

The  
**Journal of the  
Senate**

OF THE  
SIXTEENTH SPECIAL SESSION  
OF THE  
LEGISLATURE OF THE  
STATE OF NEVADA

1989



BEGUN ON TUESDAY, THE TWENTY-FIRST DAY OF  
NOVEMBER, AND ENDED ON TUESDAY, THE  
TWENTY-FIRST DAY OF NOVEMBER

SPO, CARSON CITY, NEVADA, 1990



## ARRANGEMENT AND CONTENTS OF VOLUME

---

SENATE LEGISLATIVE CALENDAR.....	v
LISTING OF SENATE BILLS.....	vii
LISTING OF SENATE RESOLUTIONS.....	vii
LISTING OF ASSEMBLY BILLS.....	ix
PERSONNEL OF THE NEVADA STATE SENATE.....	xi
ATTACHÉS OF THE NEVADA STATE SENATE.....	xiii
SENATE PROCEEDINGS.....	1
GENERAL INDEX.....	17



## SENATE LEGISLATIVE CALENDAR

---

<i>Calendar Day</i>	<i>Date</i>	<i>Page Number</i>
1.....	November 21, 1989.....	1



## LISTING OF SENATE BILLS AND ACTION THEREON

(Where a roll call vote was taken on final passage, such action is denoted by an asterisk following the page number.)

---

*No.*

### *Summary, Introducer and Page Reference*

- 1.....Repeals certain provisions concerning legislators' retirement. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Raggio, Beyer, Coffin, Getto, Hickey, Horn, Jacobsen, Malone, Neal, O'Connell, O'Donnell, O'Neill, Rawson, Rhoads, Smith, Titus, Townsend, Vergiels and Wagner. 6.

## LISTING OF SENATE RESOLUTIONS AND ACTION THEREON

(Where a roll call vote was taken on final passage, such action is denoted by an asterisk following the page number.)

---

## SENATE RESOLUTIONS

*No.*

### *Summary, Introducer and Page Reference*

- 1.....Provides for appointment of attachés. Raggio and Vergiels. 6.
- 2.....Provides that no allowances will be paid for 16th Special Session of Legislature for periodicals, stamps, stationery or communications. Raggio and Vergiels. 6.





## **LISTING OF ASSEMBLY BILLS**

(For summaries of Assembly Bills see Assembly Journal.)

---

*No.*

1.....10, 11.  
2.....10.



## ELECTED OFFICERS OF THE NEVADA STATE SENATE

### Sixteenth Special Session, 1989

---

<i>Title</i>	<i>Name</i>	<i>Mailing Address</i>
President.....	Robert J. Miller.....	Capitol Complex, Carson City 89710
President pro Tempore.....	Lawrence E. Jacobsen.....	P.O. Box 367, Minden 89423
Secretary of the Senate.....	Janice L. Thomas.....	1944 Molly Drive, Carson City 89701

## PERSONNEL OF THE NEVADA STATE SENATE

### Sixteenth Special Session, 1989

---

<i>District</i>	<i>Name and Party</i>	<i>Mailing Address</i>
Capital Senatorial District.....	Joerg, Charles, W. (R).....	301 Tahoe Drive, Carson City 89701
Central Nevada Senatorial District.....	Getto, Virgil (R).....	1400 Lovelock Highway, Fallon 89406
Clark, No. 1.....	Smith, R. Hal (R).....	544 E. Fairway Road, Henderson 89015
Clark, No. 2.....	Shaffer, Ray (D).....	P.O. Box 43594, Las Vegas 89116
Clark, No. 2.....	Hickey, Thomas J. (D).....	6717 E. Cherry Grove Avenue, Las Vegas 89115
Clark, No. 3.....	Coffin, Bob (D).....	1139 S. Fifth Place, Las Vegas 89104
Clark, No. 3.....	Vergiels, John M. (D).....	3555 Algonquin Drive, Las Vegas 89109
Clark, No. 4.....	Neal, Joseph M., Jr. (D).....	304 Lance Avenue, North Las Vegas 89030
Clark, No. 5.....	O'Donnell, William R. (R).....	2994 S. Jones Boulevard, Las Vegas 89102
Clark, No. 5.....	O'Connell, Ann (R).....	7225 Montecito Circle, Las Vegas 89120
Clark, No. 6.....	Malone, Mike (R).....	3660 Thom Boulevard, Las Vegas 89130
Clark, No. 6.....	Rawson, Raymond D. (R).....	6433 Mecham Avenue, Las Vegas 89107
Clark, No. 7.....	Titus, Dina (D).....	1637 Travois Circle, Las Vegas 89119
Clark, No. 7.....	Horn, Nicholas J. (D).....	2543 Boise Street, Las Vegas 89121
Northern Nevada Senatorial District.....	Rhoads, Dean A. (R).....	Tuscarora 89834
Washoe, No. 1.....	Raggio, William J. (R).....	P.O. Box 3137, Reno 89505

## PERSONNEL OF THE NEVADA STATE SENATE

<i>District</i>	<i>Name and Party</i>	<i>Mailing Address</i>
Washoe, No. 1.....	Beyer, Erik (R).....	1274 St. Alberts Drive, Reno 89503
Washoe, No. 2.....	O'Neill, Margaret E. (D).....	1236 Junction Drive, Sparks 89434
Washoe, No. 3.....	Townsend, Randolph J. (D).....	P.O. Box 20923, Reno 89515
Washoe, No. 3.....	Wagner, Suc (R).....	845 Tamarack Drive, Reno 89509
Western Nevada		
Senatorial District.....	Jacobsen, Lawrence E. (R).....	P.O. Box 367, Minden 89423

**ATTACHÉS OF THE NEVADA SENATE**  
**Sixteenth Special Session, 1989**

---

Name	Title	City
Mary Jo Mongelli.....	Assistant Secretary of the Senate.....	Carson City
Ann Moyle.....	History Clerk.....	Carson City
Mary Phillips.....	Journal Clerk.....	Gardnerville
Mary Ellen Patt.....	Minute Clerk.....	Gardnerville
Vernon Bunker.....	Sergeant at Arms.....	Logandale
Brent Skidmore.....	Assistant Sergeant at Arms.....	Reno
Lucille Hill.....	Majority Leader's Secretary.....	Reno
Ruth Pierini.....	Administrative Assistant, Personnel.....	Carson City



# Journal

OF THE

## SENATE OF THE STATE OF NEVADA

---

SIXTEENTH SPECIAL SESSION

---

### THE FIRST DAY

CARSON CITY (Tuesday), November 21, 1989

Senate called to order at 10 a.m.

Prayer by Senator Rawson.

Our Father in Heaven, as we gather this morning, we are grateful to thee for the opportunity we have to be together again as associates, colleagues and friends to consider the business before us this day. We are saddened, Heavenly Father, by some of the events that have taken place in the lives of some of the members of this body. Our condolences and our feelings go out to Senator O'Connell for the loss of her mother and, especially, we pray this day for the health and safety of our own Senator Horn. We would pray for all of those that have suffered some loss or difficulty since we last met, and we ask you to be with us this day, Heavenly Father, that we may be expeditious and efficient in the performance of our duties. We do appreciate this great country and the system that we live under, and the ability that we have to represent the people of our state. Now, we ask that you be with us in the performance of this and we do this in the name of Jesus Christ.

AMEN.

Pledge of allegiance to the Flag.

#### MOTIONS, RESOLUTIONS AND NOTICES

President pro Tempore Jacobsen requested Mrs. Janice L. Thomas to serve as temporary Secretary of the Senate.

