

THE FIFTY-THIRD DAY

CARSON CITY (Thursday), March 28, 2013

Assembly called to order at 11 a.m.

Madam Speaker presiding.

Roll called.

All present except Assemblyman Brooks, who was excused.

Prayer by the Chaplain, Pastor Albert Tilstra.

O Lord, let us never be afraid of a new idea or unreceptive to a new thought, lest we pull down the shades of our minds and exclude Your Holy Light. When confronted by mystery, help us to remember that we do not have to explain all we know or understand all we believe. But give us the grace of humility and the spirit of the open mind, the courage to persist in face of difficulties and in the power of the truth.

Help us all to learn something this day, that we shall be wise at its close and more ready for our eternal home when we are one step nearer. Through Jesus Christ our Lord.

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Horne moved that further reading of the Journal be dispensed with and the Speaker and Chief Clerk be authorized to make the necessary corrections and additions.

Motion carried.

REPORTS OF SELECT COMMITTEES

Madam Speaker:

Your Select Committee on the Assembly, to which was referred the matter concerning Nevada State Assemblyman Steven J. Brooks II pursuant to Article 4, Section 6 of the *Constitution of the State of Nevada*, has had the same under consideration and begs leave to report the same back with the recommendation that Assemblyman Brooks be expelled from the Assembly.

WILLIAM C. HORNE, *Chair*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Horne moved that the Assembly adopt the Report from the Select Committee on the Assembly concerning Nevada State Assemblyman Steven J. Brooks II pursuant to Article 4, Section 6 of the *Constitution of the State of Nevada*, and that Steven J. Brooks II be expelled from the Assembly.

Remarks by Assemblymen Horne, Duncan, Neal, and Hickey.

Motion carried.

Assemblyman Horne requested that the following remarks be entered in the Journal:

ASSEMBLYMAN HORNE:

Your Select Committee on the Assembly has considered the matter involving Assemblyman Steven Brooks and is prepared to make a recommendation to this body.

Pursuant to the direction of this body, the Select Committee caused a full investigation to be conducted regarding Assemblyman Steven Brooks and his fitness to serve as Assemblyman. Remember that we all felt it necessary to engage in this investigation because of the nature of the complaints against Assemblyman Brooks. His conduct leading up to the investigation caused many rational thinking individuals in this building, perhaps even yourself, to fear for their own safety and for the safety of Assemblyman Brooks. We had an obligation to ensure the safety of the people in this building, and it would have been irresponsible to ignore the numerous reports of conduct indicating that Assemblyman Brooks was unstable and perhaps unfit to serve as Assemblyman. Politically, it would have been easier and more advantageous to conduct a quiet investigation or try to smooth this over. But the truth is that we did not feel safe having him in this building. We wanted to protect the people in this building, and we wanted to ensure that we could carry out our very important business. It was also important to us to allow Assemblyman Brooks to obtain any help that he needed. In fact, Speaker Kirkpatrick and I made numerous offers of help to Assemblyman Brooks. We also do not employ Assemblyman Brooks; we have a duty to the people who work here, to the lobbyists, the press, and all visitors to our chambers. Therefore, we made a bipartisan decision to fully investigate this matter and to allow the facts to dictate whether those fears were valid and whether the facts indicated that Assemblyman Brooks could return to these chambers and represent his constituents and carry out his legislative duties.

To conduct the investigation, we chose to retain independent counsel who worked with investigators to prepare a report which included a 900-page appendix to document support for the conclusions in the report. During the investigation, staff members, legislators, police officers, family members, and others were interviewed. Notably, Assemblyman Brooks refused to be interviewed, and although he consented to provide a release of his medical information, he never provided such a release. The report itself has been kept confidential because it was felt necessary to maintain the integrity of the process, protect the privacy of Assemblyman Brooks, and reach a fair conclusion. The Constitution acknowledges the need to keep some information private where the information is related to character, alleged misconduct, professional competence, or physical or mental health. Since that list provides precisely the information we were considering, we felt it most appropriate, with the advice of our independent counsel, to protect the privacy of Assemblyman Brooks in that regard. When possible, the proceedings have been held in a public forum. In fact, Tuesday night, we took public comment first and then held a portion of the meeting open to the public. After that, we went into a closed session with only committee members, legal counsel, and the attorney for Assemblyman Brooks present to consider confidential matters. The Select Committee then conferred with legal counsel before going back into an open session during which we deliberated and voted in public.

Independent counsel agreed that it would have been negligent and potentially actionable to allow Assemblyman Brooks to return to the Legislature without conducting a thorough investigation, given his behavior and the allegations made against him. Ultimately, the report from independent counsel painted a picture of a man who is volatile, prone to angry outbursts, and potentially dangerous. Although we cannot discuss the particulars of the report, we can inform you that the conclusions in the report were based upon interviews with more than 50 witnesses and reports from government agencies, including law enforcement.

