

THE EIGHTY-SECOND DAY

CARSON CITY (Friday), April 28, 2017

Assembly called to order at 11:29 a.m.

Mr. Speaker presiding.

Roll called.

All present except Assemblymen Monroe-Moreno, Swank, Watkins, and Woodbury, who were excused.

Prayer by the Chaplain, Pastor Chase Ward.

Lord, Your Word says, "Be subject for the Lord's sake to every human institution, whether it be to the emperor as supreme, or to governors as sent by him to punish those who do evil and to praise those who do good."

Again Lord, we ask for wisdom. I ask for Your guidance, for discussion and decisions that are for the good of the people, and the betterment of our state. May Your hand direct and bring about Your will. In Jesus' name.

AMEN.

Pledge of allegiance to the Flag.

Assemblywoman Benitez-Thompson 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

Mr. Speaker:

Your Committee on Health and Human Services, to which was referred Senate Bill No. 201, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

MICHAEL C. SPRINKLE, *Chair*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, April 27, 2017

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 10.

SHERRY RODRIGUEZ
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen Ellison, Elliot Anderson, Paul Anderson, Araujo, Benitez-Thompson, Bilbray-Axelrod, Brooks, Bustamante Adams, Carlton, Carrillo, Cohen, Daly, Diaz, Edwards, Flores, Frierson, Fumo, Hambrick, Hansen, Jauregui, Joiner, Kramer, Krasner, Marchant, McArthur, McCurdy, Miller, Monroe-Moreno, Neal, Ohrenschall, Oscarson, Pickard, Spiegel, Sprinkle, Swank, Thompson, Titus, Tolles, Watkins, Wheeler, Woodbury and Yeager; Senators Goicoechea, Atkinson, Cancela, Cannizzaro, Denis,

Farley, Ford, Gansert, Gustavson, Hammond, Hardy, Harris, Kieckhefer, Manendo, Parks, Ratti, Roberson, Segerblom, Settelmeyer, Spearman and Woodhouse:

Assembly Concurrent Resolution No. 11—Celebrating the life of former Assemblyman John C. Carpenter Jr.

WHEREAS the members of the Nevada Legislature on this day remember and celebrate the life of an esteemed colleague and dedicated public servant, former State Assemblyman John C. Carpenter; and

WHEREAS, John Carpenter was a true, native Nevadan, born to John and Lucille Carpenter in Fallon, Nevada, on October 13, 1930, and raised in Ely, Nevada, where he graduated from White Pine High School; and

WHEREAS, In 1957, after finishing high school, John Carpenter married his sweetheart, Roseann Slater and together they moved to Elko County, where they purchased a sheep ranch and lived for the next 60 years, working hard, raising seven successful children and actively participating in the community; and

WHEREAS, John Carpenter's distinguished career in state and local government included serving for 14 years on the Elko County Board of Commissioners, and thereafter being elected to serve in the Nevada State Assembly, representing District 33 for 24 years, generally winning elections by large margins and running four times unopposed; and

WHEREAS, John Carpenter tirelessly advocated for ranchers and ensured that the voice of rural Nevada was heard in the Nevada Legislature; and

WHEREAS, John Carpenter was known among his colleagues in the Assembly for his cowboy drawl, his political shrewdness, his kind heart and his lively sense of humor; and

WHEREAS, During the most difficult days of the legislative session, John Carpenter would relieve the tension by serving as the master of ceremonies when his fellow legislators donned cowboy hats and a chosen few, those with the character of a real cowboy or cowgirl, were inducted into the Cowboy Hall of Fame, or would regale the Assembly with a recitation of the adventures of Susie Q, a plastic tugboat that made arduous journeys down the rivers of rural Nevada; and

WHEREAS, In 2000, John returned to his activist roots by leading the Shovel Brigade, a resolute band of shovel-wielding protesters who defied the United States Forest Service and reopened a road near Jarbidge, Nevada; and