President pro Tempore Jacobsen requested Mr. Vernon E. Bunker to serve as temporary Sergeant at Arms.

President pro Tempore Jacobsen instructed the temporary Secretary to call the roll of the Senators.

Roll called.

All Senators present except Senators Joerg and Shaffer, who were excused.

President pro Tempore Jacobsen appointed Senators Rawson, O'Donnell and Hickey as a temporary Committee on Credentials to examine the credentials of the newly-appointed Senator.

President pro Tempore Jacobsen announced that if there were no objections the Senate would recess subject to the call of the Chair while credentials of the newly-appointed Senator are examined by the temporary Committee on Credentials.

Senate in recess at 10:05 a.m.

### SENATE IN SESSION

At 10:09 a.m.

President pro Tempore Jacobsen presiding.

Quorum present.

### REPORTS OF COMMITTEES

*Mr. President pro Tempore:*

Your temporary Committee on Credentials has had the credentials of the respective Senator-appointee under consideration and begs leave to report that Margaret Eileen O'Neill has been duly appointed and is a qualified member of the Senate of the Sixteenth Special Session of the Nevada Legislature of the State of Nevada.

SENATOR RAYMOND D. RAWSON  
SENATOR WILLIAM R. O'DONNELL  
SENATOR THOMAS J. HICKEY

### MOTIONS, RESOLUTIONS AND NOTICES

Senator Rawson moved that the report of the temporary Committee on Credentials be adopted.

Motion carried.

President pro Tempore Jacobsen appointed Senators Smith, Titus and Rhoads to escort Chief Justice C. Clifton Young of the Supreme Court of Nevada to the rostrum to administer the oath of office to the newly-appointed Senator.

President pro Tempore Jacobsen announced that if there were no objections the Senate recess subject to the call of the Chair.

Senate in recess at 10:10 a.m.

### SENATE IN SESSION

At 10:12 a.m.

President pro Tempore Jacobsen presiding.

Quorum present.

Chief Justice Young administered the oath of office to the newly-appointed Senator.

Senator Horn moved that the Chief Justice be extended a unanimous vote of thanks for administering the oath of office.

Motion carried unanimously.



President pro Tempore Jacobsen instructed the temporary Secretary to call the roll of the Senators.

Roll called.

All Senators present except Senators Joerg and Shaffer, who were excused.

President pro Tempore Jacobsen declared that nominations were in order for Secretary of the Senate.

Senator Raggio nominated Mrs. Janice L. Thomas to be Secretary of the Senate.

Senator Rawson moved that nominations be closed.

Motion carried.

President pro Tempore Jacobsen declared Mrs. Janice L. Thomas to be Secretary of the Senate.

Senator Raggio moved that the Standing Rules of the Senate of the Sixty-fifth Session of the Nevada Legislature be adopted by the Sixteenth Special Session of the Nevada Legislature, 1989, excluding those rules that pertain to standing committees. The legislation being considered here today by order of the Acting Governor will be addressed in a Committee of the Whole which alleviates the necessity to make committee appointments.

Motion carried.

Senator Raggio moved that the Joint Rules of the Senate and Assembly of the Sixty-fifth Session of the Nevada Legislature be adopted by the Sixteenth Special Session of the Nevada Legislature, 1989.

Motion carried.

President pro Tempore Jacobsen announced that the Senate leadership designations for the Sixty-fifth Session of the Nevada Legislature will remain the same for the Sixteenth Special Session, 1989, with the exception to the change in the minority leadership designations, as noted, and are to be entered in the Journal. They are: Senator William J. Raggio, Majority Floor Leader; Senator Raymond D. Rawson, Assistant Majority Floor Leader; Senator William R. O'Donnell, Majority Whip; Senator John M. Vergiels, Minority Leader; Senator Nicholas J. Horn, Assistant Minority Leader.

President pro Tempore Jacobsen appointed Senators Wagner, Beyer and Coffin as a committee of three to inform the Assembly that the Senate is organized and ready for business.

President pro Tempore Jacobsen appointed Senators O'Connell, Townsend and Horn as a committee of three to inform the Acting Governor that the Senate is organized and ready for business.

Senator Raggio moved that the following persons be accepted as accredited press representatives and that they be assigned space at the press table and be allowed to use the appropriate broadcasting facilities: Bill Harbour, BOULDER CITY NEWS; Gary Elam, Andrea Graham, Julie Hofeld, COMSTOCK CHRONICLE; Ed Vogel, Sean Whaley, Laura Wingard, DONREY NEWS BUREAU; Dan Steninger, Mel Steninger, Rex Steninger,

ELKO DAILY FREE PRESS; Laura Tennant, Debbie Crook, Julie Vogel, FERNLEY LEADER-DAYTON COURIER; Melanie Martin, Chris Tumbusch, GARDNERVILLE RECORD-COURIER; Robert Lowes, Helaine Lowes, GATEWAY GAZETTE; David Copelan, Harry Copelan, Howard Copelan, HIGH DESERT ADVOCATE; Robert Grove Fisher, HENDERSON HOME NEWS; Susan Brockus, HUMBOLDT SUN; Anne Pershing, LAHONTAN VALLEY NEWS; Dave Ellison, LAS VEGAS BUSINESS PRESS; Jon Ralston, Jeff Scheid, LAS VEGAS REVIEW JOURNAL; Mike Campbell, Jeff German, LAS VEGAS SUN; Carol Marshall, LOVELOCK REVIEW-MINER TRIBUNE; David Sanford, Keith Trout, MASON VALLEY NEWS; Jack McCloskey, MINERAL COUNTY INDEPENDENT NEWS; Becky Lemon, NATIVE NEVADAN; Lee Ann Fleming, Don Ham, Sue Morrow, Julie Olmstead-Lennon, Hannah Philips, Pat Quinn-Davis, Lisa Tolda, Sandi Wright, Richard Cornett, NEVADA APPEAL; Courtney Brenn, Joe Gosen, John Miller, Russ Yip, Marilyn Newton, Mike Norris, David Palmer, Brad Shirakawa, RENO GAZETTE-JOURNAL; Guy Shippler, SACRAMENTO BEE; Paul Allee, Bruce Bennett, Steve Timko, SPARKS DAILY TRIBUNE; Patty Maxwell, Susan Romeo, TRI-COUNTY EXPRESS; Adrienne Abbott, KBUL, RENO; Jim O'Neal, KCBN/KRNO-FM, RENO; Paul Gardner, Lori Gilbert, KELK, ELKO; Pennie Nichols, KHIT/KIIQ-FM-KSRN, RENO; Fred Gale, Dick Patterson, KNEV/KROW-AM, RENO; Pam Everett, KOH, RENO; Kahala Carter, KOLO, RENO; Rick Davis, KPLY, SPARKS; Travis T. Hipp, Craig Swope, KPTL, CARSON CITY; Terri Laird, KRLT, STATELINE; Howard Cadot, David Ross, Mike Taylor, KTHO, S. LAKE TAHOE; Guy Shippler, KUNR, RENO; Lynn Pearce, KVLV, FALLON; Bonnie Hackel, Torrey Sheen, KWNA, WINNEMUCCA; Christy Carlson, Mark Granick, Eric Hulnick, Hank Tester, Don Tofoya, KCRL, RENO; Gordon Absure, Mark Fortierre, Kevin Ross, Eric Stillman, KLAS, LAS VEGAS; Rosemary Peacock, Darrell Menning, KNPB, RENO; Tom Ainsworth, Karl Baker, Bruce Bolf, Larry Blitzstein, Tad Dunbar, Rolf Lindstroth, Ed Pearce, KOLO, RENO; Dave Meador, Shelly Wintermark, KTNV, LAS VEGAS; Jack Antonio, Steve Arlitz, Steve Bell, Dave Briscoe, Denise Clodjeauz, Bob Devereaux, Jeannette George, Pat Herman, Jeff Humphrey, D. B. Hudson, Ken Humphrey, John Kilbran, Tony Kovaleski, Elliot Lewis, Dennis Myers, Dave Ratto, R. Richards, Mark Sexton, Karen Shomo, Steve Sonnenberg, Sharon Spangler, Renee Syler, Denise Yoxsimer, KTVN, RENO; Rob Bloom, David Riggelman, KVBC, LAS VEGAS; Tom Gardner, Laura Myers, Brendan Riley, ASSOCIATED PRESS; Lee Adler, REUTERS NEWS SERVICE; Geoff Dornan, Cy Ryan, UNITED PRESS INTERNATIONAL.