After reviewing the report and the accompanying 900-page appendix of the independent counsel, members of the Select Committee had a more complete image of our troubled colleague. Not only did Assemblyman Brooks refuse to be interviewed, he also chose not to appear at our hearing, instead relying on his attorney. While that was his prerogative, we had no opportunity to discuss the matter with Assemblyman Brooks, nor did he convey to us in any manner, either directly or through his attorney, that he had taken any actions to make us feel confident that it was safe for him to return to the Assembly or that he was capable of adequately

carrying out his duties as Assemblyman. In fact, since the odd events which led to these proceedings, Assemblyman Brooks has continued to engage in questionable and unpredictable behavior. He has failed to acknowledge any responsibility for the problems he has caused. Instead of seeking help and assistance as many, including myself, have said that we hoped he would receive, we heard, as did all of you through the media, that Assemblyman Brooks had tried to purchase a rifle with a scope, night vision goggles, and a bulletproof vest. Again, there have not been any media reports that have shown any change in Assemblyman Brooks that have made anyone feel more comfortable about his state of mind. Assemblyman Brooks has not taken any ameliorative actions to alleviate the very real fears that caused us to undertake this investigation in the first place. In the end, the matter of Assemblyman Brooks has seriously disrupted our process, has expended our resources, and made the Legislature appear, on some days, to be more like a circus or daytime drama than a serious legislative body. We need to move forward, we need to carry out the work of the state, and we need to protect ourselves, our staff, and Assemblyman Brooks himself.

As I stand before you today, I do not feel any more comfortable than I did at the beginning of the investigation. I actually feel less comfortable. We did not receive assurances that Assemblyman Brooks is capable of controlling his angry outbursts or that such outbursts will not become violent. As you have seen in the press, Assemblyman Brooks continues to struggle with various issues that have made him unfit to serve with this body. It also did not appear from the facts before us that those issues will be resolved before the adjournment of this legislative session. Assembly District 17 deserves to have a representative advocating on their behalf during this legislative session. We deserve to carry out our important business without fear that something may cause Assemblyman Brooks to have an outburst of a nature that is unacceptably disruptive. Our staff and the other people in this building deserve to feel safe to come to our chambers. The Select Committee deliberated for hours and struggled to determine the most appropriate recommendation in light of the facts as they were presented to us. In the end, we all agreed during our public deliberation that Assemblyman Brooks was not fit to return to the Assembly right now. Six members voted for expulsion, and one member preferred to continue the suspension of the Assemblyman and therefore voted against expulsion. But we all agreed that it is not appropriate to have Assemblyman Brooks in this building. It was not easy to reach the decision to recommend expulsion, but those of us who voted for that recommendation believed that to be the most responsible action to ensure that we can return to the people's business, free of fear of the unpredictable and potentially dangerous action that Assemblyman Brooks may take in these chambers should he return, and to provide Assembly District 17 with proper representation during this legislative session.

For all of these reasons, your Select Committee on the Assembly reports back with the recommendation that this body expel Assemblyman Steven Brooks from the Assembly.

ASSEMBLYMAN DUNCAN:

Madam Speaker, esteemed members of this body, let me start by saying this was certainly not an easy task for any of us. We entered this process with both humility and caution, but for these reasons, I felt our colleague from Assembly District 17 needed to be expelled. I would like to explain the reasoning that went through my mind and also the reasoning my colleague from Assembly District 34 just explained.

I want to start my remarks by framing this with a constitutional and a legal argument, because like many of you who I have spoken with—colleagues from my caucus, colleagues from the Democratic caucus—I struggled, because we did not have an adjudicated decision about Mr. Brooks from another branch of government; we did not have a conviction. We only had allegations and what we saw of his life as it was played out in the media over these last few months. The question really is, what does this body do with that? I struggled with that myself. I met with our great attorneys here at LCB, looked up the case law myself, and at the end of the day, the beauty about our system of government is that we have a separation of powers. We

have three branches of government, and these decisions, as decided by the United States Supreme Court and also the Nevada Supreme Court, are within the province of this body. Within the province of this body, we have the discretion to be, essentially, the judge and the jury in this case. This is because we are the only body that can make the decision about the character, the competence, and the ability to serve the state. I will talk about why that ability to serve the state and to serve others makes this an important day for our body and why we ultimately recommended expulsion.

We are, which we do so with humility, given absolute discretion to decide this as a body; our Constitution lays this out. Article 4, Section 6 states: "Each House shall judge of the qualifications, elections, and returns of its own members, choose its own officers . . . determine the rules of its proceedings and may punish its members for disorderly conduct, and with the concurrence of two thirds of all the members elected, expel a member." That is it. That is the guidance that we are given, but again, that is the beauty of the separation of the powers; we get to make these determinations. Over our history as Nevadans, this sort of proceeding has never happened, so we are not using this process to expel members in a perfunctory fashion. I would not say that the process that took us to this day, right now, was in any way perfunctory, nor was it in any way done without great deliberation.