WHEREAS, John Carpenter was involved in every aspect of the community in which he lived and has been credited with helping to bring the Great Basin College and a convention center to Elko; and

WHEREAS, John C. Carpenter was universally respected and admired by all of the members of the Legislature who had the privilege to know and work with him; now, therefore, be it

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, THE SENATE CONCURRING, That on this day, the members of the 79th Session of the Nevada Legislature remember and celebrate the life of John C. Carpenter and extend their deepest condolences to his beloved wife Roseann Carpenter and their children John, Scott, Elizabeth, Susan, Doug, Lois and Linda; and be it further;

RESOLVED, That the Chief Clerk of the Assembly prepare and transmit a copy of this resolution to Assemblyman Carpenter's wife and children.

Assemblyman Ellison moved the adoption of the resolution.

Remarks by Assemblymen Ellison, Spiegel, Elliot Anderson, Ohrenschall, Hambrick, Hansen, Daly, and Mr. Speaker.

ASSEMBLYMAN ELLISON:

Today I am honored to show respect for a great statesman, a friend, a colleague, and my mentor. I am sorry. This is emotional. I watched this man do so much for Elko, rural Nevada, and the state, and this country. A lot of you do not know that State Assemblyman John Carpenter—put on your hats if you have them—State Assemblyman John Carpenter was one of the leading proponents of PILT [payment in lieu of taxes] and it was important. A lot of people

do not realize that without that, some of these counties would not have survived through the years.

Mr. Carpenter, as we just read, had 19 grandchildren, 7 great-grandchildren. One of them is Kayla who will graduate from West Point this month. She was flown in for this service from the Marshall Islands. There are also three other grandchildren that will graduate from college this month: Kensie, Brittany, and Stephanie.

In addition to the service in this body, John Carpenter also served 14 years as Elko County Commissioner and is also known as the “Assemblyman of Humor and Love” of Nevada. State Assemblyman Carpenter served 27 years in this body, and his friends and family are here today to show respect and honor for what Mr. Carpenter did. I cannot go on about what his accomplishments were, there were so many. The college would not have been built; the convention center would not have been built; a lot of the facilities in Elko would not have been built if it was not for his force and how the people felt about him and the gratitude he had. He went door to door, he and his colleagues, knocking on doors to try to get the convention center enough votes. People said it was going to cost too much; they called it the white elephant. But they pushed and pushed and pushed and he got that facility built.

A lot of people know John Carpenter from the Jarbidge Shovel Brigade. That was a big fight. His heart was into this so much after what they did in South Canyon. Mr. Carpenter and his colleague, Mr. Gerber, went out there and brought this giant shovel into Elko. It was kind of funny because everybody that sponsored this could put their names on this shovel. There were thousands of names on this. I put my wife, my children, and it got to the point where I said they are going to retire my horses. So I got the markers and put my horses’ names on this shovel. It was a good deal and they had a large parade and people showed up in South Canyon to protest them closing that road up in Jarbidge.

That was just one of the things he did. I could go on and on about his accomplishments. I am just so proud, Mr. Speaker, that you allowed us to do this today in honor of Mr. Carpenter. I do not think this would have happened if it was not for you allowing us to do this. There are a lot of friends here on the floor that would like to say a few words.

ASSEMBLYWOMAN SPIEGEL:

I am really delighted to be able to say these words to Mr. Carpenter’s family. I was really pleased and privileged to serve with him. Early in my legislative career, I learned an awful lot from him. I was inducted into the Cowboy Hall of Fame, and I still proudly have the certificate on the wall of my office. But the most important thing I learned from Mr. Carpenter was the cowboy code of ethics and the cowboy code of honor. The thing is, he did not just teach it to me by giving me words on a piece of paper, he taught it by example. He was absolutely somebody that we could all learn from, and respect, and admire. I am privileged to have known him and I am glad we are doing this today. I thank you all for sharing him with the state of Nevada; we are a much better place because of him.