Motion carried unanimously.

A committee from the Assembly consisting of Assemblymen Brookman, Fay and McGinness, appeared before the bar of the Senate and announced that the Assembly was organized and ready for business.

Senator Wagner reported that her committee had informed the Assembly that the Senate is organized and ready for business.

Senator O'Connell reported that her committee had informed the Acting Governor that the Senate is organized and ready for business.

#### MESSAGES FROM THE GOVERNOR

THE STATE OF NEVADA

EXECUTIVE CHAMBER

CARSON CITY, NEVADA

#### A PROCLAMATION BY THE GOVERNOR:

WHEREAS, Section 9 of Article V of the Constitution of the State of Nevada provides that "The Governor may on extraordinary occasions, convene the Legislature by Proclamation and shall state to both houses when organized, the purpose for which they have been convened, and the Legislature shall transact no legislative business, except that for which they were specially convened, or such other legislative business as the Governor may call to the attention of the Legislature while in Session;" and

WHEREAS, believing that an extraordinary occasion now exists which requires immediate action by the Legislature;

Now, Therefore, I, BOB MILLER, Governor of the State of Nevada, by virtue of the authority vested in me by Section 9 of Article V of the Constitution of the State of Nevada, do hereby convene the Legislature into a Special Session to begin at 10 a.m. on Tuesday, November 21, 1989, to consider only an appropriation for the expense of the Session and a repeal of the provisions of Assembly Bill No. 820 of the 65th Session of the Nevada Legislature that relate to the Legislators' Retirement Law, including the reduction of any benefits paid pursuant to those provisions and the refund of monies received by the public employees' retirement fund pursuant to those provisions for the purchase of additional service credit.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great seal of the State of Nevada to be affixed at the State Capitol in Carson City, this 8th day of November, in the year of Our Lord one thousand nine hundred eighty-nine.

BOB MILLER

Governor

FRANKIE SUE DEL PAPA

Secretary of State

STATE OF NEVADA

EXECUTIVE CHAMBER

CARSON CITY, NEVADA, November 21, 1989

THE HONORABLE LAWRENCE E. JACOBSEN, *President pro Tempore*, Nevada State Senate,  
Legislative Building, Carson City, Nevada 89710

*To the members of the Nevada State Senate:*

Article 5, Section 9 of the Constitution of the State of Nevada requires the Governor, upon calling a Special Session of the legislature, to ". . . state to both houses when organized, the purpose for which they have been convened . . ." I have chosen to exercise my constitutional responsibility in this written form rather than through remarks to a joint session in order to help reduce the time necessary to complete the business at hand.

The purpose of this special session is to consider only an appropriation for the expense of the session and a repeal of the provisions of Assembly Bill No. 820 of the 65th Session of the Nevada Legislature that relate to the Legislators' Retirement Law, including the

reduction of any benefits paid pursuant to those provisions and the refund of monies received by the Public Employees' Retirement Fund pursuant to those provisions for the purchase of additional service credit.

I now call upon each of you to join me in helping to make this the shortest and least expensive Special Session in history.

Sincerely,

BOB MILLER  
*Governor of Nevada*

#### MOTIONS, RESOLUTIONS AND NOTICES

By Senators Raggio and Vergiels:

Senate Resolution No. 1—Providing for the appointment of attachés.

RESOLVED BY THE SENATE OF THE STATE OF NEVADA, That the following persons are elected as attachés of the Senate for the 16th Special Session of the Legislature of the State of Nevada: Mary Jo Mongelli, Ann Moyle, Mary Phillips, Mary Ellen Patt, Vernon Bunker, Ruth Pierini, Lucille Hill and Brent Skidmore.

Senator Raggio moved the adoption of the resolution.

Remarks by Senator Raggio.

Resolution adopted unanimously.

By Senators Raggio and Vergiels:

Senate Resolution No. 2—Providing that no allowances will be paid for the 16th Special Session of the Legislature for periodicals, stamps, stationery or communications.

RESOLVED BY THE SENATE OF THE STATE OF NEVADA, That for the 16th Special Session of the Legislature of the State of Nevada, no allowances will be paid for members of the Senate for periodicals, stamps, stationery or the use of telephones, and that no allowances will be paid for the President Pro Tempore, Majority Leader, Minority Leader or chairman of a standing committee of the Senate for postage, telephone tolls or other charges for communications.

Senator Raggio moved the adoption of the resolution.

Remarks by Senator Raggio.

Resolution adopted unanimously.

#### INTRODUCTION, FIRST READING AND REFERENCE

By Senators Raggio, Beyer, Coffin, Getto, Hickey, Horn, Jacobsen, Malone, Neal, O'Connell, O'Donnell, O'Neill, Rawson, Rhoads, Smith, Titus, Townsend, Vergiels and Wagner:

Senate Bill No. 1—An Act relating to legislators' retirement; repealing the provisions of Assembly Bill No. 820 of the 65th session of the Nevada Legislature that relate to the Legislators' Retirement Law; directing the public employees' retirement system to cease payment of the higher benefits calculated pursuant to the repealed provisions; requiring the public employees' retirement system to refund money paid to purchase additional service credit during the period the repealed provisions were in effect and to revoke the purchased credit; and providing other matters properly relating thereto.

Senator Raggio moved that the Senate resolve itself into a Committee of the Whole for the purpose of considering Senate Bill No. 1, with Senator Raggio as Chairman of the Committee of the Whole.

Motion carried.

Senator Raggio requested that the remarks made during the Committee of the Whole be entered in the Journal.

### IN COMMITTEE OF THE WHOLE

Senator Raggio presiding.

Senate Bill No. 1 considered.

The Committee of the Whole was addressed by Mr. Lorne J. Malkiewicz, Legislative Counsel.

LORNE J. MALKIEWICH, *Legislative Counsel*:

Thank you Mr. Chairman, members of the Senate. I'll go through the bill sections 1 through 4, in that order. Section 1 repeals sections 11 through 15 of chapter 481, Statutes of Nevada 1989. Chapter 481, of course, is Assembly Bill No. 820 from last session. Those provisions you can see in the text of repealed sections following at the end of the bill. By repealing the amendatory provisions, what we do is, essentially, return the retirement system to the state it was in before Assembly Bill No. 820 was passed as there were no other amendments to the legislators' retirement system during the 1989 session. This means that it is as though there was no change at all from the 1989 session.

Sections 2 and 3 are transitory provisions that direct the public employees' retirement system in how to carry out the change. Section 2 provides that the repeal of the increases applies to all payments after the effective date. We are not asking anyone to repay any benefits, however, we are not grandfathering anyone in either. From the payments that go out in December, the reduced benefits will be in effect, at least as to the last ten days of the month of November and from that day forward, people who are retired and people who subsequently enter into retirement, will receive benefits pursuant to the old provisions of the legislators' retirement system, not the amended provisions.

