

**THE FIFTY-SECOND DAY**

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CARSON CITY (Wednesday), March 30, 2005

Assembly called to order at 4:50 p.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, Reverend Ruth Hanusa.

Dear God, we pray for the people of Indonesia who once again have had their world shattered by earthquakes and aftershocks. Be with the family and friends of those who have died, and give them both strength and hope to pick up the pieces of their broken lives. Be with the aid workers who labor on our behalf. Give them energy and gracious spirit as they tend to the many kinds of wounds. We pray for ourselves as well, for times when we are shaken, things get turned upside down and our cages get rattled. In these times, give us laughter, keep us gracious and grant us the wisdom to take our work seriously and ourselves not too seriously.

AMEN.

Pledge of Allegiance to the Flag.

Assemblywoman Buckley 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 Government Affairs, to which were referred Assembly Bill Nos. 16, 235, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

DAVID PARKS, *Chairman*

*Mr. Speaker:*

Your Committee on Health and Human Services, to which was referred Assembly Bill No. 327, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

SHEILA LESLIE, *Chairman*

*Mr. Speaker:*

Your Committee on Judiciary, to which were referred Assembly Bills Nos. 50, 205, 227, 243, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

Also, your Committee on Judiciary, to which was referred Assembly Concurrent Resolution No. 2, has had the same under consideration, and begs leave to report the same back with the recommendation: Be adopted.

BERNIE ANDERSON, *Chairman*

**MOTIONS, RESOLUTIONS, AND NOTICES**

Assembly Concurrent Resolution No. 5.

Resolution read.

The following amendment was proposed by Education:

Amendment No. 45.

Amend the preamble of the resolution, page 1, line 13, by deleting “46” and inserting “83”.

Amend the preamble of the resolution, page 2, line 1, by deleting “\$28,593,329” and inserting “\$14,108,618”.

Amend the preamble of the resolution, page 2, by deleting lines 40 through 45 and inserting: “benefit to all of Nevada’s school children; now, therefore, be it”.

Assemblywoman Parnell moved the adoption of the amendment.

Remarks by Assemblywoman Parnell.

Amendment adopted.

Resolution ordered reprinted and engrossed.

#### SECOND READING AND AMENDMENT

Assembly Bill No. 145.

Bill read second time and ordered to third reading.

Assembly Bill No. 404.

Bill read second time and ordered to third reading.

Mr. Speaker appointed Assemblyman Atkinson and Assemblyman Hardy as a committee to invite the Senate to meet in Joint Session with the Assembly to hear an address by United States Representative Jon Porter.

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

Mr. Speaker invited the President of the Senate to the Speaker’s rostrum.

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

#### IN JOINT SESSION

At 5:09 p.m.

President of the Senate presiding.

The Secretary of the Senate called the Senate roll.

All present except Senator Care, who was excused.

The Chief Clerk of the Assembly called the Assembly roll.

All present.

The President of the Senate appointed a Committee on Escort consisting of Senator Hardy and Assemblyman Seale to wait upon Representative Porter and escort him to the Assembly Chamber.

The Committee on Escort in company with The Honorable Jon Porter, United States Representative from Nevada, appeared before the Bar of the Assembly.

The Committee on Escort escorted the Representative to the rostrum.

Mr. Speaker welcomed Representative Porter and invited him to deliver his message.

Jon Porter, United States Representative, delivered his message as follows:

MESSAGE TO THE LEGISLATURE OF NEVADA  
SEVENTY-THIRD SESSION, 2005

Thank you very much. It is great to be home. I can remember a few years ago, I see some very familiar faces, sitting in the Senate. I think Randolph would say, "Jon, we really have to listen to that federal delegation. When there is a member here from Washington we really have to go." I would say, "Are you sure we have to go?" Randolph said, "No, we don't have to go listen to those guys from Washington." Randolph, thanks for being here today. It means a lot to me.

I know you have a lot of business to do, and I appreciate your hospitality, and I appreciate the honor of being here with all of you who are doing such a great job for the State of Nevada. It is like coming home, as I mentioned.

Let me tell you, every day, I am so proud of Nevada. I have the opportunity to sing the praises of everyone in this room to local governments, our constituents, to our business community, and to our families. We have a chance, here in Nevada, to set the stage for the rest of our country. I have, many times, visited some of our men and women in uniform, in Bethesda or in Walter Reed Army Hospital. I know that our prayers go out to all those individuals, their families and loved ones, and especially those who have paid the ultimate sacrifice by giving their life. I visited these folks in the hospital. One gentleman was run over by a tank; many have lost their arms and limbs. It is heartwarming to see how proud they are to serve their country.

