national economic challenges that confront the Congress and the country. These issues affect Nevada citizens directly and the perspectives of the members of the Nevada Legislature are paramount to my decision making as we work to solve these issues to the benefit of our citizens.

I understand that March 30, 2009, at 11:00 AM, is available and if you could confirm the details regarding my address to the Legislature I would appreciate it. Please direct any communications to my District Director, Tod Story. He can be reached at 702-220-9823. Thank you and I look forward to hearing from you.

Sincerely,  
SHELLEY BERKLEY  
*Member of Congress*

## MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen Goedhart, Christensen, Cobb, Goicoechea, Grady, Gustavson, Hambrick, Settlemeyer, and Stewart:

Assembly Joint Resolution No. 2—Proposing to amend the Nevada Constitution to require that an initiative petition which would create, generate or increase any public revenue in any form receive not less than a certain percentage of affirmative votes for approval at an election.

Legislative Counsel's Digest:

The Nevada Constitution currently provides that an initiative petition which proposes a statute or an amendment to a statute must, after verification by the Secretary of State of the number of signatures affixed to the petition, be transmitted to the Legislature, which may enact or reject the statute or amendment or take no action thereon. If the statute or amendment is rejected by the Legislature or if no action is taken thereon within 40 days, the Secretary of State is required to submit the question of approval or disapproval of the statute or amendment to a vote of the voters at the next succeeding general election. If a majority of the voters voting on the question at the election votes to approve the statute or amendment, it becomes law and takes effect upon completion of the canvass of votes by the Supreme Court. (Nev. Const. Art. 19, § 2)

This resolution proposes an amendment to the Nevada Constitution to provide that if an initiative petition proposes a statute, an amendment to a statute, the repeal of a statute or an amendment to the Nevada Constitution which would create, generate or increase any public revenue in any form, including, but not limited to, taxes, fees, assessments and rates, or increases in the computation bases for taxes, fees, assessments and rates, the approval of the petition requires the affirmative vote of not fewer than two-thirds of the voters voting on the question at each election required for the petition. If greater than one-third of the voters voting on the question at any such election vote to disapprove the petition, no further action may be taken on the petition.

RESOLVED BY THE ASSEMBLY AND SENATE OF THE STATE OF NEVADA, JOINTLY, That a new section, designated Section 7, be added to Article 19 of the Nevada Constitution to read as follows:

*Sec. 7. If an initiative petition proposes a statute, an amendment to a statute, the repeal of a statute or an amendment to this Constitution which would create, generate or increase any public revenue in any form, including, but not limited to, taxes, fees, assessments and rates, or increases in the computation bases for taxes, fees, assessments and rates, the petition requires an affirmative vote of not fewer than two-thirds of the voters voting on the question to approve the petition at each election required for the petition. If greater than one-third of the voters voting on the question at any such election vote disapproval of the petition, no further action shall be taken on the petition.*

And be it further

RESOLVED, That Section 2 of Article 19 of the Nevada Constitution be amended to read as follows:

Sec. 2. 1. Notwithstanding the provisions of Section 1 of Article 4 of this Constitution, but subject to the limitations of ~~Section 6~~ **Sections 6 and 7** of this Article, the people reserve to

themselves the power to propose, by initiative petition, statutes and amendments to statutes and amendments to this Constitution, and to enact or reject them at the polls.

2. An initiative petition shall be in the form required by Section 3 of this Article and shall be proposed by a number of registered voters equal to 10 percent or more of the number of voters who voted at the last preceding general election in not less than 75 percent of the counties in the State, but the total number of registered voters signing the initiative petition shall be equal to 10 percent or more of the voters who voted in the entire State at the last preceding general election.