Section 3 requires the refund of monies paid for service credit. One of the provisions of Assembly Bill No. 820 allowed legislators to purchase up to five years of service credit regardless of prior experience. Anyone who purchased that service credit from June 23, 1989, the effective date of Assembly Bill No. 820, and today will have purchased that service credit based on an amount actuarially calculated to generate this higher benefit. That will be far more than they should have paid for service credit. This is saying, return that money, pay them the interest on the money that they have paid in and take away those years of service credit. If a person is entitled to purchase service credit under the former provisions of chapter 218 of NRS, they could then do so, however, it would then be calculated at a rate that would generate this lower benefit not the higher benefit provided for in Assembly Bill No. 820.

Section 4 provides it is effective upon passage and approval and as I indicated, if the Governor signs this today, it would mean that it applies for exactly one-third of the month of November, this being the 21st day out of 30.

I did not have anything else to say about the bill. Are there any questions?

SENATOR RAGGIO:

The Chair notes that as usual the text of the repealed sections is attached to the bill which includes sections 11 through 15 referenced by Mr. Malkiewicz. Those were the sections in the original bill. Some question was asked about this and I want to clear it up. Those are the sections as they appeared in the bill and they do not make any changes other than those which Mr. Malkiewicz has indicated. The bill as processed will repeal all of the proposed changes that were in sections 11 through 15 of the original bill.

Are there any questions on the bill from the Senators of Mr. Malkiewicz?

The Chair indicates again that a period of time will be allotted for any written input or testimony from the public which will be included in the Journal. The Chair will allot the period of four days following the session for any material or comments from the public if they desire to have that entered into the journal on this issue only.

SENATOR NEAL:

My question is in reference to subsection 3 of section 11. Does that section repeal the credits that those individuals who have bought for instance, time served in the military?

MR. MALKIEWICH:

Actually, what this will do is return the law to the former state. Before Assembly Bill No. 820, the provisions of NRS 218.2381 allowed a legislator to purchase service credit for former out-of-state service for a public agency or former service for military or various other provisions that would not be included in the legislators' retirement system. Assembly Bill No. 820 took out those requirements that you have the military service or the service of some other public body and just said that any legislator with five years of service could purchase another five. By repealing this, we go back to the former provision which is: if you have former creditable military service or service in another state that qualifies under NRS 218.2381 you can purchase service credit.

SENATOR O'CONNELL:

Thank you, Mr. Chairman. I would like to ask a question. Do we have any precedence in the law right now for the action we are about to take? In other words, are we on pretty firm ground by doing this or what is the likelihood of a lawsuit?

MR. MALKIEWICH:

Do you mean as far as taking away benefits that have been passed? The problem is, there isn't a great deal of precedent at all. There is a lot of precedent concerning taking away pension benefits of employees who have been given those benefits by their employers and generally the precedent says you cannot do that without some extraordinary showing that the system is in trouble and would fail otherwise. However, this is a unique situation for a couple of reasons. First of all, the legislators are not in an employer/employee relationship. The benefit is voted by the legislature for the legislature. There is not the same reliance in accepting employment that you get in the employer/employee relationship. The second provision that we believe is critical is article 4, section 33, which provides that no increase in compensation can take effect during the term of office to which you are elected. The theory on which pension benefits become vested and cannot be taken away is that they are deferred compensation. If they are, in fact, deferred compensation then they cannot be irrevocably increased during the term of office to which you are elected. That is why we believe that they can be taken away, at least, as to members of the sixty-fifth session. As to those people who are already retired and receiving benefits, the benefit that they relied on when they put in their service is the former benefit that was in effect. This one has been in effect for a very short time. There is not the element of years of service and reliance on this higher benefit. Almost as soon as it was passed, the referendum petition was circulated to repeal it. There could not have been substantial reliance that was not at least questionable. Anyone who relied heavily upon this new increase probably was not reasonable in doing so. So we believe that the court will hold that you can take those benefits away. Will there be litigation? Almost certainly. But we believe that by taking the action now, the legislature has the strongest case for taking the benefits away.

FROM THE COMMON CAUSE/NEVADA:

November 21, 1989

*To the Members of the Nevada State Senate:*

On behalf of the Board of Governors and members of Common Cause/Nevada, please allow us to commend the members of the Legislature for their prompt and efficient work in repealing those portions of Assembly Bill No. 820 that relate to legislative pensions.

The fact that Acting Governor Miller called the Special Session and that the members of the Legislature responded so responsibly, is gratifying, not only because of the savings in taxpayers' money, but also because it indicates that the voice of the people can still be effective.

Respectfully submitted,

JAMES HULSE, *Acting Chair*

LEOLA ARMSTRONG, *Executive Director*

Senator O'Connell moved that Senate Bill No. 1 be reported out of the Committee of the Whole with a "Do Pass."

Motion carried.

On the motion of Senator Raggio, the committee did rise, and report back to the Senate.

### SENATE IN SESSION

At 10:48 a.m.

President pro Tempore Jacobsen presiding.

Quorum present.

### REPORTS OF COMMITTEES

*Mr. President pro Tempore:*

Your Committee of the Whole, to which was referred Senate Bill No. 1, has had the same under consideration, and begs leave to report the same back with the recommendation. Do pass.

WILLIAM J. RAGGIO, *Chairman*

### MOTIONS, RESOLUTIONS AND NOTICES

Senate Bill No. 1.

Senator Raggio moved that all rules be suspended, reading so far had considered second reading, rules further suspended, bill declared an emergency measure under the Constitution and placed on third reading and final passage.

Remarks by Senator Raggio.

Motion carried unanimously.

### GENERAL FILE AND THIRD READING

Senate Bill No. 1.

Bill read third time.

Roll call on Senate Bill No. 1:

YEAS—19.

NAYS—None.

Absent—Joerg, Shaffer—2.

Senate Bill No. 1 having received a constitutional majority, Mr. President pro Tempore declared it passed.

Senator Raggio moved that all rules be suspended and that Senate Bill No. 1 be immediately transmitted to the Assembly.

Motion carried unanimously.

## JOURNAL OF THE SENATE

## MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, Carson City, November 21, 1989

*To the Honorable the Senate:*

I have the honor to inform your honorable body that the Assembly on this day passed Assembly Bill No. 2.

CAROL L. MOORE

*Assistant Chief Clerk of the Assembly*

## INTRODUCTION, FIRST READING AND REFERENCE

Assembly Bill No. 2.

Senator Raggio moved that all rules be suspended, reading so far had considered first reading, rules further suspended, bill declared an emergency measure under the Constitution and placed on third reading and final passage.

Remarks by Senator Raggio.

Motion carried unanimously.

## GENERAL FILE AND THIRD READING

Assembly Bill No. 2.

Bill read third time.

Remarks by Senator Raggio.

Roll call on Assembly Bill No. 2:

YEAS—19.

NAYS—None.

Absent—Joerg, Shaffer—2.

Assembly Bill No. 2 having received a constitutional majority, Mr. President pro Tempore declared it passed.

Senator Raggio moved that all rules be suspended and that Assembly Bill No. 2 be immediately transmitted to the Assembly.

Motion carried unanimously.

President pro Tempore Jacobsen announced that if there were no objections, the Senate would recess subject to the call of the Chair.

Senate in recess at 10:56 a.m.

## SENATE IN SESSION

At 11:20 a.m.