The things that went through my mind and the actual committee's mind when we looked at this were the reasons for expulsion. First of all, the mental health issues—the mental health issues that we saw play out in the media, and then the compelling mental health issues that we saw in the closed hearing. Again, the Constitution provides that all these hearings are to be public except for when we are judging the character, the qualifications, and the competence of those who we are thinking about expelling from this body. So the question was asked of Mr. Brooks' attorney whether or not he would waive that right to make everything public, and he did not do so. There were questions about redacting, there were questions about trying to release as much as possible, and those efforts were made, but again, the Constitution provides that those circumstances are to be held private, and it is understandable. The things that we read and the compelling things that were before the body, again, really compelled me to say that there is a serious problem. As my colleague from Assembly District 34 mentioned, with the purchase of a long rifle, night vision goggles, and a bulletproof vest; the two arrests; the alleged threats on our Madam Speaker; the paranoia, the mood swings, and the violent outbursts, there was, of course, a propensity for violence that I saw in those documents that would give everyone here pause.

Another thing that was telling on the evening of the Assembly Select Committee on the Assembly is that there was no inclination from Mr. Brooks that there was an understanding on his part that he needs help or that he is moving in a direction of getting that help. It left us with nothing but the record in front of us to make a decision about whether or not to expel him. That was compelling, and it really showed me, and I think it showed to the other members, that there was an inability for him to serve.

We talked about the misconduct. Article 4, Section 15 of our Constitution lays out that we judge the professional competence, and by looking at professional competence, it was clear that Mr. Brooks would not be able to come back to this body and serve the way that this body deserves or the staff deserves. More importantly, he would not be able to serve the people that elected him, nor the entire state, in the way they expect of anybody who has the honor of sitting in these chairs. It was also compelling that much of the staff here is uneasy with him. There are many staff that fear Mr. Brooks, and it is incumbent upon us—and this is only my first term serving in this body—but it is incumbent upon us as legislators to cultivate and foster an environment where not only people feel comfortable, but that the state can be confident that we are going to get the state's business done within the 120 days that is constitutionally required of us. It is very difficult to get that done when you have that sort of distraction, you have that sort of fear that is in peoples' hearts in this building. That too, was compelling to me.

I want to talk about the integrity of the body. It is a privilege, not a right, to be in these seats. Not only do we need integrity as we are running for these seats and getting involved in politics,

but we also need it after we take our seats. Each one of us is elected to serve others, to be servant leaders, but the main take away is that these seats do not belong to us; we are not entitled to be here. These seats belong to the people that sent us here. That was very compelling to me as I thought, "Is Mr. Brooks serving not only his constituents, but is he serving the state?" And that answer was "No." It is clear to me from the emails I receive, and the emails and phone calls that I am sure you receive, that the people in Assembly District 17 currently do not have a voice, and they deserve to have a voice. They deserve to have a seat at the table, and while we are all looking out for their interests, they put someone there that would be their voice who is not their voice.

I thought about the position this situation has put the body in, and as a new member of this body, this was very difficult. I put a lot of prayer into this. I put a lot of talking to people and seeking wisdom into this, but at the end of the day, it matters how the public perceives us. It matters what 3 million Nevadans think about this process. It matters that it does not appear that this body treats its own members differently than any other person that is just a regular Nevadan. It shows that we hold our members to a line of integrity, and we hold our members to the same line of excellence that we should expect not only of Nevadans, but of ourselves. Mr. Lincoln once said, "The legitimate object of government, is to do for a community of people, whatever they need to have done, but cannot do, at all . . . for themselves in their separate, and individual capacities." Members, we are here to serve. Mr. Brooks is not here to serve. The evidence shows that he is not competent to serve, and although it is very difficult to do this, I would ask that we take all this into account when we are to vote whether or not to expel him.

Thank you.

ASSEMBLYWOMAN NEAL:

I wrote this myself, but the power of the words may not come.

We are at a point in history where being silent is unacceptable. The statements made today stand as the record that comes after us. When we leave this building and when we are no longer serving, our words and the way in which we deliberated will stand on its words, and the only merit given will be the words that stood on the journal pages. I made the decision that on this historic vote, I needed my presence to be felt and I needed it to be understood.

Courage is something found; it is not given. There are times when, as an elected individual, you have to stand on your own conscience. And you have to find the courage to stand alone or the courage to stand with someone. You have to hold fast to what you believe and not be moved.