ASSEMBLYMAN ELLIOT ANDERSON:

I did not get a chance to serve with Mr. Carpenter but I did get to work in the building when he was here and got to spend some time talking with him. He said the same advice to everyone but I will never forget the best advice that I have ever heard in this building. I think it is worth sharing today—Never ask your barber if you need a haircut. It was an impactful thing for me. It helped me sort through the information I get in this building, which is a really important thing for all of us. It is profound advice yet delivered in such a simple way that makes you think. I thought that was pretty impressive to be able to convey such important information in very simplistic words. That is, to me, the mark of someone who is really good—to be able to express so much in so few words. I wanted to leave the body with that because I think it is a very important thing to remember as you are in this building.

ASSEMBLYMAN OHRENSCHALL:

I rise in support of Assembly Concurrent Resolution 11. I had the privilege of getting to know Assemblyman Carpenter; both I and my mom got to serve with him. When my mom was a freshman in the 1995 Session, the house was evenly divided. John was probably the ranking

member on most of the committees she served on, and he was always very kind to her. They stayed friends even when she left the Legislature and after he left the Legislature.

He was a great friend to me when I got elected in 2006 and would always take time to listen to me and my concerns about bills. There were times where I would go and talk to him about a bill that came from the prosecutorial bar and I would give him my bleeding heart liberal pitch. Every now and then he would listen, and he became a bleeding heart liberal. There were many bills that I didn't get a chance to talk to him on and he would, in Judiciary Committee—that is where I got to know him the best—he would play devil's advocate. He would champion the civil libertarian cause, and he would say Well, what would happen if I were arrested and a complaint was not filed in 24 hours or 48 hours? What kind of recourse would I have? He would really put himself in the shoes of our constituents and see how bills would affect our constituents. Back when I first got elected, before computers, we still had bill books. Very often, long after floor ended or in the morning after committee ended before floor started, he would be here sitting, reading word for word every bill. He was so serious about his job and wanted to make sure he did not cast a wrong vote and he did not just go along to get along and cast an erroneous vote that would hurt his constituents.

I think back to the Judiciary Committee when Chairman Anderson chaired it and former Speaker Buckley was on that committee that I served on. They used to joke about the CAB law firm—Carpenter, Anderson, Buckley—because if you could get all three of them to agree on something, you would be okay. You would probably get that bill through Judiciary Committee. But if C, A, or B did not agree on that, you would probably have some trouble.

No disrespect to anyone who is in the Chamber, but I certainly think he was probably the most thoughtful, hardworking legislator I ever met. I think if you could go back and ask former Speaker Buckley, former Chairman Anderson, people from Clark County and Washoe County if they would have been comfortable with John Carpenter being governor, being he was from one of the pioneer counties, not from one of the urban centers, I think that they would have said yes. In many ways I think he might be the last—at least the last person I have met from one of the pioneer counties—that you talk to leaders from Clark and Washoe, and they would say Yeah, he would be very fair if he were governor. He would have treated all parts of the state fairly.

I miss him dearly and give my regards to his family for sharing him with us. I know that after he left the Legislature he served on the Ethics Commission and continued his public service. His last session of the Legislature I remember coincided with Senator Dean Rhodes retiring and I asked John, You are going to run for Senate, right? You have to run for Senate. We cannot not have you in this building, not have someone like you. He said No, I think it is time for me to go. It is time to let some new people take over. I always wondered—Roseann had a lot of health problems and needed a lot of surgery, and I thought that maybe was it—but I did not expect us to lose him so soon. He certainly has always been the kind of legislator I have aspired to be, have not attained that yet, but I have always aspired to be like Assemblyman Carpenter because he is truly the most hardworking legislator I ever served with.