President pro Tempore Jacobsen presiding.

Quorum present.

## MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, Carson City, November 21, 1989

*To the Honorable the Senate:*

I have the honor to inform your honorable body that the Assembly on this day passed Senate Bill No. 1.

Also, I have the honor to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1.

CAROL L. MOORE

*Assistant Chief Clerk of the Assembly*



## INTRODUCTION, FIRST READING AND REFERENCE

Assembly Bill No. 1.

Senator Raggio moved that Assembly Bill No. 1 be given no further consideration.

Motion carried.

## REMARKS FROM THE FLOOR

Senator Vergiels requested that his remarks be entered in the Journal.

Margaret (Peggy) O'Neill was appointed on November 14, 1989, to fill the unexpired term left by the resignation of Senator Don Mello, Sparks.

Active in professional organizations and political campaigns, Peggy was an alternate-delegate to the Democratic National Convention for Idaho Senator Frank Church in 1976 and has worked for state and local candidates in Nevada since 1978.

Most recently, Peggy was a Nevada delegate to the National Education Association Convention in Washington, D.C. in July.

She currently has earned over 40 graduate hours in political science and education classes and is working towards her masters degree in creative arts in education which she expects to complete within the next year.

Senator O'Neill feels deeply honored by the appointment and is appreciative of the kind reception accorded her this morning.

President pro Tempore Jacobsen requested that the following remarks be entered in the Journal.

SENATOR NEAL:

Mr. President pro Tempore and members of the Senate. All of you have read during the last few months or so about the squabbles and fights among the Democrats as well as my ouster as minority leader of the Senate. That also led to my requesting an opinion on that action from the legislative counsel.

For those of you who know me and have seen me around, I've been in this body some 17 years and worked for the people I served. I've been privileged to serve with some very good people starting as far back as 1973 when Senator Raggio and I first came to this body as freshmen. Those individuals included B. Mahlon Brown, Carl Dodge, Snowy Monroe and many others.

When I was elected in 1972, we had at that time a Democratic Governor, Mike O'Callaghan. It was rumored that he much preferred the Republican who was running against me. But the people of my district, District No. 4, elected me and I came here to serve them and the state.

There have been only a couple of occasions when I felt and experienced rancor from members of this body. One particular instance occurred in 1975 when I served with Senator Lee Walker as vice chairman of the Human Resources Committee. When Senator Walker was defeated a gentleman from the Assembly was elected into this body and the chairmanship of the committee was assigned to him. Of course, there was a protest but the sensitivity of those legislators at the time, such as Senator Lamb, felt it necessary to try to seek peace on those issues. He came to me and said that things would be different next time and that he would make sure of that. It was. I was given the chairmanship.

Another time which you might remember, Mr. President pro Tempore, was when I chaired the Committee on Natural Resources. There was a gentleman in this body who felt, because of his connection with the gaming industry at the Lake, that he should go over to the State of California and negotiate with their legislature regarding a bill we had before us which involved Lake Tahoe. He told leadership at that time that if he could not go, then Joe Neal should not go. Spike Wilson, whom I respect very dearly, interceded in that matter which was then resolved. I attended the meeting as chairman of the Natural Resources Committee.

Through the years, I've participated in quite a bit of legislation. No one seems to mention Joe Neal's name when they write about the fire code even though that fire code is

one of the best in the world. No one seems to mention the fact that I participated in improving the library system for Nevada. This legislation came about through a committee which I chaired. I only speak of these types of issues because certain questions have been raised as to my leadership abilities. I don't understand certain people's understanding of leadership when you are associated with such grand plans to help the people. Those are the types of things I have been associated with over the years. I have demonstrated beyond question that I am a people person and my record bears that out.

Recently, there was an election in which I did not participate. This meeting, unfairly in my judgment, brought about a change in Democratic leadership in this body. I felt, as tradition has indicated, that these elections should occur after the general election. I'm sure that Rule No. 15, which has been so highly quoted here was set up for this purpose.

Normally, you can get any type of opinion from the legislative counsel depending upon the group involved. I sought an opinion from our legislative counsel. I asked for an opinion on what is the intent of Joint Rule No. 15. Last night, I received the opinion of the legislative counsel which did not answer the question I asked but dealt with the broader question of constitutionality of the rule itself. I do not have a problem with that. I do have a problem, however, with the manner in which he arrived at the conclusion that the rule does not govern the changing of leadership but only the transposition of the office itself. The legislative counsel based his decision upon a case entitled *EU versus The San Francisco Democratic Central Committee*. I have read that case which dealt with the formalization of Democratic Central Committees and also whether or not the legislature could mandate leadership changes from north to south in a political party. The court's ruling was that the state did not show a compelling state interest. It also said in that case that the legislature itself was independent and apart from political parties. If that was not the case, the court went on to say, then the State of California could have voted a party line rather than turn down various and sundry bills that came before it dealing with the party.

I find the legislative counsel's opinion very interesting in that it does not solve the problem but rather creates one. In fact, it creates many problems because it now says, according to this opinion, that it would be left up to the party to set up rules to govern the terms of leadership in the Senate. I find that to be a novel idea. I plan to ask our Democratic chairman to seek an opinion from the attorney general as to whether or not this can be done. It is interesting to note, however, that the opinions of the legislative counsel do not go back to the time in which the rule was being studied. The information and history of Joint Rule No. 15 started back in 1973 when we had a committee that consisted of Senators Carl Dodge and Thomas Wilson, both of whom I consider to have extraordinary legal minds. In their study of the rule and from information on which this rule was based upon, they said that the reason for the rule was that the legislature had lost its position in terms of equal power with the tri-part system of our government. They further stated that with the legislature meeting every other year, the fact that we did not have a transposition of leadership showed up the weakness as far as the legislature was concerned. It also showed that the legislature could not adequately compete with the other two branches of government and thereby endangered the separation of power concept. I only make this particular statement and point out the facts that the finding in the *EU* case speaks directly to this when it says that there must be a compelling state interest for state involvement. In my judgment, any time you have a system that dilutes the separation of power concept, it becomes a compelling state interest and the legislature can deal with that.

The question may arise in some of your minds as to what this all means and whether or not it means that Joe Neal wants to be minority leader. No, it does not. I wouldn't have the job. In fact, I'd vote to support other people for the job because I certainly feel that, irrespective of the opinion that has been written by Mr. Malkiewicz which I term to be a very weak one, I could not overcome my feeling that whatever happened to me was inspired by rancorous behavior. Therefore, I have to take the position that if you are not wanted then you don't continue to expose yourself to the abuses and comments from which I have suffered. Of course, I would continue to fight, and I would continue to be a part of this legislature. Senator Raggio, if we find that the Democratic Party should have 11 people coming in during the next session of the legislature and based upon the opinion

that the election has to be by party, we are going to test that. If I'm still here, I will nominate you and then we will see what would happen. We'll see what opinion we would get then.

So it's not, Mr. President pro Tempore, a bitter Joe Neal that you see here. What you see is a Joe Neal who clearly understands and knows what his position is within this body. I am elected the same as everyone else and am a person who will continue to fight any type of prejudice that I or any other members may be confronted with in this legislative body. You can take the position from me but the only way you can take my voice is to cut out my tongue. I don't think anyone is going to be willing to do that without a fight. As I said, it is my feeling that the opinion generated is one that I feel is wrong. I feel it leads to something else of which I intend to pursue and seek a conclusion. I think the question should be answered as to whether or not the legislature is independent of party. That question is left open by the opinion received from Mr. Lorne Malkiewich. I thank you for your time.