3. If the initiative petition proposes a statute or an amendment to a statute, the person who intends to circulate it shall file a copy with the Secretary of State before beginning circulation and not earlier than January 1 of the year preceding the year in which a regular session of the Legislature is held. After its circulation, it shall be filed with the Secretary of State not less than 30 days prior to any regular session of the Legislature. The circulation of the petition shall cease on the day the petition is filed with the Secretary of State or such other date as may be prescribed for the verification of the number of signatures affixed to the petition, whichever is earliest. The Secretary of State shall transmit such petition to the Legislature as soon as the Legislature convenes and organizes. The petition shall take precedence over all other measures except appropriation bills, and the statute or amendment to a statute proposed thereby shall be enacted or rejected by the Legislature without change or amendment within 40 days. If the proposed statute or amendment to a statute is enacted by the Legislature and approved by the Governor in the same manner as other statutes are enacted, such statute or amendment to a statute shall become law, but shall be subject to referendum petition as provided in Section 1 of this Article. If the statute or amendment to a statute is rejected by the Legislature, or if no action is taken thereon within 40 days, the Secretary of State shall submit the question of approval or disapproval of such statute or amendment to a statute to a vote of the voters at the next succeeding general election. ~~##~~ *Except as otherwise provided in Section 7 of this Article, if* a majority of the voters voting on such question at such election votes approval of such statute or amendment to a statute, it shall become law and take effect upon completion of the canvass of votes by the Supreme Court. An initiative measure so approved by the voters shall not be amended, annulled, repealed, set aside or suspended by the Legislature within 3 years from the date it takes effect. ~~##~~ *Except as otherwise provided in Section 7 of this Article, if* a majority of such voters votes disapproval of such statute or amendment to a statute, no further action shall be taken on such petition. If the Legislature rejects such proposed statute or amendment, the Governor may recommend to the Legislature and the Legislature may propose a different measure on the same subject, in which event, after such different measure has been approved by the Governor, the question of approval or disapproval of each measure shall be submitted by the Secretary of State to a vote of the voters at the next succeeding general election. If *each of* the conflicting provisions submitted to the voters ~~are both~~ is approved by ~~a majority of~~ the *number of* voters voting on ~~such measures,~~ *the measure as required by this Constitution,* the measure which receives the largest number of affirmative votes shall thereupon become law. If at the session of the Legislature to which an initiative petition proposing an amendment to a statute is presented which the Legislature rejects or upon which it takes no action, the Legislature amends the statute which the petition proposes to amend in a respect which does not conflict in substance with the proposed amendment, the Secretary of State in submitting the statute to the voters for approval or disapproval of the proposed amendment shall include the amendment made by the Legislature.

4. If the initiative petition proposes an amendment to the Constitution, the person who intends to circulate it shall file a copy with the Secretary of State before beginning circulation and not earlier than September 1 of the year before the year in which the election is to be held. After its circulation it shall be filed with the Secretary of State not less than 90 days before any regular general election at which the question of approval or disapproval of such amendment may be voted upon by the voters of the entire State. The circulation of the petition shall cease on the day the petition is filed with the Secretary of State or such other date as may be prescribed for the verification of the number of signatures affixed to the petition, whichever is earliest. The Secretary of State shall cause to be published in a newspaper of general circulation, on three separate occasions, in each county in the State, together with any explanatory matter which shall

be placed upon the ballot, the entire text of the proposed amendment. ~~¶¶~~ *Except as otherwise provided in Section 7 of this Article, if* a majority of the voters voting on such question at such election votes disapproval of such amendment, no further action shall be taken on the petition. ~~¶¶~~ *Except as otherwise provided in Section 7 of this Article, if* a majority of such voters votes approval of such amendment, the Secretary of State shall publish and resubmit the question of approval or disapproval to a vote of the voters at the next succeeding general election in the same manner as such question was originally submitted. ~~¶¶~~ *Except as otherwise provided in Section 7 of this Article, if* a majority of such voters votes disapproval of such amendment, no further action shall be taken on such petition. ~~¶¶~~ *Except as otherwise provided in Section 7 of this Article, if* a majority of such voters votes approval of such amendment, it shall, unless precluded by subsection 5 or 6, become a part of this Constitution upon completion of the canvass of votes by the Supreme Court.

5. If two or more measures which affect the same section of a statute or of the Constitution are finally approved pursuant to this Section ~~¶¶~~ *and Section 7 of this Article*, or an amendment to the Constitution is finally so approved and an amendment proposed by the Legislature is ratified which affect the same section, by the voters at the same election:

(a) If all can be given effect without contradiction in substance, each shall be given effect.

(b) If one or more contradict in substance the other or others, the measure which received the largest favorable vote, and any other approved measure compatible with it, shall be given effect. If the one or more measures that contradict in substance the other or others receive the same number of favorable votes, none of the measures that contradict another shall be given effect.