ASSEMBLYMAN HAMBRICK:

Mr. Carpenter, former Assemblyman Carpenter, was not necessarily known for his poetry. My colleague from Assembly District 4 and I were freshmen, and I can remember where Mr. Carpenter sat right on the front up here. We would walk over and ask him a question. He would look at us very thoughtfully and say Just read the damn bill. So we did not ask him that very often.

He served this state with honor and distinction. Former Assemblyman Stewart and Mr. Carpenter are rare commodities these days, because when they would shake your hand and say a deal is a deal, you could take that to the bank. Sadly, in today's environment—not in this body, of course, but in today's environment—that is not always the case. I am sure he is looking down on us right now and saying Just get the damn work done.

ASSEMBLYMAN HANSEN:

What I remember most about Mr. Carpenter is the fact that he was such an ardent proponent of the *United States Constitution*. John Carpenter was an ardent believer in the idea that Nevada should control its public lands. He was probably the most dedicated Nevadan that you could ever meet; I don't think there was anybody that stood up more for the state of Nevada and had

more respect on all sides of the aisle. He had that kind of commonsense way that you find in people that are working out on the land all of the time, and you just have a natural respect for people like him.

I do not remember when I first met him, but I do remember the last time I saw him. In my district we had a problem with some ranchers who, frankly, were getting treated very badly by the Bureau of Land Management, and John Carpenter helped put together a whole group of people to go up there and actually see what was going on out on the range and help explain to everybody what the actual conditions of the forage were, in this case, for these ranchers. I think he had to be at least 84 or 85 years old on that tour.

My remembrances of him—I was on the shovel brigade; I actually raised 500 shovels. I think John and Senator Rhodes were the founders of the Sagebrush Rebellion. These are hard-core people who spent their whole lives living on the range in Nevada and had more common sense than all of us in this room combined, frankly.

So I just want to say to his family, thank you for sharing him with us for those 86 years, and thank you for all of the great work he did for the state of Nevada. Hopefully some of you will carry on that tradition.

ASSEMBLYMAN DALY:

I, like my colleague, did not get a chance to serve with Mr. Carpenter. He was termed out my first session. But I did get to work with John on a couple of bills and various things, and I remember one bill in particular that I was working on. Assembly Bill 444—I remember the number—was for double penalties in work zones. It was trying to protect construction workers out on the road. I do remember at the time John Carpenter put an amendment on that bill, and I thought it was a good amendment; I thought it would help me get a few votes. The amendment was to put the blue lights—at the time it was against the law to have blue lights on anything other than a police official car—so we put the blue lights on the back of the NDOT [Nevada Department of Transportation] truck and the other vehicles. Every time I go by one of those blue lights, I think of John. Now I hope the rest of you will as well. Double penalties in work zones, I am sure saved lives, and helped people from getting injured. But I will tell you, every time in a snowstorm, you see those blue lights a lot quicker than you see amber or red or anything else. I can guarantee you that that change also saved lives. That was one of the things that you might not have known about some of the work that he did. He made a bill I was working on better and made the state better too.

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

I was not able to serve with the Assemblyman but I was able to advocate on behalf of Clark County and that is how I met Mr. Carpenter. I will say this: Everybody knows how much I care about the institution and the integrity of this process, and he was the perfect example of the integrity of this process. I will also say whether it was in his office, in committee, or on this floor, nothing that he did or said let me know what party he was. He voted how he voted and did what he thought was the right thing but it never, ever—on this floor, in committee, or in his office—came from him with a partisan slant. I think that was my example of being a true statesman. We miss him and we carry on his spirit because he did it the right way.

ASSEMBLYMAN ELLISON:

I thank my colleagues for the remarks. There will be a lot more shared today with the family, I am sure. I would like all the family members to stand. You can see they have flown sons and daughters and grandchildren and great-grandchildren from all over the country to be here today to show respect to their father and grandfather. I think it is so important.