I received emails that called me racist because of my decision, but I need this body and the public to understand. I had to examine my allegiance to the *Nevada Constitution* and I found that my allegiance to the Constitution was paramount and very real, and furthermore, that I respected Article 4, Section 6, however unpleasant the task may have been. I have an allegiance to constitutional law, but I also have an allegiance to the breadth and width it provided me that allowed me to determine that I had within my right to review the degrees of discipline offered to me.

My decision today is being made because I understand the power, the depth, and the width of it. I understand that expulsion is the highest disciplinary form that this body can deliver, and I believe in degrees of discipline. I also understand that the action is nothing short of political death on all levels, whether it be suspension or expulsion.

I cannot move for the action of expulsion. I cannot move for that action because I believe in the human form in all its frailties and in all of its faults. I also believe in the power of human recovery. I believe in it so deeply that I cannot be moved from the depth of what it means to have the audacity to hope.

I believe that there are degrees of discipline, and based on the confidential records I saw, my decision remains that Steven be suspended from this body.

I thank you, Madam Speaker.

ASSEMBLYMAN HICKEY:

This is both an historic decision for the body and it's also one that is taken with the utmost consideration of the precedent that is being set and the person that is being affected by it. Both of these facts make the vote we are about to take one of the most serious matters we will take up as elected representatives of Nevadans that we represent this session.

As the Assemblyman from down south said, we are both the judge and the jury on judging the qualifications of one of our members.

As a representative of this body who served on the Select Committee that reviewed the report on the Assemblyman from District 17, I can assure you all here that your colleagues labored long and hard over the decision to recommend expelling one of our own. But as important as the individual is in the system of law in our country and in our state, no person can or should be larger than the process itself, especially when it involves doing the work of the public such as we are involved in here today in the Nevada Assembly.

I would also like to add that no one person has felt the burden of this difficult decision any more than our Speaker. She and the Majority Leader have carried the weight of this entire matter with diligence and dignity. For this reason, the body, regardless of how we may vote, owes both of them a debt of gratitude for their leadership on this matter.

And finally, I think I speak for all of us when I say we wish nothing but the best for our former colleague, if in fact that becomes our decision. Many here are his friends, many of us here were friendly with him. But we all wish him and his family the best, regardless of this outcome, and hope that he will be able to take care of the personal matters that have made this decision the difficult one that it is, land in our laps here today.

Thank you, Madam Speaker.

Motion carried by a constitutional two-thirds majority vote.

Madam Speaker declared Steven J. Brooks II expelled from the Assembly and Assembly District 17 vacant.

Assemblyman Horne moved that the Assembly recess until 4:45 p.m.

Motion carried.

Assembly in recess at 11:32 a.m.

ASSEMBLY IN SESSION

At 5 p.m.

Madam Speaker presiding.

Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

Madam Speaker appointed Assemblymen Benitez-Thompson and Hardy as a committee to invite the Senate to meet in Joint Session with the Assembly to hear an address by United States Senator Dean Heller.

The President of the Senate and members of the Senate appeared before the bar of the Assembly.

Madam Speaker invited the President of the Senate to the Speaker's rostrum.

Madam Speaker invited the members of the Senate to chairs in the Assembly.

IN JOINT SESSION

At 5:07 p.m.

President of the Senate presiding.

The Secretary of the Senate called the Senate roll.

All present.

The Chief Clerk of the Assembly called the Assembly roll.

All present except Assemblyman Daly, who was excused

The President of the Senate appointed a Committee on Escort consisting of Senator Settlemeyer and Assemblyman Hickey to wait upon United States Senator Dean Heller and escort him to the Assembly Chamber.

The Committee on Escort in company with The Honorable Dean Heller, United States Senator from Nevada, appeared before the bar of the Assembly.

The Committee on Escort escorted the Senator to the Chief Clerk's rostrum.

The Speaker of the Assembly welcomed United States Senator Dean Heller and invited him to deliver his message.

Senator Heller delivered his message as follows:

MESSAGE TO THE LEGISLATURE OF NEVADA
SEVENTY-SEVENTH SESSION, 2013

Thank you and good evening. It is truly an honor to have this opportunity to address you tonight. I am mindful of the busy schedules each of you have, and I realize you are all working very hard on the critical issues facing this state. It's not lost on me how tough some of your decisions were today, and they are important, and very, very difficult decisions. So, thank you very much for having me here this evening.

Governor Sandoval, Madam Speaker, Lieutenant Governor, thank you for having me here. The Majority Leaders of both houses, Minority Leaders, thanks to you as well and all that are assembled in the Chamber this evening.

To the constitutional officers and members of the Court, thank you for your attendance and thank you for being here.

Mom and Dad are in the house. You know that does change the tone of your message. Probably a few words, too. But it's great to have my wife here and my sister and her husband. Thank you very much for taking time.