6. If, at the same election as the first approval of a constitutional amendment pursuant to this Section ~~¶¶~~ *and Section 7 of this Article*, another amendment is finally approved pursuant to this Section ~~¶¶~~ *and Section 7 of this Article*, or an amendment proposed by the Legislature is ratified, which affects the same section of the Constitution but is compatible with the amendment given first approval, the Secretary of State shall publish and resubmit at the next general election the amendment given first approval as a further amendment to the section as amended by the amendment given final approval or ratified. If the amendment finally approved or ratified contradicts in substance the amendment given first approval, the Secretary of State shall not submit the amendment given first approval to the voters again.

Assemblyman Goedhart moved that the resolution be referred to the Committee on Elections, Procedures, Ethics, and Constitutional Amendments.

Motion carried.

#### NOTICE OF EXEMPTION

February 19, 2009

The Fiscal Analysis Division, pursuant to Joint Standing Rule 14.6, has determined the exemption of: Senate Bill No. 2.

GARY GHIGGERI  
Fiscal Analysis Division

February 19, 2009

The Fiscal Analysis Division, pursuant to Joint Standing Rule 14.6, has determined the eligibility for exemption of: Senate Bills Nos. 4, 6, 20, 24, 33, 69, 70, 118, 122 and 132.

GARY GHIGGERI  
Fiscal Analysis Division

#### INTRODUCTION, FIRST READING AND REFERENCE

By Assemblyman Carpenter:

Assembly Bill No. 207—AN ACT relating to common-interest communities; revising certain requirements for limited-purpose associations that are created for a rural agricultural residential common-interest

communities; providing that such a limited-purpose association is a public body for purposes of the Open Meeting Law; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Claborn and Hambrick:

Assembly Bill No. 208—AN ACT relating to cranes; revising requirements for certification as a crane operator to include a certain amount of crane-related experience; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Manendo:

Assembly Bill No. 209—AN ACT relating to driving under the influence; removing the discretion of a court to choose not to order an offender convicted of certain offenses relating to driving under the influence to attend a meeting of a panel of victims in person; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Manendo:

Assembly Bill No. 210—AN ACT relating to driving under the influence; reducing the concentration of alcohol required for attendance of a program of treatment for the abuse of alcohol or drugs; reducing the concentration of alcohol required for mandatory court-ordered evaluations; reducing the concentration of alcohol required for court-ordered installation of a device to prevent a person from starting his motor vehicle; and providing other matters properly relating thereto.

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

Motion carried.

#### SECOND READING AND AMENDMENT

Initiative Petition No. 1.

Petition read second time and ordered to third reading.

## MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Ocegüera moved that the Assembly resolve itself into a Committee of the Whole on February 24, 2009, at the hour of 11:15 a.m. for the purpose of considering Initiative Petition No. 1 and that Initiative Petition No. 1 be made a Special Order of Business for February 24, 2009, immediately following the Committee of the Whole.

Motion carried.

## SECOND READING AND AMENDMENT

Assembly Bill No. 78.

Bill read second time and ordered to third reading.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, February 19, 2009

*To the Honorable the Assembly:*

I have the honor to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 8.

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 11:18 a.m.

## ASSEMBLY IN SESSION

At 12:03 p.m.

Madam Speaker presiding.

Quorum present.

## REMARKS FROM THE FLOOR

Assemblyman Ocegüera requested the following proclamations be entered in the Journal.

**A PROCLAMATION BY THE ELKO COUNTY BOARD OF COMMISSIONERS  
RECOGNIZING ASSEMBLYMAN JOHN C. CARPENTER**

WHEREAS, John C. Carpenter, a native Nevadan, has productively operated ranches and local businesses in Northeastern Nevada, as well as being known as a life long Cowboy; and

WHEREAS, John and his beloved wife Roseann, raised their seven children—Jett, Linda, Scott, Doug, Susan, Elizabeth, Lois in Elko, Nevada; and

WHEREAS, John stepped into public life in the 1960s when he was elected to the Elko County Board of Commissioners in which he served 14 years; and

WHEREAS, in 1986 John was elected to the State of Nevada Assembly and has served with distinction and honor for 24 years in 12 regular sessions; and

WHEREAS, Assemblyman Carpenter is in his last term due to the voter approved term limits; and

WHEREAS, during his four decades of serving the citizens of Nevada as an elected official, John has exhibited devotion to duty for the benefit of his fellow citizens, and has provided dedicated service to Northeastern Nevada, and the entire State of Nevada.