SENATOR HORN:

Thank you, Mr. President pro Tempore. First of all, let me say that I am delighted to be here with you. I think that you are under the false assumption that we are here today to repeal an action of the previous session when in reality, in my mind, we are here today to give me an opportunity to express my thanks and gratitude to the members of the Senate, the staff and those of you who are here today; to let you know of my love and appreciation of you during the recent difficult few months that I have experienced.

Mr. President pro Tempore, I appreciate you, your calls, kind words and words of encouragement, whether they were from your home or from the Governor's chair, when the Governor was out of his office. You called me one time and said "I need to do something important while sitting in this chair so I thought I would call you." And, I loved that and express my love to you and to your wife Betty. I also express my gratitude to Jan and the front desk for their cards and for their kind thoughts and prayers.

We have, in my mind, a wonderful majority leader who has called me every week. He came to visit me shortly after my cancer surgery. He visited me at the hospital to let me know that he would be willing to fly me to Italy to visit with Italian doctors there. He said that even though none of them have been trained, he was still willing to do that. His calls have come, it seems like, at times when I needed them the most. So, I express my love and appreciation to you and your lovely secretary, whom I have a great deal of love for.

Sue, I appreciate your kind card, your love and for sharing with me your concerns.

Erik tells me that I am in his prayers, and I love that. Dean Rhoads was one of the first to let me know that there is another type of cancer treatment available which he had seen on television and he wanted me to check into that. Randolph and I are the last two of the new breed and I guarantee this is not a swan song, Randolph, because I wouldn't leave you here alone to be the last one of the new breed. I wouldn't do that to the state so I want you to know that I'm going to be here with you as long as you're going to be here, even though we are the last two of the new breed. We called ourselves that when Redelsperger, Foley and several others came over from the Assembly. We were just kind of a new breed of legislator coming over. We kind of died on the vine with the exception of you and me and I just want you to know that it will continue to be you and me.

I appreciate Senator O'Donnell and his calls and kind words as well as those of Senator Smith. With Senator Titus, her mother and I share the same kind of affliction so we have developed a new bond. I really appreciate and love her.

Senator Coffin sends me books and words of kindness. Also, I appreciate Senator Neal and his telephone calls and kind thoughts on my behalf. I respect him greatly. I admire him and I appreciate him. I want you to know that.

Also, Senator Hickey and his family send me notes. Senator Malone's wife came over to the hospital and I was napping on that particular occasion. But, she wrote me a lovely note and I express my appreciation. And, Senator O'Connell, I have a great deal of love for you. I appreciate your prayers and your faith. She brings me books to read, she builds up my spirits, I love her.

So, I wanted you to know, Mr. President pro Tempore, that my heart is full this day.

Senator Getto, one of my dearest friends for the last 13 years, had a meeting in Pahrump, but he drove to Las Vegas and camped out at my house until I came home. He wanted to see me. Later, we went deer hunting together up near Wells and spent the greater part of a week together as we have on many occasions. So, I love him like a brother. I express my appreciation to you and to this body. I love the Senate and the State of Nevada.

There are many friends in the gallery. I won't take time to name them, but they know who they are, and I love you and express my thanks for your cards, for coming to visit me, for your letters, your telephone calls and your words of encouragement.

There are members of the other house too, such as Marvin Sedway, Val Gardner, Jack Jeffrey and others who have been a part of this illness and I express my love to them.

And then to my dear colleague, Jack Vergiels, I have a special fondness for you. He not only visited me in the hospital but he has been dragging me to golf courses and on trips. There is a special bond between us although I don't know how it ever came about because we are not alike philosophically. We both work for the University of Nevada System, but if you put us along side of each other, there are seldom things that we have in common except a deep love that we have for each other. It seems like every time I turn around and really need somebody, he is there. And, whenever I need some encouragement, he is there.

It was really interesting that after I was released from Valley Hospital, and I expressed my gratitude to them, Jack said that in order for me to watch the ball games, I needed a hospital bed. He said he would see if he could arrange the loan of a hospital bed from Valley Hospital. I was to be released on Friday and Valley said they would loan the hospital bed and deliver it on Wednesday. Then, Jack called Sunrise Hospital and asked them if they could deliver a hospital bed on Friday. They assured him they could so he then called back Valley Hospital and told them their bed was not needed because Sunrise would deliver one on Friday even though I was a patient at Valley. Valley said "oh no, we don't want Sunrise to deliver the hospital bed, we'll deliver the hospital bed." So now, he has two trucks driving down Boise Street, dashing to deliver a hospital bed to be installed in my family room that I knew nothing about. But, that is the kind of person he is. Valley won out. Now, I don't need the hospital bed any longer but I'm so embarrassed because they had to tear the whole thing apart to get it in my house and then reassemble it. Four big burly guys were putting sheets and pillow cases on the bed. But now I don't know how to get it disassembled and out of the house.

The other day in Monterey I got up early, because I wasn't able to sleep, and went to the morning session of the meeting. Jack was so concerned because I didn't answer the phone that he had the hotel manager open my room to make sure that I had not gone on to a higher work someplace. I wasn't there, but that kind of concern is just hard to find. So Jack, I express my love to you. You're great. But you need to tell me a joke or something so I won't fall apart on this.

I want you all to know that I love the State of Nevada, I love you, I love the Senate. I've loved being here and the Lord willing I will continue to be here. We will leave that up to the voters and to the Lord. I appreciate your faith, your prayers and your kindness.

And last, but not least, I appreciate my wife, who has been through all of this with me. Of course, I have a great deal of respect for Senator O'Donnell and his family and the love that they share with our family, with Nancy. I don't deserve her, but I'm sure glad I have her. And so I have a great deal to be thankful for.

Senator Rawson and I share a special kind of an experience, one that I won't spend a lot of time talking about today. But, I want you to know that in addition to that, he brings me tapes. On the days of the chemotherapy treatments you don't feel like reading or doing much, but listening to tapes is wonderful. My heart is full of gratitude for you, Senator Rawson. I have a great love for you, great admiration and respect for you.

I ask the Lord to bless us and to bless the state. I'm sorry that I took so much of your time. You'll have to forgive me for that, but I didn't want to let this occasion go by without letting you know what is in my heart and the feelings that I have for all of you. Thank you.

SENATOR JACOBSEN:

Thank you, Senator Horn. I'm sure it goes without saying that each and every one of us here today could just break down and have a good cry. Certainly, I think we all appreciate your comments. We know of your great love for the outdoors, for watching a deer or elk run, a goose fly or whatever. I want to say that you must continue to do those kinds of things. That's part of your life. I'm sure that many of us could not accommodate your expression here without breaking down. We want you to know that we love you as much as you love us. You've been a great asset to the Assembly as well as the Senate. You've made this great state of ours a better place in which to live and I certainly think that is a challenge for each and every one of us. So, fly high. Fly with the eagles.

I would like to tell you a little story. Nick once came goose hunting in the Carson Valley. We wanted to send him home with 16 Canadian honkers. There was a little bit of concern about that. I thought it was kind of a nice ploy in that I could call the Department of Wildlife and tell them that Nick Horn was getting on a plane in Reno with an over-limit of geese. Being that Nick is one of my dear friends, I would not have done that to him. However, we did send him home with the 16 Canadian honkers or parts of them. My family enjoyed taking Nick out hunting. I asked my youngest son what he thought of Nick as a hunter. He replied that Nick could never stay down on the ground. He wanted to get up and fly with them. So that is why I say, Nick fly with them. That's what life is all about.