I would traditionally say that I was a Congressman from the state of Nevada. They would say, "That is nice, Congressman. How are things in Nevada?" Of course I would talk a bit about their family and what was happening. Finally one individual said, "Have you ever been to Las Vegas?" He had a twinkle in his eye. I represent the state of Nevada, even though my district is in southern Nevada, I represent everyone. I am proud to say that I represent the whole state. But, I will tell you what I learned from that individual as he had a twinkle and said, "I want to come to Las Vegas sometime," and another gentleman down the hall said, "I was there before I went in the service and I got married there," or "I am going to go to Las Vegas and have a party." I now introduce myself as the Congressman from the state of Las Vegas. Please, to my friends in northern Nevada and my friends in Boulder City, Henderson, and North Las Vegas, I represent all of you, but I think it is interesting to note that there are so many people out there who are watching what is happening in Nevada, so I like to mention Las Vegas. If we can put one little sparkle in the eye, I think that is the way to do it because they all want to visit us and see what is happening.

I brag about Las Vegas, I brag about North Las Vegas and northern Nevada. But you know what? It is all real. Look what has happened in Nevada. We are the bellwether for the rest of the country. We have created close to 70,000 new jobs in the last year, another 10,000 new jobs are going online this month, or the end of April, at the Wynn Resort, the best housing starts in the country, and the unemployment rate is under 4 percent, which is unheard of. Look what we have done as a community with strength in our local government, our state government, a resilient business community, and families that have worked together. We have weathered so many storms, looking back at least the 30 years I have been here. I am very proud and will continue to be proud of Nevada and what we have accomplished.

You know what? There is also something else I would like to brag about. We have a delegation in Washington, five of us, who work very well together. We don't always agree, but we work well together, whether it be making sure that we can continue to receive our Southern Nevada Public Lands funds, fighting to make those funds stay here, making sure that Medicaid dollars keep coming to Nevada, education dollars, we work together. That is what it is all about here in Carson City. Your successes have been about working together as a team. I am so proud

to say that my colleagues are there for you all the time. I know I am the fifth member and you have probably heard a lot of things you do not want to hear about, but I want to spend a moment and explain to you how well we work together as a delegation. If we look at the history of Yucca Mountain, 20 years ago who would have guessed that we would have been able to stop it as we have today? That has come because of prior federal delegations that have been there, this Legislature, and business leaders. But you know what? Even Brian Sandoval, in the halls of justice, has been successful in setting back the Yucca Mountain project. Something is happening April 5. I was just appointed as chairman of a subcommittee. I am honored to be the chairman of the subcommittee, but I have jurisdiction over every federal agency, whether it be IRS—we love the IRS—whether it be DOE, BLM, any federal agency and the federal workforce. Just a few weeks ago there was a revelation: allegations that there were falsified documents having to do with the science, the data collected at Yucca Mountain. On April 5, our delegation, Senator Reid, Senator Ensign, Shelley Berkley, Jim Gibbons, the Governor, and Brian Sandoval will have another opportunity, as I chair the committee, to hear about the allegations against the Department of Energy and the U.S. geological survey. How there has been, supposedly, falsification of data regarding water, the seepage, and the safety at Yucca Mountain. We are going to have all sides of the story, but my jurisdiction is over federal employees. My jurisdiction is to make sure that we have the best federal employees and that they tell the truth. This issue, regarding the falsified documents, is the tip of the iceberg. We expect that there may well be additional information. One more opportunity for us as a state to work together to stop the Yucca Mountain project.

As we look at other serious challenges for the state of Nevada, and I touched on Medicaid funding, with the delegation we are fighting the reduction of funds into Nevada and education dollars, making sure we get our fair share. As you know, that has been a challenge, as we are one of the fastest-growing states in the country. We are one of the fastest-growing school districts in the country, with 2,000, statewide, new teachers. We need to make sure that we can retain these teachers. It has been a passion for me for many years to provide for our professional teachers, the training for our students, and our families. Right now, I will applaud George Ann Rice who is going to be retiring soon from the Clark County School District. George Ann Rice came to me with a program and we were able to allocate about \$1.5 million to help retain teachers. We need to hire 2,500 new ones, but we are also losing “X” amount of teachers a year. This program is in place. It has been in place for about a year, and I encourage, as it goes before the committees here in Carson City, that you continue funding it. It is about the retention of teachers and providing for mentors to help teachers. Especially those new teachers who have just moved here from Iowa, Minnesota, or California, as they get to know our state of Nevada and our school districts. It is working well and I would like to take a moment to applaud George Ann Rice, who has done really a tremendous job.