NOW, THEREFORE, BE IT RESOLVED, that the Elko County Board of Commissioners, do hereby proclaim in dedication, and honor of service, the Elko County Law Enforcement Center shall hereby be known as the

JOHN C. CARPENTER  
Law Enforcement Center

Adopted 19th day of February, 2009.

Board of County Commissioners  
County of Elko, State of Nevada

SHERI EKLUND-BROWN, *Chair*  
DEMAR DAHL

CHARLIE MYERS, *Vice Chair*  
JOHN ELLISON

**PROCLAMATION OF THE NEVADA STATE ASSEMBLY**

WHEREAS, Born in Fallon, Nevada in 1930, John C. Carpenter grew up in a rural environment of the West, learning what a sense of community really meant; and

WHEREAS, Though he says politics is a terrible disease, serving the people of his home state became his brand of passion, and he has served the people of the State in the Nevada Legislature since 1987 and is now serving his last session, totaling ten special sessions and twelve regular sessions; and

WHEREAS, Prior to serving at the State level, John C. Carpenter served on various boards of Elko County including, the Hospital Board, Recreation Board, Elko Convention and Visitors Authority, and as Chairman of the Elko County Commission; and

WHEREAS, Over the years he developed a keen sense of leadership, honesty, courage, and the “cowboy way” that served him well in rounding up his colleagues when they thought about straying from the herd; and

WHEREAS, He provided us with a chance at learning what the cowboy way is all about by conducting the Cowboy Hall of Fame ceremony during each legislative session; and

WHEREAS, He taught us that being a cowboy may or may not have anything to do with riding a horse; that being a cowboy is a state of mind and simply put, you gotta have heart; and

WHEREAS, From him we also learned the cowboy rule that, “A cowboy always sets his hat upside down to catch all of God’s good luck”; and

WHEREAS, After many years of standing by the cowboy code that says to write it on your heart, our favorite cowboy known as “The Boss” completes his long dusty ride leaving his brand on all of our hearts; now, therefore, be it

PROCLAIMED, That the State of Nevada recognizes the accomplishments of John C. Carpenter during his years of service and congratulates him on receiving the honor of having the Law Enforcement Center Building in Elko named after him, a building that will stand tall like our partner in the Assembly.

Dated this 20th day of February, 2009.

BARBARA E. BUCKLEY,  
*Speaker of the Assembly*

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

ASSEMBLYMAN CARPENTER:

Thank you, Madam Speaker. I’m speechless. I asked Terry, my friend there, what all these chairs are for. He said, “Oh, we got a bunch of Girl Scouts coming.” I was talking to John Ellison, and I said, “I don’t know where these Girls Scouts are.” Pretty soon, I saw my wife, and I didn’t know what the devil to think.

Thank you so much. This is such a great surprise. I could introduce my family, but I don’t know whether I can remember all their names or not. I have such a great family. Wow—they’ve been so supportive of me all these years. Like I said one time, it has been a great ride, and Roseann has been with me all these years. I’m going to try to introduce my family: my son,

Jett—he's over there in the red tie; my son, Scott—he has a blue tie; my granddaughter, and my son, Doug. See, I got to figure out John, what are you really? He is married to my granddaughter, and she works for the federal government. Her and I are a little bit on the different sides of the political fence because Candi, she sort of belongs to the other party that I don't, but I love her so much, and she is such a great kid. Then there is my daughter, Elizabeth, and my other grandson, John. John is a pathologist down in Tucson, so if you want to get your skin read, he'll do it. I should say something about my three sons on the end, there. Jett has a computer deal in Boise, and Scott works for Barrick up in Elko. Doug is the one who has the world by the tail; he retired from the Air Force with 20 years, and now he just flies FedEx planes all around the world, so he is one of these triple- or double-dippers we got. My daughter Lois—she moved down to Arizona where it is warm. My daughter, Susan, teaches school up in Vancouver, Washington, and my other grandson, Doug—this is really difficult, and certainly don't ask me what day they were born on—and my other granddaughter, Kayla, and the other one, Stephanie, and they both live in Elko, and they like to play ball and things like that. Then there is my grandson, who is kind of a comedian. Stand up there, Tim. I tell him he needs to be a sports announcer because he has always got smart remarks and he loves sports, so you need to go where the big bucks are, Tim. And then my daughter, Linda. I think that I need to introduce my friend, John Ellison, because he is kind of family, too, you know. Maybe he is the one that thought about all of this deal. Are you the instigator?

Madam Speaker requested the privilege of the Chair for the purpose of making the following remarks:

Yes, he is the mastermind.

