

THE SIXTIETH DAY

CARSON CITY (Thursday), April 4, 2013

Assembly called to order at 5:40 p.m.

Madam Speaker presiding.

Roll called.

All present except Assemblymen Benitez-Thompson, Duncan, and Munford, who were excused, and one vacant.

Prayer by the Chaplain, Rabbi Bradley Tecktiel.

May it be Your will, O God, to bestow upon us blessing and kindness.

Each week on the Sabbath in synagogues around the state, we ask for God's blessing for our government, its leaders and advisors, and all who exercise just and rightful authority. We ask that God teach them insights from the Bible, that they may administer all affairs of state fairly.

We pray that citizens of all races and creeds forge a common bond in true harmony to banish all hatred and bigotry and to safeguard the ideals and free institutions, which are the pride and glory of our country.

We ask these things of You Almighty God, because the work this State Legislature does on a daily basis is holy work.

May God guide our Representatives in this body to put aside all pettiness and enmity that might prevent them from success. May God grant our leaders the wisdom to legislate for the best interests of the citizens of Nevada.

May the guiding principle of the Torah, "Love thy Neighbor as thyself," be ever on the minds of our legislators as they go about their daily labor of establishing laws for the public.

We thank our leaders who have given their time, talent, and effort in public service to the state of Nevada.

Finally, May God protect us from all trouble and travail, and when our task is done, may God guide us home safely to our family and friends.

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 COMMITTEES

Madam Speaker:

Your Committee on Commerce and Labor, to which was referred Assembly Bill No. 206, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

DAVID P. BOBZIEN, *Chair*

Madam Speaker:

Your Committee on Education, to which was referred Assembly Bill No. 260, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ELLIOT T. ANDERSON, *Chair*

Madam Speaker:

Your Committee on Government Affairs, to which was referred Assembly Bill No. 45, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

TERESA BENITEZ-THOMPSON, *Chair*

Madam Speaker:

Your Committee on Judiciary, to which were referred Assembly Bills Nos. 40, 262, 311, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JASON FRIERSON, *Chair*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, April 4, 2013

To the Honorable the Assembly:

It is my pleasure to inform your esteemed body that the Senate on this day passed Senate Bill No. 393.

Also, it is my pleasure to inform your esteemed body that the Senate on this day passed, as amended, Senate Bills Nos. 20, 97, 100, 159.

SHERRY L. RODRIGUEZ
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

NOTICE OF EXEMPTION

April 4, 2013

The Fiscal Analysis Division, pursuant to Joint Standing Rule 14.6, has determined the exemption of: Senate Bills Nos. 58 and 330.

Also, the Fiscal Analysis Division, pursuant to Joint Standing Rule 14.6, has determined the eligibility for exemption of: Senate Bills Nos. 300, 303, 305, 308, 320, 321, 322, 326, 327, 328, 329, 331, 340, 345, 346, 349, 353, 354, 355, 357, 358, 362, 363, 367, 370, 374, 375, 376, 379, 380, 385, 386, 387, 390, 391, 394, 395, 404, 407, 408, 415, 423, 431, 445, 446, 454, 455, 463, 464, 465, 468, 470, 471, 473, 501, 502 and 504.

MARK KRMPOTIC
Fiscal Analysis Division

Assemblyman Horne moved that persons as set forth on the Nevada Legislature's Press Accreditation List of April 4, 2013, be accepted as accredited press representatives, that they be assigned space at the press table in the Assembly Chamber, and that they be allowed use of appropriate broadcasting facilities:

KTNV-TV13: Don Guevara, Ken Johnson; KVVU-TV: Robbie Hunt; TELEMUNDO LAS VEGAS: Rosana Romero.

Motion carried.

Assemblyman Horne moved that Assembly Bills Nos. 2, 7, 13, 16, 19, 30, 66, 69, 75, 80, 82, 84, 85, 95, 128, 134, 158, 170, 224, 249, 352; Assembly Joint Resolutions Nos. 3, 4, 5; Senate Bill No. 121 be taken from the Second Reading File and placed on the Second Reading File for the next legislative day.

Motion carried.

Madam Speaker appointed Assemblymen Bustamante Adams and Paul Anderson as a committee to invite the Senate to meet in Joint Session with the Assembly to hear an address by United States Representative Dina Titus.

INTRODUCTION, FIRST READING AND REFERENCE

Senate Bill No. 20.

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

Motion carried.

Senate Bill No. 97.

Assemblywoman Dondero Loop moved that the bill be referred to the Committee on Health and Human Services.

