

THE EIGHTY-SIXTH DAY

CARSON CITY (Tuesday), April 30, 2013

Assembly called to order at 11:58 a.m.

Madam Speaker presiding.

Roll called.

All present except Assemblywomen Pierce and Swank, who were excused.

Prayer by the Chaplain, Very Reverend Robert E. Stoeckig, Vicar General of the Diocese of Las Vegas, Pastor of St. Andrew Catholic Church, Boulder City, and Trustee of Catholic Charities of Southern Nevada.

We give You thanks, O' God, for the blessings we have this day. For the beauty we see in Nevada from Mount Rose to Mount Charleston and every hill and valley, for the expanse we behold from Austin to Laughlin and every place between where the desert meets the hills, for the blessings of resources like water and wind and minerals and sun throughout our state, and especially for the ways in which You have blessed us in the faces of our varied neighbors who call this home, for all of these we give You thanks.

We ask Your blessings upon us this day as those who have embraced the call to elected office seek the wisdom and grace which moves us all from self-interest to common good. As members of the State Assembly, their challenges are many as they seek to balance economy and ecology; as they do their best to provide education for our children and dignity for our senior citizens who have made the Silver State home. But as members of the Assembly, their talents and experiences are many, too. So send Your wisdom upon them this day, and every day, that they may use our collective resources to provide the best for all who dwell in our state and aspire to make it their home.

Help us all in acts of contagious neighborliness to lift each other up that all people may live in dignity and hope. Challenge us to see our diversity as gift and move us to harbor hope that each generation may embrace the other, because we recognize we are only as strong as the weakest among us, as collectively secure as the most vulnerable, and that our true richness lies in our belonging to each other.

As You have blessed us, help us to become a blessing to others. As we claim this place as home—we claim all the people of this state as neighbor—may we also claim our mutual responsibility to each other so that from one generation to the next, Your blessings may continue to shower upon all for whom “Home Means Nevada.”

We ask this in Your Name, O' God.

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 Government Affairs, to which was referred Senate Bill No. 228, has had the same under consideration, and begs leave to report the same back with the recommendation: Without recommendation.

TERESA BENITEZ-THOMPSON, *Chair*

Madam Speaker:

Your Committee on Ways and Means, to which was referred Assembly Bills Nos. 449, 471, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

MAGGIE CARLTON, *Chair*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, April 30, 2013

To the Honorable the Assembly:

It is my pleasure to inform your esteemed body that the Senate on this day adopted Senate Concurrent Resolution No. 7.

SHERRY L. RODRIGUEZ
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

NOTICE OF EXEMPTION

April 29, 2013

The Fiscal Analysis Division, pursuant to Joint Standing Rule 14.6, has determined the eligibility for exemption of: BDR 53-1214 and BDR 32-1220.

MARK KRMPOTIC
Fiscal Analysis Division

Senate Concurrent Resolution No. 7.

Assemblyman Horne moved the adoption of the resolution.

Remarks by Assemblymen Horne, Ellison, Wheeler, and Madam Speaker.

ASSEMBLYMAN HORNE:

I rise in support of S.C.R. 7. As stated in the resolution, this concerns unmanned aircraft systems, also known as drones. In accordance with the 2012 National Defense Authorization Act, the Federal Aviation Administration, in coordination with the United States Department of Defense and the National Aeronautics and Space Administration, will determine how to safely operate unmanned aircraft systems in shared national airspace.

Senate Concurrent Resolution 7 asserts that Nevada is an optimal location for testing of drones and their development and expresses that it would be an honor for our state to contribute in this important undertaking.

Basically, Madam Speaker, Nevada has a long, rich history of patriotic service to our nation in the development of defense practices for our country. Therefore, I urge your support of S.C.R. 7.

ASSEMBLYMAN ELLISON:

I have one question that I would like to ask. It says, "shared airspace as a pilot." Will this go into private airspace or strictly stay in military?

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

There is an application process that the federal government has that Nevada has been asked to participate in because we do have an Aerospace [and Defense] Sector Council. My understanding is this is just a resolution that allows us, and encourages the state of Nevada, to participate in the application process, and I believe going forward, there is manufacturing, there is research, and there is all kinds of other components to it that the legislative body would have the opportunity to get more of those details.

ASSEMBLYMAN WHEELER:

I rise in support of S.C.R. 7. In answer to my colleague's question, if taken as written, this resolution would strictly open only restricted air space—that which is restricted to private pilots anyway now—and simply encourages the development and the jobs to come to Nevada.

Resolution adopted.

GENERAL FILE AND THIRD READING

Senate Joint Resolution No. 15.

Resolution read third time.

Remarks by Assemblymen Ohrenschall, Stewart, Healey, Hickey, Hansen, Kirner, Carlton, and Madam Speaker.