ASSEMBLYMAN CARPENTER:

Are you the instigator? And then Cindy Ellison is John's wife, and she has worked 21 years for the justice court in Elko, so if you go through Elko and you get a ticket, she'll take your money.

Elizabeth—did I forget you? I don't think I did. I think I said Elizabeth. Well, my daughter, Elizabeth, she is the brains of the outfit. If you need any problem solved like financial or whatever, she'll help you.

Madam Speaker requested the privilege of the Chair for the purpose of making the following remarks:

We need her.

ASSEMBLYMAN CARPENTER:

This is pretty tough, you know. Roseann and I have been married how long, Roseann? Fifty-six years—holy Lord! Like I said before, Roseann has stood behind me in all these political endeavors through all these years, and she runs the businesses in Elko when I'm there or not there. Though I don't know how you pulled all this off; I thought I just talked to you this morning. I don't know how you got here so fast and got all these kids here. My Lord, it is quite an accomplishment.

Oh, she said they shipped them over here FedEx. I asked Doug one time, "What do you really do with FedEx?" And he says, "Oh, we deliver all the drugs right on time." You should be around on Christmas when these kids all come home. My Lord, I love to see them come, but I am sure glad when they leave. We have a great family, and we have so much fun. I thank everyone in the Assembly because it has been a great part of my life. I think sometimes we've done pretty good things, and sometimes we've done things not so good, but as all politicians, you got to take the good with the bad. Thank you so much for all these honors. Before I thought maybe I would be kind of glad to get out of the Assembly because Roseann and I have other things to do, but after standing here today, heck, I might just change my name—I guess I won't change my name and just come back as somebody else.

Anyway, thank you so much, Madam Speaker, and I do appreciate all the time. We have some other people over here: Rob Stokes, the county manager, and Cash Minor—he's the guy with all the bucks from Elko County—and my friend, Warren Russell, another county



commissioner, and then my really good friend, John Marvel. I didn't know John was going to show up today. Another thing, I invited Pat yesterday, and now she's got the habit, she's going to be here every day just like John's wife was. Did I miss anybody else? My other grandkids over there—Tyler and Rylee—and they are looking things over. We do have one great-grandchild. You'd think with all of these kids and all of these grandchildren, we'd have more than one great-grandchild—so that is kind of a hint, Candi. Even if you let her or him register in the other party, please get busy. Thank you all, and I don't know what else to say. I've probably been here spouting off too long, so thank you so much, Madam Speaker.

I just want to say one more thing: that I hope they don't expect me to pay all their hotel rooms tonight and give them a ride back home, because we'll have to go rob the bank or something.

ASSEMBLYMAN GOICOECHEA:

Thank you, Madam Speaker. I, like the rest of this body, rise in support and in recognition of "The Man." He is the most respected man in this building. He has always been my mentor, whether it was trailing a bunch of sheep or following a bunch of cows, John Carpenter has always been "The Man." I do want to thank Elko County for at least naming their justice facility, i.e., the jail, for John Carpenter. At least that way if he decides to return to politics, he will have a place to stay. Welcome to all the Carpenter clan. What a great man, a great father you have; you should be very proud of him. I know I am, I know Elko County is, and all of Northeastern Nevada. Thank you, John.

ASSEMBLYMAN GRADY:

Thank you, Madam Speaker. The last two or three days that we have known about this it has been very difficult, as we meet at 6 A.M. in the morning to talk about what is going on during the day, to keep this from John. Like my colleague from Eureka, I'm not sure that with your many years on the Judiciary Committee why they named this building or if there are other reasons that we won't go into. We congratulate you. In the introductions, we did miss one person who has been here with the camera, and I'm so happy that yesterday John introduced my wife, Pat, and she came back a second day. We have Gladys Goicoechea, who is here all the way from Eureka for this function and to watch Eureka play in the state finals in basketball. Thank you, Madam Chair.

ASSEMBLYMAN ANDERSON:

Thank you, Madam Speaker. I wouldn't want the opportunity to pass me by to praise my good friend and colleague, Mr. Carpenter. As you may recall, when you, Madam Speaker, were the vice chair of the Judiciary Committee, John Carpenter had already set the standard for both of us in that time. The tradition within the Judiciary Committee is that if you are not in the "CAB,"— the Carpenter, Anderson, Buckley program, — the bill is not going to pass. The Carpenter exit is always there; the only way for a bill to get out of the Judiciary Committee is with John's seal of approval. I can clearly understand why the building in Elko is named for you because you left a dramatic mark on all of our hearts, here in this body, and on the community in which you serve. There isn't enough praise for all the things and contributions you have made to our citizens. Thank you, John.