Now it's been a quite a while since I've spoken to the Legislature, so I did ask a few of my colleagues for some input to include how long this speech should last. I went to Senator Paul Rand of Kentucky for his strategy, but I think 13 hours is a little too long, so I went to Congressman Amodei. Congressman Amodei said, "The bar is high." He set the bar high on

Monday. He said, "Just tell the same joke a couple of times the same way and then sneak out the back door." Of course, that's what Mark always says.

In any case, I'll try to find some middle ground between these two approaches. But before I do that, I'd like to take a moment to reflect on the tragedy that took the lives of seven Marines last week during a training exercise at the Hawthorne Army Depot. On Monday, I had the honor of visiting five Marines and a sailor who are currently being treated at Renown Hospital. What I find most remarkable about these young men is their positive, upbeat attitudes and their tenacity for life. We owe these soldiers a great deal of respect.

I'd also like to commend the professionalism and commitment from our first responders at Care Flight, the doctors and nurses at Renown, the Army Depot, Hawthorne, Southwest Airlines, and all of the other entities who did an outstanding job attending to those who were injured. Thank you for your support of our servicemen and women.

I know that yesterday you all took time to honor a friend and mentor to many of us, Senator Bill Raggio. Tonight I also want to remember another friend whom I, like many of you, deeply respect, and that is Assemblyman John Marvel. No question, John was as much a statesman and a leader here in this body and this Assembly as the esteemed Bill Raggio was in the Senate. Nevada lost great public servants with the passing of both of these men.

Coming back to Carson City is particularly special for me, not because this is where I began my time in public office, but because I grew up here. I've made a lot of memories here in Carson City, and this is familiar territory for me.

This is where I began forming the philosophy that I bring to my role in public service. This is where I learned what it means to work hard, to play by the rules, and how one committed person can make a difference with perseverance and dedication.

I learned a lot of those values from my father, a mechanic who owned and operated an automotive shop just across the street. I spent a lot of time at that garage as a kid working with my father, sweeping floors, and fixing transmissions. I watched him wake up early and stay at the garage late. That's where I learned the value of hard work and responsibility. It's where I saw first-hand what it takes to run a small business, the sacrifice and discipline involved, and sometimes the tough decisions that have to be made in order to succeed.

Many here have heard this story before. But I like to tell it because I think it's important for all of us to remember what brought us into public service. At a time when our state is still struggling, when our constituents are still feeling the effects of the economic downturn, we need to get back to the basics and focus on the reasons why we decided to serve.

That perspective will help us identify opportunities for state and federal collaboration, in order for us to do the most good for those whom we represent, and I'd like to share some thoughts on that partnership with you this evening.

I believe there are three basic functions of the federal government: (1) provide for a strong defense; (2) enable and encourage free-market commerce through infrastructure, through roads and bridges; and (3) provide a safety net for those who need it most.

To me, these are the basics. These are the essential functions of the federal government. I believe when the government takes these responsibilities seriously and takes responsible steps to make sure the job is getting done, the economy can thrive and Americans can be optimistic about the future.

The important question is not necessarily how much government we have, but rather how the government is operating. Regulations aren't all bad, but unreasonable regulations and red tape can be burdensome and will stifle growth. Not all taxes are bad. But over taxation can be devastating. So it comes down to reasonable government, reasonable regulations, and reasonable tax measures. That's the kind of governing that our nation needs, and it's what Nevada needs.

My staff will tell you, because they hear me say this all the time: My approach to reasonable government is summed up in three words—more, higher, less.

When legislation hits my desk, I ask, “Does this bill provide more competition at a higher quality for less cost?” If the bill passes that basic test, then I’ll be inclined to support it. If the federal government approaches problems through this entrepreneurial perspective, we could have a more efficient and reasonable government at less cost to the taxpayers. And this is not just a Republican approach—it’s a commonsense approach that we should all agree on.

Unfortunately, it seems at times as if Washington is the place where reasonable, commonsense ideas die and where the basic functions of the government are sometimes put on the back burner or even neglected.

For example, when I joined the Senate, I was told that I had to change the drapes, repaint, and recarpet the space in my office, even though it had already been done two weeks prior. I didn’t care. It all looked fine to me. But I was told I had to, and all at taxpayers’ expense. How is the Senate supposed to help impose fiscal responsibility if the institution itself is wasting dollars? That’s unreasonable, and here’s one way we can fix it: Let’s audit the Senate. Let’s take a look at how the Senate budgets, where taxpayers’ dollars are being spent. Let’s examine ways to cut wasteful spending and streamline the current system. My office had to talk to four different departments simply to mount a television in my office, and it took three months. I feel sure there are ways to cut costs, just like Nevadans are doing with their own family budgets. After all, the House of Representatives found \$20 million in savings when it conducted an audit in 1995.