Motion carried.

Senate Bill No. 100.

Assemblywoman Dondero Loop moved that the bill be referred to the Committee on Health and Human Services.

Motion carried.

Senate Bill No. 159.

Assemblyman Daly moved that the bill be referred to the Committee on Natural Resources, Agriculture, and Mining.

Motion carried.

Senate Bill No. 393.

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

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

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 5:54 p.m.

President of the Senate presiding.

The Secretary of the Senate called the Senate roll.

All present except Senator Kieckhefer, who was excused.

The Chief Clerk of the Assembly called the Assembly roll.

All present except Assemblymen Benitez-Thompson, Duncan, and Munford, who were excused, and one vacant.

The President of the Senate appointed a Committee on Escort consisting of Senator Parks and Assemblyman Daly to wait upon Representative Titus and escort her to the Assembly Chamber.

The Committee on Escort, in company with The Honorable Dina Titus, United States Representative from Nevada, appeared before the bar of the Assembly.

The Committee on Escort escorted the Representative to the rostrum.

The Speaker of the Assembly welcomed Representative Titus and invited her to deliver her message.

United States Representative Dina Titus delivered her message as follows:

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

Madam Speaker, Chamber leaders, Governor: Thank you for hosting us earlier at Nevada's first Holocaust Memorial service. We should give the Governor a round of applause.

Distinguished guests, one and all. Thank you for allowing me to come and address you this evening. I know how valuable your time is and how very busy you've been and are going to be in the next couple of months. I also appreciate the fact that some of you are on your way to Reno to help with the fund-raiser for the Humane Society. This is a cause very dear to my heart. Senator Townsend and I worked on a lot of animal protection issues, and I thank Senator Manendo for carrying that on with your horse-tripping bills.

I've been following your work lately with both admiration and interest. Just in the last few weeks, you have dealt with an unprecedented personal matter, you voted to tax an industry that's been protected since it wrote the state Constitution, you have moved towards repealing the Nevada version of DOMA [Defense of Marriage Act], and you have visited a marijuana market with really good buds.

Madam Speaker, when you said this was not going to be business as usual this session, you really meant it. You have my admiration for all that you're up to. Thank you for that.

I cut my political teeth in this building. I learned a lot about Nevada, its great resources, and its many challenges. I made some lifelong friends. Mags, you're one of them, and Marlene Lockhard, just to name a few. Don Williams—how do ya'll manage without the staff? And I hope I did some good for the people of Nevada.

I miss the old timers who are no longer with us, and that's especially the case with Jack Vergiels and Bill Raggio. But it's very exciting to look out at all the new faces. The faces of this Legislature are the faces of diversity. They are the faces of Nevada, and I congratulate you all for being here.

Speaking of diversity, that's one of the really exciting things about representing District 1 in southern Nevada. It's the most diverse district in the whole state. We've got the Hispanic east side and the Asian west side; it is home to the Armenian and Greek churches, the Ethiopian cab drivers, Buddhist temples, Indian markets, and Irish pubs. International food festivals are going to be the death of me before this is over. African Americans make up 10 percent of the population, and the Las Vegas Paiute Tribe's reservation is also located in District 1.

I'm also honored to tell you that I serve in the most diverse Congress in history. Just among the women Democrats alone, there is great diversity. We have the first Hindu, who is Tulsi Gabbard from Hawaii. We have a Tai-American veteran who lost both of her legs in Iraq—that's Tammy Duckworth from Illinois. We have a bisexual, former state legislator from Arizona, of all places, Kyrsten Sinema, and an African-American, Harvard educated lawyer from Alabama, Terri Sewell. Now that's diversity to be proud of, and it honors me to be part of that group.

The last time I came before you was four years ago. In 2009, our state faced unprecedented challenges. Unemployment was at a record high and the worst in the country, along with our foreclosure rate. We saw our friends, our neighbors, our family members have to close their businesses, lose their jobs, and have their homes taken right out from under them. Construction projects were closing down and disappearing overnight, and tourism and gaming revenues were struggling. But thanks to the hard work and determination of the Nevada people, much progress has been made since that time. Unemployment fell for the eighteenth straight month in February, Las Vegas welcomed a record number of visitors in 2012, and gaming revenues increased over 2 percent from the previous year. Nevada's export businesses are also expanding, thanks in large part to the Governor's international trade initiatives. Housing values are now going up, and in District 1 there are some very exciting new commercial projects that are coming online that will create jobs and further boost our economy. We've got our entrepreneurial spirit back.