ASSEMBLYMAN MORTENSON:

Thank you, Madam Speaker. In my first session here about a hundred years ago, I was a real rebel and I was fighting like crazy — actually there were a few of us — against the quarter cent sales tax raise. We had developed a plot where we were going to call for this to have to be a vote of the people to raise the tax. Leadership did not want that, so we knew that they would call for a voice vote and no matter which way it went, they would say it failed. So we devised a plot where Bob Price would call for a division of the house and then there would be two people to stand up in support of that, and John Carpenter volunteered to be one and I was the other one. The leadership got wind of this and called us into a caucus, both leaderships. The Republicans went into caucus and so did the Democrats, and Mr. Perkins was wailing about how could anybody stoop to such a low practice. I looked at Bob Price and his head was red as a tomato and beads of sweat were pouring down, and so I tapped him on the shoulder and I said, "Ok," I

thought he was going to have a heart attack. I said, “It’s over Bob, we’ll capitulate, we’ll just forget about this,” and we did. I could not get ahold of Carpenter in the other caucus, and they were grilling him terribly. It was over an hour that he stood his ground. He would not back down. Once Carpenter gives you his word, nothing changes it. He is a great guy. He has always been my mentor, too, even though it is the other party.

ASSEMBLYWOMAN GANSERT:

Thank you, Madam Speaker. I want to thank you for coordinating this with the people from Elko and the family being here. It means so much to all of us to meet your family. I want to thank John for all his years of service; he is a true statesman. When you look around in this building, there are certain people that have the respect — of everyone — it doesn’t matter what party, what house, it just doesn’t matter and that is John Carpenter. Thank you for being my mentor, too, and always welcoming the new people, for the respect you have in this body and the respect you show for others.

ASSEMBLYWOMAN KIRKPATRICK:

Thank you, Madam Speaker. I want to say to my colleague in Elko, I have been doing the cowboy breakfast, and I try to make it at least three or four days during the week. The one thing I have learned from you, and will be with my heart for a long time, is just be fair, keep your word. I think you bring this to the building and that a lot more people need to. You’ll forever be remembered with me. Thank you for all your service.

ASSEMBLYMAN STEWART:

Thank you, Madam Speaker. I think one of the things that will live on after John leaves us is the cowboy sayings that he has left with us. I took the opportunity last year of compiling 13 of those sayings and sending them out to many of my friends. I remember one of them was, “Never ask you barber if you need a haircut.” I know that these sayings will live on long afterwards. John, we love you and thank you for your great service. Thank you, Madam Speaker.

ASSEMBLYMAN HORNE:

Thank you, Madam Speaker. It is a good day for Mr. Carpenter. I wanted to give you my thanks for all the teaching you have given me, especially now, going into my fourth session. I remember, even as a freshman, Mr. Carpenter asking if—when we passed bills to put people in jail—if I was going to work hard to get them out. Then later he said, “But if Mr. Horne is okay with it, I probably am.” That was a great compliment. Last session, we had a vote to override a veto. I went to Mr. Carpenter to ask him for his vote and his response was, “I stood with you in committee. I will stand with you now.” That just speaks volumes on the character Mr. Carpenter has. You have heard it over and over again that his word is his bond and he sticks by it. I just hope all legislators, now and in the future, will emulate that, Mr. Carpenter. Thank you.

ASSEMBLYWOMAN LESLIE:

Thank you, Madam Speaker. As a member of the Cowboy Hall of Fame, I also wanted to congratulate you. It took me four sessions to become a member. Every session, I would come back and say, “Mr. Carpenter, this is my year.” You would say, “Ohhh, I do not know yet. We will see. We will see.” That was one of the proudest moments of my legislative career—the day I was inducted into the Cowboy Hall of Fame.