ASSEMBLYMAN OHRENSCHALL:

I rise in support of Senate Joint Resolution No. 15. Senate Joint Resolution 15 urges the United States Congress to enact comprehensive immigration reform. This reform legislation should address earned legal residency accompanied by a clear path to citizenship, the future immigration of families and workers, improved immigration enforcement and border security, and a funding stream to address the entire fiscal impacts on state governments.

Unless you are a Native American, we are all a nation of immigrants. Our ancestors came here or were brought here, and I think that's what has made our country rich. Current studies show that there are about 11 million people living in the shadows. Those are people who are contributing to our culture, to our economy, and to our tax base. They are contributing their wisdom, their experience, their initiative, their hard work, and their sweat equity. The current state of affairs in our federal immigration law is not working. Having this amount of our population who are raising families here but cannot live like normal people live—cannot call the police if there's an issue that they are concerned about because of their fear of being removed and deported—is simply not working. I think S.J.R. 15 is desperately needed, and I would urge its passage.

ASSEMBLYMAN STEWART:

I rise in support of S.J.R. 15. Although I do not agree with every line in this resolution, as Congressman Amodei said yesterday, "The car needs a tune up." It has been 35 years since it was, so I will support this.

ASSEMBLYMAN HEALEY:

I rise in support of S.J.R. 15 as well. As an individual who manages over 400 employees, many of which are immigrants, this bill is extremely important. It is also extremely important that as a state, we urge our federal leaders to do the right thing and pass this comprehensive immigration reform to allow these members of our communities, who are very valuable to our community and who make our community what it is today, come to have that opportunity to a pathway to citizenship. I certainly hope and urge all of us to do the right thing for these important members of our state and pass this resolution.

ASSEMBLYMAN HICKEY:

I rise in support of S.J.R. 15. The spirit of this resolution—urging Congress to enact comprehensive immigration reform—is a message in line with our cherished heritage as Americans because, as my colleague from District 12 said, we are a nation of immigrants. However, fixing our broken immigration system must begin with doing something this resolution does not call on Congress to do, and that is to begin by creating real border security, and—given the recent eye-opening events in Boston—by reforming our legal immigration system in this country. We should start by modernizing the current immigration system to ensure that future immigrants coming to this country come with the kind of background and skills that will contribute to a twenty-first century society and not merely satisfy the needs of certain segments of the economy resulting in what we now have, that being a very high social cost at the expense of cheap labor.

We should encourage Congress to make skill-based immigration a high priority in any comprehensive approach. Finally, as line 42 in the resolution calls upon Congress for reform that “must include a funding stream to address the entire spectrum of fiscal impacts that will be experienced by state governments as a result of . . . earned legalization and the increase in the number of immigrants,” Nevada then should insist that any proposed fines or funds required of any illegal immigrant seeking a pathway to legal citizenry stay in Nevada to help compensate schools and social agencies that have been affected by unregulated immigration. For those reasons I stand, not in a full-throated endorsement but in an endorsement nonetheless, urging Congress to begin the discussion in Washington D.C. that we are having here today. With that, I urge your support of this resolution.

ASSEMBLYMAN HANSEN:

I rise in opposition to Senate Joint Resolution 15. If, in fact, this did what my Minority Leader just mentioned, I would probably support it. If it were a generic bill calling on comprehensive reform, I would not have any issues. But this bill is very specific.

In a broader sense, I have been a licensed Nevada contractor for 27 years. I have been able to live an average middle-class lifestyle, and the reason I have been able to do that is because the Nevada Contractors’ Board has a very aggressive program of going after illegal contractors, people that are not licensed. Because of their enforcement of that law, I have been able to maintain what we would call a middle-class lifestyle. What would happen to the contractors if, in fact, the Contractors’ Board dropped that program and we allowed an unlimited number of illegal contractors to compete with those of us who are legal? It would absolutely devastate our ability to maintain our status as members of the middle class.

Now, in the last election cycle—we are talking national politics with this bill, we are not just talking local—in the last election cycle, President Obama called on the nation to have policies that would create good paying, middle-class jobs. When we look back on our history, how did we end up having a great American middle class? What happened, starting in the 1880s—Civil War clear into the twentieth century—was we had a policy, first of protectionism where we had a huge growth in the manufacturing spectrum in our country, and then we had some major changes in our policies on child labor, which we outlawed. We established a 40 hour work week, and we substantially reduced the amount of legal immigration to our country. You combine the phenomenal growth in our manufacturing sector with a limited supply of labor and you had a dramatic expansion in the value of labor. Our wages went way up. We created what became known as the American way of life. In fact, we had the highest standards of living in the world because of some government policies, one which protected our manufacturing base and two, limited our immigration.