I know this is not an end-all solution to problems in the federal government, but it’s a basic first step, and it’s an idea that may cut costs and save money, and that makes sense to everyday Americans.

In order for Congress to do its part to help turn Nevada’s economy around, Democrats and Republicans must work together. Washington has gotten in the habit of prioritizing their party above all else. That will not work for Nevada.

Members from both sides of the aisle must come together to get things done to help us here at home. That’s one reason why I joined the nonpartisan group No Labels. We are a group of 50 to 60 lawmakers committed to getting things done. Whether it’s a Democratic idea or a Republican idea, it shouldn’t matter. Congress needs to adopt a No Labels attitude.

I’m proud of the fact that my family is a No Labels family. My son-in-law, Eddie Ableser, is a Democratic State Senator from Arizona, and I don’t hold it against him that he’s an Arizonan or that he’s a Democrat. We’re a No Labels family living in a No Labels city, and I’m from a No Labels state.

It doesn’t make any sense to support or oppose legislation based on the party label it’s wrapped in. The ongoing budget debate is a perfect example of how necessary it is for Democrats and Republicans to work together to find common ground and get the job done. And passing a budget is one of those basic, fundamental jobs the government cannot afford to ignore.

Earlier this year, Congress passed a version of my “No Budget, No Pay” legislation. This measure requires members of Congress to pass a budget in order to receive their pay. It just makes sense. Like all Americans, members of Congress, if they do not do their jobs, should not get paid. Of course, the media made light of the proposal. Many called it a gimmick and said it could never work. Even after Congress passed a version of my “No Budget, No Pay” into law and the President signed it, many were quick to pass judgment.

But this year, for the first time in four years, both the House and the Senate have passed their own budgets and are working through the budget process. On the Senate side, this year marks the first time the Senate Majority introduced a long-term plan in four years.

The problem is that both of these proposals are highly partisan. With multiple budgets working through Congress, I had high hopes this would be an opportunity for a grand deal. Instead, these plans are getting caught up in the politics of the day. Rather than serving as productive tools for long-term solutions, they are being tarnished by partisan bickering and grandstanding. But I remain optimistic for that grand deal, and I continue to hope for leadership and commonsense cooperation from both parties, something that our constituents expect. Our

nation is desperate for it. Our nation depends on it. The future of our children and grandchildren demand it.

“No Budget, No Pay” isn’t the first time, by the way, that I’ve tried to hold Congress accountable for bad decisions. During the discussion on ObamaCare, I introduced legislation that required lawmakers to take part in the same healthcare exchanges that we were forcing on all Americans. Well, that idea was adopted into law, and now news reports are documenting that members are extremely uneasy about the idea. That’s how silly things have gotten in Washington, D.C. Fighting a bill meant I had to threaten lawmakers with the consequences of their own legislation.

I believe we can find common ground for the good of the country. But unless Congress works together, there will not be agreement on important issues for Nevada, issues such as immigration reform. I am a proponent for legal immigration. I also recognize that our current system needs reform. I am pleased that Senate Democrats and Senate Republicans have come together to draft a plan for a reasonable approach to immigration reform. I support many of the principles included in this proposal and look forward to reviewing specific details in the months ahead. Most importantly, this issue must not get lost in politics. Any immigration reform legislation should be considered on the Senate floor, subject to regular order, and allow for amendments. This way, Washington can address this problem transparently, solve it with input from both sides of the aisle, and move on.

Another important issue that requires both parties to work together is the current debate on gun control. Before I go any farther, let me be very clear. I am a strong supporter of our Second Amendment rights. Nevadans have the right to bear arms, and regardless of what the commercials might say, I will not support legislation that jeopardizes the basic and fundamental right to bear arms.

At the same time, we must take care to keep guns out of the hands of felons and the mentally ill. We cannot turn a blind eye to the fact that mental illness, coupled with cultural violence, is a dangerous mix. Rather than limiting our access to guns or nitpicking high-capacity magazine clips, Congress should take on a larger issue: Hollywood. If Washington is not talking about the violence in movies, on television, and in video games, then what are we doing? If the conversation is only about guns, then this entire discussion is nothing but pure politics.

I know we can work together on these issues in a reasonable and commonsense way, because there are several areas where Congress is already working together in ways that will help us right here at home. I’ve mentioned some of the basic functions of our government, and another one of those basic responsibilities our government owes to our citizens is to care, most importantly, for our heroes in uniform.

I consider it a great privilege to serve Nevada in the 113th Congress on the Senate Veterans’ Affairs Committee. On that committee, I’m able to directly address the crisis of unemployment among veterans, which is one of the committee’s gravest concerns. Here in Nevada, more than 13 percent of the veteran population is unemployed. That’s compared to 9.7 percent of the general population. For post-9/11 veterans, 18 percent of our former military men and women are looking for jobs.