But I also remember my second session, when I had a very controversial bill and people said, “If you introduce that bill, they will use it against you. You will be a two-term Assemblywoman, and no one from the other party will vote for it. You will regret this day.” Consulting with my good friend, the Judiciary chairman, I decided to go ahead and introduce the bill. My colleague from Elko was one of two people in the other party who voted for the bill, both in committee and on the floor. I asked him after the vote, “Why did you do it? Because I know there was a lot of pressure on you not to vote for this bill.” And he just looked me in the eye and said, “Because you are right. We should not be doing that to this one group of people. You are absolutely right.” I remember that day very clearly. I respect you so deeply. We have worked on so many things together, and like your granddaughter, I probably could not be any more different, politically speaking, than my good friend from Elko. But we have found so much

common ground on so many issues. I have deeply respected your position. Even when we have disagreed you have explained why. I value our friendship and our being colleagues in the Assembly more than you will ever know. Thank you, Mr. Carpenter.

ASSEMBLYWOMAN SMITH:

Thank you, Madam Speaker. As a girl from the other party raised just down the road from my colleague, I felt like I had to get up and acknowledge how proud we are of Mr. Carpenter. I was thinking of the same story that my colleague from Reno told, which happened during my first session. I learned right away that the bills out of Judiciary had to meet the Carpenter test. That was something that I could always judge. But, you know, I didn't know much about this cowboy from Elko County. You got up and gave a floor speech that day that has stayed with me ever since. It taught me a lot about you and also about how we look at people. We do not always know what is in their hearts.

Also, we have not mentioned the Susie Q. We have had so much fun with your sense of humor and all the antics we have had over the years with the Susie Q and other things, including the Cowboy Hall of Fame. I am honored to be in that Hall of Fame. I congratulate you on your honor today and look forward to the next three months we have to work together. Congratulations.

ASSEMBLYMAN CHRISTENSEN:

Thank you, Madam Speaker. It is really an honor to stand and recognize our esteemed colleague from Elko. I was trying to think of what I would say. My heart is full, truly. A thought came to mind, something that I tried to quickly forget about, that just happened yesterday morning at the gym. I was getting ready to come into the office, and some of the gyms' patrons were also getting ready and carrying on about their absolute abhorrence for politicians. Now, of course, Madam Speaker, none of us are politicians; we are all statesmen. I do not know exactly who they were referring to, but they were carrying on and on and on. The more they spoke, I kept my head down and thought I better hurry and get out of there before they saw my Assembly license plate.

In sitting here, listening to us recognize someone who has given so much of his life, and this great family that has traveled so far to be here, too, to honor their father and grandfather and father-in-law—it is just great to be able to work with someone and to have had a mentor like our good Assemblyman. That's especially true in this day and age where people are looking for those great mentors, those political leaders like Assemblyman Carpenter, who can leave such a great mark on the state. Assemblyman, I just want to tell you I admire you very much, and as my colleagues have said, I just wanted to say thank you so much for standing your ground, for being such a true and honorable man. It has been a great honor to serve with you. Thank you, Madam Speaker.

ASSEMBLYMAN MANENDO:

Thank you, Madam Speaker. To my cowboy friend, John Carpenter, we have been doing this rodeo for 16 years; but even before that, I used to come up here, since the 1991 Session. What everybody would say is, "You need to get to know one person." That was John Carpenter. When I came in as a freshman, having the opportunity to then serve with you, we had a little conversation early on because we had a 21-21 tie that year. Mr. Carpenter was the type of person who you could just go and you could pick his brain. You could talk to him about what you really felt inside. He said to always vote your conscience, represent your district, do what you feel is right for the people you serve, and the chips will fall into play.

I, too, will miss serving with you. We will miss the Susie Q. I am so glad I am in the Cowboy Hall of Fame. Your mark on this institution and our state will live on forever. Thank you, Mr. Carpenter.

ASSEMBLYMAN ATKINSON:

Thank you, Madam Speaker. I think Mr. Carpenter is already laughing because he knows where I am going. What a great guy. I tell you, I have had the pleasure to serve in this house for four terms now. I have always been on a committee with Mr. Carpenter. He has always reminded me that I am a city boy. I remember talking to Mr. Carpenter and trying to find a way

to get into the Cowboy Hall of Fame. He kept reminding me, “You are not ready. You are not ready.”

I was vice chair of Natural Resources and I will never forget—I had on a pink necktie and a pink shirt, and I went to committee and John reminded me, “You are not ready.” I knew in order to get in, I would have to tone it down a little bit. I knew I was getting closer at the end of that session. Mr. Carpenter and Mr. Goicoechea gave me a present on the committee, which is usually not done for a vice chairman. But they gave me a cowboy hat—which the *Review Journal* ran in the paper one time—which I did not appreciate—and I knew that the following year, I may have my opportunity to get into the Cowboy Hall of Fame. So last year, they graciously put me in.