#### MOTIONS, RESOLUTIONS AND NOTICES

President pro Tempore Jacobsen appointed Senators Malone, Getto and O'Neill as a committee to wait upon His Excellency, the Honorable Robert J. Miller, Acting Governor of the State of Nevada, and to inform him that the Senate is ready to adjourn *sine die*.

President pro Tempore Jacobsen appointed Senators O'Donnell, Beyer and Vergiels as a committee to wait upon the Assembly and to inform that honorable body that the Senate is ready to adjourn *sine die*.

A committee from the Assembly, consisting of Assemblymen Kissam, Fay and McGinness, appeared before the bar of the Senate and announced that the Assembly is ready to adjourn *sine die*.

#### GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Horn, the privilege of the floor of the Senate Chamber for this day was extended to Mrs. Nancy L. Horn.

On request of Senator Malone, the privilege of the floor of the Senate Chamber for this day was extended to Mrs. Terri Malone.

On request of Senator O'Neill, the privilege of the floor of the Senate Chamber for this day was extended to Washoe High School chaperones Ms. Juanita Y. Jeanney, Mr. Jim Shaw and Mr. Frank Lemus and the following students: Billie Willaman, Marsha Wyffels, Donna Stocke, Jay Eskey, Nicola Panos, Anita King, Jared Jansma, Suzi Diebler, Tammy Duncan, Tom Van Dort, Gary Sumner, Mike Bomarito, Jason Nelson, Meinrado Batin, Daniel Cabanilla, Romeo Cabanilla, Reda Murphy, Lisa Sobola, David Hish, James Mote, Rhonda Wendlandt, Rueben Dante Rousseau, James Carducci, Carlos Lopez, Christy Alexander, Chris Adams, Pete Day, Darla deCovy and Ron Griffin.

On request of Senator Raggio, the privilege of the floor of the Senate Chamber for this day was extended to Mrs. Lucille Hill.

On request of President pro Tempore Jacobsen, the privilege of the floor of the Senate Chamber for this day was extended to Mrs. Betty Jacobsen.

#### UNFINISHED BUSINESS

##### SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the President pro Tempore and Secretary signed Senate Bill No. 1; Senate Resolutions Nos. 1, 2; Assembly Bill No. 2.

President pro Tempore Jacobsen announced that if there were no objections, the Senate would recess subject to the call of the Chair.

Senate in recess at 11:56 a.m.

#### SENATE IN SESSION

At 12:11 p.m.

President pro Tempore Jacobsen presiding.

Quorum present.

#### MOTIONS, RESOLUTIONS AND NOTICES

Senator Malone reported that his committee had informed the Acting Governor that the Senate is ready to adjourn *sine die*.

Senator O'Donnell reported that his committee had informed the Assembly that the Senate is ready to adjourn *sine die*.

Senator Raggio announced that the members of the Senate and Assembly have waived all fees for the special session.

Senator Raggio moved that the Sixteenth Special Session of the Senate of the Legislature of the State of Nevada adjourn *sine die*.

Motion carried.

Senate adjourned *sine die* at 12:14 p.m.

Approved:

LAWRENCE E. JACOBSEN

*President pro Tempore of the Senate*

Attest: JANICE L. THOMAS

*Secretary of the Senate*

# INDEX TO SENATE JOURNAL, 1989

Sixteenth Special Session, 1989

---

## A

### ADJOURNMENT—

*Sine die*, 16.

### ANNOUNCEMENTS—

By Senator Raggio—

All members of the Senate and Assembly have waived all fees and allowances for the Special Session, 16.

### ASSEMBLY—

Informs Senate Assembly organized, 4.

Informs Senate Assembly ready to adjourn *sine die*, 15.

Messages from, 10.

### ATTACHES—

Appointment, S.R. 1, 6.

## B

### BEYER, ERIK, SENATOR FROM WASHOE COUNTY, NO. 1 DISTRICT—

Bills introduced by, S.B. 1, 6.

Committee Appointments—

Special—

Informed Acting Governor Senate ready to adjourn *sine die*, 15.

Informed Assembly Senate organized, 3.

BUNKER, VERNON E.—*See Sergeant at Arms.*

## C

CHIEF JUSTICE C. CLIFTON YOUNG—*See Supreme Court, Nevada.*

### COFFIN, BOB, SENATOR FROM CLARK COUNTY, NO. 3 DISTRICT—

Bills introduced by, S.B. 1, 6.

Committee Appointments—

Special—

Informed Assembly Senate organized, 3.

### COMMITTEE OF THE WHOLE—

Addressed by—

Mr. Lorne J. Malkiewich, 7.

Chaired by—

Senator William J. Raggio, 7.

Resolve into, motion to, S.B. 1, 7.

Rise, motion to, S.B. 1, 9.

### COMMITTEES, SPECIAL—

Escort appointed for—

Chief Justice C. Clifton Young, 2.

Inform Acting Governor Senate organized, 5.

Inform Acting Governor Senate ready to adjourn *sine die*, 16.

Inform Assembly Senate organized, 3.

Inform Assembly Senate ready to adjourn *sine die*, 16.

## COMMUNICATIONS RECEIVED—

Governor, Acting—

Proclamation to convene Sixteenth Special Session, 5.

## CREDENTIALS, TEMPORARY COMMITTEE ON—

Members, appointment, 2.

Report, 2.

## E

## EMERGENCY MEASURES—

Rules suspended to declare, S.B. 1, 9; A.B. 2, 10.

ESCORT COMMITTEES—*See Committees, Special.*

## G

GETTO, VIRGIL, SENATOR FROM CENTRAL NEVADA SENATORIAL DISTRICT—  
Bills introduced by, S.B. 1, 6.

Committee Appointments—

Special—

Informed Acting Governor Senate organized, 3.

## GOVERNOR, ACTING—

Informed Senate organized, 5.

Informed Senate ready to adjourn *sine die*, 16.

## GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR—

By Senators—

Horn, 15.

Malone, 15.

O'Neill, 15.

Raggio, 16.

## H

HICKEY, THOMAS J., SENATOR FROM CLARK COUNTY, NO. 2 DISTRICT—  
Bills introduced by, S.B. 1, 6.

Committee Appointments—

Temporary—

Committee on Credentials, 2.

HORN, NICHOLAS J., SENATOR FROM CLARK COUNTY, NO. 7 DISTRICT—

Bills introduced by, S.B. 1, 6.

Committee Appointments—

Special—

Informed Acting Governor Senate organized, 3.

Minority Leader, declared to be, 3.

Moves—

Vote of thanks to Chief Justice C. Clifton Young, 2.



J

JACOBSEN, LAWRENCE E., SENATOR FROM WESTERN NEVADA SENATORIAL DISTRICT—

Appoints Committees—

Special—

- Escort for Chief Justice C. Clifton Young, 2.
- Inform Acting Governor Senate organized, 5.
- Inform Acting Governor Senate ready to adjourn *sine die*, 5.
- Inform Assembly Senate organized, 5.
- Inform Assembly Senate ready to adjourn *sine die*, 5.
- Temporary Committee on Credentials, 2.

Bills introduced by, S.B. 1, 6.

Presides over Senate, 2, 9, 10, 16.

Remarks from the floor re Senator Nicholas Horn, 15.

Temporary Officers—

- Secretary of the Senate, Janice L. Thomas, requested to serve as, 1.
- Sergeant at Arms, Vernon E. Bunker, requested to serve as, 1.

JOERG, CHARLES W., SENATOR FROM CAPITAL SENATORIAL DISTRICT—  
Absences, excused, 1, 9, 10.