I would like to hand the resolution to Linda. As we were growing up when Mr. Carpenter had the gas station at Cimarron West, we gave her a nickname, Dipstick. She was always asking how to check the oil in the cars. He taught his kids work ethics. I am so proud to have known him; John was like a father to me. Mr. Speaker, I stand with these great people. Please show them your honor and respect for them being here today.

Resolution adopted and ordered transmitted to the Senate.

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

Assembly in recess at 11:55 p.m.

ASSEMBLY IN SESSION

At 12:01 p.m.

Mr. Speaker presiding.

Quorum present.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bill No. 19.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Brooks, the privilege of the floor of the Assembly Chamber for this day was extended to Susan Carpenter, Doug Carpenter, and Kristen Carpenter.

On request of Assemblywoman Bustamante Adams, the privilege of the floor of the Assembly Chamber for this day was extended to Scott Carpenter, Darryl Carpenter, and Kelsey Larsen.

On request of Assemblyman Ellison, the privilege of the floor of the Assembly Chamber for this day was extended to Lois Carpenter, Doug DeForest, Kayla Carpenter, Cindy Ellison, Tina Reminger, John B. Carpenter, John T. Carpenter, Roseann Carpenter, and Linda Meo.

On request of Assemblyman Frierson, the privilege of the floor of the Assembly Chamber for this day was extended to Rochelle Carpenter, Charlie Wellemeyer, Elizabeth Carpenter, and Eve Nybe.

On request of Assemblyman Kramer, the privilege of the floor of the Assembly Chamber for this day was extended to Cidney Hinds, Kristina DeForest, and Dawn Ayarbe.

On request of Assemblywoman Krasner, the privilege of the floor of the Assembly Chamber for this day was extended to the following students, teachers, and chaperones from Elizabeth Lenz Elementary: Hailey Bandelin, Natalia Black, Connor Borgna, Ian Brockelsby, Tony Caramella, Kylie Chalmers, Dustin Cochran, Aiden Craig, Kennedy Edmunds, Megan Flatt, Sophia Hansen, Vance Hatt, Leah Kinne, Landon Martin, Maclain McBride, Niah Morris, Milton Muniz, Keegan Nichols, Taylor Noel, Jolie Parra, Caleb Richter, Keeyan Searcy, Shanen Swanger, Laurel Tushbant, Nolan Bader, Colt Coehlo, Bella Brintnall, Takeo Cervantez, Ryan Dolan, Ammi Duenas

Mercado, Ashley Dunbar, Joe Fix, Annie Forshey, Ayden Grace, Madelyn Hadwick, Kaylee Harper, Carmine Khoshaba, Katie Landa Iboa, Tyler Larsen, Samatha Lowe, Crystayle Magers Morales, Mason Miller, Manvi Mummalanai, Malia Nakamura, Brooklyn Parkhurst, Christian Park, Jacob Soleman, Kayden Sturtevant, Bridger Weide, and Dorian Villagrana Suarez.

On request of Assemblywoman Miller, the privilege of the floor of the Assembly Chamber for this day was extended to Charemon R. Cooks.

On request of Assemblyman Oscarson, the privilege of the floor of the Assembly Chamber for this day was extended to Candace Merchant, Rylee Carpenter, and Tyler Carpenter.

On request of Assemblywoman Titus, the privilege of the floor of the Assembly Chamber for this day was extended to Tom Grady.

On request of Assemblywoman Tolles, the privilege of the floor of the Assembly Chamber for this day was extended to Gage Koler.

On request of Assemblyman Wheeler, the privilege of the floor of the Assembly Chamber for this day was extended to Terry Sullivan.

Assemblywoman Benitez-Thompson moved that the Assembly adjourn until Tuesday, May 2, 2017, at 11:30 a.m.

Motion carried.

Assembly adjourned at 12:05 p.m.

Approved:

JASON FRIERSON
Speaker of the Assembly

Attest: SUSAN FURLONG
Chief Clerk of the Assembly