Downtown Las Vegas is undergoing an incredible revitalization that epitomizes the best of public-private partnerships. Mayor Caroline Goodman and Zappos executive Tony Hsieh are turning downtown into a new, hip area. It's attracting small businesses, high-tech companies, and real estate investors. For example, in one day downtown, you can have lunch at Eat, shop at the Container Park, buy fresh produce at the Downtown3rd Farmer's Market, get a drink at the mobile Cycle Pub, hear a lecture at the Construction Zone, and walk your pet at the dog park on Fremont at Eighth. And there's lots more that's coming really fast.

Nearby in the Arts District, you can enjoy a performance at the fabulous Smith Center or take your family to the new Discovery Children's Museum. You can visit many of the small art galleries or you can participate in what they call the Color Run. That's exciting.

On the Strip, a lot of things are going on that are in District 1. We find SLS remodeling the old Sahara into a boutique hotel with a known brand that will attract a new demographic of tourists. The Genting Group is developing Resorts World, a major City Center-like project on the Strip that will attract Asian businesses and tourists. The MGM is building a 20,000 seat arena, and Caesars will soon complete its Linq Project with all the new retail and the—I call it a Ferris wheel but they call it an observation wheel, a rose by any other name—it's going to be a nice addition.

These projects welcome jobs. They bring good jobs in our construction and hospitality industries so badly needed. In addition to that, lots of family-owned and operated small businesses are popping up all over the heart of the Las Vegas Valley. We've got Viva Las Arepas, World of Feng Shui, and the Stitch Factory. In fact, if it's happening in Nevada, it's very likely happening in District 1, so I'm proud to brag about the recovery. We have slowly

begun to move in the right direction. But while we're bragging, we've got to remember that we still have a long way to go. It's a given that everyone benefits when the economy is growing, so we must ensure this growth continues, with policies that are reasonable, fair, and balanced. We must reform our tax code and adopt a budget that is not just an accounting tool, but really is a reflection of our nation's priorities. We shouldn't spend hard-earned taxpayers' money on programs we don't need, but instead we should keep promises to, and create opportunities for, the most vulnerable in our communities. For example, I agree that we don't need funding to build a robot squirrel to see how it interacts with rattlesnakes, but we must feed our children. Hungry children can't learn. Educated children can achieve their potential, and unfilled promise results in a nation that falls back. Likewise, it's true that we don't need to fund a NASA [National Aeronautics and Space Administration] study of menu options for trips to Mars. But we must protect Social Security and Medicare for our seniors. And while we can surely do without research on whether or not stressed-out birds make good parents, we must invigorate our manufacturing sector, because if you make it in America, you can make it in America.

The good news is that we have some very exciting options to choose from. We are at a crossroad in this state and in this nation, and I truly believe if elected officials work together to find creative solutions to our problems, this country can become greater than ever in the course of the next decade. So let's not blow this opportunity. Let's take advantage of what is out there to offer.

To begin with, I believe we have to make smart investments—investments in people, investments in energy, and investments in transportation infrastructure. First, let's invest in our people because they are our greatest resource. We must provide a quality education for all children, strengthen our schools, and commit to preparing our students for those jobs of the future. Towards this end, we must fund Head Start and Pell grants, we must promote STEM [Science, Technology, Engineering, and Mathematics] learning, and we must find a way to help professional students pay off their loans by working in underdeveloped communities.

We must also pass the Dream Act. This has to be not only an education goal, but part of comprehensive immigration reform. We also need to further revise the visa program so that we do not educate the best and brightest and then make them leave. We want the next Microsoft and the next Google to be developed right here in the United States, not somewhere far away.

Third, we need to invest in people in more ways than just education and immigration. We have to do everything that we possibly can to help our brave servicemen and women and their families who sacrifice so much, so that we can protect our democratic way of life. As ranking member of the Subcommittee on Disability Assistance and Memorial Affairs, I am committed first and foremost to reducing the backlog. You hear that from all the veterans—the backlog of filing for benefits. Do you know that right now, the average length of time that a veteran in Nevada has to wait to have his application processed is 485 days? That is just not acceptable. Neither should any veteran be homeless or in need of a job that we can't help.

Besides investing in people, let's also invest in renewable energy. I commend the Legislature for all the work that it has done to encourage the development of wind, solar, geothermal, and biomass sources, which in turn create good jobs for Nevada. As a result of your work, we are on the cutting edge nationwide of some of the policies that the Legislature has enacted. There are also exciting programs that are being developed all around the state which put us on the path of becoming a world leader in production and distribution of green energy. I pledge that I will continue to work with you at the federal level on these issues by supporting energy tax credits, low-interest loans, and funding for state energy offices, so count on that.