But I would like to say that Mr. Carpenter is one of the most honest, honest men you will ever meet. I always know in committee if I have lost his vote because he says, “Well, you know . . .” I just have to go, “Aw, shoot, I have lost that one.” But I have always appreciated that because I have never had to wonder where he stood. He has always, always, always been totally honest with me if he cannot vote for something. He and I, just yesterday, were the last two people to leave the Transportation Committee—which is the committee I chair. We were just talking about a bill that we had just heard. I thought for a minute he was the chair because he was telling me it wasn’t going anywhere. So, I took heed. But he is a great man. I have been blessed to meet you over the last few years and I am just hopeful you will take my calls because I know you let me in last year, but I have a lot of work to do, so I want to be able to call you for these issues and hopefully you will pick up the phone. Thank you.

ASSEMBLYMAN OHRENSCHALL:

Thank you, Madam Speaker. John, you have been a really good friend to me—a good mentor this term and my last term, as a freshman. My mother got to serve with you for 12 years. She loves you and thinks the world of you. My stepfather got to work with you when he was legislative counsel. I know he thinks the world of you. I always remember a speech you gave—I think it was the end of the 1995 Session—where you said that you might not see them again because elections happen, life happens, so try to end on good terms. I always remember that speech because it kind of taught me party labels, winning or losing elections, really are not that important to you. It is doing the right thing for the people. I value you being here and I value your friendship. Thank you.

ASSEMBLYMAN GUSTAVSON:

Thank you, Madam Speaker. I, too, would like to rise and say a few things about our colleague from Elko. It has been an honor to serve with you, John. This is my fifth term serving with you, especially on the Judiciary Committee. I think each and every one of us knows how much we all respect John. Whenever we are sitting in committee—we might be taking notes on our computer, doing our emails—but whenever John pushes that button and he starts to speak, everyone listens. We all know that when he has something to say, it is something very important. We would just like to thank you for all the good information you have given us over the years. John, we are all going to miss you very much. It has been a real honor to serve with you. You never know what he will do next year, though. Thank you.

Madam Speaker requested the privilege of the Chair for the purpose of making the following remarks:

I just wanted to add a couple of words. I received an email from the *Elko Daily Press* a couple of days ago asking, “So why are you helping to honor John Carpenter? Why would you do that? You are kind of a Las Vegas Democrat, and what are you doing helping surprise the Elko cowboy?” It made me reflect back to when I first met John. I was seated next to him on the Assembly Judiciary Committee. You know, when you are a young lawyer, you think you know it all. I thought, “Who is this slow speaking cowboy that I am sitting next to in the Judiciary Committee?” It did not take me very long to find out that in many areas of the law, John knew a lot more than I did. He had been working on these laws for many, many years. He knew what every word was designed to do, something you cannot do when you are picking up the law cold.

I got to know him. I grew to respect him. He would ask me for free legal advice because I am really good at giving that. He called me his "smart, lady lawyer." "What does this bill mean?" I realized pretty early on that he really already knew what the bill meant. He just wanted to make sure it was the right thing. He would bring in his dog-eared copy of the bills and he had read every one of them the night before. There are some legislators who do not read every bill. John reads every bill. He is afraid something might happen that is going to hurt someone out there in the state. He wants us to get it right so that we are not adversely affecting people's lives. I respect that so much. I respect that he does not play games with his vote. He does what is right. If he is the only one voting against a bill, so be it, because it is the right thing to do.

Of all the folks in this building, you rank at the top for me as a legislator to emulate and one to respect. I am proud to have served with you. This recognition by the Elko County Commission will ensure that your name will be associated with justice, because that is what you have brought to this body and what you live in your own life, every day. Thank you.

#### UNFINISHED BUSINESS

##### SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Concurrent Resolutions Nos. 6 and 7.

##### GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblywoman Leslie, the privilege of the floor of the Assembly Chamber for this day was extended to Bob Fulkerson.

Assemblyman Ocegüera moved that the Assembly adjourn until Monday, February 23, 2009, at 11 a.m.

Motion carried.

Assembly adjourned at 12:04 p.m.

Approved:

BARBARA E. BUCKLEY  
*Speaker of the Assembly*

Attest: SUSAN FURLONG REIL

*Chief Clerk of the Assembly*