There is a commonsense fix that will address this issue. Right now, veterans who have been trained in our military—the greatest military in the world—cannot use these skills as civilians.

For example, a service member who drives a truck in the Army for 10, 20 years can’t just leave the service and get a job as a truck driver. Instead, he or she has to go through even more training to get the right certification. Combat medics are another example. These highly skilled professionals cannot get good-paying jobs in the civilian world. These are men and women who know how to inflate a lung or care for traumatic injuries, but despite their valuable skills, these professionals cannot find a job. Instead, they must endure more tests, more training, more credentialing. That makes no sense. Shouldn’t our military men and women be more valuable because of their service? That, to me, seems like a basic, fundamental concept. I’ve

cosponsored legislation to address this problem. I look forward to continuing to push that specific bill in order to help Nevada's veterans.

In the meantime, there is much more we can do to help. For example, Nevada has a backlog of 10,000 veterans' claims. I'm hearing it takes up to one and a half to two years to file a single claim. Sometimes veterans are receiving multiple apology letters from the VA before the claim is processed. I am committed to continuing to advocate for Nevada veterans on this specific issue.

I also believe it's my responsibility to ensure those who served this nation receive excellent health care. News reports have indicated that TRICARE Prime will be cut for many military men and women and their families, especially those in northern Nevada. I have written multiple letters to the Department of Defense on this issue and have spoken to Department of Veterans' Affairs Secretary Shinseki personally. We cannot allow our state's veterans to pay higher costs for less care, and I think both parties here today agree on that issue.

Commonsense should always lead the way as I work with my colleagues in Washington, D.C. to address exciting opportunities and challenging issues concerning our public lands. Without a doubt, our biggest challenge right now is the threat of an Endangered Species Act listing for the sage grouse. If the bird is listed, it will jeopardize our way of life and our economic recovery statewide, and it would thwart investments in Nevada for some of our most important industries, including mining and renewable energy. Last week, I led the Senate in passing an amendment reaffirming the importance of preventing a listing for the sage grouse, and I am committed to working with the Governor, the federal agencies, and other stakeholders to protect our state.

We need to enact policies that will allow us to harness our vast natural resource potential in a responsible manner. That is why I support the development and deployment of renewable energy, as long as those policies will not put an undue burden on consumers.

One hundred fifty years ago, President Lincoln gave one of the most famous speeches in American history. When he addressed those gathered on that Pennsylvania battlefield, he reminded his listeners of the basic, fundamental promises for which their brothers-in-arms had fallen. His words ring true today when he said, "It is for us, the living, to be dedicated to that unfinished work which they who fought here have so nobly advanced." That challenge is still compelling, and that work remains unfinished.

While we all may not be members of the same political party or share the same philosophy of government, we are all here to make a difference, to make our state and country better, to help complete that unfinished work President Lincoln spoke of, and to do what's right for those we represent from the great state of Nevada.

In these difficult times, it is more important than ever that we work together, find common ground, and make the tough decisions required to create jobs and get people back to work. So let me assure you that helping Nevadans during this tough economic recession is a top priority for me, and I am sure it is for each of you.

And make no mistake, if we will remain dedicated to the great task that is before us and if we remain focused on finding solutions for those we represent, we will forge a stronger and brighter future for our state and for this country, and we'll do it together.

Thank you very much for having me here this evening.

Assemblyman Hansen moved that the Senate and Assembly in Joint Session extend a vote of thanks to United States Senator Heller for his timely, able, and constructive message.

Seconded by Senator Hutchison.

Motion carried.

The Committee on Escort escorted United States Senator Heller to the bar of the Assembly.

Senator Jones moved that the Joint Session be dissolved.
Seconded by Assemblyman Martin.
Motion carried.

Joint Session dissolved at 5:35 p.m.

ASSEMBLY IN SESSION

At 5:37 p.m.
Madam Speaker presiding.
Quorum present.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblywoman Benitez-Thompson, the privilege of the floor of the Assembly Chamber for this day was extended to the following students from Mamie Towles Elementary School: Eli Amptman, Brianna Apolinar, Ivette Apolinar, Israel Carrillo, Kayla Castillo, Ali Crudo, Austin Currie, Layla Fox, Malina Frank, Jada Gomez, Vivian Lin, Isabel Majano, Jeremy Mamaril, Gabby Martucci, Aiden Meeks, Hailey Melrose, Austin Niedfeldt, Cory Paden, Jema Quintero, Daisy Sandoval, Sharar Shahed, Abby Thomas, Lauren Victors, Amber Wadleigh, Michael Wallace, Christopher Stocking, Chris Alis, Alexis Almond, Isiah Brown, Stacia Conely, Adrianna Cortez, Emely Eligio-Gonzalez, Ashely Gomez, Darian Grammer, Steven Hart, Dylan Jackson, Austin Kennedy, Kayla Kominsky, Doug Martin, Spencer Mojica, Taylor Moniz, Candice Montero, Malachi N'Dolo-Terry, Kelly Ortiz, Celeste Parker, Clark Porter, Anjali Riedel, Miranda Santana, Jason Trujillo-Betancourt, Sandra Villanueva-Chavez, Thomas Walsh, Ethan White and Ashlene Gosal.