Our fourth investment I want to point out is in infrastructure, transportation infrastructure. I am proud, once again, to serve on the Transportation Committee, because Nevada's economy depends on moving people and products in ways that are quicker, friendlier, easier, and cheaper. From tourists to lobsters, we import almost everything in this state, so we need to have a twenty-first century transportation infrastructure system to make it all work and keep it all moving. The longer we wait, the further we fall behind.

I say, “Go big or go home.” That is my mantra, and that is my recommendation. Let us build Interstate 11, the interstate highway between Phoenix and Las Vegas and possibly further down the road. Let us deploy NextGen [The Next Generation Air Transportation System], which is a program that will increase safety for the flying public, decrease the cost of fuel, and help airlines become more efficient. Let us increase TIFIA [Transportation Infrastructure Finance and Innovation Act] and WIFIA [Water Infrastructure Finance and Innovation Act] funding, which is the first step towards creating an infrastructure bank, another public-private partnership that the President has talked about.

And it is great to speed the visa process, but let’s open up the Visa Waiver Program. Let’s invite more tourists from Brazil and Israel and India and China, middle-class folks with money in their pockets who want to come to Nevada for a holiday. That is what we should be doing. We should also make Reno and Las Vegas multimodal inland ports so we can facilitate the flow of people and goods from the Pacific Rim and South America. Go big or go home.

In addition to investing wisely, Nevada has got to get its fair share of federal dollars. I know you have heard a lot about getting more money through better grant applications—and many of the state and local governments are doing a good job at being more aggressive about that, which is great—but let’s also think outside the box for other sources of revenue from the federal government. For example, we have to fight against efforts by the federal government to take our SNPLMA [Southern Nevada Public Land Management Act] money from sale of public lands. These are critical funds that take care of Lake Tahoe, they protect other water sources, they build bike paths and hiking trails, and fund clean environment programs, and we cannot let the federal government take that Nevada money.

I will tell you something else we need to go after: Let us go after all, or at least some, of that so-called “handle tax.” You know sports books pay the federal government 0.25 percent on every wager placed. Since more gambling on sports events takes place in Nevada than anywhere else, we pay the lion’s share of that money. In fact, we contributed \$8.7 million in 2012, and that figure is expected to continue to grow. This tax was originally developed at the federal level to be used to go after illegal sports betting—bookmakers—but now that money just goes into the IRS general fund to be used on programs that have no nexus to gaming, and there is no separate accounting. That is our money. We have got to go get it and bring it back, and I think that is what we should do.

You can see these proposals I have mentioned are not partisan issues, they are not ideological issues, and they are not blue or red issues. I think they are truly Nevada issues, so we in Congress can and should work together on them for the good of the state. I commend you very much for doing just that here in Carson City. You are very good at working across the aisle, working across the houses, and working across the lawn with the Governor, so thank you for doing that. You set an example for us, and we should follow that example in Washington.

It is a good thing that the members of Nevada’s House delegation have worked together before. We have all served, along with Senator Heller, as members of this august body, so we know each other, we have worked together, and we have in the past put aside party affiliations to get things done. I am confident that back there—with Senator Reid at the helm and you guarding our flank—we can do just that and move Nevada forward.

So again, let me thank you for your attention and for your courtesy. I appreciate very much being here. I look forward to continuing to work with you, and I hope you will let me return the hospitality and come see me in the exciting District 1 or back in Washington. The latch string is always out. Thank you very much.

Assemblyman Healey moved that the Senate and Assembly in Joint Session extend a vote of thanks to Representative Titus for her timely, able, and constructive message.

Seconded by Senator Spearman.

Motion carried.

The Committee on Escort escorted Representative Titus to the bar of the Assembly.

Senator Cegavske moved that the Joint Session be dissolved..

Seconded by Assemblyman Hambrick.

Motion carried.

Joint Session dissolved at 6:19 p.m.

ASSEMBLY IN SESSION

At 6:21 p.m.

Madam Speaker presiding.

Quorum present.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Joint Resolution No. 6.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Bobzien, the privilege of the floor of the Assembly Chamber for this day was extended to Christina Bailey and Julie Mogensen.

On request of Assemblyman Carrillo, the privilege of the floor of the Assembly Chamber for this day was extended to Cinithia Zermeno and Randy Soltero.