JOINT STANDING RULES—*See Rules.*

L

LIEUTENANT GOVERNOR—*See Governor, Acting.*

M

MAJORITY FLOOR LEADER—*See Raggio, William J.*

MAJORITY FLOOR LEADER, ASSISTANT—*See Rawson, Raymond D.*

MAJORITY WHIP—*See O'Donnell, William R.*

MALKIEWICH, LORNE J., Legislative Counsel—

Remarks from the floor re A.B. 820 of the Sixty-Fifth Session, 8.

MALONE, MIKE, SENATOR FROM CLARK COUNTY, NO. 6 DISTRICT—

Bills introduced by, S.B. 1, 6.

Committee Appointments—

Special—

Informed Acting Governor Senate ready to adjourn *sine die*, 16.

MILLER, ROBERT J.—*See Lieutenant Governor.*

MINORITY LEADER—*See Vergiels, John M.*

MINORITY LEADER, ASSISTANT—*See Horn, Nicholas J.*

N

NEAL, JOE, SENATOR FROM CLARK COUNTY, NO. 4 DISTRICT—

Bills introduced by, S.B. 1, 6.

Remarks from the floor re status of Senate leadership in Democratic party, 11, 12, 13.

NEWSPAPERS—*See Press Representatives.*

NO FURTHER CONSIDERATION—

Motion re A.B. 1, 11.

## O

- O'CONNELL, ANN, SENATOR FROM CLARK COUNTY, NO. 5 DISTRICT—  
Bills introduced by, S.B. 1, 6.  
Committee Appointments—  
Special—  
Informed Acting Governor Senate organized, 3.  
Remarks from the floor re A.B. 820 of the Sixty-Fifth Session, 8.
- O'DONNELL, WILLIAM R., SENATOR FROM CLARK COUNTY, NO. 5 DISTRICT—  
Bills introduced by, S.B. 1, 6.  
Committee Appointments—  
Special—  
Informed Assembly Senate ready to adjourn *sine die*, 15.  
Temporary—  
Committee on Credentials, 2.  
Majority Whip, declared to be, 3.
- O'NEILL, MARGARET E., SENATOR FROM WASHOE COUNTY, NO. 2 DISTRICT—  
Bills introduced by, S.B. 1, 6.  
Committee Appointments—  
Special—  
Informed Acting Governor Senate ready to adjourn *sine die*, 15.
- OATH OF OFFICE—  
Administered to Senator-appointee Margaret E. O'Neill, 2.

## P

- PRESIDENT PRO TEMPORE OF THE SENATE—SEE JACOBSEN, LAWRENCE E.
- PRESS REPRESENTATIVES—  
Accreditation, 4.

## R

- RADIO STATIONS—See *Press Representatives*.
- RAGGIO, WILLIAM J., SENATOR FROM WASHOE COUNTY, NO. 1 DISTRICT—  
Bills introduced by, S.B. 1, 6.  
Committee Appointments—  
Committee of the Whole, (chairman) S.B. 1, 7.  
Majority Floor Leader, declared to be, 3.  
Moves—  
Adoption of resolution(s), S.R. 1, 6; S.R. 2, 6.  
Joint rules of Senate and Assembly of the Sixty-Fifth Session adopted for Sixteenth Special Session, as noted, 3.  
Committee of the Whole, resolve into, S.B. 1, 7.  
Committee of the Whole, rise, S.B. 1, 9.  
No further consideration of A.B. 1, 11.  
Press representatives, accreditation, 3.  
Standing Rules of Senate and Assembly of the Sixty-Fifth Session adopted for Sixteenth Special Session, as noted, 3.  
Suspend rules—  
Declare an emergency measure, S.B. 1, 9; A.B. 2, 10.  
Transmit immediately to Assembly, S.B. 1, 9; A.B. 2, 10.
- Nominates—  
Thomas, Janice L., Secretary of the Senate, 3.  
Remarks from the floor re S.B. 1, 7, A.B. 820 of the Sixty-Fifth Session, 8.  
Resolutions introduced by, S.R. 1, 6; S.R. 2, 6.

RAWSON, RAYMOND D., SENATOR FROM CLARK COUNTY, NO. 6 DISTRICT—

Bills introduced by, S.B. 1, 6.

Committee Appointments—

Temporary—

Committee on Credentials, 3.

Majority Floor Leader, Assistant, declared to be, 3.

Moves—

Adopt report of temporary Committee on Credentials, 2.

REMARKS FROM THE FLOOR—

By Senators—

Horn re expression of appreciation and love, 13.

Jacobsen re leadership for Sixteenth Special Session, 3; Senator Nicholas Horn, 15.

Neal re A.B. 820 of the Sixty-Fifth Session, 8; status of Senate leadership in Democratic Party, 11, 12, 13.

O'Connell re A.B. 820 of the Sixty-Fifth Session, 8.

Raggio re A.B. 820 of the Sixty-Fifth Session, 7.

Vergiels re Senator-appointee Margaret E. O'Neill, 11.

By Staff—

Malkiewich re A.B. 820 of the Sixty-Fifth Session, 8.

RHOADS DEAN A., SENATOR FROM NORTHERN NEVADA SENATORIAL DISTRICT—

Bills introduced by, S.B. 1, 6.

RULES—

Standing—

Adoption with stipulation, 3.

Joint—

Adoption, 3.

S

SECRETARY OF SENATE—

Nomination, 3.

Temporary—

President pro Tempore requests Janice L. Thomas to serve as, 1.

Roll call, 1, 2.

Thomas, Janice L., declared to be 3.

SERGEANT AT ARMS—

Temporary—

President pro Tempore requests Vernon E. Bunker to serve as 1.

SHAFFER, RAY, SENATOR FROM CLARK COUNTY, NO. 2 DISTRICT—

Absences, excused, 1, 9, 10.

SMITH, R. HAL, SENATOR FROM CLARK COUNTY, NO. 1 DISTRICT—}

Bills introduced by, S.B. 1, 6.

SPECIAL COMMITTEES—*See Committees, Special.*

STANDING RULES—*See Rules.*

SUPREME COURT, NEVADA—

Chief Justice—

Administers oath, 2.

Escort committee appointed for, 2.

Vote of thanks extended to, 2.

## T

TELEVISION STATIONS—*See Press Representatives.*

TEMPORARY COMMITTEE ON CREDENTIALS—*See Credentials, Temporary Committee on.*

THANKS, VOTE OF—

Chief Justice, 2.

TITUS, DINA, SENATOR FROM CLARK COUNTY, NO. 7 DISTRICT—

Bills introduced by, S.B. 1, 6.

TOWNSEND, RANDOLPH J., SENATOR FROM WASHOE COUNTY, NO. 3 DISTRICT—

Bills introduced by, S.B. 1, 6.

Committee Appointments—

Special—

Informed Acting Governor Senate organized, 3.

## V

VERGIELS, JOHN M., SENATOR FROM CLARK COUNTY, NO. 3 DISTRICT—

Bills introduced by, S.B. 1, 6.

Committee Appointments—

Special—

Informed Assembly Senate ready to adjourn *sine die*, 15.

Minority Leader, declared to be, 3.

Remarks from the floor re Senator Margaret E. O'Neill, 11.

Resolutions introduced by, S.R. 1, 6; S.R. 2, 6.

VOTE OF THANKS—*See Thanks, Vote of.*

## W

WAGNER, SUE, SENATOR FROM WASHOE COUNTY, NO. 3 DISTRICT—

Bills introduced by, S.B. 1, 6.

Committee Appointments—

Special—

Informed Assembly Senate organized, 3.