Now in Nevada, in my lifetime—I am going back 30 years to 1983—the journeymen people in our trades—I am a tradesman, I am a plumber—the average hourly wage in 1983 for a journeyman grade plumber was about \$15. If you do an inflation calculation, the average hourly wage today for a construction worker, journeyman grade, would be \$35.06. But if you actually look at the impact in our state on the ordinary working-class people that are working today

building houses, it is still almost between \$15 and \$20. Why? Because we have this huge expansion of the labor pool.

Now in Nevada, we had two big middle-class things. One was construction, and the other was the gaming industry. Gaming is now paying a token of what it did 30 years ago because there is virtually an unlimited supply of labor. Who makes up the difference? Well, first of all, who benefits from that? The big gaming people, the big developers? They are the ones making money hand over fist.

My point is, our focus is wrong. Instead of protecting the people who have obeyed the law, that have actually gotten into this country legally—the people who are competing with the illegal immigrants are mainly the legal immigrants. Their wages and their standards of living have been held in check because of this failure to have a good, comprehensive immigration policy. If that was what this bill was addressing, it would be fine. We have so many specifics in this bill just the one that Minority Leader mentioned about the border—we are not calling for closing the border. From the bill, “Whereas the focus of law enforcement, both in and at the borders of the United States, should be to prevent criminals and those persons attempting to enter the country for the purpose of doing harm to this nation.” It does not even call for blocking the border, as part of the thing.

If this resolution were generic, I would gladly support it. I do not think it is going to do a thing. I think if we came back here in two years, we would have the same exact scenario as we have today because there is simply not a will to do it, and the people that are suffering most are the hardworking, lower-and middle-class people of the state of Nevada. So I would urge us not to support this resolution because it is way too specific. Indeed, Congress needs to have comprehensive immigration reform, but this bill is micromanaging that process and we should reject it accordingly.

ASSEMBLYMAN KIRNER:

Madam Speaker, I rise in support of Senate Concurrent Resolution 15, although I do think the resolution misses one point. Coming from a business environment of a high-tech industry where we have H1B visas, which means we bring high-tech people over from different countries to support our business, I believe this resolution sort of ignores that population, and they, too, should be included in any urging of Congress to get off their keister and enact comprehensive immigration reform.

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

Thank you Assemblyman Kirner. What I would say to the body before I call on Ms. Carlton is this was a bipartisan nationwide effort to come up with something to encourage the federal government to get busy.

ASSEMBLYWOMAN CARLTON:

I rise in support of S.J.R. 15. Immigration has been something very important to my family. Years ago, growing up in south St. Louis, my grandmother and my mother came from the German neighborhood in the city. My father was an Irishman. If you stop and think about it, back in 1957 when they got married, that was a big deal, to marry outside your own neighborhood. Things have changed a lot over the last 50 years, and I am very happy with those changes. Immigration has changed also. When my grandfather was born in this country, the youngest of 13, the oldest of his 6 siblings had been born in another country. They didn't look at each other differently. They were all one family. They all belonged together. There were no rules and regulations when they came here. They came here for a better life. They came here for the American dream. It was all about human dignity, and that's what this resolution is about. We have folks out there that do not have the benefit of the things that my grandparents, my parents, and myself have. They cannot get to the American dream, because we have built barriers around the American dream and they cannot break through. Without comprehensive

immigration reform, they will never be able to do the things that my husband and I have been able to do for my daughters and, hopefully, my daughters will be able to do for their children. This is very important to the future of our country and the children of this country to be able to get to that wonderful middle-class dream that we have all been able to attain.

Roll call on Senate Joint Resolution No. 15:

YEAS—37.

NAYS—Ellison, Hansen, Wheeler—3.

EXCUSED—Pierce, Swank—2.

Senate Joint Resolution No. 15 having received a constitutional majority, Madam Speaker declared it passed.

Resolution ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Horne moved that Senate Bill No. 228, just reported out of committee, be rereferred to the Committee on Legislative Operations and Elections.

Motion carried.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblywoman Carlton, the privilege of the floor of the Assembly Chamber for this day was extended to Thomas A. Roberts.

On request of Assemblywoman Diaz, the privilege of the floor of the Assembly Chamber for this day was extended to Phillip Hollon.

On request of Assemblyman Duncan, the privilege of the floor of the Assembly Chamber for this day was extended to Patricia Falvey.

On request of Assemblywoman Fiore, the privilege of the floor of the Assembly Chamber for this day was extended to Mark Lund and Hildegard Lund.

On request of Assemblyman Frierson, the privilege of the floor of the Assembly Chamber for this day was extended to Bob Stoeckig

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

Motion carried.

Assembly adjourned at 12:32 p.m.

Approved:

MARILYN K. KIRKPATRICK
Speaker of the Assembly

Attest: SUSAN FURLONG

Chief Clerk of the Assembly