On request of Assemblywoman Diaz, the privilege of the floor of the Assembly Chamber for this day was extended to Todd Westergtard and Denise Davis.

On request of Assemblyman Eisen, the privilege of the floor of the Assembly Chamber for this day was extended to Bradley Tecktiel.

On request of Assemblyman Ellison, the privilege of the floor of the Assembly Chamber for this day was extended to John Kraintz, Priscilla Kraintz, Joshua Kraintz, and Elliot Karp.

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

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

On request of Assemblyman Hogan, the privilege of the floor of the Assembly Chamber for this day was extended to Greg Martin and Steven Frye.

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

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

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

On request of Assemblyman Sprinkle, the privilege of the floor of the Assembly Chamber for this day was extended to Anni Glogovac and the following students, teachers, and chaperones from Dilworth STEM Academy: Luis Cervantes Garcia, Makenzie Cherti, Camron Colbert, Alexia Cruz, Arianna Estrada Jasso, Angela Galvez Arceo, Daniela Garcia Gregorio, Daisy Gil, Megan Gresham, Daisy Guzman, Victor Horta Monrroy, Evelyn Izquierdo Oregel, Aubrey Jensen, Haley Kraus, Morell Luke, Alison Maldonado, Benito Martinez Deras, Teresita Meno Ignacio, Adam Moore, Lolo Nau, Amaya Newton, Jessica Perez, Odalis Perez Duenez, Priya Prasad, Jorge Ramos, Omar Silva Ramos, Brenden Susanno, Evan Terry, Jade Trevino, Jan Miles Trinidad, Kelvorius Turner, Nikolas Vanloo, Julian Villicana, Alberto Barajas-Hernandez, Leo Camarena Nunez, Carson Conant, Oscar Garcia, William Garibaldo, Aracely Hinojosa, Moses Ibarra, Weston Kuehn, Theresa Lopez, Keara Lowry, James Anthony Magpantay, Alejandro Martinez Hernandez, Syann Mateo, Tyrese Moore, Brianna Mosqueda Sandoval, Byran Munoz, Katy Navarro Lopez, Saul Oaxaca, Stephanie Olivares, Brandon Paz Grajeda, Citlalli Sanchez, Alejandro Valencia Sanchez, Saul Valladares, Christopher Vaughan, Bianca Yanez-Flores, Alberto Barajas-Hernandez, Monique Zamora, Giselle Abad Robles, Christian Badillo, Alfredo Chavez Chavez, Eduard Fonseca Garcia, Samantha Gijon, Gysel Hernandez, Cheyenne Johnson, James Lopez-Hernandez, Montana Marsh, Luis Martinez, Michelle Mejia Romero, Jasmine Radigan, Tanaya Roberts, Rocio Sandoval Ornelas, Chelsea Thierry, April Tovar-Barajas, Luis Ambrocio Contreras, Gerardo Fernando Batalla, Gage Bennett,

Siara Cairns, Rosa Camarena Cervantes, Miguel Campana Chavez, Carlos Castro, Kayla Cortez, Kelsey Flores-Zaragoza, Stephanie Fregoso, Jeffery Friedmann, Brandon Garcia, Miguel Gonzalez, Adolfo Gonzalez Falcon, Alvaro Guevara Bilbao, Elizabeth Henriquez, Roberto Hernandez Jr., Alesah Jim, Marc Kluge, Cristian Martinez Gonzalez, Fiona McCloskey, Jennifer Medina Caldera, Pedro Navarro Olivarez, Jose Perez, Jose Ramirez Alvarez, Neftali Rea Aguilar, Nayeli Rodriguez, Vivian Sanchez, Maureen Santillan, Uriel Senda, Digvijay Singh, Jeremy Smith, Madison Zucco, Steven Felsing, Warren Zinser, Naomi McColl, Jo Ella Barrie, Maricella Ibarra, Laura Hinjosa, Xiomara Sandoval, Roy Ford, Nev Trevino, and Prakashni Patel.

On request of Assemblywoman Woodbury, the privilege of the floor of the Assembly Chamber for this day was extended to Celessie Hardy.

Assemblyman Horne moved that the Assembly adjourn until Friday, April 5, 2013, at 11:30 a.m.

Motion carried.

Assembly adjourned at 6:23 p.m.

Approved:

MARILYN K. KIRKPATRICK
Speaker of the Assembly

Attest: SUSAN FURLONG

Chief Clerk of the Assembly