I have been reading with interest what is happening with all-day kindergarten. There is no question; in Nevada we need all-day kindergarten. I know there are substantial funding challenges, but I also know the importance of making sure that these kids get one extra chance, especially those kids who are low-income or have other cultural challenges. I know that funds right now are a challenge, so what I am doing as a member of the Education and Workforce Committee is working with our committee, twofold. One is to provide an additional tax incentive to these families for music, arts, and for all-day kindergarten, to try to help them get their kids into the schools. We are also working with the health grants to help the state of Nevada to possibly find some additional funding for all-day kindergarten. I encourage the program and I applaud you because I know it has been a major debate, especially in the last couple of weeks. Thank you.

As we talk about Nevada and where we have been, it is an honor for me and will continue to be an honor for me, to send the message that we have unique challenges in Nevada. I was speaking to a member of Congress the other day from Virginia, a friend of mine, and we were comparing notes about education. He said, “Jon, how many new kids in the school districts in Nevada last year?” I said, “About 17,000.” It was kind of a quick conversation, but he said, “Jon, you know, we had 1,700.” I said, “Do you understand, 1,700 compared to 17,000?” and he gave me this blank stare. He did not quite grasp the magnitude, but whether it is education, mental health, public land issues, funding social services, what we have to continue to do as

members of Congress is make sure that our colleagues, and you are a part of that message, understand the unique challenges for the state of Nevada, especially with our growth. Although we have so much to brag about, and we are so proud to be Nevadans, we need to make sure from a federal perspective that we continue to fund the programs and reduce the number of unfunded mandates that continue to come down to you from Washington, D.C.

You know, it is an evening filled with tax debate, and I know you want to get back to finish your meetings tonight. As I mentioned, giving Randolph a hard time, I remember I did not want to show up for these meetings. So know that I appreciate and I applaud all of you for taking the time to be here. I look forward to answering any questions that you might have after the meeting, but let us look back to where we have been as a state. In the '70s we had major strife with labor relations. Today, our relations with labor is a model for the rest of the country. We look at what we have done with Yucca Mountain for the last 20 years. We look at what we have done in setting a standard for an economy that is starting to move across this country because our rooms are full and we are getting people back to work. So many of my colleagues would love to have some of the challenges that we have here in Nevada.

Let me conclude by saying thank you all very much. As you enter your debates and you finish the next few weeks and the next month or so, keep in mind that in Washington we can learn from your ability to work together, because at the end of the day, you come together and do what is best for Nevada. Thank you all very much. I am honored to be here and I look forward to seeing you all again in the near future. May God bless America and bless the state of Nevada.

Senator Washington moved that the Senate and Assembly in Joint Session extend a vote of thanks to Representative Porter for his timely, able, and constructive message.

Seconded by Assemblywoman Gerhardt.

Motion carried unanimously.

The Committee on Escort escorted Representative Porter to the Bar of the Assembly.

Senator Heck moved that the Joint Session be dissolved.

Seconded by Assemblywoman Smith.

Motion carried.

Joint Session dissolved at 5:28 p.m.

#### ASSEMBLY IN SESSION

At 5:29 p.m.

Mr. Speaker presiding.

Quorum present.

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

Assembly in recess at 5:29 p.m.

#### ASSEMBLY IN SESSION

At 5:33 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 Concurrent Resolutions Nos. 12 and 13.

On request of Assemblywoman Angle, the privilege of the floor of the Assembly Chamber for this day was extended to John Rapanos and Rhonda McGlinn.

On request of Assemblyman Christensen, the privilege of the floor of the Assembly Chamber for this day was extended to Jerry Peterson.

On request of Assemblywoman Parnell, the privilege of the floor of the Assembly Chamber for this day was extended to Jenna Marie Geyer and Emily Mackenzie Allen.

Assemblywoman Buckley moved that the Assembly adjourn until Thursday, March 31, 2005, at 11:00 a.m.

Motion carried.

Assembly adjourned at 5:33 p.m.

Approved:

RICHARD D. PERKINS  
*Speaker of the Assembly*

Attest: NANCY S. TRIBBLE  
*Chief Clerk of the Assembly*