On request of Assemblyman Bobzien, the privilege of the floor of the Assembly Chamber for this day was extended to Scot Rutledge and Kyle Davis.

On request of Assemblywoman Bustamante Adams, the privilege of the floor of the Assembly Chamber for this day was extended to Alexis Tricoli, Cheyanne Echler, and Emily Smith.

On request of Assemblywoman Carlton, the privilege of the floor of the Assembly Chamber for this day was extended to Katelyn Courturier, Faith Koehler, and Patricia Elliot.

On request of Assemblyman Carrillo, the privilege of the floor of the Assembly Chamber for this day was extended to Annette Carrillo.

On request of Assemblywoman Cohen, the privilege of the floor of the Assembly Chamber for this day was extended to Jordan De La Garza, Bryanna Ramirez, and Davina Koehler.

On request of Assemblywoman Diaz, the privilege of the floor of the Assembly Chamber for this day was extended to Mollye Inhaber and Hannah Norvelle.

On request of Assemblyman Ellison, the privilege of the floor of the Assembly Chamber for this day was extended to Wes Henderson, Kim Scott, and Gerald Grenier.

On request of Assemblywoman Fiore, the privilege of the floor of the Assembly Chamber for this day was extended to Davie Faye Baschis, Pamela Donahue, Lois Baschis, Rana Goodman, Virginia Bear-Finnigan, Daryll Ann Sulliman, and Lynn Armanino.

On request of Assemblyman Hambrick, the privilege of the floor of the Assembly Chamber for this day was extended to Dan Coppa, Dannielle Silva, Dana Silva, and Carrie Silva.

On request of Assemblyman Hansen, the privilege of the floor of the Assembly Chamber for this day was extended to Cathy Gustavson, Alexis Hansen, and Cindy Southerland.

On request of Assemblyman Hardy, the privilege of the floor of the Assembly Chamber for this day was extended to Peri Hardy and Lisa Mayo.

On request of Assemblyman Healey, the privilege of the floor of the Assembly Chamber for this day was extended to Sam Lieberman.

On request of Assemblywoman Kirkpatrick, the privilege of the floor of the Assembly Chamber for this day was extended to Victoria Garcia and Mike Kirkpatrick.

On request of Assemblyman Kirner, the privilege of the floor of the Assembly Chamber for this day was extended to Linda Law, Jan Brase, and Peggy Kirner.

On request of Assemblyman Livermore, the privilege of the floor of the Assembly Chamber for this day was extended to Ronni Hannaman.

On request of Assemblyman Martin, the privilege of the floor of the Assembly Chamber for this day was extended to Dana Barsoohian and Marvin Carter.

On request of Assemblyman Munford, the privilege of the floor of the Assembly Chamber for this day was extended to Robin Kindred and Jake Holder.

On request of Assemblyman Oscarson, the privilege of the floor of the Assembly Chamber for this day was extended to Susan Davila.

On request of Assemblywoman Pierce, the privilege of the floor of the Assembly Chamber for this day was extended to Kalen de la Garza and Ashley de la Garza.

On request of Assemblywoman Spiegel, the privilege of the floor of the Assembly Chamber for this day was extended to Carolina Gonzalez and Erin Wollerton.

On request of Assemblyman Sprinkle, the privilege of the floor of the Assembly Chamber for this day was extended to Anni Glogovac.

On request of Assemblyman Stewart, the privilege of the floor of the Assembly Chamber for this day was extended to Jill Hardy, Mary Crawford, and Ashley Ricks.

On request of Assemblywoman Swank, the privilege of the floor of the Assembly Chamber for this day was extended to Celeste Russell and Alexandria Testut.

On request of Assemblyman Wheeler, the privilege of the floor of the Assembly Chamber for this day was extended to Lee Bonner and Shawn Meehan.

On request of Assemblywoman Woodbury, the privilege of the floor of the Assembly Chamber for this day was extended to Celssie Hardy and Tomas Hammond.

Assemblyman Horne moved that the Assembly adjourn until Tuesday, April 2, 2013, at 11:30 a.m.

Motion carried.

Assembly adjourned at 5:39 p.m.

Approved:

MARILYN K. KIRKPATRICK
Speaker of the Assembly

Attest: SUSAN FURLONG
Chief Clerk